

**Hyde County Board of Commissioners’
Budget Workshop
Monday, June 21, 2010, 5:00 PM
Multi-Use Room, Government Center, Swan Quarter
Commons Area, Ocracoke School**

Chairman Tom Davis reconvened the budget workshop at 5:07 PM, the previous budget work session recessed on Tuesday, June 15, 2010. The following members were present on the mainland: Commissioners Tom Davis, Sharon Spencer, Anson Byrd, and Ken Collier; County Attorney, Sid Hassell; Interim County Manager, David Smitherman; and members of the public. The following members were present on Ocracoke: Commissioner Darlene Styron; Deputy Clerk to the Board Jamie Tunnell; and members of the public.

David Smitherman, Interim County Manager, asked the Board to consider amending the Budget Workshop Agenda to include the appointment of a Clerk to the Hyde County Board of Commissioners and a Deputy Clerk to the Hyde County Board of Commissioners.

Commissioner Spencer made a motion to amend the Budget Workshop Agenda to allow for the appointment of a Clerk and Deputy Clerk to the Hyde County Board of Commissioners. Commissioner Collier seconded the motion, the motion passed by the following vote:

Ayes-Commissioners Davis, Spencer, Byrd, Collier, and Styron
Nays-none

Commissioner Spencer made a motion to appoint Interim County Manager, David Smitherman as Clerk to the Hyde County Board of Commissioners. Commissioner Byrd seconded the motion, the motion passed by the following vote:

Ayes-Commissioners Davis, Spencer, Byrd, Collier, and Styron
Nays-none

Commissioner Spencer made a motion to appoint Interim Deputy Tax Administrator, Justin Gibbs as Deputy Clerk to the Hyde County Board of Commissioners. Commissioner Byrd seconded the motion, the motion passed by the following vote:

Ayes-Commissioners Davis, Spencer, Byrd, Collier, and Styron
Nays-none

Chairman Davis administered the oath of office for the positions of Clerk and Deputy Clerk to the two appointees. After taking the oath of office, the Interim County Manager/Clerk to the Board, David Smitherman presented the previously requested

changes to the 2010-2011FY Hyde County Budget recommended by the Board at the previous budget workshop on June 15, 2010.

Chairman Davis inquired about the Animal Control budget; the Interim County Manager stated that he budgeted \$66,900 for the provision of the service. Chairman Davis stated the Board should consider removing Animal Control from the budget and the current contracted position should be placed within the Health Department as a part-time position, because the County was not required to provide the service.

The Interim County Manager, David Smitherman conveyed to the Board that he had attempted to negotiate with the current Animal Control Officer, J.M. Eakes, regarding the animal shelter. The County budgeted \$10,000 in the years prior for the upkeep of the shelter, but the Animal Control Officer requested \$15,000 for the 2010-2011FY. Commissioner Collier asked if Hyde County owned the animal shelter, Mr. Smitherman responded that the County funded the construction of the shelter in 2007 but it was located on privately owned property and the property was owned by Mr. Eakes.

Commissioner Byrd questioned why the budget was almost twice what it was last year, the Interim County Manager stated that the previous County Manager had planned to merge the service with a county department, thus creating a position rather than contracting the service.

Chairman Davis suggested reducing the entire Animal Control budget to \$5,000 and to integrate the service with the Health Department as a part-time position, the part-time position would predominately respond to reported rabies cases within the County. The Health Director, Wesley Smith, informed the Board that the Environmental Health Programs Coordinator previously fulfilled this duty for the County. Mr. Smith also stated that the current Animal Control Officer operated on a 24/7 schedule and predominately responded to calls that required animals to be captured, transported, and sheltered. Chairman Davis reiterated that the County was not mandated to provide that level of service. Commissioner Spencer stated that the current level of service was identifiable to members of the public and questioned whether the Board should provide that level of service.

Commissioner Stryon asked how the current Animal Control Officer was being paid, Interim County Manager, David Smitherman, stated that the wages were stipend on a per month basis and that the wages included reimbursement for travel expenses. Commissioner Stryon then inquired as to why there was a \$5,000 increased in the budgeted amount for the upkeep of the shelter. The Health Director informed the Board that Mr. Eakes wanted to insure that there would be funds available to pay someone to fill in for him if he should request a period of time off.

Chairman Davis stated that there were not enough funds available to provide for the current level of service if the County was to bring Animal Control in-house. The Health Director, Wesley Smith, stated that the county employee would be classified as a pay grade 67 and that the services were previously contracted on a part-time basis at a greatly

reduced rate. Commissioner Styron made the statement that the position could be managed better if the services were provide during regular business hours.

Chairman Davis made a motion to cut all of the funding on page 47 of the proposed budget, referring to the Animal Control budget, to \$5,000 and to place a part-time position in the Health Department to respond to reported rabies cases in Hyde County. The motion failed due to want of a second.

Commissioner Byrd asked if the County could investigate contracting someone at a much lower rate, but Chairman Davis replied that the Board had to arrive at a decision because the budget ordinance had to be adopted during the Regular Board of Commissioners' Meeting schedule to proceed the budget work session.

Commissioner Spencer made a motion to budget \$15,000 for the provision of Animal Control and to place the remaining budgeted amount into the contingency fund. Chairman Davis seconded the motion, the motion passed by the following vote:

Ayes-Commissioners Davis, Spencer, Byrd, Collier, and Styron
Nays-none

Interim County Manager, David Smitherman, informed the Board that the next item to be presented was in regards to Solid Waste Fees.

The Utilities Director, Clint Berry, presented the Board with criteria to determine the differences between large and small businesses and how these definitions would impact the collection of solid waste fees. Mr. Berry stated that the large business designation would target any restaurant that has a seating capacity of 55 or more, any campground that has 25 or more hook-ups, any motel/hotel that has 10 or more rooms, and any large grocery/convenience store. A small business would be classified as any business not meeting the aforementioned definition for a large business. The Utilities Director informed the Board that the proposed large business classification would target 24 businesses on Ocracoke Island. Mr. Berry also proposed that a flat rate fee of \$100 per month be collected from these large businesses. The Utilities Department had budgeted for estimated revenues of \$42,000 to be collected under the previous solid waste fee schedule, but due to many businesses discontinuing their dumpster services this figure would not have been obtained. The Utilities Director also informed the Board that the Solid Waste revenue should be adjusted to reflect the new large business flat rate fee and the new revenues would total \$28,800.

Commissioner Spencer asked how these new definitions and rates would affect the total Solid Waste revenues. Mr. Berry stated that the small business flat rate fee would remain the same, the current flat rate fee being \$50 per month for a small business. The Utilities Director said that the small business flat rate fee would target approximately 50 businesses on Ocracoke Island and that total revenues generated from small businesses would have to be adjusted to \$30,000. Mr. Berry told the Board that ultimately the new fee schedule would generate the same amount of revenue.

Commissioner Styron asked why the small business flat rate could not be lower because most of the small businesses did not generate more waste than a residence. Mr. Berry stated that if the Utilities Department tried to further classify the size of small businesses that the system would become overly complicated.

Commissioner Stryon stated that the Utilities Director, Clint Berry, provided her with figures that showed that the costs of solid waste collection on Ocracoke Island were equivalent to the costs of solid waste collection on the mainland. Mr. Berry verified that the costs were equivalent but there were a reduced number of residences on Ocracoke Island. Chairman Davis remarked that due to the reduced number of residences on Ocracoke Island that the fees collected per household would actually be greater than the fees collected per household on the mainland.

Commissioner Spencer asked the Utilities Director if the fee rate would change for campgrounds on the mainland, Mr. Berry stated that campgrounds on the mainland should have acquired private haulers for dumpster tipping because the Utilities Department could not provide that service.

Commissioner Byrd moved to approve the business flat rate fees as presented by the Utilities Director, Clint Berry. Chairman Davis seconded the motion, the motion passed by the following vote:

Ayes-Commissioners Davis, Spencer, Byrd, and Collier
Nays-Commissioner Styron

Chairman Davis asked the Utilities Director to further clarify the definition of a large grocery/convenience store because the current definition was vague. Interim County Manager, David Smitherman, proposed defining the large grocery/convenience store by square footage.

Interim County Manager, David Smitherman, stated that the Department of Social Services Director would present the next item for consideration by the Board.

DSS Director, Gloria Spencer, stated that the Department of Social Services investigated allowing an employee to commit 20% of their time to investigating fraud cases within Hyde County; she stated that the job duty would be 100% reimbursable by the State of North Carolina.

The Interim County Manager reported to the Board that the added responsibility would lead to a \$2,940 salary increase, but verified that the duty was 100% reimbursable. The Board agreed with the increase in salary and the Interim County Manager stated that he would integrate the increase into the budget.

Commissioner Byrd moved that the Board enter closed session pursuant to G.S. 143-318.11, relating to personnel. Commissioner Collier seconded the motion; the County

Attorney questioned whether the Board could enter closed session during a budget workshop. The Interim County Manager stated that the Board could only enter closed session if the agenda was amended to allow for the closed session.

Commissioner Spencer moved to amend the agenda to allow for the Board to enter closed session according to G.S. 143-318.11 (a) (6), relating to personnel. Commissioner Collier seconded the motion, the motions presented by Commissioners Spencer and Byrd passed by the following vote:

Ayes-Commissioners Davis, Spencer, Byrd, Collier, and Styron
Nays-none

After the Hyde County Board of Commissioners returned from closed session, Chairman Davis moved to return to open session. Commissioner Spencer seconded the motion, the motion passed by the following vote:

Ayes-Commissioners Davis, Spencer, Byrd, Collier, and Styron
Nays-none

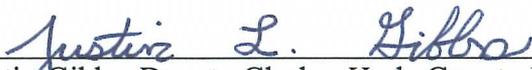
Chairman Davis moved to adjourn the FY2010-2011 Hyde County Board of Commissioners' Budget Workshop. Commissioner Spencer seconded the motion, the motion passed by the following vote:

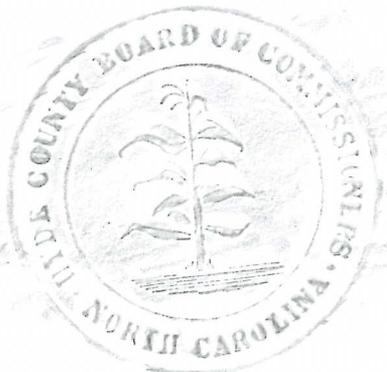
Ayes-Commissioners Davis, Spencer, Byrd, Collier, and Styron
Nays-none

The FY2010-2011 Hyde County Board of Commissioners' Budget Workshop adjourned at 6:59 PM.

Respectfully submitted:

Minutes approved on the 19th day of July, 2010


Justin Gibbs, Deputy Clerk – Hyde County Board of Commissioners




Tom Davis, Chairman – Hyde County Board of Commissioners

