Hoke County Board of Commissioners Regular Meeting

The Hoke County Board of Commissioners convened for a regular meeting at 7:00 pm on May 18, 2020 in the Commissioners Room in the Pratt Building.

PRESENT:

Chairman James Leach Vice Chairman Harry Southerland Commissioner Tony Hunt Commissioner Robert Wright Commissioner Allen Thomas, Jr.

ALSO PRESENT:

County Manager Letitia Edens County Attorney Grady Hunt Clerk to the Board Gwen McGougan

ABSENT:

None

Chairman Leach called the meeting to order with a quorum present. Commissioner Hunt led the Pledge of Allegiance and gave the Invocation.

1. Adoption of Agenda

Hoke County Board of Commissioners

227 N. Main Street Raeford, North Carolina 28376



Commissioner's Room Pratt Building

AGENDA

INVOCATION & PLEDGE: Commissioner Tony Hunt

ITEM

- 1. Adoption of Agenda
- Consent Agenda
 Minutes from Board of Equalization & Review meetings
 April 6, 2020
 April 20, 2020
 Minutes from May 4, 2020 regular meeting
 NC Vehicle Tax System Pending Refunds
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 New Indice Insured Insu

 - Finance

 1. Budgel Amendments DSS

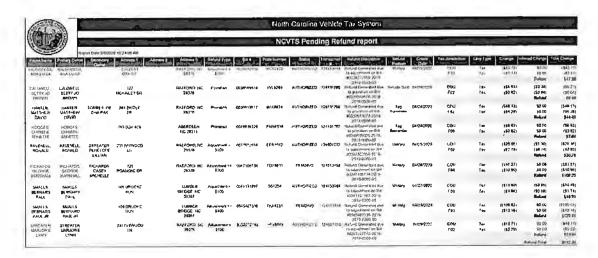
 2. Surplus Property Dectarations Economic Development & Sheriff's Dept
- 3. Tax Collector's Report
- 4. Tax Assessor, Consideration of process to release late penalties for 2020
- Emergency Management Grant Subawards:
 NC Tier II Grant FY 2019
 EMPG-S FY 2020
- 6. Will Wright Economic Development
- 7. Manager's Report
- 6. Closed Session
- 8. Adjourn

Chairman Leach asked if there were any changes needed to the agenda. County Manager Letitia Edens asked to add a grant letter for FAMPO funds under the Manager's Report. Vice Chairman Southerland asked to pull the Sheriff's Declaration of Surplus Property.

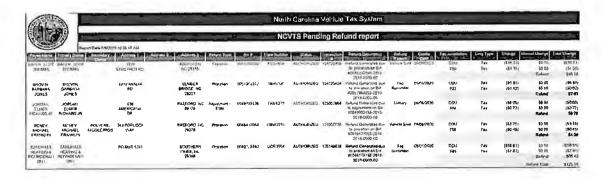
Motion: Upon motion by Commissioner Hunt and second by Commissioner Thomas the Board voted unanimously to approve the changes to the agenda.

2. Consent Agenda

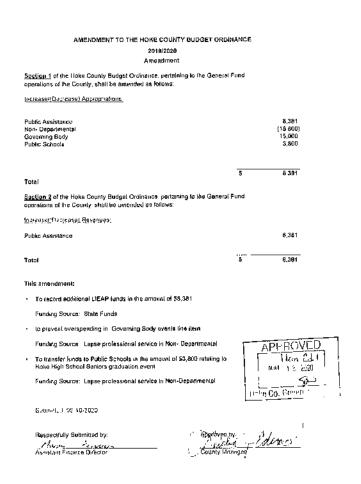
- a. Minutes from Board of Equalization & Review meetings
 - 1. April 6, 2020
 - 2. April 20, 2020
- b. Minutes from May 4, 2020 regular meeting
- c. NC Vehicle Tax System Pending Refunds



Total Refunds \$557.83



- d. Finance
- 1. Budget Amendments: DSS, Gov Body and Schools



Surplus Property Declarations: Economic Development & Sheriff's Dept.

The Sheriff's Surplus Property Declaration was pulled from the Consent Agenda.

James Leach Chairman

Harry Southerland Vice Chairman Tony Hunt Commissioner Allon Thomas, Jr Commissioner



R-2020-13

Robert Wright Compositioner

> Grady Hunt County Alternoy Letitia Edens

Gounty Manage

Gwen McGougan

RESOLUTION OF THE HOKE COUNTY BOARD OF COMMISSIONERS
DECLARING CERTAIN PROPERTY TO BE SURPLUS AND
AUTHORIZING THE DISPOSITION OF SAID PROPERTY

WHEREAS, the Goard of Commissioners of the County of Hoke. North Carolina desires to dispose of certain equipment from Hoke County Economic Development as I steet below that has been determined as no knogor needed by the County.

12x6x9 Area rug

Wood chair (broken) Hoke Co Fixed Asset tag 3244

NOW, THEREFORE BE IT RESOLVED by the Hoke County Board of Commissioners that the above described properly fist is hereby declared to be surplus to the needs of the County and authorizes the disposition of the property in the best interest of the

ADOPTED this the 16th day of May, 2020

Swen McGougan, Clerk (A line 130 av)



e. Architect Contract

Commissioner Wright asked to pull this item for discussion. He had some questions about the contract.

Motion: Upon motion by Commissioner Wright and second by Commissioner Thomas the Board voted unanimously to approve Items a – d1 on the Consent Agenda.

Commissioner Wright expressed concern over the consultant fees shown in addition to the Architect fees on the contract. Commissioner Wright said he understood that all contractor fees would be included in the Architect fee. County Attorney Grady Hunt replied that there is the contract for the design of the building and separate contracts for the pool design and design of the roof over the pool.

Vice Chairman Southerland said that he understood that the maximum Architect fee is 5.8% of the project total, estimated to be \$15,000,000. He asked the attorney if the Architect fee exceeds that amount. County Attorney Grady Hunt confirmed that the Architect fee does not exceed 5.8% of the project total, but that amount does not include the fees for the consultants for the pool and related design elements. Commissioner Wright said that he was concerned that these fees will exceed \$1,000,000. Chairman Leach pointed out that the pool is a large part of the project and a consultant with that expertise is critical.

County Attorney Grady Hunt referred the Board to page 11 of the contract. On that page is breakdown of the professional fees:

\$870,000.00-Stipulated Fee \$29.600.00-Roofing Consultant

\$ 82,875.00-Pool Consultant

\$ 22,500,00-Acoustics Consultant

\$1,004,975.00-TOTAL DESIGN FEE

Commissioner Wright said he's also concerned about overruns. County Attorney Grady Hunt said that overruns are possible if the architect or consultant is asked to do Additional Services outside the scope of the project. The fees of the three consultants are considered Additional Services. Commissioner Wright suggested that the Board establish a maximum (limit) dollar amount for overruns or Additional Services that cannot be exceeded or set a firm price for the consultants. Commissioner Hunt added that if there are changes outside the scope of the project and the allowable amount is changed, the contract must be amended. The fees are calculated using the size and cost of the building. The total amount of the project is affected by the construction bids that are received.

Commissioner Thomas asked if there was another consultant in the area that could design this project at a lower cost. Vice Chairman Southerland suggested that they "split the difference". He said that Commissioner Wright suggested \$875,000; the price is \$1,004,975. By splitting the difference the Board negotiated a price of \$945,000 total for consulting fees.

Motion: Upon motion by Vice Chairman Southerland the Board would set the fees for architects and other consultants at \$945,000. As the project cost is uncertain, this amount is based on a \$15,000,000 building. The motion died for lack of second.

Commissioner Thomas suggested a sliding fee that would allow the fees to be lower if the building cost was lower.

3. Tax Collector's Report

Tax Collector Daphne Dudley presented the Collections Report for April, 2020:

	INTY TAX COLLECTOR'S REPOR ny 18, 2020	ŭ
Tax Levy 2019 Additions to Levy YTD Total 2019 Eury to Date Refunds 2019 Releases/Abatements Discounts Adjustments Write Offs Advertising Charged 2019 Tax Bills Cottectable Levy to Date Collected To Date Upcallegated Rajance 2019 Lax Levy		\$28,500,526,08 \$1,085,756,56 \$29,586,282,54 \$71,212,32 \$20,264,97 \$341,954,95 \$13,843,95 \$13,843,95 \$0,00 \$29,579,861,50 \$28,107,680,50 \$1,147,200,50
Collections April 2020 Releases April 2020 Percent of Levy Collected (Nenaryth) Percent of Levy Collected (Releases, Etc.)	\$149,665.58 936 94 95,02% 0.07%	
Prior Years Tax I evy April 2020 Prior Years Collected in April 2020 To Dete Uncollected Balance Before Releases Refunds Refenses/Abatements Discounts Adjustments Write Offs/Insolveni Uncollected Delance Prior Years		52 140,903 70 \$906,822.20 \$1 235,281 50 \$5,047 50 \$5,643 18 \$0 00 \$13,701 61 \$12,823 10
Prior Youro Collected in April 2020 Releases Prior Years April 2020 Percent Prior Years Collected (Receipte) Percent Prior Years Collected (Releases Elic.) Total Uncollected Taxes	958,250.01 \$102.52 42.30% D.46% 2018 Taket	\$2,084,923,90
Tox Lovy April 2019 Collocibins April 2019 Refereses April 2019 Percent Collected (Receipts) Percent Collected (Redessee Etc.) Pirtor Yeal's Tox Levy April 2019 Collections April 2019 Releases April 2019 Insolvent Percent Collected (Receipts)	85 26% 0 05% 46 42%	\$28,743,030 88 \$311,805 76 \$285 73 \$2,205,627 31 \$103,786 15 \$18 48
Percent Callected (Receipts) Percent Callected (Receipts)	0 30%	

4. Tax Assessor: Consideration of process to release late penalties for 2020

Tax Assessor Jennie Gibson came before the Board to recommend a process to allow taxpayers to request release of the personal property late listing penalties for 2020 due to the COVID-19 pandemic. The NC Department of Revenue is recommending that Counties promote relief for the citizens during the current circumstances. NC General Statute requires that the late listing penalty be added to the bills. The taxpayer could then request a release.

Chairman Leach asked Mrs. Gibson to make this opportunity known to the public. Mrs. Gibson said she will have it placed on the County website. Vice Chairman Southerland recommended running an advertisement in the newspaper.

Mrs. Gibson added that the Board would need to decide if the release would apply to all personal property, which had a deadline of January 31, 2020, or only Business personal property, which has a deadline of April 15, 2020. Chairman Leach recommended the listing relief apply to all personal property. The new deadline for both would be December 31, 2020.

Motion: Upon motion by Commissioner Thomas and second by Vice Chairman Southerland the Board voted unanimously to allow all citizens and businesses to request the release of late listing penalties for the year 2020.

Item Return to P & R contract discussion

The County Attorney advised the Board that if they lowered the allowable fees from \$1,004,975 to \$945,000 the result would equal 5.4%. If this is the wish of the Board, the Board will need to approve the contract for sfL+a at 5.4%.

Motion: Upon motion by Commissioner Thomas and second by Commissioner Wright the Board voted unanimously to approve the contract with sfL + a at 5.4% for the James A. Leach Aquatic and Recreation Center.

5. Emergency Management Grant Subawards:

Emergency Management Coordinator Andrew Jacobs presented the Board with two grant awards that need to be formally accepted by the County:

NC Tier II Grant FY 2019

This grant will provide funds for the Emergency Management team to conduct the required annual exercises at no cost to the County.

OccuSign Envelope ID: 4651/ED87-6446-4554-49C3-C177/49F40530



Michael A. Spinyberry, Director

NC Tier It Competitive Grant Fiscal Year 2019 Grants: 72-2019 Memorandum of Agreement (MOA)

between

Grantor: State of North Carolina Department of Public Sufety Epiergency Management MOA #: 1975 DPS (and code: 1998-80) 4

Recipients Hoke County Tire IDA: IN #: 56-6001525 Dans #: 491563643 Award appropri: \$10,000.00 Period of performance: January 1, 2019 to December 31, 2019

Purpose
 This group wand supports the heaverdous underint preparedness autivities of Local Emergency, Planning Committees (LEPCs) as defined in the Emergency Planning and Community, Right-to-Know Art (EPCRA). These funds are to be used by your commy's or region's LEPC for huzardous materials emergency response planning, training, and related exercises. See Attachment 1 for application with detailed scape of work.

Antitories In accordance with the provisions of N C O S §106A-29 t. North Carolina Emergency Management brooky awards to the foregoing Recipient a grant in the amount above; above

3 Compensation

Compensation 1. The Granter agrees that it will put the Recipient complete and total compensation for the services to be readered by the Recipient Tayment to the Recipient for expenditures under this Agreement will be rembitized after the Recipient's coar export, detailed invoices, and proof of payment are submitted and approved for eligible expenses. These documents must be submitted in taker than lanuary 11 argo. The original signed copy of this MOA must be signed by the Officialist andourzed to sign below and returned to North Carolina Emergency Management too later than 45 days after the assard date. The grant shall be effective upon returned the exceuted Memorandom of Agreement and final approval by North Carolina Emergency Management of the grant budget.

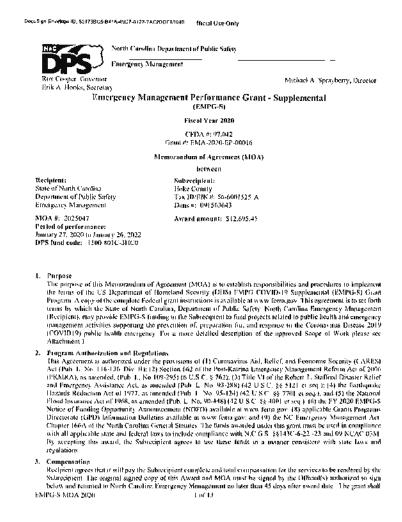
The family awarded maler this grant thirst only be used by your country's or region's LEPC for the autoposes of liazardous materials emergency response planning, training and exercises, as manufated in N C O S § 166A-29 F Furthermore, the use of these funds must meet our unmore of the follow criteria:

- A Support costs incurred facilitating LEPC meetings (e.g. printing, general office supplies, foul and non-alenhatic beverages)
- B. Support regimal LEPC meetings and cullaboration
- C Enhance LEPC outreach elforts of produce promotional materials
- D. Host or support local and regional LEPC conferences.

Motion: Upon motion by Commissioner Wright and second by Vice Chairman Southerland the Board voted unanimously to accept the \$10,000 Emergency Management Tier II Grant from the NC Department of Public Safety.

b. EMPG-S FY 2020

This grant will provide funds to address equipment needs as a result of COVID-19.



Upon motion by Commissioner Wright and second by Commissioner Thomas the Board voted unanimously to accept the \$12,695.45 Emergency Management Performance Grant from the NC Department of Public Safety.

6. Will Wright - Economic Development

Economic Developer Will Wright advised the Board that he was following up on the Sunpath Products Revolving Loan Application.

County Attorney Grady Hunt told the Board that the property intended as collateral is owned by Patricia Thomas & Sons, LLC, therefore making them the borrowers that sign the Promissory Note and Deed of Trust. There is an existing Deed of Trust on the property, making the County's Deed of Trust subordinate to the first. The Deed of Trust includes language setting forth the term of the loan, 18 months, and the number of employees hired at 20. The Guarantee for Sunpath Products acknowledges Sunpath's responsibility to make the payments on the loan.

Motion: Upon motion by Vice Chairman Southerland and second by Commissioner Wright the Board voted unanimously to approve the \$200,000 Revolving Loan to Patricia Thomas & Sons, LLC d/b/a Sunpath Products.

6.2 Sheriff Hubert Peterkin regarding surplus property and K-9 Lexx

Sheriff Hubert Peterkin presented a list of items no longer needed by the Sheriff's Department and he requests the Board to declare them as Surplus:

2-2020-12

RESOLUTION OF THE HOKE COUNTY BOARD OF COMMISSIONERS
DECLARING CERTAIN PROPERTY TO BE SURPLUS AND
AUTHORIZING THE DISPOSITION OF SAID PROPERTY

WHEREAS, the Board of Commissioners of the County of Floke, North Carolina desires to dispose of certain equipment from the Hoke County Sheriff's Department as listed below that has been determined as no longer needed by the County.

ITEM	SERIAL NUMBER	HOKE CO
Finger Print Machine		50001
Printer		
Printer		
BC-100	14100115	510599
BC-100	16010881	012773
BC-100	14100141	510581
BC-300	8F00476B3	0080
BC-300	8F00523B3	0079
Digital Camera	894383	N/A
Shop Vac		012779
Blk Office Chair		
Cannon Pixma Printer	AEWU93061	014130

NOW, THEREFORE BE IT RESOLVED by the Hoke County Hoard of Commissioners that the attached described property list is hereby declared to be surplus to the needs of the County and authorizes the disposition of the property in the best interest of the County of Hoke.

ADOPTED this the 18th of May, 2020

mes Leach, Chairman Gwen McCanggar, Bleith to the Box

Motion: Upon motion by Vice Chairman Southerland and second by Commissioner Wright the Board voted unanimously to declare the listed Sheriff's Department property as surplus.

Sheriff Peterkin also presented a request to the Board to sell K-9 Officer Lexx to his handler. The dog has issues resulting from an injury during training. He has been checked by a Veterinarian and an Orthopedic Specialist and it was determined that with his limited mobility, he would be unable to perform 100% of his patrol duties.

Motion: Upon motion by Vice Chairman Southerland and second by Commissioner Wright the Board voted unanimously to declare K-9 Officer Lexx as surplus to the needs of the County.

Motion: Upon motion by Commissioner Wright and second by Vice Chairman Southerland the Board voted unanimously to sell K-9 Officer Lexx to his handler for \$1.

Sheriff Peterkin advised the Board that the NC Sheriff's Association sent a Resolution to Governor Roy Cooper asking that pastors be allowed to make the decision as to when it is safe to reopen their churches. The Resolution was followed up with a conference call with the Governor, but he did not approve the request. A Federal judge, however, did impose a 14-day stay so the churches can open with proper cleaning, requiring masks and social distancing.

6.3 Approval of Consent Agenda

County Attorney Grady Hunt reminded the Board that they did not make a motion to approve the Consent Agenda.

Motion: Upon motion by Commissioner Wright and second by Commissioner Thomas the Board voted unanimously to approve the Consent Agenda as amended.

7. Manager's Report

County Manager Letitia Edens advised the Board that Hoke County will receive \$1,148,675 in Coronavirus Relief Funds as part of the CARES Act. Counties are required to submit a plan to the State on how the county proposes to use its share of the funds. This report is due by June 1, 2020.

A portion of these funds can be used for loans to assist small businesses that have been affected by the Coronavirus shut-downs. The maximum amount a business can apply for is \$5,000. A Promissory Note will be required, but there will be no interest charged nor collateral required. The County Attorney will prepare guidelines to be used in the loan approval process. The Manager is proposing to use \$200,000-\$300,000 of the Relief funds for small business assistance. Vice Chairman Southerland suggested that, as the loans are repaid, the funds go to the County's fund balance.

County Manager Letitia Edens added that some of the Relief funds will be used to purchase thermal cameras that will check temperatures as people pass through. Those cameras will be placed in the Courthouse, Court Annex and DSS. Plexiglass barriers have been placed at customer service counters and plexiglass shields have been ordered for all desks. The Manager has also procured as much PPE as possible in preparation for a second wave of the virus.

The County will receive the keys for the Robert A. Wright building on May 26, 2020. Plans for the grand opening are subject to the Governor's Executive Order regarding mass gatherings.

Budget workshops are scheduled for May 26-28, 2020.

8. Closed Session

No Closed Session was held

9. Recess

Motion: Upon motion by Commissioner Wright and second by Vice Chairman Southerland the Board voted unanimously to recess the meeting until 11:00 am Tuesday, May 26, 2020. The meeting was recessed at 7:55 pm.

Gwen McGougan, Clerk to the Board