

EMERGENCY MEETING MINUTES

HYDE COUNTY BOARD OF COMMISSIONERS
FRIDAY, SEPTEMBER 20, 2019

Chairman Pugh called the Emergency Meeting of the Hyde County Board of Commissioners to order following opening prayer, at 7:00a.m., on Friday, September 20, 2019 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 Shannon Swindell and Ben Simmons; Clerk to the Board Lois Stotesberry and IT Director Donnie Shumate.

Vice-Chairman Tom Pahl; County Manager Kris Cahoon Noble; Emergency Manager Justin Gibbs and Finance Officer Corrinne Gibbs attended from Ocracoke via speaker phone.

Attorney Franz Holscher attended from his office in Washington via speaker phone.

Commissioner James Topping was absent.

CONSIDERATION OF AGENDA:

Commissioner Simmons moved to approve the Friday, September 20, 2019 Emergency Meeting Agenda as presented by the Clerk. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons and Swindell; Nays – None; Absent or not voting – Topping.

PUBLIC COMMENT:

Hearing no comment from the public, Chairman Pugh continued the meeting.

ITEMS OF CONSIDERATION:

County of Hyde Pre-Event/Stand-By Contract for: Disaster Debris Removal Services (H07-2018) Amendment

Corrinne Gibbs, Finance Officer, presented amended language in three categories of the County of Hyde Pre-Event/ Stand-By Contract for: Disaster Debris Removal Services (H07-18) as follows:

- 1) SPECIFIC CONTRACT LANGUAGE UPDATE by direction of the County
- 2) SPECIFIC CONTRACT LANGUAGE ADDED; Insertion of 2 CFR 200 Federal Contract provisions by direction of the County
- 3) An interpretation of the Debris Reduction scope of work so as not to require contract amendment for reduction of construction and demolition debris by reduction.

SPECIFIC CONTRACT LANGUAGE UPDATE

Replace X.C. on page 7 of the contract with: “The County may supply the Contractor with a list of potential local contractors. Local subcontractors are encouraged to be used if all applicable requirements are met.”

The following additions of the contract language were obtained from a document provided by FEMA Office of Chief Counsel/Procurement Disaster Assistance Team named Contract Provisions Template.

SPECIFIC CONTRACT LANGUAGE ADDED

EQUAL EMPLOYMENT OPPORTUNITY

Commissioner Simmons moved to approve the County of Hyde Pre-Event/ Stand-By Contract for: Disaster Debris Removal Services (H07-18) as presented. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons and Swindell; Nays – None; Absent or not voting – Topping.

NC DEQ Division of Water Infrastructure Application for Funding and Resolution By Governing Body of Applicant

Commissioner Pahl moved to approve the Resolution By Governing Body of Applicant to develop a Water Utility Asset Inventory and Assessment Project and to request state grant assistance for the project as presented by County Manger Kris Cahoon Noble. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons and Swindell; Nays – None; Absent or not voting – Topping.

Audit Contract Amendment for Medicaid Testing

Corrinne Gibbs, Finance Officer, reported for the year ended June 30, 2018, the State Auditor removed the Medicaid direct payments from the SEFSA. This created a significant amount of additional testing for local auditors involving other programs to meet the required dollar amount threshold. The State Auditor also asked the local auditors to increase the number of Medicaid cases to test, and to attest to those procedures in an agreed upon procedures report for the State Auditor. Thompson, Price, Scott, Adams & Co., P.A., Hyde County’s auditing firm of record, has respectfully submitted a request for an increase in contract of \$5,500.00.

Commissioner Swindell moved to approve the amended audit contract and to authorize the Chair to execute. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons and Swindell; Nays – None; Absent or not voting – Topping.

CLOSED SESSION: (none)

ADJOURN:

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

The meeting adjourned at 7:30a.m.

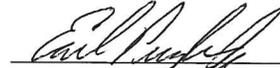
Respectfully submitted:

Minutes approved on the 7th day of October, 2019.

Attest:



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



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

Attachments

Exhibit A: "NC DEQ Division of Water Infrastructure Application for Funding and Resolution By Governing Body of Applicant"



Board of Commissioners

Earl Pugh, Jr., Chair
Tom Pahl, Vice-Chair
Benjamin Simmons, III
Shannon Swindell
mes Topping

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



RESOLUTION BY GOVERNING BODY OF APPLICANT

- WHEREAS,** The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of (state whether a wastewater treatment works, wastewater collection system, stream restoration, storm water treatment, drinking water treatment works, and/or drinking water distribution system or other “green” project), or Asset and Inventory Assessments, and
- WHEREAS,** The County of Hyde has need for and intends to develop a Water Utility Asset Inventory and Assessment Project, and
- WHEREAS,** The County of Hyde intends to request state grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF HYDE:

That County of Hyde, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of Hyde County to make scheduled repayment of the loan, to withhold from the (unit of government) any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

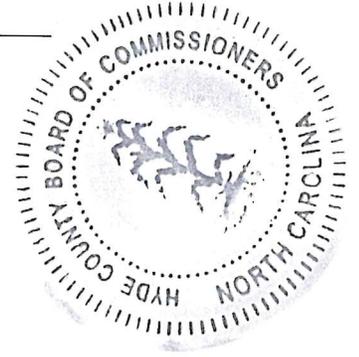
That **Kris Cahoon Noble, County Manager**, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a (loan or grant) to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

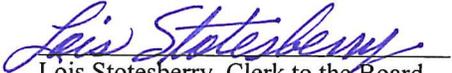
That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 20th Day of September, 2019 at Swan Quarter, North Carolina.


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

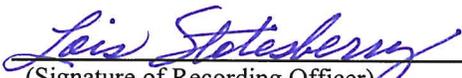


Attest:


Lois Stotesberry, Clerk to the Board

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting (title of officer) of the (unit of government) does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the (name of governing body of applicant) duly held on the 20th day of September, 20 19; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of September, 20 19.


(Signature of Recording Officer)


(Title of Recording Officer)