

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, August 3, 2020 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 Gordon Wilder, Vice-Chairman Dan Brummitt, Commissioners Carolyn Faines, Yolanda J. Feimster, Thomas S. Hester, Jr., Leo Kelly, Jr. and Archie B. Taylor, Jr.

Absent: None.

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

Chairman Gordon Wilder gave the invocation.

As advertised, a public hearing was held to receive citizen input on proposed amendments to the Vance County, NC Code of Ordinances – Chapter 90: Animals. As there was no one present who wished to speak on this matter, Chairman Gordon Wilder declared the public hearing closed. Action will be taken on this matter at the August 19 special meeting.

Board of Elections Chair Sennica Nicholson requested an increase in wages for the elections poll workers. They are currently making \$10 per hour and the judges are making \$15 per hour. She requested that these wages be increased to \$15 for poll workers and \$20 for judges. She also requested that Election Day wages be increased from \$150 to \$200 for judges; and assistants from \$125 to \$150 for the day.

The board discussed the fact that the state has allocated additional COVID funds for elections in the amount of \$82,602. Those funds could be used for this request this year and the board can review this matter for next year during budget deliberations.

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

**Untimely Exemptions**

<b>Name</b>	<b>Exemption Requested</b>	<b>Tax Administrator's Recommendation</b>
James and Paula Populorum 1517 Peace Street Parcel 0551 02011	Elderly Exemption	Approve Application
Pamela Carroll 2200 Old County Home Road	Elderly Exemption	Approve Application
Bryant and Terri Lemay 470 Thomas Road Parcel 0365 04021	Disabled Veteran	Approve Application

Nita Scott 480 Dick Faines Road Parcel 0365 01018	Disabled Exemption	Approve Application
Bearpond Solar Center LLC	Business Personal Property	Approve Application
First Baptist Church Parcel 0003 07011	Religious Exemption	Approve Application

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Dan Brummitt, vote unanimous, to approve the untimely exemption requests as presented.

Water District Board

Chairman Gordon Wilder called the water district board to order.

The June 2020 monthly operations report was presented to the board for information. County Manager Jordan McMillen stated that the State’s Executive Order that prohibits water shut-offs for nonpayment has now expired. The county will provide a six month payment plan for these customers. The board also discussed the recent increase in the water tap fees. Mr. McMillen stated that those customers already in the process of signing up will remain at the old rate.

Chairman Wilder adjourned the water district board.

Committee Reports and Recommendations

*Public Safety Committee – Fire District Redistricting.* Commissioner Gordon Wilder stated that over the past several months the committee discussed changes to fire district boundaries in five different areas around the county as agreed upon by neighboring fire chiefs. During the July 21 meeting, the committee (Wilder[C], Brummitt & Taylor) decided to hold off on making any redistricting recommendations until after Bearpond goes through its rating review later in 2020.

*Fire Reorganization.* Commissioner Wilder reported that in February 2019 the board voted to continue the Goldenbelt fire district in its current structure. During the retreat in January 2020, a commissioner brought up the fire reorganization plan and the board asked the committee to review the plan. At its June 30 and July 21 meetings, the committee reviewed and discussed organizational charts and an updated financial analysis associated with the reorganization plan. At its July 21 meeting, the committee reviewed the updated financial analysis as prepared by county finance staff. The analysis indicates the plan would create an initial savings of \$281,791 on the general fund while creating a \$206,136 deficit on the fire tax fund which would require a 1.2 cent fire tax increase. The finance director discussed concerns with transferring monies from the general fund to the fire fund to cover the deficit and mentioned state law within the budget and

fiscal control act that prevents paying for a service fund deficit with general fund monies. Committee members mentioned management, HR, and potential legal concerns with the plan having county fire employees report to county policies while also being subject to non-county operational policies with the employees physically being located in a volunteer station and operating volunteer department equipment. The committee then reviewed input from the Fire Association indicating that the association members had too many questions and concerns with the proposal to support its passage. As requested by the board, the committee has reviewed the plan and based upon input gathered and concerns raised, the committee recommended (2-1 vote) not proceeding with further conversations on the reorganization plan.

Commissioner Carolyn Faines stated that it was her understanding that no tax increase would be needed. County Manager Jordan McMillen replied that the key changes that took place since the initial plan was putting additional staff in the central part of the county (six part-time positions). Commissioner Dan Brummitt stated that the numbers presented are misleading and have been manipulated to show a deficit and a need for a tax increase. He stated that the plan would be a savings for the county. Commissioner Archie B. Taylor, Jr. stated that he would not support any plan to eliminate the county fire department. Commissioner Thomas S. Hester, Jr. echoed Commissioners Taylor's remarks.

Motion was made by Commissioner Yolanda Feimster to not follow the committee's recommendation to cease discussions on fire reorganization; and to continue further conversations as to the reorganization plan. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

*Fire Association Priorities.* Commissioner Wilder noted that the committee discussed the following priorities which were brought up by the fire association:

1. Staffing of two dedicated fire staff at the Rescue Squad (would require a change in the county's fire tax resolution allowing the rescue squad to receive fire tax funding and a change to the rescue squad contract)
2. Change in volunteer fire department contracts allowing flexible use of existing part-time hours

All committee members were in support of updating the fire contracts to allow flexibility in the use of part-time hours. The committee discussed the idea of providing funding to the rescue squad for two dedicated fire staff. A committee member presented concerns with the current amount of funding the county is providing for rescue services relative to what other counties provide for similar services and advocated for the county to bid out rescue services to receive a

competitive proposal. Two committee members were in favor of exploring and discussing further the idea of providing additional funding to the rescue squad to allow them to provide the two part-time slots. The committee asked staff to research the legalities of adding the rescue squad to the fire tax fund and intends to review a financial analysis at its next meeting.

Motion was made by Commissioner Dan Brummitt to direct staff to draft an amended resolution for the fire tax to allow two dedicated fire staff at the rescue squad; and to direct staff to draft amended contracts to allow flexible use of existing part-time hours for our existing part-time departments. This motion was seconded by Commissioner Carolyn Faines.

Commissioner Archie B. Taylor, Jr. stated that he is opposed to this motion. He stated that the county contracts with The Vance Life Saving and Rescue Squad, Inc., which is not a county agency. He is opposed to funding a private organization with county staff and county funds. He would like to see the rescue services put out for bid.

After further discussion, vote on the motion was ayes – five (5); noes – two (2), with the dissenting votes being cast by Commissioner Archie B. Taylor, Jr. and Commissioner Thomas S. Hester, Jr.

*Properties Committee – Warrenton Road Convenience Site Construction Bids.* The committee (Brummitt[C], Taylor & Wilder) met on Wednesday, July 22, 2020 to review bids received for constructing the new Warrenton Road Convenience site and turn lane. H.G. Reynolds was the low bidder with a total base bid of \$351,821 plus an alternate bid of \$34,842 (\$386,663 total) versus a project budget of \$369,216. The committee was in favor of including the alternate which adds asphalt vs. using gravel around the solid waste compactor. It is anticipated that this could save between \$4,000 and \$5,000 per year in gravel being added to the site. The committee was agreeable to awarding the project to H.G. Reynolds as the low bidder, but before making this recommendation would like to see if value engineering can reduce the overall project cost inclusive of the alternate within the budget.

The committee chairperson and county staff met with the project engineer and H.G. Reynolds following the committee meeting and were able to identify \$1,480 in savings (removing barbed wire on site fence). Recommendation Subject to Value Engineering Conversation: Award construction contract to H.G. Reynolds totaling \$385,183 for the Warrenton Road Convenience Site and Turn Lane Construction project.

Motion was made by Commissioner Thomas S. Hester, Jr. to award the construction contract to H.G. Reynolds totaling 385,183 for the Warrenton Road convenience site and turn lane construction project. This motion was seconded by Commissioner Archie B. Taylor, Jr. and unanimously approved.

Finance Director’s Report

*Surplus Property.* Finance Director Katherine Bigelow presented the following items to be declared as surplus and authorize the finance director to dispose of said property accordingly as allowed by state statute.

Description	Reason No Longer Needed	Department
2011 Ford Crown Vic	engine needs repairs	Sheriff
2006 Ford 350 Type II Ambulance	no longer used for fire prevention; mechanical issues; broken door glass, flat tire	Fire

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the property presented as surplus and authorize the Finance Director to dispose of said property accordingly as allowed by state statute.

*Grant Project Ordinance Amendment – Coronavirus Relief Funding.* Ms. Bigelow reported that the state has approved additional funding for Coronavirus Relief in the amount of \$864,333 for Vance County, bringing the total to \$1,838,932 with \$459,733 being offered to our municipalities. The grant project ordinance sets the budget for the project and budgets funds for the grant proceeds once they are received. Recommendation: Adopt the grant project ordinance for various purchases utilizing Corona Relief Funds.

Motion was made by Commissioner Thomas S. Hester, Jr. to adopt the grant project ordinance as presented for various purchases utilizing Corona Relief Funds. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.



**Coronavirus Relief Funding  
Grant Project Ordinance  
Amendment**

**WHEREAS,** On June 1, 2020 the Coronavirus Relief Funding Grant Project Ordinance was adopted by the Vance County Board of Commissioners; and

**WHEREAS,** since the initial adoption, additional funds have been granted from the State of North Carolina from Federal Funds received by the state; and

**WHEREAS,** the initial Grant Project Ordinance needs to be updated and amended to account for the additional funds received.



Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the COVID projects as presented.

County Attorney’s Report

*REO Property – Bid Acceptance Resolution.* County Attorney Jonathan S. Care noted that during its July meeting, the board of commissioners approved the public sale process for Lot 4 Tanner Street (Parcel 0111 04009). There were no upset bids received for this property. The board is now free to sell the property or reject the offer.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Archie B. Taylor, Jr., vote unanimous, to approve the following resolution accepting the bid for Lot 4 Tanner Street – Parcel 0111 04009:



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

**WHEREAS**, the Vance County Board of County Commissioners received an offer in the amount of \$2,650.00 from Sharmise Kearney and Kejuan Hicks for the purchase and sale of County owned real property, which is more particularly described below:

**Lot 4 Tanner Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0111 04009.**

**WHEREAS**, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **July 9, 2020** stating that said offer from Sharmise Kearney and Kejuan Hicks in the amount of \$2,650.00 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 ***Sharmise Kearney and Kejuan Hicks*** in the amount of **\$2,650.00** subject to the terms and conditions contained in the submitted upset Offer to Purchase Contract, 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 3<sup>rd</sup> day August, 2020.**

**Gordon Wilder** **(signed)**  
**Gordon Wilder, Chairman**  
**Vance County Board of Commissioners**

**ATTEST:**

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



*REO Property – New Offer.* Attorney Care stated that an offer had been received from Mekre Eyesus Francis for real property located at Community House Road – Parcel 0460 01026. The offer meets the 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 resolution to begin the upset bid process for the property.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Dan Brummitt, vote unanimous, to approve the following resolution authorizing the upset bid process for Community House Road Lot – Parcel 0460 01026:



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

**WHEREAS**, Vance County owns certain real property with an address of **Community House Road Lot, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Numbers **0460 01026**; 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 **\$1,128.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by *Mekre Eyesus Francis*; and

**WHEREAS**, *Mekre Eyesus Francis* has paid the required deposit in the amount of **\$1,128.00** 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 3<sup>rd</sup> day August, 2020.**

Gordon Wilder (signed)  
Gordon Wilder, Chairman  
Vance County Board of Commissioners

ATTEST:

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



County Manager's Report

*Legislative Goals.* County Manager Jordan McMillen stated that the NC Association of County Commissioners (NCACC) 2021-2022 biennium legislative goals process is underway. Commissioners are invited to submit ideas for legislative goals to the clerk or the county manager by August 28<sup>th</sup> for consideration by the board at the September meeting. The deadline to submit goals to NCACC is September 30, 2020.

*McGregor Hall Funding Request.* Mr. McMillen noted that McGregor Hall recently provided a letter outlining its financial challenges this year as a result of the COVID-19 pandemic. From the day they closed down on March 16 – July 10 they have experienced a 75% reduction in contributions, a 91% reduction in sales, and a 100% reduction in rental income all resulting in a \$100,000 overall decrease in revenue from the same period in 2019. With the ongoing impact of COVID-19, it is anticipated that these impacts will grow into next year. They have requested \$250,000 in emergency funding between the City and County to sustain their operations. Staff recognizes the tremendous economic impact that McGregor has on the county and plans to have further discussions with the intergovernmental committee and the City of Henderson regarding the

request. Staff is researching the possibility of using Coronavirus Relief Funds as a way of providing one-time funding to McGregor Hall.

*HVIP Phase III Project Update.* Mr. McMillen stated that work on the construction project has progressed quickly and will be wrapping up over the next month or two. To date installation of the 8 inch sewer force main, 6 inch sewer force main, gravity sewer, and water line has been installed and tested. The new roadway (Industrial Park Drive) is graded with eight inches of gravel and the realignment of Commerce Drive and Industrial Park Drive is complete. We anticipate NCDOT inspection of the realignment soon and await word on a federal Economic Development Administration grant application to see if funds will be available to pave the road and complete the original project scope. The board was provided the latest progress report from the project engineer including photos of progress.

*Request from Secretary of Interior.* Mr. McMillen noted that several commissioners received an email this week from the US Department of Interior with a letter attachment from Secretary David Bernhardt. The clerk to the board forwarded the email to all commissioners that were not on the original distribution. The letter outlines the President's Executive Order on Building and Rebuilding Monuments and provides background on a plan to create a National Garden for the purpose of relocating statues which feature the founding fathers, former presidents of the United States, those who fought for the abolition of slavery, and other great Americans (Executive Order includes list of 31 individuals). The Department of Interior is seeking recommendations from counties on the following:

1. Does the County have locations of natural beauty that would serve as a reputable location for the National Garden? Their preference is federal land.
2. Does the County have any statues or monuments that we are willing to donate or loan to this effort?
3. Are there any other American heroes who should be recognized in the National Garden beyond the 31 individuals listed in the President's Executive Order?

Mr. McMillen stated that if the board has any input to be provided to the Department of Interior, staff will provide a response. Commissioner Archie B. Taylor, Jr. suggested looking for an area on Kerr Lake. Commissioner Leo Kelly, Jr. suggested looking into a regional area with surrounding counties.

#### Consent Agenda

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following consent agenda items as presented: June 2020 Tax Refunds and Releases, departmental monthly reports, and the minutes of the June 15, 2020

special meeting, the June 30, 2020 special meeting, the July 6, 2020 regular meeting, the July 8, 2020 reconvened meeting, and the July 21, 2020 special meeting.



**TAX OFFICE REFUND AND RELEASE REPORT FOR JUNE 2020**

TAXPAYER NAME	TAX YR	REAL	PERSONAL	SOLID WASTE FEE	REASON
HENDRICKS PAMELA L.	2020	0	127.93	0	ADD LATE LIST PE
HENDRICKS PAMELA L.	2020	0	63.97	0	PERS PROP BILLED
HENDRICKS PAMELA L.	2020	0	9.55	0	PERS PROP BILLED
HENDRICKS PAMELA L.	2020	0	0	0	PERS PROP BILLED
TOTAL		0	201.45		
GRAND TOTAL	201.45				



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



Miscellaneous

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

Economic Development Commission – three year term  
Reappoint Tom Church and Tommy Hester

Kerr-Tar Workforce Development Board – two year term  
Appoint John Drago to fill vacant position.

Henderson-Vance Recreation Commission  
Appoint Corei Somerville to fill vacant position.

County Manager Jordan McMillen noted that John Drago is not a Vance County resident, but does work in Vance County as a manager at the Wal-Mart Distribution Center. He stated that it is beneficial to have those who work in the county to be a part of some of our boards and commissions. He suggested that the board review the current policy that addresses this. Chairman Gordon Wilder referred this matter to the General Government Committee for further review.

Motion was made by Commissioner Dan Brummitt to make an exception to our policy and appoint John Drago to the Kerr-Tar Workforce Development Board; also, reappoint Tom Church and Tommy Hester to the Economic Development Commission and appoint Corei Somerville to the Henderson-Vance Recreation Commission. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

*September Meeting Date.* Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Dan Brummitt, vote unanimous, to approving the following resolution changing the September 2020 meeting date from Monday, September 7, 2020 to Tuesday, September 8, 2020 due to the Labor Day Holiday:



**RESOLUTION**  
by the  
**Vance County Board of Commissioners**  
*Changing the Date of the September 2020 Commissioners' Meeting*

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

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

**WHEREAS**, the Vance County Board of Commissioners desires to change its regular meeting scheduled for Monday, September 7, 2020 at 6:00 p.m. to Tuesday, September 8, 2020 at 6:00 p.m.

**NOW, THEREFORE, BE IT RESOLVED** by the Vance County Board of Commissioners that it does hereby change its regular meeting date from September 7, 2020 at 6:00 p.m. to September 8, 2020 at 6:00 p.m. at the usual place, the Commissioners' Conference Room, Vance County Administration Building, Henderson, NC.

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

**This, the 3<sup>rd</sup> day of August, 2020**

*Gordon Wilder* (signed)  
Gordon Wilder, Chairman



*Appointment of Voting Delegate.* Motion was made by Commissioner Carolyn Faines to appoint County Manager Jordan McMillen as the voting delegate for the NCACC Annual Conference. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Carolyn Faines, vote unanimous, to enter into closed session to discuss an economic development project.

Upon return to open session, motion was made by Commissioner Thomas S. Hester, Jr. to approve the minutes of the June 30, 2020 and July 6, 2020 closed sessions. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

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

Approved and signed September 8, 2020.

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Chairman