

AMERICANS FOR PROSPERITY

Advancing every North Carolinian's right to economic freedom and opportunity

October 30, 2007

Mr. Dennis E. Boyles
Director
Pender County Board of Elections
807 S. Walker Street
PO Box 1232
Burgaw, NC 28425-7620

Dear Mr. Boyles,

On behalf of the North Carolina Chapter of Americans for Prosperity, I am writing to formally register a complaint against the Pender County Board of Commissioners, the Pender County Manager and the Pender County School System for their actions related to the real estate transfer tax ballot question. We strongly believe that the actions of the Commission, the County Manager and the School System in advocating for passage of the real estate transfer tax are in violation of state election law and we respectfully ask that the Pender County Board of Elections investigate and take swift action. These actions represent a continuing disregard for the law and the willingness to use taxpayers dollars to lobby the public for a tax increase.

We would specifically request that you investigate the following actions:

- During a meeting of the County Commission, each County Commissioner presented the leader of "A Better Way to Pay", a group supporting the transfer tax, with a check for \$100. While Commissioners may lobby for a transfer tax in their personal time and even make a contribution to a group seeking the adoption of a transfer tax, the action by County Commissioners funding such a group during a meeting of the Commission is crossing the line and is an abuse of their public office.
- Pender County Manager Lori Brill has held a series of "information sessions" in which she has gone well beyond "educating" the public. It is clear from the content of these sessions that the intent is not to inform citizens but to convince them to vote for the real estate transfer tax. Such action is strictly prohibited by state election law.
- The School System's automated dialing system was used to contact residents to recruit them to attend a PTA meeting where County Manager Lori Brill lobbied the group for its support for the real estate transfer tax. It is bad enough that the County Manager repeatedly advocates for passage of the tax, but it is incredible that the School System would use a system paid for by public funds to assist in that effort.
- The School System also distributed advocacy material to school children.

We appreciate your expedited review of these matters as the elections are to be held in a week. Thanks.

Sincerely,

Dallas Woodhouse
State Director

Dallas Woodhouse
North Carolina State Director
Americans for Prosperity-North Carolina

919-839-1011 ext 15
919-671-1050 Cell

225 Hillsborough Street Suite 190
Raleigh, North Carolina 27603
Dallas.Woodhouse@afphq.org

Advancing every North Carolinian's right to economic freedom and opportunity



STATE BOARD OF ELECTIONS

6400 Mail Service Center • Raleigh, North Carolina 27699-6400

GARY O. BARTLETT
Executive Director

MAILING ADDRESS:
P.O. BOX 27255
RALEIGH, NC 27611-7255

April 24, 2009

Dallas Woodhouse, State Director
Americans for Prosperity – North Carolina
225 Hillsborough Street, Suite 190
Raleigh, NC 27603

Dear Mr. Woodhouse:

As we are attempting to address a backlog of complaints, we have realized that you never received a resolution from our office for a 2007 complaint you filed with the Pender County Board of Elections. Please accept our apologies for not providing this resolution letter sooner.

Pursuant to N.C.G.S. 163-278.22(7) and (8) the Campaign Finance Division of the North Carolina State Board of Elections completed its investigation into the complaint filed by you on October 30, 2007 against the Pender County Board of Commissioners, Pender County Manager and the Pender County School District. Our office concluded that the State Board of Elections has no jurisdiction or standing in this matter and finds that no campaign finance law was violated by either the Pender County Board of Commissioners, Pender County Manager or the Pender County School District with respect to the allegations outlined in your complaint. As such, our investigation is closed and no action will be taken against either the Pender County Board of Commissioners, Pender County Manager or the Pender County School District.

If you have any questions or need further explanation of this investigation, please contact me at (919) 733-7173.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Ragan".

Adam Ragan, Compliance Specialist
Campaign Finance Division

cc: Pender County Board of Elections
Pender County Board of Commissioners
Rick Barton, Pender County Manager
Pender County School District

APR 29 2009