

## Meeting Minutes

### **Board of County Commissioners Hyde County**

**Monday, October 7, 2013**

Chairman Barry Swindell called the Regular Meeting of the Hyde County Board of Commissioners to order on Monday, October 7, 2013, in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Commons Room using electronic conferencing equipment.

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

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

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

#### **Agenda:**

Chairman Swindell asked for any changes to the October 7, 2013 meeting agenda. Commissioner Pugh moved to approve the agenda as presented by the Deputy Clerk. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### **Consideration of Minutes:**

Commissioner Fletcher moved to approve the September 3, 2013 Regular Meeting Minutes of the Hyde County Board of Commissioners as presented by the Deputy Clerk. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### **Public Hearing:**

##### **Rate Increase Based on Swan Quarter & West Quarter Dike Assessments**

Commissioner Byrd made a motion to open the public hearing. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

The purpose of this public hearing was to gain public input regarding the recommended increase in tax rates for the Swan Quarter and West Quarter Special Service Districts (SSD's). The reason for needing to increase the tax rates is to generate funds for increased repairs needed for general maintenance and larger expenses and repairs.

The recommendation to the County Commissioners was the following:

Change the West Quarter assessment to a per \$100 tax value basis with the rate being set at \$0.35 per \$100 value, and raise the Swan Quarter assessment from \$0.06 per \$100 to \$0.10 per \$100 tax value.

These assessments would increase revenues for Swan Quarter and West Quarter SSD's by \$26,700 and \$66,000 respectively.

Questions/Comments from the Public and Commissioners:

Timmy Hodges, Swan Quarter – Wanted to know what would be the maintenance proposal for West Quarter & Swan Quarter Special Service Districts. Mr. Brinn stated that the West Quarter maintenance plan was to refurbish the existing gates using the same method as the Bay structures, which is to remove the gates, C&C machine, sand blast, apply cold tar epoxy and then reinstall. The existing gates will be replaced with stainless steel gates as the finds become available. The Swan Quarter maintenance would consist of replacing the gates as necessary with gator gates, and to replace the aluminum tiles where necessary. Mr. Hodges then asked what general statute gives the Board the right to raise rates. Mr. Brinn replied that NCGS §153A-185.3a grants this power to the County. Mr. Hodges stated that he doesn't feel he's getting out of it (the tax) what he should and shouldn't have to pay it. He said the county took his land and is seeing no benefit.

**Clerk's Note: NCGS §153A-185 – Authority to Make Special Assessments states the following:**  
*(3) Acquiring, constructing, reconstructing, extending, renovating, enlarging, maintaining, operating, or otherwise building or improving*  
*b. Watershed improvement projects, drainage projects and water resources development projects (as those projects are defined in G.S. 153A-301).*

Commissioner Byrd asked how much revenue would be generated by increasing the rates. Mr. Brinn stated that the revenues would increase by

Odessa Jarvis, Swan Quarter – Asked where the West Quarter Dike begins. Mr. Brinn stated that West Quarter begins at Hydeland Canal. She then asked if property outside of the dike is taxed. Mr. Brinn stated that property outside of the dike is not taxed, as it doesn't benefit from the dike. Ms. Jarvis then asked how marshland and woodland is assessed. Mr. Brinn explained that only the marshland within the dike is taxed, and that assessment along with woodlands is based on the assessed value through the Tax Office.

Commissioner Tunnell stated that you can ride around the dike and see all the land that is protected by the dike and gates. He stated that ten years ago the land just behind the dike wouldn't even grow grass. He says there are at least 1,000 acres directly protected by the dike.

Commissioner Fletcher made a motion to close the public hearing. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### **Public Comments:**

Chairman Swindell called for comments from the public.

There were no public comments at this time.

#### **Employee Recognition: Glen Credle**

Manager Rich has decided to restart Employee of the Month.

Glen Credle is a Hyde County native from the Sladesville community. Glen has been married to his wife Valerie for 37 years and has 2 boys. He graduated from Mattamuskeet High School in 1972 and attended Elizabeth State University for two and a half years. Glen worked for Hamilton Beach for six years and then later joined the Hyde County family when he became a dispatcher for the Hyde County Sheriff's Office. Glen worked for the Sherriff about one year before transferring to the Water Department where he has been ever since.

As of October 22, 2013 Glen has worked for Hyde County for 29 years. Glen was asked to be present at the North Carolina Waterworks Operator Association annual meeting in Raleigh this year where he was presented with a Life Membership Certificate of Achievement for his years of service. Mr. Berry stated that he is very proud of Mr. Credle and hopes that he will continue his service to Hyde County beyond his upcoming retirement.

Commissioner Swindell commended Mr. Credle for his wealth of knowledge in locating water lines. Mr. Credle was then thanked and congratulated by Mr. Berry, Manager Rich, and the Board. Manager Rich asked Mr. Credle to spin the Wheel of Thanks, and received a \$25 gift certificate to Bare Necessities Convenience Store.

## **Items of Consideration:**

### **Resolutions:**

#### **Resolution Outlining Services Requested From Vidant at Alternative Facility**

Commissioner Byrd made a motion to amend the agenda to allow Mayor Adam O'Neal to make his presentation prior to the adoption of any resolution regarding Pungo Vidant Hospital. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### **Presentations Regarding the Closing of Vidant Pungo Hospital**

1. Belhaven Mayor, Adam O'Neal stated that proposed closure of Vidant Pungo Hospital with the loss of emergency services will cause an increase in patient morbidity and mortality in the economically deprived and medically underserved area of Eastern Beaufort County, along with all of Hyde County. Some of the losses that will occur with the hospital's closing will include acute care, intensive care, swing and vent beds, physical therapy, and Emergency Room services. The lack of emergency care for victims of heart attack, stroke, and trauma will greatly reduce the victims' chances of recovery/survival.

Vidant Health plans to construct a new Multi-Specialty Clinic that will be open 24/7 with primary care and urgent care services. Emergency Room services will not be provided at the new facility.

Mayor O'Neal said that if the residents don't do everything they can, there will be major impacts to the life and well-being of the residents in Eastern Beaufort County and Hyde County. Mayor O'Neal invited the Board and Manager Rich to attend a meeting Thursday, October 10, 2013 at 2:00pm with Dr. Herman at Vidant in Greenville. The purpose of this meeting will be to speak directly with Dr. Herman about his plans for Eastern Beaufort and Hyde Counties. Senator Bill Cook, Representative Paul Tine and U.S. Congressman Walter Jones, Jr. have written letters to Vidant Health stating that there must be an ER in Belhaven

2. Emergency Services Coordinator, Justin Gibbs gave a presentation regarding the regulatory issues that will need to be faced due to the closing of Vidant Pungo Hospital.

Mr. Gibbs said he contacted NC OEMS, the state agency which adopts policies and protocol for Emergency Services. He reported that he found out there is no protocol legally preventing Hyde County from transporting patients to an urgent care facility. He stated that there would be an issue of whether we would be reimbursed by Medicare/Medicaid, and private insurance companies for transporting to an urgent care facility. Medicare/Medicaid and private insurance companies have certain regulations stating that transport of patients can only be to hospitals and critical care hospitals. If the new facility isn't coded as hospital we will not be able to use it.

Mr. Gibbs said that the local physician's offices in Belhaven will be absorbing ER visits while phasing out the hospital ER, but EMS can only transport to a physician to stabilize the patient and then must move on to a hospital. He said that without a properly coded facility, Hyde County would lose approximately \$250,000 in yearly revenue.

Commissioner Fletcher made a motion to adopt the Resolution Outlining Services from Vidant at Alternative Facility. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

*Clerk's Note: A copy of "Resolution Outlining Services Requested from Vidant at Alternative Facility" is attached herewith as Exhibit A and incorporated herein by reference.*

#### **Proclamation: October as National Domestic Violence Awareness Month**

Hyde County Hotline asked the Board to sponsor an official proclamation to recognize October as Hyde County's National Domestic Violence Awareness Month.

Commissioner Fletcher made a motion to adopt the Proclamation of October as National Domestic Violence Awareness Month. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

*Clerk's Note: A copy of the Proclamation of October as National Domestic Violence Awareness Month is attached herewith as Exhibit B and incorporated herein by reference.*

#### **Appointment – Ocracoke Community Center Board**

Commissioner Byrd moved to approve appointment of Mel Perez to fill the seat on the Ocracoke Community Center Board vacated by David Bundy. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### **Appointment – Partnership for the Sounds**

The Partnership for the Sounds requested Manager Rich be appointed as a board member. Manager Rich asked for the Board's recommendation for his appointment.

Commissioner Pugh moved to appoint Manager Rich to the Partnership for the Sounds Board. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### **Appointments to Hyde County Child Fatality Prevention Team (CFPT)**

Hyde County Health Department is in the process of reviewing active membership on the Child Fatality Prevention Team (CFPT), and needed two appointments to the team. The two positions that needed to be filled were:

- An emergency medical services provider or firefighter
- A parent of a child who died before reaching the child's eighteenth birthday

The team requested that Jeff Hibbard, EMT be appointed to fill the first position and Debbie Swindell fill the second position.

Commissioner Byrd made a motion to appoint Jeff Hibbard and Debbie Swindell to the CFPT. Mr. Pugh seconded. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### **Reappointments to Hyde County Board of Health**

At the Hyde County Board of Health quarterly meeting held on September 24, 2013, the Board recommended the reappointment of the following board members to their respective second (2nd) three (3) year term of office: (1) Cheryl Ballance – Registered Nurse and (2) Randy Hignite – ILO (in lieu of) a Pharmacist. The first three year term of office for both of these Board members expired in July of 2013, and both agreed to serve a second three year term.

Commissioner Fletcher made a motion to approve the reappointments of Cheryl Balance and Randy Hignite to the Hyde County Board of Health. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### **Appointment to Hyde County Revolving Loan Fund Committee**

The County Manager typically serves as a member of the Revolving Loan Fund Committee. The Planner requested that Manager Rich be appointed to the RLF Committee. Commissioner Byrd made a motion to appoint Manager Rich to the RLF Committee. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### **Presentation from Hyde County Board of Education Regarding Budget Shortfalls FY14-17**

Ken Chilcoat, Finance Officer for Hyde County Schools presented a series of State budget cuts that will directly affect the Hyde County School System. He stated that over the next three (3) fiscal years, Hyde County Schools' State funding will be reduced by a total of \$1,621,668. This reduction in funding will directly result in layoffs for teachers and other personnel.

#### **Elimination of Daycare Funding for DSS**

Linda McCabe & Pamela Midgette of Hyde County Department of Social Services gave a brief overview of the effects the partial Federal Government shutdown will have on daycare funding to Hyde County DSS. They stated that as of October 1, 2013, there would be no funds allocated for the reimbursement to child care facilities for the care of children until the shutdown has ended. (The shutdown ended on October 16, 2013, therefore not affecting further funding.)

#### **Rate Increase for Swan Quarter & West Quarter Special Service Districts**

Commissioner Tunnell stated that the Swan Quarter Watershed Steering Committee was appointed to do the research and take the burden off the Board and their recommendation is to make the suggested increases of \$0.35 per \$100 tax value for West Quarter and raise the Swan Quarter assessment to \$0.10 per \$100 tax value.

Commissioner Tunnell made a motion to implement the suggested rate increases of \$0.35 per \$100 tax value for West Quarter and \$0.10 per \$100 tax value for Swan Quarter. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### **Positive Parenting Program Funding Collaborative with Beaufort County – Hyde County Health Department as Fiscal Agent**

Hyde County is one of four (4) counties in North Carolina selected to participate in the Early Learning Challenge Grant, a federally funded initiative of the U. S. Department of Education and the U. S. Department of Health and Human Services. The grant includes a number of projects designed to improve learning and development for young children, including the Early Childhood Transformation Zone. One of the Transformation Zone Strategies is the family strengthening strategy “Positive Parenting Program” (Triple P). Funding for this program will flow through one of the local health departments in the collaborating counties.

Hyde County will be collaborating with Beaufort County on Triple P, with Hyde County Health Department (HCHD) acting as the Fiscal Agent for the collaborative. As the Fiscal Agent, HCHD will be responsible for hiring one (1) Full Time Equivalent (FTE) Triple P Coordinator that will oversee implementation of the program in Beaufort & Hyde Counties, and will receive funding to cover the salary, fringe and operating overhead for this program. There is no local match required from the County of Hyde, and the funding will continue until December 31, 2015, possibly going into 2016 if there are funds remaining at the end of 2015.

Commissioner Fletcher made a motion to approve Hyde County Health Department as the fiscal agent for the Beaufort/Hyde Collaborative, including acceptance of funding. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### **Revisions/Additions to Fee Schedule Approved for FY 2011-2012**

At the quarterly meeting held on September 24, 2013, the Hyde County Board of Health approved revisions and/or additions to the Fee Schedule previously approved for fiscal year 2011-2012, with an effective date of April 1, 2013. Local health departments must receive approval of both the Board of Health and Board of County Commissioners for new or revised fee schedules.

Commissioner Byrd made a motion to approve the revisions/additions to the Hyde County Health Department fee schedule. Mr. Tunnell seconded the motion. The motion passed on the following

vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

### **AT&T Wireless Telecommunications Tower Easement-**

At the September 3, 2013 Board of Commissioners meeting, American Tower, LLC presented a proposal to construct four (4) new wireless telecommunications towers in Hyde County for the expansion of AT&T Mobility's coverage. The first three towers were approved by the board. The fourth tower's site plan showed the parcel, owned by Benjamin Bonney, Jr., was too small to accommodate the required setback. This required American Tower, LLC to ask the Board to grant a variance allowing the setback to cross the existing property line, as Mr. Bonney owns the surrounding parcels as well. It was agreed that American Tower, LLC would work with County Attorney Holscher to create a Tower Setback Easement for the property.

Attorney Holscher reviewed the proposed easement prior to the October 7, 2013 meeting, and gave his approval to the Board.

Commissioner Fletcher made a motion to approve the easement and variance for construction of the wireless telecommunications tower at the Bonney property. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

### **Possible Golden LEAF Grant Funding**

On September 5, 2013, Manager Rich and the County Planner attended an informational workshop at the Bob Martin Agricultural Center in Williamston to learn more about the Golden LEAF Foundation's Community-Based Grantsmaking Initiative for the Northeastern Prosperity Zone. Twenty-one (21) County Managers in the Northeastern Prosperity Zone were invited to submit a Request for Invitation to the Golden LEAF Foundation by October 15, 2013. Grant awards will total up to \$1.5 million and grant awards are limited to 1-3 projects. Manager Rich and the County Planner were collaborating on the Request for Invitation.

### **Outstanding Checks**

Corrinne Gibbs, Finance Officer, gave an update on the list of outstanding checks. She said the Finance Office has sent letters to the payees encouraging them to request a new check. She provided the Board with an updated list.

Commissioner Fletcher made a motion to direct the Finance Officer to escheat all funds less than \$10 that are more than twelve (12) months old and send these funds to the Local Government Commission to collect interest and then go to the UNC school system. Mr. Pugh seconded the motion. Attorney Holscher said he was unsure of the general statutes regarding escheating funds. He said he will do some research and report back in November. No action was taken.

### **GovDeals Surplus**

The Hyde County Sherriff's office is no longer using a 2007 Dodge Charger due to high mileage and needs to be placed on GovDEals.com. This vehicle is to be sold for \$7,000.

Commissioner Byrd made a motion to authorize the Finance Office to place the 2007 Dodge Charger up for sale on GovDeals. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

### **CDBG – Contingency – Termination of Hobbs Upchurch Engineering Contract**

Kris Noble, County Planner, requested the Board terminate the engineering services contract with Hobbs, Upchurch & Associates for the CDBG-Contingency sewer force main extension project. The reasons for this termination are mismanagement of the design phase of the project, failure to notify the County of staff changes and anticipated delays in bidding the project and over-budget invoices. In addition, the only engineer on staff at the firm with any experience on the project has since resigned. Continuing to allow Hobbs Upchurch & Associates to handle the project could

potentially cause additional delays in the project's completion. The contract did not include a termination clause.

Commissioner Swindell made a motion to terminate the engineering services contract with Hobbs, Upchurch & Associates. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

### **CDBG – Contingency – Contract for Engineering Services**

In order to continue the CDBG-Contingency project, engineering services was needed to be secured to oversee the construction, testing, and engineering certification of the US 264 sewer force main extension for Engelhard Sanitary District. SK Environment & Engineering, PLLC. ("SK E&E."), having its principal place of business at 303 Olde Point Loop, Hampstead, N.C., 28443 is recommended to provide these services.

Commissioner Tunnell made a motion to authorize Chairman Swindell to execute a contract for consulting/engineering services with SK Environment & Engineering, PLLC. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

### **CDBG – Contingency – Request to Waive Permit Fees**

The US 264 sewer force main extension has been completely installed and the contractor is beginning to set up individual step tank systems. Thirty (30) homes will receive step tank systems. CDBG provisions require that each home must meet minimum electrical and plumbing requirements in order to have the step tank system installed. The contractor is responsible for these plumbing and electrical upgrades, which have proven to be substantially driving up the cost of the project. The project originally included 40 hookups at a low bid of \$694,325 by ELJ, Inc., the contractor. The scope of work was negotiated with the contractor for a contract price of \$429,180.88 and now includes 30 homes.

There is very little contingency built into this project, and funds are limited. The project manager requested the Board to waive all building permit fees as an in kind contribution to the project. The approximate cost of these fees will be \$4,500. The contractor will strive to work with the Building Inspector to ensure inspections consist of multiple units at one time to decrease travel time to the project site. The contractor will also accommodate the Building Inspector by meeting when requested for inspections.

In addition, each home will require a \$75 septic permit for each home totaling \$2250. It is requested that this fee be waived as well and similar accommodations as listed above will be honored.

The Board decided that seeing as how the contractor was operating at a profit, that there would be no waiver on the permit fees.

No action was taken.

### **Possible Leasing of County Jail**

Commissioner Fletcher stated that Beaufort County is having problems with their jail and is looking to build a new jail. He felt that since the Hyde County Jail is not being used, that the possibility of leasing the jail to Beaufort County should be explored. Chairman Swindell and the County Planner stated that it has been determined by State officials that the Hyde County Jail facility is not suitable for use. The Planner will brief the Board on the specific reasons for the State's determination at the November Board meeting. No action was taken.

### **Possible Gifting of Davis School**

Commissioner Byrd stated that a company approached has approached him about opening a private school in Hyde County and wanted to know if Davis School was available for use. The Utilities Director had told Mr. Byrd of the costs to upkeep, which are currently burdened on the County. Mr. Byrd said that he was interested in not necessarily gifting the school, but to entertain bids. Attorney Holscher said the County can sell the facility privately, receive private sealed bids, entertain a negotiated offer then advertise for upset bids, hold a public auction, or exchange the facility for another. Commissioner Pugh said the facility is a liability to County, but that some parts of it are being used, though the lease payments are not making up the costs to maintain it. The Board agreed that any transfer would have to insure that all liability of the County be transferred to the new owner. Attorney Holscher and Manager Rich will look into how the property is deeded and when the existing leases expire.

Discussion was tabled until the November meeting after there has been further research.

#### **Installation of AWOS System at Engelhard Airport Facility**

The Hyde County Airport Advisory Board met on September 30, 2013 and voted to proceed with the installation of an AWOS (Automated Airport Weather Station) at the facility. Automated airport weather stations are automated sensor suites which are designed to serve aviation and meteorological observing needs for safe and efficient aviation operations, weather forecasting and climatology. Automated airport weather stations have become part of the backbone of weather observing in the United States and Canada and are becoming increasingly more prevalent worldwide due to their efficiency and cost-savings. 90% of the funding for the AWOS installation will come from NC DOT Aviation funding while 10% will be a local match which has been budgeted for and will not increase the budget. The AWOS system will prove valuable in the UAV project and will also allow certified weather to be recorded and reported from the Engelhard Airport Facility.

Commissioner Byrd made a motion to approve the recommendation of the Airport Advisory Board to install the AWOS and authorize County staff to proceed with the project. Mr. Pugh Seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### **Approval of Transportation Improvement Plan for Engelhard Airport**

The Hyde County Airport Advisory Board met on September 30, 2013 and voted to approve the 2014-2020 Transportation Improvement Plan. These improvements, totaling \$7,704, 650, are covered under the State's Vision 100 Block Grant Program.

Commissioner Pugh made a motion to approve the Airport Advisory Boards recommendation to approve the Transportation Improvement Plan. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### **Airport Farm Lease**

The Hyde County Airport Advisory Board met on September 30, 2013 and presented a list of recommendations to the Hyde Board of Commissioners in regard to the farm lease on the airport property which will need to be renewed in December 2013.

Commissioner Byrd made a motion to authorize Manager Rich, Attorney Holscher and Commissioner Pugh to work together on the lease updates in order to make it ready to go out for bid in November so that the new lease may begin in December. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

## PSC Update

Justin Gibbs, Emergency Services Coordinator, gave a brief update on the installation of the mobile dispatch unit. He said that the Dispatch Office relocation would be complete on October 7, 2013.

## 2013 Flood Mitigation Assistance (FMA) Program Update

Averi Simmons, Planning Assistant, reported that FEMA's 2013 Flood Mitigation Assistance program is underway. On September 5, 2013, Hyde County submitted a letter of interest to NC Emergency Management, outlining Hyde County's interest in applying for funding under the 2013 FMA cycle for elevation and acquisition assistance. The letter of interest stated Hyde County is looking to do twelve (12) elevations and two (2) acquisitions in various areas of Hyde County. The Planning Department has worked on applying for funds for elevation of eleven (11) homes and acquisition of one (1) home. The first draft of the elevation and acquisition applications was submitted Friday, October 4, 2013.

The eleven (11) elevations will be funded at a 90/10% cost-share, with FEMA providing 90% of the funds to complete the project. The homeowner will be responsible for the remaining 10% balance of the project costs. Hyde County will be able to use staff time as an in-kind contribution to help offset the homeowner contribution costs.

The one (1) acquisition will be funded by FEMA at 75% of the appraised value of the property. Once acquired, the home on this property will be demolished and must be maintained according to the FEMA program requirements for the acquisition of property for open space. This property, if acquired, will become owned by Hyde County.

## Budget Matters

Planning	\$12,000	To be added to the Planning Budget for funds received from the Region 9 Community Transformation Grant for the update of the Hyde County Recreation & Parks Master Plan.
Health	\$1,148	BR 03-14 - To cover a reduction in Maternal and Child Health Block Grant Funds.
Health	\$1,141	BR 04-14 - To cover a reduction in Maternal and Child Health Block Grant Funds.
Health	\$1,204.89	BR 05-14 – To be added to the Supplies line from leftover funds received from the Region 9 Community Transformation Grant to support the Change for Good “Active Living and Healthy Eating” project.
Health	\$4,000	BR 06-14 – To cover a license fee required in order to use the NC Office of Rural Health's Medication Assistance Program (MARF). This one-time fee is paid by the Office of Rural Health.

Commissioner Byrd made a motion to approve all budget revisions. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

## Closed Session - Legal

Chairman Swindell asked for a Closed Session to discuss legal matters. Commissioner Byrd made a motion to enter Closed Session. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None. The Board entered into closed session at 7:46 p.m.

Commissioner Byrd made a motion to end closed session. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None. The regular meeting was resumes at 7:56 p.m.

No action was taken as a result of Closed Session.

## **Management Reports**

### **Commissioner Reports:**

**Commissioner Swindell** – Stated that he knows that County employees have not received an across-the-board raise in about five years. He said he felt that the raises granted to the Department of Social Services was not the proper way to be given. He feels that all employees should get a pay raise in order to be fair to everyone, but that they are not budgeted for this fiscal year. Commissioner Byrd remarked that the information given to the Board on previous raises was not factual. He said that if the Board had been informed of the raises during the budgeting process, they would not have been approved. He said he would like to take them back. Commissioner Fletcher said that he was bothered by the pay scale raises granted in the Utilities Department, that they were much higher than those granted in other departments, but they were allowed in the restructuring of the Water Department. Commissioner Byrd said that only two (2) raises were approved, not four (4).

**Commissioner Byrd** – Thanked the Finance Office for submitting their report. He said he would like to see the monthly and year end reports. He also reported that he had received a complaint about the Hyde Transit System, stating that the passengers were going to a Church function and were not able to be dropped off at the front door of their destination, they had to walk from a point down the street.

He also said he had attended the Albemarle RPO meeting in Columbia and the Ferry Tolls meeting in Manns Harbor.

**Commissioner Pugh** – Attended the Ferry Tolls meeting in Manns Harbor. Also met with NC DOT Secretary Tata regarding projects going on in District 10. He also attended the Albemarle Commission meeting where NC Senator Bill Cook spoke about transportation. Attended the 85<sup>th</sup> Anniversary of the Intracoastal Waterway event, Hyde County Airport Advisory Board meeting, and represented the County at Hyde County Relay for Life.

He said he received a call about regulations to protect waterfront property owners during waterfowl season, that some landowners are concerned. He said the County needs to look into regulations.

Thinks all Department Heads should give updates every month.

Wanted to know who owns the boardwalk in Engelhard if it was the EDC or did it belong to DOT. He said he sees lots of things there that need to change and that the County should look into regulations.

**Commissioner Tunnell** – Attended the Pungo Vidant Hospital Rally, RC&D Annual meeting in Edenton, and the LPAN meeting. He said the LPAN group is on schedule for the year with their goals and commended Liz Mumm for doing good job with the group.

**Commissioner Fletcher** – Nothing to Report.

### **Manager's Report:**

**Vidant Pungo Hospital** – Hyde County can transport to an Urgent Care facility, but the County will likely not get paid by Medicare and private insurance. Representative Tine is contacting Senator Hagan to be working on changing codes that would prevent being paid for those transports. Encouraged attendance by the Board to the Vidant meeting October 10, 2013.

**Federal Government Shutdown** – Has been tough on Ocracoke with the beaches being closed. Hopes the issues will be resolved soon.

**ABC Audit** – Audit has been completed. Stated the ABC Board has done good job getting the financials in order and he is happy that it is completed. Presentation of the audit will be at the ABC Board meeting on 10/14/13.

**Potential Gift of 4 acres ffrom Bridgman Estate** – Hyde County has been offered four (4) acres of marshland as a gift. The parcel lines are not well defined because the property is in the middle of other marshland. It is located behind Farrow Road at the old Jim Ed Cypress tree. Property is behind the dike.

**Hyde Transit** – Grand Opening of the new Hyde Transit Facility will be October 25, 2013 at 2:00 p.m.

**Public Comments:**

Chairman Swindell called for comments from the public.

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

**Closed Session (none)**

**Adjourn**

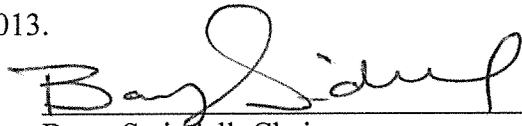
With no further business, Commissioner Fletcher made a motion to adjourn the meeting. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Swindell and Tunnell; Nays – None; Absent or not voting – None.

The meeting adjourned at 8:18p.m.

Respectfully submitted:

Minutes approved on the 4<sup>th</sup> day of November, 2013.

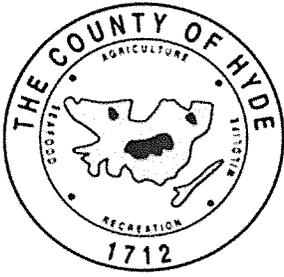
\_\_\_\_\_  
Averi Simmons, Deputy Clerk  
Hyde County Board of Commissioners

  
\_\_\_\_\_  
Barry Swindell, Chair  
Hyde County Board of Commissioners

Attachments:

Exhibit A: *“Resolution Outlining Services Requested from Vidant at Alternative Facility”*

Exhibit B: *Proclamation of October as National Domestic Violence Awareness Month*



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

**RESOLUTION**

**OUTLINING SERVICES REQUESTED FROM VIDANT AT ALTERNATIVE FACILITY**

**WHEREAS**, Hyde county currently relies on transporting patients to Vidant Pungo District Hospital for emergency services and;

**WHEREAS**, 40.1% of all billable emergency transports to Vidant Pungo District Hospital by Hyde County EMS during the Calendar year 2012 were transmitted to Medicare for payment and were reimbursed at a 24.2% collection rate, totaling \$133,946.16 in revenue;

**WHEREAS**, 12.6% of all billable emergency transports to Vidant Pungo District Hospital by Hyde County EMS during the Calendar year 2012 were transmitted to private insurance for payment and were reimbursed at a 7.8% collection rate, totaling \$42,848.09 in revenue;

**WHEREAS**, Vidant Pungo District Hospital has announced the closing of the current facility and the construction of an alternative urgent care facility;

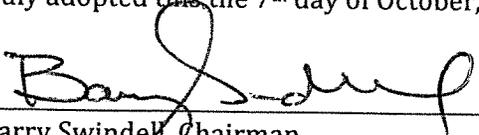
**WHEREAS**, the new proposed facility will not offer blood, CAT scans, hospital beds and other necessary emergency room services;

**WHEREAS**, the new proposed facility will not meet Medicare's approved destination requirements, thus preventing future reimbursements totaling approximately \$250,000 per calendar year;

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Hyde County Board of Commissioners that the owners of Vidant Pungo District Hospital consider the life and well-being of Hyde County citizens by offering an alternative urgent care facility in the place of Vidant Pungo District Hospital that meets the criteria necessary to:

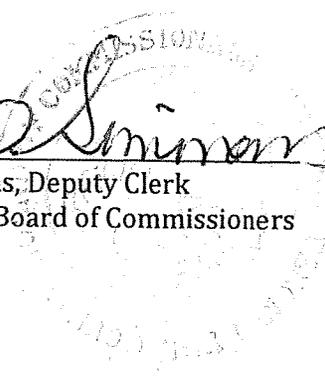
- a. Provide services that are adequate to receive patients by ambulance and provide air intercept to other facilities in cases where more advanced treatment is necessary and;
- b. Provide a facility coded as an approved destination so that Emergency Services provided by Hyde county EMS are reimbursable through Medicare and private insurance.

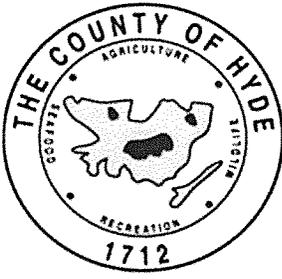
Duly adopted this the 7<sup>th</sup> day of October, 2013.

  
\_\_\_\_\_  
Barry Swindel, Chairman  
Hyde County Board of Commissioners

Attested by:

  
\_\_\_\_\_  
Averi Simmons, Deputy Clerk  
Hyde County Board of Commissioners





BOARD OF COMMISSIONERS  
OF THE COUNTY OF HYDE  
NORTH CAROLINA

## PROCLAMATION

**WHEREAS**, the crime of domestic violence violates an individual's privacy and dignity, security and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse including abuse to children and the elderly.

**WHEREAS**, the problems of domestic violence are not confined to any group or groups of people, but cut across all economic, racial and societal barriers, and are supported by societal indifferences, and

**WHEREAS**, the impact of domestic violence is wide ranging, directly effecting individuals and society as a whole, here in this community, throughout the United States and the world, and

**WHEREAS**, it is battered women themselves who have been in the forefront of efforts to bring peace and equality to the home.

**NOW, THEREFORE, BE IT HEREBY PROCLAIMED**, in recognition of the important work done by domestic violence programs, that the Hyde County Board of Commissioners do hereby proclaim the month of October to be ***National Domestic Violence Awareness Month***, and urge all citizens to actively participate in the scheduled activities and programs to work toward improving victim safety and holding perpetrators of domestic abuse accountable for their actions against individual victims and our society as a whole.

Duly adopted this the 7<sup>th</sup> day of October, 2013.

Attested by:

Barry Swindell, Chairman  
Hyde County Board of Commissioners

Averi Simmons, Deputy Clerk  
Hyde County Board of Commissioners