

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, August 3, 2015 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 Archie B. Taylor, Jr., Commissioners Gordon Wilder, Deborah F. Brown, Dan Brummitt, Terry E. Garrison and Thomas S. Hester, Jr.

Absent: Commissioner Eddie L. Wright.

Also present were Deputy County Manager Jordan McMillen, Finance Director David C. Beck, County Attorney Jonathan S. Care, and Clerk to the Board Kelly H. Grissom. Interim County Manager Robert M. Murphy was absent.

Rev. Joseph Ratliff, Shiloh Baptist Church, gave the invocation.

The first item on the agenda was public comments. Ms. Sandra Butler Tubbs asked the Board to be aware of a growing senior population. She stated that Senior Centers help seniors stay vital by staying social, mentally active and healthy. Vance County is at risk of having a higher incidence of seniors with Alzheimer's and being in nursing homes. She asked the Board to consider having the Senior Center report directly to the County Manager for more visibility. She distributed a flyer to the Board containing information about the aging network.

Water District Board

Chairman Archie B. Taylor, Jr. called the Water District Board to order.

Monthly Construction and Operations Reports (Phase 1A & 2A/2B). Deputy County Manager Jordan McMillen stated that this committee (Garrison [absent], Taylor, Brummitt) met Monday, July 27th to review the monthly operational reports as well as to discuss final adjusting change orders within Phase 1A, additional road construction along the NC 39 South Corridor and to discuss refunds within Phase 2. The committee was informed that all work within Phase 1A has been completed and currently five crews are working within Phase 2. Work has finished up on Flanagan Road, Terry Lane and Pine Trail, and work is ongoing within Carolina Woods, Dabney Woods & Willow Creek Subdivisions and along Stagecoach Road and Waters Edge Road. As crews finish these, they will be moving to Somerset Plantation, Lakeshore Plantation and the end of Thomas Road within the next few weeks. Barring any weather delays, it is anticipated that all road additions should be complete within the timeframe required by USDA.

Final Adjusting Change Orders – Phase 1A Contract 1 & 2. Mr. McMillen stated that the committee reviewed the final 2 change orders for Phase 1A. Both change orders are a reduction in the contract prices to account primarily for cost underruns within the rock allowances and to account for actual work performed. The contract 1 change order is a reduction of \$209,473.91, bringing the final contract 1 price to \$1,531,959. The contract 2 change order is a reduction of \$357,747.52, bringing the final contract 2 price to \$4,281,892. The committee also reviewed a budget summary for Phase 1A and recommended approval of both change orders. *Recommendation #1:* Approve Contract 1 - Change Order 8 Final for Phase 1A with H.G. Reynolds deducting the contract by \$209,473.91. *Recommendation #2:* Approve Contract 2 - Change Order 7 Final for Phase 1A with H.G. Reynolds deducting the contract by \$357,747.52.

Motion was made by Commissioner Terry E. Garrison to approve Contract 1 - Change Order 8 Final for Phase 1A with H.G. Reynolds deducting the contract by \$209,473.91. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Motion was made by Commissioner Terry E. Garrison, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve Contract 2 - Change Order 7 Final for Phase 1A with H.G. Reynolds deducting the contract by \$357,747.52.

Intent to Apply for USDA Grant Funds – Additional Road Construction. Mr. McMillen stated that the committee discussed the additional grant funds that are being made available by USDA for the Rock Mill Road, NC 39 Hwy South, and Foster Road areas. USDA has requested that the Water Board go on record indicating their intent to apply for the funds. Previously, the County has been made aware that grant funds would be available for this work. If awarded, it is intended that the additional construction work would extend approximately five miles and would serve the 81 committed customers along this corridor. The committee members present felt it was in the best interest to defer to Commissioner Wilder as this area is within his district. In a follow up conversation with Commissioner Wilder, he has indicated his support to proceed forward with the grant request. *Recommendation:* Authorize staff to submit a USDA grant application for extension of waterlines along Rock Mill Road, NC 39 Hwy South, and Foster Road and authorize the chairperson to execute all grant related documents.

Motion was made by Commissioner Terry E. Garrison, seconded by Commissioner Deborah F. Brown, vote unanimous, to authorize staff to submit a USDA grant application for

extension of waterlines along Rock Mill Road, NC 39 Hwy South, and Foster Road and authorize the chairperson to execute all grant related documents.

Refund of Early Signup Fees – Phase 2A & 2B. The Water Board previously (April 2014) approved issuing refunds in Phase 1A and also approved allowing residents within any phase who receive refunds to “reserve” the initial signup fee of \$125 if county water service is made available to them in the future. With construction wrapping up in Phase 2, it is necessary to take action authorizing the refunds along those roads that will not be included within the current project. The committee recommended proceeding with the issuance of refunds along the roads indicated in the attachments that were provided to the Board. *Recommendation:* Authorize staff to issue refunds in Phases 2A and 2B for those roads as presented where water will not be available for the foreseeable future.

Motion was made by Commissioner Gordon Wilder to authorize staff to issue refunds in Phases 2A and 2B for those roads as presented where water will not be available for the foreseeable future and reserve the \$125 sign-up fee for those who have already signed up. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Commissioner Deborah F. Brown requested the committee to include monthly updates on discussions concerning the \$30 base fee and the \$150 deposit fee.

Commissioner Dan Brummitt asked the Board to provide input to the committee regarding the \$125 tap fee as we transition in the future to the normal fee schedule for taps.

At this time, Chairman Archie B. Taylor, Jr. closed the Water District Board.

Committee Reports and Recommendations

Human Resources Committee - Position Vacancies. Commissioner Deborah F. Brown, Chairperson of the Human Resources Committee, stated that the committee endorses filling the following positions and requests approval by the full Board:

Maintenance Department
Custodian

Social Services
Income Maintenance Caseworker II

Fire/EMS
Fire Engineer

Jail
Detention Lieutenant

Planning/Development
Planner

Motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Gordon Wilder, vote unanimous, to approve filling the position vacancies as requested.

Commissioner Brown also noted that the staff committee is working on updates to the current Policy Manual and will be bringing that information to the HR Committee in the near future for review.

Planning & Environmental Committee - Approval for Sale of Neighborhood Stabilization Program (NSP) Property (614 Andrews Avenue). Commissioner Gordon Wilder reported that the committee (Wilder [C], Garrison, Taylor) met Friday, July 10 to review an offer to purchase one of the remaining NSP homes located at 614 East Andrews Avenue. Due to the time sensitive nature of responding to NSP offers, the Board during their March 10, 2014 meeting authorized the committee to make decisions on selling the NSP houses subject to the established price parameters. The offer was within these parameters and the committee has approved the sale of 614 East Andrews Avenue to Alicia Moore for \$65,000 subject to the County's standard counter offer including the terms and conditions of the NSP program. In order to finalize the sale, it is necessary for the full Board to adopt the attached resolution. Following the sale of this property and the previously approved sale for 611 Charles Street, the County will have one remaining NSP home to sell on Hawkins Drive. In addition to approving the sale of this property, the committee was made aware and briefly discussed 15 additional parcels that were acquired from the City of Henderson with the intent of being included in the NSP program. For all of these properties, NSP funds were used to acquire the property and/or to demolish blighted structures that were on the lots. Staff will be receiving further guidance from the State and will be following up with the committee as to what actions need taken on these properties to prevent closeout issues for the NSP Program. *Recommendation:* Approve resolution authorizing a Private Sale Pursuant to N.C.G.S 153A-378 of Low and Moderate Income Housing from the Vance County NSP Grant Program.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Terry E. Garrison, vote unanimous, to approve the following resolution authorizing a Private Sale Pursuant to N.C.G.S 153A-378 of Low and Moderate Income Housing from the Vance County NSP Grant Program.



RESOLUTION
By the Vance County Board of Commissioners

Authorizing a Private Sale Pursuant to N.C.G.S 153A-378 of Low and Moderate Income Housing from the Vance County NSP Grant Program

WHEREAS, the Vance County Board of County Commissioners has heretofore adopted procedures wherein certain minimum standards for the sale of the Vance County NSP Grant Programs homes were established; and

WHEREAS, Vance County has received an Offer to Purchase 614 Andrews Avenue, Henderson, North Carolina; and

WHEREAS, In accordance with their adopted policy and procedures, the Planning and Environmental Committee duly met and approved an acceptable counter offer to Alicia Moore (Buyer) offer which has been accepted by the Buyers; and

WHEREAS, in accordance with Vance County’s goals and requirements of the Vance County NSP grant the proposed Offer to Purchase should fulfill these goals and requirements subject to protecting the long term occupancy of the residence by the owner.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners for the County of Vance as follows:

1. Pursuant to N.C.G.S. 153A-378 and the affirmative action taken by the Vance County Planning and Environmental Committee the Vance County Board of Commissioners will sell the property to Alicia Moore, the Buyer, pursuant to the terms and conditions contained in the executed Offer to Purchase at a sales price of \$65,000, with the following conditions in addition to those terms and conditions contained in the Offer to Purchase;
 - a. North Carolina Note and Deed of Trust in a second priority position securing \$5,000 for 5 years, with the balance due and owing decreasing by \$1,000 for each full year the residence is owned and occupied (owner-occupied) by the Buyer.
 - b. The Buyer fulfills all NSP requirements of education and counseling, and does fulfill the income requirements of the program.
2. A Notice summarizing the contents of such sale shall be published once at least ten days prior to the consummation of the sale.
3. This resolution shall be effective upon its adoption.

ADOPTED this the 3rd day of August, 2015.

Archie B. Taylor, Jr. (signed)
Archie B. Taylor, Jr., Chairman
Vance County Board of Commissioners

Attest:

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



County Attorney Jonathan S. Care notified the Board that the buyers of the Charles Street house have backed out of the sale, so that house will go back on the market.

Planning & Environmental Committee - Neighborhood Stabilization Matters (Demolition and Removal of Properties from Program). Commissioner Wilder reported that the committee met Wednesday, July 22 to discuss 15 properties originally intended for the NSP program and to discuss one NSP property where a structure remains and demolition is necessary. The committee was made aware that the funding agency (DCA - Division of Community Assistance) will require the 15 properties to be put into an NSP eligible productive reuse or removed from the program to allow closeout of the grant once the final home sells. Also, no additional NSP funds are available to assist with putting the properties into productive reuse. The County has previously spent funds to either acquire the properties from the City and/or to demolish existing structures on the properties, but no homes were built back. At the direction of DCA with input from the committee, staff will be removing the properties from the NSP program. In addition to this, the committee reviewed one property (309 College Street) within the NSP program that is dilapidated and in need of demolition. Previously the Kerr-Tar COG (NSP Grant administrator) has received three bids for the demolition. The committee recommended awarding a demolition contract to the low bidder, Faulkner Grading and Landscaping for \$15,400 to be utilized from the proceeds of NSP reimbursement funds. *Recommendation:* Approve demolition contract with Faulkner Grading & Landscaping for \$15,400 for the demolition of 309 College Street.

Motion was made by Commissioner Gordon Wilder to approve the demolition contract with Faulkner Grading & Landscaping for \$15,400 for the demolition of 309 College Street. This motion was seconded by Commissioner Terry E. Garrison.

Commissioner Dan Brummitt asked if the \$15,400 is coming from NSP funds. Also, he asked if the County would have to reimburse for the 15 NSP properties if they are not used for NSP purposes. Finance Director David C. Beck responded that we would send in a requisition to the Department of Community Assistance to be reimbursed for monies that have been spent on NSP, and these 15 houses will net that out against what we will get on the next requisition. The money that has been spent so far is a combination of NSP and County funds. Commissioner Dan Brummitt stated that this program was not supposed to cost the County anything. Mr. Beck responded that the County has spent approximately \$75,000. Commissioner Dan Brummitt asked if the County is required to demolish this house. Mr. Beck stated that if the house is left in

the NSP program, we are required to demolish it. If it is pulled from the NSP program, we would not be required to demolish it. Commissioner Brummitt stated that he cannot support spending County funds to demolish this house. With all of the properties now owned by the County due to foreclosures, he suggested that a comprehensive plan be developed to determine which houses should be demolished and prioritize the list according to marketability of the surrounding area.

The Board agreed with Commissioner Brummitt to develop a comprehensive plan for dealing with foreclosed properties and the costs associated with these properties. Also, the house at 309 College Street would be removed from the Neighborhood Stabilization Program.

Vote on the motion to approve the demolition contract with Faulkner Grading & Landscaping for \$15,400 for the demolition of 309 College Street failed by a vote of ayes - one (1); noes - five (5), with the dissenting votes being cast by Commissioners Brummitt, Brown, Garrison, Hester, and Taylor.

Planning & Environmental Committee - Zoning Ordinance Amendment – Solar Regulations. Deputy County Manager Jordan McMillen stated that during their meeting on July 22, the committee reviewed the proposed solar farm regulations which were recommended for approval by the Planning Board. The Planning Board once again recommended 100 foot setbacks surrounding the entire farm while the committee unanimously felt a compromise of 100 feet on the front and 50 feet on the side would be a better option for the setbacks. Additionally, the committee recommended increasing the fee for Solar Farm Conditional Use Permits from \$250 to \$400 to accommodate the additional required inspections within the ordinance amendment. In order to assist the board, staff provided the following options to be considered regarding the setbacks:

- 100 foot setback on all sides – Planning Board recommendation
- 100 foot setback on the front and 50 foot setback on the sides – Planning and Environmental Committee Recommendation
- Existing setbacks – 50 feet on the front, 25 on the side, and 35 on the rear within AR zoning areas.

Recommendation: Schedule a Public Hearing – to be scheduled for the September board meeting as notice requirements were not met for the August meeting. *Recommendation:* Following the Public Hearing: Approve zoning ordinance amendment providing additional protections for solar farms inclusive of a 100 foot front setback and 50 foot side and rear setback.

Recommendation: Update the Planning and Development Department fee schedule increasing the conditional use permit fee from \$250 to \$400 for solar farms only.

Commissioner Dan Brummitt asked that we make sure the ordinance contains regulations for the decommissioning of solar farms. Mr. McMillen responded that this is in the proposed ordinance amendment.

Education Committee - Use of School Facilities. Commissioner Gordon Wilder stated that the Education Committee (Wilder [C], Garrison, Taylor) met on July 15 to follow up on a suggestion made by a citizen at the last board meeting that school gymnasiums and libraries be available for after school and summer use. The committee recognized that the issue would have to be taken up with the school board and discussed setting up a joint meeting of the commissioners and school board to discuss this issue and others. Noting that it has been many years since the two boards have met, the committee decided to invite the school board to a joint meeting to talk generally about education issues. The Board was provided with a copy of a letter Chairman Taylor sent to the chairperson of the school board, Gloria White. Chairman Taylor noted that he had received a response from Ms. White which states that she will get back to Mr. Taylor with a proposed date once the new Superintendent has had a chance to settle in.

General Government Committee - Confederate War Memorial. The General Government Committee (Hester [C], Taylor, Wilder) met on July 15 to follow up on a suggestion made by a citizen at the last board meeting that the Memorial to the Confederate War Dead be removed from the grounds of the County Administration building. The committee discussed the issue, and, noting that the General Assembly was also discussing the matter, made no recommendation. The General Assembly has since passed and the Governor has signed Senate Bill 22, which effectively prohibits counties from moving monuments from public property.

Commissioner Deborah F. Brown asked if the bill prohibits the addition of war monuments to properties. County Attorney Jonathan S. Care stated that the bill only addresses current monuments and does not address additions thereto.

Properties Committee - Inventory of REO Properties – Joint Property Maintenance and Demolition. Commissioner Deborah F. Brown reported that the Properties Committee (Brown [C], Brummitt, Hester) met Wednesday, July 29 to review progress made on developing an inventory of County real estate owned properties and to consider a staff recommendation to provide an appropriation of \$15,000 (\$5,000 for grass and property maintenance & \$10,000 for

**Budget Amendment #3
FY 2015-2016
Admin/Finance**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Fund Balance Appropriated	10-399-439900	15,000
Total Revenue Increase (Decrease)		\$ 15,000

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Building Demolition	10-525-500172	15,000
Total		\$ 15,000

Purpose: Funds to be used for demolition and general upkeep of foreclosed properties that are jointly owned by the County and City.

Authorization: Vance County Board of Commissioners
August 3, 2015

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Properties Committee - Offer to Purchase REO Property (205 Wilkins Lane).

Commissioner Brown stated that the committee also reviewed an offer to purchase a parcel of land owned by the County as a result of foreclosure. Staff provided information that included the offer of \$1,000 for the property consisting of a dilapidated 1968 model singlewide mobile home and overgrown lot. The committee reviewed photographs as well as the property condition, property value and costs incurred by the County for the property. The committee recommended proceeding with the upset bid process for selling the property. *Recommendation:* Approve resolution authorizing the upset bid process for the sale of 205 Wilkins Lane (Tax Parcel 0111-02002).

Motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Dan Brummitt, vote unanimous, to approve the following resolution authorizing the upset bid process for the sale of 205 Wilkins Lane (Tax Parcel 0111-02002).

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**RESOLUTION AUTHORIZING UPSET BID PROCESS
FOR SALE OF REAL PROPERTY
205 Wilkins Lane, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **205 Wilkins Lane, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0111 02002**; and

WHEREAS, North Carolina General Statute §160A-269 permits the county to sell real property by upset bid, after receipt of an offer for the property; and

WHEREAS, the County has received an offer to purchase the real property described herein above in the amount of **\$1,000.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by *Mekre Francis*; and

WHEREAS, *Mekre Francis* has paid the required deposit in the amount of **\$750.00** with his offer.

THEREFORE, THE VANCE COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:

1. The Board of County Commissioners declares the real property described above surplus and authorizes its sale through the upset bid procedure of North Carolina General Statute §160A-269.

2. A notice of the proposed sale shall be published which shall describe the property and the amount of the offer and shall require any upset offer be subject to the same terms and conditions as contained therein except for the purchase price.

3. Any person may submit an upset bid to the Clerk to the Board of County Commissioners within 10 days after the notice of sale is published. Once a qualifying higher bid has been received, that bid will become the new offer.

4. If a qualifying upset bid is received, a new notice of upset bid shall be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of County Commissioners.

5. A qualifying higher bid is one that raises the existing offer by the greater of \$750 or ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of the offer and is subject to the same terms and conditions of the previous bid.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of the greater of \$750 or five percent (5%) of the bid, which may be made by cash, cashier's check or certified funds. The County will return the deposit of any bid not accepted and will return the bid of an offer subject to upset if a qualifying higher bid is received.

7. The terms of the final sale are that the Board of County Commissioners must approve the final high offer before the sale is closed and the buyer must pay with certified funds or wire transfer the bid amount and any other amounts as required pursuant to the terms and conditions of the bid at the time of closing, which shall be no later than 30 days following the approval by this Board of the final bid. The real property is sold in its current condition, as is, and the County gives no warranty with respect to the usability of the real property or title. Title will be delivered at closing by a **Non Warranty Deed**, subject to exceptions for ad valorem taxes, assessments, zoning regulations, restrictive covenants, street easements, rights of others in possession and any other encumbrances of record. Buyer shall pay for preparation and recording of the Deed and revenue stamps.

8. The County reserves the right to withdraw the property from sale at any time before the final high bid is accepted **and the right to reject all bids at any time**.

9. If no qualifying upset bid is received, the Board of County Commissioners will accept or reject the bid submitted within 60 days after the close of the 10-day upset period.

This the 3rd day of August, 2015.

Archie B. Taylor, Jr. (signed)
Archie B. Taylor, Jr., Chairman
Vance County Board of Commissioners

ATTEST:

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

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Properties Committee - Offer to Purchase REO Properties (NC Hwy 39 North – Tax Parcel 0365 02045 & N. Williams Street – Tax Parcel 0070 01004A). Commissioner Brown reported that the committee discussed a \$900 offer to purchase a wooded lot owned by the County in the Williamsboro area and also a \$900 offer for a wooded lot along North Williams Street. The committee members were interested in receiving additional information concerning the availability of water and sewer to the properties as well as whether septic tank permits are available for the properties. In reviewing the property locations, the committee was in favor of providing a counter offer to recoup the County costs for each property and is willing to consider higher offers for the properties as well.

Properties Committee - Building Needs Assessment and Space Study. Commissioner Brown stated that the committee has previously discussed the need for a comprehensive approach in exploring options for the County’s future building and space needs. Staff has informed the committee that the County lacks staffing and storage space for Social Services as well as storage space in general for other County departments. The committee reviewed a proposal from Architect Surapon Sujjavanich and recommended that staff receive similar proposals from other architects who have recently done work with the County.

Finance Director’s Report

Surplus Equipment. Mr. Beck presented the following item to be declared as surplus:

Equipment Description	Department	Reason
HP Netserver LH3R	Admin/Finance	Obsolete
Computer	Admin/Finance	Obsolete
APC 1000 Battery Back-up	Admin/Finance	Broken

Motion was made by Commissioner Dan Brummitt to declare the equipment as surplus and authorize the Finance Director to dispose of the equipment according to General Statute. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

County Attorney's Report

REO Property - 646 Warrenton Road and 2 Lots Spring Valley Road. County Attorney Jonathan S. Care noted that during a previous meeting, the Board of Commissioners approved the public sale process for the tax foreclosure properties - 646 Warrenton Road, Henderson, NC; and 2 Lots Spring Valley Road, Henderson, NC. The properties were advertised for upset bids and none were received. The Board is now free to sell the properties or reject the offers. This should be done by resolution.

Motion was made by Commissioner Dan Brummitt to approve the following resolutions accepting the bid for the properties at 646 Warrenton Road, Henderson, NC; and 2 Lots Spring Valley Road, Henderson, NC. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.



**RESOLUTION ACCEPTING BID FOR
COUNTY OWNED REAL PROPERTY**

WHEREAS, the Vance County Board of County Commissioners received an offer for the purchase and sale of County owned real property, which is more particularly described below:

646 Warrenton Road, Henderson, North Carolina 27537, Vance County Tax Department Parcel Number 0212-02012.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **July 9, 2015**, stating that said offer had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, no upset bids were received within the statutorily prescribed time period;

THEREFORE, BE IT RESOLVED by the Vance County Board of Commissioners, pursuant to NCGS 160A-269 that:

The bid submitted by ***Sharon Parker and Barry Parker*** in the amount of **\$750.00** subject to the terms and conditions contained in the submitted bid, attached hereto as Exhibit "A", is hereby accepted for the property described herein and the Board's Chairperson shall execute the documents necessary to complete the transfer of title to such property.

This the 3rd day of August, 2015.

Archie B. Taylor, Jr. (signed)
Archie B. Taylor, Jr., Chairman
Vance County Board of Commissioners

ATTEST:

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



**RESOLUTION ACCEPTING BID FOR
COUNTY OWNED REAL PROPERTY**

WHEREAS, the Vance County Board of County Commissioners received an offer for the purchase and sale of County owned real property, which is more particularly described below:

2 Lots Spring Valley Road, Henderson, North Carolina 27537, Vance County Tax Department Parcel Number 0201 01001A and 0201 01001B.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **July 9, 2015**, stating that said offer had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, no upset bids were received within the statutorily prescribed time period;

THEREFORE, BE IT RESOLVED by the Vance County Board of Commissioners, pursuant to NCGS 160A-269 that:

The bid submitted by *Florence Alexander* in the amount of **\$750.00** subject to the terms and conditions contained in the submitted bid, attached hereto as Exhibit "A", is hereby accepted for the property described herein and the Board's Chairperson shall execute the documents necessary to complete the transfer of title to such property.

This the 3rd day of August, 2015.

Archie B. Taylor, Jr. (signed)
Archie B. Taylor, Jr., Chairman
Vance County Board of Commissioners

ATTEST:

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

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Commissioner Deborah F. Brown suggested that any future offers that are accepted by the Board be subject to restrictions - that the properties are demolished/improved, etc. within a certain time frame. This matter was referred to the Properties Committee for review.

County Manager's Report

Proclamation - National Health Center Week. Deputy County Manager Jordan McMillen stated that Ms. Denise Belle, Rural Health Group, Inc., has requested that the Board of Commissioners recognize the contribution of community health centers in providing affordable health care to underserved people throughout the country by declaring August 9 through August 15, 2015 as National Health Care Center Week in Vance County. *Recommendation:* Approve the proclamation recognizing August 9 through 15, 2015 as National Health Center Week in Vance County.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Deborah F. Brown, vote unanimous, to approve the following proclamation recognizing August 9 through 15, 2015 as National Health Center Week in Vance County.



PROCLAMATION
by the
Vance County Board of Commissioners
in
Recognition of National Health Center Week 2015

WHEREAS, for 50 years, America's Community Health Centers have provided high quality, cost effective, and accessible primary and preventative care to all individuals regardless of insurance status or ability to pay; and

WHEREAS, Health Centers serve as the health care home for over 23 million Americans through more than 9,000 delivery sites across the nation. One in every fifteen people living in the United States depends on their services; and

WHEREAS, Health Centers are located in medically underserved areas and locally controlled by patient-majority boards, making each Health Center responsive to the needs of the specific community it serves; and

WHEREAS, as locally owned and operated small businesses, Health Centers serve as critical economic engines helping to power local economies by generating billions of dollars in combined economic impact and creating jobs in some of the country's most economically deprived communities; and

WHEREAS, Health Centers employ more than 11,300 physicians and more than 8,400 nurse practitioners, physician assistants, and certified nurse midwives as part of a multi-disciplinary clinical team designed to treat the whole patient, coordinating care and managing chronic disease, at the same time reducing unnecessary, avoidable and wasteful use of health resources; and

WHEREAS, the Health Center model continues to prove an effective means of overcoming barriers to access including geography, income and insurance status, and in doing so, improves health care outcomes and reduces health care system costs; and

WHEREAS, Health Centers save the entire health system approximately \$24 billion annually by managing chronic conditions and keeping patients out of costlier health care settings; and

WHEREAS, Health Centers have worked tirelessly to grow the nation's primary care infrastructure to meet the pressing needs of Americans who still lack access to primary care services, a number that exceeds 62 million nationwide; and

WHEREAS, the demand for Health Centers continues to outpace growth and expansion of the program will be essential to meet the needs of these new patients, as existing Health Centers are already at capacity and many communities lack any primary care services at all; and

WHEREAS, Health Centers remain committed to preserving and expanding access in the communities they serve, ensuring that the promise of coverage is translated into the reality of care; and

WHEREAS, National Health Center Week offers the opportunity to recognize America's Health Centers, their dedicated staff, board members, and all those responsible for the continued success and growth of the program since its creation 50 years ago. During this National

Health Center Week, we celebrate the legacy of America's Health Centers and their vital role in shaping the future of America's health care system.

NOW, THEREFORE, BE IT PROCLAIMED, that the Vance County Board of Commissioners does hereby recognize August 9 through 15, 2015 as National Health Center Week; **AND FURTHER**, does encourage every citizen in Vance County to visit their local Health Center and celebrate the important partnership between America's Health Centers and the communities they serve.

Approved this 3rd day of August 2015.

Archie B. Taylor, Jr. (signed)
Archie B. Taylor, Jr., Chairman
Vance County Board of Commissioners

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Resolution - Stepping Up Initiative. Mr. McMillen advised that the NCACC Board of Directors requests all North Carolina counties to adopt a resolution supporting an initiative to reduce the number of mentally ill persons in county jails. The Sheriff has endorsed this initiative and we will follow up with his department on how this issue will be addressed in Vance County.
Recommendation: Adopt the resolution as presented entitled Stepping Up Initiative to Reduce the Number of People with Mental Illnesses in Jail.

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RESOLUTION
by the
Vance County Board of Commissioners
“Stepping Up Initiative to Reduce the Number of People with Mental Illnesses in Jails”

WHEREAS, counties routinely provide treatment services to the estimated 2 million people with serious mental illnesses booked into jails each year; and

WHEREAS, prevalence rates of serious mental illnesses in confinement facilities are three to six times higher than for the general population, with statistics showing that almost 13% of North Carolina's prison population requires some type of intervention due to mental health issues; and

WHEREAS, almost three-quarters of adults with serious mental illnesses in jails have co-occurring substance use disorders; and

WHEREAS, adults with mental illnesses tend to stay longer in jail and upon release are at a higher risk of recidivism than people without these disorders; and

WHEREAS, county jails spend two to three times more on adults with mental illnesses that require interventions compared to those without these treatment needs; and

WHEREAS, without the appropriate treatment and services, people with mental illnesses can continue to cycle through the criminal justice system, often resulting in tragic outcomes for these individuals, their families, and their communities; and

WHEREAS, county jails are generally an unsafe environment for those with mental health treatment needs; and

WHEREAS, the North Carolina Association of County Commissioners has undertaken a serious effort to address the local service needs of those with mental illnesses through the appointment of a special Task Force; and

WHEREAS, Vance County, like all counties, takes pride in our responsibility to protect and enhance the health, welfare and safety of our residents in efficient, safe, and socially just ways; and

WHEREAS, through the Stepping Up Initiative, the National Association of Counties, the Council of State Governments Justice Center and the American Psychiatric Foundation are encouraging counties to reduce the number of people with mental illnesses in county jails.

NOW THEREFORE, BE IT RESOLVED by the Vance County Board of Commissioners:

1. That the Board of Commissioners does hereby sign on to the Call to Action to reduce the number of people with mental illnesses in our county jail and commits to sharing lessons learned with other counties in North Carolina and across the country to support the Stepping Up Initiative; and
2. That the Board of Commissioners will utilize resources available through the Stepping Up Initiative and other resources provided by the Council of State Governments Justice Center to convene a diverse team of leaders and decision makers from multiple agencies who are committed to safely reducing the number of people with mental illnesses in jails, and
3. That this team will utilize the comprehensive resources available through the Stepping Up Initiative to develop a plan to reduce the number of people with mental illness in the county jail for 2016-2020, consistent with the Council of State Governments Justice Center report and recommendations, to be presented to the Board of Commissioners at its first meeting in December 2015.

Approved this 3rd day of August 2015.

Archie B. Taylor, Jr. (signed)
Archie B. Taylor, Jr., Chairman
Vance County Board of Commissioners

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Fox Pond Park Grant. Mr. McMillen stated that the Four Rivers Resource Conservation and Development Council, Inc. has received a \$50,000 grant for improvements at Fox Pond Park. When the grant was submitted, Vance County agreed to support the project by providing a local match. As we approach completing the final phase of this project, Four Rivers is requesting \$6,250 from Vance County to help accomplish the grant's goals and complete the boardwalk at Fox Pond Park. Of this amount, \$5,250 is required to complete the project within the current budget. The additional \$1,000 will serve as a contingency. The City will contribute an equal amount. This project is a community project with many organizations providing support. Vulcan Materials has donated 250 tons of rock, Perry Lumber Company is donating nearly \$4,000 in lumber, and the City of Henderson has donated staff and equipment use to the project, as well as financial support. Four Rivers has donated hundreds of hours of volunteer

time to the project as well. This community support certainly highlights the community efforts to provide high quality facilities for its citizens. The Board was provided a copy of the grant application, grant budget and the support letter submitted by Vance County. *Recommendation:* Approve Budget Transfer #1 as presented.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Gordon Wilder, vote unanimous, to approve Budget Transfer #1 contingent upon the City of Henderson taking similar action.



**Budget Transfer #1
FY 2015-2016
Grants**

Transfer From:	Account Number	Amount
Contingency	10-999-500099	6,250
Total		\$ 6,250

Transfer To:	Account Number	Amount
Grant Match - Fox Pond Park	10-600-500292	6,250
Total		\$ 6,250

Purpose: County match for Triangle North grant used for renovations and upgrades at Fox Pond Park. The City of Henderson has committed to the same match amount. The County and City funds will bring the project to completion.

Authorization: Vance County Board of Commissioners
August 3, 2015



Economic Development Incentive Loan. Mr. McMillen stated that The Golden Leaf Foundation has asked the County to revise the previously approved loan agreement with Jerry's Artarama to ensure that its funds are used in a manner that is fully compliant with IRS regulations. As you will read below, the revised agreement is actually more favorable to the County.

The agreement approved by the Board of Commissioners on July 6 provided for a \$600,000 interest free, sixty month loan to Jerry's that would be used by the company to purchase equipment for the new Vance County facility. The loan funds came from two sources; \$400,000 from Golden Leaf and \$200,000 from Industrial Park funds. The loan is conditioned

upon the company investing \$3,000,000 in the construction of a 60,000 square foot manufacturing and storage facility and hiring thirty additional full time employees.

The amount of the loan, its term and its purpose remain unchanged in the revised agreement. The only change is that the new agreement will include an interest bearing rather than an interest free loan for the \$400,000 Golden Leaf sourced funds. The \$200,000 Industrial Park sourced funds will remain interest free. The total amount of interest is fairly nominal, with a 1.75% rate compounded annually. The total amount of interest paid over the life of the loan will be \$18,046.59. The interest paid will stay with the County.

Mr. McMillen stated that late last week, we were informed by the Golden Leaf Foundation that its \$400,000 portion of the loan cannot be interest free. The Golden Leaf Foundation is incorporated as a non-profit and must adhere to certain IRS regulations in order to retain its non-profit status. We were told that in order to strictly adhere to IRS regulations, "Golden Leaf funds must be used for charitable purposes and must not be used in a way that creates impermissible private benefit for individuals or for-profit companies." Since the Golden Leaf funds will be loaned to a for-profit company, the loan must include interest to avoid the possibility that the company will be found to have received impermissible private benefit. The change in the approved agreement has little impact, and the Jerry's management has agreed to the revision. *Recommendation:* Approve revised economic development loan agreement with Jerry's Artarama, and authorize the Chairman to execute the agreement.

Motion was made by Commissioner Gordon Wilder to approve the revised economic development loan agreement with Jerry's Artarama, and authorize the Chairman to execute the agreement. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Consent Agenda

Motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the following consent agenda items as presented: Budget Amendments #1 and #2; July Ambulance Charge-offs in the amount of \$5,248.38, June 2015 Tax Refunds and Releases, Departmental Monthly Reports received and filed, and the minutes of the June 1, 2015 regular meeting, the July 6, 2015 regular meeting, and the July 23, 2015 special meeting.

Budget Amendment #1
FY 2015-2016
Emergency Communications

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
911 LEPC Grant	10-380-438078	1,104
Total Revenue Increase (Decrease)		\$ 1,104

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
911 LEPC Grant	10-621-500578	1,104
Total		\$ 1,104

Purpose: Additional State grant funding received by Emergency Communications/911.

Authorization: Vance County Board of Commissioners
August 3, 2015

Budget Amendment #2
FY 2015-2016
Emergency Communications

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Fund Balance Appropriated	10-399-439900	500
Total Revenue Increase (Decrease)		\$ 500

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Progress Energy - 911	10-621-500528	500
Total		\$ 500

Purpose: Rollover unspent Duke Progress Energy grant funds to be used for children's educational supplies for 911.

Authorization: Vance County Board of Commissioners
August 3, 2015

Tax Office Refund and Release Report for June 2015

Taxpayer Name	Tax Year	Real	Personal	Motor Vehicle	MV Fee	Solid Waste Fee	Reason
Ayscue Robert L. heirs	2011	144.59	0	0	0	105.00	foreclosure
Ayscue Robert L. heirs	2012	147.10	0	0	0	105.00	foreclosure
Ayscue Robert L. heirs	2013	147.10	0	0	0	105.00	foreclosure
Ayscue Robert L. heirs	2014	148.89	0	0	0	105.00	foreclosure
Banda Antonio	2010	0	48.05	0	0	102.50	pers prop billed
Bass Dorothy	2014	441.58	0	0	0	0	correct value

Miscellaneous

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

Economic Development Commission
Re-appoint John Foster and Terry Garrison.

Adult Care Advisory Committee
Appoint Lois Williams to fill vacant position.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Gordon Wilder, vote unanimous, to approve the appointments as presented.

September Meeting Date Change. Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Deborah F. Brown, vote unanimous, to change the September 2015 meeting date from Monday, September 7 to Tuesday, September 8 due to the Labor Day Holiday.



RESOLUTION
by the
Vance County Board of Commissioners
Changing the Date of the September 2015 Commissioners' Meeting

WHEREAS, the Vance County Board of Commissioners normally holds its regular meetings on the first Monday of each month at 6:00 p.m.; and

WHEREAS, North Carolina General Statute 153A-40 provides that in the event the Board of Commissioners desires to change the date and time of a regular meeting, that the Board may do so by adopting a resolution at least ten (10) days before such meeting; and

WHEREAS, the Vance County Board of Commissioners desires to change its regular meeting scheduled for Monday, September 7, 2015 at 6:00 p.m. to Tuesday, September 8, 2015 at 6:00 p.m.

NOW, THEREFORE, BE IT RESOLVED by the Vance County Board of Commissioners that it does hereby change its regular meeting date from September 7, 2015 at 6:00 p.m. to September 8, 2015 at 6:00 p.m. at the usual place, the Commissioners' Conference Room, Vance County Administration Building, Henderson, NC.

BE IT FURTHER RESOLVED that a copy of this resolution is to be posted on the Courthouse bulletin board, and the news media within Vance County is to be made aware of this change.

This, the 3rd day of August, 2015.

Archie B. Taylor, Jr. (signed)
Archie B. Taylor, Jr., Chairman



As there was no further business, at 7:35 p.m., motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Deborah F. Brown, vote unanimous, that the meeting be adjourned.

Approved and signed September 8, 2015.

Chairman