

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, July 3, 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 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.

Commissioner Deborah F. Brown gave the invocation.

The first item on the agenda was the annual meeting of the Composite Board consisting of the Board of Commissioners, the Chairman of the Board of Education and the Mayor of the City of Henderson. Mr. Tommy Riddle, Chairman of the Board of Education, was present and Mayor Clem Seifert was absent.

It was noted that Nancy Wilson and John Fogg had sent letters seeking re-appointment to the Vance County ABC Board for a three-year term and Henrietta Clark sent a letter requesting re-appointment as Chair for a one-year term. There were no other applications.

Motion was made by Commissioner Danny W. Wright to re-appoint Henrietta Clark as Chair of the Vance County ABC Board for a one-year term. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Eddie L. Wright, vote unanimous, to re-appoint Nancy Wilson to the Vance County ABC Board for a three-year term.

Motion was made by Commissioner Eddie L. Wright, seconded by Commissioner Danny W. Wright, vote unanimous, to re-appoint John Fogg to the Vance County ABC Board for a three-year term.

Citizens Advisory Committee Chairman J.H. Daniels and County Planner Ken Krulik were next on the agenda and presented the revised zoning ordinance and map. Rev. Daniels made a few remarks and stated that he fears zoning could substantially raise the cost of affordable housing. He suggested revising the 10-year-old land-use plan and develop an up-to-date plan. He further

suggested that the County consider revising the abandoned vehicle ordinance, and enact a salvage yard ordinance and an adult establishment ordinance to protect the county.

Mr. Krulik then addressed the Board and explained that the draft document is inclusive of recommendations for revisions, clarified text, and additional information as of the June 27 Planning Board and Citizens Advisory Committee meetings. He noted that the document does not reflect a final or approved document/map. Additional revisions will occur with a final review by the Planning Board and at least two public hearings. Mr. Krulik also noted the desire to conduct a joint meeting of the Planning Board and the Citizens Advisory Committee before the final draft of the ordinance is presented to the Board of Commissioners. County Manager Jerry L. Ayscue stated that a joint meeting of these two groups would be ideal and present a consolidated recommendation to the Board of Commissioners. At that time, their recommendation perhaps should go to the Board's Planning Committee for review and recommendations.

Commissioner Danny W. Wright stated that, after the final document is presented and approved by the Board, he would support holding a referendum that would allow the public to vote on the ordinance.

Commissioner Thomas S. Hester, Jr. then requested information from the County Manager. First, how many other counties have placed such an issue on referendum and, second, what would the cost be to hold the referendum. Mr. Ayscue replied that a stand-alone referendum would cost approximately \$15,000. The only cost of a referendum held in conjunction with another election would be for extra supplies. Mr. Ayscue stated he would research the first question and report back to the Board.

Commissioner Deborah F. Brown requested the County Manager to also research the results of any such referendums.

Motion was made by Commissioner Wilbur M. Boyd to receive the draft document of the zoning ordinance. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Vincent Jefferson, Chairman of the Vance County Appearance Commission, was next on the agenda to discuss various solid waste matters. He outlined four issues which included the Solid Waste Ordinance, Solid Waste Plan, Solid Waste Contract, and Solid Waste Program Management.

Solid Waste Ordinance. Mr. Jefferson noted the current ordinances (No. 13 and No. 14) were adopted by the Board of Commissioners in 1978 and have not been updated since that time. The

recommendation of the Appearance Commission is to update these ordinances to reflect any changes authorized by the NC General Statutes and make the ordinances live documents.

**Solid Waste Plan.** It was noted that the NC Department of Environment and Natural Resources requires a 10-year solid waste plan which is to be updated every three years. Mr. Jefferson questioned if Vance County's plan considered development and demographics over the last ten years, and does the plan provide oversight for yard waste, scrap tire and white goods, waste stream reduction, recycling, and construction and demolition disposal. The recommendation of the Appearance Commission is to develop a solid waste plan that addresses the aforementioned items, if it does not already do so.

**Solid Waste Contract.** It was noted that, under the current scrap tire program, Vance County contracts with Waste Industries and pays \$84 per ton for disposal while surrounding counties pay \$45 per ton. The Appearance Commission's recommendation is to reduce the cost of the scrap tire program by aligning it with surrounding counties and designating an individual to oversee the cost saving information and initiatives for contractual review.

**Solid Waste Program Management.** Mr. Jefferson stated that the recommendation of the Appearance Commission is to fill the vacant position of Solid Waste Manager. He noted that this position could be filled without creating another department head position and suggested that it could be incorporated into the County's Planning and Development Department.

After a brief discussion, motion was made by Commissioner Deborah F. Brown to refer these suggestions to the Planning/Environmental Committee for its review and report back to the full Board with its recommendation. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Commissioner Wilbur M. Boyd requested the committee to address the issue of properly disposing of paint.

Public comments were heard next. Carrie Cheek asked the Board if Lemay Lane could be graveled since it does not meet State requirements for paving. Commissioner Deborah F. Brown suggested the residents form a homeowners association in order to make needed improvements and offered her assistance in that regard.

Martha Ryan, Marie Smith, and Rusty McMahan spoke in opposition to county zoning.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Deborah F. Brown, vote unanimous, that the Board approve the following Refunds as requested by the Tax Office:

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**REFUNDS**

**June 2006**

<b>NAME</b>	<b>YEAR</b>	<b>AMOUNT</b>	<b>REASON</b>
Roy Gupton, Sr.	2005	20.00	Tax Refund
Lou B. Reavis	2005	29.12	Vehicle Tax
21 <sup>st</sup> Mortgage Corp.	2005	220.50	Zena Daye Tax Refund
Ahmed S. Hauters	2005	6.12	Vehicle Tax
Mee H. Koo	2005	23.58	Vehicle Tax
Fay C. Phillips	2005	9.36	Vehicle Tax
Leslie Baskerville	2002-04	516.44	Overcharged Acreage
Calvin Hargrove	2005	5.37	Vehicle Tax
Frank Bisette	2001-04	1,164.07	Error in Billing
Bobby Wilkerson	2005	20.00	Overage Tax
James H. Wheeler	2005	1.58	Vehicle Tax
Wilhelm Brust	2005	3.56	Vehicle Tax
Rachel Stokes	2005	6.12	Vehicle Tax
Alfredo M. Santos	2005	1.14	Vehicle Tax
Torisa Evans	2005	30.16	Solid Waste
Torisa Evans	2005	162.37	Mobile Home Tax
Elbert Jarrell	2005	29.60	Vehicle Tax
Mac Arthur Cheek, Jr.	2005	6.87	Vehicle Tax
Mary E. Watkins	2005	197.89	Vehicle Tax
Douglas Rose	2001-05	98.12	Mobile Home Tax
Patricia Watkins	2001-05	266.84	Mobile Home Tax
For Your Occasion	2004-05	6.47	Vehicle Tax
Charlie McKnight	2005	6.03	Vehicle Tax
Michael Massenburg	2005	43.41	Vehicle Tax
Steve E. Wilson	2005	10.50	Vehicle Tax
Frank Bisette	2001-04	300.00	SW Household Fee
Torisa Evans	2005	90.00	SW Household Fee
Douglas Rose	2001-05	390.00	SW Household Fee
Patricia Watkins	2001-05	390.00	SW Household Fee
Ahmed S. Hauters	2005	.21	Fire Tax
Mee H. Koo	2005	.78	Fire Tax
Fay C. Phillips	2005	.30	Fire Tax
Leslie Baskerville	2002-04	16.38	Fire Tax
Calvin Hargrove	2005	.18	Fire Tax
Frank Bisette	2002-04	28.11	Fire Tax
James H. Wheeler	2005	.06	Fire Tax
Wilhelm Brust	2005	.12	Fire Tax
Torisa Evans	2005	4.64	Fire Tax
Elbert Jarrell	2005	.96	Fire Tax
Mac Arthur Cheek, Jr.	2006	.24	Fire Tax
Douglas Rose	2002-05	2.53	Fire Tax
Patricia Watkins	2002-05	6.90	Fire Tax
Charlie McKnight	2005	.21	Fire Tax
Steve E. Wilson	2005	.35	Fire Tax
<b>Total</b>		<b>\$ 4,117.19</b>	

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Motion was made by Commissioner Danny W. Wright that the Board approve Ambulance Charge-offs in the amount of \$6,561.78 for those persons deceased with no estate listing. This

motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

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:

Cooperative Extension  
4-H Agent

Department of Social Services  
Income Maintenance Caseworker II (two positions)  
Income Maintenance Supervisor II (two positions)  
Social Worker

Motion was made by Commissioner Terry E. Garrison to approve the position requests as presented. This motion was seconded by Commissioner Wilbur M. Boyd and unanimously approved.

Mr. Ayscue explained that, as required by North Carolina law, the Vance County Jail was inspected on June 8, 2006 by the N.C. Division of Facility Services, Jail and Detention Section. Official receipt of the report by the Board of Commissioners is required. A formal response is currently being development and will be forwarded to the State by mid-July.

Motion was made by Commissioner Wilbur M. Boyd to receive and file the semi-annual jail inspection report. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Mr. Ayscue reported that members of the Tourism Development Authority have expressed concerns about the performance evaluation process for staff. TDA Chairman Hester requested that the matter be brought to the Board of Commissioners' attention. According to the TDA bylaws, all Board members are to perform an evaluation for Tourism staff. Commissioner Hester stated that efforts to gather all Tourism Board members together for this process have been unsuccessful. He suggested the Tourism Executive Committee and the County Manager perform the evaluations in the future.

Motion was made by Commissioner Deborah F. Brown to refer the matter to the General Government Committee for clarification and report back to the full Board with its recommendation. This motion was seconded by Commissioner Wilbur M. Boyd and unanimously approved.

The last item Mr. Ayscue brought before the Board concerned County Fire Protection. He stated that Commissioner Brown has requested that all Vance County volunteer and county fire departments be encouraged to take the necessary steps to improve insurance classifications for their

respective fire districts. It will be necessary to have the authority and support of the Board of Commissioners to proceed with this initiative.

Commissioner Deborah F. Brown noted the importance of the volunteer fire departments improving their insurance classifications.

After discussion, motion was made by Commissioner Deborah F. Brown to instruct the Public Safety Committee, County Manager, Fire & Ambulance Chief, and other appropriate staff to work with the Volunteer Fire Department Chiefs in this regard. This motion was seconded by Commissioner Wilbur M. Boyd and unanimously approved.

Motion was made by Commissioner Deborah F. Brown that the Board approve the minutes of the regular meeting held June 5, 2006 as presented by the Clerk to the Board. This motion was seconded by Commissioner Thomas S. Hester, Jr. 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 May 2006 as requested by the Tax Office:

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<b>REBATES</b>			
<b>May 2006</b>			
<b>NAME</b>	<b>YEAR</b>	<b>AMOUNT</b>	<b>REASON</b>
John Brown, Jr.	2005	751.36	Lot Sold
Charles & Clecy Collins	2005	85.19	Error in Listing
J. Christopher Jaeger	2005	14.50	Error in Billing
David B. Morgan	2005	29.75	Boat Sold
Daryl & Thomas Wiggins	2003	777.95	Mobile Home Repo'd 2003
Stacy B. Wright	2000-05	896.43	Error in Billing
<b>Total</b>		<b>\$ 2,555.18</b>	

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Motion was made by Commissioner Wilbur M. Boyd, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, that the following appointments be approved as presented:

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- Airport Authority - one-year term  
Re-appoint Durwood Turner
  
  - Library Board of Trustees - three-year term  
Re-appoint Tem Blackburn and Sterling Jones
  
  - Vance-Granville Community College Board of Trustees - four-year term  
Re-appoint T.W. Ellis, Jr.

Henderson Zoning Board of Adjustments - three-year term

Appoint Herbert Clayton to fill the unexpired alternate position formerly held by Sam Pearson. This term will expire February 2007.

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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 Danny W. Wright, seconded by Commissioner Deborah F. Brown, vote unanimous, that the Board adopt the following Resolution to change the meeting date in August due to the NACo Annual Conference:

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**RESOLUTION**  
**by the**  
**Vance County Board of Commissioners**  
*Changing Date of August 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 August 7, 2006 at 6:00 p.m. to Monday, August 14, 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 August 7, 2006 at 6:00 p.m. to August 14, 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 third day of July, 2006.

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

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At this time motion was made by Commissioner Deborah F. Brown and seconded by Commissioner Eddie L. Wright that the Board go into closed session to discuss a property 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 Terry E. Garrison, seconded by Commissioner Deborah F. Brown, vote unanimous, that the meeting be adjourned.

Approved and signed August 14, 2006.

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Chairman