

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, July 1, 2013 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 Thomas S. Hester, Jr., Commissioners Deborah F. Brown, Dan Brummitt, Terry E. Garrison, Archie B. Taylor, Jr., Gordon Wilder, and Eddie L. Wright.

Absent: None.

Also present were County Manager Jerry L. Ayscue, Finance Director David C. Beck, County Attorney Jonathan S. Care, and Clerk to the Board Kelly H. Grissom

Ms. Brenda Peace-Jenkins, Greater Little Zion Holiness Church, gave the invocation.

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

It was noted that Ms. Henrietta Clark and Mr. Tom Hannon had submitted letters seeking re-appointment to the Vance County ABC Board for three-year terms. Ms. Nancy Wilson had submitted a letter requesting to be re-appointed as Chair for a one-year term. No other applications were received. Although Mayor O'Geary was unable to attend the meeting, he did submit a letter affirming his support of the re-appointments as requested.

Motion was made by Commissioner Eddie L. Wright to re-appoint Henrietta Clark and Tom Hannon to the Vance County ABC Board for three-year terms and re-appoint Nancy Wilson as Chair for a one-year term. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

As advertised, at 6:05 p.m., a public hearing was held regarding a rezoning request for 151 Julia Street. This is a request to amend the zoning map and to rezone three existing lots from Planned Manufactured Housing Community (R-M-H-C) to Residential Medium Density (R-20). The applicant plans to convey the three lots to a private landowner necessitating a zoning change to remove the lots from the L&L Estates Mobile Home Park. The three lots will be combined into one, 1.39 acre lot. The Planning Board recommended approval of this request during its June 13, 2013 meeting.

As there was no one present who wished to speak on this matter, Chairman Thomas S. Hester, Jr. declared the public hearing closed.

Motion was made by Commissioner Deborah F. Brown to approve the rezoning request by the following rationale: In accordance with Ordinance #3 (Mobile Home Park Ordinance), approve amending the boundaries of L&L Estates Mobile Home Park and to approve the rezoning request. The rezoning is consistent with the existing development patterns in the area, is consistent with the surrounding zoning, and is consistent with the Land Use Plan. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Public comments were heard next. Mr. Michael Bobbitt thanked the Board for holding 16 hours of public meetings regarding the proposed county budget. Regarding property taxes, he noted that there are two elected officials who currently owe back taxes. He suggested that the County adopt a resolution requiring all elected officials serving on the Board of Commissioners, the Henderson City Council, and the Vance County School Board to pay their individual and business taxes by the appropriate due date. If not, the elected official should not be allowed to vote on matters until one calendar year after said taxes are paid.

Committee Reports and Recommendations

Human Resources Committee - Position Vacancies. County Manager Jerry L. Ayscue requested the Board to allow filling the following position vacancies which have been endorsed by the Human Resources Committee:

Solid Waste

Landfill Scale Operator

Veterans Service

Office Assistant

Social Services

Income Maintenance Caseworker II - two positions

Social Worker III

Processing Assistant IV

Jail

Detention Officer

Administrative Support Specialist

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

County Attorney's Report

REO Property. County Attorney Jonathan S. care stated that the City of Henderson has now deeded over its half interest of the property located at 601 East Avenue, Henderson, NC to

the County. The County may now take action on the \$2,000 bid that was received from Early Falsom Properties, Inc. Attorney Care noted that Early Falsom Properties, Inc. is part of a company that owes back taxes. This individual is currently under a payment plan with the Tax Office and is making payments.

The Board discussed this matter and was not comfortable accepting a bid from a company that owes back taxes. Motion was made by Commissioner Dan Brummitt to reject the offer from Early Falsom Properties, Inc. This motion was seconded by Commissioner Archie B. Taylor, Jr. and unanimously approved. Commissioner Terry E. Garrison abstained.

Evans & Associates Agreement. County Attorney Jonathan S. Care explained that the General Assembly has passed a new law which changes the nature in which counties retain investigators that audit business accounts for personal property tax purposes. In the past, this has been done on a contingency fee basis if a discovery was made. If no discovery was made, there was no fee. Mr. Care presented a revised contract with Evans & Associates Consulting Group, Inc. which establishes set rates for services.

Commissioner Dan Brummitt asked what is the percentage of successful findings over the past couple of years versus the \$450 set rate. County Manager Jerry L. Ayscue stated that he would get that information to him.

Commissioner Deborah F. Brown stated that Schedule A of the agreement should specify that the \$450 rate is “per audit”. She suggested that Schedule A in general needs to be more specific.

After further discussion, motion was made by Commissioner Dan Brummitt to approve a 60 day contract with Evans & Associates Consulting Group, Inc., at \$450 per audit. This matter will be reviewed on or before the 60 day time period. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

County Manager’s Report

County Jail Inspection Report. Mr. Ayscue reported that the Vance County Jail was inspected by the Construction Section of the NC Department of Health and Human Services. The Sheriff and Jail staff have already begun to develop a response to the state inspector. He recommended that the Board act to receive the semi-annual County Jail Inspection Report as information.

Commissioner Dan Brummitt noted that the shower audit item continues to be a problem. He asked that information be submitted by the contractor on this matter.

Motion was made by Commissioner Terry E. Garrison to receive the semi-annual County Jail Inspection Report as information. This motion was seconded by Commissioner Eddie L. Wright and unanimously approved.

Pending Business

County Water Project. Mr. Ayscue stated that this matter will be addressed by the water project engineer as part of the Water Board agenda.

VFD Contracts and Audits. Mr. Ayscue reported that all contracts and audit reports have been received except the Vance County Rescue Squad. He stated that the auditor continues to work with the Rescue Squad to complete their first audit. The accountant has indicated that the audit report can be completed by the end of July if they are provided the necessary information from the Rescue Squad. The deadline for submission of the audit report was extended by 60 days. Mr. Ayscue recommended that the Board extend the deadline for an additional month with the provision that no further funds be distributed to the Rescue Squad after July 31st until the audit report is received. He provided a draft letter to the Rescue Squad for the Board's review.

The Board gave its consensus to allow the letter to be sent to the Rescue Squad.

Consent Agenda

Commissioner Dan Brummitt stated that the Tax Office collection rates still seem to be incorrect for 2004, 2005, and 2006. He asked that this be addressed.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Deborah F. Brown, vote unanimous, that the following consent agenda items be approved as presented: May 2013 Tax Refunds and Releases, June 2013 Monthly Reports received and filed, and the minutes of the June 3, 2013 regular meeting, and the June 17, 2013 special meeting.

Tax Office Refund and Release Report for May 2013

Taxpayer Name	Tax Year	Real	Personal	Motor Vehicle	MV Fee	Solid Waste Fee	Reason
H & H Yarns Inc.	2004	85.47	0	0	0	0	foreclosure
H & H Yarns Inc.	2004	110.57	0	0	0	0	foreclosure
H & H Yarns Inc.	2004	95.33	0	0	0	0	foreclosure
H & H Yarns Inc.	2004	91.48	0	0	0	0	foreclosure
H & H Yarns Inc.	2004	95.33	0	0	0	0	foreclosure
H & H Yarns Inc.	2004	142.30	0	0	0	0	foreclosure
H & H Yarns Inc.	2005	88.25	0	0	0	0	foreclosure
H & H Yarns Inc.	2005	114.17	0	0	0	0	foreclosure
H & H Yarns Inc.	2005	98.42	0	0	0	0	foreclosure
H & H Yarns Inc.	2005	94.45	0	0	0	0	foreclosure
H & H Yarns Inc.	2005	98.42	0	0	0	0	foreclosure

Taxpayer Name	Tax Year	Real	Personal	Motor Vehicle	MV Fee	Solid Waste Fee	Reason
H & H Yarns Inc.	2005	146.92	0	0	0	0	foreclosure
Terry Shirley M.	2006	38.57	0	0	0	0	correct value
Terry Shirley M.	2006	38.57	0	0	0	90.00	remove solid was
Terry Shirley M	2007	38.57	0	0	0	0	correct value
Parham Stephen heirs	2008	0	0	0	0	102.50	remove solid was
Terry Shirley M.	2008	47.63	0	0	0	0	correct value
Jones Angela Tameka	2009	0	0	102.13	0	0	discharged bankr
Parham Stephen heirs	2009	0	0	0	0	102.50	remove solid was
Terry Shirley M.	2009	46.70	0	0	0	0	correct value
Parham Stephen heirs	2010	0	0	0	0	102.50	remove solid was
Terry Shirley M.	2010	46.70	0	0	0	0	correct value
Abbott William Allen Jr.	2011	0	0	5.19	0	0	pro-rate
Antel Matthew Damon	2011	0	0	13.85	0	0	pro-rate
Parham Stephen heirs	2011	0	0	0	0	105.00	remove solid was
Terry Shirley M.	2011	443.47	0	0	0	105.00	correct value
Abbott William Allen Jr.	2012	0	0	50.58	0	0	correct value
Alsa'di Robbin Ann	2012	0	0	6.24	0	0	pro-rate
Alston Lashaunda Denise	2012	0	0	31.78	0	0	pro-rate
Bullock Regina	2012	0	0	7.48	0	0	pro-rate
Cheek Neice Cleveland	2012	0	0	11.90	0	0	pro-rate
Ellis Joseph McDonald	2012	0	0	0.97	0	0	pro-rate
Esquivel Roberto Antonio	2012	0	0	1.97	0	0	pro-rate
Hargrove Willie Jr.	2012	0	0	7.69	0	0	pro-rate
Joe & Sandy Trucking Inc.	2012	0	0	540.26	0	0	pro-rate
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McKnight Alexander III	2012	0	0	4.55	0	0	pro-rate
Peoples James Harvey III	2012	0	0	3.78	0	0	pro-rate
Stainback Ronald Ervin	2012	0	0	3.64	0	0	pro-rate
Stainback Trucking Inc.	2012	0	0	7.11	0	0	pro-rate
West Alton Dale	2012	0	0	20.61	0	0	pro-rate
West Joseph Wilson	2012	0	0	1.61	0	0	pro-rate
West Joseph Wilson	2012	0	0	6.10	0	0	pro-rate
Albert Pearl T. heirs	2012	169.54	0	0	0	105.00	foreclosure
Allen Hattie Watkins	2012	0	0	173.72	0	0	pro-rate
Allen Jeffrey Linwood	2012	0	0	64.67	0	0	pro-rate
Alston Lashaunda Denise	2012	0	0	8.61	0	0	pro-rate
American Real Estate LLC	2012	167.15	0	0	0	105.00	foreclosure
Antel Matthew Damon	2012	0	0	9.95	0	0	real prop - bill
Bailey Verlian R.	2012	904.14	0	0	0	0	foreclosure
Banda Arais	2012	0	44.43	0	0	105.00	real prop - bill
Barcelona Garro Diego Manuel	2012	0	0	193.39	0	0	pro-rate
Bey Narmir Maluk	2012	0	0	51.17	10.00	0	correct situs
Bonilla Jose Cristobal	2012	0	0	19.47	0	0	pro-rate
Boodram Joanna S.	2012	0	0	26.65	0	0	pro-rate
Brame James A. Jr.	2012	99.56	0	0	0	35.41	foreclosure
Bryant Rockele Reshell Jean	2012	0	0	5.61	0	0	pro-rate
Bryant Shannon Maria	2012	0	0	36.80	0	0	pro-rate
Bryant Shannon Maria	2012	0	0	35.48	0	0	pro-rate
Bullock Land LLC	2012	755.22	0	0	0	105.00	correct ownershi
Chavis Barbara Jean	2012	0	0	26.46	0	0	pro-rate
Claud Robin Olympia	2012	0	0	17.31	0	0	pro-rate
Cleaton Michael Obrien Sr.	2012	0	0	24.00	0	0	pro-rate
Cozart Rose Marie	2012	0	0	19.77	0	0	pro-rate
Danismine Corporation	2012	279.38	0	0	0	105.00	foreclosure
Danismine Corporation	2012	246.34	0	0	0	105.00	foreclosure
Danismine Corporation	2012	242.93	0	0	0	105.00	foreclosure
Danismine Corporation	2012	240.64	0	0	0	105.00	foreclosure
Danismine Corporation	2012	235.68	0	0	0	105.00	foreclosure
Danismine Corporation	2012	234.85	0	0	0	105.00	foreclosure
Danismine Corporation	2012	86.45	0	0	0	0	foreclosure
Debnam Latoya Joy	2012	0	0	12.76	0	0	pro-rate
Decena Carlos	2012	0	44.43	0	0	105.00	pers prop billed
Decena Carlos	2012	0	44.43	0	0	105.00	pers prop billed
Decena Carlos	2012	0	44.43	0	0	105.00	pers prop billed
Dechant Heather Marie	2012	0	0	254.40	10.00	0	reg veh billed i
Durham Rashanda Denise	2012	0	0	14.79	0	0	pro-rate
Eaves Daniel Keith	2012	0	0	4.96	0	0	pro-rate
Fleming Pamela Spence	2012	0	0	38.47	0	0	pro-rate
Foster Joseph	2012	0	0	5.15	0	0	pro-rate
Groves James Bruce Jr.	2012	0	0	17.67	0	0	transfer out
Gupton Steven Jay	2012	0	0	128.64	10.00	0	transfer out

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

Re-appoint Joe Mahaffey

Re-appoint Mary Austell. Appoint Jean Lark and Sandy Cowan to fill vacant positions.

Re-appoint Gordon Wilder. Appoint Jackie Wilson to fill vacant position.

Water District Board

Mr. Rob Bernard, Hobbs Upchurch & Associates, provided an update on the construction work of Phase 1A. He stated that most of the work is complete. The outstanding items are directional drills, flushing and testing of the water tank, and service connections.

Purchase of Water Meters. On June 21, 2013, proposals were received for supplying 1,000 5/8 x 3/4" water meters; 15 1" water meters; 10 1 1/2" water meters; and 10 2" water meters to the Water District. Three suppliers provided quotes as follows:

Carolina Meter & Supply (Badger meters)	\$162,126.55
Fortiline Waterworks, Inc. (Hersey meters)	\$175,961.36
Ferguson Waterworks (Sensus meters)	\$232,053.78

Mr. Bernard recommended that Carolina Meter & Supply be selected to supply the water meters in the amount of \$162,126.55.

The Board asked several questions including which meters are the best, what are the warranties of the meters, what is the life expectancy of the meters, what makes one meter more expensive than another, what is the mean time between failures, are the meters compatible for satellite read, how long will it take to receive the meters, etc. Mr. Bernard was not able to answer all of these questions, but stated that he would get this information to the Board as soon as possible.

With so many unanswered questions, and the fact that this matter needs to be addressed before the next Board meeting in August, motion was made by Commissioner Eddie L. Wright, seconded by Commissioner Deborah F. Brown, vote unanimous, that the Water Board form a Planning Committee to address this matter. The Committee will consist of Dan Brummitt, Terry Garrison, and Thomas Hester, Jr. The Committee is authorized to make a final decision on the purchase of the water meters.

The Committee scheduled a meeting for Wednesday, July 10, 2013 at 4:00 p.m. in the County Manager's Office.

At this time, Chairman Hester adjourned the Water District Board.

Motion was made by Commissioner Dan Brummitt to enter into closed session for the purpose of discussing a legal matter. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Upon return to open session, and as there was no further business, at 7:30 p.m., motion was made by Commissioner Gordon Wilder, seconded by Commissioner Deborah F. Brown, vote unanimous, that the meeting be adjourned.

Approved and signed August 5, 2013.

Chairman