

**Hyde County Board of Commissioners' Meeting  
July 17, 2006  
Minutes**

The Hyde County Board of Commissioners held its regular meeting on Monday, July 17, 2006 at 7:00 PM in the Board of Education Meeting Room, O.A. Peay School.

Board Members present were:

Bea Emmert, Chair                      Charles Spencer                      Alice Armstrong  
Jane Hodges, Vice-chair

Staff members present were:

Kevin Howard, County Manager  
Sid Hassell, County Attorney  
Connie Burlison, Clerk to the Board

Media present were:

Nikie Mayo, The Washington Daily News

Chair Emmert called the meeting to order, offered prayer and led the Pledge of Allegiance.

**Approval of Agenda**

Upon motion made by Alice Armstrong, seconded by Jane Hodges, with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the agenda as submitted.

**Public Comments**

The meeting was opened to receive public comments. No comments received.

**Approval of Minutes June 19, 2006**

Upon motion made by Jane Hodges, seconded by Charles Spencer, with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the June 19, 2006 minutes as submitted.

**Budget Revisions and Transfers**

Upon motion made by Jane Hodges, seconded by Charles Spencer, with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the following budget revisions:

**Revisions:**

(FO USE) BR #	DEPARTMENT	ACCOUNT #	LINE ITEM ACCOUNT NAME / EXPLANATION	DEBIT	CREDIT
33	ROD	104800.1810	STATE CONVEYANCE TAX	\$30,815.00	
		103100.0000	EXCISE TAX ON CONVEYANCE INCREASE EXPENDITURE BUDGET TO REFLECT REQUIRED 48% OF REVENUE COLLECTED		\$30,815.00
34	LEGAL	104700.4501	DELINQUENT TAX COLLECTIONS	\$39,925.19	
		103170.0001	TAX PENALTY & INT PRIOR		\$14,305.00
		103171.000	LEGAL FEES-DELIQ TAX COLLECT		\$25,620.19
			INCREASE EXPENDITURE BUDGET FROM INTEREST AND LEGAL FEES COLLECTED ON DELINQUENT TAXES		
35	SQ DIKE CO EXP	104910.7400	LAND PURCHASE SQ DIKE PROJECT	\$4,808.00	
		103290.0000	INTEREST ON INVESTMENT		\$4,808.00
			INCREASE EXPENDITURES BUDGET FROM INTEREST EARNED ON INVESTMENTS		
36	PUBLIC BLDG MAINT	105000.1300	RENT	\$2,600.10	
		103290.0000	INTEREST ON INVESTMENT		\$2,600.10
			INCREASE EXPENDITURES BUDGET FROM INTEREST EARNED ON INVESTMENTS		
37	JCPC	106040.4517	JUVENILE CRIME PREVENTION-BOE	\$1,769.00	
		103460.0008	JUNVENILE CRIME PREVENTION		\$219.00
		103290.0000	INTEREST ON INVESTMENT		\$1,550.00
			INCREASE EXPENDITURES BUDGET FROM JCPC GRANT AND INTEREST EARNED ON INVESTMENTS		
38	VETERAN SERVICE	106070.0600	GROUP INSURANCE EXPENSE	\$648.91	
		106070.0700	RETIREMENT EXPENSE	.28	
		103290.0000	INTEREST ON INVESTMENT		\$649.19
			INCREASE EXPENDITURES BUDGET FROM INTEREST EARNED ON INVESTMENTS		

39	<b>EDUCATION</b>	106810.0974	CAP OUTLAY ART 40 30%	\$7,200.00
		106810.0975	CAP OUTLAY ART 42 60%	\$18,600.00
		103290.0002	½% SALE TAX ART 40	\$7,200.00
		103490.0003	SUP ½% SALES TAX ART 42	\$18,600.00
			INCREASE BUDGET TO MATCH REVENUES TO EXPENDITURES	
40	<b>CAP RES TRANSFER FROM SALES TAX</b>	108160.0976	1/2% SALES TAX ART 40 30%	\$24,700.00
		108160.0977	SUP ½% SALES TAX ART 42	\$37,400.00
		103490.0002	½% SALES TAX ART 40	\$16,800.00
		103490.0003	SUP ½% SALES TAX ART 42	\$12,400.00
		103290.0000	INTEREST ON INVESTMENT	\$32,900.00
			INCREASE BUDGET TO MATCH REVENUES TO EXPENDITURES	
41	<b>OCR SPECIAL MOSQ TAX</b>	406930.0000	MOSQUITO CONTROL MAINT	\$5,977.00
		403010.0010	DMV PRIOR	\$750.00
		403010.9100	CURRENT TAX	\$4,936.00
		403020.0000	DMV CURRENT TAX	\$291.00
			INCREASE BUDGET TO MATCH REVENUES TO EXPENDITURES	
42	<b>JACKSON CIRCLE</b>	416930.0000	JC TRANSFER TO CAPITAL RESERVE	\$13,638.00
			JC TAX PENALTY INTEREST	\$910.00
			JC ASSESSMENT COLLECTION	\$12,737.00
			INCREASE BUDGET TO MATCH REVENUES TO EXPENDITURES	
43	<b>CAPITAL RESERVE</b>	426931.0000	GENERAL CAP PROJ & IMPROVEMENTS	\$52,100.00
		423490.0100	½% ART 40 30%	\$19,700.00
		423490.0200	½% ART 42 40%	\$32,400.00
			INCREASE BUDGET TO MATCH REVENUEW TO EXPENDITURES	

### Zoning

Lee Padrick, Rural Center gave a brief overview of zoning and steps in proceeding with establishing zoning within an area. Upon motion made by Jane Hodges, seconded by Charles Spencer with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the following resolution:

Resolution Requesting the Services of the Division of Community Assistance for Hyde County

WHEREAS the Hyde County Commissioners wish to undertake the preparation of a zoning ordinance for the County; and

WHEREAS the Hyde County Commissioners would like assistance with this project from the North Carolina Department of Commerce, Division of Community Assistance; and

NOW THEREFORE BE IT RESOLVED that the Hyde County Commissioners hereby request the Division of Community Assistance to assist the County with the preparation of a zoning ordinance, agree to reimburse the Division of Community Assistance for the mileage and meal allowances of the DCA staff who assist the County on this project, and are committed to the implementation of this project when the work is completed.

Reimbursements will be at state allowances up to approximately \$1,000. The \$1,000 will come from contingency and placed in the Planning Department budget.

A public hearing will be held on September 11, 2006 at 7:00 PM in the Mattamuskeet High School Cafeteria to receive comments on the Board's intent to appoint a Planning Board.

The issue of zoning will be placed on the August 21, 2006 agenda to discuss Ocracoke's position on zoning.

### Manager's Business

Mr. Howard presented several issues to the Board.

1. **NC DOT Encroachment Agreement** – Upon motion made by Alice Armstrong, seconded by Charles Spencer BE IT RESOVLED THAT the Board approved the Encroachment Agreement with NC DOT on the right of way of the public road designated as route NC 45 and Sr 1136 related to Swan Quarter Dike Phase XI. Motion carried with a vote of 3 to 0. Commissioner Hodges abstained from voting.
2. **Hyde County Take Home Vehicle Policy Emergency Medical Services Director** – Commissioner Charles Spencer made a motion to add the position of Emergency Medical Services Director to the Hyde County Take Home Vehicle Policy and to have emergency lights and correct markings installed on the vehicle. No second to motion, motion failed. Will be included on next agenda.
3. **NC ACC 2006 Annual Conference** – Will be included on next agenda.

4. **NC Forestry Contract** – Upon motion made by Jane Hodges, seconded by Charles Spencer with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the NC Forestry Contract as presented. County 's portion is \$68,802.00. For complete contract see minute docket folder.
5. **Bid Award – Gym/Exercise Facility Improvements Hyde/Davis Community Center** – Upon motion made by Alice Armstrong, seconded by Jane Hodges with all Board members voting in favor, BE IT RESOLVED THAT the Board awarded the Gym Exercise Facility Improvements contract to Jay Paul Contraction with low Bid of \$35,000. One additional bid was received from AR Chesson for \$81,000.
6. **Request from Swan Quarter Service Group** – Upon motion made by Charles Spencer, seconded by Jane Hodges with all Board members voting in favor, BE IT RESOLVED THAT the Board approved allowing Swan Quarter Service Group usage of the County Parking lot and power source at site for the Celebrate Swan Quarter Activities on July 29, 2006.
7. **NC Step Grant** – Upon motion made by Charles Spencer, seconded by Jane Hodges with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the NC Step Grant as presented and authorized Bea Emmert to sign contract with Rural Economic Development Center, Inc.
8. **Tax Department Copier Purchase** – Upon motion made by Jane Hodges, seconded by Charles Spencer with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the purchase of copier for the Tax Department for \$3,995 from Carraway Office Solutions. Funds will come from Contingency.
9. **Convenience Site Scale Installation**—County Manager Kevin Howard updated the Board and will bring issue back to Board after reviewing replacement cost for building at Engelhard Site.
10. **Credit Card Nathan Spencer** – Upon motion made by Jane Hodges, seconded by Charles Spencer with all Board members voting in favor, BE IT RESOLVED THAT the Board approved a credit card for Nathan Spencer, Ocracoke Solid Waste with a limit of \$500.
11. **2005/06 Tax Settlement** – Upon motion made by Alice Armstrong, seconded by Jane Hodges, with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the 2005-06 Tax Settlement as presented.

#### **Closed Session – Litigation and Personnel**

Upon motion made by Jane Hodges, seconded by Charles Spencer with all Board members voting in favor, BE IT RESOLVED THAT the Board entered into closed session for litigation and personnel matter.

Upon motion made by Charles Spencer, seconded by Jane Hodges, with all Board members voting in favor, BE IT RESOVLED THAT the Board came out of closed session.

#### **Litigation Swan Quarter Dike Project**

1. **Sload Easement** – Upon motion made by Charles Spencer, seconded by Alice Armstrong BE IT RESOLVED THAT the Board approved a deposit of \$3,000 and condemnation proceedings regarding the Sload property and authorized Attorney Sid Hassell to move forward with process. Motion carried with a vote of 3 to 0. Commissioner Jane Hodges abstained.
2. **Cora Taylor Heirs** – Upon motion made by Charles Spencer, seconded by Alice Armstrong BE IT RESOLVED THAT the Board approved \$750.00 for Phillip Annarino. Motion carried with a vote of 3 to 0. Commissioner Jane Hodges abstained.
3. **LSW Associates** – Upon motion made by Charles Spencer, seconded by Bea Emmert, BE IT RESOLVED THAT the Board approved up to \$500.00 for LSW Associates. Motion carried with a vote of 3 to 0. Commissioner Jane Hodges abstained.
4. **Mary Hardy** -- Upon motion made by Charles Spencer, seconded by Alice Armstrong, BE IT RESOLVED THAT the Board approved up to \$\$250.00 for Mary Hardy. Motion carried with a vote of 3 to 0. Commissioner Jane Hodges abstained.

#### **Personnel Tony Spencer Building Inspections**

Upon motion made by Jane Hodges, seconded by Alice Armstrong with all Board members voting in favor, BE IT RESOLVED THAT the Board approved assigning Tony Spencer to Ocracoke Island as follows: Main responsibility will remain Emergency Management. He will be responsible for all inspections duties and would become enforcement officer for the Development Ordinance on Ocracoke. Jerry Hardison would assist if needed on Ocracoke and Tony Spencer would assist as needed on the Mainland. Jerry Hardison would assume fire inspection duties for the mainland. The vacant Building Inspections Office Assistant position will be filled. Probationary period for Mr. Spencer will be the remainder of this fiscal year. Tony Spencer will receive a \$6,000 Housing allowance and \$2,000 salary increase. Housing allowance funds will be taken from Ocracoke Deputy EM position budgeted salary and the \$2,000 for salary will come from contingency. The Ocracoke Deputy EM position will be eliminated and volunteer services will be utilized as recommended by County Manager.

#### **Informational Items**

- Federal/State Local FY06 EMPG Agreement
- Ocracoke Jail Inspection
- Letter in Response to Jail Inspection
- Letter to Senate and House from Bea Emmert Re: Budget Appropriations
- Copy of Emergency Management Coordinator Advertisement for position filled 9/10/04 by Tony Spencer
- Copy of Letter to Gloria Spencer Re: Salary increase
- Memo from Tony Spencer Re: Hyde County Multi-Hazard Plan
- Email Re: Legislative Alert Motor Vehicle Property Tax Base
- Copy of Probationary Certificate for Jerry Hardison Code Enforcement for Level I
- Workshops for Public Officials
- Letter From Liz Wolfe, DCA Re: Complaint CDBG #04-C-1272
- Letter From Kevin in Response to Complaint

- Letters Re: Ocracoke O-Tax Funds Obligated for Ocracoke Tram Project Matching Funds
- EMS June 06 Monthly Report
- EM June 06 Monthly Report
- Letter to NC DOT Re: Senior Center Parking Lot
- Notification Chamber of Commerce Business After Hours July 20, 2006
- Notification Chamber of Commerce Issues Luncheon August 1, 2006

**Adjournment**

Upon motion made by Jane Hodges, seconded by Alice Armstrong with all Board members voting in favor,  
BE IT RESOLVED THAT the meeting adjourned at 10:00 PM.

\_\_\_\_\_ Clerk \_\_\_\_\_ Chairman  
Hyde County Board of Commissioners