

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Tuesday, September 7, 2010 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 Danny W. Wright, Commissioners Eddie L. Wright, Deborah F. Brown, R. Dan Brummitt, Terry E. Garrison, A. Scott Hughes, and J. Timothy Pegram.

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.

Pastor Abidan Shah, Clearview Baptist Church, gave the invocation.

As advertised, at 6:00 p.m. a public hearing was held to gain citizen input concerning the closeout of the Scattered Site Community Development Block Grant (CDBG) Program. Ms. Karen Foster, Council of Governments, explained that funds for the program were used for housing rehabilitation, clearance, and relocation activities for 15 households which translates to 29 individuals. The North Carolina Department of Commerce authorized \$400,000 for the project, of which, \$332,937.64 was able to be used.

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

Motion was made by Commissioner A. Scott Hughes to close out the CDBG Scattered Site Program and to authorize the Chairman to execute any closeout documents as appropriate. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

A special recognition was held next honoring the Henderson-Vance Girls' 16/Under All-Star Softball team and the 14/Under All-Star Softball team. The 14/Under team recently finished as runners-up in the 2010 Babe Ruth 14/Under Southeastern Regional Tournament held in Altamonte Springs, Florida. The 16/Under team recently won the Babe Ruth 16/Under World Series in Varina, Virginia, and in doing so, became the first all-star team in history from Vance County to become Babe Ruth Softball World Series Champions.

Chairman Wright recognized each team and stated that it is an honor and privilege to do so. He asked the girls and coaches to come forward and presented each of them with a resolution from the Board of Commissioners and read the resolutions aloud. A framed copy of each team resolution

will be displayed in the trophy case at the Aycock Recreation Center. Chairman Wright congratulated each team and stated that the Board would be treating them to a steak dinner at Middleburg Steakhouse later this month.

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RESOLUTION
by the
Vance County Board of Commissioners

In Recognition of the Henderson-Vance Girls 14/Under All-Stars Softball Team

WHEREAS, the Henderson-Vance Girls' 14/Under All-Star Softball Team recently finished as runners-up in the 2010 Babe Ruth 14/Under Southeastern Regional Tournament held in Altamonte Springs, Florida; and

WHEREAS, during a successful play-off journey, the Henderson-Vance team emerged as 2010 Champions of the District 4 Tournament held in Vance County; and

WHEREAS, the softball team traveled to Kinston, North Carolina where they became the 2010 Champions in the Eastern North Carolina Babe Ruth Softball State Tournament, thus becoming qualified to compete at the regional level where they eventually finished as the runner-up team; and

WHEREAS, this memorable opportunity for participation in post-season competition was afforded by the Henderson-Vance Recreation and Parks Department, the Vance County Board of Commissioners, and many friends and family members of the team members; and

WHEREAS, through their successful efforts, these impressive young ladies provided a shining example of the true value of teamwork.

NOW, THEREFORE BE IT RESOLVED, that the Vance County Board of Commissioners does duly recognize and congratulate members of the Henderson-Vance Girls 14/Under All-Star team - *Rashyda Burwell, Allyson Dunn, Jesse Edwards, Deonna Grey, Megan Hight, Kiyanna Kearney, Kasey Newcomb, Harley Parrott, Hannah Powell, Mikayla Sellers, and Sarah Stanton* and coaches Donald Hoyle, Steve Cordell, and Ryan Drake, as well as Assistant Coaches Dan Brummitt and Tommy Anstead, for their excellent athletic competition, hard work, and honorable representation of Henderson and Vance County as Southeastern Regional Runners-up in the 2010 Babe Ruth Girls 14/Under Softball tournament held in Altamonte Springs, Florida.

This, the 7th day of September, 2010.

Danny W. Wright (signed)
Danny W. Wright, Chairman

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RESOLUTION
by the
Vance County Board of Commissioners

***In Recognition of the Henderson-Vance Girls 16/Under All-Stars Softball Team
2010 Babe Ruth Softball World Series Champions!***

WHEREAS, the Henderson-Vance Girls' 16/Under All-Star Softball Team recently won the Babe Ruth 16/Under World Series in Varina, Virginia, and in doing so, became the first all-star team from Vance County in history to become Babe Ruth Softball World Series Champions; and

WHEREAS, during their successful journey to the Girls 16/Under Babe Ruth World Series, the Henderson-Vance team won the District 4 Tournament Championship in Vance County, North Carolina; the Southeastern Regional Tournament Championship in Kinston, North Carolina; and the Southeastern Regional Tournament Championship in Altamonte Springs, Florida; and

WHEREAS, the Henderson-Vance team not only won the 2010 World Series Championship in convincing fashion with a 19-2 record, but several players also received individual recognition, including Kaylan Hoyle and Jordan Garrett who were selected for the All World Series Team, and Kara Reese, Hanna Thompson, Rebekah Edwards, and Morgan Adcock who were named to the All World Series Defensive Team; and

WHEREAS, Jordan Garrett set a new World Series record for the most strike outs (114) in the World Series and also for a single game (18), and in doing so was named the World Series Most Outstanding Player.

NOW, THEREFORE BE IT RESOLVED, that the Vance County Board of Commissioners does duly recognize and congratulate members of the Henderson-Vance Girls 16/Under All-Star team - *Morgan Adcock, Tamara Ayscue, Rebekah Edwards, Jordan Garrett, Kaylan Hoyle, Taylor Lawrence, Brooke Loughlin, Natalie Reavis, Kara Reese, Katie Smith, Hannah Thompson, and Kendall Wilson*, and Coaches Tony McGhee, Keith Adcock, and Randy Garrett for their superb athletic competition and honorable representation of Henderson and Vance County in finishing first in the nation in the 2010 Babe Ruth Girls 16/Under Softball Tournament.

This, the 7th day of September, 2010.

Danny W. Wright (signed)
Danny W. Wright, Chairman

At this time, Chairman Wright recognized Commissioner Terry E. Garrison and stated that he was a co-recipient recently honored by the North Carolina Association of County Commissioners as Outstanding County Commissioner for the State. Chairman Wright congratulated Commissioner Garrison and stated he is grateful for the contribution that he makes not only to local government, but across the State, and added that it is an honor to serve on the Board of Commissioners with him.

Mr. Royster Washington, Division of Community Corrections, was next on the agenda and presented the annual report for Judicial District 9. The report summarized funds collected for FY 2009-10 for Vance, Warren, Granville, and Franklin Counties and services provided by the VWGF Resource Center.

Chairman Wright asked if there are any trends that need to be addressed. Mr. Washington responded that the statistics still remain drug-driven such as driving while impaired, drug possession, drug trafficking, etc.

Commissioner A. Scott Hughes questioned if the court system has been provided an in-patient drug rehabilitation facility to use as an alternative to jail for repeat offenders. Mr. Washington responded that the Department of Corrections already has such facilities both for men and women.

Mr. Washington reported that North Carolina is the only state in the southeastern part of the nation that supervises misdemeanors. He cautioned the Board that with budget shortfalls at the state level, the State could very well shift this responsibility to local governments.

Commissioner Dan Brummitt asked what percentage of repeat offenders end up back in the system. Mr. Washington stated that he did not have those figures, but would get them for the Board. Commissioner Brummitt stated that the County's Public Safety Committee is currently working on case management, and this information would be helpful during discussions.

Consent agenda items were addressed next. Commissioner Dan Brummitt noted that the Human Resources monthly report has a typing error which states 5 separations instead of 6. He also noted that several rebates were listed as "taxes lost in foreclosure". He asked for further information on future rebates regarding this matter. Commissioner Deborah F. Brown asked the County Manager to remind department heads and/or those that prepare monthly reports to sign off on the reports. Several were not signed this month. She also requested to receive a monthly report from Waste Industries as far as activities and volume at the transfer station. Commissioner A. Scott Hughes requested a monthly report from the Economic Development department.

Motion was made by Commissioner Dan Brummitt to approve the consent agenda with the changes noted. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Budget Amendments #4 - #7, Budget Transfer #2, August 2010 Refunds, July 2010 Rebates, August 2010 Ambulance Charge-Offs in the amount of \$2,532.83, August 2010 Monthly Reports

received and filed, and the minutes of the August 2, 2010 regular meeting, and the August 23, 2010 special meeting.

**Budget Amendment #4
General Fund**

**Fund 10 - General Fund
Soil & Water Conservation**

Expenditures	Code	Increase	Increase
Food and Provisions	10-576-500047	650.00	
Revenues		Increase	Increase
SWC State Funds	10-346-434629		650.00
Totals		\$ 650.00	\$ 650.00

Purpose: To increase Food and Provisions for grant funds received.

Authorization: Vance County Board of Commissioners
September 7, 2010

**Budget Amendment #5
Tourism**

Fund 45 - Tourism

Expenditures	Code	Increase	Increase
Group Insurance	45-413-500006	5,535.00	
Revenues		Increase	Increase
Fund Balance Appropriated	45-399-439900		5,535.00
Totals		\$ 6,765.00	\$ 6,765.00

Purpose: To set up Tourism Director on group insurance policy.

Authorization: Vance County Board of Commissioners
September 7, 2010

**Budget Amendment #6
General Fund**

**Fund 10 -
Fire and EMS**

Expenditures	Code	Increase	Increase
Capital Outlay	10-530-500074	106,420.00	

Revenues		Increase	Increase
Lease Proceeds	10-370-437024		106,420.00
Totals		\$ 106,420.00	\$ 106,420.00

Purpose: To record lease proceeds for the purchase of the 2010 GMC Chassis with Reconditioned EMS Unit.

Authorization: Vance County Board of Commissioners
September 7, 2010

**Budget Amendment #7
General Fund/Tourism**

**Fund 10 -
911 Emergency**

Revenues	Code	Decrease	Decrease
Appropriated Fund Balance	10-399-439900		75,000.00
Transfer from Room Tax	10-397-439745	75,000.00	
		Increase	Increase
Tourism Admin. Revenue	10-367-436710	9,000.00	
Appropriated Fund Balance	10-399-439900		9,000.00
		<u>84,000.00</u>	<u>84,000.00</u>

**Fund 45
Expenditures**

		Decrease	Decrease
Appropriated Fund Balance	45-399-439900		75,000.00
Transfer from Room Tax	45-413-500300	75,000.00	
		Increase	Increase
Administration Fees	45-413-500083	9,000.00	
Appropriated Fund Balance	45-399-439900		9,000.00
Totals		<u>\$ 84,000.00</u>	<u>\$ 84,000.00</u>

Purpose: To remove the transfer to/from accounts and set up the Tourism Administrative revenue and expenditure accounts due to change in method of reimbursing the County for expense of administering the accounting for the Vance County Tourism Development Authority.

Authorization: Vance County Board of Commissioners
September 7, 2010

**Budget Transfer #2
General Fund**

**Fund 10 -
Central Services**

Expenditures	Code	Increase	Decrease
Contracted Services	10-450-500045	2,310.00	
Contracted Services	10-541-500045	990.00	
 Revenues		Increase	Decrease
Technology Upgrade	10-555-500140		3,300.00
Totals		\$ 3,300.00	\$ 3,300.00

Purpose: To reclassify the cost of GIS website hosting.

Authorization: Vance County Board of Commissioners
September 7, 2010

**REFUNDS
August 2010**

Name	Year	Amount	Reason
Walter Wade, Jr.	2009	23.15	Vehicle Tax
Goodsons Mobile Home	2009	4.75	Vehicle Tax
Rosa H. Harris	2009	5.80	Vehicle Tax
Franklyn Brunskill	2009	35.70	Vehicle Tax
Eddie Smith	2009	18.41	Vehicle Tax
Alesia K. Stevenson	2009	18.80	Vehicle Tax
Hattie R. Alexander	2009	2.46	Vehicle Tax
John E. Garland	2009	2.91	Vehicle Tax
John W. Sadler, Jr.	2010	57.60	Vehicle Tax
Marilyn Satterwhite	2009	5.59	Vehicle Tax
Robert C. Collie	2009	5.16	Vehicle Tax
William R. Perry	2010	4.72	Vehicle Tax
Milton F. Currin	2009	62.00	Vehicle Tax
Milton F. Currin	2009	2.92	Vehicle Tax
Allie O. Harris	2009	2.40	Vehicle Tax
Nancy Henderson	2008	187.53	Tax Refund
Nancy Henderson	2009	183.77	Tax Refund
Bobby R. Ayscue	2009	8.01	Vehicle Tax
Rhonda O. Tippett	2009	2.98	Vehicle Tax
Vance Co. Tax Office	2010	100.04	Merchant Fee - BB&T
Vance Co. Tax Office	2010	20.00	Merchant Fee - BB&T
Faye Clayton	2010	42.16	Vehicle Tax
John D. Brammer	2009	34.44	Vehicle Tax
William R. Evans	2009	8.48	Vehicle Tax
James H. Henderson	2010	5.68	Vehicle Tax
Thomas L. Weaver	2009	17.40	Vehicle Tax
Denbar Communication	2010	45.62	Overpayment
Dennis W. Brame	2010	4.05	Overpayment
Redevelopment Commission	2010	92.11	Overpayment

Name	Year	Amount	Reason
Norman M. Hilliard	2010	107.65	Overpayment
Melissa Ayscue	2010	212.31	Overpayment
Mary M. Davis, Heirs	2010	19.03	Overpayment
Jennifer J. Eillis	2010	4.37	Overpayment
Doris W. Fields	2010	102.50	Overpayment
Parka S. Hedgpeeth	2010	165.33	Overpayment
Judy Plummer	2010	11.20	Overpayment
Stanley D. Robertson	2010	88.80	Overpayment
Vandervilt Mortgage	2010	5.62	Overpayment
Margaret F. Stokes	2010	3.18	Overpayment
Deborah Brown	2010	4.32	Overpayment
Allison C. Ellington	2009	12.98	Vehicle Tax
M.R. Williams, Inc.	2009	27.50	Vehicle Tax
Jimmy A. Phelps	2009	16.44	Vehicle Tax
James A. Brame, Jr.	2010	5.20	Vehicle Tax
Martha A. Sears	2009	56.16	Vehicle Tax
Nancy Henderson	2008	102.50	Solid Waste Household Fee
Nancy Henderson	2009	102.50	Solid Waste Household Fee
Walter Wade, Jr.	2009	.75	Fire Tax
Goodsons Mobile Home	2009	.15	Fire Tax
Eddie Smith	2009	.57	Fire Tax
Hattie R. Alexander	2009	.08	Fire Tax
John E. Garland	2009	.12	Fire Tax
John W. Sadler, Jr.	2010	1.92	Fire Tax
Marilyn Satterwhite	2009	.19	Fire Tax
Robert C. Collie	2009	.18	Fire Tax
William R. Perry	2010	.16	Fire Tax
Milton F. Currin	2009	2.08	Fire Tax
Milton F. Currin	2009	.12	Fire Tax
Nancy Henderson	2008	6.11	Fire Tax
Nancy Henderson	2009	6.11	Fire Tax
Bobby R. Ayscue	2009	.27	Fire Tax
Rhonda O. Tippet	2009	.10	Fire Tax
John D. Brammer	2009	1.14	Fire Tax
William R. Evans	2009	.28	Fire Tax
Allison C. Ellington	2009	.43	Fire Tax
Jimmy A. Phelps	2009	.56	Fire Tax
Martha A. Sears	2009	1.84	Fire Tax
Total		\$ 2,075.39	Fiscal y-t-d - \$ 2,460.38

**REBATES
July 2010**

NAME	YEAR	AMOUNT	REASON
Mary M. Whittico	2000-2009	1,376.31	Taxes Lost in Foreclosure
Tony Williams	2003-2009	1,108.12	Taxes Lost in Foreclosure
Henry Yancey, Jr. heirs	2009	48.40	Taxes Lost in Foreclosure
Total		\$ 2,532.83	Fiscal y-t-d - \$ 2,532.83

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 EMS

See on file monthly report, Health Department
See on file monthly report, Human Resources
See on file monthly report, Planning and Development
See on file monthly report, Tax Office
See on file monthly report, Veterans Service Office

Finance Director's Report

Resolution Approving Financing Terms. Mr. Stanton requested approval of a resolution to enter into a contract with BB&T for the financing of a 2010 G-4500 GMC Chassis with Reconditioned EMS Unit and Equipment. The total amount for these items is \$106,420. This is a four year arrangement at 2.03% interest. Mr. Stanton stated that authorization is needed to contract with BB&T for the financing of the chassis and equipment.

Motion was made by Commissioner A. Scott Hughes, seconded by Commissioner Eddie L. Wright, vote unanimous, to approve the following resolution for financing:

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 2010 G-4500 GMC Chassis with Reconditioned EMS Unit and Equipment (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The County hereby determines to finance the Project through Branch Banking and Trust Company (BB&T). The amount financed shall not exceed \$106,420, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.03%, and the financing term shall not exceed four (4) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement as BB&T may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The County shall not take or omit to take any action the taking or omission of which will cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the

Financing Documents as “qualified tax-exempt obligations” for the purpose of Internal Revenue Code Section 265(b)(3).

- 5. The County intends that the adoption of this resolution will be a declaration of the County’s official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County’s general fund, or any other County fund related to the project, for project costs may be reimbursed from the financing proceeds.
- 6. All prior actions of County officers in the furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

This, the 7th day of September, 2010.

Danny W. Wright (signed)
Danny W. Wright, Chairman

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Resolution Approving Financing Terms. Mr. Stanton requested approval of a second resolution to enter into a contract with BB&T for the financing of an E-One 3500 Gallon Fire Apparatus Tanker . The total amount for this item is \$236,800. This is a ten year arrangement at 2.77% interest.

Motion was made by Commissioner Eddie L. Wright, seconded by Commissioner A. Scott Hughes, vote unanimous, to approve the following resolution for financing:

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R E S O L U T I O N
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 an E-One 3500 Gallon Fire Apparatus Tanker (the “Project”), and the Finance Officer has now presented a proposal for the financing of such Project.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

- 1. The County hereby determines to finance the Project through Branch Banking and Trust Company (BB&T). The amount financed shall not exceed \$236,800, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.77%, and the financing term shall not exceed ten (10) years from closing.
- 2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement as BB&T may request.
- 3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have

been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The County shall not take or omit to take any action the taking or omission of which will cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County's general fund, or any other County fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of County officers in the furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

This, the 7th day of September, 2010.

Danny W. Wright (signed)
Danny W. Wright, Chairman

Committee Reports and Recommendations

Human Resources Committee - Position Vacancies. Argretta Johen, HR Director, requested authorization to fill the following position vacancies as endorsed by the HR Committee:

Jail
Detention Officer
Jail Administrator

Department of Social Services
Social Worker II

Emergency Operations Center - 911
Telecommunicator - two positions

Sheriff's Office
Deputy Sheriff

Motion was made by Commissioner Eddie L. Wright, seconded by Commissioner A. Scott Hughes, vote unanimous, to approve the position requests as presented.

Technology Committee. Mr. Ayscue reported that the Technology Committee met on August 6 and August 31 as it continues the orderly implementation of the technology study that was

completed in the Spring. An overview of each meeting was provided to the Board. There were two recommendations from the Committee which require formal Board action as follows:

Tax Map Conversion. Jordan McMillen, Planning Director, stated that tax maps have been converted to electronic versions through 2005, and it is necessary to also convert the last five years of tax maps to electronic versions. This conversion will benefit the public, as well as the Tax Office, Planning and Development, E-911, Economic Development, and the Register of Deeds. RFPs were solicited and one proposal was submitted. The Committee recommended that the County contract with Atlas Geographic Data to convert the new parcels and recombination plats as necessary to electronic versions in an amount not to exceed \$19,500. Once converted, the GIS Administrator would keep all data up to date.

Commissioner Dan Brummitt stated that this was discussed in the Technology Committee meeting, but these are issues dealing with several County departments. There are potential funds that may be available from other sources such as E-911. He suggested that this matter be sent to the Planning & Environmental Committee to discuss how this should be structured in order to use funds most efficiently.

Motion was made by Commissioner Dan Brummitt to refer this matter to the Planning and Environmental Committee for review and provide a recommendation to the full Board during its regular October meeting. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

As advertised, at 6:45 p.m. a public hearing was held to receive input from citizens and local agencies on allocation of funds to prospective programs for the Rural Operating Assistance Program. Finance Director Steven C. Stanton stated that the grant was funded by the North Carolina Department of Transportation and noted that only counties are eligible for these funds.

Three programs are consolidated into a single application and are as follows: (1) Elderly Disabled Transportation Assistance Program that provides transportation assistance to elderly and disabled citizens in the amount of \$48,375 with a supplemental amount of \$27,885; (2) Employment Transportation Assistance program that provides funds to support transportation needs for individuals who do not qualify for Temporary Assistance to Needy Families from DSS in the amount of \$6,831 with a supplemental amount of \$8,568; and (3) Rural General Transportation Program that provides assistance to individuals who are not clients of human services agencies in the amount of \$43,483 with a supplemental amount of \$38,526. The total grant amount is \$173,668.

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

Motion was made by Commissioner Dan Brummitt to approve the submission of the application for the Rural Operating Assistance Program and authorize the Chairman, the County Manager, and the Clerk to the Board to sign the certified statement. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Committee Reports and Recommendations - continued.

Award of Bids for Tax Office Automation. Ms. Porcha Brooks, Tax Administrator, appeared before the Board and stated that one of the top priorities identified in the technology study is the automation of the Tax Office. RFPs were distributed and three bids were received as follows:

Component/Vendor	Initial Cost	Three Year Cost
The Soundside Group	\$ 194,837.53	\$ 221,836.53
Keystone Information Systems	228,694.00	380,973.00
Cox and Company	84,906.00	167,306.00

Commissioner A. Scott Hughes noted that the bid from Cox and Company is much less than the other two bids and asked how long they have been in business. Ms. Brooks responded that they have been in business over 20 years. Their bid includes all software and services, hardware, and an interface to the County GIS system, Finance, Register of Deeds, and E-911 (if desired). The first-year's annual fee of \$38,000 for OneTax license, support and expenses is also included in the bid.

County Attorney Jonathan S. Care suggested the process be done by contract rather than by purchase order because the bid has a few things to be determined. A contract to clarify these items would be more appropriate.

Motion was made by Commissioner Eddie L. Wright to award the bid to Cox and Company, by contract, in the amount of \$84,906 to replace the automation system in the Vance County Tax Office. Financing will be explored on a 3-5 year installment purchase plan. This motion was seconded by Commissioner A. Scott Hughes and unanimously approved.

As advertised, at 7:00 p.m., a public hearing was held to gain citizen input regarding an application to the Local Government Commission for the financing of the construction of multipurpose rooms at four elementary schools and mechanical upgrades to Northern Vance High School.

Commissioner A. Scott Hughes questioned if all Vance County Schools would now have multipurpose rooms. Mr. Claiborne Woods, Schools Maintenance Director, stated that the multipurpose rooms will be built at Carver Elementary, LB Yancey Elementary, EM Rollins Elementary, and New Hope Elementary.

As there was no one else who wished to speak on the matter, Chairman Danny W. Wright declared the public hearing closed.

Motion was made by Commissioner Dan Brummitt to approve the resolution authorizing the filing of an application with the Local Government Commission for approval of a financing agreement for the construction of multipurpose rooms at four elementary schools and mechanical upgrades to Northern Vance High School. This motion was seconded by Commissioner Deborah F. Brown 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 construct four multipurpose rooms at four elementary schools and upgrade HVAC and mechanical systems at Northern Vance High School (the “Project”); 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 7th day of September, 2010 makes the following findings of fact:

1. The proposed contract is necessary and expedient because the school system desires to expend facilities at the four elementary schools to provide additional educational services and to replace and maintain the current status of the HVAC and mechanical systems at Northern Vance High School that has deteriorated over time.

2. The proposed contract is preferable to a bond issue for the same purpose because the amount of capital required for the proposed construction of multipurpose rooms and upgrade of HVAC and mechanical systems 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 because 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 zero 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.

NOW, THEREFORE, 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 7th day of September, 2010.

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

Danny W. Wright (signed)
Danny W. Wright, 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 7th day of September, 2010.

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

September 7, 2010
Date

- - - - -

Committee Reports and Recommendations - continued

Planning and Environmental Committee. Mr. Ayscue reported that the Planning & Environmental Committee met on September 2 and addressed several issues including the selection of a consulting firm for the sewer study on US #1 Highway South and possible interest by a Raleigh company in locating a firing range and tactical training center in the County.

Selection of Consulting Firm for Sewer Study. With the assistance of a Rural Center Planning Grant, RFQs were sought for companies capable of conducting a feasibility study for a

sewer extension in the area of US #1 Highway South. The Citizens Advisory Committee reviewed the proposals and made a recommendation, including ranking of the six firms, to the Planning & Environmental Committee. The Committee eliminated the last three firms and endorsed, in order: WK Dickson, O'Brien and Gere, and Hobbs, Upchurch & Associates. The Committee's recommendation is to authorize the staff to negotiate with the top three firms in order of ranking as necessary. Further authorize the County Manager to negotiate, execute, and administer a contract that is to be within the available budget.

Motion was made by Commissioner Deborah F. Brown to authorize the staff to negotiate with the top three firms in order of ranking as necessary. Further authorize the County Manager to negotiate, execute, and administer a contract that is to be within the available budget. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

Update of Noise (Disturbing the Peace) Ordinance. Mr. Ayscue stated that the Committee also discussed the need to update the existing County Disturbing the Peace Ordinance that was adopted in 1982 and amended in 1995. The Committee's recommendation is to authorize the County Manager to have planning staff review the existing Disturbing the Peace Ordinance, evaluate ordinances in similar counties, and provide a recommendation for consideration by the Committee and full Board of Commissioners.

Commissioner Deborah F. Brown stated that all of the County's ordinances need to be reviewed and updated, not just one. Commissioner Brummitt stated that this is one of the action items from the Planning Retreat. Motion was made by Commissioner A. Scott Hughes to authorize the County Manager to have planning staff review the existing Disturbing the Peace Ordinance, evaluate ordinances in similar counties, and provide a recommendation for consideration by the Committee and full Board of Commissioners. Further, seek the Sheriff's input on the matter. This motion was seconded by Commissioner Terry E. Garrison and unanimously approved.

The Board directed the County Manager to proceed with the review of all County ordinances as discussed in the Planning Retreat.

Tactical Training Center and Firing Range. Mr. Ayscue stated that the Committee discussed concerns and issues relative to recently distributed flyers by a Raleigh company regarding installation of a tactical training center and firing range in the Glebe Road area of Vance County. Concerns include safety, noise, traffic, and other potential impacts on the community, with safety of the public

being paramount. Staff is currently exploring available options for the County to consider as it determines an appropriate course of action.

Mr. John Price appeared before the Board and spoke in opposition of the proposed outdoor rifle range. He reported that one of his neighbors brought this matter to his attention after seeing a flyer at a downtown business. He stated that he is not opposed to the actual development of the project, but rather the location of the project. The proposed site is located on Glebe Road. Eleven homes are within ¼ mile of the site, 25 homes are located within ½ mile of the site, which is an extreme safety hazard. He asked what the Board would be willing to do to prevent the firing range from locating in Vance County. Mr. Price prepared four possible procedures: 1) Create an ordinance to regulate outdoor firing ranges in Vance County. 2) Enforce a privilege tax on the project. 3) Establish a moratorium on outdoor firing ranges in Vance County. 4) Regulation of Firing Ranges pursuant to Article 53C, Item 14-409-47 of the NC General Statutes which does not prohibit a local government from regulating and construction of a sports shooting range after 1997.

Chairman Danny W. Wright stated that the safety and welfare of our citizens has to be paramount by this Board. A firing range within 200 feet within an occupied dwelling is inappropriate.

Commissioner Eddie L. Wright echoed these remarks and thanked Mr. Price for bringing this to the Board's attention. There is a place for everything, and Vance County is not the right place for an outdoor firing range.

Commissioner A. Scott Hughes stated that a benefit to an outdoor firing range is that people would have somewhere to go to practice rather than just practicing anywhere.

Commissioner Deborah F. Brown also thanked Mr. Price for bringing this matter to the Board's attention. If it had not been for a neighbor seeing the flyer, the Board would not have known about this proposed project. She stated that this is all the more reason why some type of guidelines should be in place in Vance County. Without guidelines, the Board has no knowledge of projects locating out in the county.

Commissioner Danny W. Wright stated that one option the Board has now is a temporary moratorium on outdoor firing ranges, which will require a public hearing.

Mr. Ayscue stated that the moratorium should be established for 55 days while an ordinance is being developed. For the Board to adopt an ordinance regulating outdoor firing ranges, two public hearings must be held.

After further discussion, motion was made by Commissioner Dan Brummitt to schedule a public hearing for Monday, September 20 at 6:00 p.m. for the purpose of considering a 55 day moratorium on outdoor firing ranges. This motion was seconded by Commissioner Eddie L. Wright.

Commissioner Deborah F. Brown asked what the Board can do in the meantime to keep the project from proceeding. Mr. Ayscue stated that there is nothing the County can do until a moratorium is established.

Commissioner A. Scott Hughes stated that he would like to hear from the company making the proposal before a moratorium is established. Attorney Care responded that that is the purpose of a public hearing.

Commissioner Terry E. Garrison stated that he fully supports a moratorium and is opposed to the firing range being located in Vance County.

Vote on the motion to schedule a public hearing for Monday, September 20 at 6:00 p.m. for the purpose of considering a 55 day moratorium on outdoor firing ranges was unanimously approved.

Motion was made by Commissioner Dan Brummitt to schedule a public hearing for Monday, September 20, 2010 immediately following the 6:00 p.m. moratorium public hearing. The purpose of the public hearing is to allow citizen input on the development of an ordinance regulating outdoor firing ranges in Vance County. This motion was seconded by Commissioner Terry E. Garrison and unanimously approved.

Commissioner Deborah F. Brown directed the Planning and Development department to keep the County Manager informed of any activity pertaining to this matter.

Pending Business

County Water Project. Mr. Ayscue reported that discussions are continuing between the County and the City of Henderson for purchase of water and for operation and maintenance. Once details are agreed upon, each board will be asked to approve a formal agreement. *Phase 1A.* The Planning & Environmental Committee has met with the County's engineer to review plans to redesign the initial part of 1A according to sign-ups. The Planning & Environmental Committee also agreed to proceed with permitting of the original project as designed in anticipation that sign-up rates would increase as construction begins. Further, discussions are under way for site location for an overhead water tank. *Phase 1B.* The Kittrell Water Association and USDA continue to work together to seek funding for Phase 1B, consistent with action taken by the Commissioners in December 2009. The Water Association is planning its sign-up campaign. *Phases 2A & 2B.* Funding from USDA Rural Development has been established for both of these phases. Phase 2A will be funded with \$2.2

million in loans and \$1.62 million in grants. Phase 2B has \$3.94 million in loans and \$1.99 million in grants.

US #1 South Sewer Project. Mr. Ayscue explained that the County has been funded by the NC Rural Economic Development Center for a feasibility study for a sewer line to serve the US #1 South corridor. The \$44,000 project consists of the \$40,000 grant and \$4,000 of local match. The grant agreement has been signed and submitted to the Rural Center. The Citizens Advisory Committee met on September 1 and the Planning & Environmental Committee met on September 2 to review the RFQs that were received. A recommendation for selection of a consulting firm was handled under "Committee Reports."

Subdivision Road Conditions. Mr. Ayscue stated that an inventory of all subdivisions with road difficulties has been completed. Staff has met with DOT officials and is now working to determine general cost projections and financing mechanisms. Once the staff has a complete report to present, it will be channeled through the Planning & Environmental Committee for submission to the Board of Commissioners.

Commissioner Deborah F. Brown asked if there is a timeline for this matter. Mr. Ayscue responded that a report should be given to the Board by its November meeting.

County Manager's Report

ABC Board Request. Mr. Ayscue reported that the Vance County ABC Board has requested that the Board of County Commissioners set the monthly compensation for the Chair of the ABC Board at \$225, which has been at that level for approximately twenty years. Recent legislation limits the compensation for ABC Board members to \$150 per meeting unless otherwise approved by the Board of County Commissioners. Mr. Ayscue recommended that the Board act to set the monthly compensation of the Vance County ABC Board Chair at \$225 and regular Board members at \$150 per month.

Motion was made by Commissioner Dan Brummitt to set the monthly compensation of the Vance County ABC Board Chair at \$225 per month and regular Board members at \$150 per month. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Emergency Management Grants. Mr. Ayscue reported that Emergency Management has received two performance grants in the aggregate amount of \$36,443. The grants require no local match and must be used within the emergency management program. A replacement vehicle for emergency management is needed and can be purchased on state contract. Emergency Operations

Director Brian Short has requested approval of a Chevrolet Tahoe 4-wheel drive vehicle to be approved, which is \$31,270.63. The remainder of the grant funds will be used for installation of communications equipment, vehicle markings, and other supplies as allowed under grant guidelines.

Motion was made by Commissioner A. Scott Hughes to approve the use of Emergency Management Performance Grant Program funds for purchase through State contract of a Chevrolet Tahoe 4-wheel drive vehicle for Emergency Management in the amount of \$31,270.63, with the remainder of grant funds to be used as appropriate to equip the vehicle and other Emergency Management supplies. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

De-obligation of Funds. Mr. Ayscue noted that the City and County received a Neighborhood Stabilization Program grant of \$2,100,000. Based on federal requirements, the NC Division of Community Assistance established a deadline for obligation of the funds. As of the deadline of July 18, the County had obligated \$1,902,466.08 (90.6%). Therefore, it is necessary to “de-obligate” or release the remaining \$197,533.92 of grant funds.

Motion was made by Commissioner Dan Brummitt to approve the de-obligation of \$197,533.92 of NSP funds per State DCA requirements. This motion was seconded by Commissioner Eddie L. Wright and vote was ayes - six (6), noes - one (1), with the dissenting vote being cast by Commissioner Deborah F. Brown.

Schools Capital Outlay. Mr. Ayscue explained that the Schools were unable to provide an itemization of capital outlay expenditures in time to be included in the FY 2010-11 Budget Ordinance; therefore, it is necessary approve that itemization. He recommended that the Board approve the itemization of capital outlay expenditures in the amount of \$425,000 for FY 2010-11 as requested by the Schools.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Deborah F. Brown, vote unanimous, to approve the itemization of capital outlay expenditures in the amount of \$425,000 for FY 2010-11 as requested by the Schools.

Grant Announcement. Mr. Ayscue reported that the County has been awarded a grant in the amount of \$850,000 in the Community Development Block Grant program. Funds will be used to complete the Julia Avenue area.

Miscellaneous

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

Vance County Housing Authority - 5 year term

Re-appoint Esther Kearney.

Appoint Alicia Lynch to fill unexpired term.

No other applications received.

Vance County Planning Board

Appoint Thomas Shaw to fill unexpired term.

No other applications received.

Vance County Appearance Commission

Appoint Mitch Wyatt to fill unexpired term.

No other applications received.

Motion was made by Commissioner Dan Brummitt to approve the appointments as presented.

This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

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 economic development projects and a personnel matter.

Upon return to open session, motion was made by Commissioner Dan Brummitt, seconded by Commissioner Deborah F. Brown, vote unanimous, to authorize the staff to submit a grant application to the NC Rural Center for a building re-use grant in the amount of \$48,000 with a 3% funding requirement from the County in the amount of \$1,440.

Motion was made by Commissioner Dan Brummitt to authorize the Chairman to sign a letter of intent conveying the incentives the County is willing to offer to an economic development project according to the offerings discussed in closed session. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

As there was no further business, at 9:25 p.m. motion was made by Commissioner Dan Brummitt, seconded by Commissioner Eddie L. Wright, vote unanimous, that the meeting be adjourned.

Approved and signed October 4, 2010.

Chairman