

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, July 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, County Manager Jerry L. Ayscue, and Finance Officer Jerry L. Tucker.

Commissioner Terry E. Garrison 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, and Mayor Clem Seifert were absent.

It was noted that Tom Hannon had sent a letter seeking re-appointment to the Vance County ABC Board for a three-year term. Henrietta Clark had also sent a letter requesting re-appointment for a three-year term and 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 and Tom Hannon to the Vance County ABC Board for three-year terms. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Motion was made by Commissioner Eddie L. Wright, seconded by Commissioner Terry E. Garrison, vote unanimous, to re-appoint Henrietta Clark as Chair of the Vance County ABC Board for a one-year term.

David Parham, ABC Board Manager, was next on the agenda and introduced a plan and requested the Board's support to consolidate Vance County's two ABC stores into one larger, more profitable store to be located in a more high traffic area. Mr. Parham stated that the ABC Board takes its responsibility seriously to maintain and operate an efficient ABC system in Vance County and in the last 15 years, Vance County has remained in the top 10% in the state as far as percentage of profit. He explained, however, that sales and profit are beginning to decrease. Mr. Parham

explained that revenues will be reduced in the beginning of the project for several years in order to construct a new building, but long-term cost savings for Vance County would be significant.

Mr. Parham noted that he had researched similar systems that have consolidated stores and relocated into high traffic areas. These areas (Halifax, Reidsville, and Pasquotank) have experienced a significant increase in sales.

Commissioner Danny W. Wright stated that he is not as interested in the acquisition of new customers as he is in the store operating efficiently. Chairperson Brown echoed these remarks.

Motion was made by Commissioner Danny W. Wright to support the project as presented by the ABC Board and to refer the matter to the General Government Committee to further collaborate with the ABC Board. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Sam Jones, Tax Administrator, was next on the agenda and presented the June 2007 monthly report, which reflected fiscal year-end collections. The property tax collection rate for FY 2006-07 increased to 93.4%, the highest level since FY 1991-92.

Mr. Jones also presented a report on current foreclosure activity. Commissioner Brummitt questioned one property which was listed as “property has changed hands - trying to collect from present owner”. Commissioner Brummitt asked how a property can change hands when the taxes have not been paid on the property. Mr. Jones replied that property can change hands without taxes being paid, especially if there is no mortgage on the property.

Commissioner Danny W. Wright questioned if there should be a law which prohibits the transfer of property that is delinquent in taxes. Mr. Jones replied he feels there should be such a law. Commissioner Wright asked the Board to look into the idea of requiring taxes to be paid before the transfer of any property. Mr. Ayscue stated that enabling legislation was passed several years ago in that regard, but he offered to research the matter further and report back to the Board.

At this time, the Board presented the following Resolution in Memory of Judge Herbert Weldon Lloyd, Jr. After County Manager Jerry L. Ayscue read the resolution, Commissioner Eddie L. Wright presented said resolution to Judge Lloyd’s wife, Janet Lloyd, and sister, Jenny Cook:

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R E S O L U T I O N
by the
Vance County Board of Commissioners
in Honor and Memory of
Judge H. Weldon Lloyd, Jr.

WHEREAS, the life of Vance County District Court Judge Herbert Weldon Lloyd, Jr. has been filled with distinguished judicial professionalism, great personal integrity, strong compassion for his fellow man, and an extensive appreciation for his community; and

WHEREAS, he obtained his undergraduate degree in political science and psychology at North Carolina Wesleyan College, a masters degree in vocational rehabilitation counseling at East Carolina University, and his law degree at the University of North Carolina at Chapel Hill; and

WHEREAS, in 1979 Judge Lloyd was licensed to practice law in North Carolina and two years later became licensed to practice law in the United States Federal Courts; and

WHEREAS, he served as district court judge in the 9th Judicial District from December 5, 1988 until his untimely death on Wednesday, June 20, 2007; and

WHEREAS, Judge Lloyd was quite active in local community affairs through his membership in the Henderson Lions Club, Henderson Jaycees, Vance County Volunteer Center, Vance County United Way, Henderson Family YMCA, Vance County Council for Persons with Disabilities, and the Vance County Young Democrats, and was a lifelong member of the Union Chapel Methodist Church in Vance County; and

WHEREAS, Judge Lloyd was dearly loved, admired and respected by his family, friends, constituents, and so many other people in Vance County as being fair and even-handed in his administration of justice for all persons; and

WHEREAS, in honor and recognition of his exemplary public service, the Vance County flag was flown at half staff from early June 21 through his memorial service on June 23.

NOW, THEREFORE BE IT RESOLVED THAT the Vance County Board of Commissioners honors the life and memory of Judge H. Weldon Lloyd, Jr. in respectful recognition of his community involvement and leadership, and accordingly does express its sincere gratitude and deepest condolences to the entire Lloyd family.

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

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Mr. Ayscue then reported that on June 22nd, the Board of Education approved an application for ADM funds in the amount of \$21,504 to be used to replace a failed boiler at Southern Vance High School. It is important that the replacement work be done during the summer months in order to be prepared for students in the fall. Mr. Ayscue's recommendation is to approve the application for ADM funds (Public School Capital Building Fund) in the amount of \$21,504 as requested by the Board of Education.

Motion was made by Commissioner A. Scott Hughes, seconded by Commissioner Dan Brummitt, vote unanimous, to approve the recommendation as presented.

The Board then presented the following Resolution of Commendation to the Henderson-Vance County Emergency Communications Center. Chairperson Brown recognized Brian Short, Cheryl O'Hagan, and Angelia Alston of the 911 Center for the implementation of a wireless caller

location service that uses state-of-the-art global positioning technology for Enhanced 911 purposes. As a member of the 911 Advisory Board, Chairperson Brown read the resolution and Commissioner J. Timothy Pegram, 911 Advisory Board Chairman, presented said resolution to Mr. Short, Ms. O'Hagan, and Ms. Alston:

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R E S O L U T I O N
of
C O M M E N D A T I O N
of the
Henderson - Vance County Emergency Communications Center
by the
Vance County Board of Commissioners

WHEREAS, the consolidated Henderson-Vance County Emergency Communications Center was established for the express purpose of providing service during emergency situations to the community and the different public safety departments within the City of Henderson and the County of Vance; and

WHEREAS, in response to an overall social transition from wireline to wireless electronic communications, Emergency Operations Director Brian Short and his staff, along with support from the Planning & Development Department, planned and developed over a two-year period of time the wireless E-911 technology which provides pinpoint accuracy of the location of wireless users who access 911, with implementation finalized in February 2007; and

WHEREAS, the new wireless location technology now improves the efficiency of emergency dispatching, facilitates public safety planning, provides more timely and accurate location data for responders in the field, and allows greater overall support to public safety departments; and

WHEREAS, such advanced technology is having a positive and far-reaching impact throughout the entire local public safety spectrum.

NOW, THEREFORE, BE IT RESOLVED that the Vance County Board of Commissioners does express its appreciation for a job well done to the Henderson-Vance County Emergency Communications Center and its staff in planning, organizing, promoting, and executing an exciting and highly effective wireless Enhanced-911 location technology.

THIS, the second day of July, 2007.

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

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Mr. Ayscue then requested official approval for the implementation of the MAPS Study. Mr. Ayscue explained that the County authorized and received a classification and pay study that addresses job classifications, updating of job descriptions, restructuring of the salary schedule, and a compensation market study. In order to become effective for use in FY 2007-08, the Commissioners must adopt the plan and related documents. The recommendation is to approve the

MAPS classification and pay study and its recommendations, including Option II phased in over three consecutive fiscal years, the adjusted salary schedule, list of job classes, and an allocation of classes to the salary schedule, to be effective as of July 1, 2007.

Motion was made by Commissioner Danny W. Wright to approve the recommendation as presented. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

Mr. Ayscue then presented information received by the Sheriff's Office earlier in the day. He explained that the Sheriff's Office has received a grant in the amount of \$8,616 from the Bureau of Justice. Funding from the Justice Assistance Grant (JAG) is to be used for the purchase of 50 safety vests and ten 45 caliber handguns. Mr. Ayscue stated that Board approval is needed in order for the items to be purchased.

Motion was made by Commissioner A. Scott Hughes to approve the list of items as presented. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

At this time, motion was made by Commissioner Danny W. Wright that the Board approve Ambulance Charge-offs in the amount of \$2,930.50 for those persons deceased with no estate listing. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Pending Business

Countywide Water Project. Mr. Ayscue explained that the Planning & Environmental Committee will meet as soon as an updated time line can be obtained from the engineers during the month of July. Due to the delays in this project, it is likely that some engineering updates will be necessary. Now that the budget process is completed, staff can devote the necessary time to this project.

Deer Hunting With Dogs. This matter was addressed in the Commissioners' Winter Planning Retreat in February and was delegated to the Public Safety Committee for some type of recommendation. In discussing the issue, no resolution or recommendation was identified by the committee.

Commissioner Dan Brummitt recommended obtaining information from the game warden or insurance carriers as far as traffic accidents that are caused by deer. He stated that if dog hunting is done away with, the number of deer may possibly cause more traffic accidents. At the same time, property owners have rights to keep dogs off of their private property. The problems need to be remedied, but should be done so with proper back-up information on the issue.

Commissioner Danny W. Wright stated that the problem with deer hunting with dogs is only going to get worse as large tracts of hunting land are being developed. Commissioner Wright requested information on what other counties in the state are doing and what remedies are being used in order to be fair to both hunters and property owners.

Chairperson Brown directed the staff to form a recommendation on this issue and report back to the Board during its August meeting.

Jointly Owned City/County Properties. Mr. Ayscue stated that he and the City Manager have met once on this project to identify a process to select a real estate firm to market the sale of the Armory and to select an appraiser for the former library facility on Rose Avenue and the museum on Garnett Street. A recommendation will be brought to the Board during its August meeting.

Status of School Properties. Mr. Ayscue explained that there are three pieces of property for which options have been obtained for the purpose of school construction. All of the options are timed to expire no later than September 30, 2007. This will allow coordination of property closings and allow a better view of available funding.

Committee Reports and Recommendations

Human Resources Committee. Mr. Ayscue 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 II
- Social Worker III
- Social Worker IAT
- Social Worker Supervisor III

911
Telecommunicator (two positions)

Jail
Building Maintenance Worker

Sheriff's Office
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 Dan Brummitt and unanimously approved.

Argretta Reid, Human Resources Director, presented a resolution for approval. Ms. Reid explained that the County has been obtaining criminal history reports for final applicants through the

Sheriff's Office. Recently, the North Carolina State Bureau of Investigation ceased this procedure pending an adopted resolution. The Criminal History Check Resolution provides a policy and procedures for conducting criminal history checks through the SBI/DCI that would be applicable to all final applicants (either part or full-time) seeking employment with Vance County. The resolution has been endorsed by the Human Resources Committee.

Motion was made by Commissioner Terry E. Garrison, seconded by Commissioner Eddie L. Wright, vote unanimous, to adopt the following Criminal History Check Resolution as presented:

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**VANCE COUNTY
CRIMINAL HISTORY CHECK RESOLUTION**

This Resolution adopted by the Vance County Board of Commissioners is to provide a policy and procedures for conducting criminal history checks through SBI/DCI on final applicants for employment with Vance County. This resolution is adopted pursuant to the authority vested in Vance County by the General Assembly of the State of North Carolina in Sections 153A-11 and 153A-12 of the North Carolina General Statutes.

1. In order to protect the citizens of the county and their properties, the procedures herein are established to provide for fingerprinting and criminal history checks on all final applicants for regular full and part-time positions in the county government. Subject to Division (C) of this section, employment with the county may be denied for those persons convicted of any crime against a person, or crimes against property where intent is an element, or any drug or gambling related offense.

(A) The County Manager, or designee, may conduct an investigation of any final candidate for a regular full or part-time position with the county government and it shall be a pre-condition of employment that an applicant for such a position shall, upon request, provide fingerprints and all other necessary personal identification including a birth certificate, social security number and drivers license, if available, so that the County Manager, or designee may cause a thorough search to be made of local and state criminal records to determine if that applicant has a history of criminal convictions or the crimes enumerated above by use of the Division of Criminal Information Network (DCI).

(B) The Sheriff, or his designee, shall provide the findings from the use of the DCI to the County Manager, or designee, provided that all necessary agreements with the State Bureau of Investigations Division of Criminal Information have been executed.

(C) An evaluation of any crime for purposes of employment will take into account the nature and the circumstances of the offense and the time frame of the offense as it relates to the essential job functions and/or the overall position.

2. If this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Resolution which can be given separate effect and to that end the provisions of this Resolution are declared to be severable.

3. Any Resolution or any part of a Resolution in conflict with this Resolution, the extent of such conflict, is hereby repealed.

4. This Resolution is adopted in the interest of public health, safety, and general welfare of the inhabitants of Vance County, North Carolina, and shall be in full force and effect from and after its adoption.

ADOPTED the 2nd day of July, 2007.

Kelly H. Grissom (Signed)
Clerk to the Board

Deborah F. Brown (Signed)
Chairperson Board of Commissioners

CERTIFICATION

I, Vance County Clerk to the Board, do hereby certify that the above is a true and original copy of the CRIMINAL HISTORY CHECK RESOLUTION adopted and approved by the Vance County Board of Commissioners on the 2nd day of July, 2007.

SEAL

Kelly H. Grissom (Signed)
Clerk to the Board

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General Government Committee. Mr. Ayscue then reported that the General Government Committee met on Monday, July 2 regarding a complaint lodged against the library by Ms. Deryl Von Williams. The Board of Commissioners had referred the matter to the Human Relations Commission in order to identify a strategy to resolve the matter. The Human Relations Commission discussed the matter and drafted a report on the matter.

The General Government Committee discussed the findings of the report and expressed its satisfaction. As a member of the General Government Committee, Commissioner Eddie L. Wright stated that he does not have a problem with the report as long as rules are not implemented for individuals.

Motion was made by Commissioner Danny W. Wright to accept the report from the Human Relations Commission. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Motion was made by Commissioner Terry E. Garrison that the Board approve the minutes of the regular meeting held June 4, 2007 as presented by the Clerk to the Board. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner Dan Brummitt, vote unanimous, that the Board approve the following Rebates for May 2007 as requested by the Tax Office:

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**REBATES
May 2007**

NAME	YEAR	AMOUNT	REASON
Alex Baskerville, Jr.	2006	345.33	Value Correction
Eddie & Jayne Harris	2006	606.28	Value Correction
Total		\$ 951.61	

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Motion was made by Commissioner Terry E. Garrison, seconded by Commissioner Danny

W. Wright, vote unanimous, that the following appointments be approved as presented:

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Airport Authority - one-year term
Re-appoint Durwood Turner

Tax Collector - two-year term
Re-appoint Sam Jones

Library Board of Trustees - three-year term
Re-appoint Cornell Manning and Mary Austell

KARTS Board - two-year term
Re-appoint Kay Fields

Tourism Development Authority
Appoint Bob Hutto to fill an unexpired term formerly held by Lin Cousins. This term will expire in December 2007.

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Commissioner A. Scott Hughes asked the County Manager if any progress had been made in regards to procedures for appointing applicants to boards and commissions. Mr. Ayscue replied he would research the matter and see what other counties are doing in this regard.

Motion was made by Commissioner Dan Brummitt and seconded by Commissioner Eddie L. Wright to appoint Deborah F. Brown as the voting delegate to the NCACC Conference to be held in August. Vote on this motion was unanimous.

Motion was made by Commissioner J. Timothy Pegram, seconded by Commissioner A. Scott Hughes, 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 A. Scott Hughes, seconded by Commissioner Dan Brummitt, vote unanimous, to enter into closed session for the purpose of personnel matters.

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

Approved and signed August 6, 2007.

Chairperson