

Minutes

Board of County Commissioners

Hyde County

March 21, 2011

Chairman Sharon Spencer called the Regular Meeting of the Hyde County Board of Commissioners to order at 7:00 PM on Monday, March 21, 2011 in the Hyde County Government Center, Multi-Use Room and the Ocracoke School Commons Area using electronic conferencing equipment. The following members were present on the mainland: Commissioners Anson Byrd, Sharon Spencer, Barry Swindell and Dick Tunnell; County Manager, Mazie Smith; Deputy Clerk to the Board Shelley Carawan; County Attorney Fred Holscher; and members of the public. The following members were present on Ocracoke: Commissioners Darlene Styron; Deputy Clerk, Jamie Tunnell and members of the public.

Following the opening prayer given by Chairman Spencer and the Pledge of Allegiance, the meeting was called to order.

Consideration of the Agenda:

Chairman Spencer asked for any changes to the March 21, 2011 meeting agenda as presented by the Clerk.

County Manager, Mazie Smith requested that the following items be added to the agenda:

- Item III. C. Appointments-Ocracoke Development Committee
- IV. D. Ordinances and Resolutions: Game Fish Resolution;
- V.D. Other Matters-Discussion of County Owned Property;
- VI.B.2. Monthly Reports-
 - d. Emergency Management (Jared Holz)
 - e. Tax Office (Linda Basnight)

Commissioner Byrd made a motion to approve the revised agenda with the aforementioned amendments. Mr. Tunnell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Consideration of Minutes:

Chairman Spencer asked for approval of the March 7, 2011 regular meeting minutes.

Chairman Spencer noted on page eleven under the County Managers Report where Commissioner Styron made comments. She recommended the sentence should read: "She said we must look to the future and try to listen to everyone."

Chairman Spencer also noted an error on page twelve under Emergency Services Update, the fifth paragraph, which should read "He further reported that all emergency generators have been serviced on the mainland, and that the Ocracoke generators will be serviced in May."

Commissioner Swindell moved to approve the March 7, 2011 regular minutes as presented by the Clerk with the corrections to page eleven and page twelve. Mr. Tunnell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Public Comments:

Chairman Spencer called for comments from the public.

Carol Evans, member of the Friends of the 1854 Historic Courthouse, informed the Board that there has been a lot of work done to the Old Courthouse and encouraged the Board to ask them if they had questions. She said that the Friends Committee meets every Tuesday night and anyone is welcome to attend.

Appointments

ABC Board Vacancy on Ocracoke

Commissioner Styron made a motion to nominate Keith Parker-Lowe to serve on the ABC Board on Ocracoke, replacing Scott Bradley. Mr. Swindell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Appointment of Additional Review Officer

County Planner Alice Keeney reported that there are currently three people designated as Platt Map Review Officers for Hyde County: herself, Justin Gibbs and Jane Hodges. Because Jane is no longer located in the Hyde County Courthouse Building, it would be in the best interest of the citizens if another review officer was appointed who is housed in the Courthouse. This is important because a map or plat cannot be recorded without a Review Officer's Signature, and having three officers available generally ensures that someone will always be available to perform this service. Mrs. Keeney recommended they appoint Kris Noble to fill this role.

Commissioner Tunnell made a motion to appoint Kristen Noble to become a Review Officer for Hyde County. Ms. Styron seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Ocracoke Development Board

Commissioner Styron made a motion to nominate Jennifer Esham, B.J. Oelschlegel, Tom Pahl, Amy Johnson, Bill Rich, Kirby Vanlandingham and Keith Parker-Lowe to the Ocracoke Development Board. Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Resolutions and Ordinances

Supporting Public Health Funding Through State Local Aid-To-County Resolution

On March 8, 2011, the North Carolina Association of Local Health Directors adopted a resolution to support continued Public Health funding through State Local Aid-to-County. The Governor's budget calls for a 60% reduction in Aid-to-County funding, a reduction of \$6.8 million of the current \$11.4 million, and the elimination of all local funding (\$400,000) from the Division of Environment and Natural Resources. There is further discussion that the House and Senate are considering total (100%) elimination of Aid-to-County funding. Historically, Aid-to-County funding is the only "non-categorical" funding allocated by the state to local health departments to assure the provision of essential public health services, and these funds are intended to improve health at the local level by providing resources to address locally identified gaps in services and community needs, and creating the infrastructure

necessary to effectively and efficiently respond to local needs. For Fiscal Year 2011-2012, Hyde County was slated to receive \$71,360 in General Aid-to-County funds. A 60% reduction in General Aid-to-County funds would reduce Hyde County's allocation from \$71,369 to \$28,544. Total elimination of these funds would diminish the Health Department's capacity to fund much-needed projects that improve the overall health of Hyde County, such as installation and lighting of walking trails, provision of dental care, addition of a third exam room, installation of handicap-accessible ramp and sinks/toilets in Health Department, portable AEDs for local schools, staff education, as well as outreach efforts in the community such as installation of a concrete pad for More @ Four program to increase activity for the children, and the rental of out-side equipment for the local 4H program.

Commissioner Swindell made a motion for the Board to write a letter of support in favor of the resolution adopted by the NC Association of Local Health Directors on March 8, 2011 and send a copy to Senator Stan White and Representative Tim Spear. Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Opposition of Ferry Tolls Resolution

A Resolution was presented for consideration by the Board opposing a ferry toll between the Ocracoke and Hatteras ferry and ferry toll increases on the Swan Quarter-Ocracoke ferry.

Commissioner Swindell made a motion to support the Opposition of Ferry Toll Resolution. Ms. Styron seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Opposition of Cost Shift to Counties-Resolution

A resolution was presented for consideration by the Board of Commissioners opposing the loss of County school construction dollars and the shift of State school funding responsibilities to Counties.

Commissioner Byrd made a motion to support the Opposing Cost Shift to Counties Resolution. Mr. Tunnell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Opposing the House Bill DRH60052-SB-13 “Designation of Coastal Game Fish”

David Hilton spoke to the Commissioners about the detriment of a bill that has been introduced that would allow certain species of fish to be labeled as game fish, limiting the ability of commercial fishermen to harvest the fish. He began by saying that the preamble to the bill states that this bill would violate the Fisheries Reform Act law already in place. He said the bill would also destroy jobs and decrease revenue for coastal communities, would place a burden on the economy and would increase unemployment. He noted that Ocracoke has 35 fishing families who rely on the harvest of these fish for their livelihoods, and he encouraged the Commissioners to join other organizations such as the Working Waterman’s group, to oppose the bill.

Commissioner Styron made a motion that the Hyde County Board of Commissioners oppose naming Red Drum, Striped Bass, and Spotted Sea Trout to game fish status and asked that they encourage the legislature instead to honor the Fisheries Reform Act by continuing to make all fish species available for the benefit and enjoyment of all North Carolina citizens. Mr. Tunnell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Other Matters

Budget Revisions

DSS---\$19,000.00---to assist clients in becoming self-sufficient and helping the elderly live on their own and with items of necessity. **Does not increase budget.**

Elections---\$1,200.00---To cover deficit and mileage to local meetings and training in Hendersonville, NC in April. **Does not increase budget.**

Health-Family Planning---\$3,250.00---Additional funding received from the Department of Public Health, Women’s & Children’s Health Branch, to assist Local Health Branch, to assist Local Health Department increase family planning patient caseload. Funds will be used for Contract FNP, as number or clinics may increase to facilitate an already improved caseload. **Does increase the budget.**

Health----\$2,108.56---Performance-Based Distribution (2nd distribution for FY 2009/2010 of Food and Lodging Funds from the Division of Environmental Health for achieving 100% compliance rate with mandated inspections of food and lodging

establishments. These additional funds will be used to purchase a laptop computer & a scanner/copier for F&L Inspector, and purchase some other needed supplies (printer cartridges, dish machine thermometers, and various office supplies). **Does increase the budget.**

Tax---\$5,000.00---Money was removed in Mid-year budget revision by the interim county manager but items still needed to be purchased. **Does not increase budget.**

Commissioner Swindell commented that he would like to see the contingency fund balance.

Commissioner Styron questioned the Elections revision and asked how many days of training were covered with this revision. Mrs. Smith said she would check with the Elections department.

Chairman Spencer thanked the Tax Office and the Health Department for their detailed budget revisions, making it easier for the Board to understand the purpose for the budget requests.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Request to Use Lottery Funds for Ocracoke School Gym

Finance Officer for Hyde County Schools, James Agar, presented to the Board the current status of the gym construction at Ocracoke Schools and the need for additional funds to alter the construction method of the floor and to provide maple wood flooring rather than composite flooring. The changes were suggested to the Board of Education by a Parent Advisory Committee. This committee felt pouring a concrete slab to build the floor on would strengthen it, and that maple flooring would last longer and be preferable to composite flooring. The Board of Education approved the use of lottery funds to make these changes at their last meeting, and is now requesting that the Board of Commissioners approve the use of lottery funds in the amount of \$134,728.00 for this change.

Commissioner Byrd asked if this amount was over and above the amount originally budgeted for the floor. Mr. Agar answered yes, the new design has sand underneath and the composite floor would need to be removed.

Commissioner Styron commented that she attended the Progress Report Meeting regarding the school flooring. She said that the proposed floor barely met code and that it was believed it wouldn't sustain long term usage.

Several other questions were asked that Mr. Agar was unable to answer, so after further discussion, Commissioner Styron made a motion to table the issue until the next regularly scheduled meeting. She requested that more information be provided to justify the amount of funding needed. Mr. Tunnell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Money Request for Albemarle Senior Games

The Albemarle Senior Games requested a financial contribution from Hyde County to support the program which provides health and wellness programs for the seniors in the County. The County has not contributed in the past two years.

Chairman Spencer requested that Darlene Berry from the Senior Center attend the next meeting to discuss how many seniors from Hyde County are active in the Albemarle Senior Games.

County Owned Property Discussion

Commissioner Byrd stated his concern that no mold remediation has been done to the old Courthouse. He reported that the Project Review Team had toured the building earlier and that it appeared mold was present. He also shared his concern that the building still isn't occupied and asked why a Building Permit was not issued before the work in the building took place.

Jared Holz, Supervisor of the Building Inspector, noted that an application was made for a building permit on the same day that the Inspections Department was being relocated to new offices, and that it did not get processed before the work began.

Manager Smith commented that the County owns several buildings for which she is unsure what the legal arrangements are and what obligations the occupants have in regard to insurance and liability. She also stated that some of the older buildings are requiring increasing maintenance and repairs, such as the old Davis School where a leak in the water line will probably cost about \$2500 to repair. She also noted that the County leases O.A. Peay School from the Board of Education but she did not know who paid the utilities and who provided maintenance on the building or if the County carried the insurance on it.

Chairman Spencer mentioned that the County should take the money used for leases to remodel the jail for office space.

Commissioner Reports

Commissioner Styron thanked Mrs. Smith for going to Raleigh to oppose the ferry tolls. She attended a meeting about ferry tolls on Ocracoke and approximately 130 people attended to hear the results. Ms. Styron urged all citizens of Hyde to write letters and contact our representatives opposing the ferry tolls. She commended Jamie Tunnell for her efforts in getting things posted regarding the ferry tolls.

Ms. Styron attended the ABC Board meeting and attended the 4th of July Committee meeting.

Commissioner Tunnell attended the Mideast Commission Meeting comprised of seven Counties and Commissioners. He also attended the ABC Board meeting.

Commissioner Byrd attended the ABC Board meeting and commented that it was educational.

Commissioner Swindell attended the ABC Board meeting and will be attending the Health Board meeting on Tuesday.

Commissioner Spencer attended the meeting on Ocracoke and commented that it was informative and commends everyone for attending.

County Manager's Report

Manager Smith noted that several upcoming Regulatory Reform Meetings were planned by legislators and were open to citizens. The purpose of the meetings is for citizens to discuss ways that legislation impedes their ability to do their jobs, particularly in the area of farming. She said that the meeting closest to Hyde County would be held in Greenville at Pitt Community College on April 4th from 1-3pm and she has more information if anyone is interested in attending.

She said that the NC 20 Group invited us to join without paying dues.

Mrs. Smith stated she will be attending the Occupancy Tax Meeting on Ocracoke and the Oil Spill Exercise coming up this weekend.

She noted that Dr. Charles Boyette had donated several nice plants from his greenhouse to the Courthouse. She will be writing a letter of thanks to him on behalf of the Commissioners.

Monthly Reports

Emergency Services Update-Jared Holz

Mr. Holz reported that there was a severe asthma case in Engelhard responded to by Hyde EMS personnel Gena Ortega, EMT-I; Tommy Loftus, EMT-I and David Daye, Paramedic. He said that had there not been a paramedic to respond, the patient probably would not have survived.

He noted that \$37,236.33 has been collected since the Colleton Group took over the County's EMS billing. He also noted that approximately \$626,000 in outstanding receivables since 2008 would eventually have to write-off as uncollectible. Mr. Holz said that past employees who did the billing did the best they could and that believed lack of training resulted in billing errors and low collection rates. He stated that medical billing processors require extensive training to be able to code and bill properly and that they training had to be ongoing to keep up with changes. He said it would not be beneficial to point the finger at any one person but he hoped we could learn from past mistakes and go forward.

Chairman Spencer said she appreciated Mr. Holz coming forward with the information and that no employee should be afraid to bring information to the board if they feel something isn't right. She said the Board made their decision to bring the billing function in-house based on the information they received from the past EMS Director and the former County Manager. She stated they had trusted their judgment and had been assured employees had been trained properly to handle the job when they there asked about it.

Commissioner Byrd commented that the Board was told the County would make more money doing the billing in-house and that he did not understand how this total got so large and the Board didn't know.

Commissioner Styron said that it felt like someone had taken money out of her cash register and that the situation was bad all the way around.

Brian Carter, Paramedic at Ocracoke, reported that his staff on the island continued to work hard and make him proud. He said he attended the 4th of July Committee meeting and will be taking part in the Oil Spill Exercise. He also said there will be CPR classes on the island.

Tax Office-Linda Basnight

Mrs. Basnight said that the Board decided on April 11th beginning at 6pm for the Equalization and Review sessions and that an alternate date needs to be scheduled. The Board decided on April 18th at 6pm for a backup date.

Closed Session

Chairman Spencer made a motion to enter into Closed Session pursuant to N.C.G.S. 143-318.11(a)(4). Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Commissioner Byrd made a motion to come out of closed session. Mr. Swindell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Commissioner Swindell made a motion to pay a stipend of up to \$100 monthly to County Manager Mazie Smith for her cell phone usage. Mr. Tunnell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Commissioner Byrd made a motion to adjourn the March 21, 2011, Regular Meeting of the Hyde County Commissioners. Commissioner Swindell seconded the motion.

The March 21, 2011 Regular Meeting of the Hyde County Board of Commissioners adjourned at 9:35 PM.

Respectfully submitted:

Minutes approved on the _____ day of _____, 2011

Mazie Smith, Clerk

Sharon Spencer, Chairman