

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, March 12, 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 Dan Brummitt, Terry E. Garrison, A. Scott Hughes, J. Timothy Pegram, and Eddie L. Wright.

Absent: Commissioner Danny W. Wright.

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.

As advertised, at 6:00 p.m., a public hearing was held to gain citizen input on the proposed 2007 Scattered Site Housing Program grant application to be sent to the State of North Carolina for Community Development Block Grant Scattered Site funding. Mrs. Dera Adair, Council of Governments, explained that this is the second of two public hearings for the grant application as required by the Division of Community Assistance.

The Scattered Site Housing Program is a rehabilitation program which targets low/moderate, owner occupied, single-family housing. The proposed CDBG application is in the amount of \$400,000, and funds are to be used to address the most critical housing needs of these families such as acquisition, clearance, relocation, code enforcement, and rehabilitation of dwellings. Mrs. Adair noted that 10% of funding may be used for emergency repairs, but no more than \$5,000 may be used per house for emergency repairs.

As there was no one present who wished to speak on this matter, Chairperson Deborah F. Brown declared the public hearing closed.

Motion was made by Commissioner Eddie L. Wright to authorize the submittal of the 2007 Scattered Site Housing Program grant application and to authorize the Chairperson to sign the Local Government Participation Certification. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Sam Jones, Tax Administrator, presented the February monthly report for tax collections. He stated that collections were up by 0.2% as compared to February 2006.

Commissioner Dan Brummitt asked Mr. Jones what the Commissioners could do to assist the Tax Office in being more productive in collecting taxes. Mr. Jones replied that it is very helpful to have the Board's support with current tax collection procedures. One item Mr. Jones mentioned was the current foreclosure process. He stated he would like to speak with the Board in the future and make suggestions in regards to the foreclosure process. Mr. Jones noted that there are 22 accounts currently in foreclosure.

Motion was made by Commissioner Eddie L. Wright, seconded by Commissioner Dan Brummitt, vote unanimous, that the Board approve Budget Amendments #23 and #24 as follows for the purposes noted therein:

**Budget Amendment #23
General Fund**

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
Salaries - Part-time	10-480-500002		\$ 1,500.00
Contingency	10-999-500099	\$ <u>1,500.00</u>	_____
Total Debits & Credits		\$ 1,500.00	\$ 1,500.00

Purpose: To appropriate funds to provide temporary staffing for the Register of Deeds office.

Authorization: Vance County Board of Commissioners
March 12, 2007

**Budget Amendment #24
General Fund**

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
ADM Funds	10-681-500095		\$ <u>86,250.00</u>
Total Increase in Expenditures			\$ 86,250.00

Revenues

ADM Funds	10-346-434631	\$ <u>86,250.00</u>	
Total Increase in Revenues		\$ 86,250.00	

Purpose: To appropriate State ADM funds for School projects. No County funds needed.

Authorization: Vance County Board of Commissioners
March 12, 2007

Motion was made by Commissioner Terry E. Garrison, seconded by Commissioner A. Scott

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

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REFUNDS
February 2007

NAME	YEAR	AMOUNT	REASON
Ralph H. Pegram	2006	9.48	Vehicle Tax
David L. Hunt	2006	53.22	Vehicle Tax
Abram R. Woodlief	2005	3.49	Vehicle Tax
Donald S. Wimbrow	2006	83.88	Vehicle Tax
John M. Franklin	2006	613.27	Building Tax
John M. Franklin	2005	613.27	Building Tax
John M. Franklin	2004	599.94	Building Tax
John M. Franklin	2003	599.94	Building Tax
John M. Franklin	2002	586.61	Building Tax
Antonio Sanchez	2005	9.15	Vehicle Tax
Antonio Sanchez	2006	6.06	Vehicle Tax
Shannon G. Murphy	2006	6.42	Vehicle Tax
Harold O. Currin	2006	7.38	Vehicle Tax
Trudy P. Wilson	2006	19.81	Vehicle Tax
Mary Lombard	2006	12.87	Vehicle Tax
David Lombard	2005	19.56	Vehicle Tax
David Lombard	2006	190.08	Vehicle Tax
Mitchell O. Avent	2006	3.98	Vehicle Tax
Raymond Simmons	2006	5.64	Vehicle Tax
Carl Beard	2006	44.48	Vehicle Tax
Ruby B. Hawkins	2006	16.87	Vehicle Tax
Robert I. Frazier, Jr.	2006	12.25	Vehicle Tax
Marchita R. Magbie	2006	110.43	Vehicle Tax
James E. Adcox	2006	10.32	Vehicle Tax
Travis B. Parrish	2006	6.56	Vehicle Tax
Wendy H. Walker	2006	5.88	Vehicle Tax
Joseph T. Parrish	2006	35.44	Vehicle Tax
William Autrey	2006	2.28	Vehicle Tax
William Autrey	2006	28.00	Vehicle Tax
Valerie N. Fields	2006	20.00	County Tax
Elizabeth T. Lyles	2006	20.00	County Tax
Flelix M. Rodriguez	2006	2.00	Vehicle Tax
Hugo H. Tarraga	2006	6.20	Vehicle Tax
Charlene A. Perry	2006	12.12	Vehicle Tax
Keya A. Nole	2006	6.15	Vehicle Tax
John Smithwick	2006	15.54	Vehicle Tax
Luciano De La Cruz	2006	8.25	Vehicle Tax
Ralph H. Pegram	2006	.30	Fire Tax
David L. Hunt	2006	1.74	Fire Tax
Donald S. Wimbrow	2006	2.76	Fire Tax
Antonio Sanchez	2005	.30	Fire Tax
Antonio Sanchez	2006	.18	Fire Tax
Trudy P. Wilson	2006	.63	Fire Tax
Mary Lombard	2006	.44	Fire Tax
David Lombard	2005	.66	Fire Tax
David Lombard	2006	6.24	Fire Tax
Mitchell O. Avent	2006	.14	Fire Tax

NAME	YEAR	AMOUNT	REASON
Carl Beard	2006	1.44	Fire Tax
Ruby B. Hawkins	2006	.56	Fire Tax
Robert I. Frazier, Jr.	2006	.40	Fire Tax
Marchita R. Magbie	2006	3.60	Fire Tax
Travis B. Parrish	2006	.20	Fire Tax
Wendy H. Walker	2006	.18	Fire Tax
Joseph T. Parrish	2006	1.12	Fire Tax
William Autrey	2006	.08	Fire Tax
William Autrey	2006	.91	Fire Tax
Charlene A. Perry	2006	.42	Fire Tax
Keya A. Nole	2006	.20	Fire Tax
John Smithwick	2006	.49	Fire Tax
Luciano De La Cruz	2006	.25	Fire Tax
Total		\$ 3,830.06	Fiscal y-t-d - \$ 10,252.88

Motion was made by Commissioner A. Scott Hughes that the Board approve Ambulance Charge-offs in the amount of \$1,114.94 for those persons deceased with no estate listing. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Motion was made by Commissioner Terry E. Garrison that the Board approve the minutes of the regular meeting held February 5, 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 A. Scott Hughes, seconded by Commissioner Dan Brummitt, vote unanimous, that the Board approve the following Rebates for January 2007 as requested by the Tax Office:

**REBATES
January 2007**

NAME	YEAR	AMOUNT	REASON
BB&T Leasing	2006	29.85	Value Correction
Mistie & Andrew Cantey	2006	855.69	Listing Correction
Anthony D. Casey	2006	119.32	Listing Correction
Milton & Judy Currin	2006	15.25	Listing Correction
Gene & Marg Eason	2006	2.02	Listing Correction
Kenneth L. Fields	2006	143.61	Value Correction
Michael D. Hagwood	2006	178.20	Listing Correction
Randy J. Heston	2006	34.51	Listing Correction
John & Toni Hildreth	2006	210.08	Listing Correction
John P. McGavisk	2006	106.37	Listing Correction
Sarah Mikels	2006	46.44	Listing Correction
Rose Oil Company	2006	143.43	Value Correction
Rosemart Properties, LLC	2006	8,280.00	Value Correction - Value entered incorrectly
Ruin Creek Properties	2006	4,753.92	Value Correction - All buildings demolished - Failed to report to Tax Office

NAME	YEAR	AMOUNT	REASON
Universal Commerce Center	2006	460.00	Billing Correction
Priscilla B. Weeks	2006	39.42	Listing Correction
Peter & Rebecca Wertz	2006	79.17	Listing Correction
West End Senior School	2006	2,184.24	Value Correction - Value reduced per agreement with D. Anderson & J. Ayscue, per letter from Landmark Asset Services, Inc.
Winzeler, Inc., SC	2006	413.01	Listing Correction
Total		\$ 18,094.53	

Motion was made by Commissioner A. Scott Hughes, seconded by Commissioner Dan Brummitt, vote unanimous, that the Board approve the following Rebates for February 2007 as requested by the Tax Office:

**REBATES
February 2007**

NAME	YEAR	AMOUNT	REASON
Dennis M. Bryant	2006	44.12	Listing Correction
Charles T. Closson	2006	40.35	Listing Correction
Claude & Donna Cooper	2006	99.16	Listing Correction
Curves for Women	2006	873.31	Listing Correction
Custom Molders, Inc.	2005-06	28,502.50	Dismissed by Bankruptcy Court
Nathan C. Daniels	2006	147.99	Listing Correction
Charles E. Jones	2006	63.69	Listing Correction
Le Blue Corp.	2006	28.20	Listing Correction
Elizabeth T. Lyles	2005	123.94	Listing Correction
Opie May	2006	46.00	Listing Correction
Thomas A. Pearson	2006	60.14	Listing Correction
Emma Perez	2006	53.73	Listing Correction
Total		\$ 30,083.13	

Motion was made by Commissioner Terry E. Garrison, seconded by Commissioner A. Scott Hughes, vote unanimous, to appoint Ronald Gregory to the Vance-Granville Community College Board of Trustees to fill a vacant position.

At this time, Commissioner Danny W. Wright was present at the meeting.

Motion was made by Commissioner Terry E. Garrison to re-appoint Thomas Hester, J.D. Wilson, Theretha Davis, Sallye Lloyd, and Evelyn Hester to the Aging Advisory Council for three-year terms. 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, Commissioner Terry E. Garrison informed the Board that he has been asked by the NC Association of County Commissioners if he would be interested in being nominated to attend the NACo County Leadership Institute which will be held in May. Prospective participants are nominated by state and association of counties. NACo then contacts individuals and sends them a CLI Candidate Profile that asks for information about their current challenges and aspirations. The selected group of 25-30 participants will reflect the diversity of counties across the country, and only one person per state is chosen. He explained that, if chosen, the County's share of the tuition would be approximately \$1,500.

Motion was made by Commissioner Eddie L. Wright to allow Commissioner Terry E. Garrison to attend the County Leadership Institute, if selected. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

As advertised, at 6:30 p.m., a public hearing was held to gain citizen input on the revised County Floodplain Ordinance. Ken Krulik, Planning and Development, explained that the public hearing is in regards to federal changes to the National Flood Insurance Program (NFIP), of which Vance County is a member. Whenever documents are amended at the federal level, any local ordinances must also be amended in order to remain a member of the program. Mr. Krulik stated that in meeting with the State representative for the NFIP, who has also coordinated with FEMA, it has been recommended that Vance County adopt a new ordinance to replace its existing ordinance. Mr. Krulik noted that the revised ordinance has been endorsed by the Vance County Planning Board.

The benefit of staying with the National Flood Insurance Program is that if there is a federally declared disaster in Vance County, impacted residents would be eligible for federal assistance. If Vance County is dropped from the program because the ordinance is not adopted by the deadline of

April 16, should a federally declared disaster occur, residents are not eligible for federal assistance.

Julian Oliver spoke and asked if the adoption of this ordinance is mandatory. Mr. Krulik replied that it is a mandatory ordinance based upon FEMA. If the ordinance is not adopted, Vance County is not eligible for federal assistance in the event a federally declared disaster occurs. Mr. Oliver also asked if the adoption of the ordinance would affect his taxes. Mr. Krulik replied that he was unable to answer that, but it would reduce the cost of the insurance premiums if the structure is built at the minimum base elevation of 3 feet. The higher the base level, the more reduction in insurance premiums.

Mike Garrett spoke and stated he doesn't have a problem with the adoption of the ordinance, but questioned the area around Kerr Lake. According to Mr. Garrett, homes that are above the 320 level do not currently need flood insurance. He questioned if the ordinance is adopted, will the 320 level be changed to 323? Mr. Krulik replied that the 320 level will not change, but new construction will need to be built three feet above the 320 level. Mr. Garrett suggested that property around the boundaries of Kerr Lake should be left to the 320 line.

Al Rivers spoke and asked if homes that are currently at the 320 line will now be in a floodplain. Mr. Krulik replied that only new construction would need to be built three feet above the 320 level.

Mac Bobbitt spoke and asked if the resale of a home that is currently at the 320 line, but not at the 323 line would need flood insurance. Mr. Krulik replied that that would be determined by the mortgage companies.

Commissioner A. Scott Hughes suggested that provisions be made in the ordinance in regards to property adjacent to Kerr Lake.

Commissioner Terry E. Garrison asked if it was possible to make such provisions and still be in compliance with FEMA requirements. Mr. Krulik replied he thought it was possible, but he would check with his contacts with the State and FEMA to make sure.

Commissioner Danny W. Wright asked if the City of Henderson has a floodplain ordinance. Mr. Krulik stated they do have their own ordinance which dovetails the County's ordinance.

After further discussion, motion was made by Commissioner Dan Brummitt to refer the ordinance to the Planning/Environmental Committee for review and bring a recommendation back to the full Board at its April meeting. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Chairperson Deborah F. Brown then read the following excerpt from Mr. Krulik's written presentation: "It should be understood that in adopting the model ordinance, modified for Vance County, prior to the April 16, 2007 deadline, Vance County will retain its eligibility in the NFIP. This will allow residents to be eligible for federal assistance should a federally declared disaster (flood event) occur. If a county or municipality is not under the NFIP or has not adopted the updated federal requirements, then those communities would be dropped from the NFIP if they are members and then not eligible for federal assistance. An added benefit to being in the NFIP is that when flood insurance is purchased and the higher a structure is built above a base flood elevation, then cost for purchasing that insurance is reduced."

Brian Short, Emergency Operations Director, appeared before the Board and presented information on the deployment of Phase II Wireless in Vance County. As of February 1, 2007, this technology allows 911 telecommunicators to automatically locate an individual that uses his/her Phase II compliant cell phone to call 911. (A Phase II compliant cell phone is any cell phone that was made after October 2002). Callers can be located to within a few feet of their actual location. The location becomes increasingly more accurate the longer the caller is on the line. The system automatically updates the location of the caller every 15 seconds, but can be manually updated as often as needed; therefore, an individual can be monitored while traveling.

Mr. Short stated that this project took nearly two years to complete and was accomplished with the help of the Planning Department as well as City and County public safety agencies. The project was funded entirely through the use of funds derived from the Wireless Emergency Telephone System Fund. Further, the deployment of this phase allows the County to be eligible for future funds as well.

Public comments were heard next. Julian Oliver spoke and stated that the County should be more aggressive in collecting taxes in order to reduce the amount of back taxes owed.

Rusty McMahon spoke of his concerns and expectations of accountability and efficiency in local government.

County Manager Jerry L. Ayscue was next on the agenda and presented a request on behalf of Sheriff White regarding the reclassification of a position. Sheriff White's request is to upgrade the Administrative Lieutenant's position to that of Captain. This request is consistent with the organizational structure of the Sheriff's Department.

Motion was made by Commissioner A. Scott Hughes to approve the request to upgrade the position of Administrative Lieutenant to Captain. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

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

911

Telecommunicator I

Department of Social Services

Income Maintenance Caseworker II

Social Worker II (two positions)

Social Worker III

Motion was made by Commissioner Terry E. Garrison to approve the position requests as presented. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Mr. Ayscue informed the Board that the Board of Education has requested approval of ADM funds in the amount of \$32,800 for installation of fire suppression systems in cafeterias throughout the school system. No county funds are requested. It was noted that the use of these funds requires joint approval of both boards. The Education Committee has endorsed this request.

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner Dan Brummitt, vote unanimous, to approve the joint application to apply for \$32,800 of ADM funds for fire suppression at school cafeterias.

Mr. Ayscue noted that Vance County Schools has also requested that the Board of Commissioners approve a resolution that was adopted by the Board of Education, requesting \$25,000 from the North Carolina General Assembly for paving a parking lot at the School Bus Garage. No county funds are requested.

Motion was made by Commissioner Eddie L. Wright to approve the request from the Vance County Schools for \$25,000 from the General Assembly to pave a parking lot at the School Bus Garage. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Mr. Ayscue then reported that the Education Committee met recently to discuss land acquisition for school construction. The Committee recommends that the Schools/County take appropriate steps to secure all three pieces of property related to a pending school construction project. There is one large primary property that is essential to the project. There are two secondary properties that will enhance the project, but the project can proceed without them. The Committee

believes that acquiring the land by September 30, 2007 is prudent in that there will be more information available during the next six months regarding school construction funding. Sufficient funding is available to purchase these properties through lottery proceeds, ADM funds, and Capital Reserve Schools.

At this time the Board needed to discuss the matter in further detail, so it was decided to hold a closed session at the end of the meeting.

Mr. Ayscue presented a report from the General Government Committee. He stated that the Commissioners referred a written request/concerns received in February from Deryl von Williams regarding the H. Leslie Perry Memorial Library to the General Government Committee. The General Government Committee reviewed the concerns/request and agreed to ask the Human Relations Commission to accept it as a project to resolve problems between the Library and Ms. von Williams. In doing so, the Committee requested that a written report be provided to the Board of Trustees of the Library, with courtesy copies to be sent to the City and County.

Motion was made by Commissioner Terry E. Garrison to accept the General Government Committee's report as presented. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

It was noted that Ms. Von Williams will also be notified of the action taken by the Commissioners.

Mr. Ayscue reported that the Public Safety Committee met recently to further develop the idea of a study regarding the provision of fire services in the county. The Committee decided to proceed with including in the coming year's proposed budget funding for carrying out the study. Staff will work on developing specifications for the study and present those specifications to the full Board for its review. If funding is included in the upcoming budget, the study could be started this summer.

In addition, the Committee briefly discussed deer hunting with dogs. No firm resolutions were made, but the Committee will continue to work on this matter.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Eddie L. Wright, vote unanimous, to accept the report from the Public Safety Committee as presented.

Mr. Ayscue then explained that the Board of Directors of the Five County Area Mental Health Authority (which includes Vance County) has adopted a business plan as required by the State. The Board of Commissioners in each county is also required to approve the plan. Due to the

length of the plan, a copy was mailed in advance to Commissioners.

Commissioner Danny W. Wright, which serves on the AMH Board of Directors, stated that the Plan is a mandated requirement by General Statute and the five counties came together and created the plan. The plan has already been adopted by two of the five member counties. Commissioner Wright then commented on the input process that was used by each county. Several forums were held which provided much input to assist with the development of the plan.

After further discussion, motion was made by Commissioner A. Scott Hughes to approve the Five County Area Mental Health Authority Local Business Plan as adopted by the AMH Board of Directors. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Mr. Ayscue then discussed the Rural Planning Organization transportation priorities. He explained that each of the five member counties of the Rural Planning Organization for transportation purposes was asked to submit by March 1st the top transportation projects (maximum of five) of regional significance that could be incorporated into a regional plan. The Vance County Transportation Advisory Committee met and identified four projects. Due to the deadline, the projects were submitted with the caveat that they would be presented to the Commissioners in the March meeting. The four projects were not required to be submitted in order of priority. The project includes Phase II of the western outer loop project, widening US 1 Business to five lanes, creating an interchange at US 1 and I-85, and widening US 1-158 to Warren County.

After discussion, motion was made by Commissioner Dan Brummitt to approve the recommendation of the Transportation Advisory Committee for four transportation priorities in Vance County of regional significance. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Mr. Ayscue reported that the Department of Social Services has requested an additional \$5,000 of General Assistance funds to assist with emergency needs for indigent individuals. The Department was originally funded \$5,000 in the budget and requested \$10,000 more in January. Upon the County Manager's recommendation, the Commissioners then appropriated \$5,000 with the understanding that an additional \$5,000 could be requested if necessary. The majority of the recent allocation was spent on utilities and medical prescriptions.

Motion was made by Commissioner Terry E. Garrison, seconded by Commissioner A. Scott Hughes, vote unanimous, to appropriate \$5,000 from the Contingency to be used for General Assistance by the Department of Social Services.

Mr. Ayscue informed the Board that the County will host 17 Leadership-Vance participants on Tuesday, April 3rd for an all-day learning experience about County government. In addition, the group will attend the April Commissioners' meeting on Monday evening, April 2nd. Commissioners are invited to attend all or part of the events and activities set for that Tuesday.

At this time, motion was made by Commissioner A. Scott Hughes and seconded by Commissioner Dan Brummitt to enter into closed session. County Attorney Robert S. Hight stated the purpose of the closed session was discuss a property matter.

Upon return to regular session, motion was made by Commissioner Terry E. Garrison to approve the report from the Education Committee for the County to take appropriate steps to secure all three pieces of property related to a pending school construction project. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

As there was no further business, at 8:45 p.m. motion was made by Commissioner Terry E. Garrison, seconded by Commissioner A. Scott Hughes, vote unanimous, that the meeting be adjourned.

Approved and signed April 2, 2007.

Chairperson