

**Hyde County Board of Commissioners' Meeting  
July 18, 2005  
Minutes**

The Hyde County Board of Commissioners held its regular meeting on Monday, July 18, 2005 at 7:00 PM in the Ocracoke School Gym.

Board members present were:

Bea Emmert, Chair                      Charles Spencer, Vice-chair      Nathan Sears

Staff members present were:

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

Media present were:

Nikie Mayo, The Coastland Times  
Doug Gibbs, The Washington Daily News  
Jamie Tunnell, The Ocracoke Observer

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

**Approval of Agenda**

Upon motion made by Charles Spencer, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the agenda as submitted.

**Approval of Minutes**

Upon motion made by Charles Spencer, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the minutes of the June 20, 2005 meeting as amended. Corrections were made as follows:

IMREM was corrected to IN REM  
Preliminary Plat Approval for Hyde A Way Shores Subdivision was not approved conditionally but tabled.

**Presentation to Nickie Mayo, Coastland Times Reporter**

Chair Emmert presented Nickie Mayo with a plaque in recognition of her dedication and professionalism in providing the facts to the citizens of Hyde County and for being instrumental in the County's recovery from Hurricane Isabel.

**Budget Revisions and Transfers**

Upon motion made by Charles Spencer, seconded by Nathan Sears, with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the following Budget Revisions and Transfers as submitted.

| <b>Department</b>                        | <b>Account</b> | <b>Line Item Account<br/>Name/Explanation</b>                                   | <b>Decrease</b> | <b>Increase</b> |
|--|----------------|---|-----------------|-----------------|
| Jackson Circle<br>Paving -Spec<br>Assess | 41.3170.0000   | Tax Penalty & Interest  | \$160.89        |                 |
|  |                | Jackson Circle Assessment   |                 |                 |
|  | 41.3980.0000   | Collection  | \$42,466.41     |                 |
|  | 41.6930.0000   | Transfer to Capital Reserve   |                 | \$42,466.41     |
|  |                | For Year One Collections - To<br>Adjust Budget to Reflect<br>Actual Collections |                 |                 |
| Ocracoke Special<br>Mosquito Tax         | 40.3010.0000   | Prior Tax   | \$2,730.36      |                 |
|  | 40.3010.9100   | Current Tax   | \$3,744.70      |                 |
|  | 40.3010.0010   | DMV Prior   |                 | \$20.15         |
|  | 40.3020.000    | DMV Current Year  | \$304.08        |                 |
|  | 40.6930.000    | Mosquito Control Maintenance  |                 | \$6,758.99      |
|  |                | To Adjust Budget to Reflect<br>Actual Collections                               |                 |                 |
| Fines & ForF                             | 30.3010.0007   | Fines & Forfeitures   | \$2,899.21      |                 |
|  | 30.6804.0000   | Fines & Forfeitures   |                 | \$2,899.21      |
|  |                | Adjust Budget to Reflect<br>Actual<br>Collections/Disbursements                 |                 |                 |
| CAPS Medicaid -<br>DSS                   | 10.3470.0013   | At Risk Medicaid  | \$1,470.25      |                 |
|  | 10.6130.0500   | FICA  | \$51.28         |                 |
|  | 10.6130.3300   | Dept Supplies   | \$8.44          |                 |
|  | 10.6130.7400   | Equipment   | \$172.13        | \$1,580.40      |
|  | 10.6130.0200   | Salaries  |                 | \$43.78         |
|  | 10.6130.0600   | Group Insurance   |                 | \$77.92         |
|  | 10.6130.0700   | Retirement Expense  |                 |                 |

|                                   |              |   |             |
|-----------------------------------|--------------|---|-------------|
|                                   |              | Adjust Budget Using Prior<br>Year Cost Settlement for<br>Medicaid at Risk |             |
| Education                         | 10.3450.0000 | Art 39 (1%)   | \$31,579.83 |
|                                   | 10.6810.0974 | Cap O/L 30% 1/2 Sales Tax   | \$9,277.41  |
|                                   | 10.6810.0975 | Cap O/L 60% 1/2 Sales Tax   | \$22,302.42 |
|                                   |              | Adjust FYE 04/05 to Reflect<br>Anticipated<br>Collections/Expenditures    |             |
| Capital Reserve<br>Transfer       | 10.3450.000  | ART 39 (1%)   | \$35,812.38 |
|                                   | 10.8160.0976 | 30% 12% Sales Tax   | \$14,277.41 |
|                                   | 10.8160.0977 | 40%Supp 1/2% Sales Tax  | \$21,534.97 |
|                                   |              | Adjust FYE 04/05 to Reflect<br>Anticipated<br>Collections/Expenditures    |             |
| JCPC                              | 10.3460.0008 | Juvenile Crime Prevention   | \$1,600.00  |
|                                   | 10.9990.0001 | Contingency   | \$1,460.00  |
|                                   | 10.6040.4517 | Juvenile Crime Prevention   | \$3,060.00  |
| Emergency<br>Medical              | 10.3602.000  | EMS Bills Paid by Collection<br>Ser                                       | \$2,122.99  |
|                                   | 10.5920.4504 | EMS Bills Collection Fee 10%  | \$2,122.99  |
|                                   |              | Adjust FYE 04/05 to Reflect<br>Actual<br>Collections/Expenditures         |             |
| Register of Deeds                 | 10.3560.000  | Register of Deeds Fees  | \$1,015.55  |
|                                   | 10.4800.1820 | Supplemental Retirement   | \$1,015.55  |
|                                   | 10.3100.000  | Excise Tax on Conveyance  | \$31,044.00 |
|                                   | 10.4800.1810 | State Conveyance Tax  | \$31,044.00 |
|                                   |              | Adjust FYE 04/05 to Reflect<br>Actual<br>Collections/Expenditures         |             |
| <b>Budget Transfers</b>           |              |   |             |
| Finance/Admin                     | 10.4200.3200 | Office Supplies   | \$349.96    |
|                                   | 10.4400.0500 | FICA Tax Expense  | \$53.87     |
|                                   | 10.4400.0600 | Group Ins Exp   | \$8.90      |
|                                   | 10.4400.1500 | Maintenance Computer  | \$404.93    |
|                                   |              | Transfer to Cover Overages  |             |
| Planning/Various<br>Grant Matches | 10.4950.4504 | Various Grant Matches   | \$4,250.00  |
|                                   | 10.4900.4502 | Land Use Plan Update  | \$4,250.00  |
|                                   |              | Transfer to cover Co Match  |             |

**John Monaghan**

Mr. Monaghan presented the Board with an update on the Natural Gas line in Eastern North Carolina. The gas line was originally supposed to end in Engelhard. Due to an increase in installation cost it will end at the intersection of NC 94 and 264.

**Barbara Moore, Area Director Tideland Mental Health Center**

Barbara Moore requested the Board adopt the Resolution Regarding the Maintenance of Tideland Mental Health Center. Upon motion made by Nathan Sears, seconded by Charles Spencer with all Board members voting in favor, BE IT RESOLVED THAT the Board adopted the Resolution Regarding the Maintenance of Tideland Mental Health Center.

FOR COMPLET RESOLUTION – SEE MINUTE DOCKET FOLDER – COUNTY MANAGER’S OFFICE

**Public Hearing Grant Application for Developing a Waterfront Access in Swan Quarter**

Upon motion made by Charles, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board opened the Public Hearing at 7:55 PM.

County Planner Alice Keeney gave an overview of the proposed project to construct picnic shelter, overlook and a board walk on property owned by the County at the end of Landing Road in Swan Quarter. Total Grant application is \$83,830 with includes a \$27,000 In-kind match for Hyde County.

Public Comments received as follows:  
 Concern over location subject to flooding  
 Area included in location of park  
 Great Idea for Economic growth

Upon motion made by Charles Spencer, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board closed the Public Hearing at 8:05 PM.

Upon motion made by Charles Spencer, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board authorized Ms. Keeney to apply for the Grant for developing a waterfront access in Swan Quarter.

**Public Hearing Revised Ocracoke Development Ordinance**

Upon motion made by Charles, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board opened the Public Hearing at 8:13 PM.

Susan Suggs gave a summary of the revisions to the Ocracoke Development Ordinance.

FOR COMPLET SUMMARY OF REVISIONS – SEE MINUTE DOCKET FOLDER – COUNTY MANAGER’S OFFICE.

Public Comments received as follows:

- Concern with roof pitch
- Gable pitch
- Process for enforcing ordinance
- Thank you to Board for covering expenses for Susan Suggs
- Parking for marina
- Temporary Buildings

Upon motion made by Charles Spencer, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board closed the Public Hearing at 8:53 PM.

No actions was taken, issue tabled and scheduled for August 1, 2005 meeting.

**Jamin Simmons, Final Plat Approval fro Paquippe Shores Subdivision**

Upon motion made by Charles Spencer, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the Paquippe Shores Subdivision Final Plat with CAMA requirement or 75feet set back whichever is greater.

Resolution Stream Cleanup

Upon motion made by Charles, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board adopted the Resolution for Stream Cleanup.

FOR COMPLET RESOLUTION – SEE MINUTE DOCKET FOLDER – COUNTY MANAGER’S OFFICE

**Occupancy Tax Increase**

Issue tabled to be discussed on July 25, 2005 at 5:00 PM in the Board of Education conference room.

**Manager’s Business**

County Manager Kevin Howard presented several items to the Board.

1. **Microcomm Contract** – Upon motion made by Charles Spencer, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the Microcomm Contract.
2. **Commercial Radio Service Maintenance Agreement** -- Upon motion made by Charles Spencer, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the Commercial Radio Service Maintenance Agreement.
3. **Tommy L. Barnhart, CPA Contract** – Upon motion made by Charles Spencer, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the contract with Tommy L. Barnhart CPA for the Cost Report for Hydeland Home Care Agency.
4. **CDBG No. 05-I-1383 Grant Agreement and Funding Approval** – Upon motion made by Charles Spencer, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the grant agreement and funding approval for the CDBG No. 05-I-1383 grant.
5. **Animal Control Contract** – Mr. Cuthrell sent his letter of resignation effective March 2006. Upon motion made by Charles Spencer, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board agreed to continue services with Mr. James Cuthrell and for the County Manager to review options for Animal Control services.
6. **Holland Consulting Planners** – Upon motion made by Charles Spencer, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board authorized County Manager Kevin Howard and County Attorney Sid Hassell to negotiate a contract with Holland Consulting Planners to administer the CDBG Grant No. 05-I-1383.

**Public Comments**

The meeting opened to receive public comments.

- Replacement of Ocracoke EMS unit
- Ocracoke Classroom size
- Working relationship with Board of Commissioners and Board of Education
- Funding for Schools
- David Tolson invited Commissioners Chair and Vice chair to meet with Board of Education Chair and Vice chair to discuss funding formula for schools

The meeting recessed at 9:40 PM and will reconvene on July 25, 2005 at 5:00 PM in the Board of Education Conference room.

The meeting reconvened at 5:00 PM on July 25, 2005 in the Board of Education Conference Room.

Board members present were:

Bea Emmert, Chair                      Charles Spencer, Vice-chair      Nathan Sears      Jane Hodges

Staff members present were:

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

Media present were:

Nikie Mayo, The Coastland Times  
Doug Gibbs, The Washington Daily News

Chair Emmert called the meeting to order and Charles Spencer led with prayer.

#### **Occupancy Tax Increase Draft Bill**

Sid Hassell gave an overview of the Draft Bill. Upon motion made by Charles Spencer, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board approved having Hyde County included on the Bill to Increase Occupancy Tax for Ocracoke Island.

#### **Resolution Against Banning Herring Fishing in North Carolina**

Upon motion made by Jane Hodges, seconded by Charles Spencer with all Board members voting in favor, BE IT RESOLVED THAT the Board adopted a resolution against banning Herring fishing in North Carolina.

#### **Information Items given to Board**

- Hyde County Land Use Plan Advisory Committee Meeting Notice
- NC Birding Trail Steering Committee Meeting Invitation
- Annual Refuge Revenue Sharing Payment from Fish and Wildlife Service
- Navy Supplemental Environmental Impact Statement (SEIS)
- Friends of the Counties Award Guidelines
- Letter From Laura Bush Re: Designation of Ocracoke as a Preserve America Community
- June 2005 Animal Control Report
- Resolution Against S951
- May 24, 2005 Minutes Hyde Soil and Water Conservation District
- Dare County Resolution Opposing offshore Natural Gas/Oil Exploration and Drilling
- Letter from Yolanda Abram Re: Crisis Housing Assistance Hurricane Isabel
- Letter from Gail Brock Re: Non-competitive negotiation for Management Services CDBG No. 05-I-1383
- Email From Todd McGee Re: County Property Taxes Continue to Rise

#### **Adjournment**

Upon motion made by Bea Emmert, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board meeting adjourned at 5:35 PM.

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