

## Meeting Minutes

### Board of County Commissioners Hyde County

Monday, August 5, 2013

Chairman Barry Swindell called the Regular Meeting of the Hyde County Board of Commissioners to order on Monday, August 5, 2013, 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, Earl Pugh, Jr. and Barry Swindell; Attorney Fred Holscher; County Manager Bill Rich; Clerk to the Board Lois Stotesberry; and, members of the public.

The following members were present on Ocracoke: Commissioners John Fletcher and Dick Tunnell; Public Information Officer Sarah Johnson and members of the public.

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

#### Agenda:

Chairman Swindell asked for any changes to the August 5, 2013 meeting Agenda. Commissioner Byrd moved to approve the agenda as presented by the Clerk, with addition of Item 2 (c) – Appointment to the Swan Quarter Sanitary District Board. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### Consideration of Minutes:

Commissioner Tunnell moved to approve the July 1, 2013 Regular Meeting Minutes of the Hyde County Board of Commissioners as presented by the Clerk. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### Public Hearing:

##### CDBG-SS Closeout

Commissioner Pugh moved to open public hearing on close-out of FY2010 Community Development Block Grant (CDBG) Scattered Site (SS) grant. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

Chris Hilbert, Program Administrator, Holland Consulting Planners, reviewed the budget and activities that have been accomplished through the County's FY10 CDBG-SS grant. Mr. Hilbert reported program activities are complete and the county is in the process of closing out the program.

Commissioner Byrd moved to close public hearing on close-out of FY2010 Community Development Block Grant (CDBG) Scattered Site (SS) grant. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### Public Comments:

Chairman Swindell called for comments from the public.

1. Mark Carawan, Fairfield – Flew over Mattamuskeet Lake in a helicopter on Saturday – said there is very little aquatic vegetation left.
2. Sherry Carawan, Swan Quarter – Vice President of the Chamber of Commerce – With a new system in place now with new manager, Pete Campbell, she urged the Commissioners to hear all sides before addressing the resolution.
3. Bill Hendrix, Ponzer – Said he fishes the lake and it is the most pristine lake in the world. He does not understand why it is being drained. Asked to please put some water back in the lake.
4. Pete Campbell, Refuge Manager – Submitted three letters to the Commissioners and said the claims that Lake Mattamuskeet has been mismanaged are unfounded. He also made the following statements:
  - Resolution being presented at meeting has no founding documentation
  - Water levels fluctuate on a seasonal cycle
  - Never opened tide gates to make habitat for shore birds, and the salinity levels are normal
  - 2011 Surveys show a preponderance of vegetation
  - Has created a new investigation process to test lake water

He has met with NCWRC fisheries staff – working to develop water management plan to balance water levels. He wants to form a group to classify issues and to share information with citizens. He asked that the Board table their resolution until his documents are read and there has been a stakeholder meeting.

5. Blythe Davis, Swan Quarter – Said the drainage on the south side of the lake is farm run-off, not forced drainage. The farmers on the west side use pumps, and some organic matter flows through them into the lake. This organic matter brings phosphate and nitrogen. He feels that raising lake levels will flood yards and cause crop loss for the south lake farms.
6. Dale Morgan, Angier, NC – He fishes the lake and said in the last few years, water levels in the lake have been unusually low. He can't get his boat in now.

There being no further comments from the public, Chairman Swindell continued the meeting.

### **Items of Consideration:**

#### **Employee Recognition**

Justin Gibbs, Hyde County Emergency Services Director, graduated from the Community Preparedness and Disaster Management Certificate Program offered by the University of North Carolina at Chapel Hill – Gillings School of Global Public Health. Developed 10 years ago by one of the top departments of Health Policy and Management in the country, the CPDM certificate program has admitted over 300 students and has received high praise from professionals in the field.

The Community Preparedness and Disaster Management Certificate Program within the Department of Health Policy and Management in the Gillings School of Global Public Health at UNC-Chapel Hill is a professional certificate program to provide leaders in the public and private sector who deal with emergency management and disaster preparedness, response, recovery or mitigation. This program enhances the knowledge of professionals who must prepare and oversee systems used to keep America safe. The program's all-hazards approach includes natural and technological hazards; and terrorism.

The curriculum for the Community Preparedness and Disaster Management Certificate Program consisted of four courses, each taking 12 weeks to complete and comprising a total of 9 credit hours. The four academic courses cover a multitude of topics dealing with local, state and federal activities in planning for and analyzing disasters. The courses examine both the strengths and

weaknesses of systems and engage students' creative processes to facilitate the development and/or refinement of systems that will work in the community. The program also strives to create a common conceptual understanding of the issues facing disaster management in order to produce a more coordinated and synergistic regional response to events.

It is an honor to have Justin's qualifications behind our Emergency Management program.

Manager Rich also commended Jerry Hardison and Jane Hodges for their exemplary work. He received a letter from Jerry Harris, thanking Jerry Hardison for his diligent work during the construction of the new Hyde County Transit Facility

### **Resolutions:**

#### **Resolution In Opposition To Reclassifying NC Inland Coastal Waters**

Manager Rich reported that at its regularly scheduled meeting on July 1, 2013 the Hyde County Board of Commissioners was informed that the North Carolina Division of Marine Fisheries (NCDMF) had received a petition for rule making that requests NCDMF to make all Pamlico Sound waters a secondary nursery. The NCDMF's data does not support that designation but if passed it would effectively make it illegal to shrimp trawl any inside NC waters.

Commissioner Byrd moved to adopt "Resolution In Opposition To Reclassifying North Carolina Coastal Waters As Secondary Nursery Areas". Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

*Clerk's Note: A copy of "Resolution In Opposition To Reclassifying North Carolina Coastal Waters As Secondary Nursery Areas" is attached herewith as Exhibit A and incorporated herein by reference.*

#### **Resolution Concerning Mattamuskeet Lake**

Manager Rich reported that it has been brought to his and some of the Commissioners attention that the current water level being maintained at Lake Mattamuskeet may be causing significant degradation of wetlands and aquatic grass beds affecting wildfowl habitats and causing displacement of numerous wildfowl species including Osprey and Bald Eagle.

Commissioner Byrd has talked with Malory Martin with the WRC and said a couple of things need to be looked at. It seems that fishing is not close to what fishing used to be on the Lake. He supports maintaing lake water level and agrees there needs to be a committee to discuss the situation with Mr. Campbell.

Commissioner Fletcher said that Mr. Campbell is working on this and the issue needs to be tabled. Everyone needs to work together and re-write the resolution to benefit both sides.

Commissioner Pugh agreed with Mr. Fletcher that the we need to rethink the resolution and let Manager Rich meet with Mr. Campbell. Chairman Swindell agrees that we need to do something. Mr. Tunnell stated that we need to listen to both sides of the issue.

Commissioner Fletcher moved to table any decision being made for one month and directed Manager Rich to work with the Refuge Manager, Mr. Campbell, to find an agreeable solution for all. Commissioner Tunnell seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

#### **Appointment – Mainland Occupancy Tax Board**

Commissioner Swindell said he has not had enough time to make a decision on who should serve on the Mainland Occupancy Tax Board. No action was taken.

### **Appointment – Swan Quarter Sanitary District Board**

Commissioner Tunnell moved to appoint Seldon Taylor to serve on the Swan Quarter Sanitary District Board. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

### **Appointment – Hyde County ABC Board**

Commissioner Fletcher moved to appoint Jim Piland to serve on the Hyde County ABC Board. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

### **ABC Board Report**

Meredith Nicholson, ABC Board Member, presented report on the progress of the ABC Board and the FY2012-2013 ABC Board Audit. She also reported that they were still trying to resolve the pension fund with the State and the Accounts Payable discrepancies. Ms. Nicholson also announced that the ABC Board meetings will be held at 5:00 p.m. prior to each Hyde Board of Commissioners' meeting beginning in September.

Chairman Swindell directed the ABC Board to elect a Chairman and set terms. It was brought to his attention that the Commissioners were to appoint a Chairman and set the terms. He then moved to appoint Meredith Nicholson as Chairman of the ABC Board. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

Chairman Swindell directed that the term limits can be set by the Manager or Clerk by drawing names for terms. No motion was needed for this action.

### **Lakeview Road Request For Paving**

Deloris Midgett-Gibbs reported that residents of the Lakeview Road community are requesting assistance from the Hyde County Board of Commissioners to have Lakeview Road paved.

Mr. Jerry Jennings, PE, NCDOT Division Engineer reported (in a letter dated July 29, 2013) responding to Ms. Gibbs' petition to NCDOT requesting that Lakeview Road in Hyde County be paved. Mr. Jennings explained the road is not currently part of the State System and therefore the Department cannot perform any work on the road. In order to add the road to the State System, NC law and NCDOT policy requirements must be met. Lakeview Road is unpaved and does not meet minimum State requirements and therefore is not qualified for addition to the State System at this time.

The residents currently pay an annual road maintenance in which they want to give the \$2,500 back to the County for paving the road.

Commissioner Fletcher said the owners have to pay certain amount of the improvements to the road. Attorney Holscher will look into this.

Chairman Swindell said to reference the Jackson Circle road improvement project. Attorney Holscher inquired about the cost.

Chairman Swindell moved to table any recommendations and the costs of assessment and paving be reported at the September meeting. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

### **Speed Limit Reduction on Newlands Road**

Manager Rich reported that after two meetings with NCDOT (Anthony Roper), several phone calls with Malcolm Fearing, from Manteo, and a neighborhood drive through with Christian Gibbs and

Anthony Roper it has been agreed that the speed limit on Seth Road from the first residence to Newlands Road will be reduced to 45 MPH. Newlands Road will be reduced to 45 MPH in its entirety except from Piney Woods Road to the first house on Newlands Road. There also was a letter asking the NCDOT to further reduce the speed limit to 35 MPH. The NCDOT can only place children playing signs in subdivisions. No action was required.

### **Update on Public Safety Center**

Manager Rich reported a temporary Dispatcher's Unit has been secured for use at the Public Safety Center, environmental tests have been done and the building has been water tested. The tests show that the mold levels are at an acceptable level and they are looking for other possible causes of concern. The 9-1-1 funds will pay for a majority of the upfit of the trailers; one for Barbara Deese and one for the dispatchers. Both the Public Safety Center and Government Center have been water tested. The Public Safety Center is in good shape.

Robert Griffin, Dean Burbage and Clint Berry met with Manager Rich on Monday, June 10<sup>th</sup> to discuss Government Center roof repairs. Mr. Griffin, Dean Burbage, Kevin Burch from R.E.I., and Manager Rich also met on July 8, 2013 to discuss the roof repair project.

### **Architects Report – ECB, PSC and GC Buildings**

Robert Griffin, Architect, AIA with Griffin Architecture out of Greenville, NC presented renderings for the East Carolina Bank Building; and an update on necessary repairs to the Public Safety Center and Government Center. Mr. Griffin presented the new DSS plans and said the building is in very good shape. He has looked at the functionality for DSS and is proceeding in the most cost effective manner while addressing privacy issues for clients. The Deputy Sheriff will have a satellite office on the first floor. There is approximately 5,600 sq. ft. on each floor. Paul Lassiter had approved the plans doing minimal construction. The cost has not been determined at this time.

The Government Center was water tested on Thursday, August 1. They have isolated/identified some of the problems including internal gutters and a couple of window sills. A while back, there was some caulking of windows and weep holes. He saw some dampness but no evidence of mold.

The Public Service Center appears that the leaks on the roof have been controlled. There is some ponding at the back of the building. All-in-all, it's in pretty good shape. The air handling unit leaks are repaired.

Manager Rich stated that Clint Berry, Utilities Director, was involved and is aware of what has transpired.

### **Hazard Mitigation Grant Program (HMGP) Grant Agreement**

Chris Hilbert, Program Administrator, Holland Consulting Planners, reported that the scope of work for the current hazard mitigation project (4019 – HMGP) is the elevation of five residential structures which were damaged by Hurricane Irene. Many of the homes that Hyde County is proposing to elevate were built prior to the enforcement of the base flood levels as described in NFIP flood maps that were created in 1978.

Hyde County is seeking to assist these families by helping them eliminate the damages now caused by flooding events through elevation funded by the Hazard Mitigation Grant Program. This program will fund the project at 100% with no local match or homeowner contribution (no cost to the County). Hyde County is expecting to receive the HMGP Grant Agreement from the NC Division of Emergency management during the month of August 2013.

Commissioner Fletcher moved to authorize the Designated Agent, Kris Noble, Hyde County Planning and Economic Development Director, to execute the 4019 HMGP Grant Agreement upon receipt from the NC Division of Emergency Management. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

### **2012 County and DMV Tax Settlements**

Linda Basnight, Tax Administrator, submitted a report of settlement of the 2012 tax books recapitulated and the 2012 DMV taxes recapitulated. This report showed 95.81% of the real property taxes had been collected and 73% of DMV.

Commissioner Fletcher moved to approve the 2012 County Tax Settlement and the 2012 DMV Tax Settlement as presented by Tax Administrator Linda Basnight. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

### **Official Depository – Vantage South Bank**

Manager Rich reported since East Carolina Bank was sold to Vantage South Bank, the Hyde County Board of Commissioners must declare the Central Depository for the County. Under recommendation from UNC School of Government, this approval should be made retroactive to May 1, 2013.

Commissioner Fletcher moved to declare Vantage South Bank the Central Depository for Hyde County and to make the approval retroactive to May 1, 2013. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

### **Hyde County FY2011-2012 Audit Response**

Manager Rich reported that commissioners have received copy of the bound FY2011-2012 Hyde County Audit. This has only changed to reflect the addition of the ABC Audit and is now complete. Mr. Rich also presented a letter of comment from Sharon G. Edmundson, CPA, LGC, Director of Fiscal Management Section, concerning the audit along with his response. Mr. Fletcher questioned outstanding checks on the books that have not been cashed. Manager Rich will handle this. No action was taken.

### **Hyde County FY2012-2013 Audit Contract Award**

County Manager Rich presented a review of Board action concerning award of FY2012-2013 Hyde County Audit Contract:

**June 3, 2013** – Manager Rich requested Board approval to award the FY2012-2013 Hyde County Audit Contract to Andrew Harris, CPA. Commissioner Byrd requested another RFP for the audit contract be sent out in order to solicit competitive pricing. Commissioner Fletcher moved to authorize contract award to the auditor of the manager's choice, and to put RFP for the audit contract out for bid in January, 2014. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

**July 1, 2013** – Manager Rich reported that although not mandatory per Board motion on June 3, 2013, he authorized a Request for Proposal (RFP) sent out for the FY2012-2013 Hyde County Audit. Four responses were sent out for the RFP and two submittals received. Manager Rich recommended award of the Audit Contract to CPA Andrew Harris. Commissioner Byrd moved to award the FY12-13 Hyde County Audit Contract to Thompson, Price, Scott, Adams & Co., PA. The motion died for lack of a second.

Commissioner Byrd moved to re-open bidding for the FY12-13 Hyde County Audit Contract and to re-send the RFP. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher and Swindell; Nays – Tunnell; Absent or not voting – Pugh.

Commissioner Fletcher moved to award the FY12-13 Hyde County Audit Contract to Andrew Harris, CPA. The motion died for lack of a second.

**August 5, 2013** – Deadline for RFP for FY2012-2013 Hyde County Audit Contract was August 2, 2013.

Manager Rich reported that three RFP's were received and requested award of the Audit Contract to Andrew Harris, CPA, in Greenville, NC.

Commissioner Pugh moved to award the FY2012-2013 Hyde County Audit Contract to Andrew Harris, CPA. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

### **NCDOT Utility Relocation Agreement**

Clint Berry, Utilities Director, received an e-mail from NCDOT stating that the original relocation agreement that was approved by the Hyde County Board of Commissioners for the Creekside Road project was incorrect. Mr. Berry presented the correct Utility Relocation Agreement (NC State Highway Project No. 1C.048032) for Board approval. He reported that NCDOT will still cover all expenses for the utility relocation.

Commissioner Pugh moved to approve Utility Relocation Agreement (NC State Highway Project No. 1C.048032). Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

### **Rules of Procedure For The Hyde County Board Of Commissioners**

Manager Rich reported that at its regularly scheduled meeting on March 4, 2013 it was noted that Rule No. 7 of the "Rules of Procedure for the Hyde County Board of Commissioners" was deleted by approval of amended "Rules of Procedure for Meetings Utilizing Simultaneous Communication" on December 6, 2010. Attorney Fred Holscher and Clerk to the Board Lois Stotesberry communicated their concern that Rule No. 7 should be re-instated per correspondence with Flemming Bell, Professor of Public Law and Government, UNC-School of Government. Professor Bell agrees that language found in Rule No. 7 is legally necessary in order for the Hyde County Board of Commissioners to comply with the statutory requirements of NCGS 143-318.13(a)(5) and (a1)(3) and (a1)(4) as found in Session Law 2008-111 (S1631).

Commissioner Fletcher moved to re-instate Rule No. 7 of the "Rules of Procedure for the Hyde County Board of Commissioners". Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

### **Flood Gates for Ocracoke Culverts**

Commissioner Fletcher presented the need for flood gates for some of the culverts on Ocracoke Island. There needs to be drainage improvements to flood adjoining properties. He will bring back a report and the details after discussing with the DOT or Mosquito Control Board.

### **Use of County Owned Vehicles**

Commissioner Fletcher reported he has received complaints that County employees are driving county owned vehicles for personal use. Manager Rich will meet with the Department Heads and discuss this situation. There are four Utilities Dept. vehicles that are authorized by the Board since they are on call after normal working hours and he will research the other departments.

*Hyde County Personnel Policy – Article V. Conditions of Employment, Section 8 – Use of County Time, Equipment, Supplies and Vehicles states:*

*County supplies and equipment are to be used exclusively for the County's business. During working hours, an employee shall only conduct County business. Use of County time, supplies, or equipment for personal or other purposes not related to the employee's County duties and responsibilities is prohibited and subjects the employee to disciplinary action up to and including dismissal.*

*All employees, who use County vehicles, are required to follow applicable motor vehicle and safety requirements. Violation or misuse of County vehicles also subjects the employee to disciplinary action, up to and including dismissal. Reasonable incidental stops while in route on county business subject to department head approval is allowed based on job requirements and demands.*

## **NCDOT Easement Agreement**

Manager Rich reported that NCDOT has requested Board approval of an easement agreement in Fairfield Township which includes a permanent drainage easement, permanent utility easement and a temporary construction easement for the construction of State Highway Project 17BP.1.R.50. This will not hurt us since they will only be using .110 acres. Manager Rich negotiated reimbursement from \$1,000 to \$2,500. Attorney Holscher has reviewed the documents and approves.

Commissioner Fletcher moved to approve "Agreement for Entry" for the construction of State Highway Project 17BP.1.R.50. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

## **Budget Revisions**

Manager Rich approved revisions based on Manager's authority given on June 3, 2013. The Hyde County Board of Commissioners adopted "Resolution Authorizing the County Manager to Reconcile Departmental Budgets" for year-end closeout.

One departmental budget revision required Board approval in which it was granted.

Commissioner Byrd moved to approve FY2012-13 Year End Budget Revisions No. 86-2013 through 90-2013 and Health Department Budget Transfer No. 01-14 – Community Transformation Grant Project (funds received) in the amount of \$4,000.00. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – None.

## **Projects Update**

Manager Rich presented update on various projects on-going in Hyde County.

- FEMA Update – Four outstanding issues have not been resolved. Of the \$1,000,000 that is in question, the two \$50,000 reimbursements have been won on appeals and the \$500,000 reimbursement has been moved into the second appeal process. The \$400,000 reimbursement is still pending its first appeal.
- PILT Program – Payment in lieu of taxes was budgeted at \$65,000 and we received \$211,841.
- Medicaid Payment – Reported we have received an EMS Medicaid payment check in the amount of \$153,614. These funds are not budgeted revenues because they are not guaranteed yearly allocations.
- Continuing Education for County Manager – Manager Rich has registered to attend a North Carolina Municipal and County Administration Course and has applied for an NC Alumni Association Scholarship. The Commissioners all support his attending if he is accepted into the program.
- Monthly Report of Fire Inspections – For the period of July 16 – 25, 2013, Inspector Dean Burbage has performed 31 fire inspections on Ocracoke Island. These inspections have been at a net cost to the County of \$51.00 each (after reimbursement from each business). This cost per inspection should decline over time due to less complexity of future inspections.
- ECB Update – VantageSouth Bank (formerly ECB) employees have vacated the ECB building.

**Management Reports:**

**Commissioner Byrd** – reported that at the DSS Board meeting they adopted a new passenger code of ethics for the DSS van. Bear management (part of NC Resources Omnibus Bill) passed in the House and Senate.

**Commissioner Tunnell** – Had no report.

**Commissioner Fletcher** – NPS Meeting – wrote a letter to Congressman Jones about plans for Ocracoke Island.

**Commissioner Pugh** – Reported that at the Albemarle Commission meeting, Jerry Jennings with the NC DOT, gave a report for the NC DOT Funding. He gave a brief update on the Rural Center. He has also met in Ocracoke with Earl O’Neal, Phil Lanier of NC DOT-Aviation, the County Manager and Chairman Swindell to discuss plans to improve the airports.

**Chairman Swindell** – Reported that he had met with NC DOT-Aviation also. He said that we need additional Hyde Transit and Hyde Occupancy Tax Board members. He also asked Manager Rich about purchases by departments capped at \$100 before the budget ended and if the cap can be put back to \$1,000. He said he thinks that would be ok, but the Manager would still have to approve it. Corrinne Gibbs, Finance Officer, stated that they must get a Purchase Order and if it is set at \$1,000, the department heads will not know if they have the money at the end of the year. The Manager likes the process as it is now.

**County Manager Rich** – presented his July 1<sup>st</sup> – 31<sup>st</sup> meetings calendar.

**Public Comments:**

Chairman Swindell called for comments from the public.

Commissioner Fletcher commented that we should move the Sheriff’s Department to the Peay Building, close the PSC building and turn it into a storage building or animal shelter.

There being no further comments from the public, Chairman Swindell continued the meeting.

**Closed Session (none)**

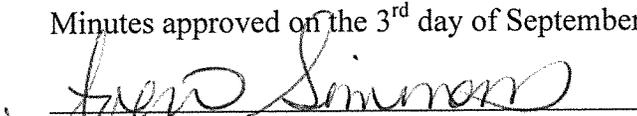
**Adjourn**

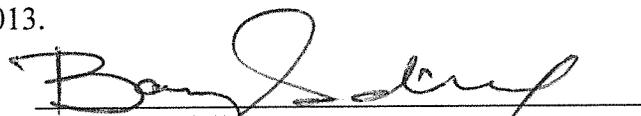
Commissioner Fletcher moved to adjourn the meeting. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Byrd, Fletcher, Pugh, Swindell and Tunnell; Nays – None; Absent or not voting – None.

The meeting adjourned at 7:34 p.m.

Respectfully submitted:

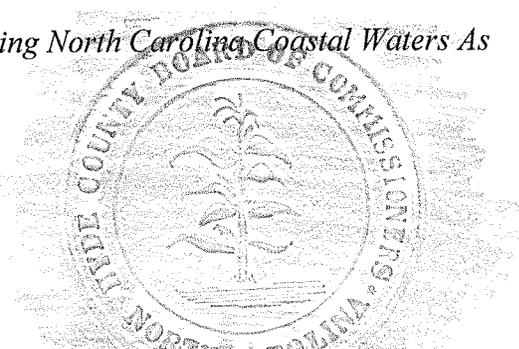
Minutes approved on the 3<sup>rd</sup> day of September, 2013.

  
Averil Simmons, Deputy Clerk  
Hyde County Board of Commissioners

  
Barry Swindell  
Chair, Hyde County Board of Commissioners

Attachments:

Exhibit A: “Resolution In Opposition To Reclassifying North Carolina Coastal Waters As Secondary Nursery Areas”



# COUNTY OF HYDE

## Board of Commissioners

Barry Swindell, Chair  
Dick Tunnell, Vice-chair  
Anson Byrd  
John Fletcher  
Earl Pugh, Jr.

30 Oyster Creek Road  
PO Box 188  
SWAN QUARTER, NORTH CAROLINA  
252-926-4400  
252-926-3701 Fax

Bill Rich  
County Manager

Fred Holscher  
County Attorney

Lois Stotesberry, CMC, NCCCC  
Clerk to the Board



## **Resolution In Opposition To Reclassifying North Carolina Coastal Waters As Secondary Nursery Areas**

**WHEREAS**, Hyde County strongly endorses support of resolution against rulemaking that proposes reclassifying internal coastal waters as secondary nursery areas.

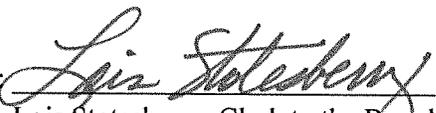
**WHEREAS**, shrimp trawling provides commercial fishing families income during summer and early fall when fishermen need it most. Commercial shrimp harvesting plays a vital role in county and statewide economy. North Carolina needs every job to keep unemployment down. Loss of jobs will be destructive to Hyde County as well as other coastal communities.

**NOW, THEREFORE, BE IT RESOLVED** that rulemaking reclassifying most internal coastal waters as secondary nursery areas is not needed to improve fisheries management. The proposed reclassification will have a devastating impact on commercial fishing families income; eliminate availability of North Carolina harvested shrimp, a public resource, to North Carolina residents, tourists, restaurants and seafood retail.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that on behalf of the citizens of this county, the Hyde County Board of Commissioners strongly urge the Marine Fisheries Commission to reject the proposed rule. Copies of this resolution in opposition to rule making that proposes reclassifying most internal coastal waters as secondary nursery areas will be forwarded to the Honorable Pat McCrory, NC Governor, Nancy D. Fish, NCDMF Commission Liaison and the Hyde County Legislative Delegation to the North Carolina General Assembly.

Adopted this the 5th day of August, 2013, in Hyde County, North Carolina.

ATTEST:

  
Lois Stotesberry, Clerk to the Board

  
Barry Swindell, Chairman