

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, April 6, 2009 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 Dan Brummitt, Commissioners Eddie L. Wright, Deborah F. Brown, Terry E. Garrison, A. Scott Hughes, J. Timothy Pegram, and Danny W. Wright.

Absent: None.

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

Commissioner Terry E. Garrison gave the invocation.

Chairman Dan Brummitt recognized the members of Leadership Vance 2009 who were present. Participants introduced themselves and gave a brief description of their occupation. Chairman Brummitt thanked the group for being present at the meeting and for taking an interest in Vance County.

Gary Morgan, Gateway CDC, appeared before the Board regarding a community development project partnered by the NC Initiative, Gateway CDC and the Henderson-Vance Downtown Development Commission. The REEF Project (Recreation, Education, Employment and Family) is designed to redevelop an old tobacco warehouse, located on the corner of Zene Street and Winder Street, into a viable and productive educational, recreational, and retail center.

Ms. Angela Crawford, MBAJ Architecture, explained that the project began over a year ago when the NC Initiative called upon the citizens of Henderson to identify their needs in the downtown area. Those needs were determined to be Recreation, Education, Employment and Family (REEF). The objective of the project is to revitalize the community and provide a cultural, education and business center to the citizens.

Ms. Crawford stated that the Boys and Girls Club and the VGCC Cosmetology Department have expressed interest in the project. Other tenants being sought after include an urgent care facility, Gateway CDC office space, and retail vendors.

Mr. Morgan thanked the Board for allowing him to introduce this project and asked for the Board's support during the planning phase of the project and beyond. Chairman Brummitt thanked Mr. Morgan and Ms. Crawford for their efforts on such a tremendous undertaking.

The next item on the agenda was the Community Hero Award recognition. Commissioner A. Scott Hughes nominated Mr. James Edwards for this month's award. Chairman Brummitt asked Mr. Edwards and Commissioner Hughes to come forward.

Mr. Edwards is a resident of the West Henderson District. He was born in Vance County on September 13, 1954 and has called Henderson and Vance County home for many years. James is proud to point out that he is a Vance County Public School graduate. After graduating from Vance High, he attended East Carolina University where he earned his bachelor's degree. Mr. Edwards is married to Cynthia Holton Edwards and together they have two daughters. His oldest daughter, Laurie, is a graduate of The University of North Carolina at Chapel Hill and she received her master's degree from East Carolina University. Lucie, who is his youngest daughter, is a freshman at East Carolina University.

Currently, James is the publisher for the Daily Dispatch and has served in that capacity for about 5 years. Prior to that, he served as marketing director for Vance Granville Community College for 15 years.

Mr. Edwards has provided services to Vance County in many different areas. He has been an active member of First United Methodist Church for more than 30 years and has just completed two years as the president of the United Methodist Men. He is currently serving as vice chair of the church council. His wife, Cynthia, is also active in the church and serves as the church choir director. Cynthia is also a music teacher at Northern Vance High School. James currently serves as the treasurer for the Henderson Community Concert Association. He is vice-chair of the Vance County Community Foundation, serves on the ACTS Board of Directors, and is on the board of the Henderson-Vance Crime Stoppers. For the past two years, James has been involved with Relay for Life, and has been a member of the Lions Club for some time.

James has been instrumental with the Henderson-Vance Chamber of Commerce and has served on several committees with the Chamber and has also served as Chairman of the Board. James is usually present at Chamber events and always carries with him a charismatic and positive attitude that reflects positively on Henderson and Vance County.

"I do what I do because I believe in it. I don't think about what I've done until I'm reminded." James displays true humbleness and seeks no recognition for his services. He believes that volunteerism is a duty of all citizens and he chooses to lead by example. This type of attitude and desire to serve his fellow citizens truly make him a community hero.

Jordan McMillen, Planning and Development, was next on the agenda and requested the Board to adopt a resolution authorizing civil action against the owner of property located at 43 Main Street in Kittrell. Mr. McMillen explained that this same action was approved in February on property located on Vicksboro Road in Henderson.

Mr. McMillen stated that the County has worked for several years with the owner of the property to have the building repaired or demolished. Little to no progress has been made on the property and the roof has collapsed. County Ordinance #33 requires the next step to be action by the Board of Commissioners authorizing the County Attorney to proceed with court action against the property owner to clean up the property.

Commissioner Deborah F. Brown asked what the procedures are for identifying properties of this type. Mr. McMillen stated that according to Ordinance #33, once five complaints are received on a piece of property, or the building inspector deems a structure to be unfit for human habitation, a notice of hearing is scheduled with the property owner. During the hearing, the property owner may respond to charges. Following the hearing, a determination is made as to whether or not the property is dilapidated or deteriorated. An order is then issued to have the property repaired or demolished. If there is no response from the property owner, the matter may be brought before the Board for approval of court action.

Chairman Brummitt stated that the County has received complaints on this property since 1996.

Ms. Lorraine Goode, spoke on behalf of her mother Pearlean Goode, and stated that she cannot afford to demolish the building.

Chairman Brummitt stated that the building adjoins another business and it is his understanding that the common wall between the two buildings is damaged. He asked if the building in question threatened the adjoining building as far as structural damage. Kevin Cash, lead building inspector, responded that the actual adjoining wall had been replaced and is not connected to the building in question. He stated that the brick on the front of the building is supported by wood above the windows and doors, and will eventually fall due to the wood being exposed by the missing roof.

Commissioner Eddie L. Wright asked how long the County has been working with Ms. Goode. Mr. McMillen stated that the first permit to repair the roof was issued in 2005 which expired in 2006 after no work was completed. In April 2007 and early 2008, demolition permits were issued for the roof, both of which expired without any work being completed. There is currently an

outstanding permit for demolition of the entire structure.

Commissioner Eddie L. Wright asked if there was any type of agency available that would be able to help Ms. Goode financially so that the structure can be demolished.

Mr. McMillen stated that he was not aware of any agency that could assist Ms. Goode, but he would research that matter to see what he could find.

The Board was then shown pictures of the property.

Commissioner Terry E. Garrison asked if it was possible for the property to qualify for any stimulus funding, since the property owner stated that she could not afford to have the building demolished. Mr. McMillen stated that he would research the matter.

Chairman Brummitt stated that this property has been a problem since 1996 and the County has repeatedly attempted to work with the property owner over the years. The property owner has had enough time to remedy the problem. He stated that the County should continue with the legal process on this property and at the same time, try to find additional sources that may help the property owner afford to have the work completed.

Motion was made by Commissioner A. Scott Hughes to adopt the resolution which directs the County Attorney to petition the courts to direct the property owner to comply with the inspectors' orders, per Vance County Ordinance 33. This motion was seconded by Commissioner Danny W. Wright.

Commissioner Deborah F. Brown stated that she does not support the motion because there are several other buildings in the county that fit this criteria, and the property owner is unable to afford to have the building demolished.

Commissioner Eddie L. Wright echoed these remarks.

Commissioner Terry E. Garrison stated that he understands the economic position of the property owners, but at the same time, the County needs to act responsibly and protect the public. He stated that he would be willing to allow the property owner 30 days to comply with the County's requests.

Commissioner J. Timothy Pegram stated that he does not support the resolution.

The motion to adopt the resolution failed by the following vote: ayes - three (3), Commissioners Brummitt, Hughes, and D. Wright; and noes - four (4), Commissioners Brown, Garrison, Pegram, and E. Wright.

Chairman Brummitt stated that this matter would be tabled until the May meeting.

Mary Helen Jones, Cooperative Extension Interim Director, presented a Child Abuse Prevention Month Proclamation for the month of April 2009. Ms. Jones stated that child abuse and neglect causes immediate harm to children and increases the likelihood of criminal behavior, substance abuse, health problems, etc. The good news is that child abuse and neglect are preventable. Ms. Jones distributed information on The Blue Ribbon for Kids Campaign and asked everyone to wear a blue ribbon in support of child abuse prevention.

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner Deborah F. Brown, vote unanimous, to approve the following Child Abuse Prevention Month Proclamation:

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**Child Abuse Prevention Month  
Proclamation  
April 2009**

**Whereas**, preventing child abuse and neglect is a community problem affecting both the current and future quality of life of a community; and

**Whereas**, child maltreatment occurs when people find themselves in stressful situations, without community resources, and do not know how to cope; and

**Whereas**, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

**Whereas**, child abuse and neglect can be prevented by making sure each family has the support they need to raise their children in a healthy environment; and

**Whereas**, child abuse and neglect not only cause immediate harm to children, but are also proven to increase the likelihood of criminal behavior, substance abuse, health problems such as heart disease and obesity, and risky behavior such as smoking; and

**Whereas**, all citizens should become involved in supporting families to provide safe, nurturing environments for their children giving them the opportunity to grow up to be caring, contributing members of the community; and

**Whereas**, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community.

**Therefore**, I do proclaim

**April** as **Child Abuse Prevention Month** and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

R. Dan Brummitt (signed)  
R. Dan Brummitt, Chairman

April 6, 2009  
Date

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Mr. Claiborne Woods, Vance County Schools, was next on the agenda and presented a resolution for DOT to abandon Mount Carmel Church Road to prepare for the construction of the elementary school. Mr. Woods explained that a new paved road will be constructed on the site for access to the school, with an additional paved road to Mount Carmel Church. As part of the agreement with the church, the Schools will assume responsibility for snow removal for the church at the same time roadways are cleared for the school.

The new road will remain named as Mount Carmel Church Road for the benefit of emergency services, and will be maintained by the Schools and not the Department of Transportation.

Commissioner Deborah F. Brown questioned why the Agreement/Easement document was between Mount Carmel Church and the Board of Education instead of Mount Carmel Church and the Board of Commissioners.

County Attorney Jonathan S. Care stated that the County is the underlying fee owner, and since the County is granting the easement, the agreement should be between the County and Mount Carmel Church. It would be appropriate, however, for the Board of Education to have an agreement with the church regarding the building and maintenance of the road, but the actual granting of the easement should be done by the County.

Motion was made by Commissioner A. Scott Hughes to amend the agreement/easement to reflect the Board of Commissioners as granting the easement; and to adopt the resolution which requests the Department of Transportation to abandon Mount Carmel Church Road (state road 1539). This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Surapon Sujjavanich appeared before the Board to discuss the bids for jail renovations. The low bidder, Blue Ridge Enterprises, submitted a bid in the amount of \$1,793,000 which is well over the amount budgeted for this project. The second lowest bid by Vance Construction Company was \$1,880,700.

Mr. Sujjavanich stated that negotiations are underway with Blue Ridge Enterprises, but more time is needed to reduce the numbers.

County Manager Jerry L. Ayscue stated that the bids were good for 30 days from the bid opening. Blue Ridge Enterprises has agreed to an additional 20 days, which will expire in mid May. He stated that the economic stimulus package offers some opportunities for energy conservation measures to be implemented and possible financial participation. Although it may cost more up front to install energy efficient equipment, stimulus funds may possibly be used for this equipment.

The Board agreed to table this matter until the May meeting.

Sam Watkins, Economic Development Commission, was next on the agenda and requested authority to pursue grant funds for a sewer line extension from the City of Henderson along US #1 Highway South to the Town of Kittrell in order to serve a failing waste water treatment system at Kittrell Job Corps Center. It is estimated that replacement of the existing system would cost at least \$800,000. Although extension of the Henderson system is more costly, it would offer a more complete and environmentally acceptable solution while also eliminating expensive future renovations.

Motion was made by Commissioner A. Scott Hughes to allow the Economic Development Commission to pursue grant funds for a sewer line extension from the City of Henderson to the Kittrell Job Corps Center. This motion was seconded by Commissioner Terry E. Garrison and unanimously approved.

Public comments were heard next regarding the Fire and EMS matters. Daren Small, Chief of Townsville Volunteer Fire Department and President of the Firefighters Association of Vance County, spoke regarding response times of volunteer fire departments. He suggested the County look into hiring two part-time firefighters to man each volunteer station. This could lower all volunteer department's ISO ratings, thus, would lower homeowner insurance premiums. If paid personnel were physically at the stations when calls came in, response times could be cut tremendously.

Mr. Small presented a map of all volunteer fire districts within the county and stated that the stations in the Golden Belt district and the Kerr Lake district may need to be relocated to provide better response times.

Ron Jones, former Townsville VFD member and Vance County Fire Commission member, stated that the contract between the County and the City of Henderson needs to be terminated. The County needs its own Fire Marshal and its own EMS Director (two separate positions). He also suggested that the Golden Belt district (Station 3) should be a paid volunteer department, as well as all other volunteer departments. Mr. Jones stated that the Golden Leaf Program could be an option to fund the findings of the fire study.

Chris Wright, Cokesbury VFD Chief, stated that he agreed with Mr. Small and Mr. Jones' comments. He asked the Board to consider hiring an EMS Director/Fire Marshal effective July 1, 2009 instead of the previous action for January 2010. This would provide adequate time for the new

administration to meet with the Fire and EMS Advisory Committees, the Public Safety Committee, the Fire Association, and the Board of Commissioners in order to implement a plan.

Commissioner A. Scott Hughes stated that the Fire Study recommended the separation of Fire and EMS functions from the City of Henderson and the hiring of new administration for the County to lead the way for needed changes. He stated that he would support an effective date of October 2009 rather than July 2009.

Commissioner Danny W. Wright stated that over the past 30 days, he has made himself a student of this issue and has communicated with virtually all of the volunteer department chiefs, and several members of the volunteer departments. Without exception, those he spoke with stated that the County needs its own administration and management for Fire and EMS services. He will support the change effective October 2009.

Chairman Brummitt clarified one point, that the County will be unable to create two separate positions for a Fire Marshal and an EMS Director, but will create one position to oversee both the Fire and EMS services.

Motion was made by Commissioner A. Scott Hughes to hire an EMS Director/Fire Marshal, a part-time clerical position, and the expansion of an existing position for training purposes effective October 1, 2009. The contract with the City of Henderson will terminate effective October 1, 2009, and notice shall be sent to the City regarding this termination. This motion was seconded by Commissioner Deborah F. Brown and vote was ayes - five (5); noes - two (2), with the dissenting votes being cast by Commissioner J. Timothy Pegram and Commissioner Eddie L. Wright.

The consent agenda was discussed next. Commissioner Deborah F. Brown asked if the Planning and Development report could include new construction information as far as a breakdown of new construction start-ups. She also noted that the Tax Office report did not include the March 2008 report for comparison purposes. Regarding the report from Public Health (the septic permit log) there is still some confusion as far as the application site ready date versus the status. The Board asked for more clarification on "pending on info".

Motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Danny W. Wright, vote unanimous, that the following consent agenda items be approved as presented: Budget Amendments #21 through #28, March 2009 Refunds, February 2009 Rebates, March 2009 Ambulance Charge-Offs in the amount of \$8,748.33, March 2009 Monthly Reports received and filed, and the minutes of the March 2 and March 3 meetings, and the March 16 special meeting.

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**Budget Amendment #21**  
**General Fund**

<b>Expenditures</b>	<b>Code</b>	<b>Debit</b>	<b>Credit</b>
Election Part Time Salaries	10-430-500002		6,595.00
Election Capital Outlay	10-430-500074		<u>1,080.00</u>
Total Increase in Expenditures			\$ 7,675.00
<b>Revenues</b>			
Elections State Reimbursement	10-367-436709	<u>7,675.00</u>	
Total Increase in Revenues		\$ 7,675.00	

Purpose: To record reimbursement from State for Capital Outlay and Part Time Salaries for Elections.

Authorization: Vance County Board of Commissioners  
April 6, 2009

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**Budget Amendment #22**  
**General Fund**

<b>Expenditures</b>	<b>Code</b>	<b>Debit</b>	<b>Credit</b>
Sheriff Capital Outlay	10-510-500074		<u>338,051.00</u>
Total Increase in Expenditures			\$ 338,051.00
<b>Revenues</b>			
Lease Proceeds	10-370-437024	<u>338,051.00</u>	
Total Increase in Revenues		\$ 338,051.00	

Purpose: To record lease proceeds to be used to purchase and equip Sheriff patrol vehicles.

Authorization: Vance County Board of Commissioners  
April 6, 2009

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**Budget Amendment #23**  
**General Fund**

<b>Expenditures</b>	<b>Code</b>	<b>Debit</b>	<b>Credit</b>
Sheriff Interdiction Supplies	10-517-500033		4,040.00
Sheriff Interdiction Uniforms	10-517-500036		40.00
Sheriff Interdiction Capital Out.	10-517-500074		<u>56,600.00</u>
Total Increase in Expenditures			\$ 60,680.00
<b>Revenues</b>			
Sheriff Interdiction Funds	10-359-435917	<u>60,680.00</u>	
Total Increase in Revenues		\$ 60,680.00	

Purpose: To record in-car cameras, desks, software, jackets and various other equipment for the Sheriff Department using interdiction funds.

Authorization: Vance County Board of Commissioners  
April 6, 2009

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**Budget Amendment #24  
General Fund**

<b>Expenditures</b>	<b>Code</b>	<b>Debit</b>	<b>Credit</b>
Ext. Serv. Part Time Salaries	10-605-500002		1,550.00
Ext. Serv. Contract Services	10-605-500045		2,100.00
Ext. Serv. Capital Outlay	10-605-500074		<u>249.00</u>
Total Increase in Expenditures			\$ 3,899.00

<b>Expenditures</b>			
Ext. Serv. Salaries	10-605-500001	3,650.00	
Ext. Serv. Supplies	10-605-500033	<u>249.00</u>	
Total Decrease in Expenditures		\$ 3,899.00	

Purpose: To transfer amounts to cover part-time 4-H Summer Assistant and State contracted employee and to cover over expenditure on Capital Outlay.

Authorization: Vance County Board of Commissioners  
April 6, 2009

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**Budget Amendment #25  
General Fund**

<b>Expenditures</b>	<b>Code</b>	<b>Debit</b>	<b>Credit</b>
911 Emergency Performance	10-621-500529		<u>13,725.00</u>
Total Increase in Expenditures			\$ 13,725.00

<b>Revenues</b>			
911 Emergency Performance	10-380-438039	<u>13,725.00</u>	
Total Increase in Revenues		\$ 13,725.00	

Purpose: To record 911 Emergency Performance grant funds received.

Authorization: Vance County Board of Commissioners  
April 6, 2009

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**Budget Amendment #26  
General Fund**

<b>Expenditures</b>	<b>Code</b>	<b>Debit</b>	<b>Credit</b>
Program on Aging Supplies	10-611-500033		<u>1,154.00</u>
Total Increase in Expenditures			\$ 1,154.00

**Revenues**

Eat Smart Move More Grant	10-350-435011	<u>1,154.00</u>
Total Increase in Revenues		\$ 1,154.00

Purpose: To record grant funds received from Granville Vance Health District for Eat Smart Move More expenditures.

Authorization: Vance County Board of Commissioners  
April 6, 2009

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**Budget Amendment #27**  
**Wireless Fund**

<b>Expenditures</b>	<b>Code</b>	<b>Debit</b>	<b>Credit</b>
Transfer to General Fund	71-751-500300		<u>23,000.00</u>
Total Increase in Expenditures			\$ 23,000.00

<b>Expenditures</b>		<b>Debit</b>	
County Road Signs	71-751-500060	18,000.00	
Special Projects	71-751-500062	<u>5,000.00</u>	
Total Decrease in Expenditures		\$ 23,000.00	

Purpose: To move funding from Wireless Fund to General Fund to cover the cost of county road signs.

Authorization: Vance County Board of Commissioners  
April 6, 2009

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**Budget Amendment #28**  
**General Fund**

<b>Expenditures</b>	<b>Code</b>	<b>Debit</b>	<b>Credit</b>
County Road Signs	10-621-500060		<u>23,000.00</u>
Total Increase in Expenditures			\$ 23,000.00

<b>Revenues</b>		<b>Debit</b>	
Transfer from ETS Wireless	10-397-439771	<u>23,000.00</u>	
Total Increase in Revenues		\$ 23,000.00	

Purpose: To move funding from Wireless Fund to General Fund to cover the cost of county road signs.

Authorization: Vance County Board of Commissioners  
April 6, 2009

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**REFUNDS**  
**March 2009**

Name	Year	Amount	Reason
Steven Thorpe	2009	20.00	Tax Refund
Linda Johnson	2008	9.88	Vehicle Tax
William W. Cash, Jr.	2008	29.82	Vehicle Tax
Sarah Boisvert	2008	45.06	Vehicle Tax
Tina Bennett Boyd	2008	8.78	Mobile Home Used for Storage
Nancy L. Carpenter	2008	3.27	Vehicle Tax
Earnestine F. Brame	2008	43.30	Vehicle Tax
Jerry C. Baskerville	2008	3.24	Vehicle Tax
Rebecca B. Faulkner	2008	23.66	Vehicle Tax
Melinda M. Orr	2007	22.95	Vehicle Tax
John A. Franklin	2008	7.44	Vehicle Tax
Cassandra A. Harris	2008	6.24	Vehicle Tax
Clarence Harris III	2007	7.74	Vehicle Tax
Prime Rentals	2008	25.85	Vehicle Tax
Cynthia M. Jessie	2008	5.40	Vehicle Tax
Willie L. Waverly	2008	6.42	Vehicle Tax
Tom E. Hilliard	2008	1.35	Vehicle Tax
Sandra Bullock	2008	18.50	Vehicle Tax
Bruce V. Wrenn	2008	24.64	Vehicle Tax
Arthur Brodie	2008	38.10	Vehicle Tax
Jonathon Macklin	2008	126.14	Vehicle Tax
Ruby S. Farrow	2008	6.72	Vehicle Tax
Putler R. Reddy	2008	3.84	Vehicle Tax
Everett McFaddin	2008	2.30	Vehicle Tax
Curtis R. Brame	2008	29.79	Vehicle Tax
Jose I. Valdes	2008	33.60	Vehicle Tax
Alejandro L. Heggie	2008	2.56	Vehicle Tax
Lester G. Youngs	2008	8.24	Vehicle Tax
Chester Lloyd III	2008	45.81	Vehicle Tax
Esther M. Eaton	2007	6.54	Vehicle Tax
Robert F. Smith	2008	3.22	Vehicle Tax
Manuel M. Lopez	2008	3.03	Vehicle Tax
Coralene Royster	2008	102.50	Solid Waste Household Fee
Coralene Royster	2007	95.00	Solid Waste Household Fee
Linda Johnson	2008	.32	Fire Tax
William W. Cash, Jr.	2008	.96	Fire Tax
Sarah Boisvert	2008	1.50	Fire Tax
Tina Bennett	2008	.29	Mobile Home Used for Storage
Nancy L. Carpenter	2008	.12	Fire Tax
Earnestine F. Brame	2008	1.40	Fire Tax
Jerry C. Baskerville	2008	.12	Fire Tax
Melinda M. Orr	2007	.72	Fire Tax
John A. Franklin	2008	.24	Fire Tax
Sandra Bullock	2008	.60	Fire Tax
Bruce V. Wrenn	2008	.80	Fire Tax
Jonathon Macklin	2008	4.13	Fire Tax
Ruby S. Farrow	2008	.21	Fire Tax
Everett McFaddin	2008	.10	Fire Tax
Curtis R. Brame	2008	.96	Fire Tax
Lester G. Youngs	2008	.26	Fire Tax
Chester Lloyd III	2008	1.50	Fire Tax
Esther M. Eaton	2007	.24	Fire Tax
Manuel M. Lopez	2008	.09	Fire Tax
<b>Total</b>		<b>\$ 835.49</b>	Fiscal y-t-d - \$ 8,833.42

REBATES  
February 2009

NAME	YEAR	AMOUNT	REASON
Lucy F. Bullock	2008	23.94	Value Correction
Wesley & Cora Crews	2008	320.40	Listing Correction
Evelyn A. Ennis	2008	35.40	Listing Correction
Edith M. Evans	2008	255.45	Listing Correction
Michael M. Hierholzer	2008	2.57	Listing Correction
Arthur H. Travis	2008	563.22	Value Correction
<b>Total</b>		<b>\$ 1,200.98</b>	Fiscal y-t-d - \$ 135,960.84

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, Public Health Department  
 See on file monthly report, Tax Office  
 See on file monthly report, Veterans Service Office

Finance Director's Report

*Elementary School Capital Project Ordinance.* Finance Director Steve C. Stanton presented the Project Ordinance for the construction of the new elementary school.

After a brief discussion, motion was made by Commissioner Danny W. Wright, seconded by Commissioner A. Scott Hughes, vote unanimous to approve the following Elementary School Capital Project Ordinance as presented.

**Elementary School Capital Project Ordinance**

BE IT ORDAINED by the Governing Board of the County of Vance, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the construction of an elementary school to be financed by an installment purchase, lottery proceeds and reserves.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the installment resolution and the budget contained herein.

Section 3. The following amounts are appropriated for the project:

Other Legal/Fiscal Costs	\$	15,000
Engineering		691,330
Contingency		387,360
Construction		12,912,000
Total		14,005,690

Section 4. The following revenues are anticipated to be available to complete this project:

Installment Purchase Proceeds	\$	13,000,000
Lottery Proceeds		931,154
Transfer from Capital Reserve Schools		74,576
Total		14,005,690

Section 5. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations. The terms of the installment resolution also shall be met.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due.

Section 7. The Finance Director is directed to report, on a monthly basis, on the financial status of each project element in Section 3.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

Section 9. Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Director for direction in carrying out the project.

Adopted this 6th day of April, 2009.

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*Financing Resolution - Law Enforcement Vehicles.* Mr. Stanton presented a resolution for financing terms for law enforcement vehicles and equipment. Motion was made by Commissioner Eddie L. Wright, seconded by Commissioner Terry E. Garrison, vote unanimous, to approve the following resolution as presented:

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**RESOLUTION**  
**by the**  
**Vance County Board of Commissioners**  
*Approving Financing Terms*

**WHEREAS**, Vance County, North Carolina (the “County”) has previously determined to undertake a project for the purchase of nine (9) Ford Crown Vics and four (4) Dodge Chargers with equipment (the “Project”), and the Finance Officer has now presented a proposal for the financing of such Project.

**NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

1. The County hereby determines to finance the Project through Branch Banking and Trust Company (BB&T). The amount financed shall not exceed \$338,050, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.36%, and the financing term shall not exceed four (4) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement as BB&T may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer’s satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer’s release of any Financing Document for delivery constituting conclusive evidence of such officer’s final approval of the Document’s final form.
4. The County shall not take or omit to take any action the taking or omission of which will cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as “qualified tax-exempt obligations” for the purpose of Internal Revenue Code Section 265(b)(3).
5. The County intends that the adoption of this resolution will be a declaration of the County’s official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County’s general fund, or any other County fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of County officers in the furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

**This, the 6<sup>th</sup> day of April, 2009.**

**R. Dan Brummitt (signed)**  
**R. Dan Brummitt, Chairman**

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## Committee Reports and Recommendations

*Human Resources Committee - Position Vacancies.* County Manager Jerry L. Ayscue, requested the Board to allow filling the following position vacancies as recommended by the Human Resources Committee:

Fire and Ambulance  
EMT-I

Jail  
Detention Officer (three positions)

Social Services  
Economic Services Caseworker II

Motion was made by Commissioner Danny W. Wright to approve filling the position vacancies as presented. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

*Planning and Environmental Committee.* This Committee met to review a recommendation from the Planning and Development Department regarding enforcement proceedings on a dilapidated property and a recommendation from the County Manager regarding the City's recent proposal on economic development. The property matter was discussed earlier during this meeting, and the matter regarding economic development will be discussed under the County Manager's Report.

## Pending Business

*County Water Project.* Mr. Ayscue explained that work continues on this major project, and County staff and engineers continue to meet with City of Henderson counterparts regarding arrangements to purchase water in bulk rates and contracting with the City for operation and maintenance of the system. Hobbs, Upchurch, & Associates, Inc., the County's engineering firm, is working on the design aspect of Phase IA. The County continues to seek additional grant funds for the first and subsequent phases of the project. Initial reports from USDA Rural Development indicate that the Economic Stimulus Package may not provide a lowered interest rate. However, it is possible that future phases can be eligible for the lower rates.

*Warrenton Road Sewer Project.* Mr. Ayscue reported that grant funds have been approved by the NC Rural Economic Development Center in the amount of \$115,132. The total budget is in excess of \$230,000 with the County assuming the matching share. The contract with the Rural Center has been executed and the engineer (John Hamme) is preparing the design work in order for the project to go out to bid. Survey work has been completed and rock borings have been scheduled.

Construction is anticipated to begin in early summer for this much-needed project.

*Building Reuse Project.* Mr. Ayscue noted that the County was awarded a \$25,000 pre-development grant from the NC Rural Economic Development Center for the purpose of studying the former Vance Manor building and developing a building use plan. A local match of \$4,000 is required, for a total budget of \$29,000. The contract was received on March 31<sup>st</sup>. The County can now proceed with seeking proposals.

County Manager's Report

*Fireworks Permit - Tourism.* Mr. Ayscue reported that the Vance County Tourism Authority will again sponsor its annual Independence Day celebration at Kerr Lake, with the last event of the day being a fireworks display. In order to do so, the Board of Commissioners must grant permission per North Carolina General Statutes. The pyrotechnics firm is adequately licensed and insured. The proposed dates are July 4 or July 5 (rain date).

Motion was made by Commissioner A. Scott Hughes to grant permission to the Vance County Tourism Authority to have a professional firm carry out a fireworks display on July 4, 2009 or July 5, 2009. This motion was seconded by Commissioner Danny W. Wright and unanimously approved.

*Spring Litter Sweep Proclamation.* Mr. Ayscue explained that Governor Beverly Perdue has requested counties to proclaim April 18 - May 2, 2009 as roadside cleanup across North Carolina. All citizens are urged to participate in beautifying our counties and great State.

Motion was made by Commissioner Terry E. Garrison, seconded by Commissioner Deborah F. Brown, vote unanimous, to approve the following proclamation of April 18 - May 2, 2009 as Spring Litter Sweep in Vance County:

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**P R O C L A M A T I O N**  
**by the**  
**Vance County Board of Commissioners**  
**in**  
***Recognition of the 2009 Spring Litter Sweep***

**WHEREAS**, Vance County, in conjunction with the North Carolina Department of Transportation, supports the participation in the Spring 2009 roadside cleanup effort to ensure clean and beautiful roads throughout the county; and

**WHEREAS**, the Spring 2009 Litter Sweep roadside cleanup will take place April 18 - May 2, 2009. 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 18 - May 2, 2009 as "Spring Litter Sweep" in Vance County and encourage citizens to take an active role in making this community a cleaner place.

**THIS, the sixth day of April, 2009.**

**R. Dan Brummitt (signed)**  
**R. Dan Brummitt, Chairman**

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*Economic Development Proposal from City.* The City of Henderson has proposed to rejoin the County in its economic development activities and in doing so, has extended an offer to participate in 25% of the funding as well. The City also requests a 25% representation on the Economic Development Commission. Mr. Ayscue stated that the Planning & Environmental Committee recommends that the County accept the offer from the City, with the target date being July 1, 2009. This would allow time to draft and approve an agreement between the County and City, with the City to begin funding at a 25% level in the coming fiscal year.

Motion was made by Commissioner Danny W. Wright to accept the offer from the City to participate in economic development activities, contingent upon approval of a joint agreement between the City and County. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

*Joint Application for Lottery Proceeds.* Mr. Ayscue explained that the funding plan for construction of the new elementary school requires use of lottery proceeds. The current unallocated balance of lottery proceeds for the County is \$931,154. In order to receive these funds, the Board of County Commissioners and Board of Education must both act to approve the application. The Board of Education will be asked to act on this matter in its April 13<sup>th</sup> meeting.

Motion was made by Commissioner Deborah F. Brown to approve the application for \$931,154 of lottery proceeds for use in the construction of a new elementary school. This motion was seconded by Commissioner Danny W. Wright and unanimously approved.

*Urgent Repair - Scattered Site (CDBG).* Per policy approved by the Board of Commissioners, Mr. Ayscue reported an urgent repair approved under the CDBG Scattered Site program. A handicap ramp was authorized for construction at the home of Kathryn Bozier at 854 Dabney Drive at a cost of \$3,006 by Lake Country Construction (low bidder).

*BJA Justice Assistance Grant.* Mr. Ayscue stated that the City and County have participated in the JAG Program for several years and would like to do so again this year. The stimulus package has added funds to the Program, which requires an application to be submitted quickly. The City will be the lead applicant. Approval of a resolution is required to contract with the City as part of the application.

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner A. Scott Hughes, vote unanimous, to approve the following resolution for JAG funding:

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**Attachment "A"**  
**Resolution 09-32**

**The State of North Carolina**  
**County of Vance**

**KNOW BY ALL THESE PRESENT**

**INTER-LOCAL AGREEMENT BETWEEN THE CITY OF HENDERSON, NORTH  
CAROLINA AND THE COUNTY OF VANCE, NORTH CAROLINA  
REGARDING GMS APPLICATION NUMBER 2009-F2154-NC-SU 2009 RECOVERY  
ACT: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)  
FORMULA PROGRAM AWARD**

**THIS AGREEMENT**, is made and entered into this the 6<sup>th</sup> day of April, 2009 by and between the County of Vance, acting by and through its governing body, the Board of Commissioners, hereinafter referred to as COUNTY, and the City of Henderson, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Vance County, State of North Carolina, witnesseth:

**WHEREAS**, this agreement is made under the authority of the City of Henderson and Vance County to enter into cooperative agreement; and

**WHEREAS**, each governing body, in performing the governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

**WHEREAS**, each governing body funds that the performance of this Agreement is in the best interest of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

**WHEREAS**, the CITY agrees to provide the COUNTY \$48,882 from JAG award total of \$141,946, 40% of the total amount allocated, for the Vance County Sheriff's Office; and

**WHEREAS**, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds.

**NOW THEREFORE, the CITY AND COUNTY AGREE AS FOLLOWS:**

**SECTION 1:** CITY agrees to pay COUNTY a total of \$48,882 of JAG funds.

**SECTION 2:** COUNTY agrees to use \$48,882 for the Vance County Sheriff's Office until February 28, 2014 or until such funds are expended.

**SECTION 3:** Nothing in the performance of this Agreement shall impose any Liability for claims against COUNTY other than claims for which the Tort Laws of the State of North Carolina may impose liability.

**SECTION 4:** Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which the Tort Laws of the State of North Carolina may impose liability.

**SECTION 5:** Each party to the agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

**SECTION 6:** The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

**SECTION 7:** By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein, further, this Agreement shall not create any rights in any party not a signatory hereto.

**CITY OF HENDERSON, North Carolina**

**COUNTY OF VANCE, North Carolina**

\_\_\_\_\_  
James D. O'Geary, Mayor

\_\_\_\_\_  
R. Dan Brummitt, Chairman

\_\_\_\_\_  
A. Ray Griffin, Jr., City Manager

\_\_\_\_\_  
Jerry L. Ayscue, County Manager

**ATTEST:**

**ATTEST:**

\_\_\_\_\_  
Pamela E. Glover, City Clerk

\_\_\_\_\_  
Kelly H. Grissom, County Clerk

Approved as to Legal Form:

Approved as to Legal Form:

\_\_\_\_\_  
John H. Zollicoffer, City Attorney

\_\_\_\_\_  
Jonathan S. Care, County Attorney

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*COPS Grant.* Mr. Ayscue asked the Board for authority to apply for grant funding through the COPS Program. This program will assist with funding in areas where positions have been cut

and other special circumstances in law enforcement.

Motion was made by Commissioner Deborah F. Brown to authorize the County Manager to pursue grant funding through the COPS Program. This motion was seconded by Commissioner Terry E. Garrison and unanimously approved.

As there was no further business, at 8:30 p.m. motion was made by Commissioner A. Scott Hughes, seconded by Commissioner Deborah F. Brown, vote unanimous, that the meeting be adjourned.

Approved and signed May 4, 2009.

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Chairman