

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, May 5, 2008 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 Danny W. Wright, Commissioners Dan Brummitt, Deborah F. Brown, Terry E. Garrison, A. Scott Hughes, J. Timothy Pegram, and Eddie L. Wright.

Absent: None.

Also present were County Attorney Jonathan S. Care, County Manager Jerry L. Ayscue, Finance Director Steven C. Stanton, and Clerk to the Board Kelly H. Grissom.

Dr. Richard Henderson, Pastor, Mt. Pleasant Baptist Church, gave the invocation.

Chairman Danny W. Wright reported a change in the meeting schedule. He stated that former President, Bill Clinton, was scheduled to make an appearance in Henderson at 6:00 p.m. and it would be improper for the Board of Commissioners to continue its meeting without attending and supporting the Office of Presidency. The Commissioners' meeting will be recessed as soon as word comes in that Mr. Clinton has arrived. The meeting will reconvene Thursday, May 8 at 4:30 p.m.

Chairman Wright stated that the Board has signed a written oath and will begin sitting as a Board of Equalization and Review with appeals being heard beginning Thursday, March 8 at 6:00 p.m. regarding recent tax revaluations.

Dera Adair, Community Development Block Grant Administrator, was first on the agenda and requested approval of the Project Ordinance for the CDBG Scattered Site Project. Ms. Adair stated that a Project Ordinance must be approved in order for funds to be released.

Motion was made by Commissioner Terry E. Garrison, seconded by Commissioner Dan Brummitt, vote unanimous, to approve the following Project Ordinance for the Community Development Scattered Site Project:

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**COUNTY OF VANCE PROJECT ORDINANCE**

BE IT ORDAINED by the County Commissioners of the County of Vance, that pursuant to Section 12.3 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted.

**Section 1.** The project authorized is a Community Development – Scattered Site Project. The project consists of demolition, relocation, housing rehabilitation, urgent repairs and general administration. Said project shall be in accordance with the County's Community Development

Block Grant Scattered Site Application as approved by the North Carolina Department of Commerce, Division of Community Assistance.

**Section 2.** The project director is hereby directed to proceed with the project within the terms of the Grant Agreement executed with the North Carolina Department of Commerce and within the funds appropriated herein including any Amendments as approved and executed by NC Department of Commerce, Division of Community Assistance.

**Section 3.** The following revenues are anticipated to be available to complete the project:

State of North Carolina, Department of Commerce Community Development Block Grant .....	\$ <u>400,000</u>
<b>TOTAL FUNDS AVAILABLE .....</b>	<b>\$ <u>400,000</u></b>

**Section 4.** The following amounts are appropriated for the project:

<b>C-1 Project:</b>	
Clearance Activities	\$ 10,500
Relocation Services:	\$117,500
Housing Rehabilitation	\$192,000
<b>C-2 Project:</b>	
Urgent Repairs:	\$ 40,000
<b>Administration:</b>	
Planning:	\$ 3,500
Administration:	<u>\$ 36,500</u>
<b>TOTAL PROJECT COSTS .....</b>	<b>\$ <u>400,000</u></b>

**Section 5.** The Finance Officer is directed to report quarterly on the financial status of this project. The Finance Officer shall also keep the governing body informed at each regular meeting of any unusual occurrences.

**Section 6.** The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient detailed accounting records to provide the accounting to the grantor agency required by the Grant Agreement and Federal and State Regulations.

**Section 7.** Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement request should be made to the grantor agency in an orderly and timely manner. Reimbursements to the General Fund should be made in a timely manner.

**Section 8.** Copies of this project ordinance shall be made available to the Budget Officer, the Finance Officer, the Grants Administrator and the Clerk to the Board, for direction in carrying out this project.

Adopted this the 5<sup>th</sup> day of May, 2008.

Danny W. Wright (signed)  
Danny W. Wright, Chairman

Kelly H. Grissom (signed)  
Kelly H. Grissom, Clerk to the Board

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Ms. Adair then requested approval for a Procurement Policy for the CDBG Program which would authorize the County Manager to review any bids/quotes for urgent repairs and award the contract to the appropriate bidder. Ms. Adair stated that a report of any bids awarded would be

provided to the Board during its next regular scheduled meeting.

Motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Eddie L. Wright, vote unanimous, to adopt the following Procurement Policy as presented:

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**County of Vance  
Community Development Block Grant Program  
Local Option - Urgent Repairs  
Procurement Policy**

The Scattered Site Housing Program (a CDBG program) includes a component for Urgent Repairs. A local option, this component allows for an expedient response to urgent needs.

The CDBG Administrator or a designee of the County Manager will determine whether or not an urgent need exists, based on the program guidelines. The CDBG Administrator or designee will obtain bids/quotes from eligible contractors who must be licensed in certain trades such as HVAC, Plumbing, or Electrical. (Licensed contractors will not be required on work for which licenses are not needed). A summary of the bids will be submitted to the County Manager.

The County Manager will review the bids/quotes and authorize the appropriate contractor to proceed with the work. The lowest bidder shall be used except in extenuating situations where the County Manager can justify selection of another contractor on the list.

The County Manager will report award of bids/quotes at the next regular meeting of the Board of County Commissioners, including justification of the urgency of the need(s) and/or award to a contractor other than the low bidder.

Approved May 5, 2008 by the Vance County Board of Commissioners.

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The next item on the agenda was the Community Hero Award recognition. The recipient of this month's award was from Commissioner Dan Brummitt's Commission District 4. Chairman Wright and Commissioner Brummitt recognized the Greater Ransom Way of the Cross Temple Harvest of Love Food Pantry and asked those representing the Food Pantry to come forward. Chairman Wright and Commissioner Brummitt presented representatives a certificate and a \$25.00 check.

Commissioner Brummitt stated that the Greater Ransom Way of the Cross Temple Harvest of Love Food Pantry was established through the Food Bank of Central and Eastern North Carolina and operates as a Partner Agency with the Durham North Carolina Branch. Its first distribution was on March 6, 2004 when it opened with 11 volunteers, many of which still volunteer today, and served 34 families which accounted for 123 individuals. The Food Pantry currently serves 120 to 150 families per run.

The pantry operates the 1<sup>st</sup> and 3<sup>rd</sup> Saturday of each month from 9:00 a.m. to 12:00 noon and is funded mainly through church offerings and donations received from local school food drives,

Wal-Mart and Food Lion Stores. In addition, the church operates a soup kitchen which serves hot breakfast or lunch meals during pantry hours.

The Food Pantry supplies pre-packaged food bags which include non-perishable dry goods, bread, meats and produce as available. Its mission, along with other organizations and local pantries, is to help diminish the number of individuals whose dietary needs are not being adequately met.

The Food Pantry has a dedicated, faithful and tireless staff of church volunteers which sometimes may be up to 20 volunteers each Saturday. These volunteers are thankful that God has blessed them to continue this ministry for the past 4 years and are happy to serve those in need of a helping hand along life's way. Each and every volunteer of the Greater Ransom Way of the Cross Temple Harvest of Love Food Pantry is a true Vance County Community Hero.

Public comments were heard next. George Rush spoke regarding funding of joint projects between the City of Henderson and Vance County. He suggested that a separate line item be created on tax bills which would show the joint funding of all items that are approved by the two units of government. Mr. Rush stated that he has also presented this proposal to the City of Henderson.

Chairman Wright stated that this would be referred to the Intergovernmental Committee for review during its next meeting.

Susette McLendon spoke and rather than making any comments, asked several questions regarding delinquent taxes and how those taxes are being pursued, and asked for a break-down of delinquent taxes between the City and the County. Chairman Wright stated that a break-down report could be provided to her.

Alan Gill, Juvenile Crime Prevention Council, was next on the agenda and presented a resolution for the Board's consideration and approval. The resolution to the General Assembly would restore funding for JCPC Programs on an annual basis.

Motion was made by Commissioner Deborah F. Brown, seconded by Commissioner A. Scott Hughes, vote unanimous, to approve the following resolution requesting the General Assembly to restore JCPC funding to a recurring method:

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**RESOLUTION**  
**by the**  
**Vance County Board of Commissioners**  
***Requesting that the General Assembly Continues JCPCP Funding in a***  
***Recurring Method versus a Non-Recurring Method***

**WHEREAS**, the Vance County Board of Commissioners of North Carolina desires to request that you vote to restore the recurring status of and increase community prevention funding that is provided each year, to our communities, through the Department of Juvenile Justice and Delinquency Prevention (DJJDP); and

**WHEREAS**, the Vance County Board of Commissioners of North Carolina is aware that a budget continuation review, mandated by the General Assembly has for the first time in thirty years zeroed out these funds and declared them non-recurring; and

**WHEREAS**, over 200 delinquent and at-risk youths are served through such programs as: Community Service/Restitution, Project Youth Outreach, Friends of Youth, Conflict Management Services and Court Psychological Testing administered by Henderson-Vance Recreation Youth Services; and North Central Alliance for Youth - Substance Abuse Assessments and Respite Services, administered by Kerr Tar COG; and

**WHEREAS**, this funding is allocated locally through Vance County Juvenile Crime Prevention Council (JCPC), made up of representatives from the courts, law enforcement, county management, recreation, mental health, health department, faith communities, non profits, business community and other concerned community members; and

**WHEREAS**, without this funding, other efforts facilitate local collaboration and result in programs that respond to local needs, and provide services to delinquent and at-risk youth that are not available from other sources and this action jeopardizes the future of many important community prevention/intervention programs who served over 200 youth in Vance County last year.

**NOW THEREFORE BE IT RESOLVED**, that the Vance County Board of Commissioners, North Carolina, meeting in regular session on the 5<sup>th</sup> day of May, 2008 request that the General Assembly respectfully continue JCPC funding to Vance County and appropriate these funds in a recurring way.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the County Manager is hereby authorized to act on behalf of the Board of County Commissioners and submit this resolution to the appropriate parties in the General Assembly.

**This, the fifth day of May, 2008.**

**Danny W. Wright (signed)**  
**Chairman, Board of Commissioners**

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Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Deborah F. Brown, vote unanimous, that the following consent agenda items be approved as presented: Budget Amendments #35, #36, #37, #38, and #39, April 2008 Refunds, April 2008 Ambulance Charge-Offs - \$125.00, April 2008 Monthly Reports received and filed, and the minutes of the April 7, 2008 regular meeting and April 10, 2008 special meeting.

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**Budget Amendment #35**  
**General Fund**

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
VFGW Day Reporting Center	10-523-500045		<u>9,000.00</u>
Total Increase in Expenditures			\$ 9,000.00

**Revenues**

CJPA Implementation Funds	10-346-434607	<u>9,000.00</u>	
Total Increase in Revenues		\$ 9,000.00	

Purpose: To record reallocated funds from the Division of Community Corrections for the Criminal Justice Partnership Program.

Authorization: Vance County Board of Commissioners  
May 5, 2008

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**Budget Amendment #36  
General Fund**

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
Travel/Training	10-620-500014		500.00
Other Supplies & Materials	10-620-500034		1,050.00
Special Contracted Services	10-620-500044	2,138.00	
Food & Provisions	10-620-500047		250.00
Non-Capitalized Assets	10-620-500085	_____	<u>4,200.00</u>
Total Increase/Decrease in Expenditures		\$ 2,138.00	\$ 6,000.00

**Revenues**

FOY - United Way	10-370-437012		238.00
Friends of Youth - DJJP	10-380-438001	<u>4,100.00</u>	_____
Total Increase/Decrease in Revenues		\$ 4,100.00	\$ 238.00

Purpose: To record discretionary funds awarded, decrease United Way funding and reallocate budget line items for additional purchases of travel/training, supplies, and computers with no need for additional funding from County.

Authorization: Vance County Board of Commissioners  
May 5, 2008

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**Budget Amendment #37  
General Fund**

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
Parenting - Mental Health	10-605-500161		<u>18,875.00</u>
Total Increase in Expenditures			\$ 18,875.00

**Revenues**

Parenting - Mental Health	10-370-437018	<u>18,875.00</u>	
Total Increase in Revenues		\$ 18,875.00	

Purpose: To record funding from the Five County Mental Health Authority System to pay for training session for 25 parenting educators, parenting curriculum and other materials.

Authorization: Vance County Board of Commissioners  
May 5, 2008

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**Budget Amendment #38  
Vance County Schools**

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
Construction - Lottery Funds	60-681-500106		<u>17,280.00</u>
Total Increase in Expenditures			\$ 17,280.00

**Revenues**

Lottery Proceeds	60-397-439709	<u>17,280.00</u>	
Total Increase in Revenues		\$ 17,280.00	

Purpose: To record Lottery proceeds received for the cafeteria expansion at E.O. Young Elementary School.

Authorization: Vance County Board of Commissioners  
May 5, 2008

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**Budget Amendment #39  
General Fund**

<u>Expenditures</u>	<u>Code</u>	<u>Debit</u>	<u>Credit</u>
Capital Outlay	10-510-500074		<u>299,392.00</u>
Total Increase in Expenditures			\$ 299,392.00

**Revenues**

Lease Proceeds	10-370-437024	<u>299,392.00</u>	
Total Increase in Revenues		\$ 299,392.00	

Purpose: To record installment purchase proceeds from BB&T to finance 11 law enforcement vehicles and related equipment.

Authorization: Vance County Board of Commissioners  
May 5, 2008

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**REFUNDS**  
**April 2008**

Name	Year	Amount	Reason
William J. Lester	2007	4.58	Vehicle Tax
Dale L. Sanford	2007	10.00	Vehicle Tax
Dale L. Sanford	2007	8.73	Vehicle Tax
Christopher Cheever	2007	10.50	Vehicle Tax
Betty C. Wright	2006	110.04	Vehicle Tax
Variety Wholesalers	2006	192.81	Double Billed
Sandra Dudley	2007	62.72	Mobile Home Moved
Elmus G. Pegram	2007	69.72	Vehicle Tax
Fred Beckham	2007	15.12	Vehicle Tax
Fred Beckham	2007	12.96	Vehicle Tax
Tina's A Cut Above	2007	13.24	Vehicle Tax
John R. Metzger	2007	23.00	Transfer Error
Randall C. Jones	2007	4.26	Vehicle Tax
Brenda W. Leonard	2007	20.00	Overate Tax
Tommy R. Covington	2007	315.80	Vehicle Tax
Tommy R. Covington	2007	23.18	Vehicle Tax
Marvin D. Pulley	2007	92.24	Vehicle Tax
Tommy R. Covington	2007	2.25	Vehicle Tax
Alfret Schwartzburg	2007	17.20	Vehicle Tax
Melvin Clayton	2007	10.30	Vehicle Tax
Sandra Dudley	2007	95.00	SW Household Fee
William J. Lester	2007	.16	Fire Tax
Dale L. Sanford	2007	.32	Fire Tax
Dale L. Sanford	2007	.29	Fire Tax
Betty C. Wright	2007	3.57	Fire Tax
Variety Wholesalers	2006	5.99	Fire Tax
Sandra Dudley	2007	6.07	Fire Tax
Elmus G. Pegram	2007	2.31	Fire Tax
Fred Beckham	2007	.54	Fire Tax
Fred Beckham	2007	.45	Fire Tax
John R. Metzger	2007	.75	Fire Tax
Randall C. Jones	2007	.21	Fire Tax
Melvin Clayton	2007	.35	Fire Tax
<b>Total</b>		<b>\$ 1,134.66</b>	Fiscal y-t-d - \$ 16,360.48

See on file monthly report, 911 Emergency Operations

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, Tax Office

See on file monthly report, Veterans Service Office

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Commissioner Deborah F. Brown noted that the Fire and Ambulance monthly report was received after the agenda package had been delivered to the Board. She suggested that any monthly report that is not included in the original agenda package be approved separate from the consent agenda items. The Board agreed to this suggestion.

Finance Director's Report

Finance Officer Steven C. Stanton requested approval of a resolution to enter into a contract with BB&T for the financing of 10 law enforcement vehicles and 1 passenger van for the jail. The total amount for the 11 vehicles and equipment is \$299,391.14. This is a four year arrangement at 3.19% interest. Mr. Stanton noted that action had been taken in the January 2008 meeting to approve the purchase of the vehicles, and authorization is now needed to contract with the low bidder (BB&T) for the financing of the vehicles.

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

Committee Reports and Recommendations

*Human Resources Committee - Position Vacancies.* Argretta Johen, HR Director, requested the Board to allow filling the following position vacancies which have been endorsed by the Human Resources Committee:

Sheriff's Department  
Deputy Sheriff

Jail  
Detention Officer

Maintenance Department  
Maintenance Superintendent

Department of Social Services  
Income Maintenance Investigator II

Motion was made by Commissioner A. Scott Hughes, seconded by Commissioner Terry E. Garrison, vote unanimous, to approve the position requests as presented.

*Human Resources Committee - Position Upgrade.* Mrs. Johen informed the Board of a request from the Sheriff's Department to upgrade the position of Administrative Assistant to that of a Senior Administrative Assistant. Mrs. Johen explained that the Senior position is expected to work independently and handle responsibilities that include problem solving, special program and project

assignments, as well as specialized training. The current employee already has specialized training in the area of DCI Certification, Fingerprint Certification, training to administer concealed handgun permits and has been performing these duties consistently for several years. Mrs. Johen noted that the Human Resources Committee endorses this request.

Motion was made by Commissioner Eddie L. Wright to approve the request as presented and upgrade the position of Administrative Assistant (in the Sheriff's Department) to Senior Administrative Assistant effective April 1, 2008. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

*Planning/Environmental Committee - Housing Development Project.* Mr. Ayscue stated that during its April meeting, the Board directed the Planning/Environmental Committee and the Economic Development Commission to review a request from a developer, TCG Henderson LLC, that approached the City and County for a letter of support and a low-interest loan for a housing project for low-income senior citizens. The loan request was for \$120,000 from each entity for 20 years at a 2% interest rate.

Mr. Ayscue stated that the Economic Development Commission has discussed the project and recommends that the County not provide the loan. The Planning & Environmental Committee, on a less than unanimous decision, also recommended that the County not provide the loan.

Motion was made by Commissioner Terry E. Garrison that the Board not provide the loan, but do provide a letter of support contingent upon the City of Henderson also providing a letter of support. This motion was seconded by Commissioner Deborah F. Brown.

Commissioner Dan Brummitt stated that the developer of the project had contacted him and asked if the Board would consider requesting a 45-day extension to the State, on his behalf, in order to restructure his application (without the loan) and review the process more thoroughly.

Vote on the motion that the Board not provide the loan, but do provide a letter of support contingent upon the City of Henderson also providing a letter of support was ayes - six (6), noes - one (1), with the dissenting vote being cast by Commissioner A. Scott Hughes.

At this time, motion was made by Commissioner Dan Brummitt that the Board request a 45-day extension to the State, on the developer's behalf. This motion was seconded by Commissioner A. Scott Hughes.

Commissioner Terry E. Garrison amended the motion that the Board request a 45-day extension to the State, on the developer's behalf, provided that the extension does not include

another loan request from the County. Commissioner A. Scott Hughes seconded the amended motion and vote was unanimous.

*Planning/Environmental Committee - Update of Comprehensive Land Use Plan.* Mr. Ayscue stated that, as was briefly discussed at the Board's Planning Retreat on April 29, the County's Comprehensive Land Use Plan must have been updated within five years in order for DOT to be willing to assist the County in developing a Comprehensive Transportation Plan. Granville and Warren Counties have been completed and Franklin is currently underway. The Planning Board is willing to assist the County in updating the Comprehensive Land Use Plan. The Planning and Environmental Committee endorses the County Manager's request to the Planning Board to undertake the update and recommends that the Board concur with the County Manager's request to the Planning Board to proceed with updating the Vance County Land Use Plan.

Motion was made by Commissioner Dan Brummitt that the Board allow the Planning Board to proceed with updating the Vance County Land Use Plan for the purpose of meeting the requirements of the Comprehensive Transportation Plan. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

*Planning/Environmental Committee - Junkyard Ordinance.* County Attorney Jonathan S. Care stated that the Planning & Development Department, the Planning Board, the County Attorney, the Public Safety Committee, and the County Manager have worked collaboratively to develop the proposed ordinance regarding control of junkyards in Vance County. On April 10, the Board of Commissioners adopted a sixty-day moratorium for any new junkyard operation until an ordinance of this nature could be adopted. An amendment has been made to Section 6.5 and will be provided to the Board. Attorney Care stated that the next step is for the Board to schedule a public hearing date for the proposed ordinance.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner A. Scott Hughes, vote unanimous, to schedule a public hearing for June 2, 2008 regarding the proposed ordinance.

At this time, 6:50 p.m., Chairman Wright recessed the meeting which was scheduled to reconvene Thursday, May 8, 2008 at 4:30 p.m.

Approved and signed June 2, 2008.

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Chairman