

# APPROVED

APR 3 2017

Hoke Co. Governing Body

4337

Meeting of the Hoke County Board of Commissioners at 7:00 pm on Monday, March 20, 2017, in the Commissioners Room in the Pratt Building.

## MEMBERS PRESENT:

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

## OTHERS PRESENT:

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

Chairman Leach called the meeting to order with a quorum present and welcomed everyone.

Vice Chairman Harry Southerland led the Pledge of Allegiance and Evangelist Flossie Henderson gave the invocation.

## **ITEM 1. Adoption of Agenda**

**Motion: Commissioner Thomas made a motion to adopt the agenda, seconded by Commissioner Wright.**

**Action: The motion passed unanimously.**

Vice Chairman Harry Southerland announced that the County will henceforth be live streaming and recording the Board of Commissioners meetings. Vice Chairman Southerland introduced Mrs. Candace Pierce, IT Director, to the audience.

Mrs. Pierce explained that IT has created a YouTube channel for Hoke County and that will be where citizens can access the live stream. There will also be a link on the County's website to direct persons wishing to view either the live stream of the meeting or the recording. She is reviewing a proposal from a vendor that offers streaming and recording with professional quality. This vendor hosts the site, encodes and streams for approximately \$6,000 per year. This price does not include hardware, such as cameras.

## **ITEM 2. Consent Agenda**

- a. Minutes from 02/23/2017 Emergency Meeting
- b. Minutes from 03/06/2017 Regular Meeting
- c. NC Vehicle Tax System Pending Refund Report - \$1,673.89.
- d. Finance:

1. Budget Amendments:
  - Governing Body
  - Public Buildings
  - Revolving Loan
  - Medical Examiner
2. Declare Property as Surplus:
  - Sheriff Department
  - Vehicles

**Vice Chairman Harry Southerland asked that Consent Item d-1-Revolving Loan be pulled. He needs clarification about the amount of the Revolving Loan budget amendment.**

**Motion: Vice Chairman Southerland made a motion to approve the Consent Agenda, items a – d with the exception of Item d-1-Revolving Loan, seconded by Commissioner Thomas.**

**Action: The motion passed unanimously.**

**Commissioner Wright explained that the ABC Board initially requested \$125,000. Commissioner Wright recommended that they borrow \$150,000 to give them funds for start-up expenses and to stock the store. The Resolution approved at the March 6, 2017 meeting was for \$150,000.**

**Motion: Commissioner Thomas made a motion to approve Consent Item d-1-Revolving Loan, seconded by Vice Chairman Southerland.**

**Action: The motion passed unanimously.**

### **ITEM 3. Tax Collector's Report**

- a. Tax Collector Daphne Dudley presented the Report for January, 2017. This item had been tabled from the February 20, 2017 meeting.

**HOKE COUNTY TAX COLLECTOR'S REPORT**  
**2/20/2017**

Tax Levy 2016	\$28,806,312.24
Additions to Levy YTD	\$755,938.51
Total 2016 Levy to Date	\$27,022,250.75
Refunds 2016	\$26,053.90
Releases/Abatements	\$4,802.82
Discounts	\$378,312.31
Adjustments	\$86.58
Write Offs	\$38.71
Advertising Charged 2016 Tax Bills	
Collectable Levy to Date	\$27,617,533.59
Collected To Date	\$25,107,740.82
Uncollected Balance 2016 Tax Levy (1)	<u>\$2,609,786.97</u>

Collections January 2017	\$1,496,291.76
Releases January 2017	\$306.92
Percent of Levy Collected (Receipts)	90.91%
Percent of Levy Collected (Releases, Etc.)	0.02%

Prior Years Tax Levy January 1, 2016	\$2,091,566.86
Prior Years Collected in January 2017 To Date	\$688,996.06
Uncollected Balance Before Releases	\$2,092,566.80
Refunds	\$3,083.72
Releases/Abatements	\$24,957.54
Discounts	\$0.00
Adjustments	\$109.18
Write Offs/Insolvent	\$30,098.52
Uncollected Balance Prior Years (2)	<u>\$2,038,963.77</u>

Prior Years Collected in January 2017	\$74,042.24
Releases Prior Years January 2017	\$176.97
Percent Prior Years Collected (Receipts)	21.96%
Percent Prior Years Collected (Releases, Etc.)	0.93%
Total Uncollected Taxes (1+2)	<u>\$4,547,850.74</u>

**2016 Taxes**

Tax Levy January 2016	\$27,309,052.05
Collections January 2016	\$1,101,981.44
Releases January 2016	\$558.20
Percent Collected (Receipts)	80.42%
Percent Collected (Releases, Etc.)	0.05%
Prior Years Tax Levy January 2015	\$2,550,718.85
Collections January 2016	\$98,012.17
Releases January 2016	\$0.00
Insolvent	\$37,487.23
Percent Collected (Receipts)	24.11%
Percent Collected (Releases, Etc.)	0.36%

**ITEM**  
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 (Tabled)

b. Tax Collector Daphne Dudley presented the Report for February, 2017.

**HOKE COUNTY TAX COLLECTOR'S REPORT**  
03/20/2017

Tax Levy 2016	\$26,886,312.24
Additions to Levy YTD	\$765,938.61
Total 2016 Levy to Date	\$27,622,260.76
Refunds 2016	\$48,810.33
Releases/Abatements	\$4,875.35
Discounts	\$378,312.37
Adjustments	\$85.68
Write Offs	\$37.06
Advertising Charged 2016 Tax Bills	
Collectable Levy to Date	\$27,617,391.06
<b>Collected To Date</b>	<b>\$25,612,482.23</b>
Uncollected Balance 2016 Tax Levy (1)	<u>\$2,004,898.83</u>

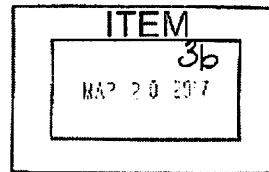
Collections February 2017	\$504,745.61
Releases February 2017	\$172.53
Percent of Levy Collected (Receipts)	92.74%
Percent of Levy Collected (Releases, Etc.)	0.02%

Prior Years Tax Levy February 1, 2016	\$2,681,645.85
Prior Years Collected in February 2016 To Date	\$666,596.07
Uncollected Balance Before Releases	\$1,995,049.86
Refunds	\$3,470.69
Releases/Abatements	\$24,966.89
Discounts	\$0.00
Adjustments	\$449.18
Write Offs/Insolvent	\$38,340.49
Uncollected Balance Prior Years (2)	<u>\$1,938,693.12</u>

Prior Years Collected in February 2017	\$99,181.30
Releases Prior Years February 2017	\$9.35
Percent Prior Years Collected (Receipts)	25.60%
Percent Prior Years Collected (Releases, Etc.)	0.93%
Total Uncollected Taxes (1+2)	<u>\$3,943,491.95</u>

2016 Taxes

Tax Levy February 2016	\$27,305,652.05
Collections February 2016	\$431,809.07
Releases February 2016	\$288.64
Percent Collected (Receipts)	90.99%
Percent Collected (Releases, Etc.)	0.06%
Prior Years Tax Levy February 2016	\$2,550,718.85
Collections February 2016	\$84,487.79
Releases February 2016	\$1,198.96
insolvent	\$37,427.23
Percent Collected (Receipts)	33.09%
Percent Collected (Releases, Etc.)	0.36%



**ITEM 4. Tax Assessor's Report**

- a. Tax Assessor Jennie Gibson presented the following releases:

Name	Category	Year	Reason	Amount
Edward Carlos Alves	PP	2015	Boat sold in 2014	29.94
James E. Baker	RE	2016	Solid Waste Fee error	128.00
Keith M. Bryant	PP	2016	Boat sold in 2015	78.96
D. R. Horton Inc.	PP	2016	Equipment sold in 2015	198.21
Lorenzo McLaughlin	PP	2014	MH double listed	42.03
Lorenzo McLaughlin	PP	2015	MH double listed	41.21
Lorenzo McLaughlin	PP	2016	MH double listed	38.54
total				556.89

**Motion: Commissioner Thomas made a motion to approve the releases as shown, totaling \$556.89, seconded by Commissioner Wright.**

**Action: The motion passed unanimously.**

- b. Mrs. Gibson presented an Order from the North Carolina Property Tax Commission directing the County to adjust the valuation for the property owned by Butterball. This is the result of Butterball’s appeal of the Hoke County Board of Equalization & Review decision made in 2016. After the valuation adjustment, Butterball is due a refund of \$18,598.63, calculated as follows:

Original Valuation: \$13,879,170      Adjusted Valuation: \$11,469,190

County tax paid:            102,011.90

Less Adjusted tax:        - 84,298.92

Refund:                        17,712.98

Interest:                      885.65 as required by NC GS 105-90 (4)

Total Refund:                \$18,598.63

**Motion: Commissioner Hunt made a motion to approve the refund to Butterball in the amount of \$18,598.63, seconded by Vice Chairman Southerland.**

**Action: The motion passed unanimously.**

**ITEM 5.            Surplus Properties – Resolution to Advertise for Upset Bid**

Bids have been received for two surplus properties. The Clerk presented the following Resolutions:

a.

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



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

HOKE COUNTY BOARD OF COMMISSIONERS

RESOLUTION

AUTHORIZING THE ADVERTISEMENT OF AN OFFER TO PURCHASE CERTAIN PROPERTY

WHEREAS, the Board of Commissioners of the County of Hoke desires to dispose of certain surplus property of the County;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners that:

1. Parcel #384920001018 – off Gainey Road-Keylee Lane – Blue Springs Township: Property is hereby declared to be surplus to the needs of the County.
2. The Board of Commissioners has received an offer to purchase for the sum of \$4,510.00 for this piece of property.
3. The Board of Commissioners proposes to accept this offer unless an upset bid shall be made.
4. The person making the offer shall deposit with the Clerk to the Board of Commissioners a sum equal to five percent (5%) of the offer. Such deposit shall be forfeited if the bid is withdrawn and the successful bidder shall pay the purchase price.
5. The Clerk shall cause a notice of such offer to be published in accordance with North Carolina General Statute §180A-269.
6. The Clerk is directed, should a qualifying upset bid be received within ten (10) days from the publication of said notice in accordance with NCGS §180A-269, to re-advertise the offer at the increased upset bid amount.
7. The Board of Commissioners reserves the right to reject any and all offers at any time.

This 20<sup>th</sup> day of March, 2017.

James A. Leach, Chairman

Owen McGougan, Clerk to the Board

b.

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



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

HOKE COUNTY BOARD OF COMMISSIONERS

RESOLUTION

AUTHORIZING THE ADVERTISEMENT OF AN OFFER TO PURCHASE CERTAIN PROPERTY

WHEREAS, the Board of Commissioners of the County of Hoke desires to dispose of certain surplus property of the County;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners that:

1. Parcel #094251601159 – 949 Reed Drive – Raeford Township. Property is hereby declared to be surplus to the needs of the County.
2. The Board of Commissioners has received an offer to purchase for the sum of \$1,820.00 for this piece of property.
3. The Board of Commissioners proposes to accept this offer unless an upset bid shall be made.
4. The person making the offer shall deposit with the Clerk to the Board of Commissioners a sum equal to five percent (5%) of the offer. Such deposit shall be forfeited if the bid is withdrawn and the successful bidder shall pay the purchase price.
5. The Clerk shall cause a notice of such offer to be published in accordance with North Carolina General Statute §180A-269.
6. The Clerk is directed, should a qualifying upset bid be received within ten (10) days from the publication of said notice in accordance with NCGS §180A-269, to re-advertise the offer at the increased upset bid amount.
7. The Board of Commissioners reserves the right to reject any and all offers at any time.

This 20<sup>th</sup> day of March, 2017.

James A. Leach, Chairman

Owen McGougan, Clerk to the Board

**Motion: Vice Chairman Southerland made a motion to approve the Resolutions to Advertise for Upset Bid for items 5a, off Gainey Road/Kaylee Lane, and 5b, 949 Reed Drive, seconded by Commissioner Hunt.**

**Action: The motion passed unanimously.**

**ITEM 6. Surplus Properties – Resolution to Accept Offer of Bid**

Mr. Rocky Locklear, prior owner of the property at 2939 Blue Springs Road, obtained via tax foreclosure on August 19, 2016, has made an offer to repurchase the property from the County for \$6,173.00. Mr. Locklear desires to purchase the property via private sale (NCGS §105-376). The Clerk presented the following Resolution:

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



Robert Wright  
Commissioner  
  
Grady Hunt  
County Attorney  
  
Leticia Edens  
County Manager  
  
Gwen McGougan  
Clerk to the Board

**HOKE COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION**

**ACCEPTING OFFER OF BID FOR SURPLUS PROPERTY**

WHEREAS, the Hoke County Board of Commissioners declared the following property as surplus:

Parcel #294220001328 – 2939 Blue Springs Road – Blue Springs Township; and

WHEREAS, the Hoke County Board of Commissioners has received and proposes to accept an offer to sell to Rocky Locklear for \$6,173.00 the property located at 2939 Blue Springs Road – Blue Springs Township – Parcel ID Number 294220001328; and

WHEREAS, Rocky Locklear is the former owner of the property;

WHEREAS, Hoke County Board of Commissioners is authorized, in their discretion, to resell the property to a former owner at a private sale for an amount not less than the total interest of Hoke County pursuant to NCGS §105-376;

NOW, THEREFORE, BE IT RESOLVED that the Hoke County Board of Commissioners hereby authorizes the execution of the necessary documents in order to resell the above described property to Rocky Locklear, 2939 Blue Springs Road, Raeford, NC, at a private sale for the purchase price of \$6,173.00 and to deliver and receive the appropriate documents to consummate the transaction after publishing the proper notice pursuant to NCGS §160A-267.

Adopted this 20th day of March, 2017.

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James A. Leach, Chairman

\_\_\_\_\_  
Gwen McGougan, Clerk to the Board

**Motion: Commissioner Wright made a motion to approve the Resolution Accepting Offer of Bid for Surplus Property for 2939 Blue Springs Road, seconded by Vice Chairman Southerland.**

**Action: The motion passed unanimously.**

**ITEM 7. Parks & Recreation Board Appointment**

Director Kendric Maynor, Consultant Fred Clark and members of the Hoke County Parks & Recreation Advisory Board addressed the Board to request that Mr. Rodney Fairley serve another term on that Board.

**Motion: Commissioner Hunt made a motion to approve the re-appointment of Mr. Rodney Fairley to the Parks & Recreation Advisory Board, seconded by Vice Chairman Southerland.**

**Action: The motion passed unanimously.**

**ITEM 8. Hoke County Jail Budget Amendment**

Sheriff Hubert Peterkin and Detention Center Administrator Nachia Revels appeared before the Board to request approval to renegotiate the contract with Southern Health Partners for Medical Services. These expenditures can't be anticipated and vary year to year based upon need. This year's contract covered up to \$90,000 and to date \$135,450 has been spent. Amounts exceeding \$90,000 are the County's responsibility to pay at 100%.

Southern Health Partners is willing to renegotiate the contract. The Board directed Major Revels to deliver the contract documents to the County Attorney for review.

**ITEM 9. Mr. Ted Rutkowski**

Mr. Ted Rutkowski, 152 Mosswood Drive in the Spring Valley Subdivision, addressed the Board to discuss the issues residents of Spring Valley are having with unrestrained pets in the neighborhood. One individual has as many as a dozen dogs that are allowed to run loose. Mr. Rutkowski said that he believes this is a safety issue. Animal Control has issued several citations to her but the neighbor has ignored them. Mr. Rutkowski said that he and his neighbors are frustrated that nothing has been done to remedy the problem.

The Board directed the County Attorney to consult with Animal Control to see what can be done. Vice Chairman Southerland added that he'd like to give Mr. Rutkowski a timeline rather than leave this issue open-ended. Commissioner Thomas agreed, adding that there have been bites and attacks in other counties and he'd hate to see that happen here in Hoke County. It might be necessary to amend the ordinance to make it more enforceable. After the County Attorney and Animal Control meet, a letter will be sent to Mr. Rutkowski informing him of action being taken.



**ITEM 10. Ms. Ann Hooker**

Ms. Ann Hooker, 6787 Rockfish Road in Raeford, approached the Board. She began by inviting them to the monthly Community Meetings in Rockfish. These meetings are held on the second Thursday of each month.

Ms. Hooker continued by informing the Board that sewer issues, particularly in Country Walk Subdivision, are brought up regularly at the community meetings.

**ITEM 11. Ms. Earline Harper**

Ms. Earline Harper, 391 Early Dawn Drive in Raeford, addressed the Board. She is experiencing issues in her area with odor and runoff from septic tanks. She said that the homes in the Country Walk Subdivision are built on wetlands and dirt was brought in to help them pass the soil and perc tests. Jeff Eudy from the Environmental Health department was in attendance at the meeting and asked Ms. Harper to please call his department when she is having trouble and they will go look at the individual systems.

Commissioner Hunt told the Board that there may be money still available from the Clean Water Management Trust Fund that can be used to repair failing septic systems. In addition, with grant money and the financial participation of the county and local developers, it may be possible to extend sewer lines into Country Walk to remedy this problem. Commissioner Hunt said that it would be helpful for the Utilities Board to hear these complaints as well. The Board directed Mr. Eudy to check on the complaints as soon as possible.

**ITEM 12. NCACC March update video**

**ITEM 13. Special Presentation**

Chairman James Leach presented the **Order of the Long Leaf Pine** to Commissioner Robert Wright. Granted by the Governor, the Order of the Long Leaf Pine is the highest honor the state can give a citizen and is given to persons with a proven record of exemplary service to the State of North Carolina and their community.

Each of Commissioner Wright's peers made statements commending his dedication and leadership.

**Addition to Agenda:**

Former Extension Agent Wendell Young asked to address the Board about an Agriculture building.

**Motion: Commissioner Wright made a motion to add Mr. Young to the agenda, seconded by Vice Chairman Southerland.**

**Action: The motion passed unanimously.**

Mr. Young would like to see the County invest in an Agriculture building. The Farm Service Agency, Home Economics and 4-H programs are important for our community and they need a place to operate. The Cooperative Extension programs are currently housed in the former library of Turlington School. Not only is this inadequate but the school would like their space back. Mr. Young was joined by Ms. Rosa McAllister-McRae and current Extension Agent Howard Wallace. Both voiced their support for Mr. Young and a new Agriculture facility for Hoke County.

#### **ITEM 14.      Manager's Report**

County Manager Letitia Edens told the Board that she is holding a Department Head meeting on Wednesday, March 22 and FY 2018 Budget documents will be distributed.

On Thursday, March 23 Mrs. Edens, Garvin Ferguson and Candace Pierce will view a demo of an upgrade to the Time Clock System. Plans will be finalized for this upgrade which will facilitate all departments using the Time Clock program.

The Board was given copies of a letter from the Public Schools of North Carolina regarding low-wealth funding. Mrs. Edens will consult with the County Attorney and Interim Finance Officer to determine how to proceed. A plan will be ready by the next meeting for Board approval.

#### **ITEM 15.      Closed session**

**Motion: Commissioner Thomas made a motion to go into closed session for the purpose of consulting with the attorney retained by the Board in order to preserve attorney-client privilege, pursuant to North Carolina General Statute §143-318.11, seconded by Commissioner Hunt.**

**Action: The motion passed unanimously.**

**Motion: Commissioner Hunt made a motion to return to Open Session, seconded by Commissioner Wright.**

**Action: The motion passed unanimously.**

**Motion: Commissioner Hunt made a motion that the Board give Letitia Edens the authority to engage Brooks Pierce to represent Hoke County in Walker v. NCSBE and Hoke County BOE, 1:17-CV-078, filed in the US District Court for the Middle District of NC., seconded by Commissioner Thomas.**

**Action: The motion passed unanimously.**

**ITEM 16. Adjourn**

**Motion: Commissioner Thomas made a motion to adjourn, seconded by Commissioner Hunt.**

**Action: The motion passed unanimously.**

**The meeting adjourned at 8:25 pm.**

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James A. Leach, Chairman

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Gwendolyn McGougan, Clerk to the Board