

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, July 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 Deborah F. Brown gave the invocation.

The first item on the agenda was the annual meeting of the Composite Board consisting of the Board of Commissioners, the Chairman of the Board of Education and the Mayor of the City of Henderson. Ms. Gloria White, Chair of the Board of Education, and Mayor Pete O'Geary were absent.

It was noted that John Fogg and Nancy Wilson had submitted letters seeking re-appointment to the Vance County ABC Board for a three-year term. Henrietta Clark also submitted a letter requesting re-appointment as Chair for a one-year term.

Motion was made by Commissioner Danny W. Wright to re-appoint John Fogg and Nancy Wilson to the Vance County ABC Board for a three-year term and re-appoint Henrietta Clark as Chair of said Board for a one-year term. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Jackie Sergent, Public Health Department, was next on the agenda to assist in an award presentation of the Eat Smart Move More Program. Ms. Sergent stated that Vance and Granville Counties had partnered with the Vance-Granville WoW Coalition (Working on Wellness) to create an annual Eat Smart Move More Award program in support of the statewide effort Eat Smart Move More....North Carolina.

To be eligible for award consideration, County organizations must have created sustainable policy or environmental change that makes it easier for those that influence to eat smart, move more, and/or avoid tobacco products. Organizations submitted a short application with a description of their activities, then WoW members reviewed the summary descriptions to determine which projects

were likely to have the greatest positive impact and thereby merit special recognition.

Awards were presented to the following: Community Workforce Solutions for increasing client access to physical activity from weekly to daily, for creating client access to health foods, and for drafting a policy that makes wellness a priority objective; Western Vance High School for creating an on-site walking trail, challenge course, and greenhouse, as well as working to incorporate these facilities into the curriculum; and Zeb-Vance Elementary School for completing an on-site paved walking path for students and staff, and for creatively raising the necessary funds from a variety of resources over several years to meet this goal.

Deryl Von Williams appeared before the Board regarding the building reuse plan for the Vance Manor building. Her goal for the building is to open a Community Center which would provide community services such as a day care center, library, tutorial center, computer lab, cafeteria, etc.

Ms. Von Williams asked several questions regarding the current state of the building and the process by which grant funds are being pursued. County Manager Jerry L. Ayscue stated that the NC Rural Economic Development Center does have a building reuse program where an applicant can qualify for up to \$480,000. These funds are based upon a competitive grant process. Once the feasibility study is complete and allows renovation of the building, the County may then apply for these grant funds. One item that the grant requires, is that the proposed use of the building creates at least 40 jobs that must be sustained over a certain period of time.

Mr. Maloy, computer lab representative, spoke and informed the Board of his plans to place a virtual computer lab within the building which would allow access to computers, but still give the Center control over the computers.

Commissioners Brown, Hughes, Danny Wright and Eddie Wright thanked Ms. Von Williams for her willingness to take on such a tremendous undertaking. Commissioner Danny Wright also cautioned her that the feasibility study may not support the building being renovated.

Mr. Steve Lyles, Bearpond Volunteer Fire Department, was next on the agenda to request additional financial assistance for Bearpond VFD. He stated that Bearpond VFD is currently in a financial crisis and is unable to make its next building loan payment.

Mr. Ayscue stated that the Public Safety Committee has reviewed this matter and supports the funding request, although not unanimously. The Committee would like to use funds within the special fire tax fund. This year, the Golden Belt District will receive the rotating \$30,000 capital

outlay fund. The Committee recommended that \$10,000 be taken from the \$30,000 capital outlay fund to assist Bearpond VFD.

Commissioner A. Scott Hughes noted that Fire Chief Danny Wilkerson also supports this recommendation.

Commissioner Deborah F. Brown stated that she is hesitant to support this recommendation in that it may be setting a precedence. She stated that she has been informed that there will be other departments requesting financial assistance if this request is approved.

Commissioner A. Scott Hughes stated that the Board of Commissioners took a very strong action a couple of months ago by changing the structure of Fire and EMS. This was done with the faith that the volunteers could work together as one agency. He further stated that this request by Bearpond should be a test to see if the volunteer departments can get along and work as a team.

Chairman Dan Brummitt stated that the Board's objective is to serve the citizens of Vance County. Without Bearpond VFD, a great number of citizens would not be served effectively. The Board needs to support this request.

Commissioner Deborah F. Brown suggested that the Fire Association review this matter and produce a solution to this particular problem. All volunteer fire departments need to be working together in the event that this issue were to happen to another department.

Chairman Brummitt stated that the Board of Commissioners has the budget responsibility until the County Fire Marshal is in place. Until that time, the Board needs to move funds around to accommodate a fire department that is in need. No general funds are being used, only fire tax funds.

Motion was made by Commissioner A. Scott Hughes to support the recommendation of the Public Safety Committee and appropriate \$10,000 from the \$30,000 for the Golden Belt District Capital Outlay to Bearpond Volunteer Fire Department. This motion was seconded by Commissioner Danny W. Wright and vote was ayes - four (4); noes - three (3), with the dissenting votes being cast by Commissioners Brown, Pegram, and E. Wright.

As advertised, a public hearing was held to gain citizen input on an amendment to the Solid Waste Plan to incorporate an Abandoned Mobile Home Plan. Jordan McMillen, Planning Services Manager, explained that approving the Abandoned Mobile Home Plan would allow the County to be reimbursed from the NC Department of Environment and Natural Resources up to \$1,000 per unit for disposing of abandoned mobile homes. As a Tier 1 County, the County could also receive a supplemental grant to cover 50% of the cost above \$1,000 for each unit. However, there is some

question as to whether these funds are available due to the current economy.

Commissioner Deborah F. Brown pointed out a few grammatical errors that needed to be corrected.

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

After discussion, motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Eddie L. Wright, vote unanimous, to approve the Abandoned Mobile Home Plan to be incorporated into the Solid Waste Plan.

As advertised, a public hearing was held to gain citizen input on the repeal of Ordinance #21 (Henderson-Vance County Planning Commission).

County Attorney Jonathan S. Care stated that Ordinance #21 is what the current Economic Development Commission operates under. With the approval of the Joint Economic Development Agreement with the City of Henderson, it would be appropriate to repeal Ordinance #21 instead of amending it altogether.

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

Motion was made by Commissioner A. Scott Hughes to repeal Ordinance #21. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Motion was made by Commissioner A. Scott Hughes, seconded by Commissioner Danny W. Wright, vote unanimous, that the following consent agenda items be approved as presented: June 2009 Refunds, May and June 2009 Rebates, June 2009 Ambulance Charge-Offs in the amount of \$5,591.15, June 2009 Monthly Reports received and filed, and the minutes of the June 1, 2009 regular meeting.

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REFUNDS
June 2009

Name	Year	Amount	Reason
Richard Lee Hudson	2008	60.80	Vehicle Tax
Lois V. Blue	2007	55.32	Vehicle Tax
Katrina Evans	2008	14.60	Vehicle Tax
William Chitty	2008	20.00	Overage Tax
William Chitty	2008	20.00	Overage Tax
Gertrude A. Wilkins	2008	8.84	Vehicle Tax
Laketha Kersey	2008	6.14	Vehicle Tax

Name	Year	Amount	Reason
Tuanda Lewis	2004	50.04	Mobile Home Tax
Tuanda Lewis	2005	52.98	Mobile Home Tax
Mildred Willis	2008	2.70	Vehicle Tax
Variety Wholesalers	2008	415.38	Vehicle Tax - 15 Vehicles
Antionette M. Ball	2008	6.23	Vehicle Tax
Charles Thompson, Jr.	2008	53.28	Vehicle Tax
Concord Leasing	2008	7.95	Vehicle Tax
Isaak K. Isaak	2008	25.74	Vehicle Tax
Brad & Kathy Thomas	2008	53.55	Mobile Home Tax
Honda Least Trust	2008	34.96	Vehicle Tax
Marie K. Jones	2008	20.00	Overage Tax
Cynthia F. Hall	2009	11.81	Value Adjusted
Larry C. Medlin	2008	3.16	Vehicle Tax
Gary & Patti Harper	2008	184.18	Tax Refund
Gary & Patti Harper	2007	177.19	Tax Refund
Gary & Patti Harper	2006	177.19	Tax Refund
Marie S. Kearney	2008	16.66	Vehicle Tax
Randy Davis	2005	18.63	Listed in Error
Randy Davis	2005	18.63	Listed in Error
Herman Davis	2004	75.00	Solid Waste Fee
Herman Davis	2005	90.00	Solid Waste Fee
Herman Davis	2006	90.00	Solid Waste Fee
Herman Davis	2007	95.00	Solid Waste Fee
Herman Davis	2008	102.50	Solid Waste Fee
Tuanda Lewis	2004	75.00	Solid Waste Fee
Tuanda Lewis	2005	90.00	Solid Waste Fee
Tuanda Lewis	2006	40.78	Solid Waste Fee
Gary & Patti Harper	2008	102.50	Solid Waste Fee
Gary & Patti Harper	2007	95.00	Solid Waste Fee
Gary & Patti Harper	2006	90.00	Solid Waste Fee
Lois V. Blue	2007	1.80	Fire Tax
Gertrude A. Wilkins	2008	.28	Fire Tax
Laketha Kersey	2008	.20	Fire Tax
Tuanda Lewis	2004	1.20	Fire Tax
Tuanda Lewis	2005	1.20	Fire Tax
Mildred Willis	2008	.09	Fire Tax
Charles Thompson, Jr.	2008	1.76	Fire Tax
Brad & Kathy Thomas	2008	1.74	Fire Tax
Honda Lease Trust	2008	1.12	Fire Tax
Gary & Patti Harper	2008	6.00	Fire Tax
Gary & Patti Harper	2007	5.78	Fire Tax
Gary & Patti Harper	2006	5.78	Fire Tax
Randy Davis	2005	.61	Fire Tax
Randy Davis	2006	.61	Fire Tax
Total		\$ 2,489.91	Fiscal y-t-d - \$ 13,915.66

**REBATES
May 2009**

Name	Year	Amount	Reason
A & M Properties, LLC	2004-08	734.42	Owned by County and City
Alvis & Linda Hawkins	2008	522.85	Value Correction
Eddie W. Moore	2000-08	587.59	Owned by County and City
Ella Williams Heirs	1998-08	443.90	Owned by County and City

Name	Year	Amount	Reason
Jerome & Willie Williams	1998-08	1,359.82	Owned by County and City
Total		\$ 3,648.58	Fiscal y-t-d - \$ 413,883.14

REBATES
June 2009

Name	Year	Amount	Reason
Randy Thomas	2007-08	34.79	Listing Correction
Alvis & Linda Hawkins	2008	17.04	Value Correction
Tuanda Lewis	2006-08	40.70	Listing Correction
Anastacio Mendez	2008	84.52	Listing Correction
Total		\$ 177.05	Fiscal y-t-d - \$ 414,060.19

See on file monthly report, 911 Emergency Operations
See on file monthly report, Administrative Ambulance Charge-offs
See on file monthly report, Department of Social Services
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

Request to Replace Vehicle. Finance Director Steven C. Stanton stated that the Sheriff's Office has requested approval to purchase a replacement vehicle for one that was involved in an accident. Insurance proceeds will be used for the purchase of a replacement vehicle, as well as drug forfeiture funds if needed.

Motion was made by Commissioner Eddie L. Wright to approve the purchase of a replacement vehicle for the Sheriff's Office by using insurance proceeds and forfeiture funds if needed. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

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:

Jail
Detention Officer

Maintenance

Assistant Maintenance and Security Director

Department of Social Services

Part-time (49%) Economic Services Caseworker II

Motion was made by Commissioner Terry E. Garrison to approve the recommendation of the Human Resources Committee as presented. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Planning & Environmental Committee. Mr. Ayscue stated that this Committee met on June 29th to discuss the appointment of a new joint Economic Development Commission. The Committee decided to make the following suggestions to the full Board.

1. Appoint members of the existing EDC as interim members until a new joint EDC Board is appointed.
2. Advertise for applicants with a deadline of Wednesday, July 15.
3. All applications will be received by the County as a central point.
4. On July 16, the City will be given the opportunity to appoint their three members first and then the County will select its six members.
5. Appointments will be approved by the City Council in its July 27th meeting and by the County Commissioners in its August 3rd meeting.

The recommendation of the Planning & Environmental Committee is to appoint the existing Economic Development Commission members as interim members until a new joint EDC Board is appointed, and approve the aforementioned process for appointing new EDC members.

County Attorney Jonathan S. Care stated that the joint agreement that was adopted by the Board last month states that the existing members shall serve until new members are appointed. Therefore, it is not necessary to appoint the existing members as interim.

Motion was made by Commissioner Terry E. Garrison to approve the recommended process for appointing new Economic Development Commission members. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Public Safety Committee - Replacement of EMS Medical Director. Mr. Ayscue reported that EMS Director, Dr. Michael Smith, has tendered his resignation after approximately twenty years of volunteer service in this critical leadership role. He will serve as interim director until a replacement is named. The Public Safety Committee plans to meet with interested physicians to serve in this important position.

Public Safety Committee - Request by Bearpond VFD. This matter was addressed earlier during this meeting.

Pending Business

County Water Project. Mr. Ayscue informed the Board that the engineering design and specifications work has been completed for Phase 1A by Hobbs, Upchurch, & Associates, Inc. and was delivered to the County Manager's Office today. The County continues to seek additional grant funds for Phase 1A and the remaining phases of the project. USDA Rural Development has indicated the possible availability of funds for at least part of the remaining phases in the current federal fiscal year. Another meeting has been scheduled with County staff and engineers 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.

Commissioner Danny W. Wright expressed his concerns on the amount of time this project has languished. Commissioner Terry E. Garrison echoed these remarks and added that we need to move quickly on this project in terms of purchasing water from the City of Henderson.

Warrenton Road Sewer Project. Mr. Ayscue reported that John Hamme, Project Engineer, has completed the project design work. The Sedimentation and Erosion Control Plan has been approved by the State. Other permit applications are being fast-tracked and approval should be received by the end of July. Easement surveys are nearing completion which will allow agreements to be executed with property owners. Informal feedback has been obtained from Progress Energy, but we continue to await official response regarding impact of construction on existing power lines. The project is anticipated to be bid out by the end of July.

Building Reuse Project. 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. A Request for Proposals is nearing completion and should be available for distribution by mid-July.

County Manager's Report

Resolution - Appointment of Review Officers. Mr. Ayscue stated that review officers must be appointed by resolution to review and certify each plat before recording in the Register of Deeds Office. Cynthia Lloyd and Barbara Crews of the Tax Office are recommended to perform in this required role.

Motion was made by Commissioner A. Scott Hughes, seconded by Commissioner Danny W. Wright, vote unanimous, to approve the following resolution for appointment of review officers:

RESOLUTION
by the
Vance County Board of Commissioners
Appointment of Review Officers

WHEREAS, the North Carolina General Assembly in its 1997 Session passed Senate Bill 875, which is now incorporated into General Statute 47-30, requiring counties, by resolution to appoint one or more persons as review officers to review each plat before it is recorded and certify that it meets the statutory requirements for recording; and

WHEREAS, the appointed person or persons should be experienced in mapping or land records management, and preferably should be certified as contained in G.S. 147-54.4; and

WHEREAS, the review officer is to expeditiously review all maps and plats before they are presented to the Register of Deeds, with the exception of a map or plat which is a survey within the meaning of G.S. 47-30(f)(11)b or c; and

WHEREAS, this resolution must be recorded in the Vance County Register of Deeds.

NOW, THEREFORE BE IT RESOLVED that the Vance County Board of Commissioners duly appoints Cynthia W. Lloyd, Interim Tax Administrator, and Barbara M. Crews, Property Records Supervisor, as review officers for the purpose of review and certification of plats and maps as required by the North Carolina General Assembly, with such appointment to be effective as of April 1, 2009.

This, the 6th day of July, 2009.

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

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Neighborhood Stabilization Program (NSP) Contract for Administrative Services. Mr. Ayscue explained that in order to adequately administer the NSP, the County proposes to contract with the Kerr-Tar Regional Council of Governments for administrative services. The contract will cover the entire grant period for an amount not to exceed \$210,000. Mr. Ayscue recommended that the Board approve the contract with the Kerr-Tar Regional Council of Governments for administrative services through the Neighborhood Stabilization Program.

Motion was made by Commissioner Danny W. Wright to approve the contract with the Kerr-Tar Regional Council of Governments for administrative services through the Neighborhood Stabilization Program as proposed. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved. Commissioner Terry E. Garrison abstained.

ADM Application. Mr. Ayscue stated that the Vance County Board of Education has approved an ADM application in the amount of \$10,462 for environmental remediation in a classroom at Aycock Elementary School. As required, both boards must approve use of ADM funds and submit a joint application to the State.

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner Eddie L. Wright, vote unanimous, to approve the application for ADM funds in the amount of \$10,462 for the purpose of environmental remediation in Aycock Elementary School.

RPO/RTAC Appointments. Mr. Ayscue noted that Vance County is a member of the Rural Planning Organization (RPO) for Transportation through the Kerr-Tar Regional Council of Governments. By virtue of that membership, the County has two members on the Rural Transportation Advisory Committee (RTAC), one member which must be a County Commissioner, and the other member which must represent a municipality in the County. County Commissioner Danny Wright and Henderson Mayor Pete O'Geary currently serve in these capacities, and both are eligible for reappointment.

After a brief discussion, motion was made by Commissioner Deborah F. Brown to reappoint County Commissioner Danny W. Wright and Henderson Mayor James D. "Pete" O'Geary to the RPO RTAC. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Miscellaneous

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

Henderson-Vance Recreation Commission - four year term

Re-appoint Nancy Ormand

Two applications received from W. Scott Fuller and Irvin Robinson

There is one vacancy on this Commission.

Airport Authority - one year term

Re-appoint Joe Mahaffey

No other applications received

Library Board of Trustees - three year term

Re-appoint Tem Blackburn and Cynthia Walker

No other applications received

KARTS Board - two year term

Re-appoint Kay Fields

No other applications received

Kerr-Tar Workforce Development Board - two-year term

Appoint Randy Parker to fill vacant position

No other applications received

Motion was made by Commissioner A. Scott Hughes to appoint W. Scott Fuller and Irvin Robinson to the Recreation Commission. This motion died for a lack of a second.

Commissioner Danny W. Wright nominated Nancy Ormand to be re-appointed to the Recreation Commission.

Motion was made by Commissioner Deborah F. Brown to re-appoint Nancy Ormand to the Recreation Commission for a four-year term and appoint W. Scott Fuller to same to fill a vacant position. This motion was seconded by Commissioner Danny W. Wright and vote was ayes - six (6); noes - one (1), with the dissenting vote being cast by Commissioner A. Scott Hughes.

Motion was made by Commissioner Eddie L. Wright to re-appoint Joe Mahaffey to the Airport Authority for a one-year term. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Commissioner Danny W. Wright moved to re-appoint Tem Blackburn and Cynthia Walker to the Library Board of Trustees for three-year terms. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Motion was made by Commissioner Deborah F. Brown, seconded by Commissioner A. Scott Hughes, vote unanimous, to re-appoint Kay Fields to the KARTS Board for a two-year term.

Motion was made by Commissioner Eddie L. Wright, seconded by Commissioner A. Scott Hughes, vote unanimous, to appoint Randy Parker to the Kerr-Tar Workforce Development Board to fill a vacant position.

At this time, motion was made by Commissioner Deborah F. Brown, seconded by Commissioner A. Scott Hughes, vote unanimous, to enter into closed session to discuss personnel matters.

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

Approved and signed August 3, 2009.

Chairman