

## Minutes

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

**April 19, 2010**

Chairman Tom Davis called the Regular meeting of the Hyde County Board of Commissioners to order at 7:00 PM on Monday, April 19, 2010 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, Ken Collier, Tom Davis, and Sharon Spencer; County Attorney Sid Hassell; County Manager Carl Classen; Clerk to the Board Lois Stotesberry; and members of the public. The following members were present on Ocracoke: Commissioner Gene Ballance; Deputy Clerk to the Board Jamie Tunnell; and, members of the public.

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

#### **Agenda:**

Chairman Davis asked for any changes to the April 19, 2010 meeting Agenda as presented by the Clerk.

Commissioner Ballance moved to approve the agenda as presented by the Clerk. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, Davis, and Spencer; Nays – None; Absent or Not Voting – None.

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

Chairman Davis asked for approval of meeting minutes.

Hearing no objection, Chairman Davis directed that April 5, 2010 Commissioners Regular Meeting Minutes and the April 12, 2010 Commissioners Special Joint ABC Board and Hyde County Board of Commissioners Meeting Minutes be held over to the May 3, 2010 Commissioners Meeting.

#### **Special Presentations:**

##### **Employee Honors – Years of Service Pins**

Ms. LaDonna N. Spencer, Utilities Department, was awarded pin and certificate of congratulation for five years of service to the County.

##### **School Improvements Project Update – Superintendent Gregg Todd**

Per a request at the April 5 Commissioners meeting, Superintendent Todd briefed the Commissioners on changes in the School Improvement Project coming out of negotiations with the Contractor. Mr. Todd will resubmit bid data at the May 17 Board of Commissioners meeting and asked that bond sales be held until June.

##### **ORV Draft Environmental Impact Statement**

Per a request by Chairman Davis, Gary Gross of the Dare County Public Information Office, gave presentation on the ORV Draft Environmental Impact Statement (DEIS). Mr. Gross presented DEIS Analysis for Dare and Hyde County and encouraged Commissioners and citizens to attend the scheduled ORV DEIS discussion meetings and to give their comment.

##### **East Carolina University Community Partner 2009-2011**

Hyde County has received a plaque of appreciation for its work under the CDBG-TEDG grant.

The Talent Enhancement Demonstration Grants Program is a pilot targeting eastern local units of government to enhance the capacity to develop strategic and competitive CDBG proposals and grant administration. The aspects of enhancement include economic impact analyses, community survey research and design, grant administration and writing, and feasibility study preparation. This pilot program represents a partnership with East Carolina University's Office of Engagement, Innovation, and Economic Development.

Talent Enhancement Demonstration Grants program is funded through the Community Development Block Grant (CDBG) in the amount of \$600,000 and has been awarded through a first come, first serve competitive process. 2009 Talent Enhancement Demonstration Grants Recipients include the town of Aurora, Beaufort, Edgecombe, Jones, Lenoir, Pamlico, Pitt, and Hyde Counties.

Participants completed course work at East Carolina University from September 2009 through April 2010. Kris Noble received a Certificate of Recognition of Successful Completion of the ECU Grants Management and Administration Course as part of the ECU/NC Commerce Talent Enhancement Demonstration Program at an awards ceremony held at East Carolina University on April 8, 2010. Kris Noble also accepted on behalf of the Hyde County Board of Commissioners a plaque naming Hyde County a 2009-2011 Community Partner with East Carolina University for Participation in the ECU/NC Commerce Talent Enhancement Demonstration Program. Kris Noble, Grant Technician, presented the plaque to the Board of Commissioners.

#### **Hyde County Public Arts Project – Alison Ellis**

Alison Ellis, Hyde County Arts Committee Representative, and Mattamuskeet School art students Abby Anderson and Kioni Montez presented a description of the artwork to adorn the entrance of the Government Center. The stained glass art project is funded by the Beaufort/Hyde Arts Council.

#### **Albemarle Commission – Annual Report – Bert Banks**

Bert Banks, Executive Director, Albemarle Commission, presented “2008-2009 Annual Report”.

Darlene Harrell, Director, Area Agency on Aging (AAA) Senior Nutrition Program, reported that Sue O’Neal has served meals on Ocracoke for many years and is now retiring.

Mr. Banks and Ms. Harrell will give presentation on the need to continue the nutrition site on Ocracoke Island and a possible new site in Fairfield along with associated costs for both at the May 3 Board meeting.

#### **ECBH – Medicaid Waiver Application**

Mike Kupecki, Director of East Carolina Behavioral Health (ECBH) and Cindy Ehlers, MS, LPC, Assistant Area Director presented the NC Division of Medical Assistance and Mental Health, Developmental Disabilities and Substance Abuse Services **State CFAC Presentation 1915 b/c Waiver Entity Project – January 14, 2010** and a draft letter of support of ECBH applying to operate the Medicaid funded behavioral health services for Hyde County.

Previously, ECBH was advised that the application was due in late March, the application is now due in late April. All AMHC/ECBH counties must approve the waiver for the application to be submitted.

Commissioner Ballance moved to approve the Medicaid Waiver Application by ECBH. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, Davis, and Spencer; Nays – None; Absent or Not Voting – None.

#### **Public Comments:**

Chairman Davis called for comments from the public.

George Chamberlin, Chairman, Ocracoke Airport Advisory Committee, presented issues report on the status of the airport complex at Ocracoke.

Commissioner Byrd moved to accept the Ocracoke Airport Advisory Committee report and to approve the nine point list of improvements recommended to enhance the safety and operational usefulness of the airport complex for the good of all the residents and visitors to Ocracoke. Mr. Ballance seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, Davis, and Spencer; Nays – None; Absent or Not Voting – None.

Ann Ehringhaus, Kay Hornung, Fred Westerveit, and Hank Howarth of Ocracoke, expressed concern about the Hyde County Noise Ordinance.

George Chamberlin, Ocracoke, discussed solid waste management for Ocracoke.

There being no further comment from the public, Chairman Davis continued the meeting.

#### **Appointments:**

#### **Hyde County Nursing Home Community Advisory Committee**

Hearing no objection, Chairman Davis directed appointment to the Hyde County Nursing Home Community Advisory Committee be held over to the May 3, 2010 Agenda.

**Ordinances and Resolutions:**

**Resolution Regarding the School Improvement Project - QSCB**

Bond Counsel, Mary Nash Rusher of Hunton and Williams, has prepared a resolution authorizing BB&T fifteen year, 1.67% financing either as a Qualified School Construction Bond (QSCB) or a Build America Bond (BAB). Presently, staff intends to utilize QSCB financing since it gives the County assurance of the rate over the term of the bond. Under BAB, the net interest rate is a function of the tax credit allowed and then reimbursement of the interest paid from the federal government. Staff is concerned that a future Congress may disallow or reduce reimbursement payments.

The School Improvement Project financing is scheduled for the May 4 Local Government Commission (LGC) agenda for approval with a May 11 target closing date for the financing (and construction contract execution immediately thereafter).

Commissioner Byrd moved to direct the County Manager to negotiate extension of financing terms with BB&T through June 8, 2010. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, Davis, and Spencer; Nays – None; Absent or Not Voting – None.

**Other Matters:**

**Budget Amendments**

County Manager Carl Classen reported to the Board that in accordance with the FY2009-10 Budget Ordinance several budget transfers were made administratively and he requested approval of the following:

**Sheriff's Department: \$8,200;** transferring funds to Equipment Miscellaneous Line from Group Insurance Line to replace outdated body armor for fourteen deputies. This transfer will not increase the overall budget for the Sheriff's Department.

Commissioner Byrd moved to approve Sheriff's Department (\$8,200) budget amendment as presented by County Manager Carl Classen. Mr. Collier seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, Davis, and Spencer; Nays – None; Absent or Not Voting – None.

Vice-chair Sharon Spencer asked for motion to excuse Chairman Davis.

Commissioner Collier moved to excuse Tom Davis from discussion on Tax Releases. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, and Spencer; Nays – None; Absent or Not Voting – Davis.

**Tax Releases**

Tax Administrator Linda Basnight requested release of incorrect tax charges.

<u>Year</u>	<u>Name</u>	<u>Amount</u>	<u>Reason</u>
2009	Carawan, Charles A. & Cory	\$ 719.13	Data Entry Error
<b>TOTAL</b>		<b>\$719.13</b>	

Commissioner Byrd moved to approve tax releases as presented by Tax Administrator Linda Basnight. Mr. Collier seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, and Spencer. Nays – None; Absent or Not Voting – Davis.

Mr. Davis returned.

**FY2009-10 Audit Contract – Andrew Harris, CPA**

County Manager Carl Classen presented the proposed FY2009-10 audit contract with Andrew Harris, CPA. This is the second year of the three-year agreement with Mr. Harris that was approved by the Board of Commissioners on May 4, 2009 and the contract proposal is in accordance with that agreement.

Commissioner Byrd moved to approve FY2009-10 audit contract with Andrew Harris, CPA. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, Davis, and Spencer. Nays – None; Absent or Not Voting – None.

### **9-1-1 Call-Taking Equipment – Larry Kirkpatrick**

This matter is carried over from the April 5 meeting when Commissioners asked the consultant, Larry Kirkpatrick, to meet with the Sheriff and Emergency Services Director, regarding the proposed Request for Proposals (RFP) and then report back to the Board of Commissioners.

The following is from the April 5 Agenda Summary Sheet on this matter:

*Last fall, the County was advised that portions of the 9-1-1 system were reaching their obsolescence. The County was given a \$90,000 quote for upgrades from Embarq (now CenturyLink). Both the Sheriff and the County Manager thought the estimate high but the State 9-1-1 Board offers no technical help in determining whether such estimates are reasonable. The Commissioners referred the matter to the Telecommunications Advisory Committee but that Committee has not met. In January 2010, the Sheriff, Emergency Services Director Mark O'Mara, and the County Manager met with Larry Kirkpatrick, the vendor who developed Hyde County's GIS and who was helping Gates and Tyrrell counties through their 9-1-1 system improvements. It was anticipated that Mr. Kirkpatrick would provide an RFP for an upgrade to Hyde County's 9-1-1 system but that did not occur due to an extended illness suffered by Mr. Kirkpatrick.*

*Staff is expecting to receive the proposed RFP before April 5 and Mr. Kirkpatrick will be in attendance to review the situation with the Commissioners. In recent months, a second vendor has entered the 9-1-1 market and this competition appears to be having an impact on pricing.*

*Staff is seeking authority to advertise the RFP and recommend a vendor to the Commissioners.*

Larry Kirkpatrick reported that utilizing the bid prepared for the Town of Rocky Mount who entered into contract with CenturyLink on August 26, 2009 would be the most cost effective option to obtain the new 9-1-1 call-taking equipment. Hyde County can waive the formal bid process when purchasing apparatus, supplies, materials, or equipment from any person or entity that has, within the past 12 months after having completed a public formal bid process substantially similar to that required in accordance with NCGS 143-129(g).

Commissioner Byrd authorized that the County Manager move forward "Piggy Back" and utilize the bid prepared by CenturyLink for the Town of Rocky Mount to purchase the new 9-1-1 call-taking equipment; and, if not accepted, to advertise the RFP and to review proposals with a committee consisting of the Sheriff, Emergency Services Director, and County Manager. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, Davis, and Spencer. Nays – None; Absent or Not Voting – None.

### **Selection of Consultant to Assist the Hyde County Staff with Preparation of an FY10 CDBG-SS Application and Manage the FY10 CDBG-SS Project**

Hyde County is required to submit a formal application for FY10 CDBG-Scattered Site Funds in June or July of this year. The county will receive \$400,000 in CDBG-SS funds once the application is completed and submitted to the Division of Community Assistance. (The County of Hyde has received three previous scattered site housing grants since the CDBG-SS geographic award system was established in 2001).

The Hyde County Staff does not yet have the resources to complete the outreach and housing assessment components of the application process or complete the application and required environmental review in the required time frame. The county will utilize some CDBG-TEDG funds allocated for staff time reimbursement to assist in the outreach and homeowner application review process and to complete some components of the application. However, the majority of the tasks required will require assistance by a consultant. The county completed a competitive negotiation process and after two solicitations, the county received only one proposal, from Holland Consulting Planners (HCP), the firm that successfully completed the County's three previous CDBG-SS programs. HCP also manages all housing assistance outreach efforts with the support of County staff and area non-profit agencies.

Specific tasks that HCP will complete under the terms of the contract for preparation of the FY10 CDBG-SS Application include preparation of an FY2010-SS Application to be submitted to the NC Division of Community Assistance by the approved deadline. Application preparation will include: (1) assistance with identification of households to be assisted, including preparation of list of approximately 30 households identified as priority CDBG applicants, preparation of application packages, review of applications, field assessments of priority units, and preparation of proposed beneficiary list (four units) for presentation to the Hyde County Board of Commissioners; (2) assistance with all DCA-required citizen participation activities (including attendance at two public hearings) for submittal of the CDBG Scattered Site application; (3) preparation of a Citizen Participation Plan, Housing Distribution Plan, Project Administration Plan, Community Development Plan, project budget, and all forms/documents required for submittal of a final scattered site application to DCA by the specified

application deadline date; (4) completion of environmental assessments of all four housing units and preparation of the Environmental Review at the Community Level in accordance with the requirements of G.S. 113-1, the North Carolina Environmental Policy Act of 1971; and (5) preparation of preliminary work write-up and cost estimate for one proposed rehabilitation (three replacement units are proposed).

This contract amount is reimbursable with CDBG-SS funds; no general fund outlay will be required. The contract award can be made in May once DCA has approved the award on a non-competitive basis. The County will negotiate a subsequent contract with HCP next fall when the CDBG-SS funds are available.

Commissioner Spencer moved to approve a not-to exceed contract of \$7,000 with Holland Consulting Planners, Inc to complete the required application with the assistance of county staff; and to authorize the Chairman to sign the non-competitive negotiation letter to NC Division of Community Assistance (DCA). Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, Davis, and Spencer. Nays – None; Absent or Not Voting – None.

#### **Domestic Violence/Sexual Assault Services**

On April 13, the team of Sheriff David Mason, Clerk of Court Sharon Sadler, Director of Social Services Gloria Spencer that has been reviewing domestic violence/sexual assault (DV/SA) services for Hyde County met and reviewed a suggestion from Social Services Department staff that Hyde County work with the group started by Dare County Hotline to establish a joint delivery system for DV/SA services in Hyde County and Tyrrell County. Social Services Department staff felt that the services being offered by Dare County Hotline were effective and they felt the organizational structure proposed by Hotline for Hyde/Tyrrell could provide for services -- directly or through contract -- that would maintain this effectiveness.

County Manager Carl Classen reported on the organizational chart that was prepared by Dare County Hotline of the new organization's functions and staffing. The team reviewed the plan and discussed accountability -- how to make sure that DV/SA resources intended for Hyde County actually reach Hyde County in coming years. The team feels that an independent non-profit agency joint with Tyrrell County with a board made up of 50% Hyde County representatives and including at least the Clerk of Court, Sheriff, one County Commissioner, and the Hyde County Director of Social Services, should provide this assurance.

The team (Sheriff David Mason, Clerk of Court Sharon Sadler, and Director of Social Services Gloria Spencer) has been meeting since fall 2009 on Domestic Violence/Sexual Assault Services in Hyde County.

Commissioner Spencer moved to send letters to Senator Basnight, Representative Spear, and the Tyrrell County Board of Commissioners thanking Dare County Hotline for its mentoring efforts through June 30, 2011; and, to endorse creation of a Tyrrell-Hyde domestic violence/sexual assault services non-profit organization by June 30, 2011 that has at least 50% Hyde County representatives on the non-profit's governing board that include but not limited to the Clerk of Court, Sheriff, one County Commissioner, and the Director of Social Services. Mr. Collier seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, Davis, and Spencer. Nays – None; Absent or Not Voting – None.

#### **Swan Quarter Dike Project – Phase 13 — Project Agreement**

The County Attorney has provided comments to the County Manager who has held numerous discussions with NRCS staff. Proposed language changes are now in final form.

The latest issue is that, since NRCS is issuing the construction contract and it contains the roadwork for which the County is responsible (as in all past phases), NRCS needs the County to put up the \$344,000 local share up-front so NRCS has adequate funding for the entire construction contract -- just as the County would need to have if it were letting the construction contract. The State's portion of that local share (1/2 from State Soil and Water; \$150,000 from NCDOT) will not be available for reimbursement to the County until the roadway work is completed. An alternative would be to peel out the roadwork portion of the Phase 13 construction contract and to have the County let only that portion of the work. The County Manager feels this would be inefficient, plus it would make the County responsible for administration (a major cost to meet ARRA funding rules) and coordination with the balance of the NRCS construction contract.

Commissioner Byrd moved to approve the revised Swan Quarter Dike Project – Phase 13 – Project Agreement; and, to authorize the Chairman to sign and execute necessary documents. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, Davis, and Spencer. Nays – None; Absent or Not Voting – None.

### **Swan Quarter Dike Project – Phase 13 - Inspections Agreement**

The County Manager is still awaiting language from NRCS. NRCS proposed to the County that the County hire/retain a project manager to oversee all of the Phase 13 construction rather than NRCS hiring one project manager through September 30 (end of current federal fiscal year) and then possibly another project manager for October 1 through completion.

Hearing no objection, Chairman Davis directed that this matter be held over to the May 3 Agenda.

### **Solid Waste Fees**

At the March 15 meeting, two Ocracoke residents spoke about problems with the fees for garbage collection; specifically related to being able to take trash to the convenience site. One of the speakers talked about a card that could be shown that allows a curbside customer to take trash in lieu of having it stay at their home or business.

County Manager Carl Classen reported that given recent findings that some staff were not implementing the program as approved last year, the County Manager has spoken with the Utilities Director about various solid waste collection issues. To follow-up on the March 15 suggestion, one idea is to allow curbside customers showing their utility bills to drop off 1-2 bags weekly at a convenience site. Another issue is how to stop garbage collection services from picking up at homes and businesses that don't pay for curbside collection. That could be resolved by the County providing solid waste containers; a common occurrence in many local governments with curbside collection. When a person stops paying for curbside service, they would lose the service because drivers would only pick up County-provided cans. Lastly, it has been suggested that Pay As You Throw (PAYT) be ended. Certainly, PAYT is administratively cumbersome and politically controversial. However, it is very popular among certain citizens.

Commissioner Collier moved to use a county-wide solid waste collection system with all paying a flat monthly fee: Ocracoke citizens \$35, Mainland citizens \$25; Ocracoke businesses \$50, Mainland businesses \$40; and, no convenience site charge county-wide, effective June 1, 2010 utility billings. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Byrd, Collier, and Spencer. Nays – Ballance and Davis; Absent or Not Voting – None.

### **ORV Draft Environmental Impact Statement**

On March 16, the Commissioners reviewed the just-released Off-Road Vehicle (ORV) Draft Environmental Impact Statement (EIS). Since that time, the United States Geologic Survey (USGS) has released *A Review and Synthesis of the Scientific Information Related to the Biology and Management of Species of Special Concern at Cape Hatteras National Seashore, North Carolina*. Release of the USGS report should not be construed as coincidental and many of its findings buttress findings made in the Draft EIS.

On March 19, Judge Boyle held one of a series of hearings on the 2008 Consent Decree. Notes by Cape Hatteras Alliance member Jim Lea were reviewed and Commissioners reviewed comments by Judge Boyle and the Southern Environmental Law Center (SELC) relating to the interveners – Dare and Hyde counties.

On April 5, Chairman Davis was asked to work with Dare County Commissioners Chairman Warren Judge on a joint policy position. Chairman Davis has spoken with Chairman Judge and asked that Gary Gross of the Dare County PIO Office give a presentation to the Hyde County Board of Commissioners similar to that which the Dare County Commissioners received, which was done earlier in this meeting.

Also, on April 14, the Ocracoke Civic and Business Association (OBA) had a special meeting discussing the ORV Draft Environmental Impact Statement. Commissioner Ballance reported on comments from that meeting.

Chairman Davis and Commissioner Ballance will meet in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Commons Area using electronic conferencing equipment to discuss and draft proposed comments to be sent on behalf of Hyde County.

### **Child Support Enforcement – Hyde-Tyrrell-Washington Joint Program - Contracts**

Contracts developed for implementing the joint Child Support Enforcement (CSE) program of Hyde, Tyrrell, and Washington counties were provided for review and comment to the County Attorney. The program would be operated by Washington County and include services for Hyde and Tyrrell counties. Those services are mandate by State law.

Commissioner Spencer moved to approve Joint Child Support Enforcement Program Contract; and, to authorize the Chairman to sign and execute necessary documents. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, Davis, and Spencer. Nays – None; Absent or Not Voting – None.

**County Commissioners Reports:**

**Commissioner Byrd** requested a breakdown of the April 5, 2010 Emergency Services budget amendment of \$365,625.77.

**Commissioner Spencer** also has questions about the ES budget amendment. Ms. Spencer attended the Albemarle Commission meeting; Health Fair for Pre-K and Kindergarten children, which she reports was very productive; and, the Engelhard Airport Project Update meeting, which she encourages citizens to attend.

**Commissioner Collier** also attended the Engelhard Airport Project Update meeting and gave progress report. Mr. Collier will propose three changes to the Hyde County Personnel Policy on May 3, which include (1) Article 5, Section 6 – Nepotism; (2) Requirements for Timesheets; and, (3) Efficiency Reporting.

**Commissioner Ballance** stated that citizens should remember that National Park Service (NPS) is doing its job, which is protecting the National Seashore.

**County Attorney Sid Hassell** reported that there is no delineation of business and residential districts on Ocracoke Island and therefore a model ordinance of the Town of Belhaven or the Town of Beaufort may not work on Ocracoke. Mr. Hassell recommended the purchase a decibel meter and testing for acceptable noise levels.

No other Board or Committee reports were offered so Chairman Davis continued with the Agenda.

**County Manager's Report:**

County Manager Carl Classen reported on various projects underway in the County and on other issues, including the following:

**Mainland Tourism Website:** Mr. Classen presented a revised proposal from Jonathon Clark. The revision follows a meeting Mr. Clark held with Mark Carawan, Diana Pugh, Glen Gibbs, and Sandra Tunnell to clarify what they felt was needed in a mainland tourism web site. Per the RFP, the agreement with Mr. Clark extends through and includes maintenance and updated through June 13, 2013. The revised proposal of \$9,950 is still within the budget for this project, which is paid for through Mainland Occupancy Tax Revenues.

Commissioner Collier moved to approve proposal from Jonathon Clark and authorize the County manager to execute a service contract purchase order for mainland website development and maintenance services through June 30, 2013. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, Davis, and Spencer. Nays – None; Absent or Not Voting – None.

**Hyde County Airport – Engelhard – Terminal Renovation Project:** Due to rain this winter/early spring causing a late start and very muddy conditions, the final completion date for the Terminal Renovation Project has now been pushed back to May 30. The roof repairs have been completed, most of the framing has been completed, the new well has been installed, and the new doors should be installed within a couple weeks. Another change order for plumbing/wiring the new well is expected, plus an in-house cost for installing a drainage line from the swale to the ditch are the only expected additional costs at this time. (An earlier change order for additional roof work was approved.) Despite these change orders, the project is expected to remain within the total \$148,000 budgeted. Mr. Classen reported that funding for this project must be expended by June 30, 2010.

**Hyde County ABC Board:** The County Manager gave an oral update on the status of the Hyde County ABC Board. Mr. Classen reported that the NC ABC Board has authorized purchases through Beaufort County.

**Mattamuskeet Lodge Sewer Project:** The County/Engelhard Sanitary District must utilize the first \$500,000 Rural Center grant by June 30, 2010 or is at severe risk for losing the grant. The engineers, Hobbs Upchurch, plan to utilize this funding in time to meet the deadline but in a workable manner given the pending USDA loan/grant package to change out the Engelhard wastewater treatment lagoon.

Other matters reported on include: (1) NCDOT will provide estimates for driveway repairs at the Davis Center in Engelhard, (2) airport lighting repairs were done earlier in the week and follow up is scheduled, (3) Legislative Outlook predicts a \$500,000 to \$600,000 deficit for North Carolina this fiscal year, (4) federal legislation on collective bargaining is near passing, (5) allotted NC transportation equity funding is not enough

to go around, and (6) consideration is underway to put 19 AMHC retirees under the NC Group Retirement System.

In response to Commissioner Colliers question about the State's Secondary Road Maintenance Plan, Mr. Classen reported that if North Carolina turns secondary road maintenance back over to the County property taxes would have to be raised approximately 15% to pay the associated costs.

**Closed Session**

Commissioner Byrd moved to enter closed session in accordance with NCGS 143-318.11(a)(3) – Consultation With Legal Counsel; and, NCGS 143-318.11(a)(6) – Personnel Matters. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, Davis, and Spencer; Nays – None; Absent or Not Voting – None.

The Commissioners entered closed session at 10:58 P.M.

Commissioner Byrd moved to return from Closed Session. Mr. Collier seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, Davis, and Spencer; Nays – None; Absent or Not Voting – None.

The Commissioners entered regular session at 11:15 P.M.

Commissioner Byrd moved to terminate employment of County Manager Carl Classen, effective immediately and to advertise the vacancy as soon as possible. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Byrd, Collier, and Spencer; Nays – Ballance and Davis; Absent or Not Voting – None.

Commissioner Byrd moved to adjourn the meeting. Mr. Collier seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Collier, Davis, and Spencer; Nays – None; Absent or Not Voting – None.

The meeting adjourned at 11:20 P.M.

Respectfully submitted:

Minutes approved on the 3<sup>rd</sup> day of May, 2010.

  
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Lois Stotesberry, Clerk - Hyde County Board of Commissioners

  
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Tom Davis, Chairman - Hyde County Board of Commissioners