

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, December 4, 2006 at 6:00 p.m. in the Commissioners' Conference Room, Vance County Administration Building, 122 Young Street, Henderson, NC. Those Commissioners present were as follows: Chairman J. Timothy Pegram, Commissioners Deborah F. Brown, Terry E. Garrison, Danny W. Wright, Eddie L. Wright, and newly elected Commissioners, Dan Brummitt and A. Scott Hughes. Absent: None.

Also present were County Attorney Robert S. Hight, County Manager Jerry L. Ayscue, and Finance Officer Jerry L. Tucker.

Commissioner Danny W. Wright gave the invocation.

The first order of business was the election of the Chairman. Commissioner Danny W. Wright nominated Deborah F. Brown for the position of Chairperson. As there were no other nominations, Chairman Pegram closed the nominations and vote was unanimous that Deborah F. Brown be appointed as Chairperson for the coming year.

The next order of business was the appointment of the Clerk to the Board. Motion was made by Commissioner Eddie L. Wright that the Board appoint Kelly H. Grissom as Clerk to the Board for a one-year term. This motion was seconded by Commissioner Terry E. Garrison and unanimously approved.

Commissioner Eddie L. Wright nominated Danny W. Wright to be appointed as Vice-Chairman of the Board. Commissioner Terry E. Garrison seconded the nomination.

Motion was made by Commissioner Eddie L. Wright and seconded by Commissioner Terry E. Garrison that the nominations be closed. Vote to appoint Danny W. Wright as Vice-Chairman was unanimous.

The next order of business was the appointment of County Manager. Motion was made by Commissioner Danny W. Wright, seconded by Commissioner Terry E. Garrison, vote unanimous, to appoint Jerry L. Ayscue as County Manager.

Commissioner J. Timothy Pegram moved to appoint Jerry L. Tucker as Finance Officer. This motion was seconded by Commissioner Terry E. Garrison and unanimously approved.

Motion was made by Commissioner Danny W. Wright to appoint Robert S. Hight as County Attorney with Jonathan Care as his alternate. This motion was seconded by Commissioner A. Scott

Hughes and unanimously approved.

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner Eddie L. Wright, vote unanimous, that the following officials be appointed for a one-year term: Bob Fuller, Custodian of the Courthouse and the County Administration Building; Sandra Grissom, Custodian of the Henry A. Dennis Building; Harold Thompson, Custodian of the County Office Building; and Kay Fields, Custodian of the Social Services Building.

At this time, Chairperson Deborah F. Brown recognized Peter White as the newly elected Sheriff for Vance County. Sheriff White stated that it is an honor to serve the citizens of Vance County and looks forward to working with the Board throughout his term.

Motion was made by Commissioner Eddie L. Wright, seconded by Commissioner Danny W. Wright, vote unanimous, that the Board adopt the following schedule of holidays for 2007:

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<u>2007 Holiday Schedule</u>		
New Year's Day	January 1, 2007	Monday
Martin Luther King, Jr's Birthday	January 15, 2007	Monday
Good Friday	April 6, 2007	Friday
Memorial Day	May 28, 2007	Monday
Independence Day	July 4, 2007	Wednesday
Labor Day	September 3, 2007	Monday
Veteran's Day	November 12, 2007	Monday
Thanksgiving	November 22 & 23, 2007	Thursday & Friday
Christmas	December 24, 25, & 26, 2007	Mon., Tues., & Wed.

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Motion was made by Commissioner Danny W. Wright that all County Office Buildings shall open at 8:30 a.m. and close at 5:00 p.m. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Motion was made by Commissioner Terry E. Garrison and seconded by Commissioner Eddie L. Wright that the Board appoint Mike Coghill as Chairman of the Vance County Fire Commission, and Deborah F. Brown and Ronald Jones as members. Vote on this motion was unanimous.

Sam Jones, Tax Administrator, was next on the agenda and presented the monthly report for tax collections. He stated that November 2006 collections have increased by approximately \$300,000 as compared to November 2005.

Argretta Reid, Human Resources Director, appeared before the Board and stated that R. Thomas Breedlove had requested the award of the service weapon and badge to Lieutenant Carl Ellington in recognition of his retirement on November 30, 2006. Lieutenant Ellington was

employed with the Sheriff's Department for over 34 years.

Motion was made by Commissioner Eddie L. Wright to award the service revolver and badge to Lieutenant Carl Ellington in recognition of his long and successful career in law enforcement. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Ms. Reid then noted that last month R. Thomas Breedlove requested that Deputy Eddie Vick be awarded his service weapon and badge. Deputy Vick did not meet policy requirements, and, therefore, the request was denied. Ms. Reid informed the Board that General Statutes state that a retiring member of county law enforcement shall receive upon request and at no cost to them, the badge worn or carried by such retiring member. As such, Ms. Reid requested that Deputy Vick be awarded his badge.

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner Dan Brummitt, vote unanimous, to award Deputy Eddie Vick his badge in recognition of his retirement on November 30, 2006.

Ms. Reid stated that she will be coming back to the Board at next month's meeting in order to amend the County's Award of Service Weapon/Badge policy to reflect General Statute language.

Motion was made by Commissioner J. Timothy Pegram, seconded by Commissioner Eddie L. Wright, vote unanimous, that the Board approve Budget Amendments #13, #14, #15, and #16 as follows for the purposes noted therein:

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**Budget Amendment #13
General Fund**

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
Day Care State/Federal	10-610-500048		\$ 182,340.00
Smart Start	10-610-500051		<u>61,909.00</u>
Total Increase in Expenditures			\$244,249.00

Revenues

Day Care State/Federal	10-348-434815	\$ 182,340.00	
Smart Start	10-348-434816	<u>61,909.00</u>	
Total Increase in Revenues		\$ 244,249.00	

Purpose: To appropriate additional State and Federal funds for day care. No County funds needed.

Authorization: Vance County Board of Commissioners
December 4, 2006

Budget Amendment #14
General Fund

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
ADM Funds	10-681-500095		\$ <u>271,012.86</u>
Total Increase in Expenditures			\$ 271,012.86

Revenues

ADM Funds	10-346-434631	\$ <u>271,012.86</u>	
Total Increase in Revenues		\$ 271,012.86	

Purpose: To appropriate State funds from Public School Building Capital Fund for approved school projects. No County funds needed.

Authorization: Vance County Board of Commissioners
December 4, 2006

Budget Amendment #15
General Fund

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
Salaries & Wages	10-601-500001		\$ 28,350.00
FICA Expense	10-601-500005		2,169.00
Group Insurance	10-601-500006		5,533.00
Retirement	10-601-500007		1,398.00
Travel	10-601-500014		6,544.00
Ads	10-601-500026		930.00
Departmental Supplies	10-601-500033		19,970.00
Dues & Subscriptions	10-601-500053		200.00
Non-Capitalized Assets	10-601-500085		<u>2,400.00</u>
Total Increase in Expenditures			\$ 67,494.00

Revenues

Smart Start	10-370-437020	\$ <u>67,494.00</u>	
Total Increase in Revenues		\$ 67,494.00	

Purpose: To appropriate State funding for Smart Start Program. No County funds needed.

Authorization: Vance County Board of Commissioners
December 4, 2006

**Budget Amendment #16
General Fund**

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
Industrial Development	10-491-500092		\$ 98,782.00
Contingency	10-999-500099	\$ <u>75,683.00</u>	_____
Total Debits & Credits		\$ 75,683.00	\$ 98,782.00
Total Increase in Expenditures			\$ 23,099.00

Revenues

Progress Energy	10-380-438027	\$ 10,000.00
Bankruptcy Court	10-370-437006	<u>13,099.00</u>
Total Increase in Revenues		\$ 23,099.00

Purpose: To appropriate funds for industrial development.

Authorization: Vance County Board of Commissioners
December 4, 2006

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner Eddie

L. Wright, vote unanimous, that the Board approve the following Refunds as requested by the Tax Office:

**REFUNDS
November 2006**

NAME	YEAR	AMOUNT	REASON
Burkart Carolina LLC	2005	42.84	Vehicle Tax
Burkart Carolina LLC	2005	9.24	Vehicle Tax
Carl M. Pulley	2006	2.28	Vehicle Tax
Ricky Pendergrass	2006	14.08	Vehicle Tax
Ricky Pendergrass	2006	30.19	Vehicle Tax
Tex R. Goad	2006	26.80	Vehicle Tax
Barry S. Hicks	2006	4.55	Vehicle Tax
VC Ambulance Service	2006	135.00	Garnishment
James H. Wheeler	2006	18.40	Vehicle Tax
Larry D. Benjamin	2006	127.78	Vehicle Tax
Alton E. Bell	2006	69.12	Vehicle Tax
Felix M. Rodriguez	2005	2.17	Vehicle Tax
Shelia B. Edwards	2006	23.28	Vehicle Tax
William H. Jones	2006	23.20	Vehicle Tax
Kathie Harris	2005	3.22	Vehicle Tax
Timothy Spain	2006	56.86	Mobile Home Tax
Eric V. Lara	2005	15.60	Vehicle Tax
Lawrence Ellington	2005	4.44	Vehicle Tax
Marty J. Ayscue	2006	62.20	Vehicle Tax
James M. Bowen, Jr.	2005	8.86	Vehicle Tax

NAME	YEAR	AMOUNT	REASON
Timothy Spain	2006	90.00	Solid Waste Household Fee
Burkart Carolina LLC	2005	1.41	Fire Tax
Burkart Carolina LLC	2005	.30	Fire Tax
Carl M. Pulley	2006	.06	Fire Tax
Tex R. Goad	2006	.90	Fire Tax
Barry S. Hicks	2006	.15	Fire Tax
James H. Wheeler	2006	.64	Fire Tax
Alton E. Bell	2006	2.28	Fire Tax
Shelia B. Edwards	2006	.80	Fire Tax
William H. Jones	2006	.72	Fire Tax
Kathie Harris	2005	.11	Fire Tax
Timothy Spain	2006	1.85	Fire Tax
Eric V. Lara	2005	.50	Fire Tax
Marty J. Ayscue	2006	2.04	Fire Tax
James M. Bowen, Jr.	2005	.29	Fire Tax
Total		\$ 782.16	

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Motion was made by Commissioner Terry E. Garrison that the Board approve Ambulance Charge-offs in the amount of \$5,170.80 for those persons deceased with no estate listing. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Mr. Tucker then presented a list of property from various County departments to be sold at public auction. In order for the property to be sold, it must be declared as surplus property. These items will be sold at public auction in conjunction with the recovered property which was presented by the Sheriff's Office at a previous Commissioners' Meeting.

Motion was made by Commissioner Eddie L. Wright to declare the property as surplus in order for it to be sold at public auction. This motion was seconded by Commissioner Danny W. Wright and unanimously approved.

Commissioner Danny W. Wright stated that, in the future, it would be helpful to have the original purchase date and price of each item.

As advertised, at 6:30 p.m., a public hearing was held to gain citizen input concerning the closeout of the Scattered Site Community Development Block Grant (CDBG) Program. Rick Seekins, Council of Governments, explained that funds for the program were used for housing rehabilitation clearance and relocation activities. The North Carolina Department of Commerce authorized \$400,000 for the project, of which, \$332,937.64 was able to be used.

As there was no one present who wished to speak on this matter, Chairperson Deborah F. Brown declared the public hearing closed.

Commissioner Dan Brummitt requested a copy of how the funds were disbursed for the

program. Mr. Seekins replied that he would supply that information.

Motion was made by Commissioner Danny W. Wright to close out the Scattered Site CDBG Program and to approve all closeout documents as appropriate. This motion was seconded by Commissioner Terry E. Garrison and unanimously approved.

Robert Duke was next on the agenda to discuss the disposition of the Armory. Mr. Duke requested the County to donate its half interest in the Armory to the local chapter of the Boys & Girls Club to be used as a permanent site for this group. Mr. Duke noted that General Statute 160A-279 states the County shall attach to any such conveyance covenants or conditions which assure that the property will be put to a public use by the recipient entity.

Commissioner A. Scott Hughes stated that he agreed that the County should donate its half ownership of the Armory to the Boys & Girls Club; however, he would like to see the Armory continue to be used by community groups for annual events as it has in the past, such as the Jaycees, Shriners, Fire Department, etc.

Motion was made by Commissioner Danny W. Wright that the County donate its half interest in the Armory to the Boys & Girls Club with restrictions that it revert back to the County if it is not used by them as a Boys & Girls Club with other restrictions as we can structure to provide other community uses with the building. This motion was seconded by Commissioner A. Scott Hughes.

Chairperson Brown pointed out that Mr. Duke is a scheduled appointment, and generally, appointment requests are received and referred to the appropriate committee. The committee will then review the matter and report back to the full Board with its recommendation. Chairperson Brown stated that if the Board wishes to take action at this time, she will put the motion to a vote. If not, it should be referred to the appropriate committee with a recommendation coming back to the full Board for action.

Commissioner J. Timothy Pegram stated he was concerned about liability issues if the Armory were to be used for other purposes other than the Boys & Girls Club.

County Attorney Robert S. Hight agreed with Commissioner Pegram and stated he would be concerned for the County to be in such a situation. The County needs to discuss the matter with its property liability insurance carrier before any such decision is made on the disposition of the Armory.

Commissioner Terry E. Garrison stated that based on Attorney Hight's comments, the Board is not in a position to take any action at this time.

Commissioner Terry E. Garrison made a motion to table the current motion and refer the matter to the Intergovernmental Committee and the County Attorney for review and report back to the full Board at its January meeting. This motion was seconded by Commissioner J. Timothy Pegram.

Commissioner Danny W. Wright stated that the City Council has decided to donate its half ownership of the Armory to the Boys & Girls Club contingent upon the County taking similar action. He stated that he is interested in moving the issue forward and donating the Armory. If the County has an issue with allowing other organizations to use the Armory, then the County should omit that option.

Vote on the motion to table the current motion and refer the matter to the Intergovernmental Committee and the County Attorney for review and report back to the full Board at its January meeting was Ayes-five (5); Noes-two (2). The negative votes having been cast by Commissioner A. Scott Hughes and Commissioner Danny W. Wright.

County Manager Jerry L. Ayscue was next on the agenda and requested the Board to allow filling the following position vacancies which have been endorsed by the Human Resources Committee:

Department of Social Services

Income Maintenance Caseworker III

Social Worker II

Income Maintenance Investigator II - to be transferred from the Work First Unit to the Family and Children's Medicaid Unit

Social Work Supervisor II - to be upgraded from a II to a III position, consistent with the other two supervisory positions

Sheriff's Department

Lieutenant

Detective

Deputy Sheriff - three positions

Patrol Lieutenant

Patrol Sergeant

Motion was made by Commissioner Eddie L. Wright to approve the position requests as presented. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Mr. Ayscue then stated that Dr. Roddy Drake has requested that the Board of Commissioners fill the Vance County Commissioner appointment vacancy to the Granville-Vance District Health Department Board previously held by Mr. Wilbur Boyd. This request is made since the next quarterly meeting of the Health Board will be held in early January. Mr. Ayscue stated that there will

be appointments to other boards that will become necessary to make in due time.

Motion was made by Commissioner J. Timothy Pegram to appoint Commissioner Dan Brummitt to the Granville-Vance District Health Department Board.

Chairperson Brown noted that another Commissioner has volunteered to serve on the Health Department Board. Commissioner J. Timothy Pegram stated that he was unaware of that and withdrew his motion.

Motion was then made by Commissioner Terry E. Garrison to appoint Eddie L. Wright as Vance County's appointee to the Granville-Vance District Health Department Board. This motion was seconded by Commissioner Danny W. Wright and unanimously approved.

Mr. Ayscue then noted that the long session of the North Carolina General Assembly is set to begin on January 24, 2007. It is advisable for the County to meet with its local legislators prior to that date to discuss County legislative priorities and needs. Mr. Ayscue recommended that the Board allow him to proceed with scheduling a meeting date in mid-January with local legislators to discuss the County's legislative priorities.

The Board then directed the County Manager to proceed with scheduling a meeting to meet with local legislators.

The next item discussed was the Winter Planning Retreat. Mr. Ayscue noted that the Board of Commissioners has traditionally held two planning retreats each year - one in the fall and one in the winter. The winter retreat has usually been set for late February. If the Board wishes to have such a retreat, a date needs to be selected.

After discussion, the Board set the date for the Winter Planning Retreat for Thursday, February 22 from 1:00 p.m. to 5:00 p.m.

Mr. Ayscue then informed the Board that the Board of Social Services officially requests the transfer of funds within its budget to supplement budgeted funds, thus allowing much-needed automation of departmental programs. The department's computers are currently unable to network with State computer systems as needed to adequately process required documentation. The majority of the existing computers are old and some funds were appropriated in the current budget to address the problem. However, once a professional analysis of the situation was conducted, it was determined that a significant amount of additional work was necessary. Realizing that local funds are limited, the Social Services Board instructed its staff to identify a funding plan within its existing budget if at all possible.

An estimate by the State identified a total project cost of \$79,542. The current budget includes \$11,000 for a new server and \$13,800 for new computers, leaving an unfunded balance of \$54,742. The State Foster Home Fund line item in the Social Services budget has been under-expended thus far due to a reduction in some of the more advanced care cases. The federal state reimbursement rates for automation costs and the SFHF are the same. Therefore, there is no additional county funds needed for this project. Mr. Ayscue recommended the Board to act to allow the transfer of funds within the Social Services budget in order to provide the necessary automation to network with the State systems.

Commissioner Terry E. Garrison, who serves on the Social Services Board, stated that there is a great need for this automation within the Department of Social Services.

Motion was made by Commissioner Terry E. Garrison to act to allow the transfer of funds within the Social Services budget in order to provide the necessary automation to network with the State systems. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Motion was made by Commissioner Terry E. Garrison that the Board approve the minutes of the regular meeting held November 6, 2006 and the special meeting held November 27, 2006 as presented by the Clerk to the Board. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Motion was made by Commissioner Terry E. Garrison and seconded by Commissioner Eddie L. Wright that the Board appoint Commissioner Deborah F. Brown as voting delegate to the Legislative Goals Conference to be held in January. Vote on this motion was unanimous.

Due to the first Monday in January being a County holiday, motion was made by Commissioner Eddie L. Wright, seconded by Commissioner A. Scott Hughes, vote unanimous, that the Board change its meeting date in January. The following resolution outlines this change:

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RESOLUTION
by the
Vance County Board of Commissioners
Changing Date of January 2006 Commissioners' Meeting

WHEREAS, the Vance County Board of Commissioners normally holds its regular meetings on the first Monday of each month at 6:00 p.m.; and

WHEREAS, North Carolina General Statute 153A-40 provides that in the event the Board of Commissioners desires to change the date and time of a regular meeting, that the Board may do so by adopting a resolution at least ten (10) days before such meeting; and

WHEREAS, the Vance County Board of Commissioners desires to change its regular meeting scheduled for January 1, 2007 at 6:00 p.m. to Monday, January 8, 2007 at 6:00 p.m.

NOW, THEREFORE, BE IT RESOLVED by the Vance County Board of Commissioners that it does hereby change its regular meeting date from January 2, 2007 at 6:00 p.m. to January 8, 2007 at 6:00 p.m. at the usual place, the Commissioners' Conference Room, Vance County Administration Building, Henderson, NC.

BE IT FURTHER RESOLVED that a copy of this resolution is to be posted on the Courthouse bulletin board and a summary of said resolution to be published in The Daily Dispatch and a copy of this resolution delivered to the news media within Vance County.

This, the fourth day of December, 2006.

Deborah F. Brown (Signed)
Deborah F. Brown, Chairperson

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Motion was made by Commissioner J. Timothy Pegram, seconded by Commissioner Terry

E. Garrison, vote unanimous, that the following monthly reports be received and filed:

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See on file monthly report, Vance County ABC Board
See on file monthly report, Fire and Ambulance Service
See on file monthly report, Human Resources Department
See on file monthly report, Planning and Development Department
See on file monthly report, Sheriff's Department
See on file monthly report, Veterans Service Office
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Chairperson Brown noted that the Board had received a letter from the family of Tiny Broadwick expressing their appreciation for the recent decision made by the Board to name a portion of the western outer loop after Tiny Broadwick.

At this time, motion was made by Commissioner Danny W. Wright to enter into closed session to discuss a personnel matter. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Upon return to regular session, and there being no further business, motion was made by Commissioner Terry E. Garrison that the meeting be adjourned. This motion was seconded by Commissioner Danny W. Wright and unanimously approved.

Approved and signed January 8, 2007.

Chairperson