

Minutes

Hyde County Board of Commissioners May 2, 2011

Chairman Sharon Spencer called the regular meeting of the Hyde County Board of Commissioners to order at 7:30 PM on Monday, May 2, 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: Chairman Spencer, Commissioners Anson Byrd, 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: Commissioner Darlene Styron; Deputy Clerk, Jamie Tunnell and members of the public.

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

CONSIDERATION OF THE AGENDA:

Chairman Spencer asked for any changes to the May 2, 2011 meeting agenda as presented by the Clerk.

Chairman Spencer asked that the Public Hearings be held first and the Special Presentation held second.

Commissioner Styron requested that the following item be added to the agenda:

Item IV.B Appointments-Scenic Byway

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

Item V.C Ordinances and Resolutions-Proclamation of Mosquito and Tick Awareness Month-Solid Waste

Commissioner Swindell made a motion to approve the agenda as amended.

Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

CONSIDERATION OF THE MINUTES:

Chairman Spencer asked for approval of the April 18, 2011 regular meeting minutes.

She noted an error on page three midway of page. The suggested the sentence should read "She added that it left her with many questions." Manager Smith noted an error on page ten. It should read "...STEM Fair (Science, Technology, Engineering and Math)..."

Commissioner Swindell moved to approve the April 18, 2011 regular minutes as presented by the Clerk.

Ms. Styron seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

PUBLIC HEARINGS

Setting Distance Limits for Waterfowl Hunting Blinds

Commissioner Swindell made a motion to open the public hearing to the public.

Mr. Byrd seconded the motion.

Commissioner Byrd stated that the Board had received quite a few requests over the past couple of years regarding regulations setting distance limits for waterfowl hunting blinds. He said some people want regulations and some do not, so the Board decided to hold a hearing to see what the citizens want.

He asked the audience who was opposed to regulations and the majority of the crowd raised their hand. He then asked who was for regulations and only one person raised their hand.

Kenneth Tillet, Ocracoke, said he was opposed to the regulation.

Kin Vaughan, Washington, commented that he was in agreement that safety is an issue but thought it should be a State issue. He encouraged the Board to include the user group west of Hyde County before making any decisions.

Mark Carawan, Swan Quarter, told the Board that 90% of his profit came from hunters coming to Hyde County. He said most hunters have respect for

landowners but acknowledged that some do not. He said he felt there should be regulations in place so that people can't set up ten feet from him on his property and suggested the Board appoint a wildlife commission. Commissioner Byrd commented that 2% of people aren't going to abide by the rules whether there are rules in place or not.

Robert Tate, owner of Hotel Engelhard, stated that he is not a duck hunter but his income is generated by the hunters that stay at his hotel and this regulation would negatively affect his business.

Willie Richardson said he owns property in Hyde County with sound frontage and has duck blinds. He said the majority of duck blinds on the sound aren't hunted that often. He added that hunters should make the effort to get there early if they don't want to be crowded.

Commissioner Swindell made a motion to close the public hearing.

Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

No Wake Zone-Mattamuskeet Lake

Commissioner Byrd made a motion to open the public hearing regarding a No Wake Zone at the Mattamuskeet Lake on the East Main, West Main and Central Canals.

Mr. Swindell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Deb Pierce, Mattamuskeet Wildlife Refuge Manager, stated that the purpose for the No Wake Zone was for safety near the boat ramps and residences near Mattamuskeet Lodge. She explained that the refuge will provide and install the signs and there will be no cost to the County.

With no comments being made by the public, Commissioner Swindell made a motion to close the public hearing.

Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Commissioner Byrd made a motion to accept the Resolution in Support of a No Wake Zone at the Mattamuskeet Lake.

Commissioners Tunnell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

SPECIAL PRESENTATIONS

Hyde County Board of Education

James Agar, Finance Officer with Hyde County Schools presented to the Board the budget for the upcoming school year with the additional information requested by Manager Smith. Mr. Agar stated that there is fear the State will not fund the Non-Instructional Support Staff. It hasn't been funded for the past two years but has been covered by ARRA funds. Now the ARRA funds have been cut also.

There were no further questions regarding the information provided.

PUBLIC COMMENT

Chairman Spencer called for comments from the public.

Doug Gibbs, Engelhard, asked about the status of the Ocracoke ferry tolls.

Manager Smith answered that it does not appear at this time that tolls will be imposed on the Ocracoke-Hatteras ferry. She stated that efforts continue to lobby the legislature on the issues surrounding the Swan Quarter-Ocracoke ferry, particularly in regard to exemptions for those providing services to the island.

APPOINTMENTS

ABC Board

Chairman Spencer informed the Board that she had spoken with Jay Etheridge regarding the ABC Board and he has asked to be replaced. Mrs. Spencer thanked Mr. Etheridge for his efforts and service to the ABC Board. She nominated Sharon B. Gibbs of Engelhard to replace him.

Manager Smith commented that Charles Ray Spencer has also declined serving on the ABC Board again and needs to be replaced.

Commissioner Styron nominated Don Bachman from Ocracoke to serve on the Board.

Commissioner Byrd made a motion to appoint Sharon Gibbs for a two year term and Don Bachman for a one year term.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Ocracoke Scenic Byway Committee

Commissioner Styron made a motion to appoint Melinda Sutton to the Scenic Byway Committee on Ocracoke.

Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

RESOLUTIONS AND ORDINANCES

Wanchese Seafood Industrial Park Project-Ordinance-Alice Keeney

Alice Keeney, County Planner, presented to the Board an Ordinance for the Wanchese Seafood Industrial Park Project. The hopes are for this project to be completed by June 30, 2011, if not an extension may be given.

Commissioner Tunnell made a motion to approve the Wanchese Seafood Industrial Park Project Ordinance as presented.

Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Energy Efficient Grant Project Ordinance

Manager Smith presented to the Board an Energy Efficient Grant Project Ordinance. The purpose of the project is for the County buildings to become more energy efficient and save money.

Commissioner Byrd made a motion to adopt the Energy Efficient Grant Project Ordinance.

Mr. Swindell seconded the motion.
Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Proclamation for Mosquito and Tick Awareness Month

Hugh Watson, Health Inspector, informed the Board that it was Mosquito and Tick Awareness Month. Mosquitos and Ticks carry infectious diseases that are sometimes hard to detect in humans so be careful and check yourself regularly.

Commissioner Swindell made a motion to adopt the Proclamation for Mosquito and Tick Awareness Month.

Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

OTHER MATTERS

ABC Board Report-Keith Parker-Lowe

Keith Parker-Lowe presented to the Board the financials he had gathered for the month.

Commissioner Byrd stated that an accurate financial statement would be great.

Commissioner Swindell said that last month showed an \$8,000 profit, and asked what is the profit line this month?

The Board suggested Mr. Lowe get together with the newly appointed Board members and have a meeting as soon as possible.

Engelhard Development Corporation-Charles Williford

Charles Williford told the Board that the EDC has paid for the rest area lease for the past seven years. Mr. Williford asked the Board to have the County pay the \$1800 annual lease for the rest area property.

Commissioner Styron asked how the EDC had paid for the lease in previous years.

Mr. Williford answered that fundraisers held had been beneficial in paying the lease.

Chairman Spencer commented that the rest area is a benefit to the County as a whole and is money well spent.

Commissioner Swindell made a motion to pay the \$1800 lease now and incorporate it into the next budget.

Chairman Spencer seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Solid Waste-Clint Berry

Clint Berry, Utilities Director, asked the Board for permission to construct the solid waste budget for the coming fiscal year with a change to the program that would eliminate curbside pickup services beginning October 1, 2011 when solid waste contracts expire for mainland hauling.

Commissioner Styron asked that Mr. Berry check on the recycling savings.

Commissioner Swindell made a motion to proceed and operate five convenience sites and include the cost on the tax bill. Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Director Berry then asked for a motion to approve the bidding out for trash hauling services.

Commissioners Byrd made the motion.

Ms. Styron seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Director Berry explained that funds were currently being held in escrow by Dare County for the replacement of a trash truck that would no longer be needed for that purpose. He asked for a motion to recover this money from Dare County and to use it for the construction/explanation of the convenience site on Ocracoke Island.

Commissioner Swindell made a motion to approve the use of Hyde County money held in an escrow account in Dare County for trash truck replacement to reconstruct the convenience site on Ocracoke.

Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Commissioner Swindell made a motion to use money from capital improvements funds if the County doesn't receive the escrow money from Dare County in time to use them for the startup costs.

Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Commissioner Styron asked Mr. Berry about the status of delinquent accounts.

Mr. Berry answered that the people had paid their bills after receiving letters from our County Attorney.

Manager Smith thanked Mr. Berry for his hard work in preparing the Solid Waste reports. Chairman Spencer asked that the spreadsheets prepared by Mr. Berry be added to the County website.

COMMISSIONERS REPORTS

Commissioner Styron reported she was involved in several strategy sessions for opposing the ferry tolls. She asked that citizens write our legislatures and thank the House of Representatives for their support on not tolling the Hatteras/Ocracoke ferry.

Ms. Styron mentioned that Stan White said to talk to the budget writers and that he would talk with them personally.

Ms. Styron reported she attended the Civic and Business Association meeting, a meeting with Conservation, and the Ocracoke Development Ordinance Board. She also attended a local play called Celebration of Bees on the island.

Ms. Styron announced that Charles Temple, English teacher on Ocracoke, will be on Jeopardy on Thursday night at 7:30pm. She also mentioned that the Fishing Tournament is coming up and the British Cemetery ceremony will be Friday, May 13th.

Commissioner Swindell had nothing to report.

Commissioner Tunnell had nothing to report.

Commissioner Byrd was asked by Social Services Director, Gloria Spencer, to announce that Social Services has discount prescription drug cards for anyone, any age.

Commissioner Spencer asked if we were still having the Mock Hurricane Drill.

Mrs. Smith answered yes.

COUNTY MANAGER'S REPORT

Manager Smith mentioned that she has had many conversations about the ferry tolls and continues to lobby on behalf of the citizens on the issue.

She reported she had attended meetings at the Southern Albemarle Association and the Albemarle Commission, and will be meeting with a representative from Alphanumeric regarding the County's technology operations. She also said she attended the Hyde County 4-H Livestock Show and was most impressed with the participants. She thanked the Cooperative Extension and Soil and Water department staff members for their hard work on the program.

She reported she will be attending the Regional County Commissioners meeting on May 25th and will be on Ocracoke for their next Planning Board meeting.

Manager Smith stated that Jared Holz is no longer employed by the County. She announced the appointment of Justin Gibbs as Acting Emergency Services Planner. He will be assisted in the management of Emergency Services by Brian Carter on Ocracoke Island and Jeff Hibbard on the mainland. Both have been named Acting Emergency Services Deputy Directors.

Mrs. Smith also announced that all of the volunteer fire departments in the County passed their inspections and commended them for the achievement. Their continued high ratings mean our citizens pay reduced fire insurance premiums.

Manager Smith shared an invitation with the Board from the Coast Guard to the annual memorial service held at the British Cemetery on Ocracoke. This year's event will take place on May 13th at 1 pm.

Chairman Spencer closed the meeting with a suggestion that the Commissioners consider hiring a lobbyist to stay on top of the legislation that impacts Hyde County. She shared that most of the counties who have retained the services of a lobbyist feel it has been money well spent.

Commissioner Swindell made a motion to adjourn the May 2, 2011, Meeting of the Hyde County Commissioners.

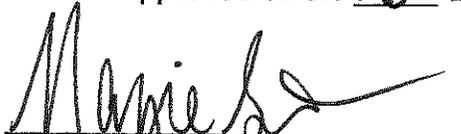
Commissioner Styron seconded the motion.

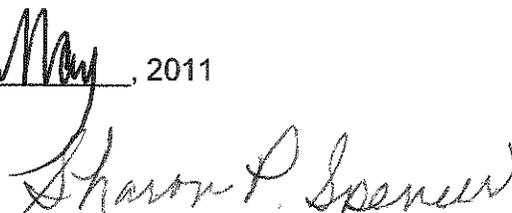
Ayes: Byrd, Spencer, Styron, Swindell, Tunnell
Nays: None

The May 2, 2011 Regular Meeting of the Hyde County Board of Commissioners adjourned at 9:36 PM.

Respectfully submitted:

Minutes approved on the 16 day of May, 2011


Mazie Smith, Clerk


Sharon P. Spencer, Chairman