

REGULAR MEETING MINUTES
BOARD OF COUNTY COMMISSIONERS
HYDE COUNTY

Monday, November 6, 2017 at 6:00PM

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

The following members were present on the mainland: Chairman Earl Pugh, Jr., Commissioners Ben Simmons, Barry Swindell and Dick Tunnell, Assistant County Manager Kris Noble, Attorney Fred Holscher, Clerk to the Board Lois Stotesberry and members of the public.

Commissioner Tom Pahl, County Manager Bill Rich, Public Information Officer Donnie Shumate and members of the public were present on Ocracoke.

AGENDA:

Commissioner Tunnell moved to approve the November 6, 2017 Hyde County Board of Commissioners Regular Meeting Agenda as presented by the Clerk with addition of Item 9) Disposition of Ocracoke Property and 2.c.) Ocracoke Tourism Authority Chair Appointment. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

CONSIDERATION OF MINUTES:

Commissioner Swindell moved to approve the October 2, 2017 Hyde County Board of Commissioners Regular Meeting Minutes as presented by Clerk Lois Stotesberry with correction on page 4, line 41 – Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – ~~none~~ Pahl. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Commissioner Simmons moved to approve the October 11, 2017 Hyde County Board of Commissioners Special Meeting “Board Retreat” Minutes as presented by Deputy Clerk Rosemary Johnson. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

PRESENTATIONS:

Senior Tar Heel Legislature Update

Jan Moore, Hyde County NC Senior Tar Heel Legislature Delegate, presented report on the October 3-4, 2017 STHL meeting in Chapel Hill. Ms. Moore reported the STHL approved re-establishing the Study Commission on Aging and stated the delegates will present three other resolutions this year for approval.

Hyde County ABC Board Update

Meredith Nicholson, ABC Board Chair, presented a general financial update, a report on the ABC Board annual audit for FYE 06-30-2017 and profit distribution. Ms. Nicholson stated the ABC Board did have a loss during the recent power outage on Ocracoke but that PCL Construction refunded approximately \$5,600.00 ~~profit lost~~. She presented a check in the amount of \$22,430.00 profit distribution for FY2016-17 to the Board of Commissioners and will continue on a yearly basis.

Incident Management Team Update

Justin Gibbs, Emergency Services Director presented update on his deployment to Puerto Rico on October 10, 2017. North Carolina Emergency Management officials put together a team of highly qualified individuals to help coordinate relief for disaster stricken Puerto Rico. Justin served as a planning section chief supporting the Puerto Rico Emergency Management Zone 1 (San Juan) Emergency Operations Center. The team assisted with the management, direction, control and coordination of response and recovery actions with local, state/territorial and federal levels of government.

Albemarle Commission Presentation

Cathy Davison, Executive Director of the Albemarle Commission gave a presentation regarding office space alternatives to house Albemarle Commission staff and functions. Ms. Davison reported additional space (approximately 22,000 sq. ft.) is needed to house the Albemarle Commission. The Commission does not have the

support of the majority 8 of the 10 counties to construct a new building and is considering leasing another space within the region that meets its current and future needs.

Employee/ Volunteer/ Friend of Hyde County – November, 2017

County Manager Bill Rich and the Board of Commissioners recognized ABC Board Chair Meredith Nicholson and General Manager Vicki Gibbs as “Friend of Hyde County” and commended their management of the Hyde County ABC Board. Ms. Nicholson and Ms. Gibbs received a gift certificate for \$25.00 to a restaurant of their choice.

PUBLIC COMMENTS:

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

ITEMS OF CONSIDERATION:

Resolution to Apply for Pedestrian Planning Grant

Kris Noble, Assistant County Manager, reported Hyde County intends to apply for Pedestrian Planning Grant funds to address the current foot traffic in Ocracoke Village and the expected increase in foot traffic due to the passenger ferry project.

The NCDOT Division of Bicycle and Pedestrian Transportation and the Transportation Planning Branch created an annual matching grant program – the Bicycle and Pedestrian Planning Grant Initiative – to encourage municipalities to develop comprehensive bicycle plans and pedestrian plans. This program was initiated in January 2004 and is currently administered through NCDOT-DBPT. The Planning Grant Initiative has been successful in its fourteen years – since 2004, 183 planning grants have been awarded. To date, a total of approximately \$5.0 million has been allocated to 181 municipalities and two counties through this grant program.

This is a 20% grant match project with an expected total cost of \$40,000.00 yielding a total cash commitment by Hyde County in the amount of \$8,000.00. Grant awards are announced in March 2018 with a commitment needed within six months of award meaning the monetary commitment can come from the FY2018-19 budget year.

Commissioner Pahl moved to adopt “Resolution To Apply For Pedestrian Planning Grant”. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of “Resolution To Apply For Pedestrian Planning Grant” is attached herewith as Exhibit A and incorporated herein by reference.

Appointments

1. **Engelhard Sanitary District Board** – Kris Noble, Assistant County Manager, reported ESD Chairman Tony Spencer notified the Board of Commissioners that Joe Frank Sadler resigned his position with the Engelhard Sanitary District Board and in accordance with NCGS 130A recommends appointment of Laverne Fulford to complete Mr. Sadler’s term.

Commissioner Swindell moved to appoint Laverne Fulford to complete the term of Joe Frank Sadler on the Engelhard Sanitary District Board. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

2. **Hyde County Nursing Home Community Advisory Committee** - Kris Noble, Assistant County Manager, reported Brandi Jordan, MSW, Regional Long Term Care Ombudsman, Albemarle Commission, Area Agency on Aging recommends re-appointment of four committee members.

Commissioner Simmons moved to re-appoint Linda Flowers, Frances House, Jan Moore and Glen Credle to serve another three-year terms on the Hyde County Nursing Home Community Advisory Committee. Commissioner Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

3. **Ocracoke Tourism Authority Board Chair Appointment**

Commissioner Pahl moved to appoint Amy Howard to serve as Chair on the Ocracoke Tourism Authority Board. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Petition For The Formation Of A New Service District In Slocum

Daniel Brinn, Water and Flood Control Coordinator, reported the participants of the Slocum Drainage Partnership, a voluntary entity whose membership represents many landowners and producers within the Slocum watershed formally

requests the county to begin working towards the formation of a service district to provide operation and maintenance of drainage infrastructure in Slocum in perpetuity.

Commissioner Swindell moved to sanction the consideration of creation of a new service district in Slocum in accordance with NCGS 153A-302. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Revolving Loan Request For Precision Transport, LLC

Bill Rich, County Manager, reported Precision Transport, LLC (formed in 2008) is a freight company that specializes in full truckload freight services. The company is located in Pantego, N.C. Principle owners are Leland Hershey and his brother Everett Hershey. The Hersheys are requesting a revolving loan in the amount of \$178,000.00 to build a new maintenance shop, purchase semi-truck lift and build the driveway. The Hersheys own the property on which the shop will be built. The shop currently being used does not meet the needs of the current fleet. The new shop will allow them to expand their operations to accommodate additional trucks and trailers and hire a full-time mechanic on site, eliminating the need to take the trucks to external shops for repairs and paying more expensive repair costs. This will also allow them to retain their current employees and grow their workforce with additional employees in the future. The Hersheys have previously borrowed from the Hyde County revolving loan fund under another business entity, Precision Pallet, LLC. All loans have been paid satisfactorily.

The Revolving Loan Committee met on October 25 and unanimously approved the Hershey's request for a loan with a term of 20-year amortization at 3% interest. Security for the loan will be a first Deed of Trust on the new truck shop and all equipment and fixtures to be located within. The Hersheys will also be required to personally guarantee the loan.

Commissioner Simmons moved to approve a revolving loan in the amount of \$178,000.00 with a term of 20-years amortization at 3% interest to Leland and Everett Hershey dba Precision Transport, LLC. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Revolving Loan Request For 1718 Ocracoke Brewing Company

Bill Rich, County Manager, reported 1718 Ocracoke Brewing Company, owned by Garick and Jacqueline Kalna opened its doors for business on October 7 to rave reviews. The Kalna's received a revolving loan from the Hyde County Golden Leaf RLF fund on March 31, 2015 for \$215,000.00 for brewing equipment, and construction/renovations to the old Café Atlantic building, which is now the 1718 Ocracoke Brewing Company. The Kalna's were the first borrowers to receive revolving loan funds from the Hyde County Golden Leaf RLF fund. Mr. Rich reported the 1718 Ocracoke Brewing Company brews and sells a wide variety of craft beer, all brewed on site. The company also sells craft beer to other businesses on the island. The facility operates a tasting/tap room and plans to lease out the kitchen and dining space for a restaurant in the near future. To accommodate future expansion, the Kalnas are requesting a \$30,000.00 loan to purchase additional equipment.

The Revolving Loan Committee met on October 25 and unanimously approved the Kalna's request for a loan with a term of 8 years at 3% interest and combining this new loan amount with the remaining balance of the existing loan. Security for the loan will be all equipment purchased, a 2nd Deed of Trust on the 1718 Ocracoke Brewing Company facility and personal guarantees by the Kalnas.

Commissioner Pahl moved to approve a revolving loan to Garick and Jacqueline Kalna in the amount of \$30,000.00 with a term of 8 years at 3% interest and combining this new loan amount with the remaining balance of the existing loan. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Revolving Loan Request For Christopher Williams/Hyde Park Properties

Bill Rich, County Manager, reported Christopher Williams is requesting a \$110,000.00 revolving loan to purchase the Hyde Park office building and the storage rental facilities located at 1271 & 1299 Main Street, Swan Quarter. Part of the Hyde Park office space is leased by the United States Postal Service for the Swan Quarter post office. Mr. Williams is not planning to further develop the properties. He will continue to lease office space to the postal service, lease the remainder of the building for office space and operate the storage rental facility across the street.

The Revolving Loan Committee met on October 25 and unanimously approved a loan in the amount of \$110,000.00 with a term of 15 years at 3% interest. Security for the loan will be a First Deed of Trust on the

Hyde Park office building and the storage rental facility. The Revolving Loan Committee required Mr. Williams personally guarantee the loan. Payments will be automatically drafted for this and all loans outstanding to Mr. Williams.

Commissioner Simmons moved to approve a revolving loan to Christopher Williams in the amount of \$110,000.00 with a term of 15 years at 3% interest and payments to be automatically drafted for this and all loans outstanding to Mr. Williams. Commissioner Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Colocation of Telecommunications Equipment On Existing Tower – Sadie Weston Road, Swan Quarter

Kris Noble, Assistant County Manager, reported Jason Bagwell of Bluewave Deployment has submitted on behalf of American Tower a Permit Application to colocate telecommunications equipment on an existing tower on Sadie Weston Road to provide T Mobile Service. The application meets the requirements of the Hyde County Telecommunications Ordinance and the Planning Department.

Commissioner Swindell moved to approve request to colocate telecommunications equipment on an existing tower on Sadie Weston Road to provide T Mobile Service. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Colocation of Telecommunications Equipment On Existing Tower – Bishop Road, Scranton

Kris Noble, Assistant County Manager, reported Jason Bagwell of Bluewave Deployment has submitted on behalf of American Tower a Permit Application to colocate telecommunications equipment on an existing tower on Bishop Road to provide T Mobile Service.

Hyde County Planning & Building Inspections completed an internal audit during the month of January to establish completion of projects permitted over the last five years. The tower owned by American Tower and located on Bishop Road was the only tower that was built within the last 5 years and not equipped with telecommunications equipment. Installation of T Mobile equipment to this tower will remedy that non-compliance to the Hyde County Telecommunications Ordinance. The application meets the requirements of the Hyde County Telecommunications Ordinance and the Planning Department.

Commissioner Swindell moved to approve request to colocate telecommunications equipment on an existing tower on Bishop Road to provide T Mobile Service. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Disposition of Ocracoke Property

County Manager Bill Rich reported update on the sale of County owned property (Lot 13-BlockA in Wahab Village) located behind the Flying Mellon Restaurant on Ocracoke Island. Owners of the Flying Mellon have offered Hyde County \$25,000.00 for the property. Mr. Rich reported the Hyde County Board of Education declined the commissioners offer to gift the property to the Board of Education. He reported the Ocracoke Mosquito Control Board approved sale of the property as long as drainage is maintained.

Commissioner Pahl moved to advertise the property for upset bids on the \$25,000.00 offer to Hyde County. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

BUDGET TRANSFERS:

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

Administration

Establish E-911 Budget Due to Consolidation Being Delayed \$127,592.58

Commissioner Simmons moved to approve the E-911 Budget as presented. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Health Department

Healthy Communities \$ 1,500.00
Vidant Health Promo \$ 16,169.00
Child Health \$ 300.00

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

MANAGEMENT REPORTS:

Chairman Earl Pugh, Jr. – attended e-911 call service, Waterways Commission, Southern Albemarle Association, Revolving Loan Fund and Mattamuskeet Lodge funding meetings and the Board of Commissioners Retreat.

Vice-chairman Barry Swindell – attended Commissioner Planning Board, Health Board ^{meeting with the} and Transit Board ~~meetings.~~ *Transit Director. Revised 12-24-2017 by Lois Stotesberry*

Commissioner Dick Tunnell – attended the Commissioners Board Retreat and the Mid-East Housing meeting. Mr. Tunnell agrees with building security during Commissioners meetings.

Commissioner Ben Simmons – discussed drainage taxes and supports Farragut Software for collections. He also recommended security at every commissioners meeting. Ms. Noble will discuss security with Sheriff Cahoon.

Commissioner Tom Pahl – attended the Dare County Working Waterways Commission, Board of Adjustments, Ocracoke Civic and Business Association, joint Occupancy Tax, Transit and Tourism Development Board meetings and the Board of Commissioners Retreat.

County Manager Bill Rich – reported he will meet with James Blount at the Ocracoke Convenience Site to do fence and drainage work. Mr. Rich discussed the Courthouse Security Team and reported on Hyde County partnering with East Carolina University. Manager Rich’s October 2017 calendar was provided.

Assistant County Manager/Planner Kris Cahoon Noble – attended a meeting in Raleigh to discuss new funding strategy for Mattamuskeet Lodge, passenger ferry and Board of Adjustments meetings. Ms. Noble reported she and members of the opioid abuse committee received training in Chapel Hill, she will follow up with Senator Burr’s office, the e-911 project is on track and the recreation program and safety training are going well. She will follow up on items discussed during the meeting.

PUBLIC COMMENTS:

Justin Gibbs, Emergency Services Director, reported the Sheriff’s Association did a security assessment of all North Carolina courthouses.

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

CLOSED SESSION: (none)

ADJOURN:

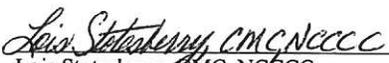
Commissioner Simmons moved to adjourn the meeting. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

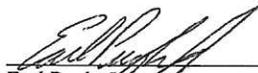
The meeting adjourned at 8:15p.m.

Respectfully submitted:

Minutes approved on the 4th day of December, 2017.

Attest:


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


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

Attachments:

Exhibit A: “Resolution – Pedestrian Planning Grant Application”



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
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Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



RESOLUTION PEDESTRIAN PLANNING GRANT APPLICATION

WHEREAS, the County of Hyde recognizes that a pedestrian planning grant would greatly benefit the village of Ocracoke given the generous amount of summer foot traffic that currently exists;

WHEREAS, foot traffic is expected to greatly increase after the operation of the NC DOT passenger ferry project begins in June 2018;

WHEREAS, existing sidewalks and pedestrian right of ways are insufficient to meet the needs of the summer tourist population with an expected increase in that population;

WHEREAS, the island is heavily populated by pedestrians traveling in large groups many of which are children moving around the island with cyclists, golf carts and motorists traveling throughout the village;

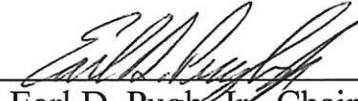
WHEREAS, a sidewalk or other pedestrian path would provide a safe and environmentally friendly means of travel on the island;

WHEREAS, Hyde County finds it in the best interest of the citizens of Ocracoke, that a grant application for the North Carolina Department of Transportation Pedestrian Planning funds be submitted for the year 2018.

NOW, THEREFORE BE IT RESOLVED THAT, the Hyde County Board of Commissioners approves submission of a Grant Application for Pedestrian Planning Grant Funds to the North Carolina Department of Transportation.

Adopted by the Hyde County Board of Commissioners, this the 6th day of

November, 2017.



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

Attest:



Lois Stotesberry, Clerk to the Board
Hyde County Board of Commissioners

