

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners reconvened its March 2, 2009 meeting and continued in regular session on Tuesday, March 3, 2009 at 5:00 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 Deborah F. Brown, Terry E. Garrison, A. Scott Hughes, J. Timothy Pegram, and Danny W. Wright.

Absent: Commissioner Eddie L. Wright.

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.

County Manager Jerry L. Ayscue gave the invocation.

Chairman Brummitt stated that the public hearing scheduled for Monday, March 2 regarding funding of an elementary school has been rescheduled for Monday, March 16, 2009 at 5:00 p.m.

The first item on the agenda was the Community Hero Award recognition. Commissioner Terry E. Garrison nominated Ms. Shelia Simmons for this month's award. Chairman Brummitt asked Ms. Simmons and Commissioner Garrison to come forward.

Ms. Shelia Simmons was born in Philadelphia, Pennsylvania. She attended South Philadelphia High School and graduated in 1974. She also attended a trade school for Nursing Aid.

Ms. Simmons moved to Henderson, North Carolina in 1990 and currently resides at 125 N. College Street. She has been associated with the partnership of Shiloh Baptist, First Baptist, and Little Zion churches in Henderson since the group opened King's Kid's Park in May 2008. The Park is located at the corner of Montgomery and College Street. Ms. Simmons provides access to the Park and oversees its activities. Many neighborhood children have been out to play at the Park since its opening.

Ms. Simmons has volunteered at Head Start and received an Outstanding Service Plaque. She also volunteered for the Campaign for Change for Barack Obama and the Vance County Democratic Party.

For these accomplishments, Ms. Shelia Simmons is to be recognized as a Vance County Community Hero. Ms. Simmons was presented a certificate and a check for \$25.00.

Michael Smith, EMS Medical Director, was next on the agenda on behalf of the Fire and EMS Advisory Committees. Mr. Smith stated that, after reviewing the fire study, the committees

developed the following recommendation:

1. As soon as possible, hire a full-time County EMS Director.
2. As soon as possible, hire a full-time County Fire Marshal.
3. Within one year, hire a full-time EMS Quality Assurance/Training Coordinator.
4. Once the two lead positions are hired, at least six months should be allowed for the transition to take place and be completed.

Commissioner Deborah F. Brown stated that there are several matters on tonight's agenda regarding fire and EMS and suggested that all matters be acted upon during the Committee Reports and Recommendations section of the meeting. The Board agreed to this arrangement.

The Board thanked the Fire and EMS Committees for their many hours of work in reviewing the Fire Study.

Mr. Robert Minish, Kerr Lake Volunteer Fire Department, was next on the agenda and requested funding from the County fire tax funds. Mr. Minish stated that Kerr Lake VFD was inspected and passed state certification on December 9, 2008. The Mutual Aid Agreement was completed several weeks ago. The first responder paperwork is not yet back from the State, but is expected to be approved. Mr. Minish stated that all funds raised by Kerr Lake VFD have been exhausted, and if fire tax funds are not received from the County, the department will fail.

Mr. Minish requested immediate equitable distribution of fire tax funds for this fiscal year. He also requested a permanent contract with the County to provide fire protection services, and allow Kerr Lake VFD to commence operations as a Vance County volunteer department.

Chairman Brummitt stated that action would be taken on these requests during the Committee Reports and Recommendations section of the meeting.

Public comments were heard next. Michael Bobbitt spoke and asked for the Board's assistance in championing a change to the State's Constitution that would compel all publicly elected officials to certify annually in writing that they have paid all property taxes due by the appointed date, or relinquish their elected position for at least one election cycle.

The consent agenda was addressed next, with the Granville-Vance District Health monthly report pulled to be discussed separately. Dr. Drake, Public Health Director, is expected to be present later during the meeting to give an overview of the report.

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: Budget Amendments #19 and #20, February 2009 Refunds, January 2009 Rebates, February 2009 Ambulance Charge-Offs in the amount of \$9,415.14, February 2009 Monthly Reports received and

filed, and the minutes of the February 2, 2009 regular meeting.

-----

**Budget Amendment #19  
General Fund**

<b>Expenditures</b>	<b>Code</b>	<b>Debit</b>	<b>Credit</b>
DSS Part Time Salaries	10-610-500002		<u>19,128.00</u>
Total Increase in Expenditures			\$ 19,128.00

<b>Expenditures</b>			
DSS Salaries	10-610-500001	<u>19,128.00</u>	
Total Decrease in Expenditures		\$ 19,128.00	

Purpose: To transfer to cover part-time wages for three employees from July through January.

Authorization: Vance County Board of Commissioners  
March 2, 2009

-----

**Budget Amendment #20  
General Fund**

<b>Expenditures</b>	<b>Code</b>	<b>Debit</b>	<b>Credit</b>
Senior Center Supplies	10-611-500033		<u>1,063.00</u>
Total Increase in Expenditures			\$ 1,063.00

<b>Revenues</b>			
Senior Center Donations	10-350-435007	<u>1,063.00</u>	
Total Increase in Revenues		\$ 1,063.00	

Purpose: To record supplies purchased with donated funds for Christmas goody bags for the Senior Center.

Authorization: Vance County Board of Commissioners  
March 2, 2009

-----

**REFUNDS  
February 2009**

<b>Name</b>	<b>Year</b>	<b>Amount</b>	<b>Reason</b>
Michael J. Fillis	2009	55.50	Vehicle Tax
Michael J. Fillis	2009	21.14	Vehicle Tax
Kenneth R. Murdock	2007	23.19	Vehicle Tax
Kenneth R. Murdock	2008	1.50	Vehicle Tax
Tharwat A. Samaan	2008	1.31	Vehicle Tax
Nancy W. Crews	2008	5.20	Vehicle Tax
Jo Ann Thomas	2008	3.04	Vehicle Tax
Annie C. Owens	2008	2.48	Vehicle Tax

<b>Name</b>	<b>Year</b>	<b>Amount</b>	<b>Reason</b>
Harvey M. Jones	2008	1.79	Vehicle Tax
Rafael S. Rosique	2008	4.20	Vehicle Tax
Raymond O. Strum	2008	38.67	Vehicle Tax
Arthur Cureton, Jr.	2008	28.10	Vehicle Tax
Fequin S. Isreal	2008	20.00	Tax Refund
Waverly Rooker	2008	17.61	Vehicle Tax
Bobby E. Greene	2005	360.00	Solid Waste Tax - Error
Bobby E. Greene	2006	360.00	Solid Waste Tax - Error
Bobby E. Greene	2007	380.00	Solid Waste Tax - Error
Bobby E. Greene	2004	300.00	Solid Waste Tax - Error
Michael J. Fillis	2009	1.80	Fire Tax
Michael J. Fillis	2009	.68	Fire Tax
Kenneth R. Murdock	2007	.76	Fire Tax
Kenneth R. Murdock	2008	.06	Fire Tax
Nancy W. Crews	2008	.16	Fire Tax
Jo Ann Thomas	2008	.10	Fire Tax
Rafael S. Rosique	2008	.15	Fire Tax
Raymond O. Strum	2008	1.26	Fire Tax
Waverly Rooker	2008	.57	Fire Tax
<b>Total</b>		<b>\$ 1,629.27</b>	Fiscal y-t-d - \$ 7,997.93

**REBATES  
January 2009**

<b>NAME</b>	<b>YEAR</b>	<b>AMOUNT</b>	<b>REASON</b>
Thomas L. Allison	2008	227.03	Value Correction
Kenneth Andrews	2005-08	1,446.95	Mobile Home Repo'd in 2004
Christopher S. Bowman	2008	524.12	Value Correction
Harriette H. Butler	2008	1,528.64	Value Reduced
Curtis C. Clark	2008	29.61	Listing Correction
Eugene Crowder, Jr.	2008	63.35	Listing Correction
Agnes F. Falkner	2008	23.94	Value Correction
Donald L. Hargrove	1998-2008	818.57	Listing Correction
George Hawkins	2000-08	424.19	Listing Correction
Ramon & Laurie Hernandez	2008	137.89	Listing Correction
Ned Jefferson heirs	1998-2008	2,208.22	Property Now Owned by City and County
Steven C. Johnson	2008	44.37	Listing Correction
Dwight & Jane King	2008	798.00	Value Correction
James F. Lassiter, Jr.	2008	181.15	Listing Correction
Liberty Kennels, Inc.	2008	23.94	Value Correction
Ramon & Laurie Manriques	2008	173.80	Value Correction
Corrine Marks	1998-2008	2,131.89	Property Now Owned By City and County
Marvin J. Matthews	2008	34.19	Listing Correction
Mead Land Company	2008	1,795.50	Lots Combined - Value Reduced
Stephen G. Morgart	2008	20.25	Listing Correction
Spring Val. North	2008	88.98	Value Correction
James T. Sughrue	2008	73.12	Listing Correction
Michael K. Sutton	2008	361.09	Value Correction
Ronnie & Erica Tingen	2008	47.58	Listing Correction
Wayne Vaughn	2008	108.86	Listing Correction
James Williamson	2008	15.11	Listing Correction
Virginia A. Young	2000-02	132.22	Chapter 13 Release
<b>Total</b>		<b>\$ 13,462.56</b>	Fiscal y-t-d - \$ 134,759.86

- - - - -  
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  
- - - - -

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  
Detention Supervisor

Department of Social Services

Human Resources Aid - the HR Committee recommends this position be frozen.  
Income Maintenance Caseworker II - the HR Committee recommends this position be frozen for 30 days.

Motion was made by Commissioner Deborah F. Brown to fill the Detention Officer and Detention Supervisory positions, to freeze the Human Resources Aid position, and freeze the Income Maintenance Caseworker II position for 30 days. This motion was seconded by Commissioner Danny W. Wright and unanimously approved.

At this time, Chairman Brummitt asked Mr. Ayscue to provide an update on the current budget situation. Mr. Ayscue stated that the County anticipates continued decline in sales tax revenues for the coming fiscal year. In light of a 5 to 10% reduction in revenues for the coming year, County departments will be asked to submit budgets containing a 5% reduction and a 10% reduction in County funds.

Commissioner Eddie L. Wright was now present at the meeting.

*Audit Committee.* Mr. Ayscue stated that the newly formed Audit Committee met on Friday, February 13, for the purpose of reviewing the FY 2007-08 audit report and to evaluate performance of the local independent auditor. Compliance issues contained in the audit were discussed, the overall financial condition of the County was reviewed, performance of the auditing firm was

evaluated, and a recommendation for auditing services for the next three years was formulated. The Audit Committee recommends that the Board of Commissioners contract with Phillips, Dorsey, Thomas, Waters, & Brafford, P.A. as its local independent auditor for the next three years, beginning with the audit report for FY 2008-09 at a price of \$34,500 for the first year and an annual increase of \$1,500 for each of the following two years.

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner Eddie L. Wright, vote unanimous, that the Board of Commissioners contract with Phillips, Dorsey, Thomas, Waters, & Brafford, P.A. as its local independent auditor for fiscal year 2008-09 at a price of \$34,500.

*Public Safety Committee.* The Public Safety Committee met on Friday, February 27 to discuss matters relative to fire and emergency medical services. The Committee reviewed the recommendation from the Fire and EMS Advisory Committees, as presented by Michael Smith earlier during this meeting, and on a 2-1 consensus, recommends that the County create a position that will employ an EMS Director/Fire Chief as of July 1, 2009. Another position in the department will need to be expanded to add training. A part-time clerical position should also be created.

Mr. Ayscue stated that this recommendation, if approved, would terminate the contract with the City of Henderson for supervision services.

Commissioner Deborah F. Brown stated that since the Public Safety Committee met, she has received two other proposals for fire and EMS services from the Hicksboro Volunteer Fire Department regarding a substation, and the Chief of the Vance County Rescue Squad. She stated that those requests, along with the recommendations from the Fire and EMS Advisory Committees, and the funding request from Kerr Lake Volunteer Fire Department should be addressed more comprehensively.

Commissioner Brown then made the following motion: that the full Board meet to exclusively address the EMS and Fire Advisory Committees' recommendation, the Kerr Lake Volunteer Fire Department request, the Hicksboro Volunteer Fire Department request, and the proposal submitted by the Vance County Rescue Squad. The objective of that meeting will be to discuss plans for the separation of County and City Fire and EMS Services and the costs associated with that, taking into account all recommendations and requests, with an action plan to become effective January 1, 2010. This motion was seconded by Commissioner Eddie L. Wright.

Commissioner Terry E. Garrison amended the motion to set the meeting for some time in July 2009. Commissioner Eddie L. Wright seconded this amendment.

Chairman Brummitt noted the sense of urgency from Kerr Lake VFD and stated that tabling their funding request until July may put them in a situation that will conflict with their best interest. He further stated that the discussion in the Public Safety Committee was that while the County would support funding Kerr Lake VFD at this time, nothing is definite because of the potential changes that the Fire Study may bring about. He would like the Board to support Kerr Lake VFD's funding request through this fiscal year.

Jerry L. Ayscue stated that in talking with Brian Short, Emergency Operations Director, it will take one to two weeks to get Kerr Lake VFD built into the system so that they may begin answering calls. They just need direction from the Board to begin.

Commissioner Danny W. Wright stated that when the Board approved Kerr Lake as a volunteer fire department, implicit in that was that the County fund them. He stated that he is ready to appropriate funds from March through June.

Commissioner Deborah F. Brown stated that her motion still stands as far as including Kerr Lake VFD in the overall discussion regarding Fire and EMS services. She did agree to address the funding issue separately.

Commissioner A. Scott Hughes stated that the purpose of the recommendation by the Advisory Committees was not to make a change in the fire department other than to have a County Fire Chief. That person could be on board with the planning of future changes. He stated that the Board of Commissioners should not micro manage each individual volunteer fire department, but rather oversee the entire operation as a whole. He supports the recommendation of the Fire and EMS Advisory Committees.

Commissioner Danny W. Wright stated that by voting yes on this motion, he is not supporting the separation of services as of January 2010, but he is open to discuss it along with all other pertinent matters regarding fire and EMS services.

Commissioner Eddie L. Wright echoed these remarks.

The vote on the motion that the full Board meet to exclusively address the EMS and Fire Advisory Committee's recommendation, the Kerr Lake Volunteer Fire Department, the Hicksboro Volunteer Fire Department request, and the proposal submitted by the Vance County Rescue Squad. The objective of that meeting will be to discuss plans for the separation of County and City Fire and

EMS Services and the costs associated with that, taking into account all recommendations and requests, with an action plan to become effective January 1, 2010 was ayes - six (6); noes - one (1), with the dissenting vote being cast by Commissioner A. Scott Hughes.

At this time, motion was made by Commissioner A. Scott Hughes to appropriate funds in the amount of \$4,166.67 per month to Kerr Lake Volunteer Fire Department from March 1 through the remainder of this fiscal year. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Dr. Roddy Drake was next on the agenda to discuss the monthly report from the Public Health Department. The report consisted of clinic data, well and septic permit data, and restaurant inspections and grading. Dr. Drake gave a general overview of the report and answered questions by the Board.

Motion was made by Commissioner Deborah F. Brown to receive the monthly report from the Granville-Vance District Health Department. That motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

#### Pending Business

*County Water Project.* Mr. Ayscue explained 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. Mr. Ayscue stated that it is possible that the Economic Stimulus package may assist with lower than anticipated interest rates on the USDA Rural Development loan.

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

*Building Reuse Project.* On February 26<sup>th</sup>, the County was notified that it has been 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. Contracts and other material are forthcoming from the Rural Center so that this project can begin.

County Manager's Report

*Resolution on Continuation of Resource Center.* Mr. Ayscue explained that Vance County administers the Criminal Justice Partnership Grant program for a four-county resource center. Each year, the application for the state funds requires that the four counties (Vance, Granville, Franklin, and Warren) adopt a resolution of support for the administration of the grant.

Motion was made by Commissioner Eddie L. Wright, seconded by Commissioner Danny W. Wright, vote unanimous to adopt the following resolution for continuation of the VWGF Resource Center:

- - - - -

**R E S O L U T I O N**  
by the  
**Vance County Board of Commissioners**  
*Continuation of the VWGF Resource Center*

Upon a duly made and seconded motion, a majority of the commissioners seated on the Vance County Board of Commissioners adopted the following resolution at a public meeting on this the 3<sup>rd</sup> day of March, 2009.

**RESOLVED**, that the VWGF Resource Center is operating according to design and meeting identified criminal justice service needs throughout the local Judicial District; and it is

**FURTHER RESOLVED**, that the Vance County Board of Commissioners is fully satisfied with the managerial configuration presently being employed and also approves of the Vance County Manager continuing to serve in FY 2009-2010 as the financial administrator of this very important regional project.

R. Dan Brummitt (Signed)  
Chairman, Board of Commissioners

March 3, 2009  
Date

Jerry L. Ayscue (Signed)  
County Manager

March 3, 2009  
Date

- - - - -

*Authorization to Apply for Grants.* Mr. Ayscue stated that upon recommendation from the Economic Development Commission, the County is seeking grants for an industrial project. The recommendation is to authorize the County Manager to pursue appropriate grants for an unnamed industrial project and further authorize the Chairman to duly execute related documents.

The Board decided to address this matter following the closed session.

*ADM Applications.* Mr. Ayscue reported that on February 9, 2009, the Board of Education approved several ADM funding applications totaling \$141,087. Such applications also require approval by the Board of Commissioners. The requests are as follows: Aycock and Elementary - replacement of carpet with tile in selected classrooms - \$6,492; Dabney Elementary - replacement of carpet with tile in selected classrooms - \$22,016; New Hope Elementary - painting of water storage tank - \$1,575 and boiler room doors replacement - \$2,625; Eaton-Johnson Middle - replacement of hvac unit - \$5,850; various schools - roofing repairs - \$102,529. Funds are available.

Motion was made by Commissioner A. Scott Hughes to approve the applications for ADM funding for the aforementioned projects totaling \$141,087 as approved and requested by the Board of Education. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

*Records Retention and Disposition Schedule - Sheriff's Office.* Mr. Ayscue stated that the State has published a new schedule for Sheriffs to use in record management. Action by the Board of Commissioners is required by General Statute.

Motion was made by Commissioner Danny W. Wright, seconded by Commissioner Deborah F. Brown, vote unanimous, to approve the County Sheriffs' Records Retention and Disposition Schedule as published by the State of North Carolina in November 2008, effective March 1, 2009.

At this time, motion was made by Commissioner Deborah F. Brown to enter into closed session to discuss an industrial project. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

Upon return to open session, motion was made by Commissioner Danny W. Wright, seconded by Commissioner Terry E. Garrison, vote unanimous, to authorize the County Manager to pursue appropriate grants for an unnamed industrial project and further authorize the Chairman to duly execute related documents.

As there was no further business, at 6:55 p.m. motion was made by Commissioner Deborah F. Brown, seconded by Commissioner A. Scott Hughes, vote unanimous, that the meeting be adjourned.

Approved and signed April 6, 2009.

---

Chairman