

Meeting Minutes

**Board of County Commissioners
Hyde County**

September 17, 2012

Chairwoman Sharon Spencer called the regular meeting of the Hyde County Board of Commissioners to order at 6:00 PM on Monday, September 17, 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 and Barry Swindell; 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 and Dick Tunnell; Deputy Clerk Jamie Carter; and, members of the public.

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

Agenda:

Chairwoman Spencer asked for any changes to the September 17, 2012 meeting Agenda as presented by the Clerk. Commissioner Swindell moved to approve the agenda with addition of Item of Consideration No. 10 – Donation – Mosquito Sprayer to Swan Quarter Ferry Office. Mr. Byrd 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 Swindell moved to approve the September 4, 2012 regular meeting minutes as presented by the Clerk with correction on page 8, line 30 – Glen Webb who was elected second Vice-president. She said an appropriate use of funds would be that the Ocracoke Occupancy Tax Board funds be used for funding Lobbyist Joe McClees. Mr. Byrd seconded the motion. The motion passed on the following vote:

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

Employee Recognition:

Jane Hodges – Employee of the Month

Kris Noble, Planning Director, reported that Jane Hodges has been an invaluable asset to the Hyde County Government since her hire in 1983. Jane has served the Emergency Management Department, Hyde County EMS, Hyde County Sheriff's Office, Code Enforcement, the Engelhard Airport and most recently the Planning Department. She has gone above and beyond by always being willing to take on additional duties and responsibilities with a positive and team oriented attitude. Her expertise in floodplain management and building permit requirements has greatly benefited the Hyde Inspections Department and her commitment as Airport Manager has resulted in the airport facility being improved by leaps and bounds. Ms. Noble stated Jane's service to the Hyde County Government is greatly appreciated and her continued service will benefit all citizens of Hyde County.

Chairwoman Spencer commended Jane for landscaping done at the Airport.

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

Nays – None

No action taken.

Public Comments:

Chairwoman Spencer called for comments from the public.

Isabelle Holmes – Historical and Genealogical Society of Hyde County – asked the commissioners to continue its support of Beaufort-Hyde-Martin Regional Library.

Al Schmitt, Engelhard – reflected on Hyde County churches and libraries and stated that they are what made our County great.

Betty Mann – Historical and Genealogical Society of Hyde County – manages the Historical Society's section of Mattamuskeet Library which houses approximately 1,500 books. She asked if the public library would be closed.

Chairwoman Spencer reported that no decision had been made.

David Fletcher, Engelhard – stated that having fuel at airport is great and recommended alerting all airports in the State. Mr. Fletcher also expressed concern about commercial trapping in Mattamuskeet Lake canals.

Manager Smith reported that news of fuel at the airport in Engelhard has been reported to the FAA and the pilot's website and that marketing will be done.

Debbie Cahoon, Swan Quarter – is a former employee of BHM Library and reported that the library is vital to children in our communities.

Ann Borland, Ocracoke – currently works for BHM Library. She believes ending the BHM Library agreement would be tragic for both residents and tourist on Ocracoke Island.

Bill Jones, Ocracoke – works part-time in the public section of Ocracoke Library. He believes closing this part of the library would be devastating.

Jim Borland, Ocracoke – believes closing the public library on Ocracoke Island would be a costly mistake.

Leslie Lanier, Ocracoke – stated that libraries are the lifeblood of a community and a safe place for children.

Carol Pahl, Ocracoke – reported that the new librarian should be given a chance and that he is already seeing progress and increase in membership.

Fred Westervelt, Ocracoke – reiterated the indispensable role that BHM Library plays on Ocracoke Island.

Ann Ehringhaus, Ocracoke – credits the School of Excellence banners hanging in the Commons Area of Ocracoke School to library use. She thanked the Board for the Noise Ordinance and asked that they put a time limit on outdoor amplified music with exception given to the 4th of July celebration and Ocracoke Festival.

Scott Bradley and Clare Baum sent e-mail messages expressing their concern for continuation of the BHM Library contract.

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

Items of Consideration:

Proclamation – Pastor Appreciation Day at Old Richmond Missionary Baptist Church

Sharon Spencer, Chair, reported that Mr. Archie Green has requested that the Board proclaim Sunday, October 7, 2012 as Pastor Appreciation Day at Old Richmond Missionary Baptist Church in appreciation of Reverend Reginald Saunders 10 year anniversary.

Commissioner Byrd moved to proclaim Sunday, October 7, 2012 as Pastor Appreciation Day at Old Richmond Missionary Baptist Church. Mr. Swindell 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 "PROCLAMATION – October 7, 2012 Pastor Appreciation Day at Old Richmond Missionary Baptist Church" is attached herewith as Exhibit A and incorporated herein

Discussion of Options for ADAP Center Operations

Leza Wainwright, Director, East Carolina Behavioral Health (ECBH) presented options available for continuing operation of the ADAP Center. Ms. Wainwright reported that ECBH is committed to continuing the Adult Day Activities Program (ADAP) in Hyde County as long as the County and client families believe it is beneficial and as long as it is reasonable to keep the program alive. Twelve clients were served at ADAP at a cost of \$167,000.00 in FY2011-12. She reported that ECBH will not ask the County to repay the \$38,000.00 deficit from FY11-12, but did ask the County to pay the shortfall over and above expenditures, which equals \$4,500.00. Ms. Wainwright does expect a deficit next year. ECBH will do what makes sense for the consumers, staff and the County jointly.

Alice Mackey, Program Coordinator, Mattamuskeet Opportunities, reported that the number of clients at the ADAP Center has decreased and that she is working with the school to identify new clients. Ms. Mackey thanked Gloria Spencer, Director, DSS, for working with the ADAP staff.

No action taken.

Christopher Williams – Subdivision Variance Request

Kris Noble, Planning Director, presented a plat representing a subdivision of property in Swan Quarter Township which includes the current locations of Chris' Grocery and Swan Quarter Supply. Owners of the properties request a variance from the Hyde County Subdivision Ordinance and most specifically the clause requiring lots to be a minimum size of 20,000 square feet, as New Tract 1 is equal to 15,129.75 sq. ft. and New Tract 3 is equal to 14,020.73 sq. ft. Each parcel has a clear easement to US Highway 264 which meets NC DOT standards of over 40 ft. in width at the entrance of the parcel. Also, all lots are within the Swan Quarter Sanitary District. The plat has been sent to commenting agencies including Hyde Utilities, Hyde Health Department, CAMA and NC DOT for review.

On Tuesday, September 4, 2012, Chairwoman Spencer stated that she would like to hear from the property owner and the Revolving Loan Committee.

After discussion with Christopher Williams (property owner) and clarification of collateral from Alice Keeney (Revolving Loan Committee member), Commissioner Swindell moved to approve Christopher Williams Request for Variance from the Hyde County Subdivision Ordinance. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Swindell and Tunnell

Nays – None

Not Voting – Darlene Styron

MOU – Conservation of Natural Resources

Debbie Cahoon, Administrative Technician, Hyde County Soil & Water, presented Memorandum of Understanding (MOU) between the US Department of Natural Resources Conservation Service (NRCS) and the NC Department of Agriculture and Consumer Services-

Division of Soil & Water Conservation and the Hyde County Soil & Water Conservation District and Hyde County, North Carolina. This memorandum of understanding agreement defines the roles and responsibilities of each party as it relates to roles, responsibilities and cooperation concerning conservation of natural resources in Hyde County.

Commissioner Swindell moved to approve Memorandum of Understanding between the US Department of Agriculture NRCS and Division of Soil & Water and the Hyde County Soil & Water Conservation District and Hyde County. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

Nays – None

Contract – NC Department of Agriculture & Consumers Services, Division of Soil & Water Conservation and Hyde Soil & Water conservation District

Debbie Cahoon, Administrative Technician, Hyde County Soil & Water, presented contract between the North Carolina Department of Agriculture and Consumers Services, Division of Soil and Water Conservation (the Agency) and Hyde Soil & Water, Conservation District (the Grantee). The purpose of the contract is to remove from streams debris resulting from Hurricane Irene and the spring 2011 tornadoes. Hyde Soil & Water requested \$80,000 for the project and was awarded (16%) totaling \$13,320.00 in State funds. Portions of Rutman and Smith Creek will be cleaned up. Removal of storm debris will result in better drainage for crop and forest lands and for homes.

Commissioner Byrd moved to approve Contract by and between NC Department of Agriculture and Consumer Servicers, Division of Soil and Water Conservation and Hyde Soil & Water Conservation District; and, that the Board of Commissioners and Chief Fiscal Officer will sign contract for the purpose of receiving grant funds for stream debris removal. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

Nays – None

Interlocal Agreement – Dare County for Hyde County Inspections

Kris Noble, Planning Director, reported that an agreement between Dare County and Hyde County for inspection services was entered into on March 1, 2012. Dare County has requested amendment to the agreement stating that Dare County will continue to provide Hyde County with Fire Inspections in addition to Level II and III Electrical Inspections; and, the Dare County Inspector will be paid at a rate of \$37.15 per hour plus mileage at the approved Federal rate.

Commissioner Tunnell moved to approve amendment of the existing Dare County/Hyde County Inspections Interlocal Agreement. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

Nays – None

E-Mail System Services and Backup

Mazie Smith, County Manager, reported that in accordance with NCGS 132 – Public Records Law and the North Carolina Department of Cultural Resources (NCDCCR) electronic mail is just as much a record as any traditional paper record, and its content must be treated in the same way. It is the responsibility of every County employee to follow the NCDCCR Guidelines for Retention and Disposition of E-Mail messages. Ms. Smith reported that estimated cost for a centralized e-mail system is \$12,000.00.

Commissioner Styron moved to direct the County Manager to circulate a Request for Proposal (RFP) for a centralized e-mail system provider. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell

Nays – None

Indoor Air Quality Concerns in County Facilities

Mazie Smith, County Manager, presented update on progress made to improve air quality at the Public Safety Center. Air purifiers are in place and mold survey results are due on Thursday.

Sheriff Mason reported that his employees do see a difference with the purifiers running.

Wesley Smith, Health Director, reported that the former Dentist Office building is ready for use by the Mental Health provider. Mr. Smith said the Health Department clinic that had to be demolished due to Hurricane Irene damage still needs to be replaced.

Mazie Smith, County Manager, recommends developing a capital improvements plan and to seek funding for building repairs. She suggests a committee to oversee the project; hiring engineering professionals to development plans for correcting building issues; and, asking USDA for funding.

Commissioner Tunnell moved to develop a capital improvements plan and to seek USDA funding for repairs. Ms. Styron seconded the motion. The motion passed on the following vote:

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

BHM Regional Library Membership

Mazie Smith, County Manager, reported that at its last regularly scheduled meeting on September 4th the Board held over discussion of Hyde County remaining a member of the Beaufort-Hyde-Martin Regional Library System.

Sharon Spencer, Chairwoman, explained that the Board’s intent was to discuss library issues. Ms. Spencer reported that she is pleased with the new Library Director’s progress.

Commissioner Swindell stated that it obvious by show of supporters that the citizens are willing to pay for Library services.

Manager Smith reminded the Board that if they wish to end the contract with BHM Library System they must do so by December 31, 2012. Ms. Smith commended the Ocracoke Friends of the Library group for its support of the Ocracoke Library and challenged mainland Hyde citizens to do the same.

No action taken.

Donation – Mosquito Sprayer

After discussion, Commissioner Swindell moved to donate the one remaining mosquito sprayer to the Swan Quarter Ferry Terminal. Mr. Byrd seconded the motion. The motion passed on the following vote:

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

Budgetary Matters:

Mazie Smith, County Manager, reported that in accordance with the FY2011-2012 Budget Ordinance, Article XIX, Section 1, one budget transfer was approved administratively.

Approval by Manager			
Department	Program	Amount	Explanation
Health	AH – Adult Health	\$500.00	Transfer from Contract Nurse Practitioner line into Advertising line to advertise for a Family Nurse Practitioner to provide Prime Care one day a week, in conjunction with the tele-medicine project.

Board approval was not required for any other transfers. Transfer of \$12,500.00 to provide National Scenic Byway Program funds; \$5,000.00 from BHM Regional Library System to

Administration travel line; and, the decrease in State funding for the ROAP Program Approval had been given on September 4, 2012.

No action required.

County Commissioners Reports:

Commissioner Styron – reported that she attended the OCBA meeting and that Candidates Night on Ocracoke is scheduled for October 10th. Statements from candidates can be submitted to be read at the meeting if they are unable to attend. Ms. Styron also attended the Ocracoke Development Board meeting where discussion about business licenses was held. She commended Kris Noble for her department report in the meeting packet materials. Ms. Styron stated that requests for variance from the Hyde County Subdivision Ordinance may be made by other citizens.

Commissioner Byrd – reported that he attended a meeting of Marine Fisheries, Wildlife Resources and the Department of Agriculture where discussion of combining the agencies was discussed. Mr. Byrd stated that the Legislature will decide the outcome.

Commissioner Swindell – reported that he will attend the Board of Health meeting next week.

Commissioner Tunnell – reported that the Swan Quarter dike cleanup project continues. Mr. Tunnell thanked the Swan Quarter Volunteer Fire Department and the Tar-Pamlico River Basin Committee for working on this project. He will attend the Mid-East Housing meeting next week.

Commissioner Spencer – reported that she will attend the Albemarle Commission meeting and the ECBH retreat where discussion will be held about grant funding for the early childhood development program through the school system.

County Manager's Report:

Manager Smith presented report of her activities over the past month and stated that she has been appointed to serve on the Steering Committee. Ms. Smith reported that the State is revising its formula to base priorities for highway and bridge repair by population. She attended the Ocracoke Community Square Project meeting in Raleigh earlier in the day. Ms. Smith will be joining Partnership for Children.

Public Comments:

Chairwoman Spencer called for comments from the public.

Susan Benning, Director, thanked the commissioners for their support of the BHM Regional Library System. Ms. Benning reported that a new agreement is being drafted and will be presented for Board approval at a later date.

Leslie Lanier, Ocracoke – thanked the Board for its support of the BHM Regional Library System. She asked the Board to consider the opinions of other citizens before amending the Noise Ordinance.

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

Closed Session

Commissioner Swindell moved to enter into closed session at 8:10 p.m., pursuant to G.S. N.C.G.S. 143-318.11 (a)(4). Mr. Byrd seconded the motion. The motion passed on the following vote:

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

Commissioner Swindell moved to come out of closed session at 8:10 p.m., pursuant to G.S. N.C.G.S. 143-318.11 (a)(4). Ms. Styron seconded the motion. The motion passed on the following vote:

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

Department Reports

- a) Health Department
- b) Animal Control
- c) Code Enforcement
- d) Tax Department
- e) Senior Center
- f) DSS – Child Support
- g) Planning Department

Supplemental Information:

- a) 300th Anniversary Congratulations from Rowan County
- b) Hyde County Telemedicine Demonstration Project
- c) Storm Practices – Lesson Learned from Hurricane Irene

Meeting Calendar

September, 2012

09-17-2012 Commissioners Meeting – 6:00p.m.
09-20-2012 ABC Board Meeting – 6:00p.m. – 8:00p.m.
09-25-2012 Board of Health Meeting at Ocracoke Community Center – 7:00p.m.

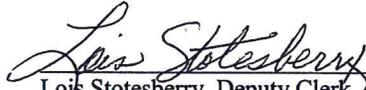
Commissioner Swindell moved to adjourn the meeting. Mr. Byrd seconded the motion. The motion passed on the following vote:

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

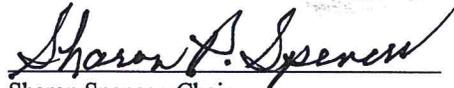
The meeting adjourned at 8:40 p.m.

Respectfully submitted:

Minutes approved on the 1st day of October, 2012.


Lois Stotesberry, Deputy Clerk
Hyde County Board of Commissioners




Sharon Spencer, Chair
Hyde County Board of Commissioners

Attachments:

Exhibit A: *"PROCLAMATION – October 7, 2012 Pastor Appreciation Day at Old Richmond Missionary Baptist Church"*



Since 1712

HYDE COUNTY

NORTH CAROLINA

PROCLAMATION

DECLARING SUNDAY, OCTOBER 7TH, 2012 AS PASTOR APPRECIATION DAY AT OLD RICHMOND MISSIONARY BAPTIST CHURCH

WHEREAS, the congregation of Old Richmond Missionary Baptist church will be celebrating their pastor's 10th anniversary on Sunday, October 7th, 2012; and

WHEREAS, Reverend Reginald Saunders will be honored on this day for 10 years of faithful service to the members of this church and to others in various communities; and

WHEREAS, service to the community is the cornerstone of a democratic society and is what makes our country and our county great;

NOW, THEREFORE BE IT RESOLVED that the Hyde County Board of Commissioners hereby declared October 7th, 2012 as Pastor's Appreciation Day on behalf of Old Richmond Missionary Baptist Church, and joins the members of the congregation in offering their congratulations and gratitude to Reverend Saunders for his faithful service to the citizens of Hyde County.

Adopted this the 17th day of September, 2012 in Hyde County, North Carolina by the Hyde County Board of Commissioners.

A handwritten signature in black ink that reads "Sharon P. Spencer". The signature is written in a cursive style and is positioned above a horizontal line.

Sharon P. Spencer, Chair
Hyde County Board of Commissioners

Attested by:

A handwritten signature in blue ink that reads "Mazie S. Smith". The signature is written in a cursive style and is positioned above a horizontal line.

Mazie S. Smith, Clerk to the Board
Hyde County Board of Commissioners

