

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, September 9, 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, Yolanda J. Feimster, and Thomas S. Hester, Jr.

Absent: Commissioner Carolyn Faines and Commissioner Leo Kelly, Jr.

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

Pastor Ron Cava, First Baptist Church, gave the invocation.

County Manager Jordan McMillen introduced Ms. Katherine Bigelow as Vance County's new Finance Director.

Public comments were heard first. Mr. Ricky Pearce spoke and commended Sheriff Curtis Brame for a job well done since being elected as Sheriff, but expressed his concern that Sheriff Brame could always use more help to deal with the problems in the county, specifically drugs.

Mr. Steve Osborne, Henderson-Vance Recreation, recognized the following teams for their outstanding achievements:

- Softball 10 and Under: Placed 4th in the Babe Ruth State Tournament
- Softball 12 and Under: Statewide Athletic Conference Regional Tournament Champions and placed 3rd in State Tournament
- Softball 16 and Under: Statewide Athletic Conference State Tournament Champions
- Baseball 15 and Under: Statewide Athletic Conference State Tournament Champions

Each team was recognized and players were presented trophies. Chairman Taylor congratulated the players and staff and thanked them for representing Henderson-Vance Recreation so well.

Ms. Porcha Brooks, Tax Administrator, was next on the agenda and requested approval to begin a pilot program of an online listing service for business listings. The online service is available for both business and personal property, but she would like to begin with business listings only. Information about this service will be mailed out to businesses and will provide them with the option of listing online. Ms. Brooks provided a resolution and contract for SouthData Company for the board's approval.

After discussion, motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Dan Brummitt, vote unanimous, to approve the following resolution providing for electronic listing and delegation of authority for granting individual extensions for the time for filing listings of tangible personal property for property tax purposes and to approve the contract with SouthData subject to the county attorney's final review.



RESOLUTION PROVIDING FOR ELECTRONIC LISTING AND DELEGATION OF AUTHORITY FOR GRANTING INDIVIDUAL EXTENTIONS FOR THE TIME FOR FILING LISTINGS OF TANGIBLE PERSONAL PROPERTY FOR PROPERTY TAX PURPOSES

WHEREAS, Vance County desires to offer its citizens and taxpayers the opportunity to electronically fulfill the listing requirements of Article 17 of the North Carolina Machinery Act (Chapter 105); and,

WHEREAS North Carolina General Statute § 105-310.1 authorizes Counties to permit electronic listing of personal property; and,

WHEREAS, Vance County further recognizes that individual extensions of the time to file such Listings arise from time to time, and pursuant to North Carolina General Statute § 105-307, the Board of County Commissioners are authorized to grant such extensions or delegate such authority to the County Assessor to extend the deadline for filing electronic listings of personal property under G.S. § 105-304.

WHEREAS, North Carolina General Statute 105-311(b) authorizes electronic signature of personal property listings which are submitted electronically,

NOW THEREFORE BE IT RESOLVED as follows:

1. The Vance County Board of Commissioners hereby authorizes personal property listings to be submitted and signed electronically in accordance with N.G.GS 105-310.1 and the Standards and Requirements as produced and updated by the North Carolina Department of Revenue at such time as the Vance County Tax Assessor is able to implement a system for electronic tax listing.
2. Electronic listings must be submitted online through the method, means and electronic listing application established by the Vance County Tax Office. Facsimiles will not be accepted as electronic listings.
3. Authority to grant personal property extensions pursuant to N.C.G.S. 105-307(c) is hereby delegated to the Vance County Tax Assessor. All requests for an extension to file current year personal property listings after January 31, must be submitted each year to the Vance County Tax Assessor during the month of January. All requests shall include an Account ID provided by the County and associated with the location for which the extension is requested. Once an extension of time has been granted by the Assessor the filing must be received by the Vance County Assessor no later than April 15 in order to avoid late list penalties. This delegation of authorization is for both regular and electronic personal property filings.
3. This resolution shall be recorded in the minutes of the Vance County Board of Commissioners and notice of the procedure and extension of time for electronic filing of personal property listings shall be published as required by G.S. § 105-296(c).
4. This resolution is effective for all tax years after its adoption until revocation and at such time as the Assessor has the ability to implement a system for electronic listing.

updated 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 update at a previous meeting and provided comments for a few spelling/typographical changes. The committee was in favor of moving forward with the Emergency Operations Plan after corrections are made and recommended its approval.

Motion was made by Commissioner Gordon Wilder to approve the Emergency Operations Plan Update. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

Fire Response District Changes. Commissioner Wilder explained that the committee met and began reviewing maps to determine potential areas for changing fire response districts. The committee reviewed a map showing overlaps in areas which are five miles from each station in the county (county and volunteer stations) as potential areas for moving boundary lines. The manager recommended looking at one area south of the City limits for expanding the Bearpond district and recommended expanding the Goldenbelt district in the Flemington/Jacksontown Road area. The committee requested additional maps showing call locations and fire hydrant locations and recommended meeting with the fire association at its next meeting to seek input from the volunteer departments. The committee meeting with the fire association is tentatively scheduled for Monday, September 16th at 7PM at the Epsom Volunteer Fire Department and public notice will be provided once finalized.

Planning/Environmental Committee - Land Clearing and Inert Debris Landfill – Zoning Ordinance Amendment. County Manager Jordan McMillen stated that the committee (Faines[C], Kelly, & Wilder) met on Thursday, September 5 to discuss a zoning ordinance amendment to add regulations for Land Clearing and Inert Debris Landfills (LCIDs). The amendment was requested by K&K Organics and has already undergone a full review by the planning staff, county attorney, and planning board. The planning board recommended language to be added to the zoning ordinance's current landfill regulations that would allow LCIDs. LCIDs are stump dumps or facilities that allow disposal of land clearing waste, concrete, brick, concrete block, uncontaminated soil, gravel and rock, yard waste and other debris as defined by state law. The

committee recommended two changes to the proposed regulations as follows: 1) To allow LCIDs within the watershed area as a conditional use as these facilities may help with erosion 2) To clarify that existing separation requirements in the zoning ordinance of 1,000 feet from any structures would not apply to LCIDs as it does to traditional landfill types. The committee was agreeable to the ordinance amendment with these changes. Recommendation: Set a public hearing for the October 7, 2019 commissioners meeting as required prior to considering approval of ordinance amendments.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Dan Brummitt, vote unanimous, to set a public hearing for the October 7, 2019 commissioners meeting as required prior to considering approval of ordinance amendments.

Planning/Environmental Committee - Flood Damage Prevention Ordinance Amendment.

The committee reviewed proposed ordinance amendments to the flood damage prevention ordinance as required by FEMA. The amendments are a result of updated flood maps which have already been approved at the state level. Having an updated ordinance ensures citizens continue to have access to flood insurance in our community. The committee was agreeable to the ordinance amendments. Recommendation: Set a public hearing for the October 7, 2019 commissioners meeting as required prior to considering approval of ordinance amendments.

Motion was made by Commissioner Gordon Wilder to set a public hearing for the October 7, 2019 commissioners meeting as required prior to considering approval of ordinance amendments. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Finance Director's Report

Surplus Property. Finance Director Katherine Bigelow 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
17 lockers in Admin Bldg basement	old; no longer in use	Sheriff
Metal Shelf	old; no longer in use	Finance

Motion was made by Commissioner Gordon Wilder 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 Thomas S. Hester, Jr. and unanimously approved.

Commissioner Gordon Wilder asked if the lockers could be donated to a non-profit organization. Ms. Bigelow stated that she would look into this matter.

County Manager's Report

Fall Litter Sweep Proclamation. County Manager Jordan McMillen stated that in the spring and fall of each year, the NC Department of Transportation (DOT) sponsors cleanup campaigns to beautify the roadsides of the state. This year, DOT is sponsoring its Fall Litter Sweep Campaign September 14 - 28, 2019. Vance County encourages individuals and organizations to support this effort.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Gordon Wilder, vote unanimous, to approve the following proclamation designating September 14 – 28, 2019 as Fall Litter Sweep in Vance County:



P R O C L A M A T I O N
by the
Vance County Board of Commissioners
in
Recognition of the 2019 Fall Litter Sweep

WHEREAS, in conjunction with the North Carolina Department of Transportation, Vance County supports and encourages participation in the Fall 2019 roadside cleanup effort to ensure clean and beautiful roads throughout the County; and

WHEREAS, the Fall 2019 Litter Sweep roadside cleanup campaign will occur September 14 - 28. The County urges all communities, civic and professional groups, businesses, churches, schools, families, and individual citizens to participate in the cleanup effort by sponsoring and organizing roadside cleanup teams; and

WHEREAS, Adopt-A-Highway volunteers, community service workers, community leaders, civic and community organizations, businesses, churches, schools, and environmentally concerned citizens conduct local cleanups during Litter Sweep and may receive Certificates of Appreciation for participation; and

WHEREAS, the natural beauty of our State and County, in addition to a clean environment, is a source of great pride for all Vance County residents, attracting tourists and aiding in the recruiting of new industries; and

WHEREAS, the cleanup effort will increase the awareness of the need for cleaner roadsides, emphasize the importance of anti-litter campaigns, and emphasize the recycling of solid wastes such as glass, metals, and plastics; and

WHEREAS, the Litter Sweep cleanup will be a part of educating the children and citizens of the County regarding the importance of a clean environment to the quality of life in Vance County.

NOW, THEREFORE BE IT PROCLAIMED, that the Vance County Board of Commissioners does hereby recognize September 14 - 28, 2019 as “Fall Litter Sweep” in Vance County and encourages all citizens to take an active role in making the community a cleaner and more beautiful place in which to live.

THIS, the 9th day of September, 2019.

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

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Appointment of Finance Officer. Mr. McMillen stated that North Carolina General Statutes require counties to have an individual designated as a finance officer. The County’s new finance director, Katherine Bigelow, began with the county on August 28, 2019 and will need to be designated as the county’s finance officer.

Motion was made by Commissioner Gordon Wilder to appoint the county finance director, Katherine Bigelow, as the county finance officer. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Fire Engine Donation. Mr. McMillen noted that last month the board declared the county’s 1995 fire engine as surplus and directed staff to prepare the necessary donation resolution as required by NC General Statutes. (During that meeting, the vehicle was referred to as a 1994 model, but is actually a 1995 model). Staff has provided the required notice and is ready to proceed with the donation as requested by the board.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Gordon Wilder, vote unanimous, to approve the following resolution donating 1995 fire engine (VIN #1FV6JLCB1SL740118) to the Hicksboro Volunteer Fire Department:

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**Resolution Approving Donation of Property to
A Nonprofit Organization (Volunteer Fire Department)**

WHEREAS, North Carolina General Statute § 153A-176 and 160A-280 authorizes a governmental unit upon such terms and conditions as it deems wise, with or without consideration, to donate any personal property the governing board deems to be surplus, obsolete, or unused to any Nonprofit Organization incorporated by the State of North Carolina; and,

WHEREAS, the County of Vance owns a surplus fire engine, a 1995 KME Freightliner FL80, VIN #1FV6JLCB1SL740118, 74,687 Odometer reading, which was previously used by the Vance County Fire Department but is now no longer in use and is surplus; and

WHEREAS, the Hicksboro Volunteer Fire Department & EMS, a North Carolina not for profit corporation located in Vance County has expressed a present need for a fire engine and has requested Vance County to transfer a surplus engine for use by the Volunteer Fire Department and Vance County has determined it wise and in the best interest of the County to donate the same for their use and benefit; and,

WHEREAS notice of intent to donate the vehicle was posted as required by NCGS 160A-280 at least five (5) days prior to this meeting.

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

1. The County of Vance hereby declares the 1995 KME Freightliner FL80, VIN #1FV6JLCB1SL740118, with 74,687 Odometer reading as surplus.
2. Agrees to donate to Hicksboro Volunteer Fire Department & EMS for use in their fire response the above identified surplus fire engine and any permanently installed equipment including but not limited to a Motorola Mobile Radio S/N: 775CKV0537.
3. The property herein described shall be conveyed for no consideration.
4. The Vance County Finance Officer is authorized to execute any and all documents necessary to complete the donation of the property in the manner authorized by herein.

Adopted this the 9th day of September, 2019.

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



Justice Assistance Grant. Mr. McMillen stated that the Vance County Sheriff's Office and the Henderson Police Department jointly receive federal funds from the Edward Byrne Memorial Justice Assistance Grant Program (JAG) to purchase equipment. The City submits the application and conducts the required due diligence. The distribution of funds is 60% City (\$9,467) and 40% County (\$6,311). The two governing bodies must enter into a Memorandum of Understanding (Inter-local Agreement) in order to receive and utilize the federal funds. Due to the timeframe for the grant, both city and county managers have authorized submittal of the grant with receipt subject to final action by the Board.

Motion was made by Commissioner Thomas S. Hester, Jr. to approve the inter-local agreement between the City and County for the purpose of receiving and using federal JAG funds in the amount of \$6,311. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

Evans & Associates – Tax Audit Renewal Contract. Mr. McMillen noted that Evans and Associates has successfully performed business discovery audits and business personal property audits for the county since 2010. In 2012 the county transitioned to paying a set rate per audit as opposed to a contingency fee basis as required by state law. Evans provides similar services for several counties in North Carolina. The renewal contract will be for three years and run through

June 30, 2022 and the fee per audit performed is \$625. The County Attorney has reviewed and is satisfied with the legal aspects of the contract.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Dan Brummitt, vote unanimous, to approve the contract renewal with Evans and Associates Consulting Group, Inc. for business discovery and business personal property audits.

County Attorney's Report

REO Properties – Bid Acceptance Resolutions. County Attorney Jonathan S. Care noted that during previous meetings, the board of commissioners approved the public sale process for 340 Davis Street (Parcel 0027 07015), Gun Glub Road (Parcel 0407 01024B), and Woodsworth Road (Parcel 0303 02005). The properties were advertised through the upset bid process. No upset bids were received for 340 Davis Street or Gun Club Road. An upset bid was received for Woodsworth Road and the final bid is \$2,900. The board is now free to sell the properties or reject the offers.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to adopt the following resolutions accepting the bids for 340 Davis Street (Parcel 0027 07015), Gun Glub Road (Parcel 0407 01024B), and Woodsworth Road (Parcel 0303 02005).



**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:

340 Davis Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0027 07015.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **August 8, 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 **Kevin Martinez-Galmiche** in the amount of **\$1,088.00** 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 9th day of September, 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 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:

Gun Club Road, Henderson, North Carolina 27537, Vance County Tax Department Parcel Number 0407 01024B.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **August 8, 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 *William R. Currin* in the amount of **\$750.00** subject to the terms and conditions contained in the submitted bid, attached hereto as Exhibit "A", is hereby accepted for the property described herein and the Board's Chairperson shall execute the documents necessary to complete the transfer of title to such property.

Adopted this the 9th day of September, 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 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:

Woodsworth Road, Henderson, North Carolina 27537, Vance County Tax Department Parcel Number 0303 02005.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **August 8, 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 an upset bid was received in the amount of \$2,073.00; and

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **August 15, 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 an upset bid was received in the amount of \$2,900.00; 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 **Samantha Faison** in the amount of **\$2,900.00** 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 9th day of September, 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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REO Properties – New Offers. Attorney Care stated that five offers had been received from Josetter Royster for real property located at 14 Colenda Lane, Henderson, NC - Parcel 0325A02011; from Samantha Faison for real property located at Lot 4 Cedar Cove Road, Henderson, NC – Parcel 0593 01031; from Casim Noble for real property located at Wilkins Lane (3.4+/- acres off Wilkins Lane), Henderson, NC – Parcel 0111 03023; from Casim Noble for real property located on Lot off Wilkins Lane, Henderson, NC – Parcel 0111 01018; and from Edward Buck for real property located on Lot at Pettigrew Street, Henderson, NC – Parcel 0103 06003. He noted that these offers meet the new requirements established by the board. 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 resolutions to begin the upset bid process for the properties.

Motion was made by Commissioner Gordon Wilder to approve the following resolutions authorizing the upset bid process for real property located at 14 Colenda Lane, Henderson, NC - Parcel 0325A02011; from Samantha Faison for real property located at Lot 4 Cedar Cove Road, Henderson, NC – Parcel 0593 01031; from Casim Noble for real property located at Wilkins Lane (3.4+/- acres off Wilkins Lane), Henderson, NC – Parcel 0111 03023; from Casim Noble for real property located on Lot off Wilkins Lane, Henderson, NC – Parcel 0111 01018; and from Edward Buck for real property located on Lot at Pettigrew Street, Henderson, NC – Parcel 0103 06003.

This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.



**RESOLUTION AUTHORIZING UPSET BID PROCESS
FOR SALE OF REAL PROPERTY
14 Colenda Lane, Henderson, NC 27537**

WHEREAS, Vance County owns certain real property with an address of **14 Colenda Lane, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Numbers **0325A02011**; 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 **\$1,053.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by ***Josetter Royster***; and,

WHEREAS, ***Josetter Royster*** 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.

This the 9th day of September, 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
Lot 4 Cedar Cove Road, Henderson, NC 27537**

WHEREAS, Vance County owns certain real property with an address of **Lot 4 Cedar Cove Road Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Numbers **0593 01031**; 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 **\$1,205.00** 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 **\$750.00** with her 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.

This the 9th day of September, 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
3.4+/- acres off Wilkins Lane, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **3.4 +/- acres off Wilkins Lane, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Numbers **0111 03023**; 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 **\$1,375.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Casim Noble**; and,

WHEREAS, **Casim Noble** 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.

This the 9th day of September, 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
Lot off Wilkins Lane, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **Lot off Wilkins Lane, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Numbers **0111 01018**; 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 **\$1,448.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by *Casim Noble*; and,

WHEREAS, *Casim Noble* 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.

This the 9th day of September, 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
Lot Pettigrew Street, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **Lot Pettigrew Street, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Numbers **0103 06003**; 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 **\$1,173.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Edward Walter Buck, II**; and,

WHEREAS, **Edward Walter Buck, II** 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.

This the 9th day of September, 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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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 #4, July 2019 Tax Refunds and Releases, departmental monthly reports, and the minutes of the August 5, 2019 regular meeting.

Commissioner Dan Brummitt requested that all future budget amendments be broken down by department.

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Budget Amendment #4
FY 2019-2020

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Community Connections – Youth Villages	10-380-438999	15,542
Positive Action – Boys & Girls Club	10-380-438500	21,126
Jail Inmate Canteen Services Income	10-358-435812	84,000
Fund Balance Appropriated	10-399-439900	36,867
USDA Grant Proceeds	63-386-438709	115,047.79
Total Revenue Increase (Decrease)		\$ 272,582.79

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
JCPC-Youth Villages (Community Connections)	10-600-500254	15,542
JCPC Positive Action – Boys & Girls Club	10-600-500256	21,126
Jail Canteen – Oasis	10-520-500048	84,000
Audit-Medicaid Compliance	10-410-500010	5,500
Jail Capital Outlay	10-520-500074	31,367
Phase 3 Water Project – Contracted Service	63-918-500045	24,770
Phase 3 Water Project – Construction	63-918-500106	90,277.79

Total | | **\$ 272,582.79**

Purpose: Record the expenditure and revenue associated with the Community Connections Program (Youth Villages) and positive actions program (Boys & Girls Club); to budget revenue received from Oasis for Jail Canteen Services; to appropriate funds for additional audit requirements; and Norment Security for the jail.

Authorization: Vance County Board of Commissioners
September 9, 2019



TAX OFFICE REFUND AND RELEASE REPORT FOR JULY 2019

TAXPAYER NAME	TAX YR	REAL	PERSONAL	SOLID WASTE FEE	REASON
ALEXANDER CASSANDRA F	2007	0	63.46	54.14	PERS PROP BILLED
ALEXANDER CASSANDRA F	2008	0	60.55	102.50	PERS PROP BILLED
CLOPTON MICHAEL T	2018	366.89	0	112.00	REAL PROP - BILL
BATCHELOR ANNIE P	2019	400.50	0	0	CORRECT/GRANT EX
CLOPTON MICHAEL T	2019	376.50	0	112.00	REAL PROP - BILL
CREWS JOSEPH LEE	2019	99.90	0	0	CORRECT/GRANT EX
TOTAL		1243.79	124.01		
GRAND TOTAL	1367.8				



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



At this time, motion was made by Commissioner Thomas S. Hester, Jr. to enter into closed session to discuss a personnel matter. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

Upon return to open session, motion was made by Commissioner Thomas S. Hester, Jr. to approve the minutes of the August 5, 2019 closed session. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

As there was no further business, at 7:30 p.m., motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, that the meeting be adjourned.

Approved and signed October 7, 2019.

Chairman