

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Tuesday, September 5, 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.

Finance Officer Jerry L. Tucker gave the invocation.

Bill Edwards, Chamber of Commerce, was first on the agenda and made a video presentation to the Board entitled "Welcome to Henderson and Vance County" and distributed the publication "Envision Vance". Both depict a portrait of a community in action and highlight various communities and businesses within Vance County.

Kay Fields was next on the agenda and introduced herself as the new Interim Director for the Department of Social Services for the next few months. She explained that each year, the Department of Social Services is required to go before the Board of Commissioners for a decision regarding the administration of the Work First Program. One of the requirements is whether a county wishes to be considered a "standard" or "electing" county, with each option accompanied by various regulations. Ms. Fields recommended that Vance County remain a "standard" county for its Work First Program.

Motion was made by Commissioner Wilbur M. Boyd to approve the recommendation that Vance County remain a "standard" county for its Work First Program. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Royster Washington, Division of Community Corrections, was next on the agenda and presented the annual report for Judicial District 9.

Motion was made by Commissioner Thomas S. Hester, Jr. to receive and file the annual report for Judicial District 9. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved. (See report on file in the Office of the County Manager).

At this time, County Manager Jerry L. Ayscue gave a brief history of an old County zoning ordinance. He explained that according to City officials, the City of Henderson exercised its authority to control the extra-territorial jurisdiction area of a mile and a half from February 11, 1974 until June 26, 1977. On May 23, 1977 the Vance County Board of Commissioners adopted a zoning ordinance to cover the ETJ area as of June 27, 1977. On December 12, 1994 the City reclaimed the ETJ area where it has remained under City land-use planning control through current times.

During the time that the ordinance was in effect, it was not aggressively implemented. Since the City re-assumed its control of the ETJ, the Board of Adjustments was basically replaced with County and City appointments to a joint Planning Board through the City, which oversees land-use planning requirements for the ETJ.

The old ordinance was apparently designed specifically for the ETJ area. It is no longer applicable in that regard and should possibly be rescinded if a county-wide zoning ordinance is adopted. The County Attorney is currently researching the legal process necessary to rescind the old ordinance and should be able soon to advise the Board of Commissioners accordingly.

Commissioner Danny W. Wright made a motion to refer the matter to the County Attorney and the Planning Committee for a recommendation to the full Board. This motion was seconded by Commissioner Wilbur M. Boyd and unanimously approved.

Ken Krulik, Planning and Development, then presented the 6th draft version of the proposed zoning ordinance. Mr. Krulik explained that the latest revisions were a result of a joint meeting of the Planning Board and the Citizens Advisory Committee. He explained that the final draft still needs to be formally recommended by action of the Planning Board at its next meeting on September 25. A final draft of the document will then be presented to the Board of Commissioners at its October meeting.

After a lengthy discussion, it was decided that once the Planning Board has formally recommended and presented the final proposed document to the Board, the full Board would then hold the necessary amount of work sessions to review the document.

Sam Jones, Tax Administrator, appeared before the Board to present the monthly report for tax collections for the month of August. Before discussing the report, Mr. Jones introduced Bob Pearson with Pearson Appraisal Service. Mr. Pearson is conducting reappraisals for the 2008 revaluation.

Mr. Jones noted that the 2006 tax bills were just sent out in August which accounts for the amount added to the tax levy.

Commissioner Deborah F. Brown requested that the report show month to month comparisons for each year.

It was noted that there may be a change in 2010 in the way the State collects vehicle taxes. It is proposed that the State will collect vehicle taxes at the same time the vehicle registration is implemented or renewed. By combining the registration and vehicle tax fees into one bill, Mr. Jones expressed his concern that people would simply not renew their registration.

Motion was made by Commissioner Wilbur M. Boyd, seconded by Commissioner Deborah F. Brown, vote unanimous, that the Board approve Budget Amendment #4 as follows for the purposes noted therein:

**Budget Amendment #4
General Fund**

| <u>Expenditures</u> | <u>Code</u> | <u>Debit</u> | <u>Credit</u> |
|--------------------------------|---------------|---------------------|---------------------|
| VFGW Day Reporting Center | 10-523-500045 | | \$ <u>40,453.00</u> |
| Total Increase in Expenditures | | | \$ 40,453.00 |
| <u>Revenues</u> | | | |
| VFGW Day Reporting Center | 10-346-434607 | \$ <u>40,453.00</u> | |
| Total Increase in Revenues | | \$ 40,453.00 | |

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

Authorization: Vance County Board of Commissioners
September 5, 2006

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

**REFUNDS
August 2006**

| NAME | YEAR | AMOUNT | REASON |
|----------------------|------|--------------------|--------------------|
| William W. Green | 2005 | 34.36 | Vehicle Tax |
| Jerry W. Dickerson | 2005 | 6.25 | Vehicle Tax |
| David Robinson | 2003 | 74.64 | Mobile Home Tax |
| Larry M. Root | 2006 | 9.73 | Vehicle Tax |
| Denise L. Barber | 2005 | 4.75 | Vehicle Tax |
| Michael Vann | 2005 | 77.76 | Vehicle Tax |
| Carrie Cheek | 2006 | 11.84 | Vehicle Tax |
| East Coast Homes | 2005 | 11.37 | Vehicle Tax |
| Claude R. Pearce III | 2006 | 80.88 | Vehicle Tax |
| Allison Pearce | 2005 | 42.70 | Vehicle Tax |
| Andrew Fitzgerald | 2005 | 84.48 | Vehicle Tax |
| Monique M. Taylor | 2005 | 14.92 | Vehicle Tax |
| BB&T Leasing | 2005 | 1,206.30 | Personal Property |
| Clarence G. Bennet | 2006 | 20.00 | Overage Tax |
| Timothy P. Roberson | 2006 | 81.06 | Vehicle Tax |
| Elmer Deal & Sons | 2005 | 17.94 | Vehicle Tax |
| Mario J. Guerra | 2005 | 17.04 | Vehicle Tax |
| Terry M. Maxwell | 2005 | 87.40 | County Tax |
| Rodney D. Inscoe | 2005 | 3.06 | Vehicle Tax |
| Alfonso L. Bernal | 2005 | 39.20 | Vehicle Tax |
| Jose R. Valverde | 2005 | 13.51 | Vehicle Tax |
| Leopoldo D. Sanchez | 2005 | 16.32 | Vehicle Tax |
| David Robinson | 2003 | 75.00 | Solid Waste Refund |
| Jerry W. Dickerson | 2005 | .20 | Fire Tax |
| David Robinson | 2003 | 5.36 | Fire Tax |
| Denise L. Barber | 2005 | .16 | Fire Tax |
| Carrie Cheek | 2006 | .40 | Fire Tax |
| Claude R. Pearce III | 2006 | 2.64 | Fire Tax |
| Allison Pearce | 2005 | 1.40 | Fire Tax |
| Andrew Fitzgerald | 2005 | 2.76 | Fire Tax |
| Monique M. Taylor | 2005 | .48 | Fire Tax |
| BB&T Leasing | 2005 | 39.34 | Fire Tax |
| Timothy P. Roberson | 2006 | 2.66 | Fire Tax |
| Elmer Deal & Sons | 2005 | .58 | Fire Tax |
| Alfonso L. Bernal | 2005 | 1.30 | Fire Tax |
| Total | | \$ 2,087.79 | |

Motion was made by Commissioner Eddie L. Wright that the Board approve Ambulance Charge-offs in the amount of \$7,598.91 for those persons deceased with no estate listing. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Finance Officer Jerry L. Tucker informed the Board that in order to sell 14 unneeded vehicles, the Board is required to declare them as surplus property, after which the staff will proceed to sell the vehicles at public auction. He stated there are five additional vehicles that require departmental reassignment from the Sheriff's Department to Planning and Development.

The following is a list of vehicles to be declared as surplus vehicles in order that they might be sold at public auction:

| <u>Year</u> | <u>Make</u> | <u>Vin Number</u> |
|------------------------|---------------|-------------------|
| <u>Sheriff's Dept.</u> | | |
| 1999 | Ford | 186932 |
| 2000 | Ford | 166681 |
| 2000 | Ford | 166677 |
| 1999 | Ford | 186936 |
| 2000 | Ford | 166678 |
| 2001 | Ford | 182671 |
| 2003 | Ford | 104302 |
| 2003 | Ford | 104307 |
| 1976 | Dodge | 244471 |
| 1967 | John Trl | 12476 |
| 1988 | International | 549581 |

| | | |
|------------------------|------|-------------------|
| <u>Fire Department</u> | | |
| 1997 | Ford | 1FDJS34FXTHB59754 |
| 1994 | Ford | 1FDJS34M6RHC16152 |
| 1995 | Ford | 1FDJS34F2SHC17791 |

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The following is a list of vehicles to be reassigned from the Sheriff's Department to Planning and Development:

| <u>Year</u> | <u>Make</u> | <u>Vin Number</u> |
|-------------|-------------|-------------------|
| 2003 | Ford | 2FAFP71W03X104310 |
| 2003 | Ford | 2FAFP71W43X104309 |
| 2003 | Ford | 2FAFP71W23X104311 |
| 2003 | Ford | 2FAFP71W73X104305 |
| 2003 | Ford | 2FAFP71W23X104308 |

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Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Danny W. Wright, vote unanimous, that the Board to approve the list of vehicles 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:

- Jail
- Office Assistant III
- Correctional Officer II

- Department of Social Services
- Senior Center Director

Motion was made by Commissioner Wilbur M. Boyd to approve the position requests as presented. This motion was seconded by Commissioner Danny W. Wright and unanimously approved.

The next item Mr. Ayscue presented dealt with Schools Capital Outlay. He explained that the FY 2006-07 Budget Ordinance included a partially itemized capital outlay list for the Vance

County Schools. The remainder of capital outlay funds was budgeted within the Ordinance but not designated. As a result, non-designated funds have been reserved in lump sum until appropriate action is taken by the Board of Education and the Board of County Commissioners. The Board of Education took action in its August meeting to approve the list in the amount of \$106,551. Mr. Ayscue's recommendation was to approve the itemization of the remainder of capital outlay funding as budgeted for the Vance County Schools.

Motion was made by Commissioner Deborah F. Brown to approve the itemization of Capital Outlay in the amount of \$106,551. This motion was seconded by Commissioner Wilbur M. Boyd and unanimously approved.

Mr. Ayscue then presented a request from the Schools for the use of ADM Funds. The Board of Education has officially approved the application in the amount of \$243,144 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 Thomas S. Hester, Jr. to approve the application for \$243,144 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 Eddie L. Wright and unanimously approved.

Mr. Ayscue then explained that Vance County serves as the fiduciary agent for the Vance, Warren, Granville, and Franklin Resource Center which is financed by State Criminal Justice Partnership Program funds. The board of directors for the Resource Center took action to allow broken and unused equipment to be sold by sealed bids and to request the Vance County Board of Commissioners to do likewise.

Motion was made by Commissioner Terry E. Garrison to declare the itemized list of equipment for the VWGF Resource Center as surplus and authorize sale by sealed bids, with proceeds going back into the program. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Mr. Ayscue updated the Board on the Fire Department inspection. The Vance County Fire & Ambulance Department received an inspection of fire calls by the State Fire Marshal in July. The requirements of any fire district is to have a minimum of one engine and four certified firefighters from the roster on scene. The inspection found that on four calls there was one person short in terms of having certified firefighters from our County department responding even though there were two

volunteer fire departments responding to each call as well.

The State has requested a corrective action plan within 90 days, which is mid-October. Mr. Ayscue noted that the plan will be submitted to the Board at its October meeting as a recommendation.

Mr. Ayscue then noted that the County recently approved and submitted a proposal to the City of Henderson regarding disposition of two jointly owned pieces of property - the Armory and former Library. No official correspondence from the City has been received yet, but informal staff discussions and recent newspaper coverage indicate that the City will be making additional proposals for the County's consideration.

After discussion, the Board decided to refer the City proposals (upon receipt) to the County representatives of the Intergovernmental Committee for review.

Commissioner Deborah F. Brown suggested that, as a cost savings, there should not be additional appraisals performed on the buildings.

Mr. Ayscue presented a proclamation for 2006 Fall Litter Sweep. The NC Department of Transportation annually conducts a roadside clean-up campaign in the fall of the year. A proclamation by the Board of Commissioners is one means of encouraging Vance County citizens to participate in this worthwhile activity to enhance the cleanliness and overall appearance of the community.

Motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the following proclamation in recognition of the 2006 Fall Litter Sweep:

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PROCLAMATION
by the
Vance County Board of Commissioners
in
Recognition of the 2006 Fall Litter Sweep

WHEREAS, Vance County, in conjunction with the North Carolina Department of Transportation, supports the participation in the fall roadside cleanup effort to ensure clean and beautiful roads throughout the county; and

WHEREAS, the Fall 2006 Litter Sweep roadside cleanup will take place September 16 through September 30, 2006. The County encourages communities, civic and professional groups, businesses, churches, schools, families, and individual citizens to participate in the cleanup effort by sponsoring and organizing roadside cleanup teams; and

WHEREAS, Adopt-A-Highway volunteers, community service workers, community leaders, civic and community organizations, businesses, churches, schools, and environmentally concerned citizens conduct local cleanups during Litter Sweep and may receive Certificates of Appreciation for their participation; and

WHEREAS, the great natural beauty of our State and County in addition to a clean environment are a source of great pride for all Vance County residents, attracting tourists and aiding in the recruiting of new industries; and

WHEREAS, the cleanup effort will increase the awareness of the need for cleaner roadsides, emphasize the importance of anti-litter campaigns, and encourage the recycling of solid wastes; and

WHEREAS, the Litter Sweep cleanup will be a part of educating the children of the County regarding the importance of a clean environment to the quality of life in Vance County.

NOW, THEREFORE BE IT PROCLAIMED, that the Vance County Board of Commissioners does hereby recognize September 16 - 30, 2006 as "Fall Litter Sweep" in Vance County and encourages citizens to take an active role in making this community a cleaner place.

THIS, the fifth day of September, 2006.

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

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Motion was made by Commissioner Danny W. Wright that the Board approve the minutes of the regular meeting held August 14, 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 Commissioner Deborah F. Brown, vote unanimous, that the following appointments be approved as presented:

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Vance County Economic Development Commission - three-year term
Re-appoint Ronald Gregory
Robert Hubbard
Sam Watkins

Vance County Transportation Advisory Committee - three-year term
Re-appoint Faye Guin

Regional Economic Development Board - two-year term
Re-appoint Andrea Harris

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Motion was made by Commissioner Danny W. Wright that the Board approve a road petition to add Stonehedge Drive to the State System and forward same to the Department of Transportation for consideration. This motion was seconded by Commissioner Wilbur M. Boyd and unanimously approved.

Motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Thomas S. Hester, Jr., 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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As there was no further business, at 7:55 p.m. motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Terry E. Garrison, vote unanimous, that the meeting be adjourned.

Approved and signed October 2, 2006.

Chairman