

**Hyde County Board of Commissioners' Meeting**  
**November 19, 2007**  
**Minutes**

Chairman Charles Spencer called the Regular meeting of the Hyde County Board of Commissioners to order at 7:00 PM on Monday, November 19, 2007 in the Multi-Purpose Room of the Hyde County Government Center, Swan Quarter. The following members were present: Alice Armstrong; Gene Balance, Tom Davis, Charles Spencer, and Barry Swindell. Also present were Interim County Manager Carl Classen, County Attorney Sid Hassell, various staff members, and members of the public.

Agenda: Chairman Spencer asked for any changes to the November 19, 2007 meeting Agenda. Modifications were made to Item II. Public Comments. Mr. Davis moved to approve the agenda as amended. Ms. Armstrong seconded the motion. The motion passed on the following vote: Ayes – Commissioners Armstrong, Balance, Swindell, Davis and Chairman Spencer; Nays – None; Absent or Not Voting – None.

Minutes: Chairman Davis asked for approval of the October 29, 2007 Minutes as distributed by the Clerk, but requested the October 15, 2007 and the November 5, 2007 Minutes be held over. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Armstrong, Ballance, Swindell, Davis and Chairman Spencer; Nays – None; Absent or Not Voting - None.

Public Comments: Chairman Spencer asked for comments to the Board from the public.

Larry Moolenaar, Executive Director, Eastern Carolina Council, gave a quarterly update on the Community Development Block Grant (CDBG) improvements underway at the Davis Center.

Frank Swindell, Engelhard, NC requested another Solid Waste Public Input Meeting. Solid Waste Advisory Committee Chairman stated that public notice was given for an additional public input meeting on Monday, November 26, 2007 at 7:00 PM in the Multi-Use Room of the Government Center.

There being no further public comments, Chairman Spencer continued with the meeting Agenda.

Public Hearing – US264 Speed Limit in Engelhard:

Commissioner Swindell made motion to open a public hearing on the speed limit along US264 south of Engelhard. Commissioner Armstrong seconded the motion. The motion passed on the following vote: Ayes – Commissioners Armstrong, Balance, Swindell, Davis and Chairman Spencer; Nays – None; Absent or Not Voting – None.

The Emergency Management Coordinator recommended and Commissioner Davis made motion to send recommendation to NCDOT that the speed limit be lowered to a speed not slower than 45 MPH as step down from 55 MPH from Martelle's Restaurant and the new Engelhard Medical Center, around the sharp curve at Patrick's Corner, to the 35 MPH zone beginning at the Engelhard Fire Department. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Commissioners Armstrong, Balance, Swindell, Davis, and Chairman Spencer; Nays – None; Absent or Not Voting – None.

Hearing no further comments from the public, Commissioner Davis made motion to close public hearing. Commissioner Armstrong seconded the motion. The motion passed on the following vote: Ayes – Commissioners Armstrong, Balance, Swindell, Davis and Chairman Spencer; Nays – None; Absent or Not Voting – None.

Public Hearing - \$1.75 Million CDBG – Revitalization Strategies Project Closeout

Commissioner Davis moved to open public hearing on closeout of the \$1.75 million CDBG – Revitalization Strategies project was made by Mr. Davis. Commissioner

Swindell seconded the motion. The motion passed on the following vote: Ayes – Commissioners Armstrong, Ballance, Swindell, Davis and Chairman Spencer; Nays – None; Absent or Not Voting – None.

Mr. Chris Hilbert, Holland Consulting Planners, explained that the Closeout Public Hearing was required as part of the grant project. He further stated no further action was necessary beyond the public hearing.

Hearing no further comments from the public, Commissioner Davis made a motion to close public hearing. Commissioner Armstrong seconded the motion. The motion passed on the following vote: Ayes – Commissioners Armstrong, Ballance, Swindell, Davis and Chairman Spencer; Nays – None; Absent or Not Voting – None.

#### Ordinances and Resolutions:

A Resolution Relating to Sea Grant Coastal Offices Remaining Open. Commissioner Ballance presented the request for Hyde County to join with Dare County in adopting the Resolution asking the State to keep open Sea Grant offices in coastal counties so watermen and researchers have direct, easy access to one another. After discussion, Mr. Ballance moved to adopt *A Resolution Relating to Sea Grant Coastal Offices Remaining Open*. Mr. Davis seconded the motion. The motion passed on the following vote: The motion passed on the following vote: Ayes – Armstrong, Ballance, Swindell, Davis and Chairman Spencer; Nays – None; Absent or Not Voting - None.

CLERK'S NOTE: A COPY OF *A RESOLUTION RELATING TO SEA GRANT COASTAL OFFICES REMAINING OPEN* WHICH WAS APPROVED BY THE BOARD OF COMMISSIONERS IS ATTACHED HERETO AS EXHIBIT A AND INCORPORATED HEREIN BY REFERENCE.

#### Appointments:

Hyde County Social Services Board. Mr. Swindell moved to re-appoint Alice Armstrong to the Hyde County Social Services Board. Commissioner Ballance seconded the motion. The motion passed on the following vote: Ayes – Armstrong, Ballance, Swindell, Davis and Chairman Spencer; Nays – None; Absent or Not Voting - None.

Unified Government: Carl Classen, Interim County Manager discussed the concept of Unified Government on Hyde County. No action was taken and Chairman Spencer continued with the Agenda.

Ocracoke Fire District Requests: Tony Spencer, Emergency Management Coordinator and County Fire Marshal, reported on a recommendation from the County Fire Chiefs and to approve the new Ocracoke Fire District. Commissioner Swindell made motion to approve and submit to the Office of the State Fire Marshal a five (road) mile fire district map for Ocracoke. Commissioner Armstrong seconded the motion. The motion passed on the following vote: Ayes – Commissioners Armstrong, Ballance, Swindell, Davis, and Chairman Spencer; Nays – None; Absent or Not Voting – None.

Mr. Swindell moved to direct the County Manager work with the Fire Marshal to submit a proposal for a review of local fire services to create a fire service strategic plan that included improvement of fire department service, recruitment, and retention of volunteers, alternative and improved fire service funding, and improvement of fire insurance rating. He further moved that the Fire Marshall work with the County Manager to investigate provision of high speed Internet service to the fire stations and report back to the Commissioners. Commissioner Ballance seconded the motion. The motion passed upon the following vote: Ayes – Armstrong, Ballance, Swindell, Davis and Chairman Spencer; Nays – None; Absent or Not Voting - None.

CDBG Scattered Site Grant Award: Hyde County has been approved for a CDBG Scattered Site Grant Award in the amount of \$366,649.00. After discussion, Mr. Davis moved to authorize acceptance of the Grant, to authorize the Chairman, County Manager, Clerk and other necessary County officials to sign and execute the funding approval and grant agreement following review by the County Attorney and to authorize execution of

the signature cards for signature by the Planner (Alice Keeney) and the County Manager (Carl Classen, Interim). Commissioner Ballance seconded the motion. The motion passed upon the following vote: Ayes –Armstrong, Ballance, Swindell, Davis and Chairman Spencer; Nays – None; Absent or Not Voting - None.

Boards and Committees: Chairman Spencer asked for reports from various boards and committees.

**SOLID WASTE ADVISORY COMMITTEE:** Commissioners Davis and Mr. Swindell reported on the work of the Solid Waste Advisory Committee and the next public input meeting scheduled for Monday, November 26 at the Government Center.

**OCRACOCKE AIRPORT ADVISORY COMMITTEE:** Committee member Phil Plat passed away earlier in the month. Commissioner Ballance regrettably reports an open position on the Advisory Board.

**SUBDIVISION ORDINANCE AMENDMENT COMMITTEE:** Commissioners Davis and Mr. Swindell report no action taken.

No other board or committee reports were offered so Chairman Spencer continued with the Agenda.

County Commissioner Reports:

Commissioner Spencer spoke on the progress of the Albemarle Mental Health Board.

County Manager's Report: Chairman Spencer asked for a report from the Interim County Manager.

**GOVERNMENT CENTER:** Mr. Classen reported that the Multi-Use Room of the Government Center will be available to Government amenities for upcoming meetings and to the public. No fee would be charged at this time.

**FAR CREEK DREDGING SPOILS SITE PROJECT:** Mr. Classen reported the project is completed. Charles Gibbs has offered use of a spoils site for future dredging.

**HYDE COUNTY AIRPORTS – ENGELHARD AND OCRACOCKE:** Mr. Classen reported on problems with the overlay at the Engelhard Airport runway and parking lot and that it will be corrected by the State.

**SWAN QUARTER DIKE PROJECT:** Mr. Classen reported the project is completed. Mr. Hassell stated he will meet with NRCS in Raleigh on Friday and will give report at the next Commissioners meeting.

**FINANCIAL REPORTS:** Mr. Classen reported on second quarter expenditures.

**POSITION CLASSIFICATION, SALARY SURVEY, AND PERSONNEL POLICY UPDATE:** Mr. Classen reported that salary research should be completed in late November or early December.

**DRUG TESTING POLICY IMPLEMENTATION:** Mr. Classen reported that he has spoken with representatives of SafetyNet, an employee drug testing firm currently utilized by Hyde County Schools and numerous other school systems. For all County employees to be tested individually, the cost would be approximately \$5,000 and \$5,000 annually thereafter. Testing would be done at the Hyde County Health Department and at Ocracoke Health Center. For the initial fee, SafetyNet would review the existing County Alcohol and Drug Free Workplace Policy and submit suggested amendments. Commissioner Armstrong moved to budget the necessary funds and to authorize the County Manager to enter into an agreement for alcohol and drug testing services with SafetyNet. Commissioner Spencer seconded the motion. The motion passed on the

following vote: Ayes –Armstrong, Ballance, Swindell, Davis and Chairman Spencer;  
Nays – None; Absent or Not Voting - None.

EMPLOYEE EVALUATION PROGRAM: Mr. Classen reported that a regularly scheduled employee evaluation program is still in development.

MATTAMUSKEET LODGE IMPROVEMENTS: Mr. Classen reported work on the improvements proposed for Mattamuskeet Lodge and that the County is being asked by the Wildlife Resources Commission to assist with the waste water improvements to Engelhard. He stated that he was working with Hobbs Upchurch & Associates on the wastewater project.

Closed Session: Mr. Spencer moved to enter Closed Session in accordance with NCGS 143–318.11 (a) (6) regarding personnel matters. Mr. Davis seconded the motion. The motion passed on the following vote: Ayes – Armstrong, Ballance, Swindell, Davis and Chairman Spencer; Nays – None; Absent or Not Voting - None. Mr. Davis made motion to excuse Clerk Lois Stotesberry. Mr. Davis seconded the motion. Sid Hassell, County Attorney was asked to attend.

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

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

Respectfully submitted:

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Lois Stotesberry, Clerk to the Board of Commissioners

Minutes approved on the 22<sup>nd</sup> day of January, 2008.

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Charles Spencer, Chairman,  
Hyde County Board of Commissioners

ATTACHMENTS:

*Exhibit A – Resolution Relating to Sea Grant Coastal Offices  
Remaining Open*