

**Hyde County Board of Commissioners' Meeting  
March 7, 2005  
Minutes**

The Hyde County Board of Commissioners held its regular meeting on Monday, March 7, 2005 in the Mattamuskeet School Cafeteria 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  
Doug Gibbs, Washington Daily News  
Jamie Tunnell, The Ocracoke Observer

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

**Approval of Agenda**

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 agenda as amended. Hatteras Inlet Ferries was added to the agenda.

**Approval of Minutes**

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 minutes of the February 21, 2005 meeting as amended. W. Mack Carawan, Jr. opposed the motion to table the Hyde County Cablevision Franchise.

**Budget Revisions and Transfers**

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

**Budget Revisions:**

<u>Department</u>	<u>Account#</u>	<u>Line Item Account Name</u>	<u>Increase</u>	<u>Increase</u>
<b>Health</b>	50.3480.0132	Medicaid	\$10,500	
– <b>Home Health</b>	50.5800.7400	Equipment		\$10,500
<b>Health</b>	10.3480.0043	Medicaid	\$ 800	
– <b>Family Planning</b>	10.5950.4507	Contract-Pharmacy		\$ 800

<u>DEPARTMENT</u>	<u>ACCOUNT #</u>	<u>LINE ITEM ACCOUNT NAME</u>	<u>INCREASE</u>	<u>INCREASE</u>
<b>ADMINISTRATION</b>	104200.4502	ARCHITECT SERVICES	\$ 286,500.00	
	103980.0000	TRANSFER FROM CAPITAL RESERVE		\$ 286,500.00
<b>BOARD APPROVED BRENNAN ASSOCIATES TO PROCEED WITH THE CONSTRUCTION DOCUMENT PHASE AT JANUARY 24,2005 MEETING</b>				
<b>SOCIAL SERVICES</b>	103470.0001	ENERGY ASSISTANCE (REV)	\$ 331.00	
		ENERGY ASSISTANCE (EXP)		\$ 331
<b>ADDITIONAL FEDERAL ALLOCATION</b>				
	103470.0002	CRISIS INTERVENTION PREV (REV)	\$ 3,762.00	
	106140.0027	CRISIS INTERVENTION PREV (EXP)		\$ 3,762.00
<b>ADDITIONAL FEDERAL ALLOCATION</b>				
	103980.0099	CAP MEDICAID ESCROW	\$ 7,730.00	
	106130.3300	SUPPLIES		\$ 1,866.00
	106130.7400	EQUIPMENT		\$ 5,864.00
<b>USE OF ESCROW FUNDS FROM DSS CAP PROGRAM - DISCUSSED AT FEB.21,2005 MEETING **THIS IS APPROXIMATELY \$1,000 MORE THAN ORIGINALLY PRESENTED DUE TO THE ADDITIONAL PRICE OF WHEELCHAIR</b>				

EMER. MANAGEMENT 105250.7401 2003 HOMELAND SECURITY GRANT \$ 3,890.00  
 2003 HOMELAND SEC. GRANT(REV) \$ 3,890.00  
**ADDITIONAL GRANT ALLOCATION**

**Budget Transfers:**

<u>Department</u>	<u>Account#</u>	<u>Line Item Account Name</u>	<u>Decrease</u>	<u>Increase</u>
Elections	10.4300.0300	Fees to Local Officials	\$1,500	
	10.4300.1400	Travel		\$1,500
Need to add to travel line item to cover additional mileage for Board Members Meetings and training of Director and Deputy in April with rooms and registrations as well as technology training at State Board Office. Shortfall due to costs of Board Members attending conferences for certification.				
DEPARTMENT	ACCOUNT #	LINE ITEM ACCOUNT NAME	DECREASE DEBIT	INCREASE CREDIT
REGISTER OF DEEDS	104800.7400	EQUIPMENT	\$ 135.00	
	104800.5300	DUES & SUBSCRIPTIONS		\$ 135.00
<b>TRANSFER FUNDS FOR DUES TO THE INTERNATIONAL ASSOCIATION OF CLERKS, RECORDERS, ELECTION OFFICIALS &amp; TREASURERS</b>				
EMERGENCY MGMT	105250.1100	TELEPHONE		\$ 650.00
INSPECTIONS	105250.3100	GAS, OIL & TIRES		\$ 1,100.00
	105250.3300	SUPPLIES		\$ 500.00
	105400.1100	TELEPHONE	\$ 650.00	
	105400.3100	GAS, OIL & TIRES	\$ 1,100.00	
	105400.3300	SUPPLIES	\$ 500.00	
MOVE FUNDS FROM INSPECTIONS TO EMERGENCY MANAGEMENT TO SHOW EXPENSES IN THE RIGHT BUDGET				
SOIL & WATER	106060.3200	SUPPLIES	\$ 33.00	
	106060.5300	DUES		\$ 33.00

**Health Board Appointment – Willie Gray Shaw**

Upon motion made by Bea Emmert, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board appointed Willie Gray Shaw to the Health Board as the representative from Engelhard.

The replacement for Dr. Moore will be considered at a future meeting.

**Robin Payne, Preserve America Communities**

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 adopted the Ocracoke Heritage Preservation Commission Resolution authorizing the formation of the Ocracoke Heritage Preservation Commission as part of the Preserve America Grant application.

**Linda Scarborough, Berkley Manor Steering Committee**

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 adopted the Resolution requesting the NC General Assemble enact the relevant local bill authorizing a 2% increase in the Occupancy Tax as amended.

**Reed Whitesell, Holland Consulting Planners**

**Public Hearing Relative to Application for Funding Under the Housing and Community Development Act of 1974**

Upon motion made by W. Mack Carawan, Jr., seconded by Charles Spencer with all Board members voting in favor, BE IT RESOLVED THAT the Public Hearing Relative to Application for Funding Under the Housing and Community Development Act of 1974 opened at 7:53PM. Mr. Whitesell, Holland Consulting Planners gave an overview of the project. Alice Keeney explained the Kitchen Incubator Project. After receiving public comments and upon motion made by W. Mack Carawan, Jr., seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Public Hearing closed at 8:33.

Public comments were received on such issues as amount of grant and location of facility.

Upon motion made by Bea Emmert, seconded by Nathan Sears with all Board members voting in favor, BE IT RESOLVED THAT the Board authorized sending a letter stating the Board's intent to apply for CDBG Entrepreneurial Incubator Grant.

### **Public Hearing Budget Revision 2004 CDBG-Revitalization Strategies Business Incubator Program**

Upon motion made by W. Mack Carawan, Jr., seconded by Jane Hodges with all Board members voting in favor, BE IT RESOLVED THAT the Public Hearing for Budget Revision 2004 CDBG Revitalization Strategies Business Incubator Program opened at 8:34 PM. Reed Whitesell, Holland Consulting Planners gave an overview of the program. After receiving public comments public comments and upon motion made by Bea Emmert, seconded by Jane Hodges with all Board members voting in favor, BE IT RESOLVED THAT the Pubic Hearing closed at 8:38 PM.

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 budget revision as requested.

### **Clint Berry, Water Department Manger**

Mr. Berry gave an update on the Engelhard Water Plant progress.

Mr. Berry presented the Engineering Agreement for the Engelhard Water Plant project and requested authorization by the Board for County Manager Don Davenport to sign the documents. 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 authorized County Manager Don Davenport to sign the Engineer Agreement with Rivers and Associates to construct a water treatment plant in the Engelhard Community and authorized Mr. Berry to move forward with acquiring land purchase options and test wells on the property.

### **Linda Mayo, Health Department Director – Child Health Nurse Position**

Upon motion made by Jane Hodges, seconded by W. Mack Carawan, Jr. with all Board members voting in favor, BE IT RESOLVED THAT the Board authorized the Child Health Nurse Position. The position will be funded by Smart Start Partnership funds for the last four months of this fiscal year and beginning July 1, 2005 the position will be funded by Smart Start, State child health funds and Medicaid earnings generated by the activities of the nurse.

### **Nathan Sears – Hatteras Ferry Names**

Upon motion made by Nathan Sears, seconded by Charles Spencer with all Board members voting in favor, BE IT RESOLVED THAT the Board authorized County Manager Don Davenport to send letters to Senator Marc Basnight and the NC DOT Ferry Division stating the Board's request to name the two new ferries in Honor of "Hatteras" and "Frazier Peele".

### **Manager's Business**

Mr. Davenport presented several items to the Board.

1. **Water Bond Extension** – 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 agreed to conduct a Public Hearing at the March 21 2005 Meeting at 7:30PM on the extension of the County's water bond authorization.
2. **E-NC Champions** – Upon motion made by Jane Hodges, seconded by Charles Spencer with all Board members voting in favor, BE IT RESOLVED THAT the Board reappointed Margie Brooks and Alice Keeney as Hyde County's E-NC Co-Champions.
3. **Jury Selection Software** – Upon motion made by Jane Hodges, seconded by Charles Spencer with all Board members voting in favor, BE IT RESOLVED THAT the Board authorized the County Manager to renew the jury selection software agreement with Service Commander Software, Inc.
4. **Youthworks** – 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 agreed to pay for the rent on the trash dumpsters and the disposal fees for the Youthworks group helping with clean up and repair damage to homes in Hyde County during the summer from June 12, 2005 – August 5, 2005.
5. **VIPER Radio System** – Mr. Davenport made the Board aware of the VIPER Radio System and the possibility that the State may request County property to construct a tower in the future.

### **Public Comments**

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

- Health Board
- Funds for Dredging
- Military Operation Area
- Partnership for the Sounds meeting scheduled for March 23, 2005 at 10:00AM at Beaufort Community College
- Margie Brooks introduced Lloyd Balance, Executive Director for Hyde County Community Development Corporation

### **Closed Session – Pending Litigation**

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 entered into closed session at 9:31 PM for pending litigation.

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 came out of closed session at 10:12 PM.

**Repayment of Conflict of Interest Regulation to NC Dept of Crime Control and Public Safety**

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 authorized County Manger Don Davenport to repay funds in the amount of \$80,890 to the NC Department of Crime Control and Public Safety for Conflict of Interest violations.

Budget Revision:

Increase	Administration	10.4200.4305	CHAF Grant Closeout	\$80,890
Decrease		10.9990.0001	Contingency	\$80.890

**Information Items given to Board**

Informational Items

- NCACC Workshop Notice Subject: Working for Results as a Board
- Resolution Adopted by The Greater Hyde County Chamber of Commerce  
Re: Preserving Public Access to Waterway at NCDOT Bridges
- Letter to Walter Jones from The Greater Hyde County Chamber of Commerce  
Re: Support for the Swan Quarter Water Shed Project
- Letter to John Taylor US Postal Service Re: Swan Quarter Postal Service
- Letter to James A. Topping Re: Foreclosure Resulting from Cancellation of Insurance
- Letter to Patricia Peterson Re: Foreclosure Resulting from Cancellation of Insurance
- Letter to Lisa Spencer Re: Foreclosure Resulting from Cancellation of Insurance
- Report on Area Authority/County Program Catchment Area Consolidation Plan
- Letter to Congressman Jones, Senator Dole and Senator Burr Re: Swan Quarter Dike Project
- Letter to Congressman Jones, Senator Dole and Senator Burr Re: Swan Quarter Post Office
- The Rural Center Notice of Supplemental Grant Award Engelhard Reverse Osmosis Water Treatment Plant
- Letter from Congressman Jones Re: Swan Quarter Postal Service
- Grand Jury Jail Inspection for Ocracoke
- Hyde County EMS Report for January 05
- Resolution from Dare County Requesting Modifications to Article 14C of the NC General Statutes Entitled "North Carolina Saltwater Fishing Fund"
- Summary of FY2005 CDBG Entrepreneurial Incubator Grant
- Hyde County Bond Authorization Extension Timetable
- Hyde County Clerk of Superior Court Budgeting Information for the New Fiscal Year
- Letter From Senator Richard Burr Re: Swan Quarter Post Office
- Resolution Supporting Local Option Lottery
- February 2005 Animal Control Report
- Letter From Mayme McCorison Re: YouthWorks Intentions to Volunteer in Hyde

**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 10:30 PM.

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Clerk \_\_\_\_\_ Chairman

Hyde County Board of Commissioners