

Meeting Minutes

**Board of County Commissioners  
Hyde County**

**November 19, 2012**

Chairwoman Sharon Spencer called the regular meeting of the Hyde County Board of Commissioners to order at 6:00 PM on Monday, November 19, 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 Lois Stotesberry; and, members of the public. The following members were present on Ocracoke: Commissioner Darlene Styron; Deputy Clerk/PIO Megan Shaw; and, members of the public.

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

**Agenda:**

Chairwoman Spencer asked for any changes to the November 19, 2012 meeting Agenda as presented by the Clerk. Commissioner Byrd moved to approve the agenda as presented by the Clerk with addition of:

Introduction to Public Hearing – FY12 CDBG Catalyst Program  
Resolution CDBG Catalyst Application  
No. 4 – Waiver of Building Permit Fees for Ocracoke VFD  
No. 5 –ABC Board Report  
No. 6 – NWDB Lease Consideration  
Budget Transfers – Health Department \$17,865.11 and Emergency Services \$3,500.00

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 Swindell moved to approve the November 5, 2012 regular meeting minutes as presented by the Clerk. Mr. Byrd seconded the motion. The motion passed on the following vote:

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

**Employee of the Month**

Mazie Smith, County Manager, reported that Clint Berry started to work with the County in 1993, working with Jack Mason. He assumed the Director's role upon Jack's retirement. Clint's rise to Director is no surprise to anyone who knows him; his dedication to his job, his incredible intelligence and common-sense, practical approach to dealing with people and facing problems is beyond reproach. Under Clint's leadership, the Public Works Department has grown and flourished, and the department has not only remained fiscally sound but has improved service by incorporating cutting edge technology into day-to-day operations. Best of all, Clint is a true leader, a team player, and an all-around nice guy. The County Manager is proud to recognize Clint Berry as the November 2012 Employee of the Month.

**Items of Consideration:**

**CDBG NC Tomorrow Citizen Participation Plan**

Kris Noble, Director of Planning and Development, reported that each of Hyde County's CDBG projects has a Citizen Participation Plan. Citizens are kept aware of CDBG programs available to assist them through the plan. The NC Department of Commerce requires an active plan on file for this planning grant project.

Commissioner Byrd moved to adopt the CDBG NC Tomorrow Citizen Participation Plan. Ms. Styron seconded the motion. The motion passed on the following vote:

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

**Interlocal Agreement for Public Defender's Office**

Sharon Sadler, Hyde County Clerk of Court, reported that in accordance with NCGS 7A-302 and 304, the Honorable Judge Wayland Sermons has requested that counties in the Second Judicial District support the housing of the Public Defender's Office in Beaufort County. The Second Judicial Advisory Council, comprised of Judge Sermons, Chief District Court Judge Michael Paul and all five Clerks of Court in the District agree with operation of this agreement on a pro-rated share, based on each county's population.

Clerk of Court Sadler reported that adequate funds are available in Facility Services and that inmates will not be transported to the Public Defender, which will save the Sheriff's Department money currently being spent for transportation of inmates.

Cost of the facility will be shared on a pro-rated basis for acquiring office space to be located at 105 Union Drive, Washington, NC, at a monthly rental amount of \$2,650.00. Hyde County's portion of the payment is six percent or \$159.00.

Commissioner Byrd moved to approve the *Interlocal Agreement between the Counties of Beaufort, Hyde, Martin, Tyrrell and Washington*. Mr. Swindell seconded the motion. The motion passed on the following vote:

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

**Contract for Service of Lobbyists 2013**

Mazie Smith, County Manager, reported that the contract for lobbying services provided to Hyde County in 2012 will expire on December 31, 2012. This contract was awarded in cooperation with Beaufort and Pamlico Counties for the joint purpose of opposing the addition of and increases in ferry tolls to Ocracoke. As a result of this effort, tolls were not placed on the Hatteras/Ocracoke ferry service, however the moratorium issued by the Governor for increasing tolls will expire on December 31, 2013.

Beaufort County has decided to renew their contract and has invited Hyde County to partner with them once again. The total cost is \$10,000.00, with \$300.00 due at signing. The \$300.00 fee was paid last year by the Hyde County Chamber of Commerce and the Ocracoke Occupancy Tax Board paid the balance.

After discussion, Commissioner Byrd moved to requests funding for renewal of the contract for lobbying services from both Hyde County Occupancy Tax Boards at a proportionate rate of 30% from the Mainland Occupancy Tax Board and 70% from the Ocracoke Occupancy Tax Board. Mr. Swindell seconded the motion. The motion passed on the following vote:

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

**Waive Building Permit Fees – Ocracoke Fire Prevention Association**

Commissioner Swindell moved to approve the Health Department budget transfer as presented by Director Smith. Mr. Byrd seconded the motion. The motion passed on the following vote:

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

Commissioner Tunnell moved to approve the EM/EMS budget transfer as presented by Emergency Management Director Gibbs. Ms. Styron seconded the motion. The motion passed on the following vote:

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

**County Commissioners Reports:**

**Commissioner Byrd** – reported that he attended the Coastal Resources Commission meeting where salt water intrusion and sea level rise were discussed.

**Commissioner Styron** – thanked Hyde County for her term as Commissioner.

**Commissioner Spencer** – reported that she attended the Albemarle Commission meeting. Ms. Spencer reported that the parking lot pavement project was paid for by the Board of Education with Capital Improvement funds, which cannot be used for salaries.

**Commissioner Swindell** – no report given.

**Commissioner Tunnell** – no report given.

**County Manager's Report:**

Manager Smith stated that it has been a great honor to serve with Commissioners Spencer and Styron. Both ladies have worked hard to provide services to citizens of Hyde County. She also reported that she is looking forward to a positive future as Manager of Hyde County.

Two items of concern will be on the December 3, 2012 Board of Commissioners Meeting Agenda: 1) US Fish & Wildlife expansion of Pocossin Refuge acreage and 2) Seal Level Rise will be presented by Mr. Spencer Rogers.

**Public Comments:**

Chairwoman Spencer called for comments from the public.

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

**Closed Session** (none)

**Department Reports**

- a) Animal Control
- b) Health Department
- c) Senior Center
- d) Code Enforcement/Inspections]
- e) Tax Department

**Supplemental Information** (none)

**Meeting Calendar – November**

19 <sup>th</sup>	Commissioners Meeting – 6:00pm
22 <sup>nd</sup>	Thanksgiving Day
23 <sup>rd</sup>	Holiday (offices closed)
26 <sup>th</sup>	Postal Service Meeting at Swan Quarter Post Office – 5:00pm

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

RESOLUTION OF HYDE COUNTY  
NC CATALYST PROGRAM APPLICATION TO ASSIST IN FUNDING  
HYCIENDA HEIGHTS DEVELOPMENT PROJECT

**WHEREAS**, Hyde County recognizes that the community housing and economic needs require concerted action by the County and its citizens; and,

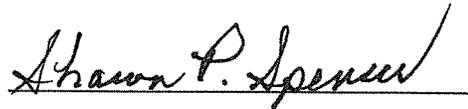
**WHEREAS**, the County has surveyed community needs, including holding two public hearings concerning the proposed application for Community Development Block Grant funding to benefit housing for low to moderate income persons; and,

**WHEREAS**, the County wishes to seek all possible sources of housing and community development assistance to help with the construction improvements of Hycienda Heights; and,

**WHEREAS**, the County certifies it will meet all federal regulatory and statutory requirements of the State of North Carolina Community Development Block Grant Program.

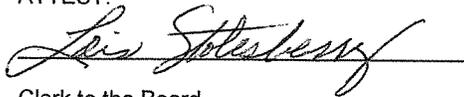
**NOW, THEREFORE BE IT RESOLVED**, by Hyde County: (1) that the Chairman is authorized to submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant for the North Carolina Catalyst Program to benefit low to moderate income persons by the construction of necessary housing improvements and infrastructure at Hycienda Heights, and (2) that the County Manager is authorized to satisfy the administrative requirements to implement the grant when approved.

Adopted this the 19th day of November, 2012 in Hyde County, North Carolina.



Sharon Spencer

ATTEST:



Clerk to the Board