

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, February 6, 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: Those Commissioners present were as follows: Chairman J. Timothy Pegram, Commissioners Thomas S. Hester, Jr., Wilbur M. Boyd, Deborah F. Brown, Terry E. Garrison, Danny W. Wright and Eddie L. Wright.

Absent: None.

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

Finance Officer Jerry L. Tucker gave the invocation.

As advertised, at 6:00 p.m., a public hearing was held to gain citizen input regarding use of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. County Manager Jerry L. Ayscue stated that there was a grant opportunity through the Department of Justice for the Sheriff's Department for a sum of money to be shared between the Sheriff's Department and the Henderson Police Department. A requirement for both the Vance County Sheriff's Office and the Henderson Police Department is that the grant application be submitted jointly. The total allocation is \$15,831 with the Sheriff's Office portion being \$6,332.40 and the Henderson Police Department's portion being \$9,498.60. This is in accordance with the 60/40 split of grant proceeds that have been followed in the past as "disparate jurisdiction" under the former LLEBG programs.

Mr. Ayscue noted that items to be purchased include 9 shotguns, 9 carrying cases, 7 memory sticks, 6 measuring tapes, 7 flashlights, 7 pairs of binoculars, 4 sets of crime scene numbers, 11 metal gun cases and 3 printers.

As there was no one present who wished to be heard, Chairman J. Timothy Pegram declared the public hearing closed.

Motion was made by Commissioner Wilbur M. Boyd to allow the application to be submitted and to approve the use of funds as presented. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Ken Krulik, Planning and Development, presented the completed draft Zoning Ordinance and map which included revisions recommended by the Planning Board. Mr. Krulik displayed the draft

map and pointed out potential zoning categories and presented a summary of revisions since the last submitted draft on January 4.

Commissioner Deborah F. Brown stated she is looking forward to recommendations from the Citizen's Advisory Committee and urged the Board to let Mr. Krulik know of any suggested revisions to the document.

Commissioner Wilbur M. Boyd made several requests including the clarification of a Bona Fide farm exemption, clarification of a secondary business on a farm, stipulations of rebuilding in a zoned area in the case of a fire, and stipulations of building in an area zoned agricultural.

One revision noted in the summary was to reserve a section in the zoning ordinance for Minimum Housing Standards. Commissioner Danny W. Wright requested that Minimum Housing Standards be a completely separate ordinance and not part of the zoning ordinance.

It was noted that all suggested revisions would go before the Citizens Advisory Committee and Planning Board, then to the Board of Commissioners for final approval.

After discussion, County Manager Jerry L. Ayscue presented the proposed list of prospective members to be appointed to the Citizens Advisory Committee: John Abbott, J.H. Daniels, John Foster, Vincent Jefferson, Rusty McMahan, Thomas Shaw III, Helen Williams, and Wallace Cawthorne. The nonprofit member position, at this point in time, is vacant. This recommendation comes with the endorsement of the Planning/Environmental Committee.

Motion was made by Commissioner Deborah F. Brown to accept the Citizens Advisory Committee proposed list of members as presented and fill the vacant position as the Planning/Environmental Committee recommends. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Mr. Krulik was then directed by the Board to contact the members of the newly appointed Citizens Advisory Committee to schedule the first meeting.

Public comments were heard next. Marie Smith questioned a listing of local funded projects that was mailed to her by Representative James Crawford. She questioned the costs of the projects listed and asked how she could check on the balance of the funds for each project. County Manager Jerry L. Ayscue offered to look into the matter for her.

Dan Brummitt, John Alston and Bud Young spoke in opposition to zoning, while Lewis Edwards spoke in support of zoning.

Sylvia Allyn spoke in support of the county-wide water project.

Finance Officer Jerry L. Tucker then presented budget amendments, refunds, and ambulance charge-offs.

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, that the Board approve Budget Amendments #26, #27, and #28 as follows for the purposes noted therein:

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**Budget Amendment #26  
General Fund**

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
Building & Grounds	10-599-500015		\$ 1,500.00
Contingency	10-999-500099	\$ <u>1,500.00</u>	_____
Total Debits & Credits		\$ 1,500.00	\$ 1,500.00

Purpose: To appropriate grant funds to Animal Shelter for minor repairs to building and grounds.

Authorization: Vance County Board of Commissioners  
February 6, 2006

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**Budget Amendment #27  
General Fund**

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
Departmental Supplies	10-611-500033		\$ 3,645.00
Special Contracted Services	10-611-500044		8,929.00
Contracted Services	10-611-500045		<u>6,500.00</u>
Total Increase in Expenditures			\$ 19,074.00

**Revenues**

Title III Old American Acts	10-349-434919	\$ <u>19,074.00</u>	
Total Increase in Revenues		\$ 19,074.00	

Purpose: To appropriate grant funds from the Home Care Community Block Grant and State General Purpose funds to Senior Center. Matching funds already in budget.

Authorization: Vance County Board of Commissioners  
February 6, 2006

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**Budget Amendment #28  
Social Services**

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
Crisis Intervention	10-610-500235		\$ <u>40,972.00</u>
Total Increase in Expenditures			\$ 40,972.00

**Revenues**

Crisis Intervention	10-348-434820	\$ <u>40,972.00</u>
Total Increase in Revenues		\$ 40,972.00

Purpose: To appropriate additional State and Federal funds for heating aid. No County funds needed.

Authorization: Vance County Board of Commissioners  
February 6, 2006

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Motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Danny

W. Wright, vote unanimous, that the Board approve the following Refunds as requested by the Tax

Office:

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**REFUNDS**  
**January 2006**

<b>NAME</b>	<b>YEAR</b>	<b>AMOUNT</b>	<b>REASON</b>
Janice B. Foster	2004	66.71	Vehicle Tax
Gary A. Pulley	2004	26.18	Vehicle Tax
Sarah A. Russell	2005	4.41	Vehicle Tax
Sarah A. Russell	2005	2.58	Vehicle Tax
Semperian Administration	2005	243.32	Vehicle Tax
Jeffrey L. Cook	2005	6.16	Vehicle Tax
Melvin Finch III	2004	11.43	Vehicle Tax
Mark T. Wortham	2004	69.39	Vehicle Tax
Ray A. Bullock	2005	48.44	Boat Tax
Ada C. Cheek	2005	9.92	Vehicle Tax
Jean Fuller	2005	25.20	Boat Tax
Sandra W. Faucette	2005	1.83	Vehicle Tax
Stephen E. Morgan	2005	33.12	Vehicle Tax
Cherrie Bynum	2005	12.88	Vehicle Tax
Pauline Hunt	2005	15.10	Vehicle Tax
James L. Baines	2005	2.07	Vehicle Tax
Marlene C. Edwards	2005	11.52	Vehicle Tax
Thomas Phillips	2005	8.86	Vehicle Tax
Patricia B. Adcock	2005	5.95	Vehicle Tax
Patricia B. Adcock	2005	31.98	Vehicle Tax
Catherine A. Kellogg	2005	12.45	Vehicle Tax
Barbara A. Lewis	2005	9.99	Vehicle Tax
Maria D. Lemos	2005	10.16	Vehicle Tax
Vicki D. Hanson	2005	10.14	Vehicle Tax
William F. Neathery	2004	9.39	Vehicle Tax
Durwood K. Marrow	2005	5.00	Vehicle Tax
Naomi B. Woodlief	2005	1.34	Vehicle Tax

NAME	YEAR	AMOUNT	REASON
Shirley J. Fuller	2004	9.68	Vehicle Tax
Tommy R. Leyland	2004	42.12	Vehicle Tax
Robert K. Catherwood	2005	21.84	Vehicle Tax
Phyllis A. Hayes	2004	5.26	Vehicle Tax
Katrina Yancey	2005	22.92	Vehicle Tax
Desmond Thompson	2004	113.81	Vehicle Tax
Desmond Thompson	2004	75.00	Solid Waste Household Fee
Janice B. Foster	2004	2.24	Fire Tax
Gary A. Pulley	2004	.91	Fire Tax
Semperian Administration	2005	7.92	Fire Tax
Mark T. Wortham	2004	2.34	Fire Tax
Ray A. Bullock	2005	1.58	Fire Tax
Ada C. Cheek	2005	.34	Fire Tax
Jean Fuller	2005	.84	Fire Tax
Sandra W. Faucette	2005	.06	Fire Tax
Stephen E. Morgan	2005	1.08	Fire Tax
Cherrie Bynum	2005	.42	Fire Tax
Pauline Hunt	2005	.50	Fire Tax
James L. Baines	2005	.09	Fire Tax
Marlene C. Edwards	2005	.39	Fire Tax
Thomas Phillips	2005	.30	Fire Tax
Barbara A. Lewis	2005	.36	Fire Tax
Maria D. Lemos	2005	.32	Fire Tax
William F. Neathery	2004	.30	Fire Tax
Durwood K. Marrow	2005	.16	Fire Tax
Naomi B. Woodlief	2005	.04	Fire Tax
Phyllis A. Hayes	2004	.18	Fire Tax
Katrina Yancey	2005	.78	Fire Tax
Desmond Thompson	2004	11.19	Fire Tax
<b>Total</b>		<b>\$ 1,018.49</b>	

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Motion was made by Commissioner Thomas S. Hester, Jr. that the Board approve Ambulance Charge-offs in the amount of \$6,506.39 for those persons deceased with no estate listing. This motion was seconded by Commissioner Wilbur M. Boyd and unanimously approved.

Argretta Reid, Human Resources Director, was next on the agenda and requested approval, by resolution, of two personnel policies - *Unlawful Workplace Harassment* and *Bereavement Leave* - to become effective immediately. It was noted that these policies have been endorsed by the Human Resources Committee.

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**RESOLUTION**  
by the  
**Vance County Board of Commissioners**  
*Personnel Policies*

WHEREAS, in understanding the need for sound personnel administration for County employees in the pursuit of good government, the Vance County Board of Commissioners has created a Human Resources Department and thus authorized the County Manager to employ a Human Resources Director; and

WHEREAS, the Board of Commissioners wishes to modify existing personnel policies and procedures, and develop new policies and procedures as well through its resolution process; and

WHEREAS, these policies and procedures have been reviewed by Human Resources staff, the County Manager, on some occasions by designated staff, the Human Resources Committee of the Board of Commissioners; and

WHEREAS, such policies and procedures are intended to apply to County employees as appropriate and/or indicated within individual policies.

NOW, THEREFORE BE IT RESOLVED, that the Vance County Board of Commissioners does hereby approve the *Unlawful Workplace Harassment* policy and authorize its immediate implementation as appropriate and applicable.

This, the sixth day of February, 2006.

J. Timothy Pegram (Signed)  
J. Timothy Pegram, Chairman

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**RESOLUTION**  
by the  
**Vance County Board of Commissioners**  
*Personnel Policies*

WHEREAS, in understanding the need for sound personnel administration for County employees in the pursuit of good government, the Vance County Board of Commissioners has created a Human Resources Department and thus authorized the County Manager to employ a Human Resources Director; and

WHEREAS, the Board of Commissioners wishes to modify existing personnel policies and procedures, and develop new policies and procedures as well through its resolution process; and

WHEREAS, these policies and procedures have been reviewed by Human Resources staff, the County Manager, on some occasions by designated staff, the Human Resources Committee of the Board of Commissioners; and

WHEREAS, such policies and procedures are intended to apply to County employees as appropriate and/or indicated within individual policies.

NOW, THEREFORE BE IT RESOLVED, that the Vance County Board of Commissioners does hereby approve the *Bereavement Leave* policy and authorize its immediate implementation as appropriate and applicable.

This, the sixth day of February, 2006.

J. Timothy Pegram (Signed)  
J. Timothy Pegram, Chairman

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Ms. Reid then presented information on the NACo Prescription Drug Discount Program. She explained that the National Association of Counties has contracted with Caremark to provide a

prescription discount card for member counties to offer to their uninsured and under-insured residents. The program will help residents save money on their prescriptions. Average savings are 20 percent and extra savings are available through mail service. Residents may obtain their discount card at participating pharmacies and doctor offices and select county offices such as the Department of Social Services, the Senior Center, the County Administration Building, and the H. Leslie Perry Memorial Library.

Motion was made by Commissioner Wilbur M. Boyd, seconded by Commissioner Deborah F. Brown, vote unanimous, to approve the program as presented.

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  
Community Social Services Tech  
Social Services Director

Jail  
Correctional Officer (three positions)

Motion was made by Commissioner Eddie L. Wright to approve the position requests as presented. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Mr. Ayscue explained that when the independent audit report was presented last month, action was not taken to officially accept the audit.

Motion was made by Commissioner Danny W. Wright to formally receive the County's FY 2004-05 audit report as presented to the Board of Commissioners on January 9. This motion was seconded by Commissioner Wilbur M. Boyd and unanimously approved.

Mr. Ayscue further explained that the existing three-year contractual agreement with Phillips, Dorsey, Thomas, Waters & Brafford, P.A. for independent audit services has concluded with the delivery of the FY 2004-05 audit report. It is necessary to award a new multi-year contract with the company.

Motion was made by Commissioner Deborah F. Brown to award a contract to Phillips, Dorsey, Thomas, Waters & Brafford, P.A. for audit services for fiscal years ending June 30<sup>th</sup> of 2006, 2007, and 2008 in the amounts of \$31,500, \$33,000, and \$34,500 respectively. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Mr. Ayscue then presented an application for ADM Funds. The Board of Education has officially approved the application in the amount of \$534,631 from the Public School Building Capital Fund and requests that the Board of Commissioners also approve the funding application. Action by both boards is necessary for release of these state funds.

Motion was made by Commissioner Eddie L. Wright to approve the application for \$534,631 in ADM funds from the Public School Building Capital Fund for use in renovating and repairing various school facilities as identified by the Vance County Board of Education. This motion was seconded by Commissioner Danny W. Wright and unanimously approved.

The next item presented by Mr. Ayscue was the Jail Inspection Report. As required by law, the Vance County Jail was inspected on December 29, 2005 by the N.C. Division of Facility Services, Jail and Detention Section. Also required is the receipt of the report by the Board of Commissioners. A formal response has been forwarded to the State.

Commissioner Thomas S. Hester, Jr. moved to receive and file the semi-annual jail inspection report. This motion was seconded by Commissioner Wilbur M. Boyd and unanimously approved.

Mr. Ayscue explained that a state salary study indicated that compensation for some positions in Cooperative Extension had not kept pace with comparable positions across North Carolina. As a result, the N.C. General Assembly appropriated funds for the state share of these adjustments. Cooperative Extension has requested that the County make the adjustment effective on the local share as well. The proposed adjustment, effective January 1, 2006, results in an increase of \$7,534 (local dollars). The Human Resources Committee endorses this recommendation.

Motion was made by Commissioner Deborah F. Brown to appropriate \$7,534 from the Contingency to provide the local funding for the Cooperative Extension Department. The motion was seconded by Commissioner Danny W. Wright and unanimously approved.

Mr. Ayscue then presented a library funding adjustment. He noted that the Intergovernmental Committee endorses the provision of \$15,944 to the H. Leslie Perry Memorial Library to equalize City and County funding for library operations for the past five years. Sufficient funding exists in the current budget line item without an additional appropriation. Mr. Ayscue recommended that the Board approve the recommendation by the Intergovernmental Committee to equalize the funding of the H. Leslie Perry Memorial Library between the City and County by remitting \$15,944 to the Library out of the existing budget.

Motion was made by Commissioner Wilbur M. Boyd to approve the recommendation as presented. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

The next item addressed was the winter planning retreat. Consistent with action taken by the Board of Commissioners in the January 9<sup>th</sup> meeting, the 2006 Winter Planning Retreat is set for Friday, February 24. After a brief discussion, the Board set the time for the retreat to be 12:00 to 5:00 p.m.

Mr. Ayscue then gave an update on the county-wide water project and stated that depending upon instruction from legal bond counsel and ongoing discussions with various related parties such as funding agencies, the Local Government Commission, and the County's engineering firm, action may be necessary to authorize the Board of Elections to proceed with a special bond referendum per previous deliberations by the Board of Commissioners. He noted that holding the bond referendum in November as opposed to May would not delay or reduce funding.

The Board decided, by consensus, that the November elections would be the appropriate time to hold the bond referendum.

Motion was made by Commissioner Wilbur M. Boyd that the Board approve the minutes of the regular meeting held January 9, 2006 as presented by the Clerk to the Board. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Eddie L. Wright, vote unanimous, that the Board approve the following Rebates for December 2005 as requested by the Tax Office:

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**REBATES**  
**December 2005**

<b>NAME</b>	<b>YEAR</b>	<b>AMOUNT</b>	<b>REASON</b>
Willie F. Abbott	2005	470.00	MH Park - Value Reduced
Anthony W. Barker	2005	95.00	Acreage Size Reduced
Heir, Anna J. Baskerville	2005	368.00	Value Reduced
Charles Bowman	2005	341.04	Value Reduced
Christopher S. Bowman	2005	160.00	Value Reduced
S.W. & Karen Brummitt	2005	86.80	Value Reduced
Burkhart Carolina LLC	2005	1,142.09	Revised Listing
Robert & Norma Dunn	2005	6.94	LLP Released
Alice T. Evans	2005	56.53	Home sold 2003
David & Diane Fairey	2005	34.10	Error in Listing

NAME	YEAR	AMOUNT	REASON
Michael & Lynn Harper	2005	341.55	Error in Listing
K&R Associates of Henderson	2004-05	20.88	Error in Billing
Lasalle Bank National Trust	2002-05	1,616.34	Error in Transfer and Billing
Thomas McDaniel	2005	27.60	Error in Billing
Newcap, Inc.	2005	538.21	Value Reduced
			Error in Billing
			Error in Listing
Mark & Barbara Hamblin	2004	86.92	Error in Billing
South Henderson Pentecostal Ch	2005	6,137.77	2005 Exemption
West Lake LLC	2005	115.00	Value Reduced
Joshua L. Williams	2005	59.33	Value Reduced
<b>Total</b>		<b>\$ 11,704.10</b>	

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Motion was made by Commissioner Eddie L. Wright, seconded by Commissioner Wilbur

M. Boyd, vote unanimous, that the following appointments be approved as presented:

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Henderson Planning Board - two-year term

Re-appoint Cornell Manning  
 Appoint Herbert Clayton to fill vacant position formerly held by Delores Ayscue.

Henderson Planning Board of Adjustments - two-year term

Re-appoint Richard Vaughan  
 Appoint Edward Spain to fill vacant position formerly held by William Taylor.

Rural Transportation Advisory Committee - two-year term

Re-appoint Danny Wright

Vance County Human Relations Commission - three-year term

Re-appoint Marvin Williams  
 Lucy Stewart

Vance County Planning Board - three-year term

Re-appoint T.R. Burgess, Sr. (Pete)  
 Tom Hannon  
 Willie Henderson

Vance County Housing Authority - five-year term

Appoint Annie Miller to fill position formerly held by W. D. Wester.

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Motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Thomas

S. Hester, Jr., vote unanimous, that the following 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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Motion was made by Commissioner Eddie L. Wright, seconded by Commissioner Deborah F. Brown, vote unanimous, that the Board adopt the following Resolution to change the meeting date in March due to the NACo Legislation Conference in Washington, DC:

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**RESOLUTION**  
**by the**  
**Vance County Board of Commissioners**  
***Changing Date of March 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 March 6, 2006 at 6:00 p.m. to Monday, March 13, 2006 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 March 6, 2006 at 6:00 p.m. to March 13, 2006 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 sixth day of February, 2006.

J. Timothy Pegram (Signed)  
J. Timothy Pegram, Chairman

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Commissioner Eddie L. Wright then made a motion for the Board to recognize February as Black History Month in Vance County. This motion was seconded by Commissioner Terry E. Garrison and unanimously approved.

At this time motion was made by Commissioner Wilbur M. Boyd and seconded by Commissioner Thomas S. Hester, Jr. that the Board go into closed session to discuss an economic development matter. Vote on this motion was unanimous.

At the end of the closed session, motion was made by Commissioner Deborah F. Brown to return to regular session. This motion was seconded by Commissioner Wilbur M. Boyd and unanimously approved.

As there was no further business, at 8:30 p.m. motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, that the meeting be adjourned.

Approved and signed March 13, 2006.

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Chairman