

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, March 13, 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 Terry E. Garrison gave the invocation.

Sheriff R. Thomas Breedlove was first on the agenda with a request for the retirement of Canine "Bojak". He explained that Deputy Sean Brake, Bojak's handler, has left County employment and has requested the ownership of Bojak if he is retired. Sheriff Breedlove stated that Bojak is 11 years old and Deputy Brake was his fourth handler. If he is not retired, he would have to undergo 10 weeks of training with a new handler. Given his age, Bojak is beyond the normal life expectancy of a useful police dog. Therefore, Sheriff Breedlove requested the Board to declare Bojak as surplus property and release him to Sean Brake for the remainder of his natural life.

After discussion, motion was made by Commissioner Wilbur M. Boyd to declare Bojak as surplus property. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Motion was then made by Commissioner Wilbur M. Boyd to offer the dog to Sean Brake for \$1.00. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Alton Abbott was next on the agenda to discuss the senior citizen tax exemption for property taxes. He stated he has never been informed of the tax exemption for qualifying senior citizens and requested a refund for the years he qualified for the exemption and did not receive a discount.

Commissioner Wilbur M. Boyd requested that the senior citizen exemption notice be printed on all tax bills, along with land use values, and a bulletin should also be posted in the tax office advertising the senior citizen exemption.

Commissioner Deborah F. Brown requested the County Manager and Tax Office staff to

respond to Mr. Abbott in writing regarding his concerns.

Gladys Allen addressed the Board with a request to name the western outer loop after Mike Decento. She discussed the life of Mr. Decento and explained how he was a servant to others. Ms. Allen presented a petition to the Board with 746 signatures of those in favor of naming the road after Mr. Decento.

Argretta Reid, Human Resources Director, informed the Board that Sheriff Breedlove had requested the award of the service revolver and badge to Detective Lieutenant James Cordell as he retired on March 1, 2006. Detective Cordell was employed with the Sheriff's Office for over 33 years.

Motion was made by Commissioner Eddie L. Wright to award the service revolver and badge to Detective James Cordell in recognition of his long and successful career in law enforcement. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

As advertised, at 6:30 p.m. a public hearing was held to receive input from citizens and local agencies on allocation of funds to prospective programs for the Rural Operating Assistance Program. Finance Officer Jerry L. Tucker stated that the grant was funded by the North Carolina Department of Transportation and noted that only counties are eligible for these funds.

Three programs are consolidated into a single application and are as follows: (1) Elderly Disabled Transportation Assistance Program that provides transportation assistance to elderly and disabled citizens in the amount of \$45,492; (2) Work First/Employment program that provides funds to support transportation needs for individuals who do not qualify for Temporary Assistance to Needy Families from DSS in the amount of \$13,634; and (3) Rural General Transportation Program that provides assistance to individuals who are not clients of human services agencies in the amount of \$45,236. The total grant amount is \$104,362.

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

After discussion, motion was made by Commissioner Wilbur M. Boyd that the Board approve the application for the Rural Operating Assistance Program funds and authorize the Chairman to sign said application. This motion was seconded by Commissioner Danny W. Wright and unanimously approved.

Ken Krulik, Planning and Development, gave an update on the meetings of the Citizens

Advisory Committee. He stated that the Committee has met twice since its appointment in February. One item the Committee has focused on is the definition of a Bona Fide Farm. The definition within the ordinance is the USDA definition, and the Committee has discussed modifying the definition to make it easier to understand. Other items discussed have been enforcement of the ordinance and lot sizes for agricultural residential areas.

Mr. Krulik requested, on behalf of the Citizens Advisory Committee, an extension of time to review the ordinance.

Commissioner Thomas S. Hester, Jr. questioned the amount of time needed by the Committee and Mr. Krulik replied that at least sixty (60) days is needed.

Commissioner Deborah F. Brown stated that she would agree to allow giving the Committee additional time to review the ordinance as long as sufficient progress is being made.

Motion was made by Commissioner Danny W. Wright to approve the request and allow the Citizens Advisory Committee additional time to review the ordinance. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Public comments were heard next. John Yount and Ronnie Perkinson spoke in opposition to zoning. Bob Fleming, Cliff Rogers, Bill Edwards, Phillip Burnette, and Sam Watkins spoke in support of zoning. Bob Fleming presented a resolution by the Henderson-Vance Economic Partnership in support of zoning. Phillip Burnette presented a resolution by the Vance County Republican Party in support of zoning and a resolution in appreciation to those who refrain from use of eminent domain.

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 #29, #30, and #31 as follows for the purposes noted therein:

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<b>Budget Amendment #29</b>			
<b>General Fund</b>			
<b><u>Expenditures</u></b>	<b><u>Code</u></b>	<b><u>Debit</u></b>	<b><u>Credit</u></b>
Salaries & Wages	10-605-500001		\$ 4,819.00
FICA Expense	10-605-500005		369.00

Retirement	10-605-500007		243.00
Contingency	10-999-500099	\$ <u>5,431.00</u>	_____
Total Debits & Credits		\$ 5,431.00	\$ 5,431.00

Purpose: To appropriate funds to adjust salaries for Cooperative Extension employees per State salary schedule.

Authorization: Vance County Board of Commissioners  
March 13, 2006

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**Budget Amendment #30  
General Fund**

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
Contracted Services	10-611-500045		\$ <u>3,028.00</u>
Total Increase in Expenditures			\$ 3,028.00

**Revenues**

Donations Senior Center	10-350-435007	\$ <u>3,028.00</u>	
Total Increase in Revenues		\$ 3,028.00	

Purpose: To appropriate Senior Center donations to pay for expenses incurred by KARTS.

Authorization: Vance County Board of Commissioners  
March 13, 2006

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**Budget Amendment #31  
General Fund**

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
VFGW Day Reporting Center	10-523-500045		\$ <u>28,375.00</u>
Total Increase in Expenditures			\$ 28,375.00

**Revenues**

CJPA Implementation Funds	10-346-434607	\$ <u>28,375.00</u>	
Total Increase in Revenues		\$ 28,375.00	

Purpose: To appropriate additional State funds for VFGW Day Reporting Center. No County funds needed.

Authorization: Vance County Board of Commissioners  
March 13, 2006

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Motion was made by Commissioner Wilbur M. Boyd, seconded by Commissioner Eddie L.

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

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<b>REFUNDS</b>			
<b>February 2006</b>			
<b>NAME</b>	<b>YEAR</b>	<b>AMOUNT</b>	<b>REASON</b>
Shreehari, Inc.	2005	45.84	Vehicle Tax
Martina P. Solorio	2005	17.29	Vehicle Tax
Faye Jordan	2005	9.96	Vehicle Tax
Daniel J. Nowell	2004	3.04	Vehicle Tax
Alan W. McAlister	2005	22.40	Boat Tax
Jerry Matthews, Jr.	2005	34.28	Vehicle Tax
Architect-Builder Co.	2005	8.89	Vehicle Tax
Enrique A. Hirst	2005	18.09	Vehicle Tax
Cecil D. Roberts	2005	35.70	Vehicle Tax
Carroll J. Hill	2005	1.44	Vehicle Tax
Vebeious Gregory	2005	1.86	Vehicle Tax
Louise Ayscue	2005	5.35	Vehicle Tax
Ivan V. Llave	2005	2.14	Vehicle Tax
James R. Gupton	2005	64.40	Mobile Home Tax
Delcina Loyd	2004	2.52	Vehicle Tax
Theresa M. Davis	2005	17.00	Vehicle Tax
Jessica L. Evans	2005	7.60	Vehicle Tax
Maggie R. Durham	2005	106.02	Vehicle Tax
Camper Products	2005	56.77	Vehicle Tax
Alfonso L. Bernal	2005	2.78	Vehicle Tax
William C. Finch, Sr.	2005	20.00	Vehicle Tax
Kelley B. Wade	2005	20.00	Vehicle Tax
George A. Norwood	2005	2.50	Vehicle Tax
Gabino P. Cernas	2005	25.20	Vehicle Tax
Andre C. Cuffee	2005	92.34	Vehicle Tax
Danny L. Dickerson	2005	3.69	Vehicle Tax
James R. Gupton	2005	90.00	Solid Waste Household Fee
Alan W. McAlister	2005	.73	Fire Tax
Architect-Builder Co.	2005	.30	Fire Tax
Enrique A. Hirst	2005	.60	Fire Tax
Cecil D. Roberts	2005	1.19	Fire Tax
Carroll J. Hill	2005	.06	Fire Tax
Vebeious Gregory	2005	.06	Fire Tax
James R. Gupton	2005	2.10	Fire Tax
Theresa M. Davis	2005	.56	Fire Tax
Jessica L. Evans	2005	.25	Fire Tax
Maggie R. Durham	2005	3.42	Fire Tax
Alfonso L. Bernal	2005	.10	Fire Tax
George A. Norwood	2005	.08	Fire Tax
Andre C. Cuffee	2005	3.06	Fire Tax
Danny L. Dickerson	2005	.12	Fire Tax
<b>Total</b>		<b>\$ 729.73</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 \$3,553.33 for those persons deceased with no estate listing.

This motion was seconded by Commissioner Wilbur M. Boyd 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:

Department of Social Services  
Social Worker III

Jail  
Court Liaison Officer  
Correctional Officer

Fire and Ambulance Department  
Firefighter/EMT

Motion was made by Commissioner Eddie L. Wright to approve the position requests as presented. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Mr. Ayscue reported that Sheriff Thomas Breedlove had approached him and the Properties Committee with concerns about trees that threaten the jail facility. The trees are large enough to create significant property damage in the event that they are toppled by storms. After reviewing the situation with the Sheriff, the Committee and the County Manager agreed that prompt action should be taken to mitigate this risk. Cost estimates have been received to remove the trees from the property and it will be necessary to appropriate up to \$21,000 from the Contingency for the tree removal.

Motion was made by Commissioner Deborah F. Brown to appropriate up to \$21,000 from the Contingency and authorize the County Manager to negotiate the best arrangement with a responsible tree contractor as promptly as possible. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

The next item presented by Mr. Ayscue was Courthouse Equipment. He explained that due to recent equipment difficulties at the County Courthouse, it is necessary to replace some of the equipment in the security system. The lowest price quote is \$9,015.50. Grant funds recently obtained by Sheriff Breedlove in the amount of \$1,850 can be applied toward this expenditure, creating a need for \$7,165.50 of additional funds. In order to ensure the ongoing integrity of the security system, it is essential that the equipment be replaced as soon as possible.

Motion was made by Commissioner Wilbur M. Boyd to appropriate \$7,165.50 from the Contingency for security equipment replacement at the Courthouse. The motion was seconded by Commissioner Eddie L. Wright.

Commissioner Danny W. Wright questioned what the remaining balance is in Contingency. Mr. Ayscue replied that, after this transaction, the balance is approximately \$195,000.

The motion was then unanimously approved.

Mr. Ayscue then presented a resolution of continued participation in the regional Criminal Justice Partnership Program. He explained that Vance County continues to serve as the administering agency for the four-county program that operates the VWGF Resource Center. Each participating county must annually adopt a resolution of participation.

Motion was made by Commissioner Wilbur M. Boyd, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to adopt the resolution of continued participation in the regional Criminal Justice Partnership Program as follows:

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**RESOLUTION**  
by the  
**Vance County Board of Commissioners**  
*Continuation of the VWGF Resource Center*

Upon a duly made and seconded motion, a majority of the commissioners seated on the Vance County Board of Commissioners adopted the following resolution at a public meeting on this the 13<sup>th</sup> day of March, 2006.

**RESOLVED**, that the VWGF Resource Center is operating according to design and meeting identified criminal justice service needs throughout the local Judicial District; and it is

**FURTHER RESOLVED**, that the Vance County Board of Commissioners is fully satisfied with the managerial configuration presently being employed and also approves of the Vance County Manager continuing to serve in FY 2006-2007 as the financial administrator of this very important regional project.

Adopted this the thirteenth day of March, 2006.

**J. Timothy Pegram** (Signed)  
Chairman, Vance County Board of Commissioners

**Jerry L. Ayscue** (Signed)  
Vance County Manager

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Mr. Ayscue then informed the Board that the City of Henderson has requested the County to formalize the decision by Vance County in the mid-1970's to gift its half-share of the land on

which the City Fire Station is now located at 211 Dabney Drive. Legal research revealed that the deed has never been transferred. This comes with the endorsement of the County Attorney and the Properties Committee.

Chairman J. Timothy Pegram asked if the records have been researched to check the wording of any prior action. He stated that any action taken now should be consistent with action that was taken then. Mr. Ayscue replied that records had been researched approximately a year ago, but will be researched again.

Commissioner Thomas S. Hester, Jr. questioned if the boundary line is consistent with the appraisal that was completed on the Armory property. Mr. Ayscue replied that the line is consistent with the appraisal.

After further discussion, motion was made by Commissioner Danny W. Wright to approve the gift deed to the City of Henderson for the County's share of the Fire Station property, with the established boundaries to be approved by the County Manager and County Attorney prior to finalization. This motion was seconded by Commissioner Deborah F. Brown.

Commissioner Deborah F. Brown asked if a survey had been completed on the property. County Attorney Robert S. Hight replied that the current survey is incorrect and any new survey on the property would be completed at the expense of the City of Henderson.

The motion was then unanimously approved.

Mr. Ayscue then presented the Annual DOT Statement to County Commissioners. As required by G.S. 136-44.9, the progress report for road work in the County during last year has been submitted by the NC Department of Transportation.

Motion was made by Commissioner Wilbur M. Boyd to receive the report provided by NCDOT as presented. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Motion was made by Commissioner Deborah F. Brown that the Board approve the minutes of the regular meeting held February 6, 2006 as presented by the Clerk to the Board. This motion was seconded by Commissioner Wilbur M. Boyd and unanimously approved.

Motion was made by Commissioner Wilbur M. Boyd, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, that the Board approve the following Rebates for January 2006 and February 2006 as requested by the Tax Office:

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**REBATES**  
**January 2006**

<b>NAME</b>	<b>YEAR</b>	<b>AMOUNT</b>	<b>REASON</b>
Latisha D. Alston	2005	252.94	Moved to Warren County
Benjamin Cannada	2005	24.39	Error in Listing
Gaye R. Cawley	2005	543.54	Moved to Virginia
Lucy Dardello	2005	70.24	Business closed
O.H. & Nunnery Freeman	2005	24.15	Billboard destroyed by storm
Julie I. Haley	2005	69.55	Jet Ski sold
Lester & Brenda Hanks	2005	50.67	Error in Listing
Ralph & Betty Hester	2005	290.81	Error in Listing
Daniel J. Hocter	2001-03	274.06	Error in Listing
Betty Jean Lawrence	2004-05	65.07	Not in Business
Jimmy & Betty Lawrence	2000-01	312.96	Error in Listing
Tanya & Parham Manning	2005	146.14	Mobile Home Repo'd
John P. McGavisk	2005	115.61	Error in Listing
Robert & Judy Norwood	2005	121.81	Error in Listing
Anthony Pulley	2005	67.55	Error in Listing
Jesse J. Short Heirs	1995	360.00	Statute of Limitations
Sprinkle Properties	2005	1,026.71	Value Reduced - Incorrect Sq. Ft.
Frances Terry	2005	106.01	Error in Listing
Desmond Thompson	2004	283.34	Error in Billing
James H. Twisdale	2005	394.31	Land Use Granted
Douglas Vaughan	2005	141.77	Value Reduced
Celesta Walker	2005	130.37	Value Reduced
Joseph F. Wiggins	2005	184.00	Error in Billing
Thomas N. Wilkes	2005	97.04	Error in Listing
Timothy W. Wilson	2005	169.76	Error in Listing
<b>Total</b>		<b>\$ 5,322.80</b>	

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**REBATES**  
**February 2006**

<b>NAME</b>	<b>YEAR</b>	<b>AMOUNT</b>	<b>REASON</b>
Norman S. Beck	2005	62.26	Boat Sold 6/04
William Boyd, Susan Fitts	2005	90.16	Senior Citizen Exemption
William Brooks	2005	73.90	Error in Listing
Jacqueline & Curtis Cooke	2003-05	312.19	Error in Listing
Carolyn Hart	2001-05	2,452.00	Mobile Home Repo'd
Joseph L. & Kaye Pegram	2005	330.19	Error in Listing
Joyce & Walter Pulley	2005	92.00	Error in Listing
Calvin M. Watkins	2005	43.49	Mobile Home Sold 11/04
Edward Wright	2005	27.91	Error in Listing
<b>Total</b>		<b>\$ 3,484.10</b>	

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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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At this time, motion was made by Commissioner Deborah F. Brown and seconded by Commissioner Wilbur M. Boyd 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 Wilbur M. Boyd to return to regular session. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Motion was made by Commissioner Danny W. Wright to appropriate \$20,000 from County reserves to the Board of Education to obtain an option for school property. This motion was seconded by Commissioner Wilbur M. Boyd and unanimously approved.

As there was no further business, at 8:45 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 April 3, 2006.

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Chairman