



Since 1712

# HYDE COUNTY

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## NORTH CAROLINA

**Item Number:** 1

**Meeting Date:** 03.19.12

**Presenter(s):** Sharon Spencer

**Title:** Chairman

**Agency/Dept.:** Board of Commissioners

**Item Title:** Call to Order, Opening Prayer, Pledge of Allegiance

**Attachments:** No

**Description:** General activities to open the meeting

**Times Read:**

**Impact on Budget:** None

**RECOMMENDATION:** Participate

\_\_\_\_\_ A. Byrd  
 \_\_\_\_\_ B. Swindell  
 \_\_\_\_\_ D. Styron  
 \_\_\_\_\_ D. Tunnell  
 \_\_\_\_\_ S. Spencer

\_\_\_\_\_ A. Byrd  
 \_\_\_\_\_ B. Swindell  
 \_\_\_\_\_ D. Styron  
 \_\_\_\_\_ D. Tunnell  
 \_\_\_\_\_ S. Spencer

	Yea	Nay
A. Byrd	_____	_____
B. Swindell	_____	_____
D. Styron	_____	_____
D. Tunnell	_____	_____
S. Spencer	_____	_____



Since 1712

# HYDE COUNTY

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## NORTH CAROLINA

**Item Number:** 2

**Meeting Date:** 03.19.12

**Presenter(s):** Sharon Spencer

**Title:** Chairman

**Agency/Dept.:** Board of Commissioners

**Item Title:** Consideration of Agenda

**Attachments:** Yes

**Description:** Proposed agenda for tonight's meeting

**Times Read:** First

**Impact on Budget:** None

**RECOMMENDATION:** Approve

\_\_\_\_\_ A. Byrd  
 \_\_\_\_\_ B. Swindell  
 \_\_\_\_\_ D. Styron  
 \_\_\_\_\_ D. Tunnell  
 \_\_\_\_\_ S. Spencer

\_\_\_\_\_ A. Byrd  
 \_\_\_\_\_ B. Swindell  
 \_\_\_\_\_ D. Styron  
 \_\_\_\_\_ D. Tunnell  
 \_\_\_\_\_ S. Spencer

	Yea	Nay
A. Byrd	_____	_____
B. Swindell	_____	_____
D. Styron	_____	_____
D. Tunnell	_____	_____
S. Spencer	_____	_____



Since 1712

## HYDE COUNTY BOARD OF COMMISSIONERS

Monday, March 19th, 2012 - 6 PM

Hyde County Courthouse Multi-purpose Room

30 Oyster Creek Road, Swan Quarter, NC

and the

Ocracoke School Commons Area

120 School House Road, Ocracoke, NC

## AGENDA

- |               |   |                  |
|---------------|---|------------------|
| <b>Item 1</b> | <b>Call to Order, Opening Prayer</b>            | Chairman Spencer |
| <b>Item 2</b> | <b>Consideration of Agenda</b>                  | Chairman Spencer |
| <b>Item 3</b> | <b>Approval of Minutes from March 5th, 2012</b> | Chairman Spencer |
| <b>Item 4</b> | <b>Public Comments</b>                          |                  |

The public comment period is a time for the public to make comments to the County Commissioners. Comments should be kept to three (3) minutes and should be directed to the entire board and not to an individual Commissioner, staff member or member of the public. Time for one person to speak cannot be used by another person. Comments that reflect the need for assistance are typically to a future Board meeting agenda.

### CLOSED SESSION

- |               |   |  |
|---------------|---|--|
| <b>Item 5</b> | <b>Closed Session</b> if requested or needed (discussion)<br>Pursuant to N.C. GS 143-318.11 (1-9) |  |
|---------------|---|--|

### ITEMS OF CONSIDERATION

- |                |  |                |
|----------------|--|----------------|
| <b>Item 6</b>  | <b>Employee of the Month</b><br>Suzanne Johnson, Social Services   | Gloria Spencer |
| <b>Item 7</b>  | <b>Albemarle RC&amp;D Council Program Overview</b>   | Linda Peterson |
| <b>Item 8</b>  | <b>Hazard Mitigation Update</b>  | Kris Noble     |
| <b>Item 9</b>  | <b>Authorization for Hazard Mitigation Program</b>   | Alice Keeney   |
| <b>Item 10</b> | <b>First Responder Contract</b> <i>(second reading)</i>  | Justin Gibbs   |
| <b>Item 11</b> | <b>Volunteer Fire Department Contract</b> <i>(second reading)</i>  | Justin Gibbs   |
| <b>Item 12</b> | <b>Policy for Funding Non-Profit Agencies</b> <i>(second reading)</i><br>with draft Statement of Agreement | Mazie Smith    |



## MEETING CALENDAR

### MARCH

- 20th Board of Health Meeting, Engelhard
- 21st Ocracoke Occupancy Tax Board Special Meeting, 7 PM
- 23rd Board Budget Retreat, Multi-purpose Room, Hyde County Courthouse
- 26th-27th NC Coastal Local Governments Meeting, Nags Head
- 28th Social Services Board, 5 PM

### APRIL

- 2nd Networking Reception with Board of Education, 5 PM
- 2nd Board of Commissioners meeting, 6 PM
- 4th Ocracoke Occupancy Tax Board Meeting, 7 PM
- 6th **Easter Holiday/County Offices Closed**
- 10th Board of Equalization and Review, 5 PM
- 10th ABC Board meeting, 7 PM
- 11th-12th Mold Worker Initial Course, Swan Quarter
- 12th Ocracoke Planning Board, 5:30 PM
- 16th Board of Equalization and Review, 5 PM (if needed)
- 16th Board of Commissioners meeting, 6 PM
- 17th Disaster Debris Management Workshop for Local Governments, Manteo
- 19th Eastern Regional County Manager's Meeting, Engelhard
- 20th County Manager's Leadership Team Retreat, Engelhard
- 25th Hyde County 4-H Livestock Show and Sale, Ponzer
- 25th Social Services Board, 5 PM
- 26th NCACC District Meeting, Williamston 5:30 PM

### MAY

- 2nd Disaster Debris Management Workshop for Local Govt., Edenton
- 7th Board of Education Networking Session, 5 PM
- 7th Board of Commissioners meeting, 6 PM
- 14th-18th Budget Review Sessions (as needed)
- 16th NCACC Legislative Grassroots Advocacy Meetings, Raleigh
- 21st Board of Commissioners meeting, 6 PM
- 21st Public Hearing on 2012-2013 Budget
- 28th **Memorial Day Holiday/County Offices Closed**

## EMPLOYMENT ANNIVERSARIES

### APRIL

- 5th Clint Berry, Public Works (19 years)
- 7th Jeremy Andrews, Sheriff's Department (4 years)
- 17th Betty Gibbs, Social Services (12 years)
- 23rd Christina McCoy, Home Health (3 years)
- 27th Portia Gibbs, Elections (11 years)
- 30th Judy Midyette, Health Department (13 years)



Since 1712

# HYDE COUNTY

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## NORTH CAROLINA

**Item Number:** 3

**Meeting Date:** 03.19.12

**Presenter(s):** Sharon Spencer

**Title:** Chairman

**Agency/Dept.:** Board of Commissioners

**Item Title:** Consideration of Minutes

**Attachments:** Yes

**Description:** Minutes of the meeting held on March 5th, 2012

**Times Read:** First

**Impact on Budget:** None

**RECOMMENDATION:** Approve

_____ A. Byrd	_____ A. Byrd	A. Byrd	Yea	Nay
_____ B. Swindell	_____ B. Swindell	B. Swindell	_____	_____
_____ D. Styron	_____ D. Styron	D. Styron	_____	_____
_____ D. Tunnell	_____ D. Tunnell	D. Tunnell	_____	_____
_____ S. Spencer	_____ S. Spencer	S. Spencer	_____	_____

1 **Meeting Minutes**

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

5  
6 **March 5, 2012**

7 Chairwoman Sharon Spencer called the regular meeting of the Hyde County Board of  
8 Commissioners to order at 6:37 PM on Monday, March 5, 2012 in the Hyde County Government  
9 Center, Multi-Use Room, and the Ocracoke School Commons Room using electronic  
10 conferencing equipment. The meeting was temporarily delayed due to technical difficulties.  
11 The following members were present on the mainland: Commissioners Anson Byrd, Sharon  
12 Spencer, Barry Swindell and Dick Tunnell; Attorney Fred Holscher; County Manager Mazie  
13 Smith; and, members of the public. The following members were present on Ocracoke:  
14 Commissioner Darlene Styron; Deputy Clerk to the Board Lois Stotesberry; and, members of the  
15 public.

16 **Presentation of Colors:**

17 Hyde County Girl Scout Troop 2758 presented the United States and North Carolina flags and  
18 led the Pledge of Allegiance.

19 Commissioner Tunnell conducted opening prayer.

20 Scouts Halley Reynolds and Jessica Cahoon presented cookies to the commissioners.

21 The meeting was called to order.

22  
23 **2012 Girl Scout Week Proclamation:**

24 Manager Smith read the 2012 Girl Scout Week Proclamation. The commissioners applauded the  
25 Girl Scouts.

26 Commissioner Byrd moved to proclaim the week of March 11-17, 2012 as Girl Scout Week in  
27 Hyde County. Mr. Tunnell seconded the motion. The motion passed on the following vote:

28 Ayes –Byrd, Spencer, Styron, Swindell and Tunnell

29 Nays – None

30 *Clerk's Note: A copy of "2012 Girl Scout Week Proclamation" is attached herewith as Exhibit A*  
31 *and incorporated herein by reference.*

1 **UNC Chapel Hill Volunteers:**

2 Twelve University of Chapel Hill students volunteered to assist Hyde County with Hurricane  
3 Irene disaster recovery projects during Spring Break.

4 Alice Keeney, Planner/Developer, reported that the group had assisted with ceiling tile repairs at  
5 the Engelhard Medical Center; lawn maintenance at the Government Center; and, cleaned up the  
6 Swan Quarter Park grounds. The students are scheduled to work at Davis Community Center in  
7 Engelhard on Wednesday.

8 Chairwoman Spencer commended the group for its volunteer service to Hyde County.

9 **Agenda:**

10 Chairwoman Spencer asked for any changes to the March 5, 2012 meeting Agenda as presented  
11 by the Clerk.

12 Commissioner Swindell moved to approve the agenda with addition of Item 20. (a) – Approval  
13 of a Temporary Position at the Engelhard Airport. Mr. Byrd seconded the motion. The motion  
14 passed on the following vote:

15 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

16 Nays – None

17

18 **Consideration of Minutes:**

19 Chairwoman Spencer asked for approval of meeting minutes.

20 Commissioner Tunnell moved to approve the February 20, 2012 Commissioners regular meeting  
21 minutes as presented by the Clerk with correction on page 8 – line 7 – Commissioner Tunnell  
22 moved to release \$102,787. Ms. Styron seconded the motion. The motion passed on the  
23 following vote:

24

25 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

26 Nays – None

27 **Public Comments:**

28 Chairwoman Spencer called for comments from the public.

29 There being no comments from the public, Chairwoman Spencer continued the meeting.

30

31

1 **Introduction of New Employee:**

2 Jane Hodges, Airport Manager, introduced Doug Gibbs as the temporary Assistant Airport  
3 Manager. Doug will assist with administrative duties and inspection of the facilities and runway  
4 while serving a four month internship. His position is being funded by the Vocational  
5 Rehabilitation Program.

6 Mr. Gibbs thanked Manager Smith and the Commissioners for the opportunity.

7 **Items of Consideration:**

8 **Hyde County Hotline Overview**

9 Kathy Ballance, Director, reported that Hyde County Hotline has been an independent 501(c)3  
10 nonprofit organization since July 1, 2011. The agency consists of three full-time and one part-  
11 time professional staff members and two part-time employees. The agency provides crisis  
12 intervention and advocacy services for victims and survivors of domestic abuse and sexual  
13 victimization in Hyde County. Ms. Ballance reported that the agency received 551 crisis line  
14 calls and served 155 victims of domestic violence and 14 sexual assault clients in 2011. Hotline  
15 provides victim services including 24-Hour Crisis Line, Court and Hospital Accompaniment,  
16 Therapeutic Counseling and Support Group, Medical and Legal Advocacy, Access to Shelter,  
17 Community Outreach and Schools Programming, Prevention Education, Transportation,  
18 Referrals and other related services.

19 Through collaborative community outreach, Hotline has provided 11 Work First placements,  
20 3 Vocational Rehabilitation placements, and 10 Community Service placements. The Engelhard  
21 and Swan Quarter Thrift Stores are also Hotline projects. Most recently a weaving/looming  
22 project using donated clothing (damaged/recycled) was started in the Swan Quarter Thrift Store.

23 Ms. Ballance requested funding assistance from the County in the FY2012-2013 Budget.

24 **Introduction of Strategic Planning Process for Hyde County**

25 Resolution Relating to the Budget for Fiscal Year 2011-2012, adopted June 27, 2011, directed  
26 the County Manager to develop a new Strategic Plan to guide long-range planning and effective  
27 asset allocation for the County. The Office of Economic Development and Planning is  
28 coordinating with the NC Department of Commerce to update the 2007 Hyde County Economic  
29 Development Strategic Plan.

30 Lee Padrick and Brad Hufford, Division of Community Planning (DCP), reported that this  
31 project is presented as an update to the 2007 Hyde County Economic Development Strategic  
32 Plan, developed in 2006 as a result of Hyde County's inclusion in the 21<sup>st</sup> Century Communities  
33 program, a program offered by the NC Department of Commerce that was intended to help rural

1 counties be more competitive within the state. The process helped the County develop a vision  
2 for the future and a practical “wish list” to help achieve that stated vision.

3 Mr. Padrick presented a resolution requesting the services of the NC Division of Community  
4 Planning in this effort. DCP staff who assists the County on this project will be reimbursed for  
5 mileage and meal allowances when the work is completed. Tentative budget presented reflects  
6 the use of teleconferencing for a number of the Ocracoke meetings to reduce travel costs.  
7 Approximate total charges equal \$1,828.

8 Commissioner Byrd moved to adopt “Resolution Requesting the Services of the NC Division of  
9 Community Planning for Hyde County.” Ms. Styron seconded the motion. The motion passed  
10 on the following vote:

11

12 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

13 Nays – None

14 *Clerk’s Note: A copy of “Resolution Requesting the Services of the NC Division of Community  
15 Planning for Hyde County” is attached herewith as Exhibit B and incorporated herein by  
16 reference.*

16

17 **Mainland Hyde County Occupancy Tax Board**

18 Mark Carawan, Chairman, Mainland Hyde County Occupancy Tax Board, requested Board  
19 approval to contribute \$2,000 to the Engelhard Development Corporation (EDC) in the FY2012-  
20 2013 Hyde County Budget. Funds will be used for Engelhard Seafood Festival expenses. Mr.  
21 Carawan reported that the Occupancy Tax Board voted unanimously to not fund the opposition  
22 to ferry toll tax campaign.

23 Commissioner Swindell moved to approve the Mainland Hyde County Occupancy Tax Board  
24 request to contribute \$2,000 to the EDC. Mr. Byrd seconded the motion. The motion passed on  
25 the following vote:

26

27 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

28 Nays – None

29 **Extended Care Facility Beds**

30 Chuck White, Director of Facility Services, Meridian Senior Living, reported that Meridian  
31 provides care and life services for more than 5,000 residents in 12 states. Their largest presence  
32 is in North Carolina, where it manages over 40 facilities, which includes 28 Special Care Units  
33 that are specially designed to care for residents with Alzheimer’s Disease or related dementias.

1 Mr. White presented a proposal that would temporarily merge Hyde and Tyrrell County’s service  
2 areas to develop an adult care home in Tyrrell County. The State Health Coordinating Council  
3 (SHCC) yearly publication report indicates a need for this type facility in the Hyde and Tyrrell  
4 County area. A Certificate of Need Application must be filed on March 7, 2012 in order for  
5 Meridian Senior Living to claim the Hyde County need determination of thirty (30) adult care  
6 beds and Tyrrell County need determination of twenty (20) adult care beds. If approved  
7 Meridian Senior Living would like to construct a new adult care facility in Tyrrell County. Mr.  
8 White stated that this facility would create fifty (50) new jobs in the area.

9 Wes Smith, Health Director, recommended contacting Geraldine Weatherly, Director, Cross  
10 Creek Health Care Facility (CCHC), to determine whether or not CCHC wishes to apply for the  
11 allocated Hyde County adult care beds.

12 Commissioner Byrd moved to direct the County Manager to: 1) confirm whether or not CCHC  
13 wishes to apply for the beds, 2) if not, to adopt “Resolution In Support Of The Certificate Of  
14 Need To Service Hyde and Tyrrell Counties”. Mr. Swindell seconded the motion. The motion  
15 passed on the following vote:

16

17 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

18 Nays – None

19 *Clerk’s Note: A copy of “Resolution In Support Of The Certificate Of Need To Service Hyde and*  
20 *Tyrrell Counties” is attached herewith as Exhibit C and incorporated herein by reference.*

21 **Hyde County Cooperative Extension Report To The People**

22 Mac Gibbs, Director, Hyde County Cooperative Extension, presented the Cooperative Extension  
23 “Report To The People”. Mr. Gibbs reported that along with crop research and farmer assistance  
24 his department started a recycling program for collection of pesticide jugs and saved farmers  
25 approximately \$45,000 in disposal costs. Mr. Gibbs introduced 4-H Agent Natalie Wayne and  
26 FCS Agent Stacey Midgett. Ms. Wayne received state-wide recognition for the Hyde Seek and  
27 Discover Camp and Ms. Midgett provides food education and healthy living programs.

28 **Ferry Tolls Opposition Plan**

29 Chairwoman Spencer requested ratification from the Board to approve a contract with lobbyists  
30 Joe and Henri McClees.

31 Commissioner Byrd moved to ratify the Contract for Services with McClees Consulting. Mr.  
32 Tunnell seconded the motion. The motion passed on the following vote:

33

1 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

2 Nays – None

3 Chairwoman Spencer, Commissioner Styron and Manager Smith met with Mr. & Mrs. McClees;  
4 Paul Spruill, Tideland EMC; Randall Woodruff, Beaufort County Manager; and, Ocracoke  
5 citizens to discuss ferry toll issues. Ms. Spencer reported that Ocracoke citizens support the  
6 Ocracoke Occupancy Tax Board’s offer to fund ferry toll opposition.

7 **Third Party Administrator Agreement**

8 Mazie Smith, County Manager, presented the NC Public Employee Deferred Compensation Plan  
9 – Employer-Third-Party Administrator Agreement. The State 457-b plan is available to  
10 employees at will and at no cost to the County.

11 Commissioner Byrd moved to approve the NC Public Employee Deferred Compensation Plan –  
12 Employer-Third-Party Administrator Agreement. Ms. Styron seconded the motion. The motion  
13 passed on the following vote:

14

15 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

16 Nays – None

17 **Proclamation of Surplus**

18 Andrea Gregory, Deputy Director of Finance, requested Board approval to list surplus property  
19 for sale on GovDeals. Approximately \$5,000 worth of surplus items have been sold on  
20 GovDeals this fiscal year.

21 Commissioner Tunnell moved to approve the sale of listed surplus items on GovDeals. Mr. Byrd  
22 seconded the motion. The motion passed on the following vote:

23

24 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

25 Nays – None

26 **NCDOT Utility Relocation Agreement**

27 Mazie Smith, County Manager, reported that with the replacement of a cross tile on New Lands  
28 Road (SR 1306) in Fairfield, NC, the water department will have to relocate 280’ of 8” HDPE  
29 waterline. This work will be done by a contractor and NCDOT will cover all costs.

30 Commissioner Swindell moved to approve the NCDOT Utility Relocation Agreement. Mr.  
31 Tunnell seconded the motion. The motion passed on the following vote:

32

1 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

2 Nays – None

3 **Policy to Govern Funding of Non-Profit Agencies**

4 Mazie Smith, County Manager, proposed that the Board adopt a policy that will provide  
5 guidelines for allocating funds to non-profit agencies in the budget. The policy includes a  
6 checklist of items and information required of agencies requesting funds so that information  
7 about said agencies can be kept accurate and up to date. This policy would also make nonprofit  
8 agencies more accountable to the public for the funds they are awarded. Requests for funding  
9 would only be accepted prior to the passage of the budget in June, except in extreme or  
10 emergency situations.

11 No action taken. The policy will be presented for approval at the next regularly scheduled  
12 Commissioners meeting on March 19, 2012.

13 **Policy to Govern Use of Information On Hyde County Government Website**

14 Mazie Smith, County Manager, reported that private websites that provide incomplete or  
15 inaccurate information are creating problems when citizens confuse them with the County's  
16 official website. Manager Smith proposed that the Board adopt a policy to govern the use of  
17 information on the County website.

18 No action taken. The policy will be presented for approval at the next regularly scheduled  
19 Commissioners meeting on March 19, 2012.

20 **Schedule Date(s) for 2012 Board of Equalization & Review Hearings**

21 Linda Basnight, Tax Administrator, reported that each year not earlier than the first Monday in  
22 April or later than the first Monday in May the Board of Equalization & Review (E&R) shall  
23 convene its first meeting to hear appeals from individual taxpayers as to the value of their  
24 property. It is required that a majority (at least 3) members of the Board of Commissioners be  
25 present for the Board of E&R hearings. No other business may be conducted during the Board  
26 of E&R session.

27 The Board of Equalization & Review session will be conducted on April 10, 2012 from 5:00p.m.  
28 to 7:00p.m.; and, if needed, a second session will be conducted on April 16, beginning at  
29 5:00p.m. in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School  
30 Commons Room using electronic conferencing equipment.

31

32

1 **Reschedule Date for Budget Planning Retreat**

2 Mazie Smith, County Manager, requested that the Budget Planning Retreat be rescheduled from  
3 March 24, 2012 to a week day so that department heads can participate in the agenda.

4 Commissioner Swindell moved to conduct the Budget Planning Retreat on March 23, 2012, from  
5 8:30a.m. to 5:00p.m. in the Hyde County Government Center, Multi-Use Room, and the  
6 Ocracoke School Commons Room using electronic conferencing equipment. Mr. Byrd seconded  
7 the motion. The motion passed on the following vote:

8  
9 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

10 Nays – None

11 **Temporary Assistant Airport Manager Position**

12 Commissioner Swindell moved to approve a four (4) month temporary assistant airport manager  
13 position. Mr. Byrd seconded the motion. The motion passed on the following vote:

14  
15 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

16 Nays – None

17 **Budgetary Matters:**

18 Mazie Smith, County Manager, reported that in accordance with the FY2011-2012 Budget  
19 Ordinance, Article XIX, Section I, several budget transfers were approved administratively and  
20 requested approval of the following budget transfers:

21 **Health Department - \$2,220.00;** additional one-time funds received from the American  
22 Recovery and Reinvestment Act (ARRA). The additional funds will assist local health  
23 departments with training costs associated with required infection control training. Funds will be  
24 used to purchase a new laptop computer for the Infection Control Nurse, as well as pay for online  
25 infection control training for six (6) Health Department and Home Health nurses. These funds  
26 must be spent by March 31, 2012. This revision will increase the budget for Communicable  
27 Disease, but does not require any county match.

28 **Home Health - \$2,500.00;** funds transferred from Contract Nurse line into Part-Time Salaries  
29 line in Home Health program. The Health Department is in the process of converting individuals  
30 under contract to part-time employees, to comply with Department of Labor requirements. Also  
31 need an additional amount added to the Contract Quality Control line to cover second quarter  
32 2012 expense for mandatory satisfaction surveys for Home Health clients. As this is strictly a  
33 transfer between lines, it will not increase the budget for Home Health.

1 **Solid Waste - \$20,958.00**; grant funds received this fiscal year that were not budgeted for.  
2 Transferred to reduce Solid Waste Availability revenue line that will not meet set budgeted  
3 amount to offset the grant funds. Does not increase the budget.

4 Commissioner Byrd moved to approve the Health Department, Home Health and Solid Waste  
5 budget transfers. Ms. Styron seconded the motion. The motion passed on the following vote:

6 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

7 Nays – None

8

9 **County Commissioners Reports:**

10 **Commissioner Styron** – reported that she attended the Albemarle Rural Planning/NCDOT  
11 Drop-In Session. She also attended the Ocracoke Foundation meeting and complimented Robin  
12 Payne for work done for the Foundation. She also reported that the Ocracoke Fire Department  
13 rating has been (6) for the past 3 to 4 years; the Salt Water Connection meeting is rescheduled to  
14 March 15; and the ferry tax meeting went well. Ms. Styron congratulated Doug Gibbs on his  
15 internship at the Engelhard Airport and thanked the Chamber of Commerce for its donation for  
16 the Ferry Toll lobbyist fees.

17 **Commissioner Swindell** – thanked Commissioner Styron for work she has done on behalf of  
18 Ocracoke citizens.

19 **Commissioner Byrd** – reported that he attended the DSS Board meeting and stated that funds  
20 are needed for medical transports next year. Mr. Byrd reported that he has a tremendous work  
21 load for the next two and one-half years and asked to be excused from serving on the ECBH and  
22 Solid Waste Authority Boards.

23 No action taken. This request will be presented for approval at the next regularly scheduled  
24 Commissioners meeting on March 19, 2012.

25 **Commissioner Tunnell** – reported that Albemarle RC&D would like to be on the March 19,  
26 2012 Board Agenda to present a proposal on fees paid to them by the County. Mr. Tunnell  
27 thanked the volunteer students from UNC Chapel Hill and commended Mr. Tommy Gilbert of  
28 the Methodist Disaster Relief Team for work done in the County.

29 **Commissioner Spencer** – reported that she had received compliments on the new trash program.  
30 She also reported that she attended the Strategic Planning meeting; Ferry Tax Lobbyist meeting;  
31 State of the Region Event and the Last Nail Driven Ceremony for Ms. Evelyn Carawan of  
32 Scranton. Ms. Spencer asked citizens to thank the volunteers working in the County if they get  
33 the opportunity to talk with them. We are honored and blessed to be the recipients of their  
34 charity.

1 **County Manager’s Report:**

2 Manager Smith recommended that employees participate in the Adopt-A-Highway Program.  
3 She also attended the RPO meeting; Hyde Transit Board meeting; State of the Region Event and  
4 Albemarle Rural Planning/NCDOT Drop-In meeting. Ms. Smith asked that everyone pray for  
5 EM Director Justin Gibbs who suffered first-degree burns to his hands and face while lighting a  
6 grill.

7 **Supplemental Information:**

8 **Department Reports**

9 Elections  
10 Tax Department

11  
12 **Other Information**

13 EIC letter regarding Community Service Block Grant Agreement  
14 Letter from Kay Hagan congratulating Hyde County on 300 Years  
15 Laws Governing Lobbying by Local Government Entities  
16 NCDOT Replacement of Bridge #45 over A Canal  
17 ECBH Announces New Director  
18 NC20 letter regarding Sea Level Rise

19 **Calendar Notes**

20 **March, 2012**

21 03-05-2012 NCDOT Investment Strategy Summit, Williamston, 9:00 a.m.  
22 03-05-2012 Board of Commissioners Meeting, 6:00 p.m.  
23 03-11-2012 Daylight Savings Time Begins  
24 03-13-2012 ABC Board Meeting, 7:00 p.m.  
25 03-13-2012 Hyde County Chamber of Commerce Annual Meeting, Engelhard  
26 Governor’s Meeting on Economic Vitality for Eastern N.C., Greenville, 8:00 a.m.  
27 03-16-2012 Board of Health Meeting, 7:00 p.m.  
28 03-19-2012 Board of Commissioners Meeting, 6:00 p.m.  
29 03-23-25-2012 Regional Emergency Preparedness Exercise, Ocracoke  
30 03-26-27-2012 NC Coastal Local Governments Meeting, Nags Head

31  
32 **April, 2012**

33 04-02-2012 Networking Reception with Board of Education, 5:00 p.m.  
34 Board of Commissioners Meeting, 6:00 p.m.  
35 04-06-2012 Easter Holiday (County offices closed)  
36 04-10-2012 ABC Board Meeting, 7:00 p.m.

- 1 04-16-2012 Board of Commissioners Meeting, 6:00 p.m.
- 2 04-25-2012 Hyde County 4-H Livestock Show and Sale, Ponzer
- 3 04-26-2012 NCACC District Meeting, Williamston, 5:30 p.m.

4

5 **Employment Anniversaries**

6 **March, 2012**

- 7 03-01-2012 Debbie Cahoon, Soil & Water (9 years)
- 8 03-02-2012 Cindy Carawan, Elections/Veteran's Services (11 years)
- 9 03-07-2012 Judy Midyette, Home Health (13 years)
- 10 03-08-2012 Mattie Roper, Social Services (23 years)
- 11 03-13-2012 Jerry Hardison, Inspections (6 years)
- 12 03-15-2012 Baron Berry, Utilities (13 years)
- 13 03-17-2012 James Shelton, Utilities (20 years)
- 14 03-18-2012 Gerry Slade, Utilities (30 years)
- 15 03-24-2012 Wesley Smith, Health Department (4 years)

16 **Closed Session:**

17 Commissioner Styron moved to enter into closed session at 8:58 p.m., pursuant to G.S. N.C.G.S.  
18 143-318.11(a)(3). Mr. Swindell seconded the motion. The motion passed on the following vote:

- 19 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell
- 20 Nays – None

21 Commissioner Swindell moved to come out of closed session at 9:34 p.m. Mr. Byrd seconded  
22 the motion. The motion passed on the following vote:

- 23 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell
- 24 Nays – None

25 Commissioner Byrd moved to adjourn the meeting. Mr. Swindell seconded the motion. The  
26 motion passed on the following vote:

27

- 28 Ayes – Byrd, Spencer, Styron, Swindell and Tunnell
- 29 Nays – None

30

31 The meeting adjourned at 9:35 P.M.

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33 Respectfully submitted:

34 Minutes approved on the 19th day of March, 2012.

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Lois Stotesberry, Deputy Clerk  
4 Hyde County Board of Commissioners

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Sharon Spencer, Chair  
Hyde County Board of Commissioners

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12 Attachments:

13 Exhibit A: *“2012 Girl Scout Week Proclamation”*

14 Exhibit B: *“Resolution Requesting the Services of the NC Division of Community Planning*  
15 *for Hyde County”*

16 Exhibit C: *“Resolution In Support Of The Certificate Of Need To Service Hyde and Tyrrell*  
17 *Counties”*



Since 1712

# HYDE COUNTY

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## NORTH CAROLINA

**Item Number:** 4

**Meeting Date:** 03.05.12

**Presenter(s):** Citizens

**Title:**

**Agency/Dept.:**

**Item Title:** Public Comments

**Attachments:** Yes

**Description:** Citizens are afforded an opportunity at this time to comment on issues they feel may be of importance to the Commissioners and to their fellow citizens. Comments should be kept to (3) minutes and directed to the entire board, not just one individual Commissioner, staff member or to a member of the audience. Time for one person cannot be used by another person. Comments that reflect the need for additional assistance will be directed to the County manager or referred to a future meeting agenda.

**Times Read:**

**Impact on Budget:**

**Recommendation:** Listen for understanding

**MOTION MADE BY:**

\_\_\_\_ A. Byrd  
\_\_\_\_ B. Swindell  
\_\_\_\_ D. Styron  
\_\_\_\_ D. Tunnell  
\_\_\_\_ S. Spencer

**MOTION SECONDED BY:**

\_\_\_\_ A. Byrd  
\_\_\_\_ B. Swindell  
\_\_\_\_ D. Styron  
\_\_\_\_ D. Tunnell  
\_\_\_\_ S. Spencer

**Vote:**

A. Byrd  
B. Swindell  
D. Styron  
D. Tunnell  
S. Spencer

**Aye**

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\_\_\_\_  
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**Nay**

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\_\_\_\_



Since 1712

# HYDE COUNTY

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## NORTH CAROLINA

**Item Number:** 5

**Meeting Date:** 03.19.12

**Presenter(s):**

**Title:**

**Agency/Dept.:**

**Item Title:** Closed Session

**Attachments:** None

**Description:** Board members will go into closed session to prevent disclosure of privileged or confidential information pursuant to State and/or Federal law.

**Times Read:** First

**Impact on Budget:** Does not increase the budget.

**Recommendation:** Approve if needed

**MOTION MADE BY:**

\_\_\_\_\_ A. Byrd  
\_\_\_\_\_ B. Swindell  
\_\_\_\_\_ D. Styron  
\_\_\_\_\_ D. Tunnell  
\_\_\_\_\_ S. Spencer

**MOTION SECONDED BY:**

\_\_\_\_\_ A. Byrd  
\_\_\_\_\_ B. Swindell  
\_\_\_\_\_ D. Styron  
\_\_\_\_\_ D. Tunnell  
\_\_\_\_\_ S. Spencer

**Vote:**

A. Byrd  
B. Swindell  
D. Styron  
D. Tunnell  
S. Spencer

**Aye**

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**Nay**

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**§ 143-318.11. Closed sessions.**

(a) Permitted Purposes. – It is the policy of this State that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required:

- (1) **To prevent the disclosure of information that is privileged or confidential pursuant to the law** of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.
- (2) **To prevent the premature disclosure** of an honorary degree, scholarship, prize, or similar award.
- (3) **To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege** between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.
- (4) **To discuss matters relating to the location or expansion of industries or other businesses** in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.
- (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in **negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase**, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.
- (6) To **consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee**; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.
- (7) **To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.**
- (8) To formulate plans by a local board of education relating to **emergency response** to incidents of school violence.
- (9) To discuss and take action regarding plans to protect **public safety** as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.

(b) Repealed by Session Laws 1991, c. 694, s. 4.

(c) Calling a Closed Session. – A public body may hold a closed session only upon a motion duly made and adopted at an open meeting. Every motion to close a meeting shall cite one or more of the permissible purposes listed in subsection (a) of this section. A motion based on subdivision (a)(1) of this section shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on subdivision (a)(3) of this section shall identify the parties in each existing lawsuit concerning which the public body expects to receive advice during the closed session.

(d) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 570, s. 2. (1979, c. 655, s. 1; 1981, c. 831; 1985 (Reg. Sess., 1986), c. 932, s. 5; 1991, c. 694, ss. 3, 4; 1993 (Reg. Sess., 1994), c. 570, s. 2; 1995, c. 509, s. 84; 1997-222, s. 2; 1997-290, s. 2; 2001-500, s. 2; 2003-180, s. 2.)