

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, October 5, 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: None

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

Pastor Keith Benze, First Presbyterian Church, gave the invocation.

The first item on the agenda was public comments. Ms. Sandra Butler Tubbs spoke about senior issues and stated that her purpose in speaking is to raise awareness about senior concerns. She referred to a recent article published online by Elder Parent Health which addressed what is referred to as the senior tsunami, the fast growing senior population. It is her hope that the community will recognize this matter and plan to address senior issues that will be needed in the future.

Next on the agenda, Deputy County Manager Jordan McMillen presented the following timeline for the construction of a new animal shelter.

1/5/2015 – Authorization to (1) move forward with planning for a new animal shelter, including submission of a pre-application to USDA for all available grants and loans (2) seek other related grants and donations; and (3) advertise and send out RFQs in order to obtain project architect.

2/4/2015 – Release of animal shelter architect RFQs.

2/23/2015 – Submittal deadline for animal shelter architect RFQs.

03/10/2015 – Public Safety Committee meeting to review responses to RFQs.

4/6/2015 – Architectural contract awarded to Baxter Armistead Architecture and budget amendment approved in amount of \$55,750 plus reimbursable expenses.

4/14/2015 – Introductory conference call with USDA, Architect Joe Armistead, and COG; USDA planned for County to submit Preliminary Architectural Report (PAR) and budget to USDA within 45 days (by June 1).

4/29/2015 – Meeting with County staff and architect to discuss next steps; architect provided USDA contract template and will begin working on Preliminary Architectural Report for USDA.

5/1/2015 – Corresponded with Attorney Care regarding best way to handle review of single hard copy of contract.

5/4/2015 – Attorney received contract for review.

5/6/2015 – Attorney provided requested revisions and returned the contract to County staff.

5/9/2015 – Staff corresponded with architect and scheduled a meeting to revise changes with architect and to finalize contract.

5/13/2015 – Meeting with architect to review contract as per attorney comments.

5/15/2015 – PAR and budget to USDA.

5/18/2015 – Meeting with architect and attorney to finalize contract.

5/19/2015 – Architectural services contract executed.

5/27/2015 – Public Safety Committee meeting to review project budget and proposed building layout and floorplans.

6/1/2015 – Commissioners took the following action: (1) authorized submittal of full funding application to USDA (2) approved building layout and floorplan (3) authorized proceeding with design development, construction documents and bidding phases of architectural work.

6/2015 – Submittal of full funding application to USDA (subject to receiving letter of invitation to apply).

7/6/2015 – Commissioners accepted letter of conditions for funding from USDA and authorized chair to sign. Authorized submittal of LGC application.

7/2015 – 9/2015 – Completion of building design and construction/bidding documents.

8/28/2015 – Plans submitted to USDA for authorization to bid – plans returned 9/3/2015 as they will need to be complete, sealed and ready for bid. Also USDA will need submittal of complete specifications.

9/11/2015 – Meeting with USDA regarding submittal requirements (submittal checklist received) and project timeline. Sealed plans left with USDA and complete specifications will be prepared for submittal.

9/21/2015 – Submittal of complete bid package (plans and specifications) to USDA for review for authorization to bid.

10/5/2015 – Commissioners to hold public hearing and approve findings resolution for interim financing.

10/7/2015 – Release requests for proposals to banks for interim financing.

10/15/2015 – Potential release of requests for bids for construction (subject to receiving USDA authorization).

11/12/2015 - Potential bid opening date.

11/16/2015 – Special Meeting - Board to award construction contract and approve financing agreement (Subject to meeting budget parameters and receiving LGC Approval for interim financing); Once receiving bids, county needs to submit certified bid tabs and request LGC to consider interim financing. Timing of receiving bids will be key and will affect ability to get on agenda for LGC meeting on 12/1/2015.

12/1/2015 – LGC approval of interim financing – subject to meeting their time requirements and having audit completed and submitted to LGC a month prior to their meeting.

12/3/2015 – Potential groundbreaking on site.

1/5/2016 – Interim construction financing funds available.

1/15/2016 – Start of construction – anticipate completion by July 31, 2016.

7/2016 – Construction to be completed.

1/1/2017 – Construction needs to be complete as per property deed agreement.

As advertised, a public hearing was held on a proposed installment financing agreement to be entered into by the County of Vance, North Carolina (the “County”) pursuant to Section 160A-20 of the General Statutes of North Carolina in an amount not to exceed \$1,720,000 for the purpose of providing interim construction financing during the construction of a new county animal shelter facility (the “Project”). The County has secured long-term financing through USDA and at the end of construction will use those proceeds to pay off the interim financing.

Chairman Archie B. Taylor, Jr. acknowledged due publication of a notice of public hearing in a newspaper with general circulation in said County as required by Section 160A-20 of the General Statutes of North Carolina and directed the Clerk to the Board to attach the affidavit showing publication in said newspaper on a date at least ten (10) days prior to the date hereof as Exhibit A hereto.

Chairman Taylor then announced that the Board of Commissioners would immediately hear anyone who might wish to be heard on the advisability of the proposed Project, financing or acquisition as described above.

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

Thereupon, Finance Director David C. Beck introduced the following resolution, the title of which was read, and copies of which had been distributed to each Commissioner:

**RESOLUTION MAKING CERTAIN FINDINGS AND
DETERMINATIONS REGARDING THE FINANCING OF A NEW
ANIMAL SHELTER FOR THE COUNTY PURSUANT TO AN
INSTALLMENT FINANCING AGREEMENT AND REQUESTING THE
LOCAL GOVERNMENT COMMISSION TO APPROVE THE INTERIM
FINANCING ARRANGEMENT**

BE IT RESOLVED by the Board of Commissioners (the “Board”) for the County of Vance, North Carolina (the “County”) as follows:

Section 1. The Board does hereby find and determine as follows:

(a) After due consideration, the County has determined to consider entering into an installment financing agreement (the “Agreement”) in the principal amount not to exceed \$1,720,000 for the purpose of securing interim construction financing for the construction of a new animal shelter facility (the “Project”). The final determination as to whether to finance the County’s obligations will be based on responses to a request for proposals the County will

circulate to potential lenders. The County has secured long-term financing through USDA and at the end of construction will use those proceeds to pay off the interim financing.

(b) If the County proceeds with all or some part of the financing, the County will enter into the Agreement with a financial institution (the “Lender”) to be selected by the County, pursuant to which the Lender will advance to the County amounts sufficient to pay the costs of financing the Project, and the County will repay the advancement in installments (the “Installment Payments”).

(c) In order to secure the funds advanced and the installment payments, the Agreement may grant a lien on all or some part of the land and Project being constructed.

(d) It is in the best interest of the County to enter into the Agreement in that such transaction will result in providing financing for such Project in an efficient and cost effective manner.

(e) Entering into the Agreement is preferable to a general obligation bond and revenue bond issue in that (i) the County does not have the constitutional authority to issue non-voted general obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution because the County has not retired a sufficient amount of debt in the preceding fiscal year to issue a sufficient amount of general obligation bonds for the Project without an election; (ii) the nature of the financing does not allow for the issuance of revenue bonds; (iii) the cost of the Project exceeds the amount to be prudently provided from currently available appropriations and unappropriated fund balances; (iv) the circumstances existing require that funds be available to commence construction of the Project as soon as practicable and the time required for holding an election for the issuance of voted general obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution and the Local Government Bond Act will delay the commencement of construction of the Project by several months; and (v) there can be no assurances that the Project will be approved by the voters and the necessity of such Project dictates that the Project be financed by a method that assures that such Project will be constructed in an expedient manner.

(f) It has been determined by the Board that the cost of financing the Project through an installment financing agreement is reasonably comparable to the costs of issuing general obligation bonds or other available methods of financing and is acceptable to the Board.

(g) Counsel to the County will render an opinion to the effect that the proposed undertaking as described above is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of the State of North Carolina.

(h) The debt management policies of the County have been carried out in strict compliance with law, and the County is not in default under any obligation for repayment of borrowed money.

(i) Any tax rate increase necessary to pay the Installment Payments will be reasonable and not excessive.

Section 2. The Board hereby authorizes, ratifies and approves the filing of an application with the Local Government Commission for approval of the Agreement and requests the Local Government Commission to approve of the Agreement and the proposed financing in connection therewith.

Section 3. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner Dan Brummitt, seconded by Commissioner Gordon Wilder, the foregoing resolution was adopted, not to exceed \$1,720,000, by the following vote:

Ayes: Commissioners Dan Brummitt, Terry E. Garrison, Thomas S. Hester, Jr., Archie B. Taylor, Jr., and Gordon Wilder.

Noes: Commissioner Deborah F. Brown.

Ms. Porcha Brooks, Tax Administrator, was next on the agenda and presented seven untimely exemption applications for 2015 as follows:

Name	Exemption Requested	Tax Administrator's Recommendation
Berry Mae Hawkins 185 Allen Road	Elderly Exemption	Approve Application
Darene Calhoun Hedrick 1195 US Hwy 158 Bypass	Elderly Exemption	Approve Application
Linda King Hicks 559 Wayview Road	Elderly Exemption	Approve Application
John L. and Margaret Kearney 341 Ridge Circle Road	Disabled Veteran Exemption	Approve Application
Jerry Lee and Peggy Ann Moss 1645 Hicksboro Road	Disabled Veteran Exemption	Approve Application
Roy C. and Janet A. Newhouse 55 Daniel Harris Road	Elderly Exemption	Approve Application
Brenda Creech Richardson 2894 Satterwhite Point Road	Elderly Exemption	Approve Application

Ms. Brooks noted that all exemption applications met the qualifications of the exemptions and would have been approved if the applications had been submitted by the deadline. Since it is past the deadline, approval of the exemption application must be made by the Board of Commissioners.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the seven untimely applications as presented by the Tax Administrator.

The Board discussed putting future untimely exemption applications under the Consent Agenda. Chairman Taylor asked the County Attorney if the Board could authorize the County Manager to approve these applications. Attorney Care stated that the Board is not allowed to authorize the County Manager, but he would research the matter to see if the Tax Administrator could be authorized.

Water District Board

Staff Report - Construction and Operations Update. Deputy County Manager Jordan McMillen stated that construction of waterlines along road additions in Phase 2A and 2B has continued during the past month. The County was able to meet the USDA deadline of September 15th for all waterlines to be installed. Since this time, crews have transitioned into testing of the lines, cleanup work, and service tap installation. It is anticipated that this will take a few weeks and will include completion of punch list items as well as final inspections from the USDA and State permitting agencies.

The USDA has de-obligated and returned the remaining grant funds for Phases 2A and 2B. A final accounting shows the County returned a total of \$1.7 million between the two phases. As requested by the board, a breakdown was provided (see below) following the completion of phases 1A, 2A, and 2B of the county water project. Currently the engineer is working on a preliminary engineering report and environmental assessment which are necessary to apply for grant funds for the next phase of the water project along Rock Mill Road, NC 39 South and Foster Road. It is anticipated that the County will receive approximately \$1 million in grant funds for this project.

Commissioner Deborah F. Brown asked several questions regarding clean-up and seeding as well as questions about the monthly operations reports. Tim Carpenter, LKC Engineering and J.P. McCann, Envirolink, Inc., were present to answer questions. Commissioner Brown stated that she had received complaints regarding the time period between the time an application is received until the time water is turned on. She requested a report from Mr. McMillen that shows the number of applications received to have the water turned on, how many permits were issued, and the date of the inspections. Also, what is the length of time this process takes? She asked that the report include June 2015 through present. She wanted to know where the hold-up is in this process. Is it with the homeowner, the plumber, the inspectors, etc.? Mr. McMillen stated that he has not received any complaints on this matter. He will provide the requested information to the Board.

Construction Project Summary. Tim Carpenter, LKC Engineering, presented the following breakdown of the completion of Phases 1A, 2A and 2B of the County water project.

PHASE 1A PROJECT	
Original Project Scope:	60 miles of waterlines; 75,000 gal elevated storage tank; One metered connection with City of Henderson
Actual Project Scope:	35 miles of waterlines due to available funding and signup density; 75,000 gal elevated storage tank; One metered connection point with City of Henderson; One Booster Pump Station
Signups/Customers:	945 overall signups 672 current customers (An additional 80 customers of the overall signups to be served with the next project along the NC Hwy 39 / Foster Rd)
Total Project Funding:	\$ 7.8 million - USDA loan \$ 5.8 million - USDA grant \$ 2.0 million
Total Project Cost:	\$ 7.8 million

PHASE 2A PROJECT	
Original Project Scope:	28 miles of waterlines; 75,000 gal elevated storage tank; One metered connection with City of Henderson
Actual Project Scope:	26 miles of waterlines due; 75,000 gal elevated storage tank; One meter connection point with City of Henderson; One Booster Pump Station
Signups/Customers:	443 overall signups 300 current customers
Total Project Funding:	\$ 3.8 million - USDA loan \$ 2.2 million - USDA grant \$ 1.6 million
Total Project Cost:	\$ 3.3 million (\$ 0.5 million in grant dollars turned back in)

PHASE 2B PROJECT	
Original Project Scope:	44 miles of waterlines; 75,000 gal elevated storage tank; One metered connection with City of Henderson
Actual Project Scope:	20 miles of waterlines due; 75,000 gal elevated storage tank; One metered connection point with City of Henderson;
Signups/Customers:	474 overall signups 244 current customers
Total Project Funding:	\$ 6.0 million - USDA loan \$ 3.9 million - USDA grant \$ 2.0 million
Total Project Cost:	\$ 4.8 million (\$ 1.2 million in grant dollars turned back in)

Commissioner Dan Brummitt asked several questions regarding the project summary and requested a breakdown of information from Mr. Carpenter as well as an evaluation of the entire water project.

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

Committee Reports and Recommendations

Planning & Environmental Committee - Approval for Sale of Neighborhood Stabilization Program (NSP) Property (661 Charles Street). The Committee (Wilder [C], Garrison, & Taylor) met Wednesday, September 30th to review a revised offer to purchase one of the remaining NSP homes from Richard Loyd Terry. The revised offer was for \$70,000 and included \$10,000 in a neighborhood stabilization grant as is required by the NSP program. The offer included the adjoining property which is jointly owned by the City and County. The committee was made aware that the neighboring property could be recombined with the NSP property and is eligible to be sold along with 661 Charles Street. As authorized by the full board, the committee approved the offer to purchase and contract for the sale of the property, subject to the City’s

interest in the additional parcel being obtained by the County. The committee authorized staff to negotiate and finalize the inclusion of the neighboring parcel (tax parcel 0073-01016) into 661 Charles Street. In accordance with general statutes, it is necessary for the full board to adopt a resolution. *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 Dan Brummitt, 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.

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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 661 Charles Street, 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 Richard Loyd Terry (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 Richard Loyd Terry, the Buyer, pursuant to the terms and conditions contained in the executed Offer to Purchase at a sales price of \$70,000, with the following conditions in addition to those terms and conditions contained in the Offer to Purchase and counter offer;
 - a. Vance County is able to obtain the additional parcel of land connected to the County owned parcel, which is currently jointly owned with the City of Henderson.
 - b. North Carolina Note and Deed of Trust is a second priority position securing \$10,000 for 10 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.
 - c. 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 5th day of October, 2015.

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

Attest:

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

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Properties Committee - Joint Properties Agreement with City of Henderson.

Commissioner Deborah F. Brown stated that the committee (Brown [C], Brummitt & Hester) met Monday, October 5th prior to the commissioners meeting to review a joint agreement authorizing the city attorney to handle post foreclosure evictions on four jointly owned properties located within the city limits. The four properties, which have yet to be identified, will act as a trial run for this process. *Recommendation:* Authorize the staff to execute a joint properties agreement with the City of Henderson concerning the removal of occupants from public owned properties. It was noted that the committee recommendation was not unanimous.

Motion was made by Commissioner Dan Brummitt to authorize the staff to execute a joint agreement with the City of Henderson authorizing the city attorney to handle post foreclosure evictions on four jointly owned properties located within the city limits (properties are not yet known). This motion was seconded by Commissioner Thomas S. Hester, Jr.

Commissioner Terry E. Garrison asked when the board would know who the occupants are of said properties. Commissioner Dan Brummitt responded that there are currently only two or three properties in which occupants are still living. The city attorney will make the County aware of such properties as they arise. Commissioner Garrison expressed his concerns and stated that he would like to be informed of the evictions in advance instead of after the fact. Commissioner Brummitt stated that it was the intent of the committee to make the board aware of such properties as they are identified. Attorney Care stated that he would make the City aware that the County has requested to be informed of evictions in advance.

[illegible]

AGREEMENT REGARDING JOINTLY-OWNED FORECLOSED PROPERTIES

The Managers of the City of Henderson, North Carolina (City) and the County of Vance, North Carolina (County) agree that:

1. The County grants the City the authority for its attorney to represent it before judicial and administrative forums regarding eviction and ejection of persons and businesses from properties jointly-owned by the County and City in four legal actions, after which time this authorization will be considered for a longer period .
2. This authority may be used only for jointly-owned property lying within the City limits and obtained through the tax foreclosure process.
3. For each property, the City will be reimbursed for costs associated with an action taken pursuant to Paragraph 1, above. Reimbursement will be made from proceeds the City and County receive from either rental or sale of the subject property. Any reimbursement will be made prior to division of the proceeds between the City and County and shall be equally divided between the two parties. A statement of the costs incurred shall be forwarded to the County Manager at the conclusion of each action taken pursuant to Paragraph 1, above.
4. The County will ensure the attorney responsible for effecting a foreclosure of a property identified in Paragraph 2, above, will provide the City Attorney copies of all documents evidencing the foreclosure.

FRANK FRAZIER
City Manager
City of Henderson, North Carolina

DATE: _____

ROBERT MURPHY
Interim County Manager
Vance County, North Carolina

DATE: _____

Properties Committee - Building Needs Assessment and Space Study. Commissioner Deborah F. Brown reported that the committee reviewed a proposal from Oakley Collier Architects to complete a space study as it relates to county building needs over the next several years. Staff believes that this study is necessary as it relates to long term plans for the teacherage as well as for determining future capital building needs. The results of the study would be incorporated into the County's Capital Improvements Program. The committee was made aware that funding for the study would come from the building improvements set-aside within the current fiscal year budget. *Recommendation:* Award contract to Oakley Collier Architects for the completion of a building needs assessment and space study.

Motion was made by Commissioner Deborah F. Brown to award the contract to Oakley Collier Architects for the completion of a building needs assessment and space study. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

Finance Director's Report

KARTS Request for Additional Funding. Finance Director David C. Beck explained that for FY 2015-16, KARTS requested \$43,397.36 in County funding and \$35,354.00 as a County match for their facility grant. The County's approved budget contains \$34,561.00 in County funding and the facility grant match amount of \$35,354.00. The current budget amounts are level with prior year funding. On September 10, 2015 the County Manager received a letter from KARTS asking that the County appropriate the \$8,836.36 difference between their requested funding and what the Board of Commissioners approved. Mr. Beck stated that his recommendation is to deny this request. He stated that KARTS had the opportunity to come before the Board during budget deliberations to ask for more funding, but they chose not to do so. Interim County Manager Robert M. Murphy stated that these are matching funds, so by giving KARTS the amount requested (\$8,836.36), they would receive approximately \$88,000 in State funding. Commissioner Dan Brummitt stated that approving this request could set a dangerous precedent. KARTS had the opportunity to come before the Board during budget deliberations, but did not.

After discussion, motion was made by Commissioner Deborah F. Brown to approve the request and appropriate \$8,836.36 for KARTS which is the difference between their original budget request and what the Board of Commissioners approved. Approval is subject to KARTS providing staff a detailed breakdown of how these additional funds will be spent. This motion was seconded by Commissioner Thomas S. Hester, Jr. and vote was ayes - five (5); noes - one (1), with the dissenting vote being cast by Commissioner Dan Brummitt.

Resolution Authorizing Sale of Surplus Property. Mr. Beck noted that at the September 2015 Board of Commissioners meeting, a 2007 Ford Ambulance was approved as surplus property. This is the last of the "van style" units that Vance County EMS was using and did not have any trade value towards a new unit. The unit has been appraised by an ambulance manufacturer and the fair market value has been determined. There are two private ambulance services that are interested in purchasing the surplus unit. The Finance Director will work with the interested parties to negotiate a sale to the one that makes the highest offer.

Recommendation: Approve resolution and authorize the Finance Director to execute a negotiated sale of the surplus 2007 model ambulance.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Dan Brummitt, vote unanimous, to approve the following resolution Approving Sale of Personal Property Pursuant to G.S. 160A-267:

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**Resolution Approving Sale of Personal Property
Pursuant to G.S. 160A-267**

WHEREAS, Vance County owns a certain item of personal property described as a 2007 Ford E-450 Ambulance, VIN ending in 7343, having a determined fair market value of \$12,000.00, that has now become surplus for its current needs; and,

WHEREAS, North Carolina General Statute § 160A-266 permits the county to sell such property by private sale, upon authorization by the Board of Commissioners at a regular meeting and notice to the public; and,

WHEREAS, the Vance County Board of Commissioners desires to authorize the Finance Director to conduct a private sale by means of negotiated sale or any other manner in which the process is designed to obtain the fair market value to the County for the personal property and to convey the same after compliance with this resolution.

NOW THEREFORE, the Vance County Board of Commissioners resolves as follows:

1. The Board of Commissioners authorizes the County Finance Officer to sell by private sale the following items of surplus personal property:

2007 Ford E-450 Ambulance, VIN ending in 7343

2. The Finance Officer shall be authorized to convey the described ambulance for a negotiated price after a sales process which is designed to obtain the fair market value of the ambulance but shall not negotiate a sale for less than 80% of fair market value.

3. The clerk to the Board of Commissioners shall publish a notice summarizing this resolution, and no sale may be executed pursuant to this resolution until at least 10 days after the day the notice is published.

Adopted October 5, 2015.

[SEAL]

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

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Resolution Conveying Surplus Property. Mr. Beck stated that Vance County Cooperative Extension Service has a washing machine and dryer that they no longer need. They are requesting it be approved as surplus property. Henderson-Vance Recreation & Parks has indicated a need for the surplus appliances and has requested the County to convey the property to them. *Recommendation:* Approve as surplus property a Whirlpool washer and dryer and

approve the resolution conveying the property to Henderson-Vance Recreation & Parks for no consideration.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Deborah F. Brown, vote unanimous, to declare a Whirlpool washer and dryer as surplus and approve the following resolution conveying the property to Henderson-Vance Recreation & Parks for no consideration.

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**Resolution Approving Conveyance of Property to
Another Unit of Government in North Carolina
Pursuant to G.S. 160A-274**

WHEREAS, the County of Vance owns a Whirlpool washing machine and General Electric dryer which were previously used at Vance County Cooperative Extension but are now deemed surplus; and

WHEREAS, North Carolina General Statute § 160A-274(b) authorizes a governmental unit upon such terms and conditions as it deems wise, with or without consideration, exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in personal property as the governmental unit deems wise; and,

WHEREAS, the Recreation and Parks Department of the City of Henderson, a jointly funded program between the City of Henderson and Vance County, has expressed a present need for a washer and dryer and the City of Henderson has requested Vance County to transfer the described surplus washer and dryer for use by the Recreation and Parks Department and Vance County has determined it wise and in the best interest of the County to convey the same for the described use.

NOW THEREFORE, the Vance County Board of Commissioners resolves as follows:

1. The County of Vance hereby conveys to the Parks and Recreation Department of the City of Henderson the following property: one washing machine and one clothes dryer, more particularly described as follows:

Whirlpool Washing Machine and Whirlpool Clothes Dryer

2. The property herein described shall be conveyed for no consideration.
3. The Vance County Finance Officer is authorized to execute any documents necessary to convey the property in the manner authorized by this Resolution.

Adopted this the 5th day of October, 2015.

[SEAL]

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

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County Attorney's Report

REO Property - NC Hwy 39 North. County Attorney Jonathan S. Care noted that during a previous meeting, the Board of Commissioners approved the public sale process for the tax foreclosure property - NC Hwy 39 North; Parcel Number 0365 02045. The property was advertised for upset bids and none were received. The Board is now free to sell the property or reject the offer. This should be done by resolution.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Deborah F. Brown, vote unanimous, to approve the following resolution accepting the bid for the property at NC Hwy 39 North, Henderson, NC; Parcel Number 0365 02045. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

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**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:

NC Hwy 39 North, Henderson, North Carolina 27537, Vance County Tax Department Parcel Number 0365 02045.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on *September 15, 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 *Mekre Eyesus Francis* in the amount of **\$1,500.00** 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 5th day of October, 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

Attorney Care made the board aware that an upset bid has been received on the property located at 152 S. Bullock Street. The notice will be published in the newspaper later this week.

Consent Agenda

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the following consent agenda items as presented: September Ambulance Charge-offs in the amount of \$2,800.81, August 2015 Tax Refunds and Releases, Departmental Monthly Reports received and filed, and the minutes of the September 8, 2015 regular meeting, and the September 28, 2015 special meeting.

Tax Office Refund and Release Report for August 2015

Taxpayer Name	Tax Year	Real	Personal	Motor Vehicle	MV Fee	Solid Waste Fee	Reason
ACS Properties 1 Inc.	2015	223.07	0	0	0	0	correct value
Alberto Gaspar Guzman	2015	0	20.87	0	0	105.00	pers prop billed
Ayscue Robert L. heirs	2015	148.89	0	0	0	0	foreclosure
Brodie Armstead Elvin Est.	2010	138.75	0	0	0	0	foreclosure
Brodie Armstead Elvin Est.	2011	138.78	0	0	0	0	foreclosure
Brodie Armstead Elvin Est.	2012	138.78	0	0	0	0	foreclosure
Brodie Armstead Elvin Est.	2013	142.33	0	0	0	0	foreclosure
Brodie Armstead Elvin Est.	2014	143.34	0	0	0	0	foreclosure
Brodie Armstead Elvin Est.	2015	143.34	0	0	0	0	foreclosure
Cannefax George	2015	0	0	0	0	105.00	remove solid was
Carter Raymond Fredrick Jr.	2015	0	6.17	0	0	0	remove late list
Clay William C. IV	2015	0	0	0	0	105.00	remove solid was
Colbert William B.	2015	0	0	0	0	105.00	remove solid was
Coles James Thomas	2015	635.40	0	0	0	0	correct/grant ex
Community Partners of Hope	2015	823.22	0	0	0	0	charitable-lw/md
Cooper David Y. III & others	2015	0	0	0	0	105.00	remove solid was
Cooper David Y. III & others	2015	0	0	0	0	105.00	remove solid was
Dement Mary Ann heirs	2011	0	35.64	0	0	105.00	pers prop billed
Dement Mary Ann heirs	2012	0	32.96	0	0	105.00	pers prop billed
Dement Mary Ann heirs	2013	0	36.26	0	0	105.00	pers prop billed
Escamilla Pablo	2013	0	76.86	0	0	0	pers prop billed
Escamilla Pablo	2013	0	76.86	0	0	105.00	pers prop billed
Faines Millie F.	2015	153.33	0	0	0	105.00	remove solid was
Fields Pat	2013	0	58.97	0	0	105.00	pers prop billed
Formosa Long Creek Court LLC	2013	0	0	0	0	105.00	remove solid was
Formosa Long Creek Court LLC	2014	0	0	0	0	105.00	remove solid was
Formosa Long Creek Court LLC	2015	0	0	0	0	105.00	remove solid was
Forsythe Peggy W.	2010	134.61	0	0	0	102.50	foreclosure
Forsythe Peggy W.	2010	139.29	0	0	0	0	foreclosure
Forsythe Peggy W.	2011	226.14	0	0	0	0	foreclosure
Forsythe Peggy W.	2011	134.58	0	0	0	105.00	foreclosure
Forsythe Peggy W.	2012	230.05	0	0	0	0	foreclosure
Forsythe Peggy W.	2012	136.91	0	0	0	105.00	foreclosure
Forsythe Peggy W.	2013	230.05	0	0	0	0	foreclosure
Forsythe Peggy W.	2013	136.91	0	0	0	105.00	foreclosure
Forsythe Peggy W.	2014	232.85	0	0	0	0	foreclosure
Forsythe Peggy W.	2014	138.58	0	0	0	105.00	foreclosure
Forsythe Peggy W.	2015	232.85	0	0	0	0	foreclosure
Forsythe Peggy W.	2015	138.58	0	0	0	105.00	foreclosure
Foster Enterprises LLC	2015	756.12	0	0	0	105.00	correct value
Foster Joseph Edward	2010	280.92	0	0	0	102.50	foreclosure
Foster Joseph Edward	2010	29.53	0	0	0	0	foreclosure
Foster Joseph Edward	2010	35.40	0	0	0	0	foreclosure
Foster Joseph Edward	2011	29.53	0	0	0	0	foreclosure
Foster Joseph Edward	2011	280.99	0	0	0	105.00	foreclosure
Foster Joseph Edward	2011	35.43	0	0	0	0	foreclosure
Foster Joseph Edward	2012	29.53	0	0	0	0	foreclosure
Foster Joseph Edward	2012	280.99	0	0	0	105.00	foreclosure
Foster Joseph Edward	2012	35.43	0	0	0	0	foreclosure
Foster Joseph Edward	2013	30.28	0	0	0	0	foreclosure
Foster Joseph Edward	2013	288.18	0	0	0	105.00	foreclosure
Foster Joseph Edward	2013	36.34	0	0	0	0	foreclosure

Taxpayer Name	Tax Year	Real	Personal	Motor Vehicle	MV Fee	Solid Waste Fee	Reason
Foster Joseph Edward	2014	30.50	0	0	0	0	foreclosure
Foster Joseph Edward	2014	290.24	0	0	0	105.00	foreclosure
Foster Joseph Edward	2014	36.60	0	0	0	0	foreclosure
Foster Joseph Edward	2015	30.50	0	0	0	0	foreclosure
Foster Joseph Edward	2015	290.24	0	0	0	105.00	foreclosure
Foster Joseph Edward	2015	36.60	0	0	0	0	foreclosure
Garland Heidi O.	2012	0	0	0	0	105.00	remove solid was
Garland Heidi O.	2013	0	0	0	0	105.00	remove solid was
Garland Heidi O.	2014	0	0	0	0	105.00	remove solid was
Garland Heidi O.	2015	0	0	0	0	105.00	remove solid was
Girmay Fiseha	2015	416.30	0	0	0	0	foreclosure
Granger Charles C.	2015	162.09	0	0	0	0	val adj for pres
Hamm Kathie W.	2015	0	0	0	0	105.00	remove solid was
Hamm Kathie W.	2015	0	0	0	0	105.00	remove solid was
Harris Eliza H. heirs	2011	219.05	0	0	0	105.00	foreclosure
Harris Eliza H. heirs	2012	219.05	0	0	0	105.00	foreclosure
Harris Eliza H. heirs	2013	224.66	0	0	0	105.00	foreclosure
Harris Eliza H. heirs	2014	226.26	0	0	0	105.00	foreclosure
Harris Eliza H. heirs	2015	226.26	0	0	0	105.00	foreclosure
Harris Joel Simon	2015	208.00	0	0	0	0	real prop - bill
Henderson Brooksie	2015	677.26	0	0	0	0	foreclosure
Johnson Bronetta B. heirs	2015	827.75	0	0	0	0	foreclosure
Knight Zella Shearin	2015	1,065.67	0	0	0	0	adjust val for e
Leith Michael J.	2015	0	431.81	0	0	0	pers prop billed
Leonard Brenda W.	2015	0	0	0	0	105.00	remove solid was
Long Creek Court Ltd Ptnrship	2012	0	0	0	0	105.00	remove solid was
McDaniel Shirley J.	2015	1,316.93	0	0	0	0	adjust val for e
Paquin Bettie Neal	2015	0	0	0	0	105.00	remove solid was
Pendleton and Sons Enterprises	2013	0	5.70	0	0	0	pers prop billed
Pendleton and Sons Enterprises	2013	0	1.54	0	0	0	pers prop billed
Pendleton and Sons Enterprises	2014	0	3.86	0	0	0	pers prop billed
Pendleton and Sons Enterprises	2014	0	1.55	0	0	0	pers prop billed
Perdue Gladys F.	2015	208.00	0	0	0	0	adjust val for e
Plummer John F. Jr. heirs	2015	188.50	0	0	0	105.00	foreclosure
Plummer John F. Jr. heirs	2015	563.67	0	0	0	105.00	foreclosure
Plummer John F. Jr. heirs	2015	199.34	0	0	0	0	foreclosure
Plummer John F. Jr. heirs	2015	166.52	0	0	0	0	foreclosure
Plummer John F. Jr. heirs	2015	109.58	0	0	0	0	foreclosure
Plummer John F. Jr. heirs	2015	295.98	0	0	0	105.00	foreclosure
Randall Nolia Ringlon heirs	2015	21.85	0	0	0	0	foreclosure
Randall Nolia Ringlon heirs	2015	27.44	0	0	0	0	foreclosure
Rent-A-Center Inc.#01780	2015	0	42.43	0	0	0	pers prop billed
Rent-A-Center Inc.#01780	2015	0	260.94	0	0	0	pers prop billed
Rent-A-Center Inc.#01780	2015	0	34.30	0	0	0	pers prop billed
Rent-A-Center Inc.#01780	2015	0	1,697.69	0	0	0	pers prop billed
Rent-A-Center Inc.#01780	2015	0	44.72	0	0	0	pers prop billed
Rent-A-Center Inc.#01780	2015	0	1.41	0	0	0	pers prop billed
Reyes Pedro	2010	0	80.62	0	0	102.50	pers prop billed
Reyes Pedro	2011	0	80.62	0	0	105.00	pers prop billed
Reyes Pedro	2012	0	82.02	0	0	105.00	pers prop billed
Reyes Pedro	2013	0	82.02	0	0	105.00	pers prop billed
Robertson Thurston E. Sr.	2015	765.34	0	0	0	0	adjust val for e
Robinson Pebbles P.	2015	62.52	0	0	0	105.00	correct value
Robles Gustavo Lopez	2015	207.68	0	0	0	0	foreclosure
Rock Bridge Cemetery Preservat	2015	112.96	0	0	0	0	real prop - bill
Rodwell Samuel Otis	2015	49.70	0	0	0	0	foreclosure
Rohaly Paul Joseph II	2015	1,178.01	0	0	0	0	correct value
Sanford Albert Gene	2015	0	0	0	0	105.00	remove solid was
Shearin Robert W.	2015	0	6.65	0	0	0	correct value
Sherwood Stephen Walton	2015	0	178.05	0	0	0	correct value
Smith Ben M. heirs	2015	9.39	0	0	0	0	foreclosure
Smith Ben M. heirs	2015	109.49	0	0	0	0	foreclosure
Steed Pauline E.	2015	33.04	0	0	0	0	foreclosure
Stewardson Parks M.	2015	56.48	0	0	0	0	real prop - bill
Stewardson Parks M.	2015	84.72	0	0	0	105.00	real prop - bill
Taylor Jessie	2015	193.20	0	0	0	0	adjust val for e
Townes Ella heirs	2015	45.89	0	0	0	0	foreclosure
Twyman Laura S.	2015	0	155.33	0	0	0	pers prop billed
Twyman Laura S.	2015	0	0.83	0	0	0	pers prop billed
Vance Co Habitat for Humanity	2011	506.51	0	0	0	0	charitable-lw/md
Vance County	2015	0	0	0	0	105.00	remove solid was

As there was no further business, at 8:10 p.m., motion was made by Commissioner Dan Brummitt, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, that the meeting be adjourned.

Approved and signed November 2, 2015.

Chairman