

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

Meeting Date: September 4, 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: September 4, 2018
Presenter: Chairman Earl Pugh, Jr.
Attachment: Yes

ITEM TITLE: CONSIDERATION OF AGENDA

SUMMARY: Attached is the proposed Agenda for the Tuesday, September 4, 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

TUESDAY, SEPTEMBER 4, 2018 – 6:00 PM

CALL TO ORDER

CONSIDERATION OF AGENDA

CONSIDERATION OF MINUTES

August 6, 2018

- Regular Meeting Minutes

PUBLIC HEARINGS

- CDBG-NR Kris Noble

Citizen Input for Possible Updates or Amendments to the Parks & Recreation

Master Plan Kris Noble

INTRODUCTIONS (none)

PRESENTATIONS

Guidelines: The maximum length of time allotted for an entire presentation (verbal, video, and/or PowerPoint) is ten minutes. Power Point presentations must be brought in at least one hour before the meeting starts to ensure the presentation is virus free, loaded on the computer and working properly. All removable media such as USB or CD-ROMS must be checked for malicious code before they are used on County systems. Handouts must be submitted prior to presenting.

- 1) North Carolina Historic Highway Marker Program (NCHHMP) Margie Brooks
 - Resolution In Support of The Erection of A North Carolina Historic Highway Marker In Hyde County Commemoration The 1068-69 Hyde County School Boycott
- 2) Ocracoke Township Tourism Development Authority (OTTDA) Quarterly Report Kris Noble
(In accordance with SL2006-128 – HB882 Section 5.(c) Report)
- 3) 4-H Advisory Committee Update Lee Brimmage

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

- Resolution for Application for CDBG-NR Revitalization Funding Kris Noble
- Application for CDBG Grant to Construct Wastewater Collection System
in Hycienda Heights, Engelhard, NC Kris Noble
- Resolution Supporting Agriculture in North Carolina Kris Noble

2) Appointments

- Swan Quarter Watershed Committee Debbie Cahoon
- Mainland Recreation Committee Kris Noble

3) Request for New Position Luana Gibbs

4) Replacement of Proposed Microwave Antenna Donnie Shumate

5) Designation of Agents for FEMA Federal Disaster Assistance Applicants Kris Noble

BUDGET MATTERS

Health Department

- BR 4-19 - WIC – Department Supplies \$1,177.00

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

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) Tax Department (requires signature)
- 2) Inspections
- 3) Airport
- 4) **Human Resources**
- 5) **Health Department**
- 6) Department of Social Services
- 7) Senior Center
- 8) **Finance**
- 9) IT Department
- 10) **Soil & Water**
- 11) **Cooperative Extension**
 - **Hyde County Six Month Review**

Informational Items

- 1) Graham County – Resolution In Opposition To House Bill 320
- 2) Onslow County - Resolution 18-010 – Supporting Agriculture In North Carolina
- 3) OCBA – Letter To EMS Personnel
- 4) G Mail – Domestic Preparedness Region 1 (DPR 1) Event
- 5) Letter – Letter – Hyde County Hotline

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

Meeting Date: September 4, 2018
Presenter: Lois Stotesberry, Clerk
Attachment: Yes

ITEM TITLE: CONSIDERATION OF MINUTES

SUMMARY: Attached are the August 6, 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, August 6, 2018**

7
8 Following opening prayer by Commissioner Simmons and Pledge of Allegiance, Chairman Earl Pugh, Jr. called the
9 Regular Meeting of the Hyde County Board of Commissioners to order at 6:00p.m., on Monday, August 6, 2018, in
10 the Hyde County Government Center, Multi-Use Room, and the Ocracoke Community Center using electronic
11 conferencing equipment.

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

15
16 Commissioners Tom Pahl and Dick Tunnell were present on Ocracoke. Teresa Adams ran the electronic
17 conferencing equipment.

18
19 **Consideration of Agenda:**

20 Commissioner Simmons moved to approve the Monday, August 6, 2018 Board of Commissioners Regular Meeting
21 Agenda as presented by the Clerk with addition of Item No. 12 – Resolution Authorizing Hyde County To Enter Into
22 An Agreement With The North Carolina Department of Transportation. Mr. Swindell seconded the motion. The
23 motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell, Pahl and Simmons; Nays – None; Absent or
24 not voting – None.

25 **Consideration of Minutes:**

26 **July 2, 2018 – Regular Meeting**

27 Commissioner Tunnell moved to approve the July 2, 2018 Hyde County Board of Commissioners Regular Meeting
28 Minutes as presented by the Clerk with correction noted. Mr. Simmons seconded the motion. The motion passed on
29 the following vote: Ayes – Pugh, Swindell, Tunnell, Pahl and Simmons; Nays – None; Absent or not voting – None.

30
31 **Introduction:**

32 Patrice Bertke, Director of MATTIE Arts Center was introduced. Ms. Bertke reported on activities at the Center and
33 plans for the future as a community outreach program.

34 **Presentations:**

35 **MATTIE Arts Center & Seafood Festival**

36 Patrice Bertke, Director of MATTIE Arts Center reported on the upcoming MATTIE Arts & Seafood Festival in
37 Swan Quarter on September 22nd from 10:00a.m. to 6:00p.m. Ms. Bertke reported the festival will honor Hyde
38 County fishermen and farmers.

39 Jan Moore challenged commissioners to a game of “fish toss” against the county department heads at the festival.

40 **Naloxone and Syringe Exchange Programs**

41 Anna Stein, Attorney with the NC Division of Public Health, presented information about Naloxone and Syringe
42 Exchange Programs and their impact toward harm reduction in North Carolina, and more specifically Hyde County.
43 Both programs are currently being provided through the Health Department with the Drug Task Force support as well
44 as the Board of Health support. She reported increase in the number of deaths from Heroin and Cocaine overdose

1 and Hepatitis C cases from IV drug use/needle sharing. Since its beginning in 2016, thirty-one active Syringe
2 Exchange programs have been activated in counties in North Carolina.

3 **Mental Health and Substance Abuse, Drug Task Force**

4 Luana Gibbs, Interim Health Director; Jenna Brinn, RN, Public Health Nurse II and Anna Schafer Motler, Public
5 Health Educator II presented an update for the Hyde County Drug Task Force as well as the newly implemented
6 Mental Health and Substance Abuse program that is being provided by the Health Department.

7 Anna Schafer Motler presented the 2017 State of The County Health (SOTCH) Report. The report is created during
8 the years between Community Health Assessments (CHA) as a way to track and present annual changes and progress
9 in the health of the county. The SOTCH is a document which provides an overview of leading health priorities,
10 emerging issues and new health initiatives in the County.

11 **CDBG-DR Engineering Service Award**

12 Kris Cahoon Noble, County Manager, reported Hyde County has received two proposals (one from REI of Greenville
13 and the other from Michael O'Steen from Kitty Hawk) for engineering services to repair the Davis School Building
14 roof. Holland Consulting Planners, Inc. has reviewed both proposals. Factors considered in the review were
15 professional services, work experience, work history in Hyde County, timeliness and cost.

16 Commissioner Swindell moved to award the Davis School Building roof engineering services contract to REI. Mr.
17 Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell, Pahl and
18 Simmons; Nays – None; Absent or not voting – None.

19 **Ocracoke Waterways Commission**

20 Tom Pahl, Commissioner, discussed a presentation being prepared by the Ocracoke Waterways Commission to be
21 given to the NC House of Representative's Transportation Committee on August 27, 2018 in Ocracoke. Mr. Pahl
22 reported the Commission's mission is to improve our waterways.

23 Mr. Pahl discussed the *NCDOT 9' Channel near the entrance to Silver Lake and Possible Shortcut along Hatteras*
24 *Inlet Ferry Route* presentation prepared by Lance Winslow, Environmental Supervisor for NCDOT Ferry Division.

25 **Employee Recognition (tabled)**

26

27 **Public Comments:**

28 **Jason _____, Ocracoke,** reported David's Trash is not moving trash off Ocracoke Island. He asked the
29 commissioners to encourage David's to hire a truck driver soon.

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

31 **Report of Settlement**

32 Kris Cahoon Noble, County Manager, presented a report of settlement of the 2017 tax books recapitulated.

33 Commissioner Swindell moved to accept the "Report of Settlement of the 2017 Tax Books" as presented. Mr.
34 Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell, Pahl and
35 Simmons; Nays – None; Absent or not voting – None.

36 **Request for New Position to Salary Plan**

37 Luana Gibbs, Interim Health Director requested a new position for a Human Services Substance Awareness

1 Coordinator to be created within the Hyde County Salary Plan for Fiscal Year 2018-19. The position will primarily
2 handle Navigation for clients requiring substance abuse resources as well as function as the Substance Abuse
3 Program Coordinator. Funding for this position will come from Adult Health Escrow.

4 Commissioner Simmons moved to approve addition of a new position within the Hyde County Salary Plan for
5 FY2018-19 for a Human Services Substance Awareness Coordinator. Mr. Swindell seconded the motion. The
6 motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell, Pahl and Simmons; Nays – None; Absent or
7 not voting – None.

8 **Bradford and Mary Swain – Refund**

9 Bill Rich, Consultant, reported after meeting with Mary Fulcher Swain concerning Hyde County tax collections over-
10 charging tax for the years 2012, 2013, 2014 and 2015 he recommends the Board of Commissioners grant approval of
11 a refund to M/M Swain. Mr. Rich is making a recommendation to the Board of Commissioners to grant approval of a
12 refund to M/M Swain based on the following factors:

13 A. Years 2016 and 2017 have been resolved to the satisfaction of both Mrs. Swain and the County.
14

15 B. That after the realization of the overpayment of taxes it was determined that Mrs. Swain was paying taxes
16 for two lots (4&5) on recorded plat in Book C, Page 117C rather than just the lot she owned (Lot 4).
17

18 C. That the Board of Equalization and Review agreed in 2018 to reduce the value of the land Mrs. Swain
19 had overpaid from \$210,000 to \$82,500 and both the County and Mrs. Swain are in agreement with
20 these new values.
21

22 D. Now based on these new values, Mrs. Swain's Lot #4 at \$82,500 represents 39.29% of the total value
23 of Lots 4 & 5 combined.
24

25 E. In the years 2012, 2013, 2014 & 2015, Mrs. Swain paid taxes based on land values of \$340,000 at a
26 \$.065 tax rate (real estate and mosquito) or \$2,210.00 per year.
27

28 F. Based on the Board of Equalization and Review adjustment, Mrs. Swain only owed 39.29% of this.
29

30 G. The total taxes paid by Mrs. Swain on land she did not own was: $\$2,210 \times 60.71\% = \$1,341.69 \times 4$
31 years = \$5,366.76 Total Refund.
32

33 Commissioner Simmons moved to approve refund of overpaid taxes to Bradford and Mary Swain in the
34 amount of \$5,366.76. Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes –
35 Pugh, Swindell, Tunnell, Pahl and Simmons; Nays – None; Absent or not voting – None.
36

37 Commissioner Simmons asked that Ms. Eshams property be researched.
38

39 **Ramunni Contract**

40 Kris Cahoon Noble, County Manager, and Franz Holscher, County Attorney, presented proposed contract
41 between the County of Hyde and Joseph Ramunni for "Operate Trams Supporting the Ocracoke-Hatteras
42 Passenger Ferry".
43

44 After discussion and recommended revisions, Commissioner Pahl questioned tabling approval of the contract.

45 Commissioner Swindell moved to proceed forward with the Contract for Hyde County and Joseph Ramunni for
46 "Operate Trams Supporting the Ocracoke-Hatteras Passenger Ferry" relevant to revisions made by Attorney
47 Holscher.
48

1 Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell, Pahl
2 and Simmons; Nays – None; Absent or not voting – None.

3
4 **Building Inspection Services**

5 Kris Cahoon Noble, County Manager, presented Agreement between Hyde County and John Contestable (a
6 resident of Dare County) for building inspections services. Mr. Contestable has Level 2 & 3 certification. Hyde
7 County Building Inspector Jerry Hardison has Level 1 certification.

8
9 Commissioner Swindell moved to approve the Agreement between Hyde County and John Contestable for Level 2
10 & 3 inspector services through August 2019; and instruct Hyde County Building Inspector Jerry Hardison to limit
11 request for Mr. Contestable’s inspection services to as few as possible. Mr. Pahl seconded the motion. The motion
12 passed on the following vote: Ayes – Pugh, Swindell, Tunnell, Pahl and Simmons; Nays – None; Absent or not
13 voting – None.

14
15 **Revolving Loan Request for Mattamuskeet Crab Company**

16 Kris Cahoon Noble, County Manager, reported Mattamuskeet Crab Company, (dba) Mattamuskeet Seafood, is an
17 S-Corporation formed in 2004 comprised of Charles Carawan, President and Sherrie Carawan, Secretary. The
18 company deals in the processing and production of crab products and operates out of their facility located at 24694
19 US Hwy 264, Swan Quarter, NC. Mattamuskeet Crab Company formerly operated for many years under the name
20 Mattamuskeet Seafood, but reorganized after one officer sold out their interest. Mattamuskeet Seafood is
21 successful and well established and is now looking to expand to new markets west.

22
23 Mattamuskeet Seafood currently has an existing RLF loan. The original amount of the loan was \$150,000.00. The
24 balance has been paid down to approximately \$51,000.00. The original purpose of the existing loan was for the
25 purchase of equipment, repairs to existing facility, working capital and start-up inventory. The applicants are
26 requesting to combine the existing loan with new funds that will extend the loan balance back to \$150,000.00. The
27 new funds will be used to hire a salesman, purchase a refrigerated truck and hire a driver for the refrigerated truck
28 and purchase equipment and new packaging for their product.

29
30 The proposed loan amount is \$150,000.00 at an interest rate of 3%, amortized over a 5-year period with payments
31 of \$2,695.30/month. The Revolving Loan Committee met on July 25 and unanimously approved the loan request.

32
33 Commissioner Swindell moved to approve a Revolving Loan to Mattamuskeet Seafood in the amount of
34 \$150,000.00 at an interest rate of 3%, amortized over a 5-year period with payments of \$2,695.30/month. Mr.
35 Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell, Pahl
36 and Simmons; Nays – None; Absent or not voting – None.

37
38 **Revolving Loan Request for Graceful Bakery, LLC**

39 Kris Cahoon Noble, County Manager, reported Graceful Bakery, LLC is a Limited Liability Company based on
40 Ocracoke Island. Graceful Bakery offers wholesome, made from scratch breakfast, baked goods and sandwiches.
41 The company operates out of leased space at the Community Square. The lease is spelled out on agreed to terms
42 through March 31 and then renewable for an additional year on terms to be agreed upon. The company is successful
43 with tourists and residents alike, and has a long-term positive cash-flow. They are now looking to expand their
44 operation.

45 The company (principal owner Lauren Strohl) got its start thanks to start-up funds from the Hyde County RLF in
46 2014. They have since paid this loan in full. Repayment was as agreed with no delinquencies. The applicant is

1 now requesting funds from the RLF to purchase additional equipment and provide additional financial support
2 required to expand. Three new additional employees have been hired. The proposed loan amount is \$17,000 at an
3 interest rate of 3%, amortized over a 5-year period with payments of \$305.47/month. The Revolving Loan
4 Committee met on July 25 and unanimously approved the loan request.
5

6 Commissioner Pahl moved to approve a Revolving Loan to Graceful Bakery, LLC in the amount of \$17,000 at an
7 interest rate of 3%, amortized over a 5-year period with payments of \$305.47/month. Mr. Tunnell seconded the
8 motion. The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell, Pahl and Simmons; Nays –
9 None; Absent or not voting – None.
10

11 **Right of Way Easement – Wysocking LLC**

12 Kris Cahoon Noble, County Manager, reported Village Realty Holdings, LLC has requested Hyde County grant
13 Right of Way Easement to Tideland Electric Membership Corporation (TEMC) to install electrical power to lots in
14 Wysocking Bay Subdivision.
15

16 Commissioner Swindell moved to grant Right of Way Easement to Tideland EMC at lots 21, 28, 42, 41, 36, 46 and
17 53 as shown on that certain plat entitled Wysocking Bay Subdivision Phase #1, recorded in Plat Cabinet C, Slide
18 91-G. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell,
19 Tunnell, Pahl and Simmons; Nays – None; Absent or not voting – None.
20

21 **Amendment Number One To Trust Agreement: Counties of Camden, Chowan, Currituck, Dare,** 22 **Hyde, Martin, Pasquotank, Perquimans, Tyrrell and Washington Other Post-Employment Benefits** 23 **Trust Agreement**

24 Kris Cahoon Noble, County Manager, reported on November 11, 2016, irrevocable trust “Trust Agreement for the
25 Counties Of Camden, Chowan, Currituck, Dare, Hyde, Martin, Pasquotank, Perquimans, Tyrrell and Washington
26 Other Post-Employment Benefits Trust Agreement” for the funds held for health benefits for the retirees of the
27 former Albemarle and Tideland Mental Health agencies was created.
28

29 In order for the trust to invest in the equity portion (BlackRock) of the State Treasurer’s Ancillary Governmental
30 Participant Program (AGPIP), BlackRock requires that the name of the trust exactly match the name assigned by
31 the IRS with the federal identification number. Rather than trying to change the trust name with the IRS,
32 participating counties were asked to change the trust name through adoption of Amendment No. 1 to the agreement.
33

34 Commissioner Tunnell moved to adopt Amendment No. One to the Counties Camden, Chowan, Currituck, Dare,
35 Hyde, Martin, Pasquotank, Perquimans, Tyrrell and Washington Other Post-Employment Benefits Trust Agreement
36 to Albemarle and Tideland Mental Health Retirees Health Insurance Trust. Mr. Simmons seconded the motion.
37 The motion passed on the following vote: Ayes – Pugh, Swindell, Tunnell, Pahl and Simmons; Nays – None;
38 Absent or not voting – None.

39 **Ocracoke Tram Project Budget Ordinance**

40 Kris Cahoon Noble, County Manager, presented the Ocracoke Tram Project Budget Ordinance. The project
41 authorized supports the NC DOT Passenger Ferry project and includes the operational cost for a public tram system
42 to run in conjunction with the passenger ferry servicing Ocracoke. The project is funded by state and local funds.
43 Future Occupancy Tax funding is not guaranteed.
44
45

1 Commissioner Pahl moved to adopt Hyde County Ocracoke Tram Project – Project Budget Ordinance – August 6,
2 2018. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell,
3 Tunnell, Pahl and Simmons; Nays – None; Absent or not voting – None.

4 *Clerk’s Note: A copy of “Hyde County Ocracoke Tram Project – Project Budget Ordinance – August 6, 2018” is attached
herewith as Exhibit A and incorporated herein by reference.*

5
6 **Ocracoke EMS Station Project Budget Ordinance**

7 Kris Cahoon Noble, County Manager, presented the Hyde County Ocracoke EMS Station Construction Project Budget
8 Ordinance. The project authorized is the land acquisition and construction of a facility that serves as the Ocracoke Emergency
9 Medical Services station. The project will include the acquisition of property described as #36 Lighthouse Road, Parcel 1, Plat
10 C – 139 H, in the Ocracoke Township. The purpose of the project is to construct a facility that will serve to house EMS staff,
11 provide conditioned space for EMS vehicles and provide a ground level exam room. The project is funded by local funds.
12 Funds may be advanced from the General Fund for the purpose of making payments as due.

13 Commissioner Pahl moved to adopt Hyde County Ocracoke EMS Station Construction Project – Project Budget
14 Ordinance – August 6, 2018. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes
15 – Pugh, Swindell, Tunnell, Pahl and Simmons; Nays – None; Absent or not voting – None.

16 *Clerk’s Note: A copy of “Hyde County Ocracoke EMS Station Construction Project – Project Budget Ordinance –
August 6, 2018” is attached herewith as Exhibit B and incorporated herein by reference.*

17
18 **Resolution Authorizing Agreement With NC DOT**

19 Kris Cahoon Noble, County Manager, presented Resolution Authorizing Hyde County To Enter Into An Agreement
20 With The North Carolina Department of Transportation. Hyde County has requested the NC DOT to assist in the
21 funding of a passenger ferry tram operation on Ocracoke Island. Hyde County will provide 50% of the cost of the
22 Tram Project for FY2018-2019.

23
24 Commissioner Pahl moved to authorize County Manager Kris Cahoon Noble to enter into a contract with the
25 Department of Transportation and execute all agreements and contracts with the NC DOT, Public Transportation
26 Division. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell,
27 Tunnell, Pahl and Simmons; Nays – None; Absent or not voting – None.

28 *Clerk’s Note: A copy of “Resolution Authorizing Hyde County To Enter Into An Agreement With The North Carolina
29 Department of Transportation” is attached herewith as Exhibit C and incorporated herein by reference.*

30
31
32 **Budget Transfers:**

33 Chairman Earl Pugh, Jr., presented the following budget transfers for Board of Commissioners approval.

34
35 **Health Department**

- 36 • Mental Health \$100,040.75
- 37 • Telemedicine \$150,000.00

38
39 Commissioner Swindell moved to approve the Health Department budget transfers as presented. Mr.
40 Simmons seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Simmons,
41 Tunnell and Swindell; Nays – None; Absent or not voting – none.

1 **Management Reports:**

2
3 **Chairman Earl Pugh, Jr.** – discussed BCCC grant funding for college and careers. He attended an
4 Albemarle Commission meeting in Hertford, the Swan Quarter Ferry Terminal dedication and Revolving Loan
5 Fund meetings. He congratulated Tammy Blake for receiving a bee keeper’s award.

6 **Vice-chair Barry Swindell** – will meet with Kris Noble, Eastern Regional Representative, NC Parks & Recreation
7 to discuss grant funding.

8 **Commissioner Dick Tunnell** – discussed the recent amount of rain, recommended trash site relief on Ocracoke and
9 suggested a plan B for the EMS Station on Ocracoke.

10 **Commissioner Ben Simmons** – discussed pumping water. His farm in Swan Quarter received 51" where it
11 normally averages 8.2" of rain. He also discussed the hog industry law suit in North Carolina.

12 **Commissioner Tom Pahl** – reported the Island Inn Project is progressing. He attended OCBA, Waterways
13 Commission and met with Kris Noble and others about the EMS Building project. He compiled a list of information
14 about road signs and markings needed on the Island.

15 **County Manager Kris Cahoon Noble** – reported that she attended the Energizing NC Conference hosted by
16 Golden Leaf, meetings with NCDENR in regard to the Hycienda Heights sewer project, meetings in Raleigh with
17 NC DOT Aviation Division and Hyde County Airport Committee meetings, and Ocracoke Waterways Committee
18 meetings via telecommunications equipment. She reported six home elevations have started, an engineer for the
19 Davis roof replacement has been selected and that Hyde County's alligator season would begin on September 1. She
20 is moving into the manager's office and plans to begin meeting with department heads to discuss ways to increase
21 revenues across departments.

22 **Public Comments:**

23
24 Hearing no comments from the public, Chairman Pugh continued the meeting.

25 **Closed Session** (none)

26
27 **Adjourn**

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

31 The meeting adjourned at 8:35p.m.

32
33 Respectfully submitted:

34
35 Minutes approved on the 4th day of September, 2018.

36
37 Attest:

38
39
40
41 _____
42 Lois Stotesberry, CMC, NCCCC
43 Clerk, Hyde County Board of Commissioners

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

1 **Attachments:**

2 **Exhibit A: “Hyde County Ocracoke Tram Project – Project Budget Ordinance – August 6, 2018”**

3 **Exhibit B: “Hyde County Ocracoke EMS Station Construction Project – Project Budget Ordinance – August 6, 2018”**

4 **Exhibit C: “Resolution Authorizing Hyde County To Enter Into An Agreement With The North Carolina Department of**
5 **Transportation”**

DRAFT

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

Meeting Date: September 4, 2018
Presenter: Kris Cahoon Noble
Attachment: Yes – Public Hearing

ITEM TITLE: PUBLIC HEARING – CDBG NEIGHBORHOOD REVITALIZATION

SUMMARY: In September 2018, Hyde County will submit a CDBG-NR application to the NC Department of Commerce for funds to assist low and moderate income households who reside in Hyde County. A public hearing will be held at tonight’s meeting to give citizens an opportunity to provide oral and written comment on Hyde County’s use of CDBG funds.

RECOMMEND: CONDUCT PUBLIC HEARING

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

NOTICE OF PUBLIC HEARING
RELATIVE TO APPLICATION
BY HYDE COUNTY
FOR FUNDING UNDER THE HOUSING AND COMMUNITY
DEVELOPMENT ACT OF 1974, AS AMENDED

Notice is hereby given that the Hyde County Board of Commissioners will conduct a public hearing on September 4, 2018, at 6:00 PM, or as soon thereafter as the agenda will allow, at the Hyde County Government Center, Multi-Use Room, 30 Oyster Creek Road, Swan Quarter, NC, to solicit public input on local community development needs in relation to Community Development Block Grant (CDBG) funding for a project in the community.

In September 2018, Hyde County will submit a CDBG-NR application to the NC Department of Commerce for funds to assist low- and-moderate income households who reside in the County. Citizens will also be given the opportunity to provide oral and written comment on Hyde County's use of CDBG funds. All interested citizens are encouraged to attend.

All project activities will serve households with incomes at or below 80% of the Hyde County median income for appropriate household size. The proposed budget includes the following housing-related CDBG activities:

Rehabilitation	\$675,000
Program Administration	<u>\$ 75,000</u>
Total Project Budget	\$750,000

The County will make every effort to minimize displacement; however, all applicable requirements of 49CFR24 and 24CFR570 related to the proposed rehabilitation and reconstruction activities will be implemented, and temporary relocation assistance will be available to owners who are displaced from their residences during construction activity.

For additional information or to submit written comments, contact the Hyde County Assistant County Manager, 30 Oyster Creek Road, PO Box 188, Swan Quarter, NC 27885, telephone 252/926-4180. Comments should be postmarked by August 29, 2018.

Persons with disabilities or who otherwise need assistance should contact Kris Cahoon Noble, County Manager, at 252-926-4180 or knoble@hydecountync.gov (TDD #919-807-4420 or Relay North Carolina 1-800-735-2962) by Thursday, August 30, 2018. Accommodations will be made for all who request assistance with participating in the public hearing.

This information is available in Spanish or any other language upon request. Please contact Kris Cahoon Noble, County Manager, at 252-926-4180, or at the Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC, for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con Kris Cahoon Noble, County Manager, al 252-926-4180 o en Hyde County Government Center, 30 Oyster Creek Road, Swan Quarter, NC, de alojamiento para esta solicitud.

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

Meeting Date: September 4, 2018
Presenter: County Manager, Kris Noble
Attachment: Yes

ITEM TITLE: **CITIZEN INPUT FOR POSSIBLE UPDATES OR AMENDMENTS TO THE PARKS & RECREATION MASTER PLAN**

SUMMARY: To help meet the current needs of the community, the county is seeking citizen input for possible updates or amendments to the Hyde County Parks and Recreation Master Plan

Attached: Public Notice of Input Request

RECOMMEND: **CONDUCT PUBLIC COMMENT SESSION**

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

Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



Request for Citizen Input to Update Parks & Recreation Master Plan

08/28/2018 – To help meet the current needs of the community, the county is seeking citizen input for possible updates or amendments to the Hyde County Parks and Recreation Master Plan. We will hold a public comment session on Tuesday, September 4, 2018 at the Board of Commissioners meeting. The meeting will be held at the Hyde County Government Center and Ocracoke Community Center starting at 6:00 pm.

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

Long-range plans are excellent comprehensive tools for guiding community development. The updated plan is complete with an existing asset summary, state recreation guidelines, community identified needs, and potential grant funding sources. Results from Ocracoke and mainland Hyde are clearly separated, and countywide trends are also identified.

While Hyde County staff will use the master plan extensively to identify future projects, residents are also encouraged to utilize the plan. A copy of the 2014 Hyde County Parks and Recreation Master Plan is available online at:

http://www.hydecountync.gov/departments/docs/Final_P_R_Plan_7_2014.pdf

Hyde County Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Meeting Date: September 4, 2018
Presenter: Margie Brooks
Attachment: Yes – Resolution

ITEM TITLE: NORTH CAROLINA HISTORIC HIGHWAY MARKER PROGRAM

SUMMARY: A group of Hyde County citizens have come together to complete and submit an application to the North Carolina Historic Highway Marker Program (NCHHMP) for a historic marker to be erected to commemorate the 1968-1969 Hyde County School Boycott, an event brought about by the efforts of Hyde County citizens to keep two historically black schools (Davis School in Engelhard and O.A. Peay School in Swan Quarter) from being closed during school desegregation in the late 60's.

A public meeting was held on August 16 in which Hyde County citizens were informed of the project and were encouraged to ask questions, share their thoughts and show their support. The project has received letters of support. We are asking for the support of the Hyde County Board of Commissioners for a resolution supporting the erection of the historic marker.

RECOMMEND: APPROVE RESOLUTION OF SUPPORT

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



RESOLUTION IN SUPPORT OF THE ERECTION OF A NORTH CAROLINA HISTORIC HIGHWAY MARKER IN HYDE COUNTY COMMEMORATING THE 1968-69 HYDE COUNTY SCHOOL BOYCOTT

WHEREAS, the 1968-69 Hyde County School Boycott (known locally as “The Movement”) was a pivotal turning point in the County’s history; and

WHEREAS, this event was brought about by efforts of Hyde County citizens to keep two historically black schools (Davis School in Engelhard and O. A. Peay School in Swan Quarter) from being closed during school desegregation; and

WHEREAS, following a year-long divisive struggle, all sides began to work together as one community and the issue was resolved; and

WHEREAS, it is the 50th anniversary of this event; and

WHEREAS, a North Carolina Historic Highway Marker Program (NCHHMP) application is being prepared by a group of Hyde County citizens to have a historic marker erected in the County (at no-cost); and

WHEREAS, a Public Meeting was held in Hyde County on August 16, 2018 in which Hyde County citizens were informed of the project and were encouraged to ask questions, share their thoughts and show their support; and

WHEREAS, the project has received other Letters of Support

NOW, THEREFORE, BE IT RESOLVED that on behalf of the citizens of Hyde County, the Hyde County Board of Commissioners does support the erection of a North Carolina Historic Highway Marker in the County.

This the __ day of _____, 2018.

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

Attest: _____
Lois Stotesberry, Clerk to the Board

Remembering the Hyde County School Boycott– A 50th Anniversary Celebration

AUGUST 26, 2018 AUGUST 26, 2018 / DAVID CECELSKI



Swan Quarter, N.C., fall of 1968. Courtesy, N.C. Museum of History

This is the 1st part of a series celebrating the 50th anniversary of the Hyde County, N.C., school boycott, a remarkable chapter in the history of America's civil rights movement and the subject of my first book, Along Freedom Road

The villages and natural areas around Lake Mattamuskeet are some of my favorite places on the North Carolina coast. They make up the mainland part of Hyde County and have a singular austere beauty: endless miles of salt marsh, great swamplands, glorious sunrises and a landscape of woods and fields dotted with lovely old churches and fish houses.

One of the things I like most about Hyde County is that, in the wintertime, you can almost always hear the haunting cries of the birds—the *hronk, hronk, hronk* of the Canada geese, the snow geese's plaintive *culk, culk* and the tundra swans that sound like baying hounds somewhere far-off.

The great lake draws the migratory birds all the way from the tundra at the edge of the Arctic Sea and Greenland. When you live in Hyde County, as I did for a year when I was young, the soft murmur of their cries on the lake at night sounds like the Earth's heartbeat.



The Hyde County protestors during the first march to Raleigh, 1969. Courtesy, N.C. Museum of History

The county sits on the northern edge of Pamlico Sound and water is everywhere: the great estuary intermingling with lakes and tidal creeks, bogs and pocosins and old slave-dug canals.

Ocracoke Island is in Hyde County and attracts a busy tourist trade and new residents. But on the mainland, where most of the county's people live, all is quiet. There the population has been declining steadily for more than a century. Whole villages have disappeared, lost to the swamps and tides.

The county has been poor for a long time, too. In the 1950s and '60s, it was one of America's most impoverished counties.

Today even the county seat, Swan Quarter, has a population of less than 500 residents. In 2003 Hurricane Isabel nearly swallowed up the community. When you visit, you will see that the village looks as if it is still trying to decide whether or not it is time to throw in the towel.

The county has two other towns, Engelhard, a fishing village on Far Creek, which has a population of five or six hundred, and Fairfield, a long-fading timber village on the north side of the lake, on the edge of what the early colonists called the Great Alligator Swamp.

Today I think a state prison is the county's largest employer, but when I lived there most people made their livings as crab pickers, oyster shuckers, fishermen, farmers and field hands.

That year I occasionally met people from other places, too—often times, recluses and runaways, hiding from something or licking wounds, or sometimes doing things they ought'en to have done (where they hoped nobody would notice), living on the far edge of the world.

You might not think Hyde County was the kind of place where one of the most extraordinary events in America's civil rights history occurred, but it did happen there, in 1968 and 1969, and it was the subject of my first book, which was called *Along Freedom Road* (<https://www.amazon.com/Along-Freedom-Road-Carolina-Schools/dp/0807844373>).

Saving Historically Black Schools

Fifty years ago this week, Hyde County's African American families pulled their children out of the public schools. They stayed out of school for an entire year. They marched day after day for months.

Ironically, a school desegregation plan sparked the black community's boycott. In 1954, in *Brown v. the Board of Education*, the U.S. Supreme Court had ruled that racially segregated schools were unconstitutional.

As in most of the state's other school districts, Hyde County's white leaders resisted the Supreme Court's ruling for 14 years.

Finally, under pressure from the federal government, most of the state's school districts allowed black and white children to go to school together between 1968 and 1971.

But as in the rest of the South, white political leaders turned school desegregation into a one-way street.

In nearly all school districts, those white leaders closed historically African American schools, even when they were newer or had better physical plants than their white counterparts.

White school leaders sent black children to previously all-white schools, and they discharged or demoted black principals. They fired a high proportion of black teachers. In many cases, they relegated black children to a second-class status *within* desegregated schools.

Many black communities reluctantly accepted this kind of school desegregation, no matter how galling and unfair.

After all, they had been struggling for decades to end Jim Crow schools. On the cusp of victory, many black leaders worried that they might spark a white backlash that would jeopardize school integration if they challenged the racially discriminatory way that local, state and federal leaders were carrying out the Supreme Court's ruling.

Hyde County's African American families had a different way of thinking. They were very, very proud of their schools and of a black tradition of education that had sustained their children's spirits and prepared them for the future since the first days of freedom.

They had been prepared to make sacrifices for school integration. They understood that everybody would have to give up something in order to accomplish a successful merger of the white and black schools.

But they heard what was happening in other counties in eastern North Carolina: black schools closing, black principals and teachers being demoted or fired, black children being punished disproportionately and shunted into special education classes, climates of racial hostility, black voices no longer heard on school issues.

When Hyde County's black families learned that the local school desegregation plan required closing their historically black schools and sending their children to the county's one white school, they decided it was time to take a stand.

If this is what "school desegregation" meant, they would keep their own schools. They said no.

"We were all brothers and sisters then"

For an entire year, thousands of Hyde County’s African American citizens marched and protested and petitioned. They started alternative schools in their churches.

They marched all the way to Raleigh—twice. They endured tear gassing, and they fought a gun battle with the Ku Klux Klan.

Arrested for nonviolent civil disobedience, they filled the jail in Swan Quarter. When they ran out of room in the local jail, authorities sent them to jails in a half-dozen other towns in eastern N.C. They sent some of the young ladies all the way to the Women’s Prison in Raleigh.

And the authorities didn’t know what to do with all the little children, the elementary school students and the 11, 12 and 13 years olds—and they didn’t know what to do with the grandmothers, either.



Hyde County’s black citizens and supporters marching toward the N.C. General Assembly in Raleigh, N.C. Courtesy, N.C. Museum of History

Hyde County's black children went into those jails singing freedom songs, filled with joy, and determined.

"If we do not do something now, it will never happen," they told Dudley Flood, a representative from the N.C. Dept. of Public Instruction that eventually helped to negotiate a settlement to the school boycott—one that, for the young people, was an extraordinary victory.

They may have been the children of crab pickers, tenant farmers and oystermen, but Flood was awed by their commitment and dedication, and by their intellectual curiosity. He marveled at how quickly they learned and grew. He told me that he wished he had a room full of students like them when he had been a public school teacher.

He admired their commitment to the African American freedom struggle, too. The children, he said, "had become convinced that they *owed* it to future generations."

"You walked, talked, ate, thought, ... *lived* for the movement," one of those students, Alice Mackey Spencer, told me. "It's all you did."

Another of the former teenage civil rights activists, Thomas Whitaker, told me that he "felt like I was giving myself completely to something larger and more important than myself."

"We were all brothers and sisters then," he and others told me again and again when I was writing *Along Freedom Road*.

Celebrating A Half Century Later

In a few days, those young people are coming home again. Over Labor Day weekend, they'll be gathering at one of the county's historically African American schools to honor the 50th anniversary of the school boycott.

They'll be celebrating those times "when they were all brothers and sisters." They'll be remembering those days when the whole nation was watching them.

They'll also be honoring all those who contributed to the school boycott, but who aren't with us anymore.

I hope they will take a collective bow. They accomplished so much and inspired so many. And for those who would listen, they offered lessons about what really makes a good school and what really matters most in a child's upbringing that are as relevant today as 50 years ago.

My wife Laura and I will be there, too. I'm honored to be a small part of the celebration and I'll try to share as much of what happens there on this blog as possible. And between now and then, I'll be re-visiting a few of my favorite stories from *Along Freedom Road* here.

* * *

Next time– 'In our blood from way back'– the history of the O. A. Peay School

Harlowe Canal Diary

CIVIL RIGHTS MOVEMENT ENGELHARD N.C. ,
FAIRFIELD N.C. HYDE COUNTY LAKE
MATTAMUSKEET PAMLICO SOUND ,
SCHOOLS SWAN QUARTER N.C.

2 thoughts on “Remembering the Hyde County School Boycott– A 50th Anniversary Celebration”

1. *Randolph H. Latimore, Sr*

AUGUST 27, 2018 AT 1:26 AM

Mr. Cecelski

Thank you so much for sharing your article. Mr. Whitaker often talks of the era during the integration of schools in Hyde. As you know, he is on the Board of Education. Our Child Nutrition Manager, Mrs. Mamie Brimmage was also quite active in the movement to integrate the schools. Both individuals have shared very vivid accountings of events during this time.

Additionally, I have had one individual who was involved in the shoot-out between the Klan and members of the “Movement” share with me the events of that night.

The historical significance of this upcoming event cannot be overstated. I look forward to the next article. Thank you.

Randolph Latimore, Sr.

Superintendent – Hyde County Schools

REPLY

o *David Cecelski*

AUGUST 27, 2018 AT 11:12 AM

Dear Supt. Lattimore, Thank you so much for your note. I appreciate your thoughtful words very much, and I look forward to meeting you this weekend. Please give Mr. Whitaker my bests in the meantime– he and his generation in Hyde County are true heroes to me, as well as good friends. Most sincerely, and thank you again for adding your voice here, David

REPLY

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

Meeting Date: September 4, 2018
Presenter: County Manager Kris Noble
Attachment: Yes

ITEM TITLE: **AGREEMENT BY AND BETWEEN THE OCRACOKE TOWNSHIP
TOURISM DEVELOPMENT AUTHORITY AND THE OCRACOKE
CIVIC & BUSINESS ASSOCIATION**

SUMMARY: County Manager Kris Noble will present “Agreement by and between the
Ocracoke Township Tourism Development Authority and the Ocracoke
Civic & Business Association”.

RECOMMEND: Discussion.

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

NORTH CAROLINA
HYDE COUNTY

AGREEMENT BY AND BETWEEN THE
OCRACOKE TOWNSHIP TOURISM DEVELOPMENT AUTHORITY AND
THE OCRACOKE CIVIC & BUSINESS ASSOCIATION

THIS AGREEMENT ("Agreement") is entered into as of the 1st day of March, 2018 by and between the Ocracoke Township Tourism Development Authority, a Public Authority under the Local Government Budget and Fiscal Control Act, created pursuant to the authority contained in North Carolina House Bill 882, as ratified in the 2006 Session of the North Carolina General Assembly (Session Law 2006-128), by Resolution of the Hyde County Board of Commissioners ("HCBOC") dated March 5, 2018 ("OTTDA") and the Ocracoke Civic & Business Association, a 501(c)(4) non-profit organization organized and existing pursuant to the laws of the State of North Carolina ("OCBA").

WHEREAS, North Carolina House Bill 882, as ratified in the 2006 Session of the North Carolina General Assembly (Session Law 2006-128), established the Ocracoke Township Taxing District ("OTTD") and authorized the governing body of the OTTD (HCBOC) to levy as well as collect a room occupancy tax of up to two percent (2%) and authorized OTTD to distribute the net proceeds from said tax on a quarterly basis to the OTTDA.

WHEREAS, the HCBOC subsequently levied said room occupancy tax and created the OTTDA by Resolution.

WHEREAS, OTTDA desires to contract with OCBA to carry out as well as fulfill OTTDA's statutory obligations with regard to expending some portion of said net proceeds to promote travel and tourism and make tourism-related expenditures in the OTTD and OCBA desires to do the same.

NOW THEREFORE, in consideration of the foregoing as well as the promises and agreements herein made and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, it is agreed by OTTDA and OCBA as follows.

1. **Scope of Services.** OCBA shall fulfill OTTDA's statutory obligations, within the restrictions stated in the aforementioned and otherwise applicable statutes, to promote travel and tourism and make tourism-related expenditures in the OTTD, as those terms (promote travel and tourism, make tourism-related expenditures) are defined in the above referenced legislation ("Act"), a copy of which Act is attached hereto as Exhibit A and incorporated herein by reference as if fully set forth. The services provided hereunder by OCBA are intended to accomplish, among other things, the following among both repeat and first time visitors to Ocracoke Township according to the key target demographics identified by the Magellan Strategy Group's 2016/2017 research:
 - a. Increase visitation by week-long and longer visitors,
 - b. Increase visitation by single-to-multi-night visitors, and
 - c. Increase visitation by day-trippers with the goal of converting day-trippers to extended-stay visitors.

2. **Specific Services.** The specific services to be furnished by OCBA include, but are not limited to, the following.

- a. Oversee and implement, either directly or indirectly through sub-contract, all travel and tourism-related marketing as well as promotional activities and expenditures permitted by the Act in order to fulfill OTTDA's obligations under the Act.
- b. Submit to OTTDA for approval, which approval shall be in OTTDA's sole discretion, an annual, detailed line item budget, and any subsequent amendments thereto, detailing the manner in which the funds furnished by OTTDA to OCBA will be utilized during the then current fiscal year.
- c. Provide quarterly reports and an annual report in writing to OTTDA concerning all travel and tourism related marketing as well as promotional activities and expenditures performed hereunder.
- d. Produce and submit to OTTDA for approval a Strategic Marketing Plan for OTTD, through sub-contract with a professional marketing firm approved by OTTDA, which approvals shall be in OTTDA's sole discretion.
- e. Upon approval of said Strategic Marketing Plan by OTTDA, implement said Plan.
- f. Maintain, supply, and staff, as appropriate and as may be reasonably directed by OTTDA within budgetary restraints, a presentable Visitor's Center in Ocracoke Village.
- g. Market and promote any travel and tourism-related event identified and approved by OTTDA, such as 4th of July events and the Pirate Jamboree.
- h. Annually produce and distribute the Ocracoke Walking Map.
- i. Insure that Ocracoke Township events identified by OTTDA are properly advertised and publicized utilizing, among other things, social media, including Facebook, Twitter, Instagram, Pinterest, and other formats or mediums.
- j. Sufficiently maintain and refresh, as necessary and appropriate, the www.visitocracokenc.com website as well as its integration with www.visitnc.com and any other appropriate digital or electronic platforms, including those identified by OTTDA.
- k. OCBA shall provide and cause a qualified individual who is acceptable to OTTDA to attend all official meetings of OTTDA, take minutes of said meetings, and provide OTTDA board members with draft minutes from said meetings within five (5) days of each such meeting. The OCBA Executive Director shall attend all OTTDA official meetings.
- l. Any other activities, programs, or initiatives reasonably deemed by OTTDA to be in furtherance of the purposes and intentions described herein.

3. **Staff/Personnel.** OCBA shall be responsible for hiring an Executive Director and, through the OCBA Executive Director, such other staff/personnel as may be necessary to provide the services described herein. Such staff/personnel shall work under the direct supervision of, and report to, the OCBA Executive Director. The OCBA Executive Director shall work under the direct supervision of, and report to, the OCBA Board of Directors. The OCBA Executive Director and such staff/personnel shall, among other things, address travel and tourism-related inquiries, including telephone, in-person, and electronic communications, in a timely manner; host travel writers as well as other media personnel as may be necessary; and perform other "local" responsibilities.

4. **Payment for Services.** For the period running from April 1, 2018 to June 30, 2018, OTTDA shall provide OCBA \$60,000.00 in exchange for the services required of OCBA hereunder. Said \$60,000.00 payment shall be due and payable once this Agreement is fully executed. For the period running from July 1, 2018 to June 30, 2019, OTTDA shall provide OCBA \$251,000.00 in exchange for the services required of OCBA hereunder. Said \$251,000.00 shall be paid in monthly installments of \$20,916.66 with the first such monthly installment of \$20,916.66 being due and payable on the first Tuesday in July of

2018 and each subsequent monthly installment of \$20,916.66 being due and payable on the first Tuesday of each subsequent month thereafter through June of 2019. Notwithstanding anything herein to the contrary and as more specifically provided for hereinafter, it is expressly understood by the parties hereto that said payments, amounts, and/or installments shall only be due and payable to the extent OTTDA receives sufficient net proceeds from the tax described above to support and make such payments.

5. **Term.** The term of this Agreement shall begin as of April 1, 2018 and shall continue in full force and effect until June 30, 2019. Thereafter, this Agreement shall be subject to renegotiation upon OCBA's presentation of its annual budget to OTTDA. In this regard, OCBA shall submit its annual budget to OTTDA on or before March 1, 2019. An extension or renewal of this Agreement will require a new written agreement.

6. **Metrics.** OTTDA will evaluate OCBA's success in performing the services required herein using objective criteria, including but not limited to statistics from NCDOT regarding ferry ridership as well as changes in occupancy tax revenue collection rates. Demonstrable improvements in these statistics will be considered successful after taking into consideration circumstances beyond the control of either OTTDA or OCBA, including but not limited to hurricanes and other acts of God, ferry disruptions, power outages, highway breaches, acts of terrorism, etc.

7. **Record-Keeping.** All financial and administrative records required to be maintained by federal and North Carolina state law shall be kept and maintained by OCBA accordingly. All tax and other filings required by federal and North Carolina state law shall be appropriately filed by OCBA. In reference to the foregoing, copies of all such records and filings shall be kept by OCBA for a minimum of three years. OCBA shall store all data, records, and other paperwork relevant and pertinent to OTTDA in a safe as well as secure location and make the same reasonably available to OTTDA and its board members upon request.

8. **Indemnification and Independent Contractor.** OTTDA and Hyde County shall stand indemnified by OCBA as hereinafter provided. It is expressly understood and agreed by and between the parties hereto that OCBA is and shall be deemed to be an independent contractor, responsible to all parties for its respective acts or omissions, and OTTDA as well as Hyde County shall in no way be responsible therefor. It is further agreed that OCBA shall indemnify and save harmless OTTDA as well as Hyde County from any negligence of OCBA.

OCBA shall indemnify OTTDA and Hyde County against any and all liability arising hereunder; provided, however, that OCBA shall not be liable for any injury, damage, or loss occasioned by the negligence of OTTDA; and provided further that OTTDA shall give OCBA prompt and timely notice of any claim made or suit instituted which in any way, directly or indirectly, contingent or otherwise, effects or might effect OCBA, and OCBA shall have the right to compromise and defend the suit to the extent of its own interest.

9. **Insurance.** Throughout the term of this Agreement, OCBA shall procure and maintain in force an umbrella insurance policy that insures against all liability of OCBA and its authorized representatives and includes, among other things, standard commercial general liability, employer's liability, and public liability insurance coverage, in the minimum amount of \$1,000,000.00 to indemnify and hold harmless OTTDA and Hyde County from any and all liability for any and all claims of loss, damage, injury, or otherwise to persons or property caused by, arising from, or any way related to the services required and furnished hereunder from OCBA. OCBA shall also procure and maintain statutory worker's

compensation insurance coverage in amounts required by law. All insurance shall be carried by a responsible company and shall be in a form satisfactory to OTTDA. OTTDA shall be furnished copies of all insurance policies obtained by OCBA in compliance with these requirements on or before the date OCBA receives its first payment for services hereunder. OCBA agrees to maintain sufficient coverage on a current status and that all such insurance policies obtained by OCBA in compliance with these requirements, with the exception of statutory worker's compensation insurance, name OTTDA as well as Hyde County as additional insured and require a thirty (30) day written notice to OTTDA as well as Hyde County of termination, material change in the terms thereof, or non-renewal.

OCBA releases and relieves OTTDA as well as Hyde County and waives OCBA's entire rights of recovery against OTTDA or Hyde County for loss or damage arising out of or incident to any of the perils insured against under this Agreement as well as any insurance policy OTTDA or Hyde County might own, whether loss or damage is due to the negligence of OTTDA or Hyde County. OCBA shall give notice to its insurance carriers that this waiver of subrogation is contained in this Agreement and cause the carriers to accept this waiver of subrogation to the extent permissible by applicable law.

10. **Non-Discrimination.** OCBA shall not, on the grounds of race, color, sex, or national origin, discriminate or permit discrimination against any person or group of persons in any manner prohibited by law and shall otherwise comply with all other requirements imposed by or pursuant to Title VI of the Civil Rights act of 1964, as may be amended.

11. **Notices.** If to OTTDA as follows:

Ocracoke Township Tourism Development Authority
Amy Howard, Chairperson
PO Box 456
Ocracoke, NC 27960

As to OCBA:

Rudy Austin, President
Ocracoke Civic & Business Association
PO Box 456
Ocracoke, NC 27960

12. Notwithstanding anything herein to the contrary, the parties hereto understand, acknowledge, and agree that OTTDA's ability and legal, contractual obligation(s) to fulfill this Agreement are contingent upon, among possibly other things, OTTDA's legal existence and its receipt of sufficient occupancy tax revenue. To the extent OTTDA's legal existence may be terminated, or otherwise affected, or the occupancy tax revenue OTTDA receives is impaired or prevents OTTDA from fulfilling OTTDA's obligations hereunder, OTTDA shall have no legal obligation to OCBA to the extent of such impairment or prevention and OCBA shall have no claim against OTTDA arising therefrom. Without limiting the foregoing, in the event OTTDA does not receive adequate occupancy tax revenue to fulfill its obligations hereunder, this Agreement shall be void to such extent and the parties will negotiate in good faith a new agreement or an amendment hereto.

13. Notwithstanding anything herein to the contrary, in the event OCBA disbands, its legal existence is terminated, or it does not fulfill its obligations hereunder, OTTDA may withhold any payment called for hereunder and/or terminate this Agreement.

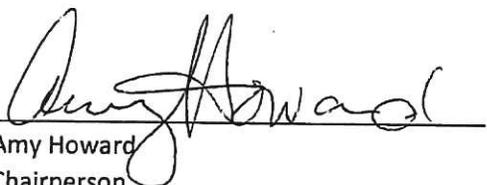
IN WITNESS WHEREOF, OTTDA has caused this Agreement to be signed by its Chairperson and OCBA has caused this Agreement to be signed by its President by authority duly given as of the day and year first above written.

PRE-AUDIT CERTIFICATE
OCRACOKE TOWNSHIP TOURISM DEVELOPMENT AUTHORITY

This Agreement has been pre-audited pursuant to N.C.G.S. § 159-28 in the manner required by the Local Government Budget and Fiscal Control Act.

_____, Treasurer
Name

OCRACOKE TOWNSHIP TOURISM AND DEVELOPMENT AUTHORITY

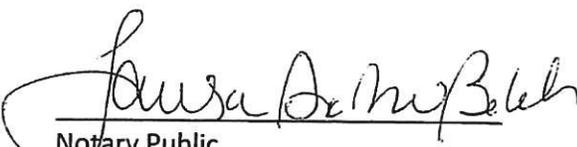


Amy Howard
Chairperson
Ocracoke Township Tourism Development Authority

NORTH CAROLINA
HYDE COUNTY

The undersigned, a Notary Public of the County and State aforesaid, hereby certifies that AMY HOWARD personally appeared before me this day, and being duly sworn by me, acknowledged that she is Chairperson of the OCRACOKE TOWNSHIP TOURISM DEVELOPMENT AUTHORITY, and that by authority duly given and as the act of the Board the foregoing instrument was signed by her.

Witness my hand and notary seal this 25th day of June 2018.

My Commission expires: 10-13-2018 

Notary Public

LAURA DUNLOW BELCH
Notary Public, North Carolina
Hyde County
My Commission Expires
October 13, 2018

OCRACOKE CIVIC & BUSINESS ASSOCIATION



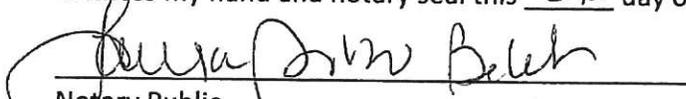
Rudy Austin
President

Ocracoke Civic & Business Association

**NORTH CAROLINA
HYDE COUNTY**

The undersigned, a Notary Public of the County and State aforesaid, hereby certifies that RUDY AUSTIN personally appeared before me this day, and being duly sworn by me, acknowledged that he is President of the OCRACOKE CIVIC & BUSINESS ASSOCIATION, and that by authority duly given and as the act of the Board the foregoing instrument was signed by him.

Witness my hand and notary seal this 25th day of June 2018.



Notary Public
My Commission expires: 10-13-2018

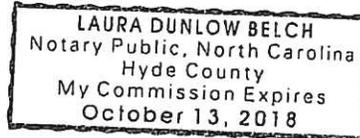


Exhibit A

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

SESSION LAW 2006-128
HOUSE BILL 882

AN ACT CREATING A TAXING DISTRICT IN OCRACOKE TOWNSHIP FOR
THE PURPOSE OF AUTHORIZING THE LEVY OF A ROOM OCCUPANCY
AND TOURISM DEVELOPMENT TAX.

The General Assembly of North Carolina enacts:

SECTION 1. Occupancy Tax. – The Ocracoke Township Taxing District is created. It is coterminous with Ocracoke Township in Hyde County. The Ocracoke Township Taxing District is a body politic and corporate and has the power to carry out the provisions of this act. The Hyde County Board of Commissioners shall serve ex officio as the governing body of the district, and the officers of the county shall serve as the officers of the governing body of the district. A simple majority of the governing body constitutes a quorum, and approval by a majority of those present is sufficient to determine any matter before the governing body, if a quorum is present.

SECTION 2. Authorization and Scope. – The governing body of Ocracoke Township Taxing District may levy a room occupancy tax of up to two percent (2%) of the gross receipts derived from the rental of any room, lodging, or accommodation furnished by a hotel, motel, inn, tourist camp, or similar place within the district that is subject to sales tax imposed by the State under G.S. 105-164.4(a)(3). This tax is in addition to any State or local sales or room occupancy tax. This tax does not apply to accommodations furnished by nonprofit charitable, educational, or religious organizations when furnished in furtherance of their nonprofit purpose.

SECTION 3. Administration. – A tax levied under this act shall be levied, administered, collected, and repealed as provided in G.S. 153A-155, as if it were a county. The penalties provided in G.S. 153A-155 apply to a tax levied under this act.

SECTION 4. Distribution and Use of Tax Revenue. – Ocracoke Township Taxing District shall, on a quarterly basis, distribute the net proceeds of the occupancy tax to the Ocracoke Township Tourism Development Authority created pursuant to Section 5 of this act. The Authority shall use at least two-thirds of the proceeds distributed to it to promote travel and tourism in the district and shall use the remainder for tourism-related expenditures in the district. In accordance with the North Carolina Constitution and the United States Constitution, the tax proceeds may be used only for the direct benefit of Ocracoke Township. None of the proceeds may be used to promote travel or tourism in areas within Hyde County that are outside of the district or for tourism-related expenditures in the county that are outside of the district.

The following definitions apply in this act:

- (1) Net proceeds. – Gross proceeds less the cost to the district of administering and collecting the tax, as determined by the finance officer, not to exceed three percent (3%) of the first five hundred thousand dollars (\$500,000) of gross proceeds collected each year and one percent (1%) of the remaining gross receipts collected each year.
- (2) Promote travel and tourism. – To advertise or market an area or activity, publish and distribute pamphlets and other materials, conduct market research, or engage in similar promotional activities that attract tourists or business travelers to the area. The term includes administrative expenses incurred in engaging in the listed activities.
- (3) Tourism-related expenditures. – Expenditures that, in the judgment of the Tourism Development Authority, are designed to increase the use of lodging facilities, meeting facilities, or convention facilities in a district or to attract tourists or business travelers to the district. The term includes tourism-related capital expenditures.

SECTION 5.(a) Ocracoke Township Tourism Development Authority. – Appointment and Membership. – The Board of Commissioners of Hyde County shall adopt a resolution creating the Ocracoke Township Tourism Development Authority, which shall be a public authority under the Local Government Budget and Fiscal Control Act. The Tourism Development Authority shall have five members in addition to the Finance Officer. The resolution shall provide for the membership of the Authority, including the members' terms of office, and for the filling of vacancies on the Authority. At least one-third of the members must be individuals affiliated with businesses that collect the tax in the district, and at least one-half of the members must be individuals currently active in the promotion of travel and tourism in the district. The Board of Commissioners shall designate one member of the Authority as chair and shall determine the compensation, if any, to be paid to members of the Authority.

The Authority shall meet at the call of the chair and shall adopt rules of procedure to govern its meetings. The Finance Officer for Hyde County shall be the ex officio finance officer of the Authority.

SECTION 5.(b) Duties. – The Authority shall expend the net proceeds of the tax levied under this act for the purposes provided in Section 4 of this act. The Authority shall promote travel and tourism in the district and make tourism-related expenditures in the district.

SECTION 5.(c) Reports. – The Authority shall report quarterly and at the close of the fiscal year to the Hyde County Board of Commissioners on its receipts and expenditures for the preceding quarter and for the year in such detail as the board may require.

SECTION 6. G.S. 153A-215(g) reads as rewritten:

"(g) This section applies only to Alleghany, Anson, Brunswick, Buncombe, Cabarrus, Camden, Carteret, Craven, Cumberland, Currituck, Dare, Davie, Duplin, Durham, Franklin, Granville, Halifax, Madison, Montgomery, Nash, New Hanover, Pasquotank, Pender, Person, Randolph, Richmond, Rockingham, Rowan, Scotland, Stanly, Transylvania, Tyrrell, Vance, and Washington Counties, to Watauga County

District U, and to the Township of Averasboro in Harnett ~~County~~ County and the Ocracoke Township Taxing District."

SECTION 7. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 19th day of July, 2006.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

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

Meeting Date: September 4, 2018
Presenter: Lee Brimmage
Attachment: Yes

ITEM TITLE: 4-H ADVISORY COMMITTEE UPDATE

SUMMARY: Lee Brimmage will provide an update of 4-H summer programs, upcoming programs planned for the fall and winter season, and fundraising opportunities.

RECOMMEND: INFORMATION 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



Lois Stotesberry <lstotesberry@hydecountync.gov>

Re: 4-H Advisory Committee Quarterly Meeting - August 22, 2018

1 message

Kris Noble <knoble@hydecountync.gov>

Wed, Aug 22, 2018 at 10:52 PM

To: labrimma@ncsu.edu, Rosemary Johnson <rjohnson@hydecountync.gov>, Lois Stotesberry <lstotesberry@hydecountync.gov>

Great job Lee! I'm including your update as an information item for the September BOC package! Kudos!
Kris

On Wed, Aug 22, 2018 at 4:27 PM Lee Brimmage <labrimma@ncsu.edu> wrote:

Good Afternoon Everyone,

I hope this email finds you all well and that you have had a great summer! I wanted to touch base with everyone about the 4-H program and discuss a few topics. This email will serve as one of our quarterly meetings, so we will have one more to end the year. I will also be reaching out to you all on an individual basis about our summer programming success and for some feedback moving forward.

4-H Summer Programming

Hyde County 4-H offered 17 summer programs from June 11th - August 7th for all youth of Hyde County. A few of the highlights of our educational programming was our annual Hyde, Seek and Discover Day Camp, 4-H State Summer Camp, Northeast District Science Camp, and our "Meet A Farmer" Field Tour.

Our 11th Annual Hyde, Seek and Discover Day Camp was held on June 11-14, 2018 at the Mattamuskeet National Wildlife Refuge. The countywide youth participation was astounding! There were a total of over 160+ youth that attended, which included approximately 30 teen volunteers. The day camp partnered with local, district and state personnel/organizations to assist with educating our youth in environmental science, beekeeping, snakes, aquaculture, edible plants, geology and much more. A few of the organizations present for camp were the following: Aurora Fossil Museum, River Park North, NC Coastal Federation, NC Estuarium, NC Museum of Natural Sciences, NC State Extension, North Carolina Wildlife Resources Commission, and Roanoke Island Aquarium. Chase Luker, *North Carolina Wildlife Resources Commission*, led our 13-14 year old track of campers on awesome adventures that included: skeet shooting, kayaking trips, duck carving, and archery.

The Northeast District Science Camp was an awesome experience for our youth this year! The event was held at North Carolina Wesleyan College on July 15-18, 2018. Our kids were granted the opportunity to be one of the first youth groups in North Carolina to be trained in the North Carolina Youth Preparedness Initiative. They learned several skills involving and relating to disaster preparedness training which included: CPR & AED usage, Fire Safety, Disaster Medical Operations, NOAA Weather Radio, Search & Rescue, and Disaster Psychology. Our youth will graduate by Winter 2018 after completion of the "Prep + 6" requirement in which each participant helps develop emergency supply kits and emergency communication plans for their household and six additional households in their respective community.

4-H Program Updates

Hyde County 4-H will have a busy Fall/Winter as we begin implementing a new statewide registration system called, "4-H Online". All registrations of youth in the Hyde County 4-H program will be completely done online in a secure system.

We are also looking into starting up a few traditional 4-H Clubs in the Fall of 2018. We will begin Shooting Sports, Robotics, and Cloverbud Clubs (5-9 year olds). They will be offered for any youth interested as long as it meets age and state requirements.

Any volunteer interested in being a Shooting Sports leader will have to become certified and trained at the Eastern 4-H Center on October 26-28, 2018.

4-H Fundraising Opportunities

Hyde County 4-H will be hosting a couple of fundraisers as well. We are hoping to have our annual Baked Potato Bar (October 10th) and maybe a Soup and Crackers Bar (November 6th) as well. We will also have our annual "Scurry the Quarter" 5K walk/run on October 27th at 6:30pm. Our sponsorship program will kickoff in mid-late September for anyone interested in being a 4-H sponsor/donor. There are various levels of sponsorship to choose from for organizations or individuals. I would love to have you all advocate and spread the word for each fundraiser and perhaps secure some sponsorships for our 4-H program. Please let me know if you would be willing to assist with these fundraisers in any capacity! We are always searching for possible funding opportunities and ideas.

Next Meeting/Feedback

I look forward to talking with you all very soon about 4-H program updates and ideas. Please reply by email with any questions, concerns or comments about this online update/committee meeting for our records/minutes. Our next meeting will be Winter 2018. I will email/call everyone with the specific date as it nears. Thank you for serving on the 4-H Advisory Committee! Your ideas, efforts and feedback are a great asset and value to the development and sustainability of our program in Hyde County. Thank you! I truly appreciate you all!

Kind Regards,

Lee Brimmage

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Lee Brimmage
Extension Agent, 4-H Youth Development
NC State University
252-926-4487
hyde.ces.ncsu.edu

N.C. Cooperative Extension
Hyde County Center
PO Box 219 / 30 Oyster Creek Road
Swan Quarter, NC 27885



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Kristen Cahoon Noble
County of Hyde
Assistant County Manager
(cell) 252.542.0802