

## Meeting Minutes

### **Board of County Commissioners Hyde County**

**January 17, 2012**

Chairwoman Sharon Spencer called the regular meeting of the Hyde County Board of Commissioners to order at 6:00 PM on Tuesday, January 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 Sharon Spencer, Anson Byrd and Dick Tunnell; Attorney Fred Holscher; Deputy Clerk to the Board Lois Stotesberry; and members of the public. The following members were present on Ocracoke: Commissioner Darlene Styron; Deputy Clerk to the Board Jamie Carter; and, members of the public. Commissioner Barry Swindell and County Manager Mazie Smith were absent.

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

#### **Agenda:**

Chairwoman Spencer asked for any changes to the January 17, 2012 meeting Agenda as presented by the Clerk.

Commissioner Byrd moved to approve the agenda as presented by the Clerk with Item 21 (a) – Administration Budget Transfer – Create Contingency Fund tabled; Item 13 – Options to Reward Shift Employees for Holiday Work – presented by Shelley Carawan and Item 14 – Contract from NC DOT for Use of Debris Removal Site – presented by Corrinne Gibbs; and, addition of Item 20 (a) – Appointment to the Ocracoke Board of Adjustments. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

#### **Consideration of Minutes:**

Chairwoman Spencer asked for approval of meeting minutes.

Commissioner Tunnell moved to approve the January 3, 2012 Commissioners regular meeting minutes as presented by the Clerk with addition of “*The meeting was delayed due to technical difficulties with the electronic conferencing equipment*” on page one – line 10; and, deletion of “*because Oregon Inlet needs to be dredged*” on page 11 – line 7. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

#### **Public Comments:**

Chairwoman Spencer called for comments from the public.

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

#### **Public Hearings:**

#### **CDBG NC Tomorrow Application**

Commissioner Styron moved to open public hearing on Community Development Block Grant (CDBG) NC Tomorrow Application. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

Bert Banks, Executive Director, Albemarle Commission reported that the North Carolina Association of Regional Councils is leading a collaborative partnership with the US Economic Development Administration, North Carolina Department of Commerce-Community Development Division, the US Department of Housing & Urban Development and the SAS Institute of Cary, NC to create a Uniform NC Comprehensive Economic Development (CED) Strategy across North Carolina. Hyde County will receive a portion of the grant fee for administering the 18 month long grant for a ten county region, which includes: Camden, Chowan, Currituck, Dare, Gates, Hyde, Pasquotank, Perquimans, Tyrrell and Washington.

Mr. Banks reported that a second public hearing is required for approval of the CDBG NC Tomorrow Application. On January 3, 2012 the first public hearing was conducted.

No comments from the public were received. Mr. Banks reported that there has been no indication that citizens are opposed to this program.

Mr. Banks addressed concerns from the commissioners about additional duties placed on county staff and stated that the county will be reimbursed for all finance director and administrative duties performed. He thanked Chairwoman Spencer for serving on the Albemarle Commission Board and for partnering with the Albemarle Commission to undertake the NC Tomorrow Program on behalf of the ten county Albemarle Commission region within the context of the Community Development Block Grant (CDBG) Program for local governments.

Commissioner Byrd moved to close public hearing on Community Development Block Grant (CDBG) NC Tomorrow Application. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

Commissioner Byrd moved to authorize receipt of funds and to acknowledge the Albemarle Commission will administer this grant and that Hyde County will be held harmless. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

### **Items of Consideration:**

#### **Introduction of New Employees**

Clint Berry, Utilities Director, introduced new employees: Mrs. Mary Cox, Fairfield Drop Off Site Attendant; Mrs. Ginny Lowe, Scranton Drop Off Site Attendant; and, Mr. Devon O’Neal, Water Plant Operator/Distribution.

#### **Employee of the Month**

Chairwoman Spencer presented a certificate and gave an honorarium to Annette Swindell. Ms. Swindell is the first 2012 Hyde County employee of the month. She was hired on September 12, 2000

and continues to work for the Health Department. Health Director Wesley Smith considers Annette to be a tremendous asset to the Health Department and the County.

The Employee Recognition Committee is working on guidelines for making selections and will present them at a future meeting.

### **Comprehensive Transportation Plan Maps**

Lauren Nicols, NC DOT Transportation Engineer, presented maps compiled as part of the year-long Comprehensive Transportation Plan (CTP) meetings. The CTP uses the approved maps to make recommendations 25 to 30 years in the future. Ms. Nicols reported that, once the adoption map is approved in late February, counties can begin receiving funds. Public drop sessions are conducted to receive input and to answer questions on the maps from board members.

Commissioner Styron moved to approve moving forward with public drop sessions. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

### **Variance for Proposed Construction – Williford Auto Parts (NAPA)**

Jerry Hardison, Building Inspector, and Charles Williford requested a variance to Hyde County Ordinance No. 20, Flood Damage Prevention, as per Section 20-79 and 20-80. Inspector Hardison and County Attorney Fred Holscher have reviewed and approve the variance request.

Alice Keeney, County Planner/Developer, reported that the variance request has no relevance to the Planning Department.

Commissioner Byrd moved to approve variance request for proposed construction of the new NAPA Parts Store as requested by owner Charles Williford. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

### **Update of Hyde County ABC Board Activities and Finances and Approval of Travel Policy**

Keith Parker-Lowe, ABC Board Chairman, requested approval to implement the Hyde County Travel and Lodging Policy for use by the ABC Board.

Commissioner Byrd moved to approve Hyde County ABC Board implementation of the Hyde County Travel and Lodging Policy. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

Mr. Lowe reported that since October 1<sup>st</sup> the ABC Board sold approximately \$65,000 inventory on Ocracoke Island and sold approximately \$48,000 per month. He reported that the ratio of sales was down but the mix of inventory was the same as in June and July. Mr. Lowe reported that the biggest problem is cash flow because liquor by the drink sales were down due to Hurricane Irene. He stated the ABC Board will be on target for the beginning of March, which is their busy season. He also reported that regular ABC Board meetings will be conducted on the second Tuesday of each month at

7:00 p.m. in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Commons Room using electronic conferencing equipment.

### **Hyde County Comprehensive Health Assessment**

Elizabeth Mumm, Public Health Educator, presented the recently completed Comprehensive Health Assessment (CHA) for Hyde County. A copy of the CHA Executive Summary has been posted on the Health Department website and in Mattamuskeet and Ocracoke School Libraries.

Wesley Smith, Health Director, commended Elizabeth on a job well done. Mr. Smith stated that this document will also be beneficial for Hyde County when acquiring grant funding.

Commissioner Byrd moved to approve the 2011 Hyde County Community Health Assessment. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

### **Compensation of Shift Employees for Holiday Work**

Shelley Carawan, Human Resources Director, reported that currently County employees who work shifts are awarded sick leave in a proportionate amount to hours worked if they work on a holiday. This same proportionate amount is also given to other shift employees who do not work on a holiday. While extra compensation for holiday work is not mandated by Federal law, employees have questioned the fairness of the policy. The County Manager has conferred with the Sheriff, Board Chair and County Attorney about the issue and has prepared five options for consideration to amend the Personnel Policy.

Chairwoman Spencer stated that changes would affect the budget and would not be implemented until the FY2012-2013 Budget was approved.

Sheriff David Mason reported that a majority of the Sheriff Department employees agree with amending the holiday shift work policy.

Commissioner Tunnell moved to approve amending Article VII: Holidays and Leaves of Absence; Section 3: “Holidays: Effect on Other Types of Leave” as follows: *Employees required to perform work on regularly scheduled holidays shall receive eight (8) hours of sick leave for the holiday.* Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

### **Contract With NC DOT for Use of Hyde County Debris Sites**

Corrinne Gibbs, Finance Officer, reported that the Department of Transportation used Hyde County’s debris collection sites after Hurricane Irene. In order to compensate the County, who will in turn have to reimburse our debris management contracting company for removal, the County Manager signed the NC DOT Maintenance Debris Disposal Agreement.

Commissioner Styron stated that the agreement needs to be in place before the next disaster occurs.

Commissioner Styron moved to accept the NC DOT Maintenance Debris Disposal Agreement. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

### **Selection of Hazard Mitigation Services Provider**

Alice Keeney, County Planner/Developer, reported that in order to apply for hazard mitigation and disaster recovery funds which may become available in the future, Hyde County has implemented a procurement process for a firm to perform services as may be needed to plan, administer, inspect and oversee such projects. Professional Services Proposals were received from CJ Construction Management, LLC; Government Services; THC, Inc. and Holland Consulting Planners, Inc. After rating the proposals, Holland Consulting Planners, Inc. (HCP) was selected.

Ms. Keeney stated that not-to-exceed fees for management of any funded projects will be negotiated with HCP by the County Manager and County Planner based on administration and service delivery funds available for each specific project. She also reported that no grant funds are available at this time.

Commissioner Styron moved to approve Holland Consulting Planners, Inc. to administer disaster recovery grant programs planning and management services for CJ Hyde County FY11 Hurricane Irene Hazard Mitigation Assistance Program (HMA) when grant funding is available. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

### **Hurricane Irene Update**

Corrinne Gibbs, Finance Officer, presented update on the current status of Hurricane Irene recovery efforts and financial requirements. The total amount submitted to FEMA not funded equals \$4,167,971.66. Hyde County has received \$40,459.96 from FEMA for the vector control project and \$9,707.04 for the Sheriff Department FEMA Contract. Ms. Gibbs reported that she has appealed two projects that were denied by FEMA. The total amount received from insurance equals \$266,972.77.

Finance Officer Gibbs, EM Director Justin Gibbs, Utilities Director Clint Berry and Commissioners Spencer and Byrd will meet with FEMA representatives on Thursday, January 26, 2012 to negotiate project funding.

### **Public Transportation Program Resolution**

Beverly Paul, Director, Hyde Transit, presented application for the 5310-Elderly & Disabled Program Grant. The grant is administered through the Health Department and will provide funds for the special transportation needs of elderly citizens as well as to transport those who need transportation in order to work.

Wesley Smith, Health Director, has reviewed and approves of the 5310-Elderly & Disabled Program Grant.

Commissioner Tunnell moved to accept the 5310-Elderly & Disable Program Grant and to approve the Public Transportation Program Resolution. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

### **Appointments:**

#### **Hyde County ABC Board**

Appointment to the ABC Board was held over to the next regular Board of Commissioners meeting on February 6, 2012.

#### **Ocracoke Community Center Board**

Commissioner Darlene Styron recommended appointment of Barbara Gimeson, Margareta Gonzales, Jim Pearson and Katherine Parker-Lowe to the Ocracoke Community Center Board. Ms. Styron reported that one vacancy remains.

Commissioner Byrd moved to approve appointment of Barbara Gimeson, Margareta Gonzales, Jim Pearson and Katherine Parker-Lowe to the Ocracoke Community Center Board. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

#### **Ocracoke Recreation Advisory Committee**

Appointment to the Ocracoke Recreation Advisory Committee was held over to the next regular Board of Commissioners meeting on February 6, 2012.

#### **Mid-East Regional Housing Authority Board of Directors**

Chairwoman Spencer reported that Commissioner Tunnell was appointed in December to fill the unexpired term of Tom Davis on the Mid-East Regional Housing Authority Board of Directors. The term has now expired and Mr. Tunnell has indicated a willingness to continue serving on the Board.

Commissioner Byrd moved to appoint Commissioner Dick Tunnell to the Mid-East Regional Housing Authority Board of Directors. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

#### **Ocracoke Board of Adjustments**

Commissioner Styron reported that Mr. Rufus Keel's alternate term on the Ocracoke Board of Adjustments expired June, 2011. Mr. Keel has indicated a willingness to continue on the Board.

Commissioner Styron moved to appoint Rufus Keel to the Ocracoke Board of Adjustment for a term ending in June 2013. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent – Swindell

Chairwoman Spencer thanked Deputy Clerk Lois Stotesberry for compiling a draft manual of Hyde County Boards and Committees.

#### **Budgetary Matters:**

**Administration;** request to set up a contingency fund was held over to the next regular Board of Commissioners meeting on February 6, 2012.

**Administration - \$1,800.00;** funds transferred from Planning Department Travel line to Engelhard Rest Area Lease line to pay for the Engelhard Development Corporation annual lease for the rest area

property. At its regularly scheduled meeting on May 2, 2011 the Board approved to pay the \$1,800.00 lease and to incorporate it into the FY2011-2012 Budget.

**Utilities - \$4,000.00;** transferring funds from Vehicle and Building Maintenance line to Capital Improvement line for roof replacement for the Fairfield Water Treatment and Water Building. Does not increase the budget.

**Solid Waste - \$68,874.26;** funds transferred from Solid Waste Availability Fee line to Postage, Site Improvements Ocracoke, Office Supplies and Mainland Contract Waste due to extending curbside collection for three months. Does increase the budget but will offset itself.

**Solid Waste - \$347,625.00;** funds transferred from Solid Waste Curbside Residential Ocracoke, Dumpster Tipping Fee, Solid Waste Large Business Ocracoke, Solid Waste Curbside Business Ocracoke and Solid Waste Curbside Business Mainland to Solid Waste Availability Fee line to consolidate solid waste revenue lines. Does increase the budget for Solid Waste.

Commissioner Byrd moved to approve the Administration, Utilities and Solid Waste budget transfers. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Spencer, Styron, Swindell and Tunnell

Nays – None

Absent – Byrd

#### **County Commissioners Reports:**

**Commissioner Styron** – reported that she attended the Ocracoke Civic & Business Association meeting. A recap on the National Park Service (NPS) beach driving fee was presented and discussion was held on proposed ferry toll increases. She attended the Hyde County ABC Board meeting and reports that issues of concern are being addressed. She also attended the Standing Water/Water Quality meeting and reports that grant funding for the projects is needed.

**Commissioner Byrd** – No report.

**Commissioner Tunnell** – Stated that he is interested in the standing water concerns on Ocracoke.

**Commissioner Spencer** – attended the Engelhard Sanitary District meeting and reports that regularly scheduled meetings will be conducted. She stated that ethics and policy training for County board and committee members needs to be done. Ms. Spencer estimates an unbudgeted expense of \$38,000 if County vehicles are charged a toll to travel to Ocracoke. Commissioner Byrd and Commissioner Tunnell will meet with Jed Dixon and Harold Thomas, NC DOT Ferry Division and Paul Morris NC DOT Secretary of Transportation on Thursday, January 19, 2012, to discuss ferry toll options.

#### **County Manager's Report:**

Manager Smith will give report at the February 6, 2012 regularly scheduled commissioners meeting.

**Closed Session:** (none)

#### **Supplemental Information:**

##### **Department Reports**

Elections/Veterans Services

Finance Department

Health Department/Animal Control

Human Resources Department

Planning Department

Senior Center

Utilities Department

### **Other Information**

Annual Property Tax Listing Notice  
Letter of Support for Community Transformation Grant

### **Calendar Notes**

#### **January 2012**

01-08-2012 Commissioner Tunnell's Birthday  
01-16-2012 Martin Luther King Jr. Holiday, Offices Closed  
01-17-2012 Board of Commissioners Meeting – 6:00p.m.  
01-18-2012 Public Hearing on Ferry Tolls – Ocracoke School Gym – 7:00p.m.  
NC-20 Legislative Caucus – Legislative Office Bldg., Raleigh – 2:00p.m.  
01-19-2012 Southern Albemarle Association Meeting  
Ferry Officials Informal Meeting – Government Center, Swan Quarter  
Manager Smith's Birthday

#### **February, 2012**

02-06-2012 Board of Commissioners Meeting – 6:00p.m.  
02-10-2012 Commissioner Byrd's Birthday  
02-11-2012 Board of Commissioners Budget Retreat, Kill Devil Hills  
02-20-2012 Board of Commissioners Meeting – 6:00p.m.  
13th-29th Filing Period for Elections

### **Employment Anniversaries**

#### **January, 2012**

01-01-2012 Dennis Lanasa, EMS (2 years)  
01-03-2012 Mazie Smith, Administration (1 year)  
01-04-2012 Jeanette Daniels, EMS (1 year)  
01-04-2012 Gena Ortega, EMS (2 years)  
01-08-2012 Rita Clayton, Health Department (4 years)  
01-13-2012 Julia Brickhouse, Social Services (7 years)  
01-16-2012 Mac Gibbs, Cooperative Extension (23 years)  
01-17-2012 Joey Williams, Sheriff's Department (1 year)  
01-24-2012 Colman Boyd, Sheriff's Department (1 year)  
01-31-2012 Guire Cahoon, Sheriff's Department (5 years)

#### **February, 2012**

02-01-2012 Leah Gibbs, Senior Center (4 years)  
02-07-2012 Matthew Sitterson, Sheriff's Department (1 year)  
02-11-2012 Pamela Midgette, Social Services (14 years)  
02-16-2012 Bob Thomas, Water Department (25 years)  
02-17-2012 Phyllis Sawyer, Home Health (1 year)  
02-18-2012 Anna Wilson, EMS (1 year)  
02-19-2012 Angie Crets, Health Department (11 years)

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

Ayes – Byrd, Spencer, Styron and Tunnell

Nays – None

Absent - Swindell

The meeting adjourned at 8:20 P.M.

Respectfully submitted:

Minutes approved on the 6th day of February, 2012.

  
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Lois Stotesberry, Deputy Clerk  
Hyde County Board of Commissioners



  
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Sharon Spencer, Chair  
Hyde County Board of Commissioners

Attachments: (none)