



Since 1712

# HYDE COUNTY

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## NORTH CAROLINA

**Meeting Date:** 12.12.2012

**Presenter(s):** Barry Swindell

**Title:** Chairman

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

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

**Attachments:** None

**Description:** General Activities to Open the Meeting

**Times Read:** First

**Impact on Budget:** None

**RECOMMENDATION:** Participate

**MOTION MADE BY:**

\_\_\_\_ E. Pugh  
\_\_\_\_ A. Byrd  
\_\_\_\_ J. Fletcher  
\_\_\_\_ B. Swindell  
\_\_\_\_ D. Tunnell

**MOTION SECONDED BY:**

\_\_\_\_ E. Pugh  
\_\_\_\_ A. Byrd  
\_\_\_\_ J. Fletcher  
\_\_\_\_ B. Swindell  
\_\_\_\_ D. Tunnell

**Vote:**

E. Pugh  
A. Byrd  
J. Fletcher  
B. Swindell  
D. Tunnell

**Aye**

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**Nay**

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Since 1712

# HYDE COUNTY

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## NORTH CAROLINA

**Meeting Date:** 12.12.2012

**Presenter(s):** Barry Swindell

**Title:** Chairman

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

**Item Title:** Consideration of Agenda

**Attachments:** Yes

**Description:** Consideration of Agenda for today's meeting

  

**Times Read:** First

**Impact on Budget:** None

**RECOMMENDATION:** Approve

**MOTION MADE BY:**

\_\_\_\_ E. Pugh  
\_\_\_\_ A. Byrd  
\_\_\_\_ J. Fletcher  
\_\_\_\_ B. Swindell  
\_\_\_\_ D. Tunnell

**MOTION SECONDED BY:**

\_\_\_\_ E. Pugh  
\_\_\_\_ A. Byrd  
\_\_\_\_ J. Fletcher  
\_\_\_\_ B. Swindell  
\_\_\_\_ D. Tunnell

**Vote:**

E. Pugh  
A. Byrd  
J. Fletcher  
B. Swindell  
D. Tunnell

**Aye**

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**Nay**

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# HYDE COUNTY

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## NORTH CAROLINA

Since 1712

**Meeting Date:** 12.12.2012

**Presenter(s):** Citizens

**Title:**

**Agency/Dept.:**

**Item Title:** Public Comments

**Attachments:** None

**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:** First

**Impact on Budget:** None

**RECOMMENDATION:** Approve

**MOTION MADE BY:**

\_\_\_\_ E. Pugh  
\_\_\_\_ A. Byrd  
\_\_\_\_ J. Fletcher  
\_\_\_\_ B. Swindell  
\_\_\_\_ D. Tunnell

**MOTION SECONDED BY:**

\_\_\_\_ E. Pugh  
\_\_\_\_ A. Byrd  
\_\_\_\_ J. Fletcher  
\_\_\_\_ B. Swindell  
\_\_\_\_ D. Tunnell

**Vote:**

E. Pugh  
A. Byrd  
J. Fletcher  
B. Swindell  
D. Tunnell

**Aye**

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**Nay**

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# HYDE COUNTY

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## NORTH CAROLINA

Since 1712

**Meeting Date:** 12.12.12

**Presenter(s):** Commissioners

**Title:**

**Agency/Dept.:**

**Item Title:** Closed Session

**Attachments:** Yes

**Description:** Board members will go into closed session to prevent disclosure of privileged or confidential information pursuant to N.C. GS 143-318.11 (1-9)

**Times Read:** First

**Impact on Budget:** None

**RECOMMENDATION:** Approve

**MOTION MADE BY:**

\_\_\_\_ E. Pugh  
\_\_\_\_ A. Byrd  
\_\_\_\_ J. Fletcher  
\_\_\_\_ B. Swindell  
\_\_\_\_ D. Tunnell

**MOTION SECONDED BY:**

\_\_\_\_ E. Pugh  
\_\_\_\_ A. Byrd  
\_\_\_\_ J. Fletcher  
\_\_\_\_ B. Swindell  
\_\_\_\_ D. Tunnell

**Vote:**

E. Pugh  
A. Byrd  
J. Fletcher  
B. Swindell  
D. Tunnell

**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.)



Since 1712

# HYDE COUNTY

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## NORTH CAROLINA

**Meeting Date:** 12.12.2012

**Presenter(s):** Corrinne Gibbs

**Title:** Finance Officer

**Agency/Dept.:** Finance Department

**Item Title:** Authorization for Signatures on Checks

**Attachments:** None

**Description:** Due to a change in personnel, an additional signatory needs to be designated.

**Times Read:** First

**Impact on Budget:** None

**RECOMMENDATION:** Board Authorize an additional signatory

**MOTION MADE BY:**

\_\_\_\_ E. Pugh  
\_\_\_\_ A. Byrd  
\_\_\_\_ J. Fletcher  
\_\_\_\_ B. Swindell  
\_\_\_\_ D. Tunnell

**MOTION SECONDED BY:**

\_\_\_\_ E. Pugh  
\_\_\_\_ A. Byrd  
\_\_\_\_ J. Fletcher  
\_\_\_\_ B. Swindell  
\_\_\_\_ D. Tunnell

**Vote:**

E. Pugh  
A. Byrd  
J. Fletcher  
B. Swindell  
D. Tunnell

**Aye**

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**Nay**

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# HYDE COUNTY

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## NORTH CAROLINA

Since 1712

**Meeting Date:** 12.12.2012

**Presenter(s):** Citizens

**Title:**

**Agency/Dept.:**

**Item Title:** Public Comments

**Attachments:** None

**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:** First

**Impact on Budget:** None

**RECOMMENDATION:** Approve

**MOTION MADE BY:**

\_\_\_\_ E. Pugh  
\_\_\_\_ A. Byrd  
\_\_\_\_ J. Fletcher  
\_\_\_\_ B. Swindell  
\_\_\_\_ D. Tunnell

**MOTION SECONDED BY:**

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\_\_\_\_ A. Byrd  
\_\_\_\_ J. Fletcher  
\_\_\_\_ B. Swindell  
\_\_\_\_ D. Tunnell

**Vote:**

E. Pugh  
A. Byrd  
J. Fletcher  
B. Swindell  
D. Tunnell

**Aye**

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**Nay**

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