

Minutes
Regular Meeting
Hertford County Board of Commissioners
County Commissioners' Meeting Room
Monday, August 4, 2014
9:00 A.M.

Present: William F. Mitchell, Jr., Johnnie R. Farmer, Curtis A. Freeman, Sr., and Howard J. Hunter, III

Absent: Ronald J. Gatling

Also Present with the Board: Loria D. Williams, County Manager; M. Ray Wiggins, Assistant County Manager; Charles L. Revelle, III, County Attorney; and Shelia W. Matthews, Clerk to the Board

Chairman William F. Mitchell, Jr., called the meeting to order and provided the invocation.

COMMISSIONERS

On a motion by Freeman and a second by Hunter, the Board voted unanimously to amend the agenda to include Memo #8040(b) for the approval of the NCACC Voting Delegate.

TAX

On a motion by Freeman and a second by Hunter, the Board voted unanimously to approve the Municipal Tax Collection Agreements as presented by Loria D. Williams, County Manager. These Agreements will be sent out in 7 to 10 days. The following sample agreement will be sent to Ahoskie, Cofield, Como, Harrellsville, Murfreesboro, and Winton:

NORTH CAROLINA

HERTFORD COUNTY

AGREEMENT dated August 4th, 2014, between Hertford County, herein referred to as County, and the Town of Como, North Carolina, herein referred to as Town.

WITNESSETH:

WHEREAS, Hertford County is empowered with the authority to collect taxes from its residents pursuant to the laws of the State of North Carolina, and pursuant to directions of its Board of Commissioners;

WHEREAS, the Town of Como is empowered with the authority to collect taxes from its residents located within its municipal limits pursuant to laws of the State of North Carolina, and pursuant to directions of its Town Council;

WHEREAS, Hertford County is equipped to collect taxes for the Town of Como pursuant to terms herein, and this appears to be the most desirable plan for both the County and the Town;

WHEREAS, Hertford County and the Town of Como wish to enter into an agreement whereby Hertford County will provide the service of tax collection for the Town of Como and wish to recite the terms and conditions herein;

IN CONSIDERATION of mutual agreements and covenants contained herein Hertford County and the Town of Como agree as follows:

SECTION ONE

General Provisions – Actions of County

HertfordCounty shall provide the following services for tax collection for Town:

1. Take tax list in January.
2. Compute amount of tax due the Town after receipt of the tax rate from the Town.
3. Prepare tax scroll for Town taxpayers and make this tax scroll available to Town.
4. Prepare tax statements for the Town taxpayers.
5. Mail tax statements to Town taxpayers.
6. Receive monthly list for DMV (Department of Motor Vehicles) representing all registered motor vehicles.
7. Determine and enter vehicle values monthly.
8. Determine proper tax status for vehicles monthly.
9. Compute monthly the amount of tax due based on tax rate established by Town.
10. Prepare, print and mail tax scrolls monthly to Town for town taxpayers.
11. Prepare separate tax statements monthly for each vehicle for the Town taxpayers.
12. Mail tax statements monthly to Town taxpayers.
13. Collect taxes payable to Town along with interest and penalty.
14. Mail tax receipts to Town taxpayers for taxes paid.
15. Mail second tax statements to delinquent Town taxpayers.

16. Prepare advertising list of tax liens of delinquent Town taxpayers.
17. Advertise tax liens in local newspapers.
18. Issue tax levy or garnishment for collection of delinquent Town taxpayers.
19. Submit collected taxes to Town monthly.
20. Collect motor vehicle license fees at the request of the municipality.
21. Collect street paving assessments at the request of the municipality.

SECTION TWO

General Provisions – Actions of Town

The Town of Como shall provide the following for tax collection by Hertford County:

1. Notify County of its annual tax rate no later than midnight of June 30 each year this agreement is in effect.
2. Review tax scroll prepared by County, and notify County to proceed with the mailing of tax statements.
3. Notify County as soon as possible when tax statements are paid to Town rather than County.
4. Pay actual cost to County for the cost of advertising tax liens in the local newspaper.
5. Adopt appropriate resolutions authorizing County officials to take actions stated herein.

SECTION THREE

Payment for Service

For the service rendered in collection of taxes, the Town shall pay County the sum of THREE PERCENT (3%) on Real Property and THREE PERCENT (3%) on Personal Property of the total sum collected. This sum shall be deducted each month before payment is made.

SECTION FOUR

Terms

This agreement shall be in full force and effect for the taxable year July 1, 2014, through June 30, 2017. At the end of the taxable year 2017, the County and the Town shall evaluate the performance of each party.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

COMMISSIONERS

On a motion by Freeman and a second by Farmer, the Board voted unanimously to appoint Commissioner Howard J. Hunter, III, as the Voting Delegate at the NCACC 107th Annual Conference being held August 14-17 in Buncombe County.

COUNTY PROPERTY/TAX FORECLOSURES

On a motion by Hunter and a second by Freeman, the Board voted unanimously to accept the bid offer of \$1,500 on the Kay Frances Scott tax foreclosure property (PIN #5968-45-5728) and authorize the County Attorney to advertise for upset bids.

Commissioner Hunter questioned if staff could update GIS because some of these foreclosure properties are showing houses when it is just a vacant lot. Also, he informed the Board that the property behind Everett's Store in Ahoskie needs to be investigated because there appears to be someone living there.

BOARD APPOINTMENTS

Hertford County E-911 Governance Board

On a motion by Freeman and a second by Hunter, the Board voted unanimously to appoint Mr. Hal Thomas to the Hertford County E-911 Governance Board to replace Ms. Sarah Wallace, who has resigned from the Board. This unexpired term will expire on December 30, 2014.

On a motion by Freeman and a second by Farmer, the Board voted unanimously to recess Regular Session to go into a meeting of the Tunis Sewer District Governing Board.

TUNIS SEWER DISTRICT GOVERNING BOARD

The County Manager explained that Sunland Builders had addressed the issues presented by Mike Blowe at the last meeting.

Mr. Bennie Parker, concerned citizen, was present to share his complaints about the Tunis Sewer Project. He shared that all the property line markers had been destroyed, and he would like them replaced in a reasonable amount of time instead of waiting. He complained that he has sewer taps but no water taps. The County Manager explained that if a resident does not have County Water, that the sewer rate will be based on estimation. Mr. Parker does not have County Water because he did not sign up when the water system was installed (at a cheaper rate). Once the initial sign-up period for County Water ended, the hook-up rate increased considerably. It is against the Rules and Regulations of the Rural Water Districts for Mr. Parker to get hook-ups for his lots now at the reduced rate.

At this time, Mr. Charles Hooks, Project Manager with Sunland Builders, was present to discuss the significant amount of liquidated damages they are facing. He explained that Sunland Builders spent months redesigning the project because he alleges that the engineers did not properly design it; therefore, that is why they are behind on meeting deadlines. He shared that if the County proceeds with liquidated damages, then Sunland Builders will be contacting their lawyer.

The County Attorney explained to Mr. Hooks that liquidated damages will not be addressed until the project is complete; that the District incurred additional engineering oversight fees and bond interest costs as a result of the contractor's delay, as well as the inability to begin a customer revenue stream, and there were numerous citizen complaints to be addressed.

On a motion by Freeman and a second by Farmer, the Board voted unanimously to approve Amendment No. 4 to the Owner-Engineer Agreement between Hertford County and The Wooten Company for the Tunis Sewer Project No. 2415-R as presented by Loria D. Williams, County Manager.

On a motion by Freeman and a second by Hunter, the Board voted unanimously to leave the meeting of the Tunis Sewer District Governing Board and return to Regular Session.

REGULAR SESSION

COUNTY MANAGER'S UPDATE/SHERIFF'S DEPARTMENT/PERSONNEL

The County Manager explained that extra coverage is needed in the Detention Center due to two employees being out of work on Workman's Compensation claims as a result of scuffles with inmates. Because the Affordable Care Act (ACA) now limits part-time employees to 20 hours per week, we need more staff to cover the same amount of time. On a motion by Freeman and a second by Hunter, the Board voted unanimously to allow the County Manager and Sheriff to fill one of these positions with a full-time Detention Officer.

COMMISSIONERS' COMMENTS

- Commissioner Freeman questioned the use of the fire department in Murfreesboro by EMS. James Broglin, EMS Director, (in audience) explained that EMS moved from the Public Works Department to the Fire Department in January.
- Commissioner Farmer shared a letter from a citizen regarding the US 13/NC11 Bypass Project and how it affects Bonner Bridge Road. Commissioner Hunter proposes that the County should include a request for a right turn only off of Bonner Bridge Road in the resolution being prepared in support of Alternate 1 for this project. Farmer also shared the NACo Health Discount Program that offers health savings for the citizens of our County at a cost of \$72 annually paid by the County. The NACo Annual Conference will be held in Charlotte, NC, in 2015.

On a motion by Freeman and a second by Farmer, the Board voted unanimously to recess Regular Session to go into a scheduled Closed Session as allowed under G. S. 143-318.11 (a) (3) to consult with the County Attorney and (6) to discuss personnel matters.

CLOSED SESSION

Minutes of Closed Session are on file in the office of the Clerk to the Board.

REGULAR SESSION

On a motion by Hunter and a second by Freeman, the Board voted unanimously to adjourn the meeting.