

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, August 5, 2019 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., Vice-Chairman Gordon Wilder, Commissioners Dan Brummitt, Carolyn Faines, Yolanda J. Feimster, Thomas S. Hester, Jr., and Leo Kelly, Jr.

Absent: None.

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

Pastor Carolyn Roy, Plank Chapel United Methodist Church, gave the invocation.

Before the meeting began, several county employees were recognized for volunteering during the recent Spring Litter Sweep. Special Projects Coordinator Sherry Moss noted that 17 employees worked to clean litter from Haywood Wright Road and Glover Road. A total of 60 bags of trash were collected. A certificate of appreciation from the Department of Transportation was presented to each volunteer present at the meeting. Chairman Taylor thanked the volunteers for all their help and a job well done.

Public comments were heard next. Townsville VFD Chief Daren Small and Bearpond VFD Chief Frank Brown both thanked the board for placing part-time positions at the volunteer stations and stated that it has been a tremendous help for the departments.

As advertised, a public hearing was held to receive comments regarding a petition to abandon the end portion (approximately 800 feet) of Bryant Abbott Road (SR1563) from NCDOT maintenance. As there was no one present who wished to speak on this matter, Chairman Archie B. Taylor, Jr. declared the public hearing closed.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following resolution to abandon a portion of Bryant Abbott Road.



**R E S O L U T I O N**  
by the  
**Vance County Board of Commissioners**  
*Requesting the North Carolina Department of Transportation  
to Abandon a Portion of Bryant Abbott Road (State Road 1563)*

**WHEREAS**, the Vance County Board of County Commissioners has heretofore received a petition from Lawrence T. Elliott, property owner along SR 1563 to abandon that portion of the road which is surrounded entirely by his property and is at the end of said road; and

**WHEREAS**, Pursuant to NCGS 136-63, the Board of County Commissioners may, upon receipt of said petition, request the North Carolina Department of Transportation to abandon any road in the secondary road system when the best interest of the people of the county will be served thereby; and

**WHEREAS**, at the time of termination of the maintenance agreement with the North Carolina Department of Transportation, this portion of the road will revert back pursuant to state law.

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

1. Pursuant to NCGS 136-63, the abandonment of the end portion (approximately 800 feet) of SR 1563 is in the best interest of the people of the county served thereby; and
2. The North Carolina Department of Transportation is requested to abandon this section of SR 1563; and
3. This resolution shall be effective upon its adoption.

**ADOPTED this the 5<sup>th</sup> day of August, 2019.**

**ATTEST:**

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

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

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Board of Elections Chair Sennica Nicholson appeared before the board and stated that the elections office is outgrowing its office space in the Dennis Building. She requested that the board consider moving the elections office to the former Eaton Johnson School when it is renovated for Social Services. This matter was referred to the Properties Committee for further review.

Ms. Lina Howe, Cooperative Extension 4-H Agent, introduced Miss Angela Bolanos who will be the county's 4-H representative at the North Carolina Association of County Commissioners' Youth Summit in August. Miss Bolanos stated that she attends Vance County Early College and thanked the board for the opportunity to attend the summit later this month. The board thanked Miss Bolanos for representing Vance County so well.

Ms. Porcha Brooks, Tax Administrator, was next on the agenda and presented an untimely exemption application as follows:

**Untimely Exemption**

<b>Name</b>	<b>Exemption Requested</b>	<b>Tax Administrator's Recommendation</b>
Randy and Evelyn Harris Parcel 0375 01014	Present Use Forestry	Approve Application

Ms. Brooks noted that the exemption application met the qualifications of the exemption and would have been approved if the application 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 Thomas S. Hester, Jr. to approve the untimely exemption application as recommended by the Tax Administrator. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

#### Water District Board

Chairman Archie B. Taylor, Jr. called the water district board to order.

*Water Committee - Phase 3 Amendment #1 to Engineer Services Agreement.* County Manager Jordan McMillen stated that the committee (Wilder[C], Brummitt, & Taylor) met on Monday, July 22, 2019 to discuss an amendment to the county's engineering agreement with LKC for Phase 3 of the water system. The amendment increases the engineering budget by \$44,500 due to additional inspection services as well as easement surveying and mapping that has been needed. The additional inspections are necessary as the project was extended from a six to a ten month construction period when the project was bid out. This additional cost will be absorbed by underruns in the existing construction budget. The committee discussed the potential project underrun and expressed a desire to maximize the use of remaining grant funds.

Motion was made by Commissioner Gordon Wilder to approve Amendment #1 to Phase 3 Engineering Services Agreement with LKC adding \$44,500 to the contract for additional inspection services, easement surveying and mapping. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

*Water Committee - Phase 1B Financial Analysis.* Mr. McMillen stated that the committee met with the project engineers (LKC engineering) and reviewed an updated financial/signup analysis for Phase 1B (Kittrell Expansion Phase). The engineer informed the committee there are currently a total of 217 signups in Phase 1B with approximately 40 of those properties changing ownership since the Kittrell Water Association began taking signups in 2010. Mr. McMillen expressed concern with the lack of signups relative to the proposed project cost as well as the inability to require new property owners to connect to the system. He stated that he believes this phase will be extra difficult due to the extended time that has passed since signups were taken and due to the fact that KWA and not the county took nearly all of the signups. The engineers reviewed

the financial analysis which indicates an estimated loss of \$113,982 per year to the water fund as a result of proceeding with Phase 1B. The committee recommended reaching out and offering county signup forms to the properties that have changed ownership and felt it was important to continue moving forward with Phase 1B. The committee mentioned the need to invest in the southern part of the county and the long term benefit of having infrastructure in the ground for future growth.

*Staff Report – Phase 1B Capital Project Ordinance.* Mr. McMillen noted that the board approved the engineering contract for Phase 1B in March 2019 and following attorney and USDA reviews, it is ready for execution. Prior to execution, it is necessary for a capital project ordinance to establish the engineering budget. The budget previously reviewed by the board was \$355,000 which includes \$146,000 for basic engineering services, up to \$181,000 for project inspection, and \$28,000 in additional engineering services. The funding will be reimbursed by USDA funding at a later time if the project proceeds.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following Capital Project Ordinance designating funds for Phase 1B Engineering services.



**Water District Phase 1B Capital Project Ordinance**

BE IT ORDAINED by the Governing Board of the Vance County Water District, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is to pay the cost of engineering services associated with the Water District Phase 1B water lines to be financed by the sale of revenue bonds, grant funds, and reserves.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the bond resolution and the budget contained herein.

Section 3. The following amounts are appropriated for the project:

Engineering/Inspection/Other	355,000
<b>Total</b>	<b>355,000</b>

Section 4. The following revenues are anticipated to be available to complete this project:

USDA Water Grant – Loan	355,000
<b>Total</b>	<b>355,000</b>

Section 5. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations. The terms of the installment resolution also shall be met.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7. The Finance Director is directed to report, on a monthly basis, on the financial status of each project element in Section 3.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

Section 9. Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Director for direction in carrying out the project.

**Adopted this 5<sup>th</sup> day of August, 2019.**

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

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*Resolution Formalizing General Fund Loan to Water Fund.* Mr. McMillen stated that as of the end of FY2019, the Vance County water system has undergone five years of operation. To date the system has a total of 1,635 customers with 1,228 metered customers committed to the system. Over this period the general fund has provided a total of \$1.67 million (est. subject to FY18-19 audit being completed) to the water fund with the general understanding that this will be repaid at such time that the water fund becomes self-sufficient. The interim finance director has recommended that we officially book this and future transactions as a loan to allow for future repayment to the general fund. The resolution to be approved by both the water board and board of commissioners will formalize this loan to the water fund to include allowing future repayment to the general fund.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the following resolution formalizing past and future general fund loans to the water fund to include repayment at such time in the future when the water system is self-sufficient.

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**RESOLUTION**  
***Formalizing Past and Future County General Fund Loans to the  
Vance County Water District Water Fund and Authorizing Reimbursement for  
Said Loans as the Water System Becomes Self-Sustaining***

**WHEREAS**, the Vance County Water District proceeded with construction of a new water system in Vance County and began serving customers in October, 2013; and

**WHEREAS**, since that time the County General Fund has subsidized the water fund as it begins to grow and add the necessary customers to reach a point of self-sustainability; and

**WHEREAS**, through FY2017-2018 a total of \$1,326,965.98 has been transferred/loaned to the water fund with additional amounts anticipated in future years until the water system becomes self-sustaining; and,

**WHEREAS**, the previous amounts transferred to the Vance County Water District were always understood to have been a loan to the Water District, and at such time as the Water District was financially able to repay these amounts, the same would be repaid.

**WHEREAS** the Vance County Board of Commissioners and the Vance County Water District wish to formally adopt this resolution to clearly establish the basis of the former and future transfers of funds to the Water District.

**NOW, THEREFORE BE IT RESOLVED, THAT**

1. The Vance County Board of Commissioners will, subject to their approval of the annual budget to determine any such amounts, continue to provide an annual allocation to the Vance County Water District’s Water Fund to cover operations and debt service until such time as the water fund becomes self-sustaining.
2. The Vance County Water District Water Fund has and will continue to accept these funds as a loan with the stipulation that the proceeds will be repaid to the Vance County General Fund at such future time that the water fund becomes self-sustaining.

**This, the 5<sup>th</sup> day of August, 2019.**

**ATTEST:**

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

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

**ATTEST:**

Archie B. Taylor, Jr. (signed)  
Archie B. Taylor, Jr., Chairman  
Vance County Water District Board

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



The June 2019 monthly operations report was presented to the board for information.

Chairman Taylor adjourned the water district board.

Committee Reports and Recommendations

*Technology Committee - Broadband Kickoff Meeting.* Commissioner Dan Brummitt stated that the committee (Brummitt[C], Taylor & Feimster [absent]) met with representatives from Open Broadband, LLC on Monday, July 15, 2019 to discuss short and long term goals for the county’s broadband deployment. The committee was informed that the state GREAT grant will assist in covering areas in the northwest and southwest of the county by way of the New Hope water tank

and the Kittrell water tank respectively. The committee identified these and the Warrenton Road tank as logical beginning points for use of county assets. Open Broadband and the committee brainstormed potential vertical assets in the county, and property owners who may have private towers, billboards, church steeples, and other tall structures on their property are encouraged to reach out to Open Broadband or the County. Open Broadband has set up a website (<https://openbb.net/vanceco/>) where citizens can join a waitlist for their high speed internet service. The waitlist will assist in determining areas for initial deployments. The lowest level of service (25MB download/3MB upload) would be \$39.99 monthly with no contracts or data caps for residential service. Business service is also available. Their plan is to deploy two sectors of the county per year with a goal of having coverage across the entire county within four years with the initial deployment occurring by January 1, 2020. A press release will be released August 6, 2019.

In addition to the broadband deployment, the committee discussed potential areas for free WiFi hotspot zones. The committee members discussed Kittrell as a good location due to the existing water tank, the Kittrell Job Corps, and the existing commercial area along US 1. The committee asked Open Broadband to develop a propagation study for potentially deploying the second WiFi zone near the I-85, shopping, and restaurant areas adjacent to Dabney Drive. The committee members expressed a desire to partner with the City if they can assist with funding coverage for the downtown area. Once areas for WiFi deployment are determined, the committee will provide a recommendation for proceeding with this contract. It was noted that businesses could sponsor WiFi hotspot zones if they would like to.

*Properties Committee - REO Property Offer and Minimum Bid Policy Amendment.* Commissioner Brummitt stated that the committee (Brummitt [C], Taylor, & Wilder) met Monday, July 22<sup>nd</sup> to discuss a recent offer and redevelopment plan for county owned property on County Home Road. The redevelopment plan proposed using the property for garden space for a fresh food initiative. The property is the location of the former Vance Manor facility which the county demolished in FY2017 at a total cost of \$105,815. The committee recommended rejecting the \$750 offer and recommended amending the existing county policy to include covering 50% of any county costs in the property in addition to the existing policy of covering 50% of any attorney fees. The adjustment in policy would make the minimum offer \$52,908 for this property.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to reject offer from Dwan Alston and Lateef Phoenix for tax parcel

0093 03002; and revise the county's policy to set minimum property bids at the greater of \$750 or 50% of attorney's fees paid and other county costs in the property.

*Construction Plan Review - Warrenton Road Convenience Site.* Commissioner Brummitt stated that the committee met with the county's engineer (Preston Royster with Coulter, Jewell, Thames Engineers) to review final plans for construction of the new Warrenton Road Solid Waste Convenience site. The project includes site development and construction of a turn-lane as required by NCDOT with NCDOT agreeing to provide up to \$100,000 reimbursement to the county for the turn-lane construction. The committee was informed the property has been rezoned, a conditional use zoning permit has been obtained, a watershed permit has been obtained and the construction permitting process is currently underway. The engineer anticipates the project will be ready for bidding in the next 30-45 days and barring any setbacks in bidding, construction could begin by late fall. A final budget will be determined with bidding, although the engineer provided an updated project cost of \$442,892 which is higher than the previous estimate of \$369,216 within the FY19-20 solid waste budget. The committee recommended increasing the vegetative buffer along the front and side of the property to ensure it is better concealed from public view.

*Public Safety Committee - Fire Engine Donation.* Commissioner Gordon Wilder stated that the committee (Wilder [C], Brummitt, & Faines [absent]) met and discussed donating the county's 1994 model fire engine to Hicksboro Volunteer Fire Department and the county's 1984 model unit to Watkins Volunteer Fire Department. The 1994 engine was recently taken out of service by the county fire department when the new fire engine was purchased and the 1984 unit has been used by Townsville and Hicksboro since the Kerr Lake Department folded and provided its assets and liabilities to the county. The 1984 unit is currently tied up in the debt associated with the Kerr Lake Substation and staff will research this further to see if its ownership can be released by the county. The committee was agreeable to donating the trucks to Hicksboro and Watkins. The committee discussed the minimal monetary value of the trucks and felt it was better for them to be used locally than sold as surplus. Staff has determined a donation resolution will be required as per NC General Statutes which requires a public notice prior to approving. A resolution will be brought to the board at the September meeting for approval.

Motion was made by Commissioner Carolyn Faines to declare the 1994 fire engine (VIN #1FV6JLCB1SL740118) as surplus property for the purpose of being donated to the Hicksboro

Volunteer Fire Department and authorize staff to prepare the necessary donation resolution. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

County Manager Jordan McMillen stated that the bank has agreed to release the title of the 1984 engine to the county.

*Fire District Boundary Changes.* The committee briefly discussed the need to begin the process of updating the fire district boundaries and associated protocols. The committee intends to begin looking at this over their next few meetings.

*Emergency Operations Plan Update.* Commissioner Wilder stated that the committee met with Emergency Operations staff to receive proposed updates to the county’s emergency operations plan. The plan dates to 1976 and has been revised several times over the years with the vast majority of methodology remaining the same. The plan outlines roles and responsibilities for each agency/position in the event of a proclaimed State of Emergency and having a plan is a requirement for the county to receive federal Emergency Management grants. The committee was presented with the complete plan with changes noted for review with the intention of discussing and providing recommendations at a future meeting. Due to the large size, a hard copy of the plan updates is available in the County Manager’s office for review.

Finance Director’s Report

*Surplus Property.* Assistant Finance Director Paige Pernell requested that the following items be declared as surplus and authorize the assistant finance director to dispose of the items as allowed by state statute.

<b>Description</b>	<b>Reason No Longer Needed</b>	<b>Department</b>
Weed Eater	no longer works – greater than 10 years old	Fire
Riding Lawn Mower	Frame house will not support the motor – greater than 10 years old	Fire
Gas Heater	Greater than 15 years old – replacing	Fire
Drink Machine	Compressor does not work – greater than 15 years old	Fire
2 Push Mowers	Blown engines – greater than 10 years old	Fire
Ventilation Fan	Frame house and blade shaft are bent (does not work)	Fire
Old Metal Desk	Old – poor condition	Sheriff
4 DL360 G5 Servers	No longer in use – greater than 10 years old	IT
1 DL580 G5 Server	No longer in use – greater than 10 years old	IT
1 DL360 G4 Server	No longer in use – greater than 10 years old	IT
60 service weapons	To be used for trade-in for new weapons	Sheriff

Motion was made by Commissioner Gordon Wilder to approve the property presented as surplus and authorize the assistant finance director to dispose of said property accordingly as allowed by state statute. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

*Capital Project Ordinance – Eaton Johnson Renovation.* Ms. Pernell requested approval of a capital project ordinance for engineering costs for the relocation of the Department of Social Services.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the following capital project ordinance for engineering costs for the relocation of the Department of Social Services.



**2019 Vance County DSS Relocation Project Ordinance**

BE IT ORDAINED by the Governing Board of the County of Vance, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is to pay the cost of financing engineering cost associated with the project. The County will enter into an installment financing agreement with a bank to provide funding for the project.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3. The following amounts are appropriated for the project:

Contracted Services	\$188,800
<b>TOTAL</b>	<b>\$188,800</b>

Section 4. The following revenues are anticipated to be available to complete this project:

Loan Proceeds	\$188,800
<b>TOTAL</b>	<b>\$188,800</b>

Section 5. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7. The Finance Director is directed to report, on a monthly basis, on the financial status of each project element in Section 3.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

Section 9. Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Director for direction in carrying out the project.

Adopted this 5th day of August, 2019.

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

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County Attorney's Report

*REO Properties – Bid Acceptance Resolution.* County Attorney Jonathan S. Care noted that during its July meeting, the board of commissioners approved the public sale process for 803-809 N. Garnett Street (Parcel 0075 03031). The property was advertised through the upset bid process 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 Dan Brummitt, vote unanimous, to adopt the following resolution accepting the bid for 803-809 N. Garnett Street (Parcel 0075 03031).

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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:

**803-809 N. Garnett Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0075 03031.**

**WHEREAS**, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **July 4, 2019**, 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 **Tamer Attia** in the amount of **\$950.00** 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.

**Adopted this the 5<sup>th</sup> day of August, 2019.**

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

REO Properties – New Offers. Attorney Care stated that three offers had been received from Kevin Martinez-Galmiche for real property located at 340 Davis Street, Henderson, NC - parcel 0027 07015; from William Currin for real property located at Gun Club Road – parcel 0407 01024B; and from Samantha Faison for real property located at Woodsworth Road, Henderson, NC – parcel 0303 02005. He stated that these offers meet the new requirements established by the board and did not go through committee. He stated that the Board needs to vote on whether or not to proceed with the sale by advertising for upset bids and recommended approval of the resolution to begin the upset bid process for the properties.

Motion was made by Commissioner Dan Brummitt to approve the following resolutions authorizing the upset bid process for real property located at 340 Davis Street, Henderson, NC - parcel 0027 07015; for real property located at Gun Club Road - parcel 0407 01024B; and for real property located at Woodsworth Road, Henderson, NC – parcel 0303 02005. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

**RESOLUTION AUTHORIZING UPSET BID PROCESS  
FOR SALE OF REAL PROPERTY  
340 Davis Street, Henderson, NC 27536**

**WHEREAS**, Vance County owns certain real property with an address of **340 Davis Street, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Numbers **0027 07015**; 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 **\$1,088.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Kevin Martinez-Galmiche**; and,

**WHEREAS**, **Kevin Martinez-Galmiche** has paid the required deposit in the amount of **\$760.00** with his initial 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.

**Adopted this the 5<sup>th</sup> day of August, 2019.**

**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 AUTHORIZING UPSET BID PROCESS  
FOR SALE OF REAL PROPERTY  
Gun Club Road, Henderson, NC 27537**

**WHEREAS**, Vance County owns certain real property with an address of **Gun Club Road, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Numbers **0407 01024B**; 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 **\$750.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **William R. Currin**; and,

**WHEREAS**, **William R. Currin** has paid the required deposit in the amount of **\$750.00** with his initial 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.

**Adopted this the 5<sup>th</sup> day of August, 2019.**

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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**RESOLUTION AUTHORIZING UPSET BID PROCESS  
FOR SALE OF REAL PROPERTY  
Woodsworth Road, Henderson, NC 27537**

**WHEREAS**, Vance County owns certain real property with an address of **Woodsworth Road, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Numbers **0303 02005**; 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 **\$1,323.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Samantha Faison**; and,

**WHEREAS**, **Samantha Faison** has paid the required deposit in the amount of **\$800.00** with his initial 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.

**Adopted this the 5<sup>th</sup> day of August, 2019.**

**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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County Manager's Report

*Revised Fireworks Permit – City of Henderson.* County Manager Jordan McMillen noted that the board previously approved a fireworks permit for a fireworks display at Fox Pond Park on Friday, July 5<sup>th</sup>. Due to inclement weather, the show did not occur and a make-up date has been scheduled for Saturday, August 31<sup>st</sup> to correspond with the Labor Day holiday with a rain date of September 1<sup>st</sup>. The display will be handled by the same professional pyrotechnics firm (Zambelli Fireworks Mfg. Co.). The appropriate credentials and insurance coverage has been provided and the county fire marshal has approved the revised permit subject to board approval.

Motion was made by Commissioner Thomas S. Hester, Jr. to approve the request from the City of Henderson and Zambelli Fireworks Mfg. Co. for a permit to discharge fireworks at Fox Pond Park on Saturday, August 31, 2019. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

*Resolution Formalizing General Fund Loan to Water Fund.* Mr. McMillen stated that as of the end of FY2019, the Vance County water system has undergone five years of operation. To date the system has a total of 1,635 customers with 1,228 metered customers committed to the system. Over this period the general fund has provided a total of \$1.67 million (est. subject to FY18-19 audit being completed) to the water fund with the general understanding that this will be

repaid at such time that the water fund becomes self-sufficient. The interim finance director has recommended that we officially book this and future transfers as a loan to allow for future repayment to the general fund. The resolution to be approved by both the water board and board of commissioners will formalize this loan to the water fund to include allowing future repayment to the general fund.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following resolution formalizing and accounting for past and future general fund transfers to the water fund to include repayment at such time in the future when the water system is self-sufficient.



**RESOLUTION**

***Formalizing Past and Future County General Fund Loans to the Vance County Water District Water Fund and Authorizing Reimbursement for Said Loans as the Water System Becomes Self-Sustaining***

**WHEREAS**, the Vance County Water District proceeded with construction of a new water system in Vance County and began serving customers in October, 2013; and

**WHEREAS**, since that time the County General Fund has subsidized the water fund as it begins to grow and add the necessary customers to reach a point of self-sustainability; and

**WHEREAS**, through FY2017-2018 a total of \$1,326,965.98 has been transferred/loaned to the water fund with additional amounts anticipated in future years until the water system becomes self-sustaining; and,

**WHEREAS**, the previous amounts transferred to the Vance County Water District were always understood to have been a loan to the Water District, and at such time as the Water District was financially able to repay these amounts, the same would be repaid.

**WHEREAS** the Vance County Board of Commissioners and the Vance County Water District wish to formally adopt this resolution to clearly establish the basis of the former and future transfers of funds to the Water District.

**NOW, THEREFORE BE IT RESOLVED, THAT**

1. The Vance County Board of Commissioners will, subject to their approval of the annual budget to determine any such amounts, continue to provide an annual allocation to the Vance County Water District's Water Fund to cover operations and debt service until such time as the water fund becomes self-sustaining.
2. The Vance County Water District Water Fund has and will continue to accept these funds as a loan with the stipulation that the proceeds will be repaid to the Vance County General Fund at such future time that the water fund becomes self-sustaining.

**This, the 5<sup>th</sup> day of August, 2019.**

**ATTEST:**

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

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

ATTEST:

Archie B. Taylor, Jr. (signed)  
Archie B. Taylor, Jr., Chairman  
Vance County Water District Board

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

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Consent Agenda

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following consent agenda items as presented: Budget Amendments #1 - #3, June 2019 Tax Refunds and Releases, departmental monthly reports, and the minutes of the June 3, 2019 regular meeting, the June 17, 2019 special meeting, and the July 1, 2019 regular meeting.

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**Budget Amendment #1  
FY 2019-2020  
Other Agencies**

<b>Revenue Amendment Request</b>	<b>Account Number</b>	<b>Revenue Increase (Decrease)</b>
Fund Balance Appropriated	10-399-439900	174,523.20
<b>Total Revenue Increase (Decrease)</b>		<b>\$ 174,523.20</b>

  

<b>Expenditure Amendment Request</b>	<b>Account Number</b>	<b>Expense Increase (Decrease)</b>
Capital Outlay	10-510-500074	174,523.20
<b>Total</b>		<b>\$ 174,523.20</b>

Purpose: The board approved these vehicle purchases at the July 1, 2019 board meeting. Includes the cost of five new vehicles and the equipment for each vehicle in regards to the new positions added to the FY 2019-20 budget and the Sheriff's vehicle.

Authorization: Vance County Board of Commissioners  
August 5, 2019

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**Budget Amendment #2  
FY 2019-2020  
Sheriff's Office**

<b>Revenue Amendment Request</b>	<b>Account Number</b>	<b>Revenue Increase (Decrease)</b>
Sale – Fixed Assets	10-370-437099	18,000
<b>Total Revenue Increase (Decrease)</b>		<b>\$ 18,000</b>

  

<b>Expenditure Amendment Request</b>	<b>Account Number</b>	<b>Expense Increase (Decrease)</b>
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Capital Outlay	10-510-500074	18,000
<b>Total</b>		<b>\$ 18,000</b>

Purpose: Record the gun trade-in value for 60 guns. Budget for the full expenditure of the purchase of guns.

Authorization: Vance County Board of Commissioners  
August 5, 2019



**Budget Amendment #3  
FY 2019-2020  
Capital Projects School**

<b>Revenue Amendment Request</b>	<b>Account Number</b>	<b>Revenue Increase (Decrease)</b>
Lottery Proceeds	67-367-438502	50,606
<b>Total Revenue Increase (Decrease)</b>		<b>\$ 50,606</b>

<b>Expenditure Amendment Request</b>	<b>Account Number</b>	<b>Expense Increase (Decrease)</b>
Construction	67-910-500106	50,606
<b>Total</b>		<b>\$ 50,606</b>

Purpose: Pay H.G. Reynolds for invoices from 2017 in regards to the Carver Multipurpose Room Project.

Authorization: Vance County Board of Commissioners  
August 5, 2019



**TAX OFFICE REFUND AND RELEASE REPORT FOR JUNE 2019**

<b>TAXPAYER NAME</b>	<b>TAX YR</b>	<b>REAL</b>	<b>PERSONAL</b>	<b>SOLID WASTE FEE</b>	<b>REASON</b>
YANCEY CONWAY C	2005	431.49	0	90	foreclosure
YANCEY CONWAY C	2006	431.49	0	90	foreclosure
YANCEY CONWAY C	2007	431.49	0	95	foreclosure
YANCEY CONWAY C	2008	386.78	0	102.50	foreclosure
YANCEY CONWAY C	2009	379.27	0	102.50	foreclosure
YANCEY CONWAY C	2010	379.27	0	102.50	foreclosure
YANCEY CONWAY C	2011	379.24	0	105	foreclosure
YANCEY CONWAY C	2012	385.81	0	105	foreclosure
YANCEY CONWAY C	2013	385.81	0	105	foreclosure
YANCEY CONWAY C	2014	390.50	0	105	foreclosure
YANCEY CONWAY C	2015	390.50	0	105	foreclosure
YANCEY CONWAY C	2016	400.32	0	105	foreclosure
BUMPASS TRACY T	2017	0	0	105	remove solid was
HORBETT TASHA	2017	0	52.76	105	pers prop billed
LOVIN JUSTIN CHAD	2017	0	52.76	105	correct ownership
YANCEY CONWAY C	2017	400.32	0	105	foreclosure
BUMPASS TRACY T	2018	0	0	112	remove solid was
HORBETT TASHA	2018	0	51.18	112	pers prop billed

LOVIN JUSTIN CHAD	2018	0	51.18	112	correct ownership
YANCEY CONWAY C	2018	408.89	0	112	foreclosure
TERRY JACQUELINE	2019	0	15.46	0	pers prop billed
<b>TOTAL</b>		<b>5581.18</b>	<b>223.34</b>		
<b>GRAND TOTAL</b>	<b>5804.52</b>				

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MONTHLY REPORTS: 911 Emergency Operations, Administrative Ambulance Charge-Offs, Cooperative Extension, Economic Development, EMS, Health Department, Human Resources, Information Technology, Parks and Recreation, Planning and Development, Tax Collections, and Veterans Service.

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Miscellaneous

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

Economic Development Commission – three year term  
 Reappoint James Crawford - appointed 05/2014  
 Al Rivers - appointed 05/2014  
 One application received from Robin Liggon.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to reappoint James Crawford and Al Rivers to the Economic Development Commission for three year terms.

*September 2019 Meeting Date.* Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Gordon Wilder, vote unanimous, to approve the following resolution changing the September 2019 meeting date from Monday, September 2, 2019 to Monday, September 9 due to the Labor Day Holiday.

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**RESOLUTION**  
 by the  
**Vance County Board of Commissioners**  
*Changing the Date of the September 2019 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 2, 2019 at 6:00 p.m. to Monday, September 9, 2019 at 6:00 p.m.

