

Minutes

**Board of County Commissioners
Hyde County
April 18, 2011**

Chairman Sharon Spencer called the Meeting of the Hyde County Board of Commissioners to order at 6:00 PM on Monday, April 18, 2011 in the Hyde County Government Center, Multi-Use Room and the Ocracoke School Commons Area using electronic conferencing equipment. The following members were present on the mainland: Commissioners Anson Byrd, Sharon Spencer, Barry Swindell and Dick Tunnell; County Manager, Mazie Smith; Deputy Clerk to the Board Shelley Carawan; County Attorney Fred Holscher; and members of the public. The following members were present on Ocracoke: Commissioners Darlene Styron; Deputy Clerk, Jamie Tunnell and members of the public.

Following the opening prayer given by Commissioner Tunnell and the Pledge of Allegiance, the meeting was called to order.

Consideration of the Agenda:

Chairman Spencer asked for any changes to the April 18, 2011 meeting agenda as presented by the Clerk.

Commissioner Styron requested that the following item be removed from the agenda:
Item VI. C. ABC Board Report

Chairman Spencer requested that the following item be added to the agenda:
Item III. B. Reappointment of ABC Board

Commissioner Swindell made a motion to approve the agenda as amended.

Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Consideration of Minutes:

Chairman Spencer asked for approval of the April 4, 2011 regular meeting minutes. She noted an error on page four of the draft minutes, and suggested the line should

read: "She said the County has 20 participants this year, and it generally takes about \$250 to cover these expenses."

Commissioner Styron moved to approve the April 4, 2011 regular minutes as presented by the Clerk. Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Consideration of the Special Meeting Minutes:

Chairman Spencer asked for approval of the March 30, 2011 Special Meeting Minutes.

Commissioner Swindell moved to approve the March 30, 2011 Special Meeting Minutes as presented by the Clerk. Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Consideration of the Board Retreat Minutes

Chairman Spencer asked for approval of the April 2, 2011 Board Retreat Minutes. Commissioner Tunnell made a motion to approve the Board Retreat Minutes as presented. Ms. Styron seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Special Presentation

Hyde County Board of Education

Randolph Latimore, Superintendent and James Agar, Finance Officer with Hyde County Schools presented to the Board the budget for the upcoming school year. Dr. Latimore said a 10% reduction had been considered in the construction of the budget as requested by Manager Smith, however the increase shown is approximately \$262,359 more than last year's budget. He explained that this is because American Reinvestment Recovery Act dollars that have been received the past two years will not be available in the upcoming school year. He noted those additional dollars had

been used to fund five positions, and for those positions to remain, the Board of Education would require additional funding.

Manager Smith addressed her concerns with the utility bills in the amount of \$247,658 and asked if there were any conservation practices being enforced. Dr. Latimore replied that the high utility bills are due to the HVAC systems running constantly to prevent moisture problems. He is hoping the new building will help reduce bills.

Commissioner Styron questioned the \$75,000 used for legal services and the \$17,800 used for the annual audit. Dr. Latimore explained that the legal fees are for two attorneys and the audit fee was based on the previous year's cost.

Manager Smith expressed her concern for the lack of detail provided with the budget request, noting that "this was the least detailed school budget request she had ever seen." She added that it left her with many questions.

Dr. Latimore told the Board that he followed the format from the previous year's budget and the Board of Education could certainly provide more detailed information. Manager Smith asked Finance Officer Jessica Gibbs if a budget packet had been provided to the Dr. Latimore and she replied they were not sent one because that had not been the procedure in the past. Chairman Spencer confirmed that the Board would like more detailed information and it was our mistake for not providing a budget packet. She assured them that one would be provided.

Historic 1854 Courthouse-Mack McLawhorn

Mack McLawhorn, Engelhard, presented to the Board a booklet on the 1854 Historic Courthouse. He explained his curiosity with the Judges and Justices of Peace who served in the Courthouse. Mr. McLawhorn has researched the previous 100 years of Court minutes and discovered that the first Court was held in 1838 by Judge Tooley. He also discovered that the Justices were wealthy. Mr. McLawhorn asked that any information about the Courthouse be forwarded to him for collection. He noted that Margie Brooks handles the website for their group, and suggested those interested should visit the site at: www.hyde1854courthouse.org

Chairman Spencer asked Mr. McLawhorn if he knew the ranking of the Historic Courthouse. He replied that the Courthouse ranks eighth in the State of North Carolina. He added that the other Courthouses have been made into museums, churches, libraries, residences, and that the Friends of the 1854 Courthouse are still working on their suggestions for uses for the Hyde County facility.

On a final note, Mr. McLawhorn stated that the actual date of the Courthouse is 1838 and not 1854. And his research had shown that Hyde County was ranked as one of the richest Counties in North Carolina by Union soldiers during the Civil War mainly

because of the availability of food. He stated that the Historic Courthouse was definitely worth saving.

Public Comments:

Chairman Spencer called for comments from the public.

Mack McLawhorn, Engelhard, asked how he could get a booklet to Commissioner Styron on Ocracoke.

Appointments

Reappointment for Hyde County Health Board-Wesley Smith

Wes Smith, Hyde County Health Department, requested that the Board approve the reappointment of T. Homer Robbins, Willie Gray Shaw and Kathy Spencer to their respective third, three year term of office on the Hyde County Board of Health to expire in March of 2014.

Commissioner Swindell made a motion to reappoint T. Homer Robbins, Willie Gray Shaw and Kathy Spencer to their respective third, three year term of office on the Hyde County Board of Health to expire in March of 2014. Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Appointment of ABC Board

Manager Smith revealed that the terms of the existing ABC Board had expired.

Commissioner Styron commented that the ABC Board needs new members to give it a good shot to determine the fate of the store and that a five member board would be preferred.

Chairman Spencer expressed the need for members who have time to participate and can meet the challenges involved.

Commissioner Swindell made a motion to table the appointment of nominees until the next meeting, choosing either a three or five member board. Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Chairman Spencer made a motion to appoint a five member Board. Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Resolutions and Ordinances

Resolution in Support of a No Wake Zone-NC Wildlife Commission

Deb Pierce, U.S. Fish and Wildlife Service Refuge Manager, presented to the Board, a resolution in support of a no wake zone in Central, East Main and West Main canals on Mattamuskeet Lake, Hyde County to include five buoys, two in Central Canal, two in West Canal and one in East Main Canal.

Chairman Spencer asked if a public hearing needed to be held, and Manager Smith stated that it did. She stated she would put it on the agenda for the next Commissioners meeting.

Commissioner Swindell made a motion to support a No Wake Zone Resolution for Central, East Main and West Main canals on Mattamuskeet Lake, Hyde County. Mr. Tunnell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Resolution in Support of Making North Carolina a Healthier State-Elizabeth Mumm

Elizabeth Mumm, Hyde County Public Health Educator II, presented to the Board a “Resolution in Support of Making North Carolina a Healthier State” as a commitment to promoting individual and organizational change. She explained that the Division of Public Health is partnering with health and community leaders to attain significant and measurable health improvements for all North Carolinians. She said that currently North Carolina ranks 35th in the U.S. in terms of overall health.

Commissioner Tunnell made a motion to approve a Resolution in Support of Making North Carolina a Healthier State. Mr. Tunnell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Stewardship Week Proclamation-Debbie Cahoon

Debbie Cahoon, Soil and Water Conservation Service Director, requested that the Board proclaim April 24th-May 1st, 2011 as Stewardship Week in Hyde County. Mrs. Cahoon stated that the National Association of Conservation Districts has sponsored a

national program to encourage Americans to focus on stewardship for the past 50 years. The theme for this year is “Forests for People-More Than You Can Imagine.”

Commissioner Tunnell made a motion to proclaim April 24th-May 1st, 2011 as Stewardship Week in Hyde County.

Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Other Matters

Budget Revisions

Maintenance---\$12,000.00---To cover routine unexpected maintenance and repairs such as the water leak under the concrete at the Davis School. This **does not increase budget.**

Home Health---\$2,000.00---Transferring funds to assure sufficient funds to cover monthly support for Home Health billing software and advertising for a Chore Worker on Ocracoke Island. This **does not increase the budget.**

Health/Bioterrorism---\$8,000.00---Transferring funds to cover the purchase of additional H1N1 immunization supplies in case of pandemic event. This **does not increase the budget.**

Commissioner Byrd questioned the \$12,000 revision for the Maintenance department for a leak at the Davis School building and asked if they had a maintenance budget for the facility.

Clint Berry, Utilities Director, answered that the \$12,000 wasn't entirely used for a water leak at the Davis School building, the leak was approximately \$5,000 but unexpected expenses such as these do occur and have been absorbed in his budget.

Alice Keeney, County Planner, explained that the Davis School building houses Davis Ventures, the EDC, Headstart and the CDC. The rent paid is a \$1 annually and the maintenance budget is very minimal as well.

Commissioner Swindell made a motion to approve the budget revisions.

Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Hyde Away Shores Property Discussion-Steve Carawan

Steve Carawan, Real Estate Broker, thanked the Board for allowing him to speak and explained that he was not representing any property owners of Hyde Away Shores or being paid to speak about the property. He explained that the Hyde Away Shores property was an idea developed by the Chess and Gaines group. It consisted of waterfront lots priced at about \$200k and back lots priced at about \$60k. The idea was for a road system to be put in after the development of the subdivision and a bond to be issued in case the developers failed to finish the development, protecting the property owners allowing them to follow through with the road. He added that he had sold four of the waterfront lots and his buyers had contacted him about the road not being finished. He asked the Board what the current status of the road was and wanted to know where he should direct people.

Fred Holscher, County Attorney, answered that this issue reverts back to 2005. He stated he has sent a letter asking for definite information about the bond and has spoken with the lawyer representing the property owners.

Mr. Carawan thanked the board for the opportunity to speak and appreciates the efforts being done.

Personnel Policy Update-Corrinne Gibbs

Corrinne Gibbs, Human Resources Director, presented to the Board an internet usage policy as requested.

Chairman Spencer said it was good and can be useful but she felt it needed to be more specific by adding that social media and networking is prohibited unless for official Hyde County business.

Mr. Holscher commented that it was pretty good.

Manager Smith said that several of the Department supervisors had asked for a policy to be adopted to support their efforts to address the situation with their employees.

Chairman Spencer asked that the policy be revised to include specifics about hours of usage related to internet use and disciplinary action for violations to the policy. Manager Smith confirmed she would assist Mrs. Gibbs with the revisions.

Addendum #1-Private Childhood Vaccine-Wesley Smith

Wesley Smith, Health Director, requested that the Board review and approve an Addendum to the Health Department's Fee Schedule for Fiscal Year 2010-2011 that

became effective January 1, 2011. The addendum lists charges for vaccines that had previously been provided by the State at no cost. Wes explained that those who had health insurance could file the costs of the vaccinations with their providers, and those who had no insurance or were under-insured could receive vaccinations on a sliding scale at reduced or no cost.

Commissioner Tunnell made a motion to approve Addendum #1 regarding Private Childhood Vaccines.

Mr. Swindell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Approval of NCDENR WAMI Grant Contract-Kris Noble

Kris Noble, Grants Technician, presented Grant Contract No. 3738 between the North Carolina Department of Environment and Natural Resources and the County of Hyde for the Waterfront Access Marine Industry Project 2010 titled "185 Landing Road Design and Predevelopment Project". Ms. Noble requested that the Board authorize the Chairman to execute said grant which authorizes staff to begin administration of the grant.

Commissioner Byrd made a motion to authorize the Chairman to execute Grant Contract No. 3738 and authorize staff to begin administration of the grant.

Mr. Tunnell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Mowing Bid-Clint Berry

Chairman Spencer recused herself from the discussion of bids accepted for mowing County property. Commissioner Swindell made a motion to excuse Chairman Spencer from the discussion of mowing bids. Mr. Tunnell seconded the motion.

Ayes: Byrd, Styron, Swindell, Tunnell

Nays: None

Clint Berry, Utilities Director, explained that due to the Reduction In Force last year, his employees had taken over mowing duties last year but it had made it difficult to handle other responsibilities. At Manager Smith's direction, he had requested and received bids from contractors to provide the service instead. He requested that the Board approve a contract with Kane Cox, the lowest bidder, to mow seven yards for the County.

Commissioner Swindell made a motion to award the mowing bid to Kane Cox to mow seven yards for the County. Mr. Byrd seconded the motion.

Ayes: Byrd, Styron, Swindell, Tunnell

Nays: None

Chairman Spencer returned to the meeting.

County Manager Smith requested that an audience member be permitted to make a presentation to the Board.

Bob Jones, Eastern Carolina Vocational Center, presented the Board with a certificate of appreciation for our recycling efforts and creating jobs for the disabled. Chairman Spencer thanked Mr. Jones for the gift.

Department Specific Standard Operation Guidelines

In abstentia, Emergency Services Director Jared Holz requested that Board approve the new EMS Standard Operation Guidelines that had been asked to review at the previous meeting.

Commissioner Byrd made a motion to approve the Standard Operation Guidelines.

Mr. Tunnell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Commissioner Reports

Commissioner Styron reported that she participated in the disaster supply distribution exercise and enjoyed riding in the helicopter. She also reported she attended the 4th of July Committee meeting on the island and said there was a glitch with the barge for the fireworks but that the committee is working on it. She also reported that she attended a meeting regarding the ferry tolls. She announced a

survey group will be on Ocracoke on Wednesday from 10am-3pm and on Hatteras on Thursday to gather input about ferry tolls. She closed by saying she felt the decision made by the Board regarding the school gym construction had been misrepresented because she does support the building the gym and the school.

Commissioner Swindell said that he didn't participate in the hurricane drill because he was at the hospital for the birth of his grandson.

Commissioner Tunnell reported he did participate in the drill and also had attended the Chamber of Commerce Banquet in Belhaven.

Commissioner Byrd stated he was also unable to participate in the hurricane drill but appreciated Mr. Holz organizing it. He mentioned that he felt we should schedule a public hearing to gather input on hunting regulations for duck blinds on open water. Manager Smith stated she would do that.

Commissioner Spencer reported that she participated in the hurricane drill and commented on how well everything was coordinated. She especially thanked the Volunteer firefighters who participated. She announced that General Assembly Day is May 25th and encouraged the Board to attend because our legislators need to be contacted now.

County Manager's Report

Manager Smith attended the STEM Fair (Science, Technology, Engineering and Math) on Ocracoke and said she was very impressed with the children and their knowledge of their projects. She also reported that she attended the mainland Airport Advisory Committee Meeting, and stated that she and committee member Ken Collier had met with Division of Aviation personnel in Raleigh regarding the feasibility study done by Cahoon and Kasten Architects. Mrs. Smith also extended her thoughts and prayers to Bertie County and reported she had volunteered manpower from Hyde County if needed to support their recovery efforts from the tornadoes. She thanked the Department of Transportation for their quick work cleaning up storm debris in Hyde County. Manager Smith also reported she had met with Margie Brooks and Michael Adams at Davis Ventures and toured the facility. She expressed her appreciation for their work in the community. She said budget meetings had been held with department heads and work was continuing on the process. She ended by thanking the Cooperative Extension staff for the meal they had prepared for the Board and Board of Education.

Chairman Spencer commented that Angela Harne, Editor for the Beaufort Hyde News, was changing jobs and she wished her well and thanked her for publicizing the activities of Hyde county. Ms. Harne introduced her replacement, Barry Ward from Bertie County. Mr. Ward was welcomed by all.

Manager Smith requested that a work session be held with the Board and Clint Berry to discuss Solid Waste budget.

Monthly Reports

Finance

Jessica Gibbs, Finance Officer, informed the Board that all departments have been asked to slow down spending and that they had cooperated. She also said that she is working on the Energy Efficiency Grant, and the improvements made through the grant should save the County approximately \$69,483 a year in utility bills once everything was in place.

It was asked how many funds are currently in the Occupancy Tax fund. Mrs. Gibbs reported there is \$762,000 invested, and that between \$400,000 and \$500,000 was earmarked for the Ocracoke Volunteer Fire Department.

Safety Committee

Jessica Gibbs, Chairman of the County Safety Committee, informed the Board that Workers Compensation claims had decreased significantly since the Safety committee was formed. Manager Smith commended the committee for their work and praised all the County employees who were working diligently to save money.

Commissioner Swindell made a motion to change the May 2, 2011 meeting time to 7:30 p.m. in for the Board to have a question and answer session prior to the regular agenda with Utilities Director Berry and County Manager Smith . Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Commissioner Byrd made a motion to adjourn the April 18, 2011, Joint Meeting of the Hyde County Commissioners and Hyde County Board of Education.

Commissioner Styron seconded the motion.

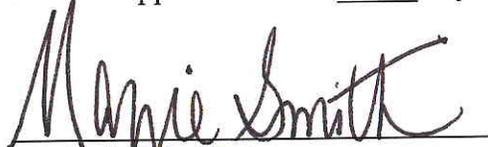
Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

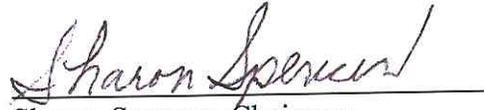
The April 18, 2011 Regular Meeting of the Hyde County Board of Commissioners adjourned at 8:55 PM.

Respectfully submitted:

Minutes approved on the 2nd day of May, 2011



Mazie Smith, Clerk



Sharon Spencer, Chairman