

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, July 1, 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.

Chairman Archie B. Taylor, Jr. recognized David C. Beck and asked him to come forward. Mr. Beck resigned his position as Assistant County Manager/Finance Director effective July 9, 2019. Chairman Taylor presented a plaque to Mr. Beck in appreciation of his exceptional financial management, outstanding leadership, and dedicated service to Vance County from 2013 to 2019. Mr. Beck thanked the board for this recognition.

The first item on the agenda was the annual meeting of the ABC Composite Board consisting of the Board of Commissioners, the Chair of the Board of Education, and the Mayor of the City of Henderson. Board of Education Chair Dorothy Gooch was present. Mayor Eddie Ellington was absent.

It was noted that Andrea Harris and Anne Tucker had submitted letters seeking reappointment to the Vance County ABC Board for a three year term. Ms. Nancy Wilson submitted a letter requesting to be reappointed as Chair for a one year term. No other applications were received.

Motion was made by Commissioner Gordon Wilder to reappoint Andrea Harris and Anne Tucker to the Vance County ABC Board for three year terms and reappoint Nancy Wilson as Chair for a one year term. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Public comments were heard next. Sheriff Curtis Brame noted that the board had approved new positions for the Sheriff's Office for the new fiscal year, but vehicles were not included for those positions. He requested the board to allow him to use surplus funds from last fiscal year

(\$174,523.20) to cover the cost of those new vehicles and equipment. County Manager Jordan McMillen explained that those surplus funds were rolled back into the fund balance and cannot be used unless the board approves a budget amendment to take those funds from the fund balance.

After discussion, motion was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, vote unanimous, to allow the purchase of five new vehicles and equipment from Fund Balance for the Sheriff's Office in the amount of \$174,523.20.

A budget amendment will be submitted to the board at next month's meeting.

As advertised, a public hearing was held to receive public input on a proposed economic development incentive expenditure to be considered for the installation of broadband service to unserved areas of Vance County. In return for the commitments of installing broadband service and select free Wi-Fi zones, an economic development grant will be provided over four years in the amount of \$264,000 with the source of funds being appropriated from the Vance County General Fund Balance. The expansion of this service into the "Last Mile" in Vance County will stimulate investment in the local economy and promote business and education opportunities, resulting in the creation of a substantial number of jobs at competitive wages, and encourage economic growth and development opportunities which the county has determined will be made possible because of this project.

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

Water District Board

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

Phase 3 Construction Update. County Manager Jordan McMillen reported that staff met with the project engineer, inspectors and contractor on Wednesday, June 5, 2019 for the monthly construction meeting. The contractor has completed installing pipe through the easement between Rock Mill and NC 39 South. All pipe has been installed and pressure tested from Rock Mill Road to Foster Road. The contractor is currently working on Foster Road and has added a second crew that has begun installing service taps on Rock Mill Road. County staff is currently delivering guidance to the future customers as they choose a location for their water meter boxes. As of this month, there are approximately 90 customers that will receive a tap. The engineer estimates the project will be \$100,000 under budget due to less rock being encountered and due to the \$60,000 in contingency. Approximately \$40,000 of this will be used for inspections as the project schedule

was adjusted from six to ten months during bidding. Barring any setbacks, the existing project schedule runs through the end of September.

Phase 1B Update. Mr. McMillen stated that the engineer has provided an updated project schedule and revised budget for Phase 1B. The engineer is currently updating the plans and will be reapplying for permits which are anticipated to occur over the next 30-45 days. Staff and the engineer are working to obtain the remaining easement between Raleigh Road and Bobbitt Road which has taken longer than anticipated due to a revised location and survey that was required. Also, a requirement from USDA for an updated preliminary engineering report (PER) has added time as well. The engineer anticipates this project will be \$2.9 million over budget from the USDA funding previously provided to Kittrell Water Association and transferred to the county. USDA has indicated a desire to update the funding allocation once they complete review of the updated PER and most likely will provide the county a new letter of conditions with an updated funding commitment prior to bidding the project out. If all goes well, bidding could occur late this year, although LGC approval cannot occur until the county audit is complete in early 2020. The signup campaign during the spring of 2019 netted 13 new signups which increased the number of signups to approximately 222 along the proposed waterlines. Staff is currently researching but believes this number will be reduced further when ownership changes are taken into account. Staff is concerned with the number of signups relative to the project cost and also with the amount of time that has passed since the Kittrell Water Association obtained the initial signups.

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

Chairman Taylor adjourned the Water District Board.

Finance Director's Report

Surplus Property. Finance Director David C. Beck requested that the following items be declared as surplus and authorize the finance director to dispose of the items as allowed by state statute.

Description	Reason No Longer Needed	Department
Two Communication Consoles	No longer used, past useful life	911

Motion was made by Commissioner Dan Brummitt, to approve the property presented as surplus and authorize the Finance Director to dispose of said property accordingly as allowed by state statute. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

County Attorney's Report

REO Properties – New Offers. Attorney Care stated that one offer has been received from Tamer Attia in the amount of \$950 for real property located at 803-809 N. Garnett Street, Henderson – Parcel 0075 03031. Two offers have been received for 719 N. Garnett Street, Henderson (Parcel 0075 03005) - one from Tamer Attia in the amount of \$1,163, and one from Kevin Martinez-Galmiche in the amount of \$1,200. He stated that all 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 803-809 N. Garnett Street, Henderson – Parcel 0075 03031; and for real property located at 719 N. Garnett Street, Henderson – Parcel 0075 03005. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.



**RESOLUTION AUTHORIZING UPSET BID PROCESS
FOR SALE OF REAL PROPERTY
803-809 N. Garnett Street, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **803-809 N. Garnett Street, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Numbers **0075 03031**; 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 **\$950.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Tamer Attia**; and,

WHEREAS, **Tamer Attia** 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 1st day of July, 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
719 N. Garnett Street, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **719 N. Garnett Street, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Numbers **0075 03005**; 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 **\$1,200.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Kevin Martinez-Galmiche**; and,

County Manager's Report

Flood Damage Prevention Ordinance Amendment. County Manager Jordan McMillen noted that FEMA has informed the county that our flood hazard determinations (floodplain areas) and flood insurance study has been updated. Overall the changes were very minor and went through FEMA's required public information and appeal period which took place in 2015 and 2016. The updated maps are effective December 6, 2019 and require the county to update our flood damage prevention ordinance to reference the new flood maps. We anticipate very minor ordinance revisions which are essential to ensure Vance County citizens continue to have access to flood insurance. The county has until December 6, 2019 to update the ordinance and work has begun in the planning department. The updates will be brought for review and approval in the coming months.

Appointment of Interim Finance Officer. Mr. McMillen stated that North Carolina General Statutes require counties to have an individual designated as a finance officer. Following the departure of David Beck, an interim finance director has agreed to come on board to assist through the audit and the hiring process for a permanent director. It is recommended that the interim finance director be designated as the finance officer.

Motion was made by Commissioner Dan Brummitt to appoint the interim finance director as finance officer effective July 10th. This motion was seconded by Commissioner Leo Kelly, Jr. and unanimously approved.

Semi-Annual Jail Inspection Report. Mr. McMillen stated that the State conducted its periodic jail inspection on June 4, 2019 and submitted its report to the county. Jail staff has completed the plan of correction which is noted on the enclosed forms.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Carolyn Faines, vote unanimous, to receive the report as information.

Broadband. Mr. McMillen explained that the county has participated in a regional effort with Granville and Franklin Counties to deploy broadband throughout our county and region. This work began informally in 2016 with a committee of individuals representing Vance County, Vance County Schools, Vance Granville Community College, the City of Henderson, and the Kerr-Tar COG. The committee developed a citizen survey which was released in late 2016, and by spring 2017 the results indicated areas of Vance County in need of high speed internet service and/or better service. This work led to the regional initiative which brought Mighty River, LLC on board

in early 2018 as our consultant. During 2018, a regional broadband strategy was developed, additional surveys were completed in Granville and Franklin Counties, and a Request for Proposals (RFP) was released to potential internet providers. The RFPs were released in August 2018 and a total of four companies (NC Broadband Partnership, Open Broadband, Foresite & Riverstreet) responded by the October 18, 2018 deadline. The counties have since reviewed the proposals, narrowed the selection down to two wireless providers (NC Broadband Partnership and Open Broadband), appropriated funding in the budget process, and ultimately are ready to award a contract. The county's selection of Open Broadband will provide wireless broadband service throughout the county over the next four years. A total of \$264,000 (\$66,000 per year for four years) will be provided to Open Broadband as economic development incentives which will be paired with GREAT grant funding (\$344,000) and company investments to accomplish the deployment. In addition to the broadband deployment for residential and business class customers, Open Broadband will be providing free Wi-Fi in a few areas of the county as designated by the county at a future time. Open Broadband will be meeting with the Technology Committee to determine appropriate areas and next steps prior to completing the Wi-Fi service agreement. Recommendation: Approve resolution and contract with Open Broadband in support of job creation and economic development in Vance County through deployment of wireless broadband throughout the county, subject to final attorney review.

Motion was made by Commissioner Thomas S. Hester, Jr. to approve the resolution and contract with Open Broadband in support of job creation and economic development in Vance County through deployment of wireless broadband throughout the county, subject to final attorney review.



RESOLUTION
by the
Vance County Board of Commissioners
in support of
Job Creation and Economic Development in Vance County
through Deployment of Broadband

WHEREAS, the County is vitally interested in the economic welfare of its citizens and the creation and maintenance of sustainable jobs for its citizens; and

WHEREAS, the County has determined that the creation of jobs at competitive wages, encouragement of economic growth and development opportunities within the County and access for educational opportunities are realized by providing local incentives and grants for projects which fulfill these goals; and

WHEREAS, Open Broadband, LLC is a company proposing to install Broadband service to the unserved areas within Vance County, which will fulfill the goals desired by the County; and

WHEREAS, the County recognizes that the Project will bring direct and indirect benefits to the County, including job creation, economic diversification and stimulus and increased access for educational opportunities and training, and has offered economic development incentives in the amount of Two Hundred, Sixty-Four Thousand Dollars (\$264,000) over four years.

NOW, THEREFORE BE IT RESOLVED, THAT

1. The Vance County Board of Commissioners hereby agrees to provide the above referenced grant, to Open Broadband, LLC.
2. Funds pursuant to the Grant shall be made available as set forth in the agreement, not to exceed \$66,000 per year to the company for allowable reimbursement of expenses as set forth in the Economic Development Grant Agreement.
3. The Chairman of the board is hereby authorized to execute all required documents related to and in support of this.

This, the 1st day of July, 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

Consent Agenda

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Gordon Wilder, vote unanimous, to approve the following consent agenda items as presented: Budget Transfer #1, May 2019 Tax Refunds and Releases, and departmental monthly reports.

**Budget Transfer #1
 FY 2019-2020
 Finance**

Transfer From:	Account Number	Amount
Salary Adjustments	10-555-500000	339,122
Total		\$ 339,122

Transfer To:	Account Number	Amount
Salary – Elections	10-430-500001	2,292
FICA	10-430-500005	176
Retirement	10-430-500007	207
Salary – Admin/Finance	10-440-500001	11,976
FICA	10-440-500005	917
Retirement	10-440-500007	1,081
Salary – Tax	10-450-500001	6,396
FICA	10-450-500005	490
Retirement	10-450-500007	577
Salary – Register of Deeds	10-480-500001	4,008

FICA	10-480-500005	307
Retirement	10-480-500007	362
Salary – Information Technology	10-490-500001	2,916
FICA	10-490-500005	224
Retirement	10-490-500007	264
Salary – Economic Development	10-491-500001	2,064
FICA	10-491-500005	158
Retirement	10-491-500007	187
Salary – County Administration Building	10-500-500001	780
FICA	10-500-500005	60
Retirement	10-500-500007	71
Salary – Courthouse Building	10-505-500001	1,560
FICA	10-505-500005	120
Retirement	10-505-500007	141
Salary – DSS Building	10-506-500001	468
FICA	10-506-500005	36
Retirement	10-506-500007	43
Salary – Sheriff's Office	10-510-500001	55,500
FICA	10-510-500005	4,246
Retirement	10-510-500007	5,315
401K	10-510-500009	2,267
Salary – School Resource Officers	10-518-500001	2,844
FICA	10-518-500005	218
Retirement	10-518-500007	276
401K	10-518-500009	143
Salary – Jail	10-520-500001	30,972
FICA	10-520-500005	2,370
Retirement	10-520-500007	2,794
Salary – EMS	10-530-500001	22,032
FICA	10-530-500005	1,686
Retirement	10-530-500007	1,988
Salary – Fire	10-531-500001	11,688
FICA	10-531-500005	895
Retirement	10-531-500007	1,055
Salary – Fire Marshal	10-532-500001	1,104
FICA	10-532-500005	85
Retirement	10-532-500007	100
Salary – Planning	10-541-500001	6,612
FICA	10-541-500005	506
Retirement	10-541-500007	597
Salary – Soil & Water	10-576-500001	1,404
FICA	10-576-500005	108
Retirement	10-576-500007	127
Salary – Animal Control	10-599-500001	4,836
FICA	10-599-500005	370
Retirement	10-599-500007	437
Salary – Veterans Service	10-607-500001	1,368
FICA	10-607-500005	105
Retirement	10-607-500007	124
Salary – Social Services	10-610-500001	97,224
FICA	10-610-500005	7,438
Retirement	10-610-500007	8,770
Salary – Aging	10-611-500001	5,820
FICA	10-611-500005	446
Retirement	10-611-500007	525
Salary – 911	10-621-500001	13,308
FICA	10-621-500005	1,019
Retirement	10-621-500007	1,201
Salary – Solid Waste	30-608-500001	576

FICA	30-608-500005	45
Retirement	30-608-500007	52
Salary – Tourism	45-413-500001	552
FICA	45-413-500005	43
Retirement	45-413-500007	50
Total		\$ 339,122

Purpose: Allocate funds for the salary progression plan that was approved in the budget.

Authorization: Vance County Board of Commissioners
July 1, 2019

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TAX OFFICE REFUND AND RELEASE REPORT FOR MAY 2019

TAXPAYER NAME	TAX YR	REAL	PERSONAL	SOLID WASTE FEE	REASON
BRANCH RICHARD ALEXANDER	2018	0	3.15	0	pers prop billed
DIXON WILLIAM DAYTON III	2018	0	76.32	0	pers prop billed
DIXON WILLIAM DAYTON III	2018	0	76.32	0	pers prop billed
DIXON WILLIAM DAYTON III	2018	0	2.86	0	pers prop billed
EDMONDS ROY ROGERS	2018	0	154.79	0	pers prop billed
EDMONDS ROY ROGERS	2018	0	3.15	0	pers prop billed
HOLTZMAN DEBORAH LEIGH	2018	0	3.15	0	pers prop billed
NEW RESTORATION COMMUNITY	2018	0	0	112	remove solid was
QL TITLING TRUST LTD	2018	0	4840.77	0	pers prop billed
RIVERA VIDAL III	2018	0	48.25	0	military non res
RIVERA VIDAL III	2018	0	3.15	0	military non res
ROBERSON KAYLA	2018	0	15.74	112	pers prop billed
SURAWSKI RHONDA	2018	0	53.42	0	pers prop billed
TOWNES MACY RAY JR	2018	0	9.53	0	pers prop billed
WOODS AUDRA MARIE	2018	0	43.76	0	pers prop billed
WOODS AUDRA MARIE	2018	0	3.15	0	pers prop billed
TOTAL		0	5337.51		
TOTAL REFUND AND RELEASES	5337.51				

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MONTHLY REPORTS: 911 Emergency Operations, Administrative Ambulance Charge-Offs, Cooperative Extension, EMS, Human Resources, Planning and Development, Tax Collections, and Veterans Service.

Miscellaneous

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

Airport Authority – one year term
Reappoint Brian Boyd

KARTS Board – two year term

Reappoint Gordon Wilder

Perry Library Board of Trustees – three year term

Reappoint Sandy Cowan, Mary Austell, Jean Lark and Jerry Ellington, Jr.

Rural Transportation Advisory Committee – four year term

Reappoint Dan Brummitt

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Leo Kelly, Jr., vote unanimous, to approve the appointments as presented.

Voting Delegate. The Board was advised that a voting delegate needed to be appointed for the NCACC Annual Conference in August. Motion was made by Commissioner Gordon Wilder to appoint Carolyn Faines as voting delegate for the NCACC Annual Conference in August. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

At this time, motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Gordon Wilder, vote unanimous, to enter into closed session to discuss a legal matter.

Upon return to open session, motion was made by Commissioner Thomas S. Hester, Jr. to approve minutes of the June 3, 2019 closed session. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

As there was no further business, at 7:05 p.m., motion was made by Commissioner Dan Brummitt, seconded by Commissioner Carolyn Faines, vote unanimous, that the meeting be adjourned.

Approved and signed August 5, 2019.

Chairman