



REQUEST FOR BOARD ACTION

ITEM NO. 7

DATE OF MEETING: September 21, 2009

REQUESTED BY: David McCole, Finance Officer

SHORT TITLE: Resolution Approving North Carolina Sales/Use Tax Reallocation Contract

BACKGROUND: The County contracts each year to have a sales/use tax audit. The purpose of the audit is to provide a report to the County that lists sales tax collections that were possibly allocated in error to another County, Town or City. The report along with an amended refund return is submitted to the State along with a request that the sales tax dollars in question be reallocated to the County. The contract calls for the County to pay Robert S. Segal, CPA a fee equal to thirty five cents (35) of every dollar refunded due to Segal's amending of refund returns and upon the County's receipt of documentation from the NC Dept. of Revenue evidencing the additional sales/use tax revenue being transferred to the County.

SPECIFIC ACTION REQUESTED: To approve a contract with Robert S. Segal, CPA to perform a sales/use tax audit for the County.

COUNTY MANAGER'S RECOMMENDATION

Respectfully recommend approval.

RS
Initial

RESOLUTION

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

a contract is approved with Robert S. Segal, CPA to perform a sales/use tax audit for the County.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS

YEA VOTES: Tate ___ Brown ___ Blanchard ___ Rivenbark ___ Williams ___

Jimmy T. Tate, Chairman 9/21/09
Date

ATTEST 9/21/09
Date



ROBERT S. SEGAL, CPA PA

EXPENSE REDUCTION & REVENUE ENHANCEMENT

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LETTER OF AGREEMENT

Robert S. Segal, CPA, PA (SEGAL) and Pender County (CLIENT) hereby enter into this Letter of Agreement whereby SEGAL shall serve as a consultant to CLIENT to examine and analyze the following expense of CLIENT for the purpose of obtaining any tax refunds available in all prior years still open under the statute of limitations.

North Carolina Sales/Use Tax Reallocation

The Client agrees that the above listed expense is not currently under tax refund evaluation by CLIENT and all refunds received will be eligible for full payment of fees to SEGAL at the contract rate stipulated below.

SEGAL will furnish CLIENT with a written report as to sales/use tax refunds discovered. SEGAL will then prepare the respective refund claims to achieve the refunds.

CLIENT agrees to pay SEGAL a fee equal to thirty-five (35) cents of every dollar refunded due to Segal's amending of refund returns and upon the CLIENT'S receipt of documentation from the North Carolina Department of Revenue evidencing the additional sales/use tax revenue being transferred to the CLIENT. (The County may wish to have an interlocal agreement with the municipalities within the County who will share in the benefit of this project.)

SEGAL AGREES TO MAINTAIN IN STRICT CONFIDENCE ALL INFORMATION RECEIVED FROM CLIENT CONCERNING ITS EXPENSES AND METHODS OF DOING BUSINESS. FURTHERMORE, SEGAL ACTS AS A CONSULTANT ONLY AND DOES NOT RECEIVE ANY COMMISSIONS OR REMUNERATION OF ANY KIND FROM ANY VENDORS OR SERVICE PROVIDERS.

Segal has contracted with Dixon Hughes PLLC to assist with this project.

The persons signing below are authorized to do so on behalf of their respective organizations. This Letter of Agreement shall be binding upon the parties hereto, their heirs, successors and assigns. This Letter of Agreement is entered into effective as of the ____ day of _____, ____.

CLIENT: Pender County

By: _____

Title: _____

Robert S. Segal, CPA PA

By: 
Robert S. Segal

Title: President