

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, May 4, 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.

A moment of silence was held in honor of Deputy Sheriff Brandon Scott Coker, who was killed in the line of duty on April 25, 2009. Following the moment of silence, Commissioner A. Scott Hughes gave the invocation.

As advertised, the Board of Commissioners sitting as the Board of Equalization and Review heard the following persons concerning the value of certain properties which they felt was in excess of fair market value:

<u>Name</u>	<u>Address</u>
Charles G. Fuller Represented by Attorney Steven DeCillis	1556 Chuck Fuller Lane - 2 Parcels
Tommy and Jimmy Pulley	4200 Hwy #1 South 3388 S. Chavis Road
Ann Monroe Represented by Milton Lewis	1006 N. Piney Grove Road
Fannie Russell Represented by Milton Lewis	1040 N. Piney Grove Road
Marie Hazzard Represented by Milton Lewis	1010 N. Piney Grove Road
Joseph Williams Represented by Milton Lewis	1016 N. Piney Grove Road
Mary Williams Represented by Milton Lewis	1140 N. Piney Grove Road
Lou Nicholson Represented by Milton Lewis	N. Piney Grove Road - vacant lot
Pall Sandhu	59 Strawberry Lane - home 2270 N. Garnett Street - business

Chairman Brummitt stated that the Board would remain sitting as a Board of Equalization and Review until 8:00 p.m. in the event anyone else desired to speak concerning the value of their property.

Steve Winstead, Department of Transportation District Engineer, appeared before the Board to discuss the Secondary Road Program. Mr. Winstead gave a summary of the current budget condition of DOT: Revenues are down nearly 10% which translates to losses of \$25 to \$30 million. Asphalt costs have doubled since 2002. DOT has made a 7% across the board cut, has enacted a hiring freeze, and has laid off most temporary employees. This leaves a vacancy rate of approximately 13%. Field operation spending has been reduced by 8%. Mr. Winstead stated that, while DOT is not beginning any new secondary road construction projects, those that have been started are planned to be finished this year.

Mr. Wally Bowman, Division Engineer, stated that DOT will receive some stimulus funding which will free up some resurfacing dollars for Vance County. He also noted that \$400,000 has been allocated for the Vance County HUB site entrance and asked the Board for its direction on whether to widen the entry road or add a turn lane into the site.

The next item on the agenda was the Community Hero Award recognition. Commissioner Deborah F. Brown nominated the Town of Middleburg for this month's award. Chairman Brummitt asked Middleburg Town Officials and Commissioner Brown to come forward.

The Vance County Board of Commissioners is proud to recognize as this month's Vance County Heroes, the Mayor, Town Clerk, and Town Council members of the Town of Middleburg. They are Mayor Ray Bullock, Town Clerk Vivian Edwards, and Council Members W.C. Abbott, Jr., Ann Fudge, and Ruth Nance.

Middleburg is one of the larger townships in Vance County. It was incorporated, according to history books, on October 2, 1875. It received the name "Middleburg" around 1860, due to its location half way between Raleigh and Gaston.

Elmus W. Watkins and his wife, Rebecca, were the first inhabitants of the Town of Middleburg. Today, according to the latest records of the United States Census Bureau, approximately 54 households, which include a diverse population, live within the Town.

Town officials strive to achieve diversity involvement in all aspects of community life and actively participate in all community activities. Some of the completed projects and/or ongoing community activities include:

*Sidewalks:* New sidewalks were installed in the summer of 2006.

*Middleburg Fun Day:* A community, church based activity which has grown to include county-wide participation.

*E.O. Young Elementary School:* The Council approved a monetary contribution for the purchase and installation of a new school sign. Council members also assist as volunteers during the annual Field Day Event.

*Community Watch Program:* A work in progress to include surrounding communities.

*Town of Middleburg Sign:* To be erected at the corner of Hawkins and Broad Streets (US 1 - 158). The Middleburg Garden Club has volunteered to landscape the area.

*Beautification Program:* An ongoing program to maintain and enhance community appearance.

*CSX High Speed Rail Service:* The Council has participated in the preparations for the Future High Speed Rail which is planned to include a stop in Henderson.

The Board of Commissioners appreciates your service as Mayor, Town Clerk, and Council Members, and thanks you for making Vance County a better place in which to live. We are very proud to recognize you as Vance County's Heroes for the month of May, 2009. Town officials were presented a certificate and check for \$25.00.

Jordan McMillen, County Planner, was next on the agenda and presented a resolution authorizing civil action against the owner of property located at 43 Main Street in Kittrell. Mr. McMillen explained that this matter was brought to the Board during last month's meeting. He also distributed pictures of the property and stated that no work has been completed on the property.

Mr. McMillen stated that he had researched funding sources that may help the property owner with demolition of the structure, but unfortunately, he was unable to find sources that dealt with commercial property. There was some interest from Kittrell Job Corps and the current Leadership Vance Class to assist the property owner, but because of liability issues, that interest has lessened.

Mr. McMillen stated that the building is a safety hazard and is beyond the point of repair. The Planning Department has given the property owner numerous occasions to remedy this matter, but the property owner has yet to complete any work on the property.

Motion was made by Commissioner Deborah F. Brown to adopt the resolution as presented. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

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**RESOLUTION**  
**By the Vance County Board of Commissioners**

Authorizing “*In Personam*” Civil Action in the matter of Pearlean Goode Jones and “*In Rem*” Civil Action against Tax Map 477-02-002, 43 Main Street in Kittrell, NC pursuant to An Ordinance Establishing Minimum Standards For Continued Use of Existing Buildings, Ordinance # 33.

**WHEREAS**, the Vance County Board of County Commissioners has heretofore passed Ordinance #33 wherein certain minimum standards for existing buildings were established; and

**WHEREAS**, also included therein were procedures for enforcement of said Ordinance #33; and

**WHEREAS**, in accordance with Ordinance #33, the Vance County Building Inspector has inspected, cited, and held a hearing on the conditions of the building located on tax map reference number 477-02-002, and has duly served notice of such hearing on the owner of record, to wit: Pearlean Goode Jones, whereupon the buildings and materials located upon the real estate were found to be deteriorated and dilapidated, and ordered to have been demolished and removed by the end of September 2007; and

**WHEREAS**, since the issuance of the order, the real property remains in a condition substantially similar to the condition at the time of the hearing, and the owner of the property has refused to have any further work performed upon the property; and

**WHEREAS**, Pursuant to Section 14 (C) of the Ordinance #33, the owner has failed to comply with the Order as issued within the time period and extensions provided, and therefore the Building Inspector has petitioned the Board to move forward and authorize the Vance County attorney to seek any and all legal means of redress to resolve this matter.

**NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners for the County of Vance as follows:**

1. Pursuant to Vance County Ordinance #33, the Vance County Building Inspector has properly made a finding of deteriorated and dilapidated buildings and materials located upon lands identified within the County’s tax records as 477-02-002 and currently owned by Pearlean Goode Jones and issued an order to demolish the building and remove accumulated materials located thereon; and
2. The Building Inspector, as authorized, has provided ample time within which the owner was to comply with the Order, including extensions thereto; and
3. The County Attorney is hereby instructed to proceed with any and all legal remedies including but not limited to those set forth in Ordinance #33 as “*In Rem*” and “*In Personam*”.
4. This resolution shall be effective upon its adoption.

**ADOPTED this the 4<sup>th</sup> day of May, 2009.**

**R. Dan Brummitt (signed)**  
**R. Dan Brummitt, Chairman**  
**Vance County Board of Commissioners**

**Attest:**

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

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The consent agenda was discussed next. Chairman Brummitt stated that the road petition to add Nicholas Street to the State System should be removed from the consent agenda because the street is already State maintained. The property owner submitted the petition in order to have the road paved, and according to DOT records, Nicholas Street is on the list to be paved; however, it may be several years from now.

The Board directed the County Manager to contact the property owner that submitted the petition and inform them of the Board’s action. They also directed the County Manager to contact DOT and ask them to grade and gravel Nicholas Street and SR 1589.

Also concerning the consent agenda, Commissioner A. Scott Hughes questioned the definition of “no estate listing” for ambulance charge-offs. He was informed that this meant the individual was deceased and there were no funds available to cover the ambulance bill.

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner Eddie L. Wright, vote unanimous, that the following consent agenda items be approved as presented: Budget Amendment #29, April 2009 Refunds, March 2009 Rebates, April 2009 Ambulance Charge-Offs in the amount of \$4,924.29, April 2009 Monthly Reports received and filed, and the minutes of the April 6 regular meeting.

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<b>Budget Amendment #29</b>			
<b>General Fund</b>			
<b>Expenditures</b>	<b>Code</b>	<b>Debit</b>	<b>Credit</b>
Crisis Intervention	10-610-500235		<u>411,188.00</u>
Total Increase in Expenditures			\$ 411,188.00
<b>Revenues</b>		<b>Debit</b>	
Crisis Intervention	10-348-434820	<u>411,188.00</u>	
Total Increase in Revenues		\$ 411,188.00	

Purpose: To record additional allocation from Division of Social Services.

Authorization: Vance County Board of Commissioners  
May 4, 2009

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**REFUNDS  
April 2009**

<b>Name</b>	<b>Year</b>	<b>Amount</b>	<b>Reason</b>
Lawrence Winston, Jr.	2008	4.32	Vehicle Tax
Alonza Yancey	2008	6.56	Vehicle Tax
State Emp. Credit Union	2008	673.11	Tax Charged to Wrong Person
John A. Hargrove	2008	20.00	Tax Refund
Standard Motor Parts	2008	29.36	Vehicle Tax
Standard Motor Parts	2008	12.08	Vehicle Tax
Standard Motor Parts	2008	1.38	Vehicle Tax
Standard Motor Parts	2008	14.00	Vehicle Tax
Standard Motor Parts	2008	10.50	Vehicle Tax
Standard Motor Parts	2008	34.26	Vehicle Tax
Jonathon Macklin	2008	1.32	Vehicle Tax
Robert F. Smith	2008	6.16	Vehicle Tax
Loreluis Matuzhima	2008	8.75	Vehicle Tax
Daisy R. Carliles	2008	4.52	Vehicle Tax
Rickey Gleason	2008	21.68	Vehicle Tax
Town & Country Leasing	2008	458.37	Billed in Error
Charles L. Horner	2008	1.02	Vehicle Tax
Boa Ngoc Hoang Le	2008	10.44	Vehicle Tax
Alice Bullock	2008	7.02	Vehicle Tax
State Emp. Credit Union	2008	102.50	S/W Charged to Wrong Person
Lawrence Winston, Jr.	2008	.12	Fire Tax
Alonza Yancey	2008	.20	Fire Tax
State Emp. Credit Union	2008	21.93	Fire Tax
Jonathon Macklin	2008	.04	Fire Tax
Loreluis Matuzhima	2008	.28	Fire Tax
Daisy R. Carliles	2008	.16	Fire Tax
Rickey Gleason	2008	.72	Fire Tax
Alice Bullock	2008	.27	Fire Tax
<b>Total</b>		<b>\$ 1,451.07</b>	Fiscal y-t-d - \$ 10,284.49

**REBATES  
March 2009**

<b>NAME</b>	<b>YEAR</b>	<b>AMOUNT</b>	<b>REASON</b>
John Hughes	2008	804.78	Value Correction - House Repo'd
David Seay	2008	31.96	Value Correction
<b>Total</b>		<b>\$ 836.74</b>	Fiscal y-t-d - \$ 136,797.58

See on file monthly report, 911 Emergency Operations  
 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

*Sale of Surplus Property.* Finance Director Steve Stanton requested the Board to declare the following items as surplus in order for them to be sold by internet auction: 2000 Chevy Van, one lot of automobile radios, chargers, antennas, and Brother typewriter.

Motion was made by Commissioner Eddie L. Wright to declare the 2000 Chevy Van and one lot of automobile radios, chargers, antennas, and Brother typewriter as surplus and authorize the Finance Director to sell said items by internet auction. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

## Committee Reports and Recommendations

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

Department of Social Services  
Human Resource Aide  
Income Maintenance Caseworker

Sheriff's Department  
Deputy Sheriff Specialist  
Deputy Sheriff

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

## Pending Business

*County Water Project.* Mr. Ayscue stated that work continues on this major project. 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. Sign-ups should begin as soon as water prices with the City of Henderson are finalized.

Commissioner A. Scott Hughes suggested that information be posted on the County's website regarding how the USDA funding is being used for this project as well as general information on the project. Commissioner Deborah F. Brown added that it would also be helpful for the media to publicize positive information about the project as well.

*Warrenton Road Sewer Project.* Mr. Ayscue reported that John Hamme, Project Engineer, is in the process of doing the design work. Extensive borings have been completed and no evidence of rock has been found. Mr. Hamme is currently working with Progress Energy to resolve an issue with some electrical poles near the proposed route of the gravity sewer line. 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 next step in the process is to develop bid specs on the project. Then the County may proceed with solicitation of bids/quotes for this work.

County Manager's Report

*Resolution in Honor and Memory of Deputy Brandon Coker.* Mr. Ayscue stated that a resolution from the Board of Commissioners was read by Chairman Brummitt at the funeral service of Deputy Sheriff Brandon Scott Coker on Thursday, April 30. Deputy Coker was killed in the line of duty on Saturday, April 25. He requested formal approval of the resolution.

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner Eddie L. Wright, vote unanimous, to adopt the following resolution in honor and memory of Deputy Sheriff Brandon Scott Coker who was killed in the line of duty on April 25, 2009.

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**R E S O L U T I O N**  
by the  
**Vance County Board of Commissioners**  
in Honor and Memory of  
*Deputy Sheriff Brandon Scott Coker*

**WHEREAS**, the life and career of *Vance County Deputy Sheriff Brandon Scott Coker* was filled with great personal integrity, compassion for his fellow man, and a strong commitment to the pursuit of law and order; and

**WHEREAS**, he served in the United States Army and United States Army Reserves, earning numerous badges in areas such as expert marksmanship, parachutist and rigger, and also receiving the National Defense Service Medal and the Dodge Award; and

**WHEREAS**, after completing Basic Law Enforcement Training in May 2006 at Vance-Granville Community College, *Brandon Scott Coker* served meritoriously as Patrol Deputy for the Vance County Sheriff's Office from January 8, 2007 until his untimely death on Saturday, April 25, 2009; and

**WHEREAS**, *Deputy Sheriff Coker* was highly respected and admired throughout the local and regional law enforcement community as an exemplary young officer who was dedicated to executing his public duties and responsibilities in a manner which brought pride and dignity to his department and profession; and

**WHEREAS**, in honor and recognition of *Deputy Sheriff Coker's* distinguished public service and ultimate sacrifice of his life in the line of duty, the Vance County flag has been flown at half staff from the morning of Monday, April 27, 2009 and will continue until sunset today, Thursday, April 30, 2009.

**NOW, THEREFORE BE IT RESOLVED THAT** the Vance County Board of Commissioners honors the life and memory of *Deputy Sheriff Brandon Scott Coker* in respectful recognition of his outstanding and unparalleled service to the citizens of Vance County, and accordingly does express its sincerest gratitude and deepest condolences to the entire Coker family.

**This the thirtieth day of April, 2009.**

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

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*Foster Care Month Proclamation.* Mr. Ayscue noted that the month of May is being observed across the country as Foster Care Month. Vance County currently has 84 foster children. The Department of Social Services requests that the Board of Commissioners act to proclaim May as Foster Care Month in Vance County in recognition of the need to nurture and support these important children and young people.

Motion was made by Commissioner Eddie L. Wright, seconded by Commissioner Deborah F. Brown, vote unanimous, to approve the following proclamation which identifies May 2009 as Foster Care Month in Vance County.

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**Proclamation**  
**Foster Care Month in Vance County**  
**May 2009**

**WHEREAS**, the family, serving as the primary source of love, identity, self-esteem and support, is the very foundation of our communities and our State; and

**WHEREAS**, in Vance County there are 84 children and youth in foster care being provided with a safe, secure and stable home along with the compassion and nurturing of a foster family; and

**WHEREAS**, all young people in foster care need a meaningful connection to a caring adult who becomes a supportive and lasting presence in their lives; and

**WHEREAS**, foster, kinship and adoptive families who open their homes and hearts and support children whose families are in crisis, play a vital role in helping children and families heal and reconnect, thereby launching young people into successful adulthood; and

**WHEREAS**, dedicated foster families frequently adopt foster children, resulting in a greater need for more foster families; and

**WHEREAS**, there are numerous individuals, public and private organizations who work to increase public awareness of the needs of children in and leaving foster care, as well as the enduring and valuable contribution of foster parents; therefore, the foster care “system” is only as good as those who choose to be part of it.

**NOW, THEREFORE BE IT PROCLAIMED**, that the Vance County Board of Commissioners does hereby recognize May as Foster Care Month in Vance County and urges all citizens to come forward and do something positive that will help *change a lifetime* for children and youth in foster care.

**This the 4<sup>th</sup> day of May, 2009**

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

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*Red Flag Policy.* Mr. Ayscue stated that Counties which collect payments for certain types of services are required to enact a formal policy which establishes a structure for protection of sensitive and confidential information of clients, customers, vendors, employees, and others. In addition, a response plan in the event of a breach of security must also be approved. Mr. Ayscue presented the proposed Security of Sensitive and Confidential Information Policy, including a Breach Response Plan, with the effective date to be May 1, 2009, and requested approval of said Plan.

Mr. Ayscue stated that Finance Director Steve Stanton would oversee the Plan, but it would be incumbent upon Department Heads to make sure the Plan is implemented within their department.

Motion was made by Commissioner A. Scott Hughes to approve the Security of Sensitive and Confidential Information Policy, including a Breach Response Plan, with the effective date to be May 1, 2009. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

*Medicare Mileage Reimbursement Change.* Mr. Ayscue explained that the approved Medicare mileage reimbursement rate for emergency medical services transportation has increased to \$10.41 from \$9.92. In order to collect maximum reimbursements from Medicare, approval is necessary.

Motion was made by Commissioner Terry E. Garrison to approve the new Medicare rural mileage reimbursement rate for emergency medical services at \$10.41 effective May 5, 2009. Further, and from this point forward, Vance County's mileage reimbursement rate is to be the same as the maximum rate allowed by Medicare. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

*Resolution of Support for Funding for Sewer Line to Kittrell Job Corps Center.* Mr. Ayscue stated that as funds are sought for the installation of a sewer line along US #1 Highway South to the Kittrell Job Corps Center, a resolution of support from the County will be beneficial. He requested the Board to adopt the resolution of support for the sewer line to the Kittrell Job Corps Center.

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner Terry E. Garrison, vote unanimous, to adopt the following resolution of support for the sewer line to the Kittrell Job Corps Center:

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**RESOLUTION**  
**by the**  
**Vance County Board of Commissioners**  
*In Support of the Sewer Line Extension Project Concept from the City of Henderson to the Kittrell Job Corps Center*

**WHEREAS**, the Vance County Economic Development Commission is seeking to obtain Federal and/or State support and funding for the extension of a force main sewer line from the Henderson-Vance Industrial Park to the Kittrell Job Corps Center along US Highway #1 South; and

**WHEREAS**, the proposed project will resolve ongoing sanitary sewer system problems at Kittrell Job Corps Center and will provide services for residents along US Highway #1 South, to the extent possible; and

**WHEREAS**, the provision of sanitary sewer services along this road may also provide opportunities for future economic development along this main transportation artery into Vance County and Henderson; and

**WHEREAS**, it is likely that a Preliminary Engineering Report and other planning documents will be required for project funding.

**NOW THEREFORE BE IT RESOLVED BY THE VANCE COUNTY BOARD OF COMMISSIONERS** that it is supportive of the concept of extending a sanitary sewer line along US Highway #1 to the Kittrell Job Corps Center, and it further supports applications for Federal and State funds for project planning purposes as well as for the project itself.

**This, the fourth day of May, 2009.**

**R. Dan Brummitt (signed)**  
**R. Dan Brummitt, Chairman**  
**Vance County Board of Commissioners**

**Attest:**

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

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Miscellaneous

*Appointments.* The following appointments were presented to the Board for consideration:

Vance-Granville Community College Board of Trustees - four-year term  
Re-appoint Bernard Alston - appointed 07/1997  
*No other applications received.*

Vance County Planning Board - three-year term  
Appoint Tim Kelley to fill vacant District 3 position - see attached application  
*No other applications received.*

Kerr-Tar Workforce Development Board - two-year term  
Appoint Tandra Henderson to fill vacant position - see attached application  
*No other applications received.*

Motion was made by Commissioner Danny W. Wright to appoint Deborah F. Brown to the Vance-Granville Community College Board of Trustees for a four-year term. This motion was seconded by Commissioner Terry E. Garrison and unanimously approved.

Motion was made by Commissioner Deborah F. Brown, seconded by Commissioner A. Scott Hughes, vote unanimous, to appoint Tim Kelley to the Vance County Planning Board for a three-year term and appoint Tandra Henderson to the Kerr-Tar Workforce Development Board for a two year term.

As advertised, at 8:00 p.m., a public hearing was held to gain citizen input regarding an application to the Local Government Commission for the Vance County Jail renovations.

As there was no one present who wished to speak on the matter, Chairman Dan Brummitt declared the public hearing closed.

Motion was made by Commissioner Deborah F. Brown to approve the resolution authorizing the filing of an application with the Local Government Commission for approval of a financing agreement for renovations at the Vance County Jail. This motion was seconded by Commissioner Danny W. Wright and unanimously approved.

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**RESOLUTION**  
by the  
**Vance County Board of Commissioners**  
*Authorizing the Filing of an Application for Approval of a  
Financing Agreement Authorized by North Carolina General Statute 160A-20*

**WHEREAS**, the County of Vance, North Carolina desires to renovate the County’s existing jail to better serve the citizens of Vance County; and

**WHEREAS**, the County of Vance desires to finance this Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

**WHEREAS**, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract.

**NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners of Vance County, North Carolina, meeting in regular session on the 4<sup>th</sup> day of May, 2009 makes the following findings of fact:

1. The proposed contract is necessary and expedient because renovation of the existing jail is of pressing importance due to a mandate from the North Carolina Department of Corrections.
2. The proposed contract is preferable to a bond issue for the same purpose because the amount of capital required for the proposed renovation of the existing jail exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances, and non-voted bonds that could be issued by the contracting unit in the remaining current fiscal year pursuant to Article V, Section 4, of the North Carolina Constitution. Due to the time and cost to issue debt publicly, the current favorable interest cost available for qualified bank loans, and the potential cost savings associated with the current construction market, the County feels this a better option of financing rather than a non-voted general obligation bond issue or a voted general obligation bond issue.
3. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because extensive financial analyses have been undertaken and comparative data have been analyzed which support this conclusion.
4. The County of Vance’s debt management procedures and policies are good as the County has a long and extensive history of proper debt management including a 100% payment record for all existing indebtedness and an otherwise conservative and sound overall approach to utilization of debt.

5. The increase in taxes necessary to meet the sums to fall due under the proposed contract will be 1.2 cents per \$100 valuation and is not deemed to be excessive.
6. The County of Vance is not in default of any of its debt service obligations.
7. The attorney for the County of Vance has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of County Commissioners and the County Manager are hereby authorized to act on behalf of the County of Vance in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 4<sup>th</sup> day of May, 2009.

The motion to adopt this resolution was made by Commissioner Deborah F. Brown, seconded by seconded by Commissioner Danny W. Wright, and passed by a vote of 7 to 0.

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

Attest:

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

This is to certify that this is a true and accurate copy of the resolution Authorizing the Filing of an Application for Approval of a Financing Agreement Authorized by North Carolina General Statute 160A-20 adopted by the Vance County Board of Commissioners on the 4<sup>th</sup> day of May, 2009.

**Kelly H. Grissom (signed)** May 4, 2009  
**Kelly H. Grissom, Clerk to Board** **Date**

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Surapon Sujjavanich was next on the agenda to present the bids for the jail renovation project. Mr. Sujjavanich stated that he has negotiated with the lowest bidder, Blue Ridge Enterprises, Inc., and has reduced the bid amount by \$113,900. The cuts came in the form of brand names.

Mr. Sujjavanich spoke about using energy efficient equipment. While it may be more expensive up front, the amount of energy used will decrease by 28% to 40% annually, thus, reducing costs.

After a brief discussion, motion was made by Commissioner Danny W. Wright to award the bid for renovations at the jail to Blue Ridge Enterprises, Inc. in the amount of \$1,679,100. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

As there was no further business, at 8:10 p.m. motion was made by Commissioner A. Scott Hughes, seconded by Commissioner Danny W. Wright, vote unanimous, that the meeting be adjourned.

Approved and signed June 1, 2009.

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Chairman