

Minutes

Board of County Commissioners Hyde County

March 2, 2009

Chairman Tom Davis called the Regular meeting of the Hyde County Board of Commissioners to order at 7:00 PM on Monday, March 2, 2009 in the Hyde County Government Center, Multi-Use Room. The following members were present: Anson Byrd, Gene Ballance, Tom Davis, Sharon Spencer, and Barry Swindell. Also present were County Manager Carl Classen; County Attorney Sid Hassell; Clerk to the Board Lois Stotesberry; and members of the public.

Following a pledge of allegiance and opening prayer by Commissioner Swindell the meeting was called to order.

Agenda:

Chairman Davis asked for any changes to the March 2, 2009 meeting Agenda as presented by the Clerk. Commissioner Swindell moved to add Item IV. A. – Local Law – Hunting Issue; Item VI. D. – Consideration of RFP for Audit; and to accept the Agenda as amended by the Clerk. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

Consideration of Minutes:

Chairman Davis asked for approval of meeting minutes.

Commissioner Swindell moved to approve the February 16, 2009 meeting minutes with corrections made on page 1, line 20 noting *amended by the Clerk*. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

Public Comments:

Chairman Davis called for comments from the public.

David Fletcher, Lake Landing, asked why there is no podium in the Multi-Use Room; expressed concern that one or more ambulances tires are not load rated to fit an ambulance; referred to a letter written by EMS Director David Warren informing staff that time off was to be approved prior to the date needed; questioned housing on the Mainland for EMT's; and requested to be on the next meeting Agenda.

There being no further public comment, Chairman Davis continued the meeting.

Special Presentations:

Electronic Meetings Equipment – Eric Koss, SoundSide Group

Eric Koss of SoundSide Group gave an overview and demonstration of the Electronic Meetings (videoconferencing) equipment installed in Swan Quarter and what will be installed in Ocracoke School during early March.

Gordon Myers, Executive Director, NC Wildlife Resources Commission – Mattamuskeet Lodge Project Update

NC Wildlife Resources Commission Executive Director Gordon Myers presented an update on the Mattamuskeet Lodge Project and discussed where we are in the process and the outlook given current State budget shortfalls. Mr. Myers reported Phase I of the project is complete. One more community meeting will be held to discuss use of the building.

In addition to Gordon Myers presentation, Hyde County Grant Technician Kris Noble gave an update on the Mattamuskeet Lodge Sewer Projects.

Clint Berry, Public Utilities Director – Hyde County Mainland Water System Monitoring

Clint Berry, Public Utilities Director, and Bob Tomlinson, Water Plant Manager, gave presentation on mainland water system monitoring. Mr. Berry gave an overview of the reverse osmosis water treatment process. Mr. Berry reported that Maximum Contaminant Levels (MCL's) are set at very stringent levels.

Ordinances and Resolutions:

Local Law – Hunting/Trespassing

Commissioner Byrd reported that bow hunters who trespass on “No Hunting” property are not regulated under current local laws and cannot be fined by wildlife Resources Commission (WRC).

Commissioner Byrd moved to ask The General Assembly to change the trespass law to apply to hunting, fishing and training dogs. Ms. Spencer seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

Appointments:

Ocracoke Community Center Advisory Board

Commissioner Ballance moved to appoint Ms. Susan Norvell as a member of the Ocracoke Community Center Advisory Board. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

The Board of Commissioners thanked former Board Member Nancy Leach for the past five years of service to the Ocracoke community.

Other Matters:

Budget Revisions and Transfers

County Manager Carl Classen reported to the Board that in accordance with the FY2007-08 Budget Ordinance several budget transfers were made administratively and he requested approval of the following:

A. Tax Department Pick-Ups and Releases

Tax Administrator Linda Basnight presented a list of tax bills recommended for release.

<u>Year</u>	<u>Name</u>	<u>Amount</u>	<u>Reason</u>
1998	Lucas, Florida	125.51	Ms. Lucas in nursing home in 1993, electricity cut off
1999		119.66	
2000		113.81	
2001		200.40	
2002		188.10	
2004	Rigsbee, Michael Wayne	292.00	Also billed on account # 207225
2005		312.27	
2006		290.67	
2007		437.13	
2008		91.84	

2002	Ellis, Sr., Oscar W.	77.11	Boat sunk in 1999 during hurricane Floyd
2003		53.38	
2004		51.43	
2005		48.07	
1998	Poole, William W.	19.79	Double listed also to Lee Radcliff
2008	Jeffries, Charlene S.	237.99	Double listed
		2,659.16	TOTAL

Commissioner Swindell moved to approve the tax bill releases as presented as listed above. Mr. Ballance seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

B. Budget Amendment – Board of Elections – Fees to Local Officials & Office Supplies

Board of Elections Director Cindy Carawan has requested transfer of (\$14,500.00) to cover fees to local official’s budget shortfall and needed office supplies.

Commissioner Spencer moved to authorize the Board of Elections budget transfer of \$14,500.00. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

C. Budget Amendment – Public Utilities – Maintenance and Repairs

Public Utilities Director Clint Berry has requested transfer of (\$21,000.00) to cover additional maintenance and repair expenses.

Commissioner Spencer moved to authorize the Public Utilities budget transfer of \$21,000.00. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

D. Budget Amendment – Administration – Electronic Meetings Equipment

County Manager Carl Classen has requested transfer of (\$79,309.62) to cover the installation of the videoconferencing equipment.

Commissioner Spencer moved to authorize the Administration budget transfer of \$79,309.62. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

E. Budget Amendment – Administration – Public Safety Building Repairs

County Manager Carl Classen has requested transfer of (\$40,000.00) to cover the repair of the Public Safety Building.

After discussion, Commissioner Davis moved to authorize the Administration budget transfer of \$40,000.00 to cover the remediation costs and to get the County’s money back as soon as possible. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

Quarterly ADM & Lottery Funds Taken

On February 25, 2009 County Manager Carl Classen learned that the Sate redirected the February quarterly distributions to the county ADM Fund (\$5 million loss) and the Lottery School Construction Fund (\$37.6 million loss) to help offset declining state revenues for this fiscal year. Hyde County’s portion is less than (\$20 thousand).

County Manager Carl Classen reported that Qualified Zone Academy Bond (QZAB) payments will come out of this fund in the future.

NC20 Organization – “Beach Plan” Insurance Rate Increase

“NC20” is an organization which was formed in 2008 in response to the stormwater regulations and is now focused on the insurance rate increase for the “Beach Plan” who requests Hyde County join the organization at a cost of \$0.10 per capita or about \$550.

Hyde County is already part of the coastal county/town consortium fighting the insurance rate increase through legal channels and has authorized up to \$1 per capita towards this consortium. No action taken.

Stimulus Projects Update

County Planner/Developer Alice Keeney was unable to attend the March 2 Commissioners meeting but Kris Noble, Grant Technician gave an update on the status of actions taken in support of the stimulus projects approved by the County Commissioners.

Additionally, Chairman Davis has sent a letter to NCDOT urging second round stimulus funding include projects in Hyde County such as reconstruction of NC12 on the north end of Ocracoke Village; safety improvements to US264 at Hodges corner; and bridge replacement and road realignment on US264 at New Holland Road.

County Manager Carl Classen reported that Governor Bev Perdue has created website ncrecovery.gov so citizens could follow use of the funds.

Consideration of Request for Proposal (RFP) for 2009 Audit

After discussion, Commissioner Davis moved to advertise a Request For Proposal (RFP) for 2009 audit services. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

County Commissioners Reports:

Commissioner Ballance reported the RegNeg Committee work is over; the Golden LEAF/Ocracoke Fish House project is going very well; and the Electronic Meetings equipment is impressive.

After discussing “Pay-As-You-Throw” on Ocracoke, Commissioner Ballance moved to place an order for 13-gallon trash bags totaling approximately \$2,000. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, and Swindell. Nays – Chairman Davis; Absent or Not Voting – None.

Commissioner Byrd will attend the Albemarle Mental Health meeting on Wednesday.

Commissioner Spencer attended the Albemarle Commission meeting and reported that the Commission is cutting its budget. The commission will receive approximately \$1 million from Workforce Development.

Commissioner Swindell attended the Communication Advisory Group meeting on Monday and reported that the Group requests Administrative Deputy Barbara Deese attend next month’s meeting; requests to see the Computer Aided Dispatch (CAD) system; and questions the use of the Hyde County Emergency Operations Plan (EOP).

No other Board or Committee reports were offered so Chairman Davis continued with the Agenda.

County Manager’s Report:

Project Reports

In response to Mr. David Fletcher's public comments, County Manager Carl Classen reported that Mr. Max Fisher has been authorized to move forward on building a Podium; housing is available for part-time EMT's on the mainland; three part-time EMT's have been hired; and that he will investigate the tires issues and report his findings.

County Manager Carl Classen reported on Electronic Meetings Project in Swan Quarter and Ocracoke; Mattamuskeet EMS Station; Swan Quarter Dike Project; Engelhard Water Treatment Plant RFP's next week; and Mattamuskeet Lodge Sewer Project.

County Manager Carl Classen further reported that boundary issues are being investigated and a circular entry will be studied at the Ocracoke Convenience Site; Ocracoke NPS Boat Ramp meeting soon; RFP was issued for Ocracoke Building Repairs project; Engelhard Airport Building rehab vs. modular building option is being reviewed; Regional Managers to meet with Albemarle Mental Health Director on Friday; and a Board of Equalization & Review organizational meeting schedule is needed.

Swan Quarter Park Project

Swan Quarter Park Project was delayed for a couple of days due to discovery of a tombstone on the property. A State archeologist confirmed there is no grave and construction may now continue. It appears the tombstone was a part of debris from an old demolished building.

Revaluation Meetings

After discussion, Commissioner Byrd moved to appoint Shelley Eason as Special Counsel for the Board of Equalization & Review. Mr. Ballance seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Spencer, Swindell, and Chairman Davis; Nays – None; Absent or Not Voting – None.

At its March 16 Commissioners meeting the Board must approve a meeting schedule and adopt "Rules of Procedure" to utilize electronic meetings.

Closed Session:

Ms. Spencer moved to enter Closed Session in accordance with NCGS §143A-318.11(a)(6) to discuss personnel matters. Mr. Byrd seconded the motion. The motion passed on the following vote: Ayes Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

The Commissioners entered closed session at 9:43 P.M.

Commissioner Davis moved to return from Closed Session. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

The Commissioners re-entered regular session at 10:20 P.M.

There being no further matters to come before the Commissioners, Mr. Byrd moved to adjourn the meeting. Mr. Ballance seconded the motion. The motion passed on the following vote: Ayes – Ballance, Byrd, Davis, Spencer, and Swindell; Nays – None; Absent or Not Voting – None.

The meeting adjourned at 10:25 PM.

Respectfully submitted:

Minutes approved on the _____ day of _____, 2009.

Lois Stotesberry, Clerk - Hyde County Board of Commissioners

Tom Davis, Chairman - Hyde County Board of Commissioners