

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, April 2, 2007 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: Chairperson Deborah F. Brown, Commissioners Danny W. Wright, Dan Brummitt, Terry E. Garrison, A. Scott Hughes, J. Timothy Pegram, and Eddie L. Wright.

Absent: None.

Also present were Assistant County Attorney Jonathan S. Care, and County Manager Jerry L. Ayscue.

Commissioner Danny W. Wright gave the invocation.

Chairperson Deborah F. Brown recognized the members of Leadership Vance 2007 who were present. Participants introduced themselves and gave a brief description of their occupation. Chairperson Brown thanked the group for being present at the meeting and for taking an interest in Vance County.

Sam Jones, Tax Administrator, presented the March 2007 monthly report for tax collections. He stated that collections were up by 0.3% as compared to March 2006.

Robert Minish was next on the agenda seeking a contract with Vance County for a new volunteer fire department to operate in the area of Satterwhite Point Road, Nutbush Road, and Flemingtown Road. This is in effort to provide fire insurance coverage for residents in this area. Mr. Minish presented Articles of Incorporation of Kerr Lake Volunteer Fire Department, Inc. and he stated the next step in the process of forming the Department is to contract with Vance County.

Chairperson Brown stated that action would be taken on this matter later in the meeting under the County Manager's Report.

Ken Krulik, Planning and Development, appeared before the Board and presented the revised County Floodplain Ordinance. The ordinance manages development within the identified floodplains of the county. Mr. Krulik explained that the federal government has made changes to its National Flood Insurance Program (NFIP), of which Vance County is a member; therefore, changes must be made at the local level in order to retain membership in the NFIP. If the revised ordinance is not adopted by the deadline of April 16, should a federally declared disaster occur, residents in affected areas would not be eligible for federal assistance.

Mr. Krulik made a visual presentation of updated maps of the Kerr Lake area and stated that only new construction that is built in a floodplain would be required to be elevated three feet above whatever the base flood elevation is of that property.

Proposed revisions to the document as a result of last month's public hearing and recommendations by the Board of Commissioners are as follows: 1) The definition of Floodplain Administrator was revised and made consistent throughout the ordinance. 2) Article 3, Section B, Basis for Establishing the Special Flood Hazard Areas - The definition of the boundaries around Kerr Lake was revised. 3) If property being subdivided is in a floodplain, a certification block is required on plats by a surveyor. 4) If property in a floodplain is actually above the base flood elevation, the property owner may be advised to apply for a Letter of Map Amendment from FEMA.

Chairperson Brown stated that action would be taken on this matter later in the meeting under the County Manager's Report.

Public comments were heard next. Joseph Sears spoke concerning the County budget and encouraged the Board to ensure adequate funding for fire/rescue, law enforcement, and schools. He also spoke on zoning and stated that zoning does not always protect property owners.

Wayne Dickerson spoke regarding the County budget and encouraged the Board to focus on areas of importance.

Rusty McMahan addressed the Board and requested a copy of each county department's budget request forms.

Motion was made by Commissioner A. Scott Hughes, seconded by Commissioner Dan Brummitt, vote unanimous, that the Board approve Budget Amendments #25 and #26 as follows for the purposes noted therein:

Budget Amendment #25			
General Fund			
<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
General Fund	10-610-500020		\$ 5,000.00
Contingency	10-999-500099	\$ <u>5,000.00</u>	_____
Total Debits and Credits		\$ 5,000.00	\$ 5,000.00

Purpose: To appropriate additional funds for General Assistance account in DSS budget.

Authorization: Vance County Board of Commissioners
April 2, 2007

Budget Amendment #26
General Fund

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
ADM Funds	10-681-500095		\$ <u>32,800.00</u>
Total Increase in Expenditures			\$ 32,800.00

Revenues

ADM Funds	10-346-434631	\$ <u>32,800.00</u>	
Total Increase in Revenues		\$ 32,800.00	

Purpose: To appropriate State funds to Schools for fire suppression system upgrades. No County funds required.

Authorization: Vance County Board of Commissioners
April 2, 2007

Motion was made by Commissioner Eddie L. Wright, seconded by Commissioner Terry E.

Garrison, vote unanimous, that the Board approve the following Refunds as requested by the Tax

Office:

REFUNDS
March 2007

NAME	YEAR	AMOUNT	REASON
Dennis W. Davis	2006	8.10	Vehicle Tax
Betty Jane Seward	2006	13.30	Vehicle Tax
James L. Kearney, Sr.	2006	35.00	Overage Tax
Daryl B. Smith	2006	31.92	Vehicle Tax
Betty J. Henderson	2006	7.04	Vehicle Tax
Bettie B. Henderson	2006	1.42	Vehicle Tax
Jerry Tucker	2006	57.12	Vehicle Tax
Lakeysha Richardson	2006	7.98	Vehicle Tax
William H. Curry	2005	12.22	Vehicle Tax
Joseph R. Parrish	2006	5.28	Vehicle Tax
Carolyn P. Sanford	2006	75.54	Vehicle Tax
Thomas Faucette, Jr.	2006	48.44	Vehicle Tax
Anthony P. West	2006	39.28	Vehicle Tax
Christopher Wallace	2006	9.80	Vehicle Tax
Teresa H. Wimbrow	2006	1.44	Vehicle Tax
Sidney M. Cutts III	2006	51.90	Vehicle Tax
Elizabeth B. Terry	2006	2.02	Vehicle Tax
Betty H. Reams	2006	36.76	Vehicle Tax
Edwin T. Ross, Jr.	2006	12.24	Vehicle Tax
Crystal W. Hobgood	2006	42.56	Vehicle Tax
Beverly G. Bradford	2006	20.00	Vehicle Tax
Savannah Littlejohn	2006	30.92	Vehicle Tax

NAME	YEAR	AMOUNT	REASON
Patricia Cashion	2006	22.48	Vehicle Tax
Sergio C. Morales	2006	31.20	Vehicle Tax
Mary Webb	2006	5.76	Vehicle Tax
Mallory J. Chacon	2006	85.91	Vehicle Tax
Jacqueline Reese	2006	3.54	Vehicle Tax
Kelly J. Pendley	2006	12.50	Vehicle Tax
Isaias Zepedo	2006	15.84	Vehicle Tax
Isaias Zepedo	2006	13.52	Vehicle Tax
Isaias Zepedo	2006	6.27	Vehicle Tax
Yolanda Yancey	2006	4.59	Vehicle Tax
William G. Cawthorne	2006	14.52	Vehicle Tax
Douglas Breedlove	2006	5.36	Vehicle Tax
Virginia Satterwhite	2006	1.18	Vehicle Tax
Jean A. Veeder	2006	62.08	Vehicle Tax
Dennis W. Davis	2006	.26	Fire Tax
Daryl B. Smith	2006	1.02	Fire Tax
Betty J. Henderson	2006	.24	Fire Tax
Bettie B. Henderson	2006	.04	Fire Tax
Jerry Tucker	2006	1.86	Fire Tax
William H. Curry	2005	.40	Fire Tax
Joseph R. Parrish	2006	.16	Fire Tax
Carolyn P. Sanford	2006	2.46	Fire Tax
Thomas Faucette, Jr.	2006	1.61	Fire Tax
Anthony P. West	2005	1.28	Fire Tax
Christopher Wallace	2006	.32	Fire Tax
Teresa H. Wimbrow	2006	.02	Fire Tax
Elizabeth B. Terry	2006	.06	Fire Tax
Betty H. Reams	2006	1.20	Fire Tax
Crystal W. Hobgood	2006	1.36	Fire Tax
Patricia Cashion	2006	.72	Fire Tax
Sergio C. Morales	2006	1.00	Fire Tax
Kelly J. Pendley	2006	.41	Fire Tax
Isaias Zepedo	2006	.54	Fire Tax
Isaias Zepedo	2006	.48	Fire Tax
Isaias Zepedo	2006	.21	Fire Tax
William G. Cawthorne	2006	.64	Fire Tax
Douglas Breedlove	2006	.16	Fire Tax
Virginia Satterwhite	2006	.04	Fire Tax
Jean A. Veeder	2006	2.00	Fire Tax
Total		\$ 853.52	Fiscal y-t-d - \$ 11,106.40

Motion was made by Commissioner Terry E. Garrison that the Board approve Ambulance Charge-offs in the amount of \$953.00 for those persons deceased with no estate listing. This motion was seconded by Commissioner Danny W. Wright and unanimously approved.

County Manager Jerry L. Ayscue requested authority to enter into a contract with BB&T for the financing of 12 law enforcement vehicles. The total amount for the 12 vehicles and equipment is \$302,431. This is a four year arrangement at 3.69% interest. Mr. Ayscue noted that action has been taken in prior meetings to approve the purchase of the vehicles, and authority is now needed to contract with the low bidder (BB&T) for the financing of the vehicles.

Motion was made by Commissioner Eddie L. Wright, seconded by Commissioner A. Scott Hughes, vote unanimous, to approve the request for financing as presented.

Mr. Ayscue then requested the Board to allow filling the following position vacancies which have been endorsed by the Human Resources Committee:

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Department of Social Services
Social Worker IA&T (Investigation, Assessment and Treatment)

Jail
Jail Administrator
Correctional Officer - 3 positions

Sheriff's Department
Deputy Sheriff
Detective

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

Mr. Ayscue presented a proclamation for 2007 Spring Litter Sweep. He stated that the North Carolina Department of Transportation annually conducts a roadside clean-up campaign in the spring of each year and asks local governments to become involved. 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 Eddie L. Wright, seconded by Commissioner A. Scott Hughes, vote unanimous, to adopt the following proclamation in recognition of 2007 Spring Litter Sweep:

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PROCLAMATION
by the
Vance County Board of Commissioners
in
Recognition of the 2007 Spring Litter Sweep

WHEREAS, Vance County, in conjunction with the North Carolina Department of Transportation, supports the participation in the Spring 2007 roadside cleanup effort to ensure clean and beautiful roads throughout the county; and

WHEREAS, the Spring 2007 Litter Sweep roadside cleanup will take place April 14 - 28, 2007. 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 April 14 - 28, 2007 as “Spring Litter Sweep” in Vance County and encourages citizens to take an active role in making this community a cleaner place.

THIS, the second day of April, 2007.

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

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Mr. Ayscue then presented a report from the General Government Committee. Mr. Ayscue noted that the General Government Committee met in March and discussed the need to more actively pursue delinquent property tax collections. Although the law allows foreclosure as a collection option as soon as taxes become delinquent, the County has followed a policy of foreclosing on only the oldest delinquencies. In order to become more aggressive in collecting back taxes, it was agreed that the Tax Administrator should be allowed to begin foreclose proceedings on accounts that are at least four years or more in arrearage. The recommendation from the Committee is to act to allow the Tax Administrator to aggressively pursue the collection of property taxes that are delinquent for at least four years by using foreclosure proceedings as he determines appropriate.

Commissioner Dan Brummitt questioned if the effort at the four-year level was a preliminary effort to get those under control and then pursue it further to a two-year level? Mr. Ayscue stated that the Committee did not address that specifically, but it would be the prerogative of the Board to narrow the time period as appropriate.

Commissioner Danny W. Wright stated that is has been the position of the Board that it would be somewhat unfair to foreclosure on a property that is two years delinquent and not have foreclosed on a property which is 6-9 years delinquent.

After further discussion, motion was made by Commissioner Eddie L. Wright to approve the recommendation from the General Government Committee to allow the Tax Administrator to aggressively pursue collection of property taxes that are delinquent for at least four years by using foreclosure proceedings as he determines appropriate. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

The next matter discussed was a report from the Public Safety Committee. Mr. Ayscue explained that the committee met with Mr. Robert Minish who is proceeding to develop a new volunteer fire department that will provide services to as much area as possible in the Satterwhite Point Road vicinity. This new fire insurance district will include areas not already contained in existing districts. After an extensive discussion with Mr. Minish, the committee expressed its support for his endeavors and also informed him of the County's intent to have a fire services study conducted later this year, which could have some impact on his plans. There is an extensive amount of effort required to pass State inspection in order to qualify as a fire department.

The recommendation is to prepare a one-year contract to provide fire protection services with the Kerr Lake Volunteer Fire Department (KLVFD), with the option to renew for another year. In addition, authorize the County Manager to sign the necessary forms for KLVFD to receive surplus equipment as available.

Commissioner Danny W. Wright pointed out that all citizens outside the city limits pay a fire tax which is now distributed between the County's eight volunteer fire departments and Golden Belt Department. If an additional volunteer fire department is established, there may be a need to raise the fire tax in order for each volunteer fire department to receive the same amount of funding. If the fire tax is not raised, each department will get less funding per year.

Chairperson Brown replied that that is not necessarily so and that the matter does not need to be addressed until it is certain that an additional volunteer fire department is established. This matter will need to be discussed in long-range budget planning.

Motion was made by Commissioner A. Scott Hughes to prepare a one-year contract to provide fire protection services with the Kerr Lake Volunteer Fire Department (KLVFD), with the option to renew for another year and to authorize the County Manager to sign the necessary forms for KLVFD to receive surplus equipment as available. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Commissioner A. Scott Hughes noted that the Vance County Rescue Squad, which is manned by volunteers, has begun responding with the county fire departments on calls. This has been done without requesting any additional funding. Commissioner Hughes commended the Rescue Squad and the Firefighter Association volunteers for all they do for Vance County. Chairperson Brown echoed Commissioner Hughes remarks and thanked the volunteers for their time and services.

Mr. Ayscue then presented a report from the Planning & Environmental Committee. Mr. Ayscue noted that the Board of Commissioners requested the Planning & Environmental Committee to review the concerns and comments that were received at the March public hearing on the proposed changes to the County's Floodplain Ordinance. In order to meet the deadline of April 16 which qualifies the County and individual property owners for FEMA flood disaster assistance and reduced flood insurance rates, the ordinance must be approved. The Committee has reviewed the ordinance changes and recommends adoption, based on the modifications as presented by the Senior Planner.

Motion was made by Commissioner Dan Brummitt to adopt the County's Floodplain Ordinance as presented with the following revisions: Revise the definition of the Floodplain Administrator and make the definition consistent throughout the ordinance; Delete item 13 of Article 4, Section B. This motion was seconded by Commissioner Danny W. Wright and unanimously approved.

Commissioner Dan Brummitt addressed another matter that was discussed during the Committee meeting which is the enforcement of County ordinances. In particular, the ordinance Establishing Minimum Standards For Continued Use of Existing Buildings. Commissioner Brummitt was informed by the County's Planning Department that the reason this ordinance is not able to be enforced is lack of funding. The consensus of the Committee was to financially support County departments so they are able to enforce existing ordinances.

County Manager Jerry L. Ayscue reported that he was planning to incorporate this matter into the upcoming budget.

Commissioner J. Timothy Pegram questioned if additional funding was available for the upcoming budget for this purpose. Mr. Ayscue replied that a formal request had not been made by the Planning Department at this time, but his intention is to make sure that funds are available.

After further discussion, motion was made by Commissioner Dan Brummitt and seconded by Commissioner A. Scott Hughes to support the enforcement of the county ordinance entitled

“Establishing Minimum Standards For Continued Use of Existing Buildings” and support the expenditure of funds, if necessary, to enforce this ordinance.

Commissioner J. Timothy Pegram stated he would like to know where the funds are coming from before he can support this request.

Vote on the motion was ayes six (6), noes one (1), with the dissenting vote cast by Commissioner J. Timothy Pegram.

The next item discussed was a Board Work Session for the Wage and Classification Study. Mr. Ayscue noted that the County had commissioned a wage and classification study by The MAPS Group last year. The consultants are now ready to meet with the Commissioners in a work session later this month to present the study results.

The Board decided to meet with The MAPS Group on Wednesday, April 25 at 3:00 p.m.

The next item addressed was an amendment to the Interlocal Development Agreement. Mr. Ayscue stated that Franklin, Granville, Vance, and Warren Counties adopted an interlocal agreement with the Kerr-Tar Regional Economic Development Corporation in December 2005 to facilitate what has been known as the “HUB Project.” In order to be more site-specific, each of the four counties is being requested to approve the first amendment to the interlocal agreement. Franklin and Granville Counties have already taken the necessary action. As soon as Vance County approves the amendment, it will be forwarded to Warren County for action.

Motion was made by Commissioner Terry E. Garrison to approve the first amendment to the Interlocal Development Agreement for the Kerr-Tar Hub Zone and authorize the Chairperson to execute as requested. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

Motion was made by Commissioner Danny W. Wright that the Board approve the minutes of the regular meeting held March 12, 2007 as presented by the Clerk to the Board. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

Motion was made by Commissioner Danny W. Wright to appoint A. Scott Hughes to the Henderson-Vance Industrial Park Board of Directors to fill the vacant position formerly held by Thomas S. Hester, Jr. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

Motion was made by Commissioner Terry E. Garrison to appoint Kay Fields to the KARTS Board to fill the vacant position formerly held by Larry Aggers. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Motion was made by Commissioner J. Timothy Pegram, seconded by Commissioner Dan Brummitt, 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, Administrative Ambulance Charge-offs
- 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, Veterans Service Office

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At this time, motion was made by Commissioner Terry E. Garrison to enter into closed session for the purpose of discussing a property matter. This motion was seconded by Commissioner J. Timothy Pegram and unanimously approved.

Upon return to regular session, and as there was no further business, at 8:15 p.m. motion was made by Commissioner Danny W. Wright, seconded by Commissioner A. Scott Hughes, vote unanimous, that the meeting be adjourned.

Approved and signed May 7, 2007.

Chairperson