

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

Meeting Date: November 5, 2018
Presenter: Chairman Earl Pugh, Jr.
Attachment: No

ITEM TITLE: OPENING

SUMMARY: Call to Order
Opening Prayer
Pledge of Allegiance

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

Meeting Date: November 5, 2018
Presenter: Chairman Earl Pugh, Jr.
Attachment: Yes

ITEM TITLE: CONSIDERATION OF AGENDA

SUMMARY: Attached is the proposed Agenda for the November 5, 2018 Regular Meeting of the Hyde County Board of Commissioners.

RECOMMEND: Review, Amend and Approve.

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

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

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

AGENDA

HYDE COUNTY BOARD OF COMMISSIONERS' REGULAR MEETING

MONDAY, NOVEMBER 5, 2018 – 6:00 PM

CALL TO ORDER

CONSIDERATION OF AGENDA

CONSIDERATION OF MINUTES

- 1) October 1, 2018
 - Regular Meeting Minutes

PUBLIC HEARINGS (none)

INTRODUCTIONS (none)

PRESENTATIONS

- 1) Tax Collections Report – October 2018 Linda Basnight
- 2) Airport Consultant Award Jane Hodges
- 3) Parks & Recreation Plan Natalie Wayne

EMPLOYEE RECOGNITION

PUBLIC COMMENTS

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

ITEMS OF CONSIDERATION

1) Ordinances – Resolutions – Proclamations

- Proclamation Ending State of Emergency Justin Gibbs
- Resolution In Support Of JCPC Allocation Expansion Kris Noble

2) Appointments

- School Justice Partnership – Commissioner Liaison Kris Noble
- Hyde County Board of Health Luana Gibbs

3) Approval of Revised Agreement With Ferry View Partners Bill Rich

4) Letter to NC House Transportation CommitteeKris Noble

**5) Authorization for Hyde County to Borrow From Tideland EMC on Behalf of Daniel Brinn
Fairfield Drainage District**

6) Change In Salary Grade for Building Inspections Position Kris Noble

**7) Collocation of Telecommunications Equipment on Existing Tower Donnie Shumate
Cedar Road, Ocracoke**

**8) Collocation of Telecommunications Equipment on Existing Tower Donnie Shumate
Ocracoke Water Tower**

**9) Collocation of Telecommunications Equipment on Existing Tower Donnie Shumate
Bishop Road, Scranton**

BUDGET MATTERS

Cooperative Extension

- Services Rendered \$7,000.00
- Equipment \$7,000.00

Department of Social Services

- CIP – State Funds \$6,138.00

Board of Health

- PME \$5,000.00

MANAGEMENT REPORTS

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

PUBLIC COMMENTS

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

CLOSED SESSION (discussion and possible action if required)

ADJOURN

SUPPLEMENTAL INFORMATION

Department Reports

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

Informational Items

- 1) CAC – 5/29 and 9/26 Quarterly/Annual Visitation Report
- 2) Senior Tar Heel Legislature Meeting Report
- 3) Conflict of Interest Statement – Tram Project
- 4) 2019 Legislative Goals

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

Meeting Date: November 5, 2018
Presenter: Lois Stotesberry, Clerk
Attachment: Yes

ITEM TITLE: CONSIDERATION OF MINUTES

SUMMARY: Attached are the October 1, 2018 Regular Meeting Minutes of the Hyde County Board of Commissioners.

RECOMMEND: Review, Amend and Approve.

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

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

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

1 Regular Meeting Minutes

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

5
6 **Monday, October 1, 2018**

7
8 Following a moment of silence in remembrance of Jerry Hardison and opening prayer by Chairman Pugh and Pledge of
9 Allegiance, the Regular Meeting of the Hyde County Board of Commissioners was called to order at 6:08p.m., on
10 Monday, October 1, 2018, in the Hyde County Government Center, Multi-Use Room, and the Ocracoke Community
11 Center using electronic conferencing equipment.

12 The following members were present on the mainland: Chairman Earl Pugh, Jr.; Vice-chairman Barry Swindell;
13 Commissioners Dick Tunnell and Ben Simmons; County Manager Kris Cahoon Noble; Special Projects Coordinator
14 Bill Rich; Attorney Franz Holscher; Clerk to the Board Lois Stotesberry; IT Director Donnie Shumate and members of
15 the public.

16 Commissioner Tom Pahl and members of the public were present on Ocracoke. Teresa Adams ran the electronic
17 conferencing equipment.

18
19 Consideration of Agenda:

20 Commissioner Tunnell moved to approve the Monday, October 1, 2018 Board of Commissioners Regular Meeting
21 Agenda as presented by the Clerk with addition of No. 4 – Appointment to Southern Albemarle Association Delegate
22 List. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell,
23 Simmons and Pahl; Nays – None; Absent or not voting – None.

24 Consideration of Minutes:

25 September 4, 2018 – Regular Meeting

26 Commissioner Pahl moved to approve the September 4, 2018 Hyde County Board of Commissioners Regular Meeting
27 Minutes as presented by the Clerk with correction on page 3 – line 23 – Chad Macek, line 24 – Amy Srail, line 26 – Ms.
28 Srail, line 28 – Rita Peel; and with revision made on page 4 – lines 24 – 35 to reflect recommendations from Swan
29 Quarter Watershed Committee. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes –
30 Pugh, Swindell, Tunnell, Simmons and Pahl; Nays – None; Absent or not voting – None.

31 September 17, 2018 – Special Meeting

32 Commissioner Pahl moved to approve the September 17, 2018 Hyde County Board of Commissioners Special Meeting
33 Minutes as presented by the Clerk. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes –
34 Pugh, Swindell, Tunnell, Simmons and Pahl; Nays – None; Absent or not voting – None.

35 Employee/ Volunteer/ Friend of Hyde County:

36 County Manager Kris Cahoon Noble, Chairman Pugh and the commissioners thanked employees, responders,
37 agencies/organizations and neighboring counties for their volunteer services and support during the declared State of
38 Emergency and ongoing recovery related to Hurricane Florence.

39 Presentations:

40 Report of Tax Collections Month Ending September 30, 2018

41 County Manager Kris Cahoon Noble reported that at its last regular commissioners meeting the Board recommended
42 monthly tax collections reporting. Tax Administrator Linda Basnight will present future tax collections reports.

43 Commissioner Swindell moved to accept the September 30, 2018 Hyde County Tax Collections Report as presented.
44 Commissioner Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell,
45 Tunnell, Simmons and Pahl; Nays – None; Absent or not voting – None.

46 Hyde County Agricultural Losses

47 Andrea Gibbs, Cooperative Extension Agriculture Agent, presented summary of agricultural losses due to Hurricane
48 Florence. Ms. Gibbs reported crop damage from wind and rain was minimal to most soybeans and cotton. However,
49 tidal flooding left crops in the Scranton, Sladesville, Rose Bay and Engelhard areas in very poor condition. Growers that
50 experienced tidal flooding are concerned with the impacts that will be seen as a result of the saltwater. Saltwater has had
51 a direct impact on the flooded crops, but will negatively affect the soil for future crops. The length of time the land was
52 inundated with floodwater and the absence of rain to flush the salt out has left many growers fearing that the saltwater
53 intrusion may have a lasting effect on the productivity of the affected land.

54 Beaufort-Hyde County Emergency Board members estimated a total loss for cotton and soybeans in the
55 Scranton/Sladesville area and a 50% loss to cotton and soybeans countywide. The majority of the corn acres were
56 harvested before the storm. What was left in the field was wind damaged. The Board estimated a 35% loss to corn and
57 70% loss to snap beans across the county.

1 **Ocracoke Township Tourism Development Authority Quarterly Financial Statement**
2 **County Manager Kris Cahoon Noble** reported a quarterly financial report dated September 28, 2018 has been provided
3 by the Hyde County Finance Office for review. Ms. Noble will present this report to the OTTDA at their next scheduled
4 meeting on October 15, 2018 at the Ocracoke Community Center.

5 **National Long-Term Care Residents' Rights Month 2018 Proclamation**

6 **County Manager Kris Cahoon Noble** reported Residents' Rights is celebrated during the month of October each year
7 to recognize the rights afforded to our residents in long-term care facilities. Many residents do not know that they have
8 these rights or understand that there are advocates available through the Ombudsman program and Community Advisory
9 Committees to empower them to use their voices to effect change.

10 Commissioner Tunnell moved to adopt National Long-Term Care Residents' Rights Month 2018 Proclamation (Speak
11 Up: Know Your Rights and How To Use Them). Commissioner Swindell seconded the motion. The motion passed on
12 the following vote: Ayes – Pugh, Swindell, Tunnell, Simmons and Pahl; Nays – None; Absent or not voting – None.

13 *Clerk's Note: A copy of "National Long-Term Care Residents' Rights Month 2018 Proclamation (Speak Up: Know Your
Rights and How To Use Them)" is attached herewith as Exhibit A and incorporated herein by reference.*

14
15 **Public Comments:**

16 **Connie Leinbach, Ocracoke** – thanked everyone who worked the EOC during Hurricane Florence for their assistance
17 when she evacuated to Raleigh.

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

19 **Items of Consideration:**

20 **Resolution to Ratify Hurricane Florence Proclamations**

21 **Kris Cahoon Noble, County Manager** – presented resolution to ratify proclamations enacted by Chairman Pugh on
22 behalf of the Hyde County Board of Commissioners during a declared "State of Emergency – Hurricane Florence".
23 Proclamations included:

- 24 ° State of Emergency for Hyde County Mandatory Visitor Evacuation for Ocracoke Island
- 25
- 26 ° State of Emergency for Hyde County Mandatory Visitor, Non-Resident Property Owners
27 and Residents Evacuation for Ocracoke Island
- 28
- 29 ° State of Emergency for Hyde County Mandatory Evacuation for Mainland Hyde County
- 30
- 31 ° State of Emergency Mandatory Evacuation and Curfew for Hyde County
- 32
- 33 ° Termination of The Mandatory Evacuation Orders Issued for Mainland Hyde County and
34 Ocracoke Island Residents
- 35
- 36 ° State of Emergency for Hyde County Termination of Mandatory Non-Resident Property
37 Owners and Visitor Evacuation Issued for Ocracoke Island In Hyde County, North Carolina
- 38

39 Commissioner Pahl moved to adopt "Resolution To Ratify Board Action Related To Hurricane Florence".
40 Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell,
41 Tunnell, Simmons and Pahl; Nays – None; Absent or not voting – None.

42 *Clerk's Note: A copy of "Resolution To Ratify Board Action Related To Hurricane Florence" is attached herewith as
43 Exhibit B and incorporated herein by reference.*

44
45 **Resolution – Bells of Peace: A World War I Remembrance**

46 **Kris Cahoon Noble, County Manager** – reported in recognition of the historic event, the National World War I
47 Commission, the Federation of NC Historical Societies and the NC Department of Natural and Cultural Resources are
48 coordinating the World War I Centennial Ringing of the Bells of Peace and Remembrance.

49 On November 11, 2018, at 11:00a.m, the nation plans to recognize the 100th anniversary of the end of World War I by
50 having bells in churches, schools, courthouses and elsewhere participate in a commemorative bell ringing.

51 The Hyde County Historical and Genealogical Society is sending letters/publicity to Hyde County churches and area
52 papers by the Historical Society to have Hyde County citizens recognize "Bells of Peace".

53 Commissioner Simmons moved to adopt "Resolution – Bells of Peace: A World War I Remembrance". Commissioner
54 Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Simmons, Swindell, Tunnell
55 and Pahl; Nays – None; Absent or not voting – None.

1 *Clerk's Note: A copy of "Resolution – Bells of Peace: A World War I Remembrance" is attached herewith as Exhibit C*
2 *and incorporated herein by reference.*

3 **Resolution By The Hyde County Board Of Commissioners Supporting Agriculture In North Carolina**

4 **Kris Cahoon Noble, County Manager** reported after Board of Commissioners discussion on September 4, 2018,
5 resolution supporting agriculture in North Carolina was tabled until the October 1, 2018 meeting. The Hyde County
6 Board of Commissioners unanimously resolved that it supports the farmers of North Carolina and believes that the
7 agriculture industry is vital to the North Carolina economy and should be protected.

8 After further discussion Commissioner Swindell moved to adopt "Resolution By The Hyde County Board Of
9 Commissioners Supporting Agriculture In North Carolina" as revised. Commissioner Tunnell seconded the motion.
10 The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell, Simmons and Pahl; Nays – None; Absent or
11 not voting – None.

12 *Clerk's Note: A copy of "Resolution By The Hyde County Board of Commissioners Supporting Agriculture In North*
13 *Carolina" is attached herewith as Exhibit D and incorporated herein by reference.*

14 **New AT&T Wireless Telecommunications Facility Located Off NC45 In Belhaven, NC**

15 **Donnie Shumate, Director of Information Technology**, reported Ramsey Development Solutions, LLC is proposing
16 to construct and operate a new AT&T Mobility Wireless Telecommunications Facility to include a 300' tall self-
17 supporting lattice tower off NC 45 in Belhaven, NC as part of AT&T's wireless communications network. Currently,
18 AT&T Mobility does not have adequate network coverage around Hwy 45 and Hwy 264.

19 Per Hyde County Ordinance Sec. 40-225, this facility should be considered as a (a) (4) freestanding WTS development
20 designed and constructed with collocation capability and a higher order WTS preference was not available because no
21 stealth technology exists to conceal a 300' tall tower and no existing WTS facilities or other elevated structures exist in
22 this area of sufficient height to preclude the necessity of a new tower as the antenna support structure. It is noted that
23 the tower setback from the western property line is 35' less than the County requirement; however George Elliott, the
24 affected property owner of the adjacent parcel to the west of the site, has provide a letter that indicates his
25 acknowledgement and consent to a reduced setback, so a waiver or variance to the setback is requested.
26

27 The Planner has reviewed the Telecommunications Ordinance specifically Article III, Wireless Telecommunications
28 Facilities in regards to the application and has found the application and proposed scope of work to be compliant under
29 the Ordinance, except for the proposed setback on the western property line. A waiver or variance to setback is
30 requested. The Board of Commissioners must review and approve applications before the building inspector can
31 permit construction.
32

33 Commissioner Tunnell moved to approve application for construction of a new AT&T Wireless Telecommunications
34 Facility located off NC45 in Belhaven, NC as presented. Commissioner Swindell seconded the motion. The motion
35 was withdrawn.

36 **Jay Ramsey** of Ramsey Development presented possible solutions to meet the setback requirements to include
37 negotiating property lines with Mr. Elliott.

38 Commissioner Tunnell moved to amend the motion to approve application for construction of a new AT&T Wireless
39 Telecommunications Facility located off NC45 in Belhaven, NC pending re-write of the application to meet Ordinance
40 requirements without moving setback lines. Commissioner Swindell seconded the motion. The motion passed on the
41 following vote: Ayes – Pugh, Swindell, Tunnell, Simmons and Pahl; Nays – None; Absent or not voting – None.

42 **New AT&T Wireless Telecommunications Facility Located At 9325 US HWY 264 Swan Quarter, NC**

43 **Donnie Shumate, Director of Information Technology**, reported Ramsey Development Solutions, LLC is proposing
44 to construct and operate a new AT&T Mobility Wireless Telecommunications Facility to be collocated at the existing
45 300' tall guyed tower off Hwy 264 in Swan Quarter, NC as part of AT&T's wireless communications network.
46 Currently, AT&T Mobility does not have adequate network coverage around Hwy 264 and Turnpike Road.

47 Per Hyde County Ordinance Sec. 40-225, this facility should be considered as a (a) (2) antenna located on existing
48 WTS facility, and a higher order WTS preference was not chosen because the existing tower is not a stealth structure.
49

50 The Planner has reviewed the Telecommunications Ordinance specifically Article III, Wireless Telecommunications
51 Facilities in regards to the application and has found the application and proposed scope of work to be compliant under
52 the Ordinance. The Board of Commissioners must review and approve applications before the building inspector can
53 permit construction.
54

55

1 Commissioner Pahl moved to approve application for construction of a new AT&T Wireless Telecommunications
2 Facility located at 9325 US HWY 264 in Swan Quarter, NC. Commissioner Simmons seconded the motion. The
3 motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell, Simmons and Pahl; Nays – None; Absent or
4 not voting – None.

5 **New AT&T Wireless Telecommunications Facility Located Near 6155 NC HWY 94, Fairfield, NC**

6 **Donnie Shumate, Director of Information Technology**, reported Ramsey Development Solutions, LLC is proposing
7 to construct and operate a 300-foot self-supporting lattice tower off NC-94 in Fairfield, NC as part of AT&T's wireless
8 communications network. AT&T Mobility is currently in the process of enhancing its coverage in Hyde County,
9 necessitating the construction of a new tower at the proposed site in order to meet its coverage objectives. Currently,
10 AT&T Mobility does not have adequate network coverage around Highway 94 and Fairfield.

11 As per Hyde County Ordinance, Sec. 40-225, this facility should be considered as (a) (4) freestanding WTS
12 development designed and constructed with collocation capability and a higher order WTS preference was not
13 available because no stealth technology exists to conceal a 300' tower and no existing WTS facility or other elevated
14 structures exist in this area to preclude the necessity of a new tower as the antenna support structure.

15
16 The Planner has reviewed the Telecommunications Ordinance specifically Article III, Wireless Telecommunications
17 Facilities in regards to the application and has found the application and proposed scope of work to be compliant under
18 the Ordinance. The Board of Commissioners must review and approve applications before the building inspector can
19 permit construction.

20
21 Commissioner Simmons moved to approve application for construction of a new AT&T Wireless Telecommunications
22 Facility located near 6155 NC HWY 94, Fairfield, NC and stated an antenna must be installed within one year or the
23 tower must be taken down. Commissioner Swindell seconded the motion. The motion passed on the following vote:
24 Ayes – Pugh, Swindell, Tunnell, Simmons and Pahl; Nays – None; Absent or not voting – None.

25 **Certificate Holder for Ocracoke Independence Day 2019 Fireworks Display**

26 **Kris Cahoon Noble, County Manager** – reported each year Hyde County serves as the contract holder, Certificate of
27 Liability Insurance holder and Permit holder for the Ocracoke July 3, 2018 fireworks display. Funding for the event
28 has been requested and allocated by the Ocracoke Civic and Business Association.

29 Commissioner Pahl moved to approve Hyde County as the Certificate Holder for the 2019 Ocracoke Fireworks
30 display. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh,
31 Swindell, Tunnell, Simmons and Pahl; Nays – None; Absent or not voting – None.

32 **Appointment To Southern Albemarle Delegates List**

33 **Kris Cahoon Noble, County Manager** – presented the list of Hyde County nominees to attend the Southern
34 Albemarle Association Annual Meeting.

35 Commissioner Tunnell moved to approve the Southern Albemarle Association Hyde County Delegate List as
36 presented. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh,
37 Swindell, Tunnell, Simmons and Pahl; Nays – None; Absent or not voting – None.

38 **Budget Transfers:** (none)

39
40 **Management Reports:**

41 **Commissioner Tom Pahl** – attended meetings with the Ocracoke Control Group during the Hurricane Florence event
42 and recovery period. Mr. Pahl also attended the Ocracoke Preservation Society – Island Inn Project meeting and the
43 Ocracoke Civic and Business Association meeting. He presented results of the Ocracoke Water Quality Report.

44 **Commissioner Ben Simmons** – reported he had been checking on storm losses in Hyde County. He reported
45 students, parents and staff scrubbed PCA and the school re-opened in one day.

46
47 **Vice-chair Barry Swindell** – reported on the Hyde County Youth Athletics program. Mr. Swindell
48 recommended Manager Noble begin the search for a Building Inspector. He enquired about the County's
49 decision to initiate the Debris Contract, or not.

50
51 **Chairman Earl Pugh, Jr.** – attended several Control Group meetings at the EOC during Hurricane Florence.
52 Mr. Pugh, Commissioner Simmons and Manager Noble met with representatives from a local farm and reported
53 they have Boards full support.

54
55 **Commissioner Dick Tunnell** – attended a Hyde County Farm Bureau meeting and reported they stand for
56 farmers in North Carolina. He also attended a Mid-East Housing Authority meeting where the Hycienda Heights
57 Sewer Project was discussed.

58
59 **County Manager Kris Cahoon Noble** – reported her office has been working to:

- 60
 - Reported she was at the EOC from September 10th to October 1st,

- 1 • She was sad to learn about Jerry Hardison passing away,
2 • She reported damage statistics to include 20 homes destroyed, 39 with major damage and less than
3 300 with minor damage; She is preparing a full damage assessment spreadsheet of the County;
4 • FEMA will be at the O.A. Peay School Building this week,
5 • The United Methodist group is assisting citizens with clean up,
6 • Governor Cooper will be in Hyde County on Thursday afternoon to assess storm damages;
7 • Building Inspectors Joey Spencer (Ocracoke) and John Contestable (Mainland) will fill in until a new
8 inspector is hired
9 • Will work on noise issues on Ocracoke Island
10 • Will restart roads update
11 • Dealing with trash issues
12 • Application for Hycienda Heights sewer project has been filed
13 • Reported she has transitioned Parks & Recreation to Natalie Wayne and Lee Brimmage
14

15 **Public Comments:**

16 **Sundae Horne, Ocracoke** – thanked the commissioners for being certificate holder for the Independence Day
17 fireworks display in 2019. She requested Ocracoke Control Group meetings become public.
18

19 **Connie Leinbach, Ocracoke** – discussed loss of cell service on the Island and reported Verizon indicated wireless
20 connection is coming soon. She requested Manager Noble ask for Verizon Relay Packs on telephone towers.

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

22 **Closed Session**

23 Commissioner Simmons moved to enter into closed session at 7:50p.m. in accordance with NCGS143A-318.11 (a)(6)
24 Personnel Matters. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh,
25 Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

26 Commissioner Swindell moved to come out of closed session at 8:20p.m. Mr. Simmons seconded the motion. The
27 motion passed on the following vote: Ayes – Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not
28 voting – Pahl.

29 **Adjourn**

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

32 The meeting adjourned at 8:25p.m.
33

34 Respectfully submitted:

35
36 Minutes approved on the 5th day of November, 2018.
37

38 Attest:
39
40

41
42 _____
43 Lois Stotesberry, CMC, NCCCC
44 Clerk, Hyde County Board of Commissioners

41
42 _____
43 Earl Pugh, Jr.
44 Chair, Hyde County Board of Commissioners

45 **Attachments:**

46 **Exhibit A:** “National Long-Term Care Residents’ Rights Month 2018 Proclamation”
47 (Speak Up: Know Your Rights and How To Use Them)
48

49 **Exhibit B:** “Resolution To Ratify Board Action Related To Hurricane Florence”

- 50 ○ Proclamation – “State of Emergency for Hyde County Mandatory Visitor Evacuation for Ocracoke Island”
51 ○ Proclamation – “State of Emergency for Hyde County Mandatory Visitor, Non-Resident Property Owners
52 and Residents Evacuation for Ocracoke Island”
53 ○ Proclamation – “State of Emergency for Hyde County Mandatory Evacuation for Mainland Hyde County”
54 ○ Proclamation – “State of Emergency Mandatory Evacuation and Curfew for Hyde County”
55 ○ Proclamation – “Termination of The Mandatory Evacuation Orders Issued for Mainland Hyde County
56 and Ocracoke Island Residents”
57 ○ Proclamation – “State of Emergency for Hyde County Termination of Mandatory Non-Resident Property
58 Owners and Visitor Evacuation Issued for Ocracoke Island In Hyde County, North Carolina”
59

60 **Exhibit C:** “Resolution – Bells of Peace: A World War I Remembrance”
61

62 **Exhibit D:** “Resolution By The Hyde County Board of Commissioners Supporting Agriculture In North Carolina”

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

From: Linda M. Basnight Tax Administrator

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

CURRENT TAX

DEPOSITS \$626,872.16	COUNTY WIDE \$617,065.33	MOSQUITO TAX \$4,852.71	SOLID WASTE \$0.00 Res \$0.00 Comm	WEST QUARTER INTEREST \$1,334.42 \$528.68
	2018 SQWS \$ 3,091.02			

CURRENT DMV

DEPOSITS \$0.00	COUNTY WIDE \$0.00	MOSQUITO TAX \$0.00	INTEREST \$0.00
---------------------------	------------------------------	-------------------------------	---------------------------

DELIQUENT DMV

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

DELIQUENT TAX

2017	\$4,644.45
2016	\$883.03
2015	\$915.77
2014	\$1,066.11
2013	\$550.90
2012	\$435.76
2011	\$23.57
2010	\$43.34
2009	\$14.89
2008	\$6.69
2007	\$1.50
2006	\$0.00
2005	\$0.00
SQWS	\$47.18
MOSQUITO TAX	\$16.38
SOLID WASTE RES	\$0.00
SOLID WASTE COMM	\$0.00
INTEREST	\$1,904.81
WEST/QUARTER	\$0.00
LEGAL FEES	
	\$10,554.38

2019 Prepayments

10/1/2018	\$125.00
1-Oct	\$57.00
oct. 4	\$300.00
19-Oct	\$45.94
26-Oct	\$16.27
31-Oct	\$182.00
	\$726.21

INTEREST

\$0.00
\$0.00
\$0.00
\$0.00

Overpayments/refunds

Burrus, Martha	184.64
arp, Graham e	\$ 556.92
(for Troxel Family Trust)	

\$741.56

Respectfully Submitted

Nov. 5 2018

Linda M Basnight
Tax Administrator

Chairman of Commissioners

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

Meeting Date: November 5, 2018
Presenter: Jane Hodges
Attachment: Yes

ITEM TITLE: Airport Consultant Award

SUMMARY: Every 5 years the Department of Aviation requires that all airports put out a bid for consulting services. This year we received only one bid. This does not require a second advertisement. The only applicant was Talbert and Bright. They have been with us since the earliest days of operation and state funded grants. I am happy to request that the Board of Commissioners approve the contract for another five years.

RECOMMEND: PLEASE PASS

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

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

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

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

Meeting Date: November 5, 2018
Presenter: Natalie Wayne
Attachment: Yes – Request for Citizen Input to Update Parks & Recreation Master Plan

ITEM TITLE: HYDE COUNTY PARKS & RECREATION PLAN – REQUEST FOR CITIZEN INPUT

SUMMARY: To help address current needs of the community, the county is seeking citizen input for possible updates or amendments to the Hyde County Parks and Recreation Plan. An option will be provided on the county website where citizens will be able to post their recommendations.

RECOMMEND: REPORT ONLY

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

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

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

Board of Commissioners

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

COUNTY OF HYDE

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

Kris Cahoon Noble
County Manager

Franz Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



Request for Citizen Input to Update Parks and Recreation Master Plan

In 2014, Hyde County Office of Planning and Economic Development completed the Hyde County Parks and Recreation Plan. Meetings and public workshops were held, research compiled, and community surveys were conducted to gather input from the community. The plan was officially adopted by the Hyde County Board of Commissioners on Monday, July 7, 2014.

The updated plan is complete with an existing asset summary, state recreation guidelines, community identified needs, and potential grant funding sources. Data for Ocracoke and the mainland are clearly separated and countywide trends are also identified.

To help meet the current needs of the community, the county is once again seeking citizen input for possible updates or amendments to the Hyde County Parks and Recreation Master Plan. Residents are encouraged to view the 2014 Hyde County Parks and Recreation Master Plan at [http://www.hydecountync.gov/departments/docs/Final P R Plan 7 2014.pdf](http://www.hydecountync.gov/departments/docs/Final_P_R_Plan_7_2014.pdf). Citizens can visit the Parks and Rec page at <http://www.hydecountync.gov> to input ideas/comments to be included in the parks and recreation plan.

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

Meeting Date: November 5, 2018
Presenter: County Manager Kris Noble
Attachment: No

ITEM TITLE: EMPLOYEE/VOLUNTEER/FRIEND OF THE MONTH

SUMMARY: Manager Kris Noble will announce the Employee, Volunteer and/or Friend of the County for the month of November, 2018.

RECOMMEND: Congratulations.

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

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

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

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: November 5, 2018
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: November 5, 2018
Presenter: Chairman Earl Pugh, Jr.
Attachment: Yes

ITEM TITLE: PROCLAMATION – TERMINATION OF THE STATE OF EMERGENCY FOR HYDE COUNTY – HURRICANE FLORENCE

SUMMARY: Chairman Pugh will issue termination of the State of Emergency for Hyde County, NC, effective as of 6:15PM today.

RECOMMEND: Adopt.

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

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

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



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

**PROCLAMATION
TERMINATION OF THE
STATE OF EMERGENCY FOR HYDE COUNTY**

HURRICANE FLORENCE

November 5, 2018

WHEREAS, on September 10, 2018 at 12:00 PM (noon) I proclaimed the existence of a State of Emergency, effective immediately, for Hyde County with mandatory evacuation of individuals visiting Ocracoke Island, effective as of 12:00 PM (noon) on Monday, September 10, 2018; and,

WHEREAS, on September 10, 2018 at 2:00 PM I ordered mandatory evacuation of residents, non-resident property owners and continued mandatory evacuation of individuals visiting Ocracoke Island, effective as of 5:00 AM on Tuesday, September 11, 2018; and, I suspended all alcohol sales on Ocracoke Island effective as of 5:00 PM on Tuesday, September 11, 2018; and,

WHEREAS, on September 11, 2018 at 12:00 PM (noon) I ordered mandatory evacuation of Mainland Hyde County with no travel restrictions at this time, effective as of 12:00 PM (noon) on Tuesday, September 11, 2018; and, I suspended all alcohol sales on Mainland Hyde effective as of 5:00 PM on Wednesday, September 12, 2018; and,

WHEREAS, on September 12, 2018, at 8:00 PM, I issued curfew beginning at 9:00 PM until 5:00 AM, effective beginning on Thursday, September 13, 2018 until further notice; and,

WHEREAS, on September 16, 2018, at 9:30 AM, I issued termination of the mandatory evacuation orders issued for Mainland Hyde County and Ocracoke Island residents; and I issued termination of the mandatory evacuation orders for Mainland Hyde County and Ocracoke Island residents; and I issued reinstatement of the sale of alcohol in Hyde County, which includes Mainland Hyde and Ocracoke Island, at 12:00 PM (noon) on Sunday, September 16, 2018; and I lifted the curfews issued for Mainland Hyde County and Ocracoke Island; and I determined that a State of Emergency still exists; and,

WHEREAS, on September 17, 2018 at 6:00 PM I issued termination of the non-resident property owners evacuation for Ocracoke Island effective at 5:00 AM on Tuesday, September 18, 2008; and I issued termination of the mandatory visitor evacuation for Ocracoke Island, effective at 5:00 AM on Friday, September 21, 2018; and,

WHEREAS, effective as of 6:15 PM, on October 1, 2018 the actions taken by Chairman Earl Pugh, Jr. during Hurricane Florence on September 10 – 17, 2018 were ratified into the Hyde County Board of Commissioners Meeting Minutes; and,

WHEREAS, I have determined that a State of Emergency no longer exists and hereby issue termination of the proclaimed State of Emergency for Mainland and Ocracoke Island, Hyde County, North Carolina, effective as of 6:15 PM, on November 5, 2018; and,

NOW THEREFORE, This proclamation is signed on this date, November 5, 2018 at 6:15PM, and becomes effective immediately.

ATTEST:

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

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

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

Meeting Date: November 5, 2018
Presenter: County Manager Kris Cahoon Noble
Attachment: Yes – Resolution in Support of JCPC Allocation Expansion

ITEM TITLE: RESOLUTION IN SUPPORT OF JUVENILE CRIME PREVENTION COUNCIL ALLOCATION EXPANSION

SUMMARY: The Juvenile Crime Prevention Council (JCPC) funding is a partnership between the State of North Carolina and Hyde County to ensure a local continuum of services for court involved and at-risk juvenile.

The Juvenile Reinvestment Act of 2017 also referenced as North Carolina’s Raise the Age legislation, expands the age of juvenile jurisdiction, increasing it to include juveniles ages 16 and 17 years of age effective December 1, 2019 and encourages School Justice Partnerships to address the reduction of school-based juvenile complaints thereby increasing the need for immediate and age-appropriate sanctions for juvenile offenders. The JCPC annually reviews the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs. The JCPC funding has not increased in more than nine years. We are requesting support for an adequate and timely increase in the allocation of local JCPC funding to ensure expansion of the program and successful implementation of the Juvenile Justice Reinvestment Act Raise the Age Legislation, set for December 1, 2019.

RECOMMEND: ADOPT RESOLUTION

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

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

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

COUNTY OF HYDE

Board of Commissioners

Earl Pugh, Jr., Chair
Barry Swindell, Vice-chair
Ben Simmons
Dick Tunnell
Tom Pahl

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

Kristen Cahoon Noble
County Manager

Franz Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



Hyde County BOARD OF COMMISSIONERS

Hyde County Board of Commissioners Resolution in Support of Juvenile Crime Prevention Council Allocation Expansion

WHEREAS, Juvenile Crime Prevention Council (JCPC) funding is a partnership between the State of North Carolina and the County to ensure a local continuum of services for court involved and at-risk juveniles; and

WHEREAS, JCPC funding has seen no increase in more than nine years; and

WHEREAS, the Juvenile Justice Reinvestment Act passed in 2017, also referenced as North Carolina's Raise the Age legislation, expands the age of juvenile jurisdiction, increasing it to include juveniles ages 16 and 17 years of age effective December 1, 2019, and encourages School Justice Partnerships to address the reduction of school-based juvenile complaints thereby increasing the need for immediate and age-appropriate sanctions for juvenile offenders; and

WHEREAS, the Juvenile Crime Prevention Council, under the authority of NCGS§143B-851 and within the scope of its powers and duties, annually "reviews the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs" and,

WHEREAS, the County JCPC is already aligned to assist the local School Justice Partnership with addressing resource and diversion programming needs for youth who commit school-based offenses, and,

WHEREAS, the effort to immediately and effectively address juvenile offending behavior is an evidence-based investment in North Carolina's future;

NOW, THEREFORE BE IT RESOLVED, that Hyde County fully supports an adequate and timely increase of local Juvenile Crime Prevention funding to ensure program expansion and successful implementation of the Juvenile Justice Reinvestment Act Raise the Age Legislation, set for December 1, 2019.

Adopted this _____ day of _____ 2018.

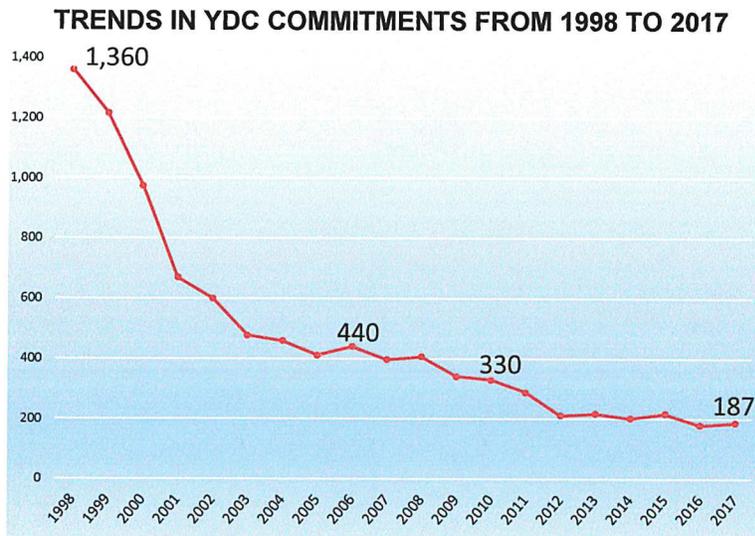
Chairman

Clerk to the Board

Information and Talking Points for Juvenile Crime Prevention Councils and Community-Based JCPC-funded Programs

Community based programs funded through Juvenile Crime Prevention Councils:

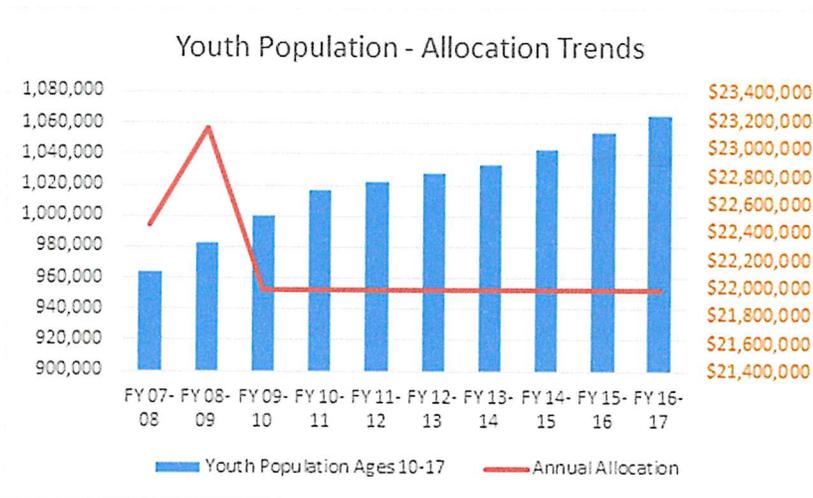
- Represent a tradition of partnership between the State of North Carolina and counties that began in 1977 as Community Based Alternatives to provide prevention and intervention services to delinquent and at-risk youth in our communities and in all 100 counties in our state.
- Annually serve over 20,000 youth and families, preventing the vast majority from penetration or deeper penetration of the juvenile justice system.
- Greatly reduce the need for additional funding of institutions. Consider this, if only 1% of the youth served in Juvenile Crime Prevention Council funded programs are kept out of Youth Development Centers, the cost saved in institutional expenditures far exceeds the current JCPC allocation. (almost \$22 million dollars). The average cost to serve a youth in a Youth Development Center in FY 2016-2017 was \$139,434, and in a Juvenile Crime Prevention funded community program, in Hyde County, the cost per child served was approximately \$2100 in 2017-18.
- Provide intermediate sanctions and early intervention programs that have helped make possible the 86.25% reduction in youth served by Youth Development Centers since 1998. The care of these youth has been shifted to the communities *without any increase in funding*.



- JCPC funded programs generate a large percentage of their annual operating budgets from sources other than state juvenile justice funds (including county match, local in-kind, other local funds/donations, and federal sources). Statewide, JCPC programs leverage over \$14.3 million in funding from other revenue sources statewide, which represents 40% of total revenues used to support JCPC funded programming across the state.
- Juvenile Crime Prevention Councils represent the diversity of the community, though they are legislatively prescribed members. Their charge is to facilitate collaboration and provide a unified response to County Commission boards, guiding and recommending services to build a local continuum of services to meet the unique, local needs of juveniles.
- Program impacts effect the youth holistically, with reduction of problem behaviors in the home and school, increase in academic skills and performance, and reduction of delinquency. JCPC programming often supports specialized services such as substance abuse, sexual offender assessment and treatment services.

Raise the Age:

- On December 1, 2019, the Raise the Age legislation of the Juvenile Justice Reinvestment Act will go into effect. The age of juvenile jurisdiction will rise to 18 at this time, in the middle of Fiscal Year 2019-2020.



- The current North Carolina JCPC Allocation is \$21,984,234. The graph above shows the total youth population between ages 10 to 17, compared to the annual JCPC allocation. While there has been a decrease in juveniles at intake and subsequent juvenile court direct referrals to JCPC programs that were primarily targeting court involved juveniles, there is an overall increase in the state's youth population. In an effort to continue to effectively implement the Comprehensive Strategy Framework, programs and strategies that conform to the legislative requirement for dispositional alternatives have seen a reduction in juvenile court involved youth referred statewide, as the number of juveniles at intake has decreased over the past several years. This is an encouraging trend, but there will most certainly be an increase in juveniles under the jurisdiction of juvenile court when Raise the Age is fully implemented, and JCPC programs need to be adequately funded in order to be fully prepared.
- The behaviors that result in juvenile complaints still persist. So, if North Carolina is to continue its success in diverting juveniles away from the justice system after Raise the Age takes effect on December 1, 2019, community-based programs will need the following to address and redirect those behaviors:
 - Expansion to be able to accommodate an older population
 - Expansion to assist local districts with School Justice Partnership initiatives, which is also an element of the Raise the Age legislation
 - Applicable training
 - Age-appropriate services and curriculum resources
- Without a correlating increase in JCPC funding to serve the additional youth with evidence-based approaches, seamless implementation will be improbable, as training and staffing resources have been weakened over the years by stagnant funding. There has been no increase in JCPC funding awarded by the General Assembly for over nine years.
- JCPCs will need to strategically prepare for the possibility of expansion funding in a mid-year funding cycle. Area Consultants will be working closely with JCPCs to devise a two-tiered planning process, to ensure that new expansion funding can be immediately utilized to begin program expansions, based on the local annual planning process. A thorough examination of locally projected increase in allocation funding needs will become the basis for supporting the statewide expansion request. Ideally, a JCPC allocation increase/expansion should be introduced by July 1, 2019, to support the development of needed services. JCPCs operate under legislative and administrative code constraints and are compelled to follow rigorous RFP and funding processes before funding is awarded.

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

Meeting Date: November 5, 2018
Presenter: Kris Cahoon Noble
Attachment: No

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

SUMMARY: We are asking for approval to appoint a Hyde County Commissioner to serve on the School Justice Partnership representing Hyde County.

RECOMMEND: APPROVE

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

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

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

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

Meeting Date: November 5, 2018
Presenter: Luana Gibbs
Attachment: No

ITEM TITLE: Appointment of Mike Caton to Hyde County Board of Health

SUMMARY: The Hyde County Board of Health approved the recommendation for appointment of Mike Caton to the Health Board at its October 9, 2018 meeting. Mr. Caton lives in the Ponzer/Grassy Ridge area and serves as the preacher for the Mt. Olive Church of Christ. With appointment by the Board of Commissioners, Mr. Caton will begin a three year term

RECOMMEND: Approval

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

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

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