

Meeting Minutes

Board of County Commissioners Hyde County

June 18, 2012

Chairwoman Sharon Spencer called the regular meeting of the Hyde County Board of Commissioners to order at 6:00 PM on Monday, June 18, 2012 in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Commons Room using electronic conferencing equipment. The following members were present on the mainland: Commissioners Anson Byrd, Sharon Spencer, Barry Swindell and Dick Tunnell; Attorney Fred Holscher; County Manager Mazie Smith; Deputy Clerk to the Board Lois Stotesberry; and, members of the public. The following members were present on Ocracoke: Commissioner Darlene Styron; Deputy Clerk Jamie Carter; and, members of the public.

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

Agenda:

Chairwoman Spencer asked for any changes to the June 18, 2012 meeting Agenda as presented by the Clerk. Commissioner Swindell moved to approve the agenda with deletion of Item 8 – Public Hearing on Change to Subdivision Ordinance and addition of Item 13(a) – Pre-Disaster Mitigation Grant Agreement; Item 13(b) – Transfer of Ownership of Engelhard Marine Industrial Park; Item 17(a) – Lease of Office Space for Social Services and Item 22(a) – Budget Transfer for Sheriff's Department. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

Consideration of Minutes:

Chairwoman Spencer asked for approval of meeting minutes.

Commissioner Byrd moved to approve the June 4, 2012 regular meeting minutes as presented by the Clerk. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

Public Comments:

Chairwoman Spencer called for comments from the public.

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

Special Recognition:

Recognition of Alice Keeney Upon Retirement

Alice Keeney will retire effective June 30, 2012. Ms. Keeney has been employed by Hyde County for fifteen years as County Planner and Economic Developer. She has been responsible for attracting new business and nurturing small and start-up business while implementing and maintaining economic development programs concerned with retaining existing business and industry in Hyde County.

Chairwoman Spencer thanked Ms. Keeney for her dedication to Hyde County and wished her a happy retirement. Ms. Spencer presented Alice with a Years of Service Certificate and Pin; and, an engraved silver tray.

Employee of the Month

Chairwoman Spencer presented Alice Keeney with the June Employee of the Month Certificate. Manager Smith thanked Ms. Keeney for her personal service and attention to Hyde County citizens.

Introduction of New Employees

Utilities Director Clint Berry introduced Phillip Sawyer, Water Plant Operator. Phillip is a native of Hyde County. He comes to us from Hyde Correctional Institution.

Health Director Wesley Smith introduced Roni Collier, Food Services Technician. Ronnie is a former resident of Hyde County who returned to fill this position.

Soil & Water Director Debbie Cahoon introduced Daniel Brinn, Tar-Pamlico River Basin Technician. This position is funded 100% by NC State University. Daniel has a BA in Construction Management. Daniel lives in Swan Quarter with his wife and two daughters.

Public Hearing:

Draft 10-Year Solid Waste Plan

Commissioner Swindell moved to open public hearing on the Hyde County 10-Year Solid Waste Plan. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

Recycling Coordinator Ann Blindt presented the Plan. Projections for the years 2012 – 2122 were discussed in the plan update.

Hyde County is in the process of improving its solid waste management infrastructure while at the same time trying to reduce costs. The county disposes of waste at the East Carolina Environmental (ECE) Landfill in Bertie County, owned by Republic Services. The county is at the closest about 50 miles from that landfill, so it faces high transportation costs as well as high tipping fees. To consolidate its services, Hyde County has ceased the curbside recycling and trash collection services and has opened two additional county-staffed solid waste collection sites. The county no longer contracts with neighboring Dare County for trash collections on Ocracoke Island. All waste materials and recyclables are now managed using the collection sites that are available to businesses and residents. The county has begun new recycling programs in recent years using state and local funds, including those that meet the requirements of the state disposal bans. The county plans to use a NC Department of the Environmental Assistance and Outreach (DEAO) grant in FY2013 to install compactors to reduce the costs of transporting the comingled recyclables. Hyde County is also going to provide more public spaces recycling with this grant.

Utilities Director Clint Berry reported that the Ocracoke chipper is worn out and it would cost \$45,000 to replace it. Because of costs and hazards associated with using the old chipper, chipping on Ocracoke will be carried to Swan Quarter.

John Fletcher, Ocracoke - stated that citizens on Ocracoke would like to use the chips.

After discussion, Mr. Berry stated that chips could be returned to Ocracoke for use by island citizens.

Commissioner Swindell moved to close public hearing on Hyde County 10-Year Solid Waste Plan. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

Resolution to Pass 10-Year Solid Waste Plan

Commissioner Swindell moved to adopt Resolution to Pass 10-Year Solid Waste Plan. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

Nays – None

Clerk's Note: A copy of "Resolution to Pass 10-Year Solid Waste Plan" is attached herewith as Exhibit A and incorporated herein by reference.

Items of Consideration:

Update on Progress at Airport

Jay Talbert of Talbert & Bright, Inc., presented report on current projects underway at the Engelhard Airport. Mr. Talbert reported that the 6,000 gallon fuel farm project is complete and commended Airport Manager Jane Hodges for work done on the project. Jane will conduct daily inspections at the fuel facility. He reported that the Precision Approach Position Indicator (PAPI) that was installed approximately five years ago is out of order. A letter requesting emergency PAPI rehabilitation grant funds will be sent to the Division of Aviation. Grant allocation for Hyde County in 2012 equals \$150,000.

Resolution for Acceptance of Airport Grant

Jay Talbert of Talbert & Bright, Inc., reported that the NC Department of Aviation has approved a State Aide to Airports Grant in the amount of \$418,968 based on total estimated cost of \$465,520 with a county match equal to ten percent of the total estimated project cost. Funds will be used for a new surface treatment on the airport runway and overlay on the taxi area. Barnhill Construction will begin work mid-July.

Commissioner Byrd moved to adopt Resolution to Accept NC Department of Aviation State Aide to Airports Grant. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

Nays – None

Clerk's Note: A copy of "Resolution to Accept NC Department of Aviation State Aide to Airports Grant" is attached herewith as Exhibit B and incorporated herein by reference.

Lease with Forest Service for Tanks at Airport Grant

Airport Manager Jane Hodges reported that for some time Hyde County has allowed the NC Division of Forestry Resources to occupy a portion of the Hyde County Airport located in Engelhard for storage as a staging area for fire-retardant tanks and pumps. Ms. Hodges presented lease agreements prepared by the State Property Office and County Attorney Holscher. She reported that the Hyde County Airport Advisory Committee approves Attorney Holscher's lease agreement.

Commissioner Byrd moved to approve the Lease Agreement between Hyde County and the NC Division of Forestry Resources as prepared by County Attorney Fred Holscher. Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

Nays – None

Pre-Disaster Mitigation Grant Agreement

Reed Whitesell, Community Development Manager, Holland Consulting Planners, Inc., reported that Hyde County applied in 2009 for Pre-Disaster Mitigation funds provided by FEMA to help elevate houses into compliance with the county's Floodplain Ordinance. FEMA identified 8 houses that are eligible for 2011 Pre-Disaster Mitigation funds and the NC Division of Emergency Management sent a Grant Agreement to be signed by the (previously approved) Designated Agent. Federal monies will cover 75% of the program with participating homeowners providing 25% of the costs of the program. Only the units identified in the Grant

Agreement are eligible for the federal share of funding. Holland Consulting Planners, Inc. is currently under contract to administer this grant on behalf of Hyde County.

Mr. Whitesell reported that Hyde County, HCP, Inc., Engineers and Contractors are indemnified. The home owner is responsible for payment of their 25% cost of the program.

FY11 Pre-Disaster Mitigation Elevation Units				
Home Owner	Parcel No.	Street No.	Street Name	City
Mark A. Hierholzer	208170	232	NC Hwy 45	Swan Quarter
Zeb B. Mayo	202207	5771	US Hwy 264	Seranton
Michael H. Casper	202971	34518	US Hwy 264 E	Engelhard
Solomon Cooper	201252	221	Sadie Weston Rd.	Swan Quarter
Gary Mayo	20227	824	Puddin Hill Rd.	Seranton
Bryan W. Cathrell	204352	143	Golden St.	Engelhard
Don Nixon	204566	4595	Piney Woods Rd.	Fairfield
Keith Harris	203062	198	Mt. Pleasant Village Rd.	Engelhard
Highlighted units were completed with FY09 CDBG Local Option Funds				

Commissioner Byrd moved to authorize the designated agent to sign the Grant Agreement. Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

Nays – None

Transfer of Ownership of Engelhard Marine Industrial Park Building

Grants Administrator Kris Noble reported that in consideration of a grant received from The Golden Leaf Foundation, for acquisition and development of the Engelhard Marine Industrial Park, a 3,000 square foot building was constructed at Engelhard Marine Industrial Park.

Ms. Noble presented “Option Agreement and Bill of Sale” to transfer the building located at the Engelhard Marine Industrial Park from Hyde County to the NC Seafood Industrial Park Authority.

Commissioner Byrd moved to authorize Board Chair to execute Option Agreement and Bill of Sale for the building on Lot No. 1 at the Engelhard Marine Industrial Park. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

Nays – None

ABC Board Report

ABC Board Chairman Keith Parker-Lowe presented report on the financial status of the ABC Board. He reported that all debts are paid and inventory in stock equals \$102,000; that the general manager and finance officer positions were joined with approval from the State ABC Board and that Andrew Spencer was appointed to the position; and, that the June 19 ABC Board meeting is cancelled and meetings will resume on the 3rd Thursday monthly for the rest of 2012.

After discussion, it was agreed that the State contract with the Sheriff’s Department should be pursued. Funds from the ABC Store due to the Sheriff’s Department should be requested.

Lease for ABC Store Building on the Mainland

After discussion, approval of the ABC Store Lease Agreement was tabled until the next regularly scheduled Board meeting on July 2, 2012.

2012-2013 Secondary Road Improvement Program

Sterling Baker, PE, NCDOT District Engineer, presented the 2012-2013 Secondary Road Improvement Program including priority ratings and the unavailable right-of-way list for Hyde County.

Commissioner Byrd moved to approve the NCDOT 2012-2013 Secondary Road Improvement Program for Hyde County. Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

Nays – None

Mr. Baker also presented the Hyde County Bridge Inspection Report and discussed Bridge No. 470079 located on SR1319 in Engelhard beside Gibbs Store. Options to replace or remove the bridge were discussed.

Commissioner Byrd moved to instruct Manager Smith to contact Sterling Baker and ask that he prepare and present plans for a pedestrian bridge to replace Bridge No. 470079 in Engelhard. Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

Nays – None

ADAP Center Funding

Department of Social Services (DSS) Director Gloria Spencer, ADAP Program Coordinator Alice Mackey and Aide Elizabeth Gurganus presented update and reviewed the billing process for Mattamuskeet Opportunities/Hyde ADAP 2010-2011.

On June 7, 2012 Ms. Gurganus received an e-mail message from Elizabeth Harrell, Staff Accountant for East Carolina Behavioral Health, LME (ECBH, LME) notifying Ms. Gurganus that ECBH had mistakenly over paid Hyde County DSS on behalf of the ADAP Center. ECBH offered two options for repayment of approximately \$44,000 to ECBH: 1) issue a check to ECBH by June 15, 2012 for the amount owed back, or 2) ECBH can recoup the advance from the next payment due to Hyde County ADAP.

ECBH has been using new billing software and many clients received over payments followed by requests for repayment of the funds. No one from Hyde ADAP received training on the software. Ms. Mackey and Ms. Gurganus received training on the new ECBH billing software earlier in the day.

Chairwoman Spencer spoke with Leza Wainwright, Executive Director, ECBH, LME, who apologized for the e-mail message and assured Ms. Spencer that repayment of the funds could be negotiated.

Commissioner Styron stated that the mistake made by ECBH will cause Hyde County to operate in crisis mode.

Hyde County Commissioners must decide whether or not the ADAP Center will be allowed to continue operating under the Department of Social Services or not. If not, the County must notify ECBH that it can no longer operate the center. ECBH is contractually obligated to provide services to clients at Mattamuskeet Opportunities/ADAP Center.

Request for Approval of Hyde County Revolving Loan Fund Application for Southern Diesel Incorporated

County Planner/Economic Developer Alice Keeney reported that Mark Hodges, President and ECO of Southern Diesel, Inc., is requesting an \$80,000 term loan to purchase equipment to be used for maintenance and repair of heavy equipment and marine vessels for a full service diesel and hydraulic repair, welding and fabrication shop to be located at the Engelhard Marine Industrial Park in Engelhard. The loan will carry a 5% fixed interest rate with a ten (10) year amortization and will be collateralized by a first lien on all inventory, business assets and equipment, an assignment of the lease between Southern Diesel Inc. and the State of North Carolina and the assignment of a term life insurance policy in the amount of \$80,000 with Hyde County named as beneficiary, covering the full term of the loan. The loan will be personally guaranteed by Mark Hodges. Five employees will be hired.

Commissioner Byrd moved to approve the \$80,000 term loan to purchase equipment to be owned by Southern Diesel Inc. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

Nays – None

Commissioner Swindell requested report from the Revolving Loan Fund Committee by October, 2012 in order to provide transparency of government to the citizens.

Hyde County Revolving Loan Fund Committee Appointment

County Planner/Economic Developer Alice Keeney reported that during the Revolving Loan Committee meeting on June 12, 2012, the Revolving Loan Committee discussed Faye Sadler’s resignation from the Revolving Loan Fund Committee and the importance of having an Ocracoke business person as a member of the Revolving Loan Fund Committee. While Darlene Styron has served in this capacity for a number of years, she is also the current representative appointed to represent the Hyde County Board of Commissioners. A new representative from the Hyde County Board of Commissioners will need to be appointed in December, when Darlene Styron’s term as a Hyde County Commissioner will end.

Commissioner Byrd moved to appoint Darlene Styron to replace Faye Sadler’s position on the Revolving Loan Fund Committee. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

Nays – None

Mainland and Ocracoke Occupancy Tax Board Appointments

Manager Smith reported that at its regularly scheduled meeting on June 4, the Board moved to amend Hyde County Ordinance No. 38-24 – Advisory Committee – to designate that Occupancy Tax Board appointments be made at or before the second meeting in July of each fiscal year.

Discussion was tabled and appointments will be made at the next regularly scheduled Board of Commissioners meeting on July 2, 2012.

Request for Tri-Centennial Committee Appointments

Manager Smith reported that Hyde County is celebrating 300 years of County government this year. Ms. Smith will incorporate opening of the Hyde County Historic Courthouse into our tri-centennial celebration. Appointments to the Tri-Centennial Committee will be made at the next regularly scheduled Board of Commissioners meeting on July 2, 2012.

Budgetary Matters:

Manager Smith reported no administratively approved transfer. She requested approval of two Sheriff’s Department transfers.

Board Approval Required		
Department	Program	Amount Explanation
Sheriff	Salaries	\$106,874.93 To cover an under-budgeted salary line
	Inmate Safekeeping	\$30,000.00 To cover expenses incurred from locally housing prisoners

After discussion, Commissioner Styron stated that she would vote to approve the budget transfers only because the County has to pay them.

Commissioner Swindell moved to reluctantly approve the Sheriff’s Department budget transfer requests totaling \$136,874.93. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Spencer, Styron, Swindell and Tunnell

Nays – Byrd

Chairwoman Spencer directed Manager Smith to ask Sheriff Mason to attend the next regularly scheduled meeting on July 2, 2012, to discuss the D.A.R.E. officer position and seven surplus vehicles at the Sheriff’s Department.

County Commissioners Reports:

Commissioner Swindell – attended the Board of Health quarterly meeting on June 12, 2012.

Commissioner Tunnell – nothing to report.

Commissioner Byrd – asked how much money does FEMA still owe Hyde County? He directed Manager Smith to prepare and send a letter to Mr. Moore, in Congressman Jones' office, with all of the Commissioners signing it. Mr. Byrd attended the Engelhard Marine Industrial Park ceremony in Engelhard. He commended Alice Keeney and Kris Noble for work done on the project.

Commissioner Styron – thanked Alice Keeney for her time spent in Hyde County. She commended Alice and Kris Noble for work done on the Engelhard Marine Industrial Park project. Ms. Styron attended the Ocracoke Development Planning Board meeting where signage and kiosks were discussed; and, the WOVV 4th Annual Arm Wrestling Contest. She commended Jane Hodges for work done at the Engelhard Airport and thanked the Revolving Loan Fund Committee for her appointment to the committee. Ms. Styron encouraged citizens to attend Board meetings and/or read Board meeting minutes.

Commissioner Spencer – commended Alice Keeney and Kris Noble for work done on the Engelhard Marine Industrial Park project. Ms. Spencer noted that Hyde County was in competition for the funding and we were fortunate to have won. She attended several meetings and spoke with Leza Wainwright, Executive Director of ECBH, about the Hyde County ADAP Center billing issue.

Ms. Spencer asked that the Board consider making the two part-time positions, approved in the FY2012-2013 Budget, one full-time position. She will put this item on the July 2, 2012 Board Meeting Agenda for consideration.

Ms. Spencer spoke with Representative Tim Spear about the ferry tax issue. He believes ferry tolls will not go into effect until next July and that Ocracoke citizens should be exempt.

County Manager's Report:

Manager Smith thanked Utilities Director Clint Berry for repairs on the generator platform that collapsed on Monday, June 4. Ms. Smith reported receipt of greater than \$2 million from FEMA. She presented the FY2012-2013 Hyde County Budget at the Senior Center; reported Performance Reviews are complete; and she will attend a meeting next week to discuss the Ocracoke Ball Field project. Ms. Smith thanked Jamie Tunnell for filling in as Public Information Officer (PIO). She asked that the Ocracoke Mosquito Control Board put in writing what to set as the mosquito tax rate and send it to Tax Administrator Linda Basnight.

Ms. Smith thanked her staff and stated she is very proud of them. She invited Board members to spend a day with her at the Government Center.

Public Comments:

Chairwoman Spencer called for comments from the public.

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

At this time, Alice Keeney opened a gift presented to her by the Commissioners. She thanked everyone for the retirement reception and the silver tray.

Closed Session (none)

Supplemental Information:

Department Reports

Administration: Spending Freeze Memo
Inspections/Code Enforcement
Animal Control
Health Department

Other Information

Airport Committee Meeting Minutes – March 26, 2012
Cooperative Extension Weight of the Nation Report
Ocracoke Advisory Planning Board (OAPB) Meeting Notice
Urgent Ferry Tax Update

Meeting Calendar

July, 2012
07-02-2012 Board of Commissioners Meeting – 6:00p.m.
07-04-2012 Independence Day (county offices closed)
07-16-2012 Board of Commissioners Meeting – 6:00p.m.

Employment Anniversaries

June, 2012
06-23-2012 James Blount, Solid Waste – 4 years

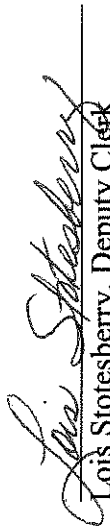
Commissioner Byrd moved to adjourn the meeting. Mr. Swindell seconded the motion. The motion passed on the following vote:

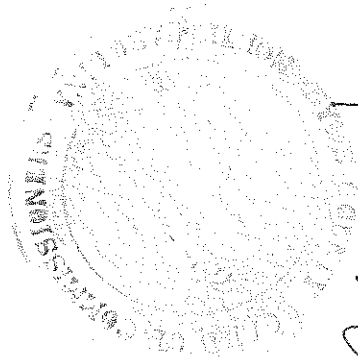
Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None


The meeting adjourned at 9:25 P.M.

Respectfully submitted:

Minutes approved on the 16th day of July, 2012.

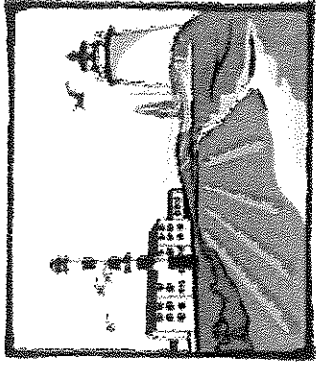

Lois Stotesberry, Deputy Clerk
Hyde County Board of Commissioners




Sharon Spencer, Chair
Hyde County Board of Commissioners

Attachments:

- Exhibit A: “Resolution to Pass 10-Year Solid Waste Plan”
- Exhibit B: “Resolution to Accept NC Department of Aviation State Aide to Airports Grant”



Since 1712

HYDE COUNTY

NORTH CAROLINA

Resolution

Hyde County Board of Commissioners

Resolution to Approve

The Hyde County

Solid Waste Management Plan Update

For 2012- 2022

WHEREAS, better planning for solid waste management will help protect public health and the environment, provide for an improved solid waste management system, better use our natural resources, control the cost of solid waste management; and

WHEREAS, North Carolina General Statute 130A-309.09A(b) requires each unit of local government, either individually or in cooperation with other units of local government, to develop a 10-year comprehensive solid waste management plan; and

WHEREAS, Hyde County was actively involved in the planning process;

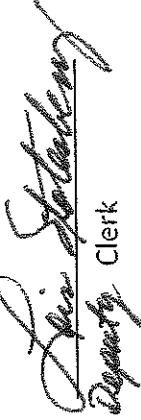
NOW, THEREFORE, BE IT RESOLVED that the Hyde County Board of Commissioners approves the comprehensive solid waste management plan.

Adopted this 18th day of June, 2012



Chairman

ATTEST:


Deputy Clerk

RESOLUTION

A motion was made by Anson Byrd, Commissioner and seconded by Darlene Syron, Commissioner for the adoption of the following resolution, and upon being put to a vote was duly accepted:

(Name and Title)

WHEREAS, a Grant in the amount of \$418,968 has been approved by the Department based on total estimated cost of \$465,520; and

WHEREAS, an amount equal to or greater than ten percent (10%) of the total estimated project cost has been appropriated by the Sponsor for this Project.

NOW THEREFORE, BE AND IT IS RESOLVED THAT THE Chairman (Title)

of the Sponsor be and he hereby is authorized and empowered to enter into a Grant Agreement with the Department, thereby binding the Sponsor to the fulfillment of its obligation incurred under this Grant Agreement or any mutually agreed upon modification thereof.

I, Sharon F. Spencer, Chairman of the Hyde County Board of Commissioners do hereby certify that

the above is a true and correct copy of an excerpt from the minutes of the Hyde County Board of Commissioners of a meeting

and regularly held on the 18th day of June, 20 12.

This, the 19th day of June, 20 12.



Signed: Sharon F. Spencer
Title: Chairman
Of The: Hyde County Board of Commissioners