

**Hyde County Board of Commissioners' Meeting**  
**January 16, 2007**  
**Minutes**

The Regular Meeting of the Hyde County Board of Commissioners was called to order by Chairman Charles Ray Spencer on January 16, 2006 at 7:00 PM in the Mattamuskeet School Cafeteria. Board Members present were Charles Spencer, Chair; Tom Davis; Alice Armstrong; and Barry Swindell. Commissioner Nathan Sears was absent.

Also present were Carl Classen, Interim County Manager, Sid Hassell, County Attorney, and Connie Burleson, Clerk.

Chairman Spencer called the meeting to order, Doug Gibbs offered prayer.

**Approval of Agenda**

After consideration of amendments by Chairman Spencer, Mr. Swindell moved to approve the agenda as amended, to which Mr. Davis seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

**Approval of Minutes January 2, 2007**

After consideration of amendments by Chairman Spencer, Mr. Davis moved to approve the minutes of the January 2, 2007 Board of Commissioners Regular Meeting as submitted by the Clerk, to which Ms. Armstrong seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

**Public Comments**

Chairman Spencer asked for any comments from the public. Hearing none, Chairman Spencer continued with the agenda.

**Budget Revisions and Transfers**

After discussion, Mr. Swindell moved to approve the Budget Revisions and Transfers as submitted, to which Ms. Armstrong seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

CLERK'S NOTE: A copy of the approved budget amendments are attached to these minutes as Exhibit A and incorporated hereto by reference.

**The Preserve Phase II Final Plat**

After discussion, Mr. Davis moved to approve The Preserve Phase II Final Plat as presented, to which Mr. Swindell seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

**Emergency Management – Radio Tower Repairs**

After discussion, Mr. Davis moved to approve expenditure of \$11,333.33 to tighten the guy wires, to which Ms. Armstrong seconded. Mr. Classen will review the availability of funds from the Public Safety Center Budget. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

**Sheriff Department**

**Budget:** Sheriff Mason made a presentation related to budget needs in the Sheriff's Department regarding equipment, capital outlay, Ocracoke Jail facilities and personnel. The Board directed Mr.

Classen, Sheriff Mason and Chairman Spencer to meet and determine priority of needs and to bring recommendations back to Board at meeting.

**David Mason, Jr.:** Sheriff Mason requested approval from the Board to hire David Mason, Jr. This issue was not on the current agenda. Sheriff Mason was directed to place issue on future agenda for consideration.

**Training Agreement:** Sheriff Mason developed alternative training agreement language for consideration by the Commissioners. County Attorney Hassell was directed to review the agreement. The issue will be placed on future agenda.

### **E 911 Street Name**

E-911 requests that D Block Avenue, West be added to Hyde County's Multiple Street Address Guide. The Board directed the County Manager to work with property owners on developing several names, poll the property owners and to develop a consensus on a single name. The issue will come before the Board at a later date.

### **Emergency Management**

**Out of State Travel:** After consideration, Mr. Davis moved to approve the out of state travel request for the Emergency Management Coordinator to attend Hurricane Conference in New Orleans, LA, to which Ms. Armstrong seconded. Total estimated cost is \$850. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

### **Travel Authorization**

After consideration, Mr. Davis moved to amend the current personnel manual to authorize department heads to approve out of county travel requests within budget and to authorize the County Manager to approve out of state travel requests within budget, to which Mr. Swindell seconded. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

### **Emergency Medical Services**

**Salary Increase:** Emergency Management Services request salaries be increased due to the demand for EMT's. Issue will be reviewed during FY2007-08 budget development.

### **Commissioners Reports**

Chair Spencer requested the County Manager arrange a meeting with the Board of Education to discuss 2007-08 Budget request.

Chair Spencer requested review of the Airport Committee status.

Mr. Swindell requested follow up on Animal Control Services for the County.

Mr. Davis requested draft agendas and minutes be placed on the website as soon as possible.

### **Manager's Business**

**Budget Summary:** Mr. Classen gave an overview of the budget summary. Issue will be on next agenda.

**Resolution on Commercial Fishing:** After consideration, Ms. Armstrong moved to adopt the Resolution on Commercial Fishing, to which Mr. Swindell seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears

CLERK'S NOTE: A copy of the approved "Resolution on Commercial Fishing" is attached hereto and incorporated herein as Exhibit B.

**Identification Photos:** Tony Spencer, EM Coordinator will take photos of Commissioners immediately after the Board Meeting adjourns.

**Payroll Dates and Holidays:** The Board was presented a schedule of 2007 Hyde County Payroll Dates and Employee Holidays for review. Mr. Davis requested the Manager compare the County's holidays with the holidays observed by the state and bring back to the Board.

**Emergency Management Reports:** The Board was presented with November and December 2006 Emergency Management Monthly reports from Emergency Management.

**Agreement for Interim Management Services:** After consideration, Mr. Davis moved to approve the Agreement for Interim Management Services with Carl Classen, to which Mr. Swindell seconded. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

**Senior Center Outreach Grant Application:** A recommendation will be presented at a future meeting.

**CAMA Minor Permit Statement of No Objection Rhett McPherson:** Mr. Davis declared that he had a conflict of interest on this matter and asked to be excused during consideration. Mr. Swindell moved to excuse Mr. Davis from all matters relating to Rhett McPherson's CAMA Minor Permit Statement of No Obligation, to which Ms. Armstrong seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Davis, Sears.

After consideration, Mr. Swindell moved to send a statement of no objection regarding the CAMA Minor Permit for Rhett McPherson, to which Ms. Armstrong seconded. The motion passed upon the following vote: Aye – Commissioners Armstrong, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears, Davis.

**Statement of No Objection CAMA Minor Permit Policy:** After consideration, Mr. Davis moved to authorize the County Manager authority to send Statements of No Objection Regarding CAMA Minor Permits, to which Ms. Armstrong seconded. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

**Ocracoke Fish House:** After consideration, Ms. Armstrong made a motion to approve the County Manager have a dumpster placed at the Ocracoke Fish House for debris removal at the County's Expense. The County would be responsible for disposal fees related to the removal of the debris. Hearing no second, the motion died.

After discussion, Commissioner Armstrong made a motion to authorize the County Manager to work with the representative of the Ocracoke Fish House to seek State and Federal grants in support of the Ocracoke Fish House Project and the Berkley Manor Project. Commissioner Swindell seconded the motion. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No –None; Absent or Not Voting – Sears.

## **Adjournment**

The meeting adjourned at 8:30 PM.

Submitted by:

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Connie Burlison, Clerk to the Board of Commissioners

Approved this \_\_\_ day of February, 2007:

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Charles Spencer, Chairman,  
Hyde County Board of Commissioners



(FO USE) IDT #	DEPARTMENT	ACCOUNT #	LINE ITEM ACCOUNT NAME / EXPLANATION	DEBIT	CREDIT
22	COGOV CTR	444190.7500 444190.0001	CONSTRUCTION-CHESSON PROJECT CONTINGENCIES <b>TO TRANSFER FUNDS TO COVER CHANGE ORDER 1 THRU 5 APPROVED BY COUNTY AND USDA -- THIS INCREASES THE CONSTRUCTION CONTRACT FROM \$7,441,947 TO \$7,569,396.80 THRU PAY APPLICATION #9 FROM CHESSON</b>	\$ 127,449.80	\$ 127,449.80
23	SOIL & WATER	106060.1400 106060.3100	TRAVEL GAS, OIL & TIRES <b>TRANSFER FUNDS TO COVER INCREASED MILEAGE COSTS DUE TO RATE INCREASE</b>	\$ 1,000.00	\$ 1,000.00
24	PUBLIC SAFETY CTR	445190.7500 445190.7400 445190.0001 445190.4502 445190.4503  445190.4505 445190.4506 445190.4507	CONSTRUCTION-EASTERN EQUIPMENT/FURNISHINGS CONTINGENCIES-CONSTRUCTION A/E FEES ENGINEERING/TECHNICAL RESIDENT INSPECTION FEES FOR GOV CTR-CONSTRUCTION MANAGEMENT FEES FOR PUB SAF CTR CM FEES-PRE-CONST SERV-PUB SAF CTR CM FEES-PRE-CONST SERV-CO GOV CTR	\$ 52,159.86 \$ 150,748.00 \$ 121,706.38  \$ 30,748.00  \$ 393,834.00 \$ 48,868.00 \$ 79,732.00	\$ 877,796.24
25	RESCUE	105920.1400 105920.3100	TRAVEL GAS, OIL, TIRES <b>TRANSFER TO COVER EXPENDITURES FOR TRAVEL WITH PERSONAL CAR</b>	\$ 1,000.00	\$ 1,000.00
26	EMERG MGT	105250.7400 105250.3100	EQUIPMENT GAS, OIL, TIRES  <b>APPROVED EQUIPMENT FROM ORIGINAL BUDGET WAS OVER BY APPROXIMATELY \$500. TRANSFER TO COVER THAT OVERAGE AND ALSO REQUEST TO PURCHASE A DIGITAL CAMERA FOR BOTH OF THE DEPUTY EM/FM'S</b>	\$ 850.00	\$ 850.00

**Exhibit B**

**Resolution 2007-01-B**

**EXEMPTING COMMERCIALY REGISTERED VESSELS  
FROM COASTAL RECREATIONAL FISHING LICENSE**

**WHEREAS** North Carolina's Commercially Registered Vessels are the only user group that presently pays the State for the use of its marine resources; and

**WHEREAS** the purpose of the Coastal Recreational Fishing License (CRFL) is "to gather better data about coastal recreational fishing activity" (from the NC Division of Marine Fisheries website); and

**WHEREAS** all Commercially Registered Vessels are already required by law to provide full fishing activity data; and

**WHEREAS** we are not opposed to the use of the CRFL to gather data from the unlicensed, we are opposed to the State of North Carolina licensing the licensed under the guise of collecting data that is already being collected;

**NOW THEREFORE BE IT RESOLVED** that the Hyde County Board of Commissioners, in the interest of fairness and economic equity, recommend to the Joint Legislative Commission on Seafood and Aquaculture that all Commercially Registered Vessels be exempt from the Coastal Recreational Fishing License.

WITNESS my hand and the corporate seal of the County of Hyde, North Carolina this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(SEAL)

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Connie Burleson, Clerk to the Board