

**RICHMOND COUNTY BOARD OF COMMISSIONERS  
RICHMOND COUNTY ADMINISTRATIVE OFFICE BUILDING  
REGULAR MEETING  
MONDAY, JULY 7, 2008, 6:30 P.M.**

The Richmond County Board of Commissioners met for a Regular Meeting on Monday, July 17, 2008 at 6:30 P.M. with the following present: Chairman Kenneth R. Robinette; Vice-Chairman John B. Garner; Commissioners Pamela N. Dillman, Jimmy L. Maske, Thad Ussery, J. C. Watkins, and Paul Wilson, Jr.

The meeting was called to order by Chairman Robinette at 6:30 P.M.

**ITEM NO. 1 – INVOCATION BY REV. GARY RICHARDSON OF NEW LIFE CHURCH, ROCKINGHAM, NC**

The invocation was delivered by Rev. Gary Richardson of New Life Church, Rockingham, NC.

**ITEM NO. 2 – APPROVAL OF AGENDA**

By a motion of Commissioner Maske, seconded by Commissioner Wilson and unanimously carried, the Board approved the Agenda as presented.

**ITEM NO. 3 – 6:30 – 7:00 P.M. – OPEN FORUM FOR PUBLIC COMMENT**

**A) APPEARANCE BY MRS. ETTA COVINGTON TO DISCUSS TAX DEPARTMENT POLICY FOR COLLECTION OF DELINQUENT TAXES**

Mrs. Etta Covington appeared before the Board to discuss her property taxes and the lien placed on her checking account to collect the delinquent taxes. Mrs. Covington explained that she usually paid her taxes at about the same time each year, but this year her bank account was attached in June for payment of the taxes. Mrs. Covington complained that her bank account was frozen without prior notification, and therefore her account became overdrawn when bills were drafted. Mrs. Covington advised that she has been on disability, but that she had worked for many years prior to her disability. Mrs. Covington also advised that the freeze on her bank account had prevented her from buying her medication and from keeping an out of town doctor's appointment.

There was discussion of a payment plan that would have been available to her had she communicated with the Tax Office and of the possibility of a tax discount due to her disability. Mrs. Covington acknowledged that she had put herself in a very bad situation, but she hoped that the Tax Office would do better next year.

Chairman Robinette thanked Mrs. Covington for her comments.

County Manager Haynes stated that the Tax Collector is charged with responsibility for collecting taxes by whatever means are legally available, and that more than 3,000 bank attachments have been implemented this year. Mr. Haynes went on to explain that collection procedures are handled in the same way each year and that notices are sent to individuals and banks on the same day. In further discussion, Mr. Haynes emphasized that notices of taxes due are sent throughout the year, and that if prior notice of bank attachments was provided, many people would deplete and close those accounts before the taxes that were due on January 8, 2008 could be collected from accounts. County Manager Haynes recapped the notification schedule, advising that for taxes due January 8, 2008, a notice was sent in January; another notice was sent in March; delinquent taxes were published in the newspaper in April; and since then, every means of collection available has been used by the Tax Collector, including attaching IRS refunds and Social Security payments. Mr. Haynes went on to explain that the budget and the tax rate can only be based on the percentage of taxes collected during the prior year, so the higher the collection rate, the more it benefits every taxpayer. Mr. Haynes added that tax payments can now be made with credit cards, and partial payment plans have been available for sometime. In summary, Mr. Haynes emphasized that the Tax Office has acted under his direction to use every collection method available in accordance with the law to collect taxes, and Mrs. Covington has been treated the same as every other delinquent account.

Commissioner Ussery asked if people on disability have the same option for a discount as elderly citizens over 65.

Tax Administrator Butch Greene explained that the deadline to apply for the disability discount was June 1.

Commissioner Ussery commented that the percentage of collection this year has exceeded the rate of prior years, and he confirmed with Tax Collector Ginny Braddock that 1% of the collection rate equates to \$75,000.00.

Commissioner Dillman asked if qualification for the disability discount requires a doctor's certification, and Tax Administrator Butch Greene confirmed that forms to apply for the disability discount are available beginning January 2 each year and that June 1 is always the deadline for applying. Commissioner Dillman mentioned potential legislation that would allow tax exemptions for totally disabled veterans.

In response to Commissioner Dillman's question, Mr. Greene confirmed that audits are periodically performed to confirm disability status.

There was no further discussion, and no action was taken.

**ITEM NO. 4 – PUBLIC HEARING TO RECEIVE CITIZEN INPUT ON FY 2008-2009 RURAL OPERATING ASSISTANCE PROGRAM APPLICATION FOR FUNDING FOR RICHMOND INTERAGENCY TRANSPORTATION, INC.**

The public hearing to receive citizen input on FY 2008-2009 Rural Operating Assistance Program Application funding was declared open at 6:50 P.M. by Chairman Robinette.

County Manager Haynes noted that the hearing is required and held each year in order to accept ROAP funds for Richmond Interagency Transportation – Area of Richmond Transit. Mr. Haynes advised that Transportation Director Johnnie Morman was present to answer any questions that the Board may have.

There were no other speakers, and the hearing was declared closed by Chairman Robinette.

A motion was offered by Commissioner Ussery, seconded by Commissioner Watkins and unanimously carried to approve the ROAP 2008-2009 Application for funding.

**ITEM NO. 5 – MONTHLY PLANNING DEPARTMENT REPORT BY PLANNING DIRECTOR JAMIE ARMSTRONG**

**A) REQUEST FOR PUBLIC HEARING DATE ON TWO PROPOSED ROAD NAMES**

Planning Director Jamie Armstrong requested that the Board set a date for two new road names which have been petitioned: request for the name "Leviner Stable Road", which is located off Louis Breeden Blvd. just past Jodie Drive; and a request for "Pond Brothers Road", which is located off South N.C. 177 Hwy. just before the Hwy. 74 By-Pass entrance ramp.

By a motion of Commissioner Ussery, seconded by Commissioner Dillman and unanimously carried, the Board agreed to set the public hearing date on the two requested road names for the Board's first Regular Meeting in August.

**B) REQUEST FOR PUBLIC HEARING DATE ON REZONING PETITION SUBMITTED BY UNIMIN CORPORATION**

Mr. Armstrong advised the Board that Unimin Corporation has submitted a petition to rezone property that is currently under contract from Agricultural Residential to Heavy Industrial. Mr. Armstrong advised that the property is located adjacent to existing Unimin property that is zone H-I. Mr. Armstrong advised that the Planning Board will review the case during its July 8, 2008 meeting and then submit a recommendation during the public hearing. The Board of Commissioners was asked to establish a date for the public hearing.

A motion was offered by Commissioner Garner, seconded by Commissioner Wilson and unanimously carried to conduct the public hearing on the Unimin rezoning request during the first Regular Meeting in August.

### **C) CONSIDERATION TO TRANSFER DEED OF EASEMENT**

Mr. Armstrong advised the Board that during the N. C. Department of Transportation U.S. Hwy. 1 widening project, right-of-way seems to have been claimed for the project that involved a landowner's septic system. As a result, the landowner had to establish a new septic system on an adjacent tract of land that they also owned. The landowner then had a deed of easement drafted to protect future interest if the land is ever sold, but in error, the deed of easement conveyed the easement to Richmond County. The Board is now asked to convey the easement back to the homeowner to correct this error and to protect the homeowner.

By a motion of Commissioner Maske, seconded by Commissioner Dillman and unanimously carried, the Board approved a deed of easement to convey the property in question back to the homeowners, Neil and Sally Covington.

### **ITEM NO. 6 – MONTHLY STAFF REPORT BY DIRECTOR OF DEVELOPMENT RICK SAGO**

Director of Development Rick Sago advised the Board that the loan through the Department of Commerce for the shell building project had been closed last Thursday, and work on this project should begin right away.

Mr. Sago reported that work on the new business trade facility for RCC is moving forward; he will speak to the Board of Realtors during their meeting on Wednesday; and he is scheduled to meet with the Department of Commerce staff next Monday.

Mr. Sago further reported that he will be meeting with a client tomorrow for the first time and then meeting with a different client on Thursday for the third time. It was noted that a representative of SRB Holdings will be in town this week.

Mr. Sago referred to information that he shares during the month for the Board's information, and he referenced information pertaining to the international port project in Southport.

Commissioner Dillman thanked Mr. Sago for the information on the port project, and Mr. Sago commented that Richmond County's proximity to the port project was a factor in SRB making the decision to locate in Richmond County.

Commissioner Maske asked about the Project Energy project and opposition voiced by a group from Moore County. Mr. Sago advised that this group had expressed some concern about one of the transmission lines that would cross a small portion of a wildlife area.

Commissioner Ussery noted that Progress Energy has gone out of its way to avoid the wildlife area with the exception of the outer edge of the property.

Chairman Robinette mentioned that he had spoken at the Utilities Commission public hearing last Thursday concerning this project, and there was no opposition to the project voiced during the hearing.

**ITEM NO. 7 – MONTHLY STAFF REPORT BY COUNTY MANAGER JAMES E. HAYNES**

County Manager Hayes reported on Solid Waste activities during June, advising that 72 hours of Community Service work was utilized, and 2.3 tons of litter was picked up along 16 miles of roadways during June.

In further discussion, County Manager Haynes mentioned that grant funds are being secured to study the feasibility of extending sewer lines to Ellerbe from Rockingham. Mr. Haynes advised that both Rockingham and Ellerbe have agreed to pursue this project, and this will begin the process of designing the sewer line from Ellerbe to Rockingham.

Mr. Haynes reported that as of last Monday it became obvious that the Tax Office had broken its tax collection record that had stood for 30 years. At the end of the fiscal year on June 30, the collection rate was 95.64%, the highest rate of collection since 1978. Mr. Haynes commended the Tax Office and emphasized the good standing that Richmond County has among our peers. Mr. Haynes further advised that the fiscal year ended in the black and that the new budget for 2008-2009 is now in place, with departmental purchasing now allowed. Mr. Haynes added that the audit process will now begin immediately.

Commissioner Maske confirmed that the 95.64% collection rate includes vehicles, and Mr. Haynes advised that the collection rate on vehicles alone is approximately 88%. Mr. Haynes added that projections are that vehicle collections will revert to the State by 2011.

Commissioner Garner confirmed that clean up of the illegal tire dump at Beaver Dam has been completed.

**ITEM NO. 8 – CONSENT AGENDA**

By a motion of Commissioner Garner, seconded by Commissioner Wilson and unanimously carried, the Board approved the following items of the Consent Agenda:

- A) APPROVAL OF DRAFT MINUTES OF REGULAR MEETING OF JUNE 2, 2008 AND REGULAR MID-MONTH MEETING OF JUNE 17, 2008 AS SUBMITTED BY THE CLERK**

- B) TAX RELEASES TOTALLING \$11,364.45 AND TAX REFUNDS TOTALLING \$580.77 WERE APPROVED AS SUBMITTED BY THE OFFICE OF THE TAX ADMINISTRATOR AND ARE HEREBY MADE A PART OF THESE MINUTES BY REFERENCE.**

**ITEM NO. 9 – REQUEST FOR BOARD APPROVAL OF REVISED RESOLUTION ESTABLISHING A FIRE-FEE TAX ASSESSMENT FOR FIRE PROTECTION SERVICES ON STRUCTURES IN THE HOFFMAN FIRE RESPONSE AREA ADJACENT TO THE TOWN OF HOFFMAN**

County Manager Haynes advised that this Resolution had been previously approved, but revisions were necessary since Hoffman is a volunteer fire department rather than a municipal department. The original Resolution had been drafted to match Resolutions adopted in previous years for Ellerbe, Hamlet, and Rockingham. Mr. Haynes specified that the numbers in the Resolution were correct.

A motion was offered by Commissioner Maske to rescind the Board's action on June 17, 2008 approving the first version of the Resolution. The motion was seconded by Commissioner Ussery and unanimously carried.

A motion was then offered by Commissioner Watkins, seconded by Commissioner Dillman and unanimously carried to approve the following revised Resolution to Establish a Fire Fee Tax Assessment for Fire Protection Services on Structures in Hoffman Fire Response Area Adjacent to the Town of Hoffman:

**RESOLUTION ESTABLISHING A FIRE-FEE TAX ASSESSMENT FOR FIRE PROTECTION SERVICES ON STRUCTURES IN THE HOFFMAN FIRE RESPONSE AREA ADJACENT TO THE TOWN OF HOFFMAN**

**WHEREAS:**

1. The area described on Exhibit A attached hereto and incorporated by reference lies adjacent to the Town limits of Hoffman, NC and does not include the Corporate Limits of the Town of Hoffman. That area is hereafter designated as Hoffman Response Area. A map of the area is attached as Exhibit C.
2. The North Carolina Legislature, in Special Session in 1996, enacted Senate Bill 662 authorizing Richmond County to levy fees on structures in Response Areas to provide money for fire protection.
3. The Richmond County Board of Commissioners, on April 24, 2008, published a Notice of Public Hearing on this Resolution.. A copy of the notice and a description and map of the proposed fire fee district has been in the Office of the Clerk to the Board since April 23, 2008 available for public inspection. On

May 5, 2008 the Board conducted a Public Hearing and considered comment. On June 17, 2008 the Board further considered public comment.

4. The Board finds as a fact that for the protection of persons and property against fire in the Hoffman Response Area a fee system should be adopted and assessed as a fee on all structures within the Response Area to provide money for compensating the Hoffman Fire Department and Rescue Squad, Inc., to furnish fire protection in the Response Area.

**IT IS NOW RESOLVED:**

1. There is hereby levied and assessed against each structure located within the Hoffman Response Area a tax in the form of a fee as set forth on the Fee Schedule attached hereto, marked Exhibit B, and incorporated by reference.
2. The County Tax Collector and County Tax Assessor are directed to send bills to the taxpayers in the Hoffman Response Area in accordance with the fee structure set forth in Exhibit B. The tax in the form of a fee shall be levied annually beginning with the 2008-2009 fiscal year.
3. The schedule of fees to be levied shall be set annually by the Richmond County Board of Commissioners and may be levied at different rates determined annually by the Board of Commissioners.

**Adopted this 7th day of July, 2008.**

**EXHIBIT A**

**HOFFMAN FIRE DEPARTMENT RESPONSE AREA**

Beginning at Point (1) on State Road 1003 at its intersection with State Road 1473; thence easterly along the centerline of State Road 1473 to Point (2) at its intersection with the Richmond-Moore County Line; thence easterly to Point (3) on State Road 1004 at its intersection with the Richmond-Moore County Line to Point (4) at its intersection with US Highway 1; thence easterly along the Richmond-Moore County Line to Point (5) at its intersection with the boundary with Camp MacKall Military Reservation; thence southwesterly and then southeasterly along the boundary of Camp MacKall Military Reservation to Point (6) at its intersection with the Richmond-Scotland County Line; thence southwesterly along the Richmond-Scotland County Line to Point (7) 0.4 mile west of its intersection with State Road State Road 1608; thence westerly to Point (8) on State Road 1605, 0.04 west of its intersection with State Road 1606; thence northwesterly to Point (9) at its intersection with Highway 177 and State Road 1606; thence northwesterly to Point (10) at its intersection of US Highway 1 and State Road 1606, excluding property on State Road 1606 between this and the preceding point; thence northerly to point (11) on State Road 1475 where it crosses Chock Fork; thence northerly to point (12) on State Road 1486 where it crosses Hitchcock Creek; thence

northerly to Point (13) on State Road 1487 0.5 mile east of its intersection with State Road 1442; thence westerly to Point (14) on State Road 1487 where it crosses Beaver Dam Creek ; thence southwesterly along Beaver Dam Creek Point (15) at its intersection with State Road 1486; thence westerly on State Road 1486 to Point (16) 0.5 mile east of its intersection with State Road 1424; thence northerly to Point (17) on State Road 1487 1.0 mile east of intersection State Road 1424; thence northerly to Point (18) 0.5 mile east of the intersection of State Road 1424 and State Road 1455, excluding any property that can be accessed from; thence easterly to Point (1), the beginning.

**EXHIBIT B**

**FEE SCHEDULE FOR FIRE PROTECTION SERVICE  
IN HOFFMAN RESPONSE AREA**

<i>Facility Size, Square Footage</i>	<i>Fee</i>
0 – 3,000.....	\$ 50.00
3,001 – 5,000.....	\$ 115.00
5,001 – 15,000.....	\$ 170.00
15,001 – 30,000.....	\$ 300.00
30,001 – 50,000.....	\$ 600.00
50,001 – 100,000.....	\$2,200.00
100,001 + .....	\$3,000.00

Poultry House.....	\$ 70.00
Swine House.....	\$ 95.00
Barn.....	\$ 45.00

<i>Residential, Square Footage</i>	
1 – 1,500.....	\$ 35.00
1,501 – 2,500.....	\$ 50.00
2,501 + .....	\$ 60.00

**ITEM NO. 10 – CONSIDERATION OF BID AWARD FOR PURCHASE, DELIVERY AND ERECTION OF A 10-UNIT NESTED T-HANGAR FOR RICHMOND COUNTY AIRPORT**

Director of Community Service B. K. Jones presented for the Board’s consideration a bid of \$325,959.00 from Sedberry Construction Company for construction of 10 nested t-hangars at the airport. Mr. Jones advised that he had advertised and solicited bids from 4 contractors, but only the one bid was received.

Commissioner Ussery questioned the propriety of one bid, and Mr. Jones explained that the threshold for informal bid limits has increased to \$500,000.00, so this project is not subject to formal bid requirements.

By a motion of Commissioner Maske, seconded by Commissioner Wilson and unanimously carried, the Board awarded the bid for construction of 10 nested t-hangars to Sedberry Construction at a bid of \$325,959.00.

**ITEM NO. 11 – REQUEST FOR BOARD TO ACCEPT STATE AID TO AIRPORTS PROGRAM GRANT AND TO AUTHORIZE COUNTY MANAGER TO EXECUTE RESOLUTION TO ENTER GRANT AGREEMENT AND COMMIT 2.5% COUNTY MATCHING FUNDS**

Director of Community Services B. K. Jones advised that N. C. Department of Transportation has awarded a State Aid to Airports Grant of \$200,000.00 which can be used to assist with the hangar construction project. Mr. Jones requested Board authorization for the County Manager to execute the Resolution to accept the grant funds and committing 2.5% local matching funds of \$5,000.00.

By a motion of Commissioner Garner, seconded by Commissioner Maske and unanimously carried, the Board approved the following Resolution with the County Manager authorized to execute and commit local matching funds:

**ITEM NO. 12 – REQUEST FOR BOARD TO ACCEPT AIRPORT IMPROVEMENTS GRANT AND TO AUTHORIZE COUNTY MANAGER TO EXECUTE RESOLUTION TO ENTER GRANT AGREEMENT AND COMMIT 10% COUNTY MATCHING FUNDS**

Director of Community Services B. K. Jones requested Board authorization of a Resolution to enter a grant agreement and commit 10% local matching funds of \$53,516.70 for a Federal Aviation Administration Airport Improvements Project Grant of \$481,650.30. Mr. Jones explained that this is a two-year discretionary grant that could be used to assist with runway paving. Mr. Jones advised that this project could be bid late next spring with construction to begin after July 1, 2009.

A motion was offered by Commissioner Dillman and seconded by Commissioner Ussery to authorize the County Manager to execute the following Resolution to enter the grant agreement and to commit 10% in county matching funds. Commissioner Ussery asked if the term "discretionary" grant meant that the funds could be used for an airport project of the County's discretion, and Mr. Jones advised that technically FAA approval would be required if the funds were to be diverted to a different project than indicated. The motion carried unanimously.

**ITEM NO. 13 – REQUEST FOR BOARD TO DESIGNATE “STANDARD” OR “ELECTING STATUS” FOR WORK FIRST PROGRAM**

County Manager Haynes advised that Welfare Reform has allowed counties to select the method of providing Work First services, either through a “standard” or “electing” process. Mr. Haynes explained that “electing” would mean to develop another plan, and “standard” would mean following the standard plan devised by the State when this was first begun. Selection of the plan is required every two years, and Mr. Haynes advised that Richmond County’s Work First Committee has always opted to follow the State’s standard plan. Mr. Haynes went on to inform the Board that the County has had good results with the plan and has been able to reduce Welfare Cash Assistance rolls by 76%, and he would recommend that the Board authorize continuation of the standard plan for Work First services.

A motion was offered by Commissioner Maske to continue delivery of Work First services through the Standard Plan devised by the State. The motion was seconded by Commissioner Watkins. Commissioner Ussery commended the effectiveness of the Work First Program and credited Program Administrator Lee Anne Sago for the success of the program. Commissioner Dillman asked what the program does, and Commissioner Maske advised that Work First replaced the former Aid to Families with Dependent Children (AFDC) Program. The motion carried unanimously.

**ITEM NO. 14 – REQUEST FOR BOARD TO CONSIDER RECOMMENDED APPOINTMENTS (2) TO ROCKINGHAM PLANNING BOARD AS EXTRATERRITORIAL JURISDICTION REPRESENTATIVES**

By a motion of Commissioner Watkins, seconded by Commissioner Dillman and unanimously carried, the Board approved the appointment of Mr. Paul Prelipp and Mr. Terry Greene to serve as Richmond County’s Extraterritorial Jurisdiction representatives on the Rockingham Planning Board.

**ITEM NO. 15 – REQUEST BY LUMBER RIVER COUNCIL OF GOVERNMENTS TO APPOINT COMMISSION REPRESENTATIVE TO NEW TWO-YEAR TERM ON TRANSPORTATION ADVISORY COMMITTEE**

A motion was offered by Commissioner Maske, seconded by Commissioner Garner and unanimously carried to approve the reappointment of Commissioner Dillman to a new two-year term on the Transportation Advisory Committee (TAC) of the Lumber River Rural Transportation Planning Organization.

**ITEM NO. 16 – REQUEST FOR BOARD TO DESIGNATE VOTING DELEGATE FOR NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS ANNUAL CONFERENCE**

Chairman Robinette asked Commissioner Watkins to represent Richmond County as Voting Delegate for the North Carolina Association of County Commissioners Annual Conference in August in Craven County.

A motion was offered by Commissioner Ussery, seconded by Commissioner Garner and unanimously carried to appoint Commissioner J. C. Watkins as NCACC Voting Delegate.

**ITEM NO. 17 – REQUEST FOR BOARD TO CANCEL JULY 15, 2008 REGULAR MID-MONTH NOON MEETING**

In discussion of NACo Annual Conference dates – July 12-16, 2008, and other schedules of Board members, a motion was offered by Commissioner Ussery to cancel the July 15, 2008 Regular Mid-Month Noon Meeting, and to reschedule the August 4, 2008, 6:30 P.M. Regular Meeting until Tuesday, August 19, 2008, which would take the place of the August 19 Mid-Month Noon Meeting. The motion was seconded by Commissioner Wilson. It was noted that the Board's action earlier in the meeting and reference to public hearings that would be conducted during the first meeting in August would be held on August 19, 2008 at 6:30 P.M. Commissioners Ussery and Wilson concurred that this should be a part of the motion and the second. The motion carried unanimously.

**ITEM NO. 18 – ADJOURNMENT TO CONVENE AS BOARD OF EQUALIZATION AND REVIEW**

Commissioner Ussery thanked his fellow Board members for all of their concerns and for keeping him informed during the months that he has been ill and unable to attend the meetings. Commissioner Ussery expressed his appreciation to the many people and to the churches that have included him in their prayers. Commissioner Ussery advised that he had received a very good report from his doctor, and he again thanked the people of Richmond County for their compassion and concern during his lengthy illness.

Chairman Robinette thanked Commissioner Ussery for his remarks and attested to the fact that Commissioner Ussery had maintained contact with the Board and county staff and had been very well informed of county business during his absence.

There being no further business for discussion, a motion was offered by Commissioner Garner, seconded by Commissioner Dillman and unanimously carried to adjourn the meeting at 7:30 P.M., to be followed by a Board of Equalization and Review Meeting.

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Marian S. Savage, CMC  
Clerk to the Board of Commissioners