

**Hyde County Board of Commissioners' Meeting  
March 21, 2005  
Minutes**

The Hyde County Board of Commissioners held its regular meeting on Monday, March 21, 2005 at Fairfield ADAP Center at 7:00 PM.

Board members present were:

Bea Emmert, Chair                      Charles Spencer, Vice-chair      W. Mack Carawan, Jr.  
Nathan Sears                              Jane Hodges

Staff members present were:

Don Davenport, County Manager  
Sid Hassell, County Attorney  
Connie Burlison, Clerk to the Board

Media present were:

Nikie Mayo, The Coastland Times

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

**Approval of Agenda**

Upon motion made by W. Mack Carawan, Jr., seconded by Charles Spencer with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the agenda as amended. Tony Spencer was removed from the agenda.

**Approval of Minutes**

Upon motion made by W. Mack Carawan, Jr., seconded by Charles Spencer with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the minutes of the March 7, 2005 meeting as submitted.

**Budget Revisions and Transfers**

Upon motion made by W. Mack Carawan, Jr., seconded by Jane Hodges with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the following Budget Revisions and Transfers:

Budget Revisions:

<b>Department</b>	<b>Account #</b>	<b>Line Item Account Name</b>	<b>Increase</b>	<b>Increase</b>	
Health	105960.0200	Salaries		\$6,368	
	105960.0500	FICA		\$ 488	
	105960.0600	Insurance		\$ 734	
	105960.0700	Retirement		314	
	105960.1400	Travel		549	
	105860.0037	Beaufort/Hyde Partnership for Children	\$8,453		
	105860.0200	Salaries		\$4,777	
	105860.0500	FICA		\$ 366	
	10.5860.0600	Insurance		\$ 550	
	10.5860.0700	Retirement		\$ 235	
	10.3481.0036	Beaufort/Hyde Partnership for Children	\$5,928		
	Appropriate Smart Start Funds for a Nurse Position Approved by The Board on 3/7/05				

Budget Transfers:

<b>Department</b>	<b>Account #</b>	<b>Line Item Account Name</b>	<b>Decrease</b>	<b>Increase</b>
Register of Deeds	104800.7400	Equipment	\$ 535	
	104800.1100	Telephone	\$1,500	
	104800.1400	Travel		\$ 2,035
Transfer funds for Register of Deeds to travel to the International Association of Clerks, Recorders, Election Officials & Treasurers Conference in New York July 1-5.				
Water	608100.3400	Chemicals		\$ 7,000
	608100.1300	Utilities		\$15,000
	608100.2020	Part-time Salaries	\$22,000	
	608100.7400	Equipment	\$ 1,000	
Utilities and Chemicals increased due to plants operating more than anticipated and part-time Used more hours due to health problems with Secretary.				
Solid Waste	105750.1101	Cell Phone		\$ 300
	105750.1300	Compactor Utilities		\$ 400
	105750.7401	Trash Truck – Ocracoke	\$ 700	
Cell Phone added during the year and utilities are more than anticipated				
Social Services	106100.4503	Social Worker – Contract	\$ 3,500	
	106100.1100	Telephone		\$ 3,500
Telephone Expenses are more than anticipated				
EMS	105920.1270	Longevity		\$ 550
	105920.1101	Telephone	\$ 550	
Longevity Budgeted Lower than needed				
Admin	104200.5300	Southern Albemarle Association		\$ 800
	109990.0001	Contingency	\$ 800	
Prior Year's Dues were inadvertently not paid – This would make Hyde County current with our membership dues.				

### **Ocracoke Community Center Board Appointment**

The appointment to the Ocracoke Community Center Board was tabled until the next meeting.

### **Susan Christensen, United States Department of Agriculture (USDA) – Letter of Conditions**

Susan Christensen, USDA presented the Letter of Conditions for Courthouse and Public Safety Complex. County Manager gave an overview of the project. The meeting was opened to receive public comments. Comments were received as follows:

- Cost of Dare County's new facility
- Construction Management verses General Contractor
- Percentage of payment for architect
- Cost of increase to tax rate
- Location of Courthouse Facility
- Swan Quarter Dike Completion

Upon motion made by W. Mack Carawan, Jr., seconded by Jane Hodges with all Board members voting in favor, BE IT RESOLVED THAT the Board accepted the condition set forth in the Letter of Conditions with USDA.

### **Water Bonds Extension Public Hearing**

W. Mack Carawan, Jr. moved that the Board of Commissioners of the County of Hyde proceed to hold a public hearing on the question of whether the maximum time period for issuing bonds and bond anticipation notes under the bond order entitled "Bond Order Authorizing the issuance of \$800,000 Water Bonds of the County of Hyde," adopted by the Board of Commissioners of the County on March 16, 1998, should be extended from seven to ten years. The motion was seconded by Jane Hodges and was unanimously adopted.

At 7:30 o'clock, P.M., the Chair of the meeting announced that the County Board of Commissioners would hear anyone who wished to be heard on the question of the above authorization extension. Don Davenport gave an overview of the project. Comments were received as follows:

- Funds needed to extend water service
- Engelhard Community

After the Board of Commissioners of the County had heard all persons who requested to be heard, W. Mack Carawan, Jr. moved that the public hearing closed. The motion was seconded by Charles Spencer and was unanimously adopted.

W. Mack Carawan, Jr. presented the following order and moved that it be adopted:

- "Order extending the maximum period during which bonds and bond anticipation notes may be issued under a Bond Order entitled "Bond Order Authorizing the Issuance of \$800,000 Water Bonds of the County of Hyde," adopted by the Board of Commissioners of the County on March 16, 1998"

Whereas, the Board of Commissioners of the County of Hyde (the "County"), had filed an application with Local Government Commission requesting an extension of the maximum period during which bonds and bond anticipation notes may be issued by the County pursuant to a water bond order adopted by said Board on March 16, 1998, from a period of seven years to a maximum period of ten years expiring on May 5, 2008; and

Whereas, the Commission has entered an order approving said proposed extension; and

Whereas, the Board of Commissioners of the County has held a public hearing on said proposed extension as required by North Carolina General Statutes 159-64: Now, Therefore,

Be It Ordered, by the Board of Commissioners of the County of Hyde as follows:

Section 1. The maximum period of time during which bonds and bond anticipation notes may be issued by the County pursuant to the water bond order adopted by the Board of Commissioners of the County on March 16, 1998 shall be extended from seven to ten years, such ten-year period to expire on May 5, 2008.

Section 2. This order shall take effect 30 days after its publication following adoption as provided by North Carolina General Statutes 159-64. The motion was seconded by Jane Hodges and the order was adopted by the following vote:

- Ayes: 5
- Nays: 0

W. Mack Carawan, Jr. moved that the Clerk be authorized and directed to publish the above order with an accompany notice of adoption in the form requested by law. Jane Hodges seconded the motion and the motion was unanimously adopted.

### **Barbara Moore and Beth Robinson, Tideland Mental Health**

Beth Robinson gave an overview of the financial status of Tideland Mental Health. Barbara Moore gave an overview of the services offered through Tideland Mental Health.

### **Janet Dodge, Hyde County Finance Officer**

Janet Dodge, Finance Officer presented several items to the Board:

1. **Audit Proposals** -- Janet Dodge outlined the steps taken in receiving proposal for the Hyde County audit. Proposals were received from Pittard, Perry, and Crone; Thomas, Price, Scott, Adams and Co.; Winston, Williams, and Creech, LLP. Ms. Dodge recommended accepting proposal from Pittard, Perry & Crone that was the low bid.

Upon motion made by W. Mack Carawan, Jr., seconded by Charles Spencer with all Board members voting in favor, BE IT RESOLVED THAT the Board accepted the recommendation of Janet Dodge and awarded the audit contract to Pittard, Perry & Crone FY 2004-5, 2005-6, and 2006-7.

2. **Joyce's of Ocracoke Occupancy Tax Penalties** -- Upon motion made by W. Mack Carawan, Jr., seconded by Charles Spencer with all Board members voting in favor, BE IT REOLVED THAT the Board agreed to forgive the Occupancy Tax Penalties in the amount of \$100 for Joyce's of Ocracoke.

### **Nathan Sears -- Cell Phone Service**

Mr. Sears discussed the poor cell phone service in Hyde County and requested the County Manager invite representatives from US Cellular to attend a future meeting to discuss solutions to the issue.

### **Manager's Business**

Mr. Davenport presented several items to the Board.

1. **Swan Quarter Volunteer Fire Department (SQVFD)**– Mr. Davenport presented a request on behalf of the SQVFD asking the County to pay \$700 monthly to help cover operational expenses until the judicial system can move into the new Courthouse Facility Complex. Upon motion made by W. Mack Carawan, Jr., seconded by Jane Hodges with all Board members voting in favor, BE IT RESOLVED THAT the Board approved paying \$700 monthly to the Swan Quarter Volunteer Fire Department to help cover operational expenses for judicial system. Payments will begin April 2005 and will be paid monthly until the judicial system is relocated in the new Courthouse Facility Complex.
2. **Resolution Supporting a 2% Occupancy Tax Increase Amendment** – Upon motion made by W. Mack Carawan, Jr., seconded by Jane Hodges with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the amendments to the Resolution Supporting a 2% Occupancy Tax Increase.

FOR COMPLETE RESOLUTION – SEE MINUTE DOCKET FOLDER – COUNTY MANAGER'S OFFICE.

3. **Berkley Manor Steering Committee Appointments** – Upon motion made by W. Mack Carawan, Jr., seconded by Jane Hodges with all Board members voting in favor, BE IT RESOLVED THAT the Board made the following removals and appointments to the Berkley Manor Steering Committee:  

<u>Removed:</u>		<u>Add:</u>
David Tweedie	Sally Newell	Janey Jacoby
Trudy Clark	Stella O'Neal	Robin Payne
4. **Preserve America Communities** – Upon motion made by W. Mack Carawan, Jr., seconded by Jane Hodges with all Board members voting in favor, BE IT RESOLVED THAT the Board approved the Preserve America Communities Grant Application and authorized the Chair and/or County Manager to sign on behalf of the County.
5. **Insurance Rates** – Upon motion made by W. Mack Carawan, Jr., seconded by Jane Hodges with all Board members voting in favor, BE IT RESOLVED THAT the Board requested the County Manager to send a letter to Jim Long, Commissioner of Insurance stating the Board's concern over homeowners increasing insurance rates.
6. **Hatteras Inlet Shoaling** – Upon motion made by W. Mack Carawan, Jr., seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board requested the County Manger to send a letter to Congressmen Jones requesting his assistance in arranging for the US Army Corp of Engineers to dredge Hatteras Inlet.
7. **Memorandum of Agreement – 8 Million Dollars** – 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 Memorandum of Agreement – Hyde County Grant Award Hurricane Recovery Act of 2005 between the Department of Crime Control and Public Safety and Hyde County for the amount of \$8,000,000.00.

### **Public Comments**

The meeting opened to receive public comments. Comments were received on the following topics:

- Conflict of Interest funds paid to State for CHAF Program
- Funds for Paving Senior Citizen Parking Lot
- Future Conflict of Interest prevention
- Employees Living in County
- Location of new Courthouse Complex Facility

**Information Items given to Board**

- Letter From Mary Canty Re: Extension for PW #972
- Letter to Mary Canty Re: Extension for PW #1100
- Letter To Yolanda Abram Re: CHAF
- Public Notice Trash Bag Giveaway Ocracoke Island
- Letter to Charles Miller Re: Flossie & McKinney Bryant
- Letter From David Fields Re: Swan Quarter Post Office
- Letter From Fentress Morris, Executive Director Economic Development Council Re: CDBG
- Preserve America Communities 2005 Application
- Hyde County Telecommunication Tower Ordinance
- Resolution O-Tax Increase
- Swan Quarter Dike Expenditures
- Memorandum of Agreement-Hyde County Grant Award Hurricane Recovery Act of 2005

**Adjournment**

Upon motion made by W. Mack Carawan, Jr., seconded by Bea Emmert with all Board members voting in favor, BE IT RESOLVED THAT the Board meeting adjourned at 9:40 PM.

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