

Meeting of the Hoke County Board of Commissioners on Monday, September 21, 2009 at 7:00 p.m. in the Commissioners Room of the Pratt Building.

MEMBERS PRESENT:

James A. Leach, Chairman  
Robert Wright  
Jean Powell  
Ellen McNeill

OTHERS PRESENT:

Tim Johnson, County Manager  
William Fields, County Attorney  
Linda Revels, Clerk to the Board

MEMBERS ABSENT:

Tony Hunt, Vice Chairman

Chairman Leach called the meeting to order and welcomed everyone. Commissioner Powell led the Pledge of Allegiance and gave the invocation.

Employee Recognitions – Letitia Edens

Melinda Patterson – 5 years – Library  
Nachia Revels – 5 years – Sheriff’s Department  
Millicent Diehl – 15 years – DSS

The Board thanked these employees for their years of service.

Public Hearing – Proposed Subdivision Ordinance Changes

1. Charles Patterson – He stated that he has been covering the proposed changes and had hoped they would have been approved sooner. It has gotten tougher to sell property. He thanked the Board for considering the citizens foremost. He hopes the Board puts a limit on developers and does not put a lot in the grandfather clause.

There were no other speakers.

**Motion: Jean Powell made a motion to close the public hearing, seconded by Robert Wright.**

**Action: The motion was unanimously carried.**

Chairman Leach stated that he is looking at some other ordinances and wants to have

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time to review them before these changes are approved. He wants to make sure that a good sound decision is made. William Fields stated that the Board will need to look at the approval of the proposed changes soon.

Public Hearing – Proposed Zoning Text Change – Training Facility

Amend Section 8.6 RA-20 Residential - Agricultural District, C. Conditional Uses of its Zoning Ordinance by adding the following use as a Conditional Use in the RA-20 Residential/Agricultural District:

Low infrastructure/low impact training facilities used for military and security training which do not include loud noises, firearms, explosives, heavy machinery, infrastructure higher than 24 feet, dense infrastructure, large parking areas or other impermeable surfaces, increased traffic, light pollution, vibrations or invitations for use by the public at large. Facilities must be used and constructed to minimize impact on the land and the surrounding residential agricultural neighborhood. Buildings and landscape must harmonize with the character of the neighborhood and with adequate buffers, yards, fences, and other safety devices to protect the public safety and welfare.

Attorney Fields stated that this proposed change is in response to the request for the training facility. The Board did not want to change the zoning in a residential area. This proposed request will require a conditional use permit application. There was no public input.

**Motion: Robert Wright made a motion to close the public hearing, seconded by Jean Powell.**

**Action: The motion was unanimously carried.**

**Motion: Robert Wright made a motion to approve the zoning text change for Section 8.6 – RA-20, seconded by Ellen McNeill.**

**Action: The motion was unanimously carried.**

Robert Wright asked about the conditional use application fee. William Fields stated that they would have to reapply and go through the process. Robert Wright stated that it was discussed to waive the fee. Chairman Leach stated that the process needs to be done as soon as possible.

**Motion: Robert Wright made a motion to approve the waiving of the conditional use fee for the training facility, seconded by Jean Powell.**

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**Action: The motion was unanimously carried.**

Public Hearing – CDBG – Pennsylvania Transformer

Fred Hobbs, with Hobbs, Upchurch and Associates stated that this was the required second public hearing for the application for Pennsylvania Transformer. They are proposing to add 24 employees and are seeking \$300,000.00 to connect to the sewer on Highway 401. There was no public input.

**Motion: Robert Wright made a motion to close the public hearing, seconded by Ellen McNeill.**

**Action: The motion was unanimously carried.**

Mr. Hobbs stated that the required documents will also need to be approved. He requested that they be approved separately.

1. Resolution Authorizing the CDBG Application

**Motion: Jean Powell made a motion to approve the CDBG Authorization Resolution, seconded by Robert Wright.**

**Action: The motion was unanimously carried.**

***RESOLUTION AUTHORIZING CDBG APPLICATION***

**RESOLUTION FOR THE HOKE COUNTY APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR THE PENNSYLVANIA TRANSFORMER TECHNOLOGY PUBLIC SEWER IMPROVEMENTS PROJECT**

**WHEREAS**, Hoke County's Board of Commissioners has previously indicated its desire to assist in economic development efforts within the County; and,

**WHEREAS**, the Board of Commissioners has held two public hearings concerning the proposed application for Community Development Block Grant funding to benefit Pennsylvania Transformer Technology Public Sewer Improvements; and,

**WHEREAS**, the Board of Commissioners wishes Hoke County to pursue a formal application for Community Development Block Grant funding in the amount of \$300,000 to benefit Pennsylvania Transformer Technology Public Sewer Improvements; will invest monies in the amount of \$12,500 into the project as committed to in the application, and request the remaining funds in the amount of \$250,000 from the NC Rural Center.

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**WHEREAS**, the Board of Commissioners certifies it will meet all federal regulatory and statutory requirements of the Small Cities Community Development Block Grant Program,

**WHEREAS**, the Chairman and/or County Manager, and successors so titled, is hereby authorized to execute and file an application on behalf of Hoke County with the North Carolina Department of Commerce for a Community Development Block Grant for Economic Development to assist in the construction of the project described above.

**WHEREAS**, the Chairman and/or County Manager, and successors so titled, is hereby authorized and directed to furnish such information as the North Carolina Department of Commerce may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

**NOW, THEREFORE BE IT RESOLVED**, by Hoke County's Board of Commissioners that Hoke County is authorized to submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant for Economic Development to benefit Pennsylvania Transformer Technology, Inc.

Adopted this the 21<sup>st</sup> day of September 2009 in Hoke County, North Carolina.

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James A. Leach, Chairman

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Linda Revels, Clerk (Attest)

2. Authorization Resolution by Governing Body of the Applicant

**Motion: Robert Wright made a motion to approve the Governing Body Authorization Resolution, seconded by Jean Powell.**

**Action: The motion was unanimously carried.**

**AUTHORIZING RESOLUTION BY GOVERNING BODY OF THE APPLICANT**  
NC Economic Infrastructure Program

**WHEREAS**, The North Carolina General Assembly passed I louse Bill 1352 authorizing the making of grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, that will result in job creation, and

**WHEREAS**, Hoke County has need for and intends to construct a wastewater system, project described as Pennsylvania Transformer Technology — Public Sewer Improvements; and

**WHEREAS**, Hoke County intends to request grant assistance in the amount of \$250,000 from the Economic Infrastructure Grants Program for the project;

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**NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF HOKE COUNTY:**

That Hoke County has also requested CDBG Economic Development funding in the amount of \$300,000 and Hoke County will arrange financing for all remaining costs (\$12,500) of the project. if approved for a grant.

That Hoke County will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the Chairman and/or County Manager, and successors so titled, is hereby authorized to execute and file an application on behalf of Hoke County with the NCREDC (Rural Center) for a grant to assist in the construction of the project described above.

That the Chairman and/or County Manager, and successors so titled, is hereby authorized and directed to furnish such information as the Rural Center may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That Hoke County has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this the 21<sup>st</sup> day of September 2009 in Hoke County, North Carolina.

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James A. Leach, Chairman

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Linda Revels, Clerk (Attest)

3. Assessment Policy

**Motion: Robert Wright made a motion to approve the Assessment Policy, seconded by Ellen McNeill.**

**Action: The motion was unanimously carried.**

Consent Agenda:

- a. Minutes from the September 8, 2009 meeting
- b. Koonce, Noble – Clean Burn Agreement
- c. Cross Connection Control Ordinance
- d. Clean Burn Fuels – Bid Recommendation – 2 contracts
- e. Bedford (Breezewood) Development Participation Agreement
- f. Cheraw Acres Bid Recommendation

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- g. DSS Expanded Hours Update
- h. DSS – Contract for Domestic Violence
- i. Resolution to Declare Surplus Property – Purcell/Cummings
- j. Utilities – Approval of Resolution for Exemption
- k. Utilities – Approval of Text for Fee Schedule
- l. Budget Amendment
- m. Resolution for District Attorney
- n. Clean Burn Amended Incentive Agreement

Chairman Leach stated that item #m would be pulled per the County Attorney. William Fields stated that regarding item #n, the Board can approve the agreement and authorize the County Attorney and County Manager to make changes that move the time tables up by one year. This will be the only change. Jean Powell asked about item #h, if this contract was for counseling services. Della Sweat, DSS Director, stated yes.

**Motion: Robert Wright made a motion to approve items #'s a through l of the consent agenda and regarding item #n, approve authorizing the County Attorney and County Manager to make changes to the time tables, seconded by Ellen McNeill.**

**Action: The motion was unanimously carried.**

## 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. PIN #394010001004 – Purcell/Cummings property – Edinburgh Road 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 \$1,000.00 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 G.S. 160A-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 G. S. 160A-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.

(SEAL)

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Linda Revels, Clerk

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James A. Leach, Chairman

County of Hoke

Resolution Amending the Rules and Regulations of the Hoke County Utilities  
Department

Resolution No \_\_\_\_\_

It is hereby resolved by the County Commissioners of Hoke County to amend the Rules and Regulations of the Hoke Utilities Department by adding Paragraph (C) below to Section II.

II. Rate Schedule and Tap-On Fees

(A) Rate Schedule

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All customers will be billed at the rate currently in effect and approved by the Board of Commissioners of Hoke County. Said rate schedule is attached hereto as Appendix "A" and is incorporated herein by reference.

(B) Tap-On Fees

All customers will be charged the tap-on fee currently in effect at the time of application for water service. Tap-on fees are approved by the County Commissioners of Hoke County. Said tap-on fee schedule is attached hereto as Appendix "B" and is incorporated herein by reference.

***(C) Low to Moderate Income (LMI) exemptions provided in this ordinance or its fee schedules shall not apply to commercial or rental properties.***

Amended this the        day of September, 2009.

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James Leach, Chairman  
Hoke County Board of  
Commissioners

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Linda Revels, County Clerk (Attest)

Hoke County Tax Collector's Report – September 21, 2009

Tax Levy 2009	\$ 17,536,163.82
Collected to date	11,614,366.53
Uncollected balance before releases	5,921,797.29
Releases to date	4,516.08
Uncollected balance after releases	5,917,281.21
Deceased	
Advertising Charged	
Uncollected balance 2009 Tax Levy (1)	\$ 5,917,281.21
Collections August 2009	\$10,748,400.70
Releases August 2009	4,160.58
Percent of levy collected (receipts)	66.23%
Percent of levy collected (releases, etc.)	<u>2%</u>
Percent of levy collected (totals)	66.25%

PRIOR YEARS

Prior Years tax levy June 30, 2009	\$ 2,175,368.20
Collected to date	182,363.12
Uncollected balance before releases	1,993,005.08
Releases to date	2,566.17
Insolvent	
Deceased	
Uncollected balance prior years (2)	\$ 1,990,438.91
Collections August 2009	\$98,059.21
Releases August 2009	
Percent Prior years collected (receipts)	8.38%
Percent pr. Yrs. Collected (releases, etc.)	<u>11%</u>
Percent pr. Yrs. Collected (totals)	8.49%
Total Uncollected Taxes (1+2)	\$ 7,907,720.12

2008 Taxes

Tax Levy July 2008	\$ 16,459,593.39
Collections August 2008	6,972,454.04
Releases April 2008	3,576.33
Insolvent	
Percent collected (receipts)	47.58%
Percent collected (releases, Etc.)	<u>2%</u>
Percent collected (totals)	47.60%
Prior years tax levy July 2008	\$ 1,947,691.76
Collections August 2008	83,867.90
Releases August 2008	341.34
Deceased	
Insolvent	
Percent collected (receipts)	11.19%
Percent collected (releases, etc.)	<u>1%</u>
Percent collected (totals)	11.20%

Releases:

Ballour, Charles - 2009	Certantes, Enrique – 2008
Swimming Pool Enclosed - \$33.00	Deed Error - \$154.40

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Hall's Tree Service – 2009  
Late List Error - \$123.68

Harris, Pauline – 2009  
Transfer Error - \$26.62

Lake, Bryan D. – 2009  
Military Exemption - \$12.17

McPhatter, Jr., Richard – 2009  
Transfer Error - \$26.00

Warwick, Horace – 2009  
Solid Waste Error - \$110.00

Total Releases: \$485.87

**Motion: Ellen McNeill made a motion to approve the releases in the amount of \$485.87, seconded by Jean Powell.**

**Action: The motion was unanimously carried.**

Refunds:

Richard McPhatter, Jr. & Kathryn – 259 Cockman Hill Road, Raeford, NC - \$52.00 –  
Transfer Error

Home Food Market, Inc. – 117 N. Main Street – Raeford, NC - \$96.32

Total refunds: \$148.32

**Motion: Robert Wright made a motion to approve the refunds in the amount of \$148.32, seconded by Jean Powell.**

**Action: The motion was unanimously carried.**

Military Exemption Refund:

Katherine Hall is requesting a refund for \$233.34 on a vehicle. Her husband is active duty military and a non-resident of North Carolina. The LES has been received showing he is a non resident of North Carolina.

**Motion: Jean Powell made a motion to approve the military exemption refund in the amount of \$233.34, seconded by Robert Wright.**

**Action: The motion was unanimously carried.**

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Disabled Veteran Application – Tabled from August 17, 2009 – Leroy F. Miller

Mr. Miller has now received the proper certification for the reduction of his taxes in the amount of \$342.00.

**Motion: Jean Powell made a motion to approve the Disabled Veteran application for Leroy F. Miller in the amount of \$342.00, seconded by Robert Wright.**

**Action: The motion was unanimously carried.**

Sandhills Community College Appointment – Chairman Leach requested that each Board member think on a recommendation for the next meeting.

Manager's Report

Tim Johnson stated that he and the Chairman went to a BRAC meeting regarding help with sewer. All the projects are on schedule with most being long term.

Robert Wright asked about the evaluation for the County Manager. Chairman Leach stated that this will be done at the next meeting with the Board meeting earlier if needed, recessing this meeting. After discussion, the Board agreed to meet at 5:00 p.m. on Monday, October 5<sup>th</sup> requesting that the County Manager come in at 6:00 p.m. Each member has an evaluation form to be filled out.

There being no further business to come before the Hoke County Board of Commissioners, Robert Wright made a motion to recess until Monday, October 5, 2009 at 5:00 p.m. in the Commissioners Room of the Pratt Building, seconded by Jean Powell, unanimously carried. The meeting recessed at 7:35 p.m.

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Recessed meeting from Monday, September 21, 2009 to Monday, October 5, 2009 at 5:00 p.m. in the Commissioners Room of the Pratt Building.

MEMBERS PRESENT:

James Leach, Chairman  
Tony Hunt, Vice Chairman  
Robert Wright  
Jean Powell  
Ellen McNeill

OTHERS PRESENT:

Tim Johnson, County Manager  
William Fields, County Attorney  
Linda Revels, Clerk to the Board

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Chairman Leach called the meeting to order with a quorum present. Commissioner Wright led the pledge and gave the invocation.

**Motion: Tony Hunt made a motion to go into closed session to discuss a personnel matter, seconded by Robert Wright.**

**Action: The motion was unanimously carried.**

**Motion: Robert Wright made a motion to come out of closed session and go back into regular session, seconded by Ellen McNeill.**

**Action: The motion was unanimously carried.**

There was no action taken in closed session.

There being no further business to come before the Hoke County Board of Commissioners, Tony Hunt made a motion to adjourn, seconded by Jean Powell, unanimously carried. The meeting adjourned at 6:30 p.m.

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James A. Leach, Chairman

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Linda Revels, Clerk