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Minutes

**Board of County Commissioners
Hyde County
June 6, 2011**

Chairman Sharon Spencer called the regular meeting of the Hyde County Board of Commissioners to order at 7 PM on Monday, June 6, 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.

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

Consideration of the minutes:

Chairman Spencer asked for any changes to the May 16, 2011 meeting minutes as presented by the Clerk.

Commissioner Styron noted an error on page 11, line 12 should read nays: Swindell.

Commissioner Swindell made a motion to approve the amended minutes with corrections to page 11.

Ms. Styron seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: none

Consideration of the agenda:

Chairman Spencer asked for any changes to the June 6, 2011 meeting agenda as presented by the clerk.

- Manager Smith requested that the following items be added to the agenda:
 - Item 26 ABC board
 - Item 27 Appoint chairman of ABC board
 - Item 28 Lease Agreement for Social Services office space on Ocracoke
 - Item 29 Extension to project agreement for Swan quarter Dike Project
 - Item 30 Resolution in Support of state Port Feasibility Study

1 Item 31 County Health Assessment survey

2

3 Commissioner Byrd made a motion to approve the agenda as amended.

4

5 Mr. Tunnell seconded the motion.

6

7 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

8

9 Nays: none

10

11 **Public Comments:**

12 **Vann O'Neal**, Ocracoke commented on his personal property and land
13 regulations.

14

15 **BJ Oelschlegel**, Ocracoke asked the Board if they had spent time to research the
16 protection in any increase the contract company might enforce in future.

17

18 **Mike Johnson**, Ocracoke, expressed his concern with the construction in process
19 on Ocracoke. He wondered if there had been a soil prep study done and was
20 concerned with the possibility of liquid waste from compactors. Mr. Johnson
21 also added that he owns property in Wake County and those residents don't pay
22 for trash, it is prioritized.

23

24 **Amy Johnson**, Ocracoke, said that she wasn't sure the Board had considered the
25 volume of people utilizing the convenience sites at one time and that traffic jams
26 were possible.

27

28 **Ward Garrish**, Ocracoke, stated that including the garbage on the tax bills
29 wasn't fair to the citizens because it was punishing some over others. He said to
30 charge each household the same amount for garbage.

31

32 **Jane Gibbs**, Fairfield, announced to the Board that her water is bad and smells of
33 sulfur. She said she had spoken with Mr. Berry regarding her water and he can't
34 seem to smell or taste the sulfur. Mrs. Gibbs added that it makes her clothes
35 smell and is very offensive. She also mentioned that she isn't the only person
36 experiencing problems. She told the Board that the water should be made right
37 and shouldn't have to pay \$3,000 to fix water.

38

39 **Bob Hayes**, Engelhard, said that he pays for trash service for the convenience of
40 it but the County is going backwards if they move forward with convenience
41 sites and cutting curbside pickup. He said to raise taxes and keep curbside
42 pickup.

43 **Budget Presentation-Mazie Smith**

44 Manager Smith presented the proposed budget for the 2011-2012 fiscal year.
45 She explained that the budget represents a reduction of over \$900,000 from the
46 previous fiscal year budget, and that resources will be allocated to support

1 Customer Service, Economic Development and Infrastructure development. Mrs.
2 Smith commended Finance Director, Jessica Gibbs for her hard work on the
3 budget and to her staff for their efforts to save.

4
5 Chairman Spencer and Commissioner Byrd commented that it was a great
6 presentation.

7
8 **Public Hearing-Proposed Solid Waste Program**

9 Clint Berry, Utilities Director, began by saying that the Board had approved
10 doing away with curbside pickup and that it was his job to move forward with
11 their decision to form a new budget. He said that the County had provided a
12 Cadillac service and in return the County paid dearly for it. He said the current
13 goal is to look for ways to save money and increase recycling. He explained that
14 the elimination of curbside pickup should provide a savings of \$400,000.

15
16 He reported that \$145,000 was received from Dare County as expected from the
17 fund they had established to purchase trucks for Hyde County should the need
18 arise. Mr. Berry explained that the money will now be used to build up the
19 infrastructure on Ocracoke, adding two compactors bins and making two
20 entrance ways.

21
22 **Odessa Jarvis**, Swan Quarter, suggested that a committee be appointed for
23 discussion of unusual situations.

24
25 **Wayne Hodges**, Swan Quarter, asked the Board if they were thinking about the
26 elderly. He asked about the trash bags that were purchased before and what
27 happened to them. He stated he owns property in Tyrrell and Beaufort Counties
28 and \$100 takes care of the trash there.

29
30 **Fred Westervelt**, Ocracoke, mentioned that he had emailed the Board regarding
31 the proposed changes. He began by saying that the timing was appalling because
32 it was the worst time to change things. He said the Board should continue to
33 investigate incineration as a means of disposing of solid waste.

34
35 **James Arnold**, Ocracoke, told the Board that they were running him off the
36 island and wanted to know why he was paying 1.5 cent more in taxes than the
37 mainland. He also added that merit raises are given for a job well done and he
38 hasn't seen any jobs done well.

39
40 **Monroe Gaskill**, Ocracoke, stated he has been employed with Dare County for
41 over 30 years as a trash truck driver. He told the Board that they were the
42 biggest bunch of jerks he has ever seen.

43 **BJ Oelschlegel**, Ocracoke, questioned the Board about saving money by
44 reducing services and raising taxes because there needs to be more conversation
45 about it.

46

1 **Ann Ehringhaus**, Ocracoke, asked that if this new plan is supposed to create
2 jobs, what is the county going to do about the three sanitation workers on
3 Ocracoke who will lose their jobs.
4
5 Clint Berry answered that the three sanitation workers did not work for Hyde
6 County, they work for Dare County and it is up to Dare County to decide what to
7 do with them.
8
9 **Debbie Wells**, Ocracoke, said she was blown away by the reaction of the Board
10 regarding the Dare County employees. She stated that these employees haul off
11 the trash and are now being abandoned and it doesn't make any sense. The
12 County has lost credibility.
13
14 **Mike Johnson**, Ocracoke, calculated that the property tax value of \$1.3 billion at
15 8 cents should generate \$1 million. He asked if the County was keeping the
16 trucks.
17
18 Clint Berry answered that he saw no need for the trucks and would suggest
19 selling them as surplus.
20
21 **Cindy Gaskill**, Ocracoke, questioned the waste runoff and if the applicable
22 permits had been attained for the hauling of the trash on the ferries.
23 Mr. Berry answered that the compactor will leave less liquid because it is sealed
24 and that no permits were required.
25
26 **Ward Garrish**, Ocracoke, spoke again and said the County should charge the
27 same to everyone in order to be fair.
28
29 **Unidentified woman**, Ocracoke, stated that every week there are six people
30 moving in and out of her neighbor's house and doesn't think it's fair that she
31 pays the same amount for trash that they do.
32
33 **Noise Ordinance Draft**
34 Commissioner Styron questioned amplified versus non amplified music and the
35 difference. After much discussion, the draft noise ordinance was tabled until the
36 next meeting with the addition of a blank fee line added.
37
38 **Resolution to Approve State Aid to Airports Block Grant**
39 Commissioner Byrd made a motion to support the Resolution giving State Aid to
40 the Airports Block Grant.
41
42 Ms. Styron seconded the motion.
43 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell
44
45 Nays: none
46

1 **Resolution in Support of State Port Feasibility Study**
2 Commissioner Tunnell made a motion to support the State Port Feasibility Study
3 Resolution.

4
5 Mr. Byrd seconded the motion.

6
7 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

8
9 Nays: none

10
11 **Lodging Policy-Corrinne Gibbs**

12 Corrinne Gibbs, Human Resources Director, presented to the Board a lodging
13 policy to be added to the Employee Personnel Policy. She stated that the policy
14 is necessary because grant applications sometimes require such a policy by the
15 entity applying. It also clarifies the specific requirements employees must meet
16 in order to be eligible for lodging reimbursement.

17
18 Commissioner Byrd made a motion to approve the presented lodging policy.

19
20 Mr. Tunnell seconded the motion.

21
22 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

23
24 Nays: none

25
26 **Dress Code Policy-Corrinne Gibbs**

27 Corrinne Gibbs, Human Resources Director, presented the second reading of the
28 dress code policy to the Board. Chairman Spencer commented that a dress code
29 policy is a wonderful thing because it adds to professionalism.

30
31 Commissioner Tunnell made a motion to approve the dress code policy as
32 presented.

33
34 Mr. Swindell seconded the motion.

35
36 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

37
38 Nays: none

39
40 **Agreement to Move Water Lines for Bridge Replacement at New Holland-**
41 **Clint Berry**

42 The NCDOT will be replacing the bridge #B-4551 at New Holland on Hwy 264
43 and there are some water lines that need to be relocated. The agreement will
44 allow NCDOT to incorporate these relocations in their contracts and they will
45 cover all expenses.

1 Commissioner Byrd made a motion to approve the agreement to move water
2 lines for bridge replacement at New Holland.

3

4 Mr. Swindell seconded the motion.

5

6 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

7

8 Nays: none

9

10 **Lease Agreement for Social Services Office Space on Ocracoke Island**

11 Commissioner Styron asked how much the lease was and where the location is.
12 Gloria Spencer, Social Services Director, answered that the lease was for \$600
13 per month with 60% being reimbursable. The office will be located at 147 Sand
14 Dollar Road.

15

16 Commissioner Tunnell made a motion to accept the lease agreement with office
17 spaced located at 147 Sand Dollar Road, for \$600 per month.

18

19 Mr. Byrd seconded the motion.

20

21 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

22

23 Nays: none

24

25 **Extension to Project Agreement for Swan Quarter Dike Project-Debbie**
26 **Cahoon**

27 Debbie Cahoon, Soil and Water Conservation, asked that the Board approve
28 amendment #2 to project agreement no. 69-4532-0-001 for the Swan Quarter
29 Watershed Project Phase XIII.

30 Commissioner Byrd made a motion to approve amendment #2.

31

32 Mr. Tunnell seconded the motion.

33

34 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

35

36 Nays: none

37

38 **Appointment to ABC Board**

39 Manager Smith shared that Bryan Schmitt of Engelhard would be interested in
40 serving on the ABC Board.

41

42 Commissioner Swindell made a motion to appoint Bryon Schmitt to serve on the
43 ABC Board for a three year term.

44

45 Mr. Byrd seconded the motion.

46

1 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

2

3 Nays: none

4

5 **Extension of Time to Construct Road in Thomas Twiddy Subdivision-**
6 **Shannon Twiddy**

7 The Hyde County Planning Office recommended that the Board approve the
8 extension of the installation of the road provided that Mr. and Mrs. Twiddy
9 secure the installation of the road with a letter of credit in the amount of
10 \$41,356.25. The term of the extension must coincide with the expiration date of
11 the letter of credit.

12

13 Attorney Holscher commented that if the letter of credit wasn't extended then
14 the extension ends.

15

16 Commissioner Byrd made a motion to accept the extension of the installation of
17 the road with the expiration date based on the letter of credit provided by Mr.
18 and Mrs. Twiddy.

19

20 Mr. Tunnell seconded the motion.

21

22 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

23

24 Nays: none

25

26 **ICPC Funding Plan Executive Summary-Nancy Hodges**

27 Nancy Hodges, Area Coordinator for Juvenile and Crime Prevention, presented to
28 the Board the recommendation of \$500 be allocated from the NC Department of
29 Juvenile Justice and Delinquency Prevention Funds for administrative costs of
30 the Council for FY 2010-2011.

31

32 Commissioner Tunnell made a motion to allocate \$500 from the NC DJJDP funds
33 for administrative costs to the Council for FY 2010-2011.

34

35 Mr. Byrd seconded the motion.

36 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

37

38 Nays: none

39

40 **First Responder Contract-Justin Gibbs**

41 Justin Gibbs, Acting Emergency Services Director, presented recommendations
42 to the Board for the First Responder Program. Mr. Gibbs stated that there are
43 currently no guidelines in place and that all first responders are dispatched to
44 every call by the dispatchers. He explained that the contract for First Responder
45 Service, including the reimbursement for calls, is part of the contract with the
46 Volunteer Fire Departments. Mr. Gibbs suggested separating the contracts and

1 revising the contract to provide a differential in reimbursement for first
2 responders who earn additional credentials as medical responders.

3
4 Commissioner Byrd made a motion to accept the recommendations made by
5 Justin Gibbs and to move forward with changing the contract.

6
7 Mr. Tunnell seconded the motion.

8
9 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

10
11 Nays: none

12
13 Chairman Spencer asked for a five minute recess.

14
15 **Budget Revisions**

16 **Capital Reserve**---\$145,599.00---For Solid Waste site improvements.
17 \$145,599.00

18 **Increases the budget.**

19
20 **Health-Mosquito Control Program**---\$500.00---Transfer of funds to cover
21 preventive maintenance on six mosquito spraying machines. \$500.00

22 **Does not increase the budget.**

23
24 **Health-BCCCP Program**---\$546.00---Received for digital mammography
25 reimbursement. \$546.00

26 **Increases the budget.**

27
28 **Sheriff**---\$16,000.00---To pay for increase in gas prices and unexpected tire
29 replacement on deputy vehicles. \$16,000.00

30 **Does not increase the budget.**

31
32 Commissioner Swindell made a motion to approve the budget revisions as
33 presented to the Board.

34
35 Mr. Byrd seconded the motion.

36
37 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

38
39 Nays: none

40
41 **Hyde County ABC Board Budget and Budget Message-Keith Parker-Lowe**
42 Keith Parker-Lowe, ABC Board, presented the ABC Board proposed budget and
43 stated that there was no change in expenditures. He also announced that the
44 first \$1,000 payment towards the note incurred in 2006 had been paid. He
45 announced that there is storage for inventory now on Ocracoke. He also noted

1 that the truck carrying inventory to the island is being put on the ferry without a
2 driver and is picked up on the other side, thus freeing up employees.

3

4 **Hyde County ABC Board Chairman**

5 Commissioner Styron made a motion to appoint Keith Parker-Lowe as the
6 Chairman of the ABC Board.

7

8 Mr. Byrd seconded the motion.

9

10 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

11

12 Nays: none

13

14 **Department Reports**

15 **Water Department-Clint Berry**

16 Mr. Berry commented on the water on North Lake Road and said that he would
17 not allow anyone to drink water that wasn't of the highest quality and that the
18 water was safe to drink.

19

20 **Health Department-Elizabeth Mumm**

21 Elizabeth Mumm, Public Health Educator, provided the Board with the County
22 Health Assessment Survey and asked them to please fill out and return to her.

23

24 Manager Smith announced that the budget workshops need to be scheduled.
25 The Board agreed to June 13 and June 14 from 5pm to 8pm.

26

27 **Closed Session**

28 Commissioner Swindell made a motion to enter into closed session pursuant to
29 G.S. N.C.G.S. 143-318.11(a)(4).

30

31 Mr. Byrd seconded the motion.

32

33 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

34

35 Nays: none

36

37 Commissioner Byrd made a motion to return from closed session. Ms. Styron
38 seconded the motion.

39 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

40 Nays: none

41

42 Commissioner Byrd made a motion to adjourn.

43

44 Ms. Styron seconded the motion.

45

46 Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

1 Nays: none

2

3 The June 6, 2011 Regular meeting of the Hyde County Board of Commissioners
4 adjourned at 10:30pm.

5

6 Respectfully submitted:

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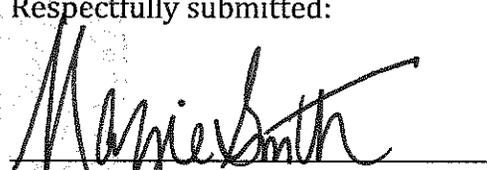
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Mazie Smith, Clerk



Sharon Spencer, Chairman