

Hyde County Board of Commissioners' Meeting
March 5, 2007
Minutes

The Regular Meeting of the Hyde County Board of Commissioners was called to order by Chairman Charles Ray Spencer on March 5, 2006 at 7:00 PM in the Mattamuskeet School Cafeteria. Board Members present were Charles Spencer, Chair; Tom Davis; Alice Armstrong; and Barry Swindell. Commissioner Nathan Sears was absent.

Also present were Carl Classen, Interim County Manager, Sid Hassell, County Attorney, and Connie Burleson, Clerk.

Chairman Spencer called the meeting to order, Barry Swindell offered prayer.

Approval of Agenda

After consideration, Mr. Davis moved to approve the agenda as amended, to which Ms. Armstrong seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

Approval of Minutes February 19, 2007

After consideration of amendments by Chairman Spencer, Mr. Davis moved to approve the minutes of the February 19, 2007 Board of Commissioners Regular Meeting as submitted by the Clerk, to which Ms. Armstrong seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

Public Comments

Chairman Spencer asked for any comments from the public. Hearing none, Chairman Spencer continued with the agenda. Johnny Stotesberry, Chief Ponzer Volunteer Fire Department requested the Board's consideration in guaranteeing a loan for the Department's new fire station building. Board referred to the Interim Manager to review and present to the Board on March 19, 2007. Hearing no further comments, Chairman Spencer continued with the Agenda.

Swan Quarter Dike Project

Mr. Swindell moved to appoint Tom Davis Board Liaison to the Swan Quarter Dike Project, to which Ms. Armstrong seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

Budget Revisions and Transfers

After discussion, Ms. Armstrong moved to approve the Budget Revisions and Transfers as submitted, to which Mr. Davis seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

CLERK’S NOTE: A copy of the approved budget amendments are attached to these minutes as Exhibit A and incorporated herein by reference.

Frank Fortescue Subdivision Approval

After discussion, Mr. Davis moved to approve the subdivision application from Mr. Frank Fortescue to subdivide 43,560 square feet from land that is approximately 10 acres, consisting of approximately six acres of farmland and four acres of woodland, and authorized the Chairman and other County officials to sign and execute following all final review by the Planner that all conditions of the Hyde County Subdivision Ordinance have been included on the plat, to which Mr. Swindell seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

Subdivision Ordinance Amendment

Hearing no objection from Board members, Chairman Spencer ordered County Manager Carl Classen to draft an amendment for review at a future meeting to streamline authority for approval of minor subdivision plats.

Subdivision Approval Heriberto Mendoza and Ben Midyette

Mr. Davis declared that he had a conflict of interest on these matters and asked to be excused during consideration. Mr. Swindell moved to excuse Mr. Davis from all matters relating to Consideration of Heriberto Mendoza subdivision application and Ben Midyette’s variance application, to which Ms. Armstrong seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Davis, Sears.

Approval of Subdivision-- Heriberto Mendoza

After consideration, Mr. Swindell moved to approve the subdivision application from Mr. Heriberto Mendoza to subdivide 25,723 square feet from Swan Acre Farms, and authorized the Chairman and other County Officials to sign and execute following all final review by the Planner that all conditions of the Hyde County Subdivision Ordinance have been included on the plat, to which Ms. Armstrong seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Davis, Sears.

Variance Application – Midyette—Subdivision Ordinance – Minimum Lot Width

After consideration, Ms. Armstrong moved to approve Mr. Ben Midyette’s variance application allowing for lot frontage reduction from minimum 35 feet to 30.42 feet, requiring that subdivision plat include language

stating that variance application allowing for lot frontage reduction from 35 feet to 30.42 feet and that such variance was approved by the Board on March 5, 2007, and authorized the Chairman and other County Officials to sign and execute following all final review by the Planner that all conditions of the Hyde County Subdivision Ordinance have been included on the plat, to which Mr. Swindell seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Davis, Sears.

Larry Sadler HMGP Sales Agreement and Contract Approval

After consideration, Mr. Davis moved to approve the Resolution Establishing Just Compensation for Selected Real Property in the Hyde County Hazard Mitigation Grant Program related to Larry P. Sadler and authorized the Chairman and other County officials to sign and execute documents in support of this action. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

CLERK'S NOTE: A copy of the approved resolution is attached to these minutes as Exhibit B and incorporated herein by reference.

County Manager Applications

After consideration, Mr. Swindell moved to ask the County Commissioners Association for a retired county manager to assist the Commissioners in reviewing the applications; directed the County Attorney to transmit the applications to the person provided by the Commissioner Association; appointed the Chair and Vice-chair as a committee to assist in determining which applicants will interview; and directed the clerk to arrange for meetings of the commissioners and the Association representative and to provide administrative support for this purpose, to which Ms. Armstrong seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

Joint Meeting with Board of Education

After consideration, the Board approved holding a special meeting with the Board of Education to begin at 4:00 PM on Tuesday, March 13, 2007 at O.A. Peay School Board Room and directed the Clerk to advertise as required.

Commissioners Reports

Commissioners Davis, Swindell, and Spencer all commented on the success of the Commissioners' retreat held on March 3, 2007.

Retreat Continuation Schedule

After consideration, the Board approved holding a continuation to the retreat at 6:00 PM on March 26, 2007 at O.A. Peay School Board Room and directed the Clerk to advertise as required.

Public Hearing – 2006-2007 Secondary Road Improvement Program

Mr. Davis moved to open a Public Hearing for the purpose of receiving comments from the public regarding the 2006-2007 Secondary Road Improvement Program, to which Ms. Armstrong seconded. Anthony Roper, NCDOT Division Engineer presented the 2006-2007 Secondary Road Improvement Program. Janet Russ stated concern with safety at Patrick's curve and DOT will research issue. Hearing no further discussion, from the public, Mr. Davis moved to close the Public Hearing, to which Mr. Swindell seconded. Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

2006-2007 Secondary Road Improvement Program

After consideration, Mr. Swindell moved to approve the 2006-2007 Secondary Road Program as presented, to which Ms. Armstrong seconded. Hearing no further discussion, Chairman Spencer called for a vote. The motion passed upon the following vote: Aye – Commissioners Armstrong, Davis, Swindell, and Chairman Spencer; No – None; Absent or Not Voting – Sears.

Revaluation Information

Linda Basnight, Tax Administrator discussed revaluation and the growing impact of the disparity between recent property sales and the current Hyde County property assessments.

Adjournment

The meeting adjourned at 8:00 PM.

Submitted by:

Connie Burleson, Clerk to the Board of Commissioners

Approved this ___ day of March, 2007:

Charles Spencer, Chairman,
Hyde County Board of Commissioners

Exhibit A

Revisions:

33	Rescue	105920.1101	Phone/Cell Phone	1,200.00	
		105920.7425	Equip- CAP O.L (over \$5,000)		1,200.00
			Transfer to cover expenses for phones remainder of fiscal year		
	Inspections	105400.3100	Gas, Oil and Tires		\$500
		105400.3300	Departmental Supplies	\$500	
			Need to move in order to purchase office supplies.		

**RESOLUTION ESTABLISHING JUST COMPENSATION
FOR SELECTED REAL PROPERTY IN THE
HYDE COUNTY HAZARD MITIGATION GRANT PROGRAM (HMGP)**

WHEREAS, it has been certified by Tom Howard & Associates Appraisers as the County's contract appraiser for the HMGP program that the property listed below has been appraised in accordance with NC State law, Uniform Standards for Professional Appraisal Practice (USPAP) guidelines, and HMGP program; and

WHEREAS, the County has copies of said appraisal report in its possession that it has been reviewed and found to be accurate and reliable.

THEREFORE BE IT RESOLVED, that Just Compensation is hereby established by the Hyde County Board of Commissioners for the following parcel:

Owner Name	Parcel Identification	Street Address	Established Value
Larry P. Sadler, Jr Melissa N. Sadler	206779	225 NC 45 Swan Quarter, NC	\$80,000

Adopted by the Hyde County Commissioners on March 5, 2007.

ATTEST:

Connie Burleson, Clerk