

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, January 5, 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, and Clerk to the Board Kelly H. Grissom. County Attorney Jonathan S. Care was absent.

Commissioner Danny W. Wright gave the invocation.

Michael Brafford of Phillips, Dorsey, Thomas, Waters & Brafford was first on the agenda to present the FY 2007-08 Audit Report. Mr. Brafford stated the County had received an unqualified opinion which is the best a county can receive. He noted that as of June 2009, the County will be required to calculate post employment benefits. This will have a significant impact on the fund balance as far as what is reported in the statements.

Revenues came in over budget and expenditures came in under budget which increased the fund balance to \$15,160,000 million and the undesignated balance is \$10,036,000. The property tax collection rate decreased from 93.4% to 93.27%.

Motion was made by Commissioner Danny W. Wright to receive the FY 07-08 audit report as presented and commend the staff for a good job. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

At this time, the Board convened as the Vance County Water District Board in order to address the next appointment. Fred Hobbs, Hobbs Upchurch & Associates, appeared before the Board to discuss the Vance County Water Project.

County Manager Jerry L. Ayscue stated that the first item to be addressed are the Rules and Regulations for the Water District, which have been reviewed and endorsed by the Planning and Environmental Committee. Mr. Hobbs stated that the Rules and Regulations have been developed from USDA guidelines, and are flexible in the sense that they may be changed as needed in order to meet the needs of the Water District.

Mr. Ayscue stated that he had spoken with Commissioner Brown earlier in the day and she suggested a few changes be made. Item 3m - Commissioner Brown made the observation that discontinuing service after 30 days of written notice of violation may need to be shortened to 15 days. Commissioner Brown stated that her reasoning for this change is to avoid going into another 30-day cycle.

Mr. Ayscue stated that USDA would like approval of these Rules and Regulations as soon as possible. Mr. Hobbs suggested that the Board move forward with adopting the Rules and Regulations now, and adopt them subject to further review.

Commissioner Deborah F. Brown stated that she could support Mr. Hobbs' suggestion and made a motion to approve the Vance County Water District Rules and Regulations subject to further review prior to implementation. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Mr. Ayscue then officially announced that the NC Rural Economic Development Center has approved Vance County's application for a \$1 million grant. This combined with the \$1 million grant from USDA gives the County \$2 million of grants for Phase 1A.

Mr. Ayscue then explained that in order to meet USDA guidelines, the County needs to proceed with design services for the water project. Hobbs Upchurch & Associates needs to be given approval to proceed with such design work for Phase 1A. Mr. Ayscue informed the Board that the standard contract to be used with USDA is not yet complete, but is very close. In the event that the contract is not executed, the County would owe the engineers for whatever work they had completed on the design work. This is not anticipated to happen, but Mr. Ayscue stated that it is his responsibility to make the Board aware of that risk.

Chairman Brummitt asked - how can design work begin when sign-ups have not yet taken place? Mr. Hobbs explained that water lines will be designed as they have been drawn, based on potential participation. Even if only a portion of the water system is built as a result of low sign-ups, USDA will still pay for 100% of the design work. The design cost for Phase 1A is \$241,500.

Commissioner Danny W. Wright stated that he is satisfied that the County is in a position to move forward and made a motion to authorize Hobbs Upchurch & Associates to begin design work for Phase 1A. This motion was seconded by Commissioner Terry E. Garrison and unanimously approved.

Mr. Ayscue then informed the Board on the sign-up process for the project. He stated that the County needs its discussions with the City of Henderson to come to closure which should be very soon. He noted that one of the ways that will be used to inform residents within the water district is to go door to door in Phase 1A and subsequent phases as well.

At this time, the Board reconvened as the Vance County Board of Commissioners.

The next item on the agenda was the Community Hero Award recognition. Commissioner Dan Brummitt nominated Ms. Donna Capps for this month's award. Chairman Brummitt asked Ms. Capps to come forward.

Ms. Capps was born and raised in Vance County and began teaching in 1983 at Henderson Junior High School with Principal Wayne Adcock. After eight years of teaching, Ms. Capps moved out of state for five years. Upon returning back to Vance County, Ms. Capps began teaching at Northern Vance High School in the math and science departments and is currently teaching 72 students in the Vance County Early College Program at Vance Granville Community College. This program offers students an opportunity to graduate in five years with an Associate of Arts degree and hopefully continue their education at a university.

Ms. Capps is a National Board Certified teacher and received the Teacher of the Year award in 2005. She received the Northern Vance High School Honoring the Best Award for six years and has been involved in the Golden Leaf Program with the NCCAT for three years. She has participated in the Farm Bureau Ag in the Classroom for 10 years and has worked with the NC Earth Science Teachers Nest for four years. Perhaps the most meaningful award is being chosen by her students as their most memorable teacher. Ms. Capps works with her students by tutoring in the community, helping with school projects, and supporting the athletes and music/band students attending concerts.

She is a member of Poplar Creek Baptist Church where she is active with the youth program. She also holds the position of lead musician. Ms. Capps frequently visits Woodlawn retirement home and visits the sick in her community and in the hospital as well.

With constant negativity about the quality of education in Vance County, it is enlightening to have a Vance County native make such a positive impact on her students and her community. For these accomplishments, Ms. Capps is to be recognized as a true community hero.

Ms. Capps was presented a certificate and a check for \$25.00.

The consent agenda was addressed next. Commissioner Deborah F. Brown questioned if road petitions were forwarded to DOT and was told that they were. She also addressed ambulance charge-offs. She stated that she had asked the staff several months ago to research names within the County's system (social services) before charges are written off. She noted that two names on this month's charge-off list are currently in the system. Mr. Ayscue stated that he was under the impression that names were being researched and asked Commissioner Brown to identify those names so that he may direct the staff to find out why they were not picked up, but Commissioner Brown would not divulge that information.

At this time, motion was made by Commissioner A. Scott Hughes, seconded by Commissioner Deborah F. Brown, vote unanimous, that the following consent agenda items be approved as presented: Budget Amendments #13, #14, #15, #16, #17, and Budget Transfer #1; December 2008 Refunds, November 2008 Rebates, December 2008 Ambulance Charge-Offs in the amount of \$4,957.24, Road Petitions for Skipper's Landing and Sandy Point, December 2008 Monthly Reports received and filed, and the minutes of the December 1, 2008 regular meeting.

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**Budget Amendment #13
General Fund**

Expenditures	Code	Debit	Credit
Crisis Intervention	10-610-500235		<u>210,125.00</u>
Total Increase in Expenditures			\$ 210,125.00
Revenues			
Crisis Intervention	10-348-434820	<u>210,125.00</u>	
Total Increase in Revenues		\$ 210,125.00	

Purpose: To increase Crisis Intervention budget per Department of Health and Human Resources' department memo.

Authorization: Vance County Board of Commissioners
January 5, 2009

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**Budget Amendment #14
General Fund**

Expenditures	Code	Debit	Credit
General Assistance	10-610-500020		<u>7,500.00</u>
Total Increase in Expenditures			\$ 7,500.00

Expenditures		
Contingency	10-999-500099	<u>7,500.00</u>
Total Decrease in Expenditures		\$ 7,500.00

Purpose: To increase General Assistance per request from Board of Social Services and as approved by the Board of County Commissioners on December 1, 2008.

Authorization: Vance County Board of Commissioners
January 5, 2009

**Budget Amendment #15
General Fund**

Expenditures	Code	Debit	Credit
Departmental Supplies	10-555-500033		<u>2,000.00</u>
Total Increase in Expenditures			\$ 2,000.00

Expenditures		
Contingency	10-999-500099	<u>2,000.00</u>
Total Decrease in Expenditures		\$ 2,000.00

Purpose: To increase Departmental Supplies for printing and binding costs of personnel policy as approved by the Board of County Commissioners on December 1, 2008.

Authorization: Vance County Board of Commissioners
January 5, 2009

**Budget Amendment #16
General Fund**

Expenditures	Code	Debit	Credit
Capital Outlay	10-530-500074		<u>119,494.00</u>
Total Increase in Expenditures			\$ 119,494.00

Revenues		
Lease Proceeds	10-370-437024	<u>119,494.00</u>
Total Increase in Revenues		\$ 119,494.00

Purpose: To record lease proceeds used for installment purchase of new ambulance for Fire and Ambulance Department.

Authorization: Vance County Board of Commissioners
January 5, 2009

**Budget Amendment #17
General Fund**

Expenditures	Code	Debit	Credit
Utilities	10-509-500013		5,540.00
Maintenance Bldg & Grounds	10-509-500015		800.00
Maintenance Equipment	10-509-500016		100.00
Departmental Supplies	10-509-500033		2,035.00
Contracted Services	10-509-500045		5,000.00
Pest Control	10-509-500057		640.00
Capital Outlay	10-509-500074		<u>335,555.00</u>
Total Increase in Expenditures			\$ 349,670.00

Expenditures/Revenues

Maintenance Bldg & Grounds	10-501-500015	200,000.00	
CPS Relocation	10-501-500103	14,115.00	
Contingency	10-999-500099	67,775.00	
DSS Administrative	10-348-434800	<u>67,780.00</u>	
Total Decrease in Expenditures/ Increase in Revenues		\$ 349,670.00	

Purpose: To reclassify expenditures related to Children Services and increase expenditures for the renovation of the basement section of the County Office Building.

Authorization: Vance County Board of Commissioners
January 5, 2009

**Budget Transfer #1
General Fund**

Expenditures	Code	Debit	Credit
Group Insurance	10-610-500006	3,340.00	
Maintenance Bldg & Grounds	10-506-500015		2,500.00
Contracted Service	10-506-500045		840.00
Total Decrease/Increase in Expenditures		<u>\$ 3,340.00</u>	<u>\$ 3,340.00</u>

Purpose: To reclassify expenditures to cover cost repairs to DSS building and shredding contract.

Notification: Vance County Board of Commissioners
January 5, 2009

**REFUNDS
December 2008**

Name	Year	Amount	Reason
Financial Services	2008	185.24	Vehicle Tax
Financial Services	2007	25.61	Vehicle Tax
Alma H. Mathews	2007	1.49	Vehicle Tax
Alejandro De La Rosa	2007	15.66	Vehicle Tax
Paul L. Kearney	2008	5.52	Vehicle Tax
Journigan's Tire	2007	9.40	Vehicle Tax
Vail Hargrove	2007	2.88	Vehicle Tax

Name	Year	Amount	Reason
Jerry T. Roberson	2007	2.90	Vehicle Tax
E. Gaimiche-Gregorio	2008	9.54	Vehicle Tax
Johnny L. Bullock	2007	18.76	Vehicle Tax
Florence G. George	2007	3.72	Vehicle Tax
Charles C. Granger	2008	3.60	Vehicle Tax
Andrew Riggan, Jr.	2008	34.56	Vehicle Tax
Rebecca Gupton	2008	29.47	Vehicle Tax
Jerry Tucker	2008	12.69	Vehicle Tax
Dianne Tuck	2007	2.05	Vehicle Tax
Morris Reese	2008	364.29	Tax Refund
Alice Lee	2008	3.66	Vehicle Tax
David N. Fairey	2007	8.62	Vehicle Tax
Custom Aluminum	2007	17.08	Vehicle Tax
Ishak K. Bishit	2008	49.56	Vehicle Tax
Charles M. Kurz	2006	575.09	Mobile Home Double Listed
Charles M. Kurz	2007	575.09	Mobile Home Double Listed
Charles M. Kurz	2006	90.00	Solid Waste Household Fee
Charles M. Kurz	2007	95.00	Solid Waste Household Fee
Financial Services	2007	.84	Fire Tax
Alejandr De La Rosa	2007	.48	Fire Tax
Paula L. Kearney	2008	.18	Fire Tax
Jerry T. Roberson	2007	.10	Fire Tax
Florence G. George	2007	.12	Fire Tax
Charles C. Granger	2008	.12	Fire Tax
Andrew Riggan, Jr.	2008	1.17	Fire Tax
Rebecca Gupton	2008	.98	Fire Tax
Jerry Tucker	2008	.42	Fire Tax
Dianne Tuck	2007	.07	Fire Tax
Morris Reese	2008	11.87	Fire Tax
David N. Fairey	2007	.28	Fire Tax
Charles M. Kurz	2006	18.75	Fire Tax
Charles M. Kurz	2007	18.75	Fire Tax
Total		\$ 2,195.61	Fiscal y-t-d - \$ 5,835.70

**REBATES
November 2008**

NAME	YEAR	AMOUNT	REASON
Wayne & Gayle Branch	2008	694.10	Listing Correction
Brian & Stephanie Edwards	2008	35.11	Value Correction
Bonnie W. Gardner	2008	228.55	Listing Correction
Steven W. Hunt	2002	95.40	Listing Correction
Michael D. Jones	2008	125.68	Value Correction
Karpathos, LLC	2008	199.50	Value Correction
Ronald & Laney Renn	2008	58.65	Listing Correction
Kenneth Rigsbee, IRA	2008	242.27	Listing Correction
Sidney & Annie Scott	2008	199.50	Value Correction
Danny A. Smith	2008	248.50	Listing Correction
Patricia J. Terry	2008	444.89	Listing Correction
Billie Williams	2008	119.70	Value Correction
Total		\$ 2,691.85	Fiscal y-t-d - \$ 110,624.12

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See on file monthly report, 911 Emergency Operations
See on file monthly report, Vance County ABC Board
See on file monthly report, Administrative Ambulance Charge-offs
See on file monthly report, Fire and Ambulance Service
See on file monthly report, Human Resources Department
See on file monthly report, Planning and Development Department
See on file monthly report, Tax Office
See on file monthly report, Veterans Service Office
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Finance Director's Report

Sale of Surplus Personal Property. Finance Director Steven C. Stanton requested the Board to declare a 1997 Ford Ambulance and a 1999 Ford Ambulance as surplus in order for them to be sold on the internet auction site Gov. Deals.

Motion was made by Commissioner A. Scott Hughes to declare the two ambulances as surplus and allow the Finance Director to sell said ambulances on the internet auction site Gov. Deals. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Resolution Approving Financing Terms. Finance Director Steven C. Stanton requested approval of a resolution to enter into a contract with BB&T for the financing of a 2009 GMC Type Three Ambulance. The total amount for the vehicle is \$119,494. This is a four year arrangement at 3.12% interest. Mr. Stanton stated that authorization is needed to contract with BB&T, the low bidder, for the financing of the vehicle.

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner A. Scott Hughes, vote unanimous, to approve the resolution for financing 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 a 2009 GMC Type Three Ambulance (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), in accordance with the proposal dated December 29, 2008. The amount financed shall not exceed \$119,494, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.12%, 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.

Approved this 5th day of January, 2009.

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

Committee Reports and Recommendations

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

Department of Social Services
 Child Support Agent II

Tax Office
 Tax Customer Service Representative

911
 Telecommunicator I

Sheriff's Department
Deputy Sheriff - two positions
Bailiff

Motion was made by Commissioner Eddie L. Wright to fill the position vacancies as requested. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Mrs. Johen noted that during last month's meeting, a public comment was made by Carl Ellington regarding the County providing retiree insurance with prescription drug coverage. Mrs. Johen reported that the HR Committee has received that request in writing and is studying the impact that it may have on the upcoming budget. Once the numbers have been further reviewed, a recommendation will be made from the Committee.

Mrs. Johen distributed a copy of the personnel policy manual to the Board and stated that it will become effective January 1, 2009. Policy meetings for all employees will begin next week.

Planning and Environmental Committee - Water Project. These matters were addressed earlier during this meeting.

Public Safety Committee - Kerr Lake VFD - This matter will be addressed during the County Manager's Report.

Pending Business

County Water Project. A presentation was made earlier during this meeting regarding water project matters.

Warrenton Road Sewer Project. 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 Rural Center is working on the final details of the contract with the County. Construction is anticipated to begin in late spring or early summer.

Building Reuse Project. A pre-development application for grant funds in the amount of \$25,000 was submitted to 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. An award decision by the Rural Center is anticipated by the end of February 2009.

County Manager's Report

Records Retention and Disposition Schedule. Mr. Ayscue explained that the North Carolina Government Records Branch of the Division of Historical Resources developed a new County Management Records Retention and Disposition Schedule in April 2006 which includes minor

updates to the previous 2001 edition. Vance County has approved the 2001 edition but now needs to proceed with approval of the 2006 edition.

Motion was made by Commissioner Terry E. Garrison to approve the County Management Records Retention and Disposition Schedule of April 2006 to be effective as of January 1, 2009. This motion was seconded by Commissioner Danny W. Wright and unanimously approved.

Appointment of Legislative Liaison. Mr. Ayscue informed the Board that the NC Association of County Commissioners is asking counties to appoint a Legislative Liaison for the 2009-10 legislative biennium. Vance County's liaison has been Commissioner Danny W. Wright for the past two years.

Motion was made by Commissioner Terry E. Garrison to appoint Commissioner Danny Wright to serve for the next two years as Vance County's Legislative Liaison. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Black History Month Resolution. Mr. Ayscue noted that February is recognized at the national level as Black History Month. The Board of Commissioners has designated February as Black History Month in Vance County and has indicated its desire to continue doing so.

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner Eddie L. Wright, vote unanimous, to adopt the following resolution to designate February 2009 as Black History Month in Vance County:

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RESOLUTION
by the
Vance County Board of Commissioners
to designate
February as Black History Month in Vance County

WHEREAS, various times during the month of February have been observed nationally for over eighty (80) years in recognition of black history and the untold contributions made to society by African-Americans; and

WHEREAS, Carter G. Woodson, a Washington, D.C. author, editor, historian, and publisher, is credited with choosing the second week in February in 1926 to defend black humanity and highlight the accomplishments of his ancestors; and

WHEREAS, the second week of February was extended to include the entire month in 1976 upon celebration of the bicentennial of the United States; and

WHEREAS, the Vance County Board of Commissioners sincerely desires for all citizens to understand and appreciate the value added to the Vance County economy and overall community by African-Americans of all socio-economic levels.

NOW THEREFORE BE IT RESOLVED, that the Vance County Board of Commissioners does duly designate February as Black History Month in Vance County, and in doing so, does recognize the countless significant contributions to society made by people of African heritage.

BE IT FURTHER RESOLVED, that the Vance County Board of Commissioners does encourage businesses, churches, civic organizations, schools, and citizens of all races and color to participate in the celebration of Black History Month in Vance County during the month of February, 2009.

This, the fifth day of January, 2009.

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

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Kerr Lake VFD Resolution. Mr. Ayscue noted that the Kerr Lake Volunteer Fire Department is nearing completion of the approval process to become a certified volunteer fire department. The State requires a resolution by the Board of Commissioners that recognizes Kerr Lake VFD as a local volunteer fire department and that Kerr Lake VFD will be incorporated into the County's fire protection operations. Mr. Ayscue stated that the Public Safety Committee met earlier during the day and supports the resolution with one change - delete the sentence "be it further resolved, upon certification, Kerr Lake Volunteer Fire Department would be eligible to begin to receive a pro rata share of fire tax proceeds as determined appropriate by the Board of Commissioners". Mr. Ayscue stated that this is not necessary language for the State Fire Marshal, and the Committee stated that it would be appropriate to delete this language.

Motion was made by Commissioner A. Scott Hughes to adopt the resolution upon the deletion of language recommended by the Public Safety Committee. This motion was seconded by Commissioner Danny W. Wright.

Commissioner Deborah F. Brown expressed her concerns with the resolution. She questioned the order in which Kerr Lake VFD would be dispatched and would Kerr Lake VFD serve any portion of Warren County? Mr. Ayscue responded that there is a protocol for dispatching. When there is a structure fire (or a fire threatening a structure) within their district, Kerr Lake VFD would be dispatched along with the next closest volunteer fire department and the County fire department - all are dispatched at the same time. If it is not a structure fire (brush, vehicle, etc.), Kerr Lake VFD would be dispatched along with the next closest volunteer fire department. This protocol holds true for all volunteer fire departments.

Commissioner Brown also asked if the Public Safety Committee took into consideration the

fire study. She asked if it would be appropriate to wait until the study is complete. Commissioner A. Scott Hughes, Public Safety Committee member, stated that it was taken into consideration, but the Board has approved Kerr Lake VFD up to this point. The Committee did not feel it would be appropriate to stop them now.

Mark Minish, Kerr Lake VFD Chief, was present and addressed two questions from Commissioner Hughes regarding mutual aid agreements and the status of the first responder program. Mr. Minish stated that he needs to meet with the chiefs of those departments bordering Kerr Lake's district regarding mutual aid. Regarding the first responder program, some personnel have already completed a medical responder class, so they will be able to respond as first responders.

Robert Minish was present and informed the Board that Kerr Lake VFD passed state certification on December 9, 2008.

Mr. Ayscue stated that once the Board adopts the resolution, it will take the State about 10 days to complete its paperwork. Kerr Lake VFD will then need to finalize all mutual aid agreements and its first responder program. It will then take 911 one to two weeks to get all the protocols finalized with Kerr Lake VFD.

Commissioner Deborah F. Brown cautioned Mr. Minish that once the fire study is finalized it is possible that there may be some changes that need to be made within all volunteer fire departments. She asked all departments for cooperation during that time.

Chairman Brummitt thanked Mr. Minish and those involved for their efforts in putting this new volunteer department together and expressed his appreciation for what they are trying to do for the citizens of Vance County.

Regarding Commissioner Brown's question as to whether Kerr Lake VFD would serve any portion of Warren County, Mr. Minish responded that the Warren County border is outside their six-mile district, but they would be able to provide mutual aid if needed.

At this time, vote on the motion to approve the resolution as amended was unanimous.

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RESOLUTION
by the
Vance County Board of Commissioners
*Approval of Kerr Lake Volunteer Fire Department
to Serve in Vance County*

WHEREAS, Kerr Lake Volunteer Fire Department, Inc. (Kerr Lake VFD) has a contractual agreement with the County of Vance to provide fire protection services (including protection of life and property) to residents within its duly established volunteer fire district (Kerr Lake

Fire District) as approved by the Vance County Board of Commissioners and the North Carolina Department of Insurance - State Fire Marshal's Office; and

WHEREAS, Kerr Lake VFD will operate fire apparatus and related equipment of a cumulative value of \$5,000 or more; and

WHEREAS, Kerr Lake VFD is nearing the completion of all requirements by the State Fire Marshal's Office to become certified, which will enable it to be officially dispatched by the County to appropriate emergency events.

NOW, THEREFORE BE IT RESOLVED, that the Vance County Board of Commissioners does hereby approve Kerr Lake VFD to serve within Vance County, *contingent upon final certification by the State Fire Marshal*; **BE IT FURTHER RESOLVED**, that the Chairman of the Board of Commissioners is authorized to execute the necessary documentation and record of this resolution to the State Fire Marshal; **AND BE IT FINALLY RESOLVED**, that upon receipt of final certification by the State Fire Marshal, the Vance County Manager is authorized to direct the appropriate dispatching of Kerr Lake VFD to emergency events in Vance County, consistent with existing protocol and standard operating procedures.

This, the fifth day of January, 2009.

R. Dan Brummitt (signed)

R. Dan Brummitt, Chairman

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FEMA Grant - County Fire Department. Mr. Ayscue reported that the County Fire Department submitted a grant application to the US Department of Homeland Security (FEMA) for federal funds to replace all firefighting protective clothing and to provide new self-contained breathing apparatus. The Department was just notified of approval of the grant in the amount of \$61,647. A 10% local match of \$6,849 is required. An appropriation from the Contingency is necessary in order to receive the federal grant funds.

Motion was made by Commissioner Deborah F. Brown to approve an appropriation of \$6,849 from the Contingency as match for \$61,647 of federal funds for a total of \$68,496 to be used for acquisition of firefighting protective clothing and breathing apparatus. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Extension of Sales Tax Audit Contract. Mr. Ayscue noted that the County has contracted since 2002 with a private audit consultant, Tax Reduction Specialists, to conduct an audit of sales and use taxes to ensure that Vance County receives its full share of sales tax revenues on purchases/sales which may originate in another county but are for projects in Vance. The contract is on a contingency basis, so if no additional revenues are identified, no fee is paid. Mr. Ayscue recommended that the Board adopt the addendum to the May 6, 2002 contract with Tax Reduction Specialists for the tax period through December 31, 2009.

Motion was made by Commissioner Terry E. Garrison, seconded by Commissioner A. Scott Hughes, vote unanimous, to adopt the addendum to the May 6, 2002 contract with Tax Reduction Specialists for the tax period through December 31, 2009.

Authorization for Execution of Mutual Aid Agreement. Mr. Ayscue noted that in the year 2000, Vance County entered into a statewide mutual aid assistance agreement with the State which allows mutual sharing of resources during times of disaster. It is a requirement for the County to receive help during such times. The State is requesting that the agreements be refreshed or made more current by having the same document signed.

Motion was made by Commissioner Eddie L. Wright to authorize the Chairman to execute the 'North Carolina Statewide Emergency Management Mutual Aid and Assistance Agreement' on behalf of Vance County. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Amendment to Lease Agreement with Council of Governments. Mr. Ayscue noted that the Council of Governments has requested to amend the existing lease agreement for office space in the School Administrative Building on Graham Avenue. The HUB project has hired an executive director and the COG has negotiated with the Schools the use of an office (133 sq. ft.) for this individual. Mr. Ayscue recommended that the Board expand the COG lease agreement by 133 sq. ft. and allow them to sublease that to the HUB. He asked the Board for its authority to amend the existing contract in that regard.

Motion was made by Commissioner A. Scott Hughes to expand the existing lease agreement with the Council of Governments by 133 sq. ft. This motion was seconded by Commissioner Terry E. Garrison and unanimously approved.

Appointments. Motion was made by Commissioner Terry E. Garrison, seconded by Commissioner Danny W. Wright, vote unanimous, that the following appointments be approved as presented.

Watershed Advisory Board - three-year term

Re-appoint Edward Spain - appointed 03/2002
Richard Henderson - appointed 01/1994
Harold Thompson - appointed 01/1994

Vance County Planning Board - three-year term

Appoint Sandy Burks to fill vacant position.

Kerr-Tar Workforce Development Board - initial one-year term

Appoint Leslie Carswell to fill vacant position.

Animal Control Advisory Committee
Appoint Lisa Brewer to fill 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 for the purpose of discussing personnel matters.

Upon return to open session and as there was no further business, at 9:25 p.m., motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Terry E. Garrison, vote unanimous, that the meeting be adjourned.

Approved and signed February 2, 2009.

Chairman