

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, March 1, 2021 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 Dan Brummitt, Vice-Chairman Leo Kelly, Jr., Commissioners Carolyn Faines, Yolanda J. Feimster, Thomas S. Hester, Jr., Archie B. Taylor, Jr. and Gordon Wilder.

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.

Rev. Joseph Ratliff, Shiloh Baptist Church, gave the invocation.

Public comments were heard first. Mayor Eddie Ellington expressed the City of Henderson's desire to remain as an integral partner with the Henderson Vance Industrial Commission. He stated that the city and county have worked together for decades in the recruitment of new industry to our region and requested that the City of Henderson remain an active member of the Henderson Vance Industrial Commission.

Water District Board

Chairman Dan Brummitt called the water district board to order. The January 2021 monthly operations report was presented to the board for information.

County Manager Jordan McMillen provided an update on tap installation and stated that all but two taps have been installed to date, and these should be installed this week.

Engineer Logan Parsons, LKC Engineering, provided an update on Phase 1B and stated this phase includes 23.5 miles of water line. The project has already been designed and easements have been secured. The next step is to apply for USDA funding, finalize drawings, and go out for bid this summer. The contract will be awarded contingent upon approval by the Local Government Commission. The board asked a few questions and thanked Mr. Parsons for his report.

Chairman Dan Brummitt adjourned the water district board.

Committee Reports and Recommendations

Properties Committee – Light Post Refurbishment at Dennis Building. County Manager Jordan McMillen reported that the committee (Brummitt, Kelly & Wilder) met Wednesday, February 17th and discussed refurbishment of the two front light posts at the Henry A. Dennis

Building. The county worked with a local company (Blackmon's Welding) to refurbish the two light posts on the side of the building in 2020. The committee was made aware that funds are within the current year budget to complete the work, and other quotes for restoring the lights were \$37,700 and \$72,145 respectively. Blackmon's proposes to complete the work for \$14,000. The committee was in favor of proceeding forward with this project.

Motion was made by Commissioner Gordon Wilder to authorize staff to execute contract with Blackmon's Welding totaling \$14,000 for refurbishment of front light posts at the Dennis Building. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

Properties Committee – Replacement of Windows at Administration Building. Mr. McMillen stated that the committee reviewed quotes for replacement of 16 double hung wood sash windows on the second floor of the county administration building. The existing windows are over 100 years old, are painted shut, have no energy efficiency and are brittle and in very poor condition. The replacement windows would have a similar historic profile and will include 1" thick double insulated high performance clear Low E glass. This project is in the capital improvements plan and funds are in the current year budget to complete the project. The committee discussed whether there is any value the county can receive from the "antique glass" and/or whether the window sashes can be salvaged to the county to allow for possible sale. In following up with the glass company, they are willing to salvage the window sashes to the county, although there is no guarantee they will not crack due to their condition. The low bidder is Carolina Classic Window and Glass totaling \$92,475. This is the same company that completed replacement of windows on the first floor of the administration building in 2017. The committee recommended proceeding forward with Carolina Classic Window and Glass.

Motion was made by Commissioner Carolyn Faines, seconded by Commissioner Gordon Wilder, vote unanimous, to authorize staff to execute a contract with Carolina Classic Window and Glass totaling \$92,475 for replacement of windows at the administration building.

Properties Committee – Henderson Vance Industrial Park Phase III Restrictive Covenants. Mr. McMillen reported that the committee reviewed a preliminary site plan for a proposed flex/office building on the two acre tract the county has in the upset bid process at the Henderson-Vance Industrial Park. The committee indicated a desire for the building to have a front side facing Bearpond Road and questioned the proposed loading docks on the Bearpond Road side of the

property. The prospective buyer indicated they intend to have a front facing side towards Bearpond Road and indicated the loading docks would not be in this location if they are even constructed. The committee recognized that a final site plan would be prepared and reviewed prior to construction of a building. The committee then reviewed draft restrictive covenants for the county's 82.5 acre tract and two acre tract at the Industrial Park. The draft covenants were based on the existing covenants that are in place for Phase I and II of the park from 1995. The covenants put requirements in place as to permitted property uses, building materials, landscaping requirements, and other general construction standards. The covenants also require final approval of plans prior to construction and allows the county to re-purchase the property at the same purchase price if construction has not begun within one year of purchase. The committee requested that the review of the plans be completed by the county as opposed to the Henderson-Vance Industrial Park Board (HVIP) who has handled this for phases I and II of the park. With this change, the committee recommends approval of the restrictive covenants.

Motion was made by Commissioner Gordon Wilder to approve restrictive covenants for the county owned land at the Henderson-Vance Industrial Park subject to changing the final review of variances, waivers and other submissions to be completed by the County instead of the Henderson Vance Industrial Park Board.

Commissioner Thomas S. Hester, Jr. expressed his concern with removing the HVIP Board from this process. The HVIP Board consists of city and county officials and this process has worked since 1976. He noted Mayor Ellington's public comments at the beginning of the meeting and stated that the HVIP Board should remain 50/50 city and county. Commissioner Gordon Wilder stated that he did not realize the new covenants were completely removing the city from the process and stated that he could not support this.

This motion died for lack of a second.

County Manager Jordan McMillen clarified that under the current restrictive covenants, variances, waivers and other submissions are reviewed and approved by the HVIP Board. The new proposed covenants would allow the board of commissioners to review and approve final variances, waivers and other submissions instead of the HVIP Board.

Motion was made by Commissioner Thomas S. Hester, Jr. to approve restrictive covenants which keep the industrial park board as the entity to approve variances, waivers and other submissions, as required in the covenants, as they do in the other phases of the industrial park.

Commissioner Leo Kelly, Jr. agreed that the HVIP Board should remain as part of the final review process. He advised that as long as the covenants give parameters for the HVIP Board to follow, then they should be allowed to continue.

Commissioner Dan Brummitt stated that it was not the intent of the committee to remove the HVIP Board from reviewing industrial park variances, waivers and other submissions, but recommended that the board of commissioners be the entity to authorize final approval.

Commissioner Archie B. Taylor, Jr. stated that he would not support any proposal that would remove the city and/or county from a unilateral discussion. He stated that the city or county should not have the authority to veto a decision made by the HVIP Board.

After further discussion, Commissioner Thomas S. Hester, Jr.'s motion to approve restrictive covenants which keep the industrial park board as the entity to approve variances, waivers and other submissions, as required in the covenants, as they do in the other phases of the industrial park was seconded by Commissioner Gordon Wilder and unanimously approved.

Properties Committee – Eaton Johnson Proposed Change Orders. Mr. McMillen reported that the committee met earlier today with the county's architects (Matt Oakley with Oakley, Collier Architects) and reviewed the following proposed change orders for work at Eaton-Johnson. The project contingency funds total \$205,431 which would be utilized for approved change orders.

- A. Steel Support Beams (three to support mechanical mezzanines) - \$14,989
- B. ASI #1 - \$21,507.39
- C. Door Adjustments - \$831.45 reduced to \$523
- D. Replace 3 DX Split System HVAC units - \$39,869.35

Based upon input from the architect, it was determined that items A and B are necessary to ensure the building and ceiling are supported properly. The committee made a few adjustments to Item C requesting that the contractor or architect cover \$308.45 of the additional labor and overhead for installing the door hardware sets. The architect and manager recommended holding off on item D for an additional 30 days to ensure other items would not negatively impact contingency funds. Recommendation: Approve change order to include installation of steel beams at three locations, door adjustments, and Architect's Supplemental Instruction #1 totaling \$37,019.39 from project contingency.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the change order to include installation of steel beams at three locations, door adjustments, and Architect's Supplemental Instruction #1 totaling \$37,019.39 from project contingency.

Finance Director's Report

Finance Agreement & Reimbursement Resolution – New Vehicles. Finance Director Katherine Bigelow stated that the county budget contains funds for the purchase of new sheriff office vehicles in the current fiscal year. Bank financing was solicited and the rates came back as follows:

- First Citizens Bank 1.68%
- Benchmark 1.49%
- BB&T 1.28%
- Bank Funding LLC 1.18%

Ms. Bigelow recommended the use of Bank Funding LLC for 1.18% for a term of five years (60 months) for \$288,000. The payment will be around \$14,900 per quarter, or \$59,600 annually. The resolution allows the county to be reimbursed for any initial expenditures through the financing proceeds once they are secured. Recommendation: Authorize the Finance Director to execute a finance agreement between the County and Bank Funding LLC, and the reimbursement resolution allowing the County to be reimbursed by Bank Funding LLC through financing proceeds for expenses incurred towards the purchase of new vehicles as budgeted for in FY 2020-21.

Motion was made by Commissioner Gordon Wilder to authorize the Finance Director to execute a finance agreement between the County and Bank Funding LLC, and the reimbursement resolution allowing the County to be reimbursed by Bank Funding LLC through financing proceeds for expenses incurred towards the purchase of new vehicles as budgeted for in FY 2020-21. This motion was seconded by Commissioner Thomas S. Hester, Jr.

Commissioner Leo Kelly, Jr. expressed his concern with going with a non-local bank for the financing.

Vote on the motion to authorize the Finance Director to execute a finance agreement between the County and Bank Funding LLC, and the reimbursement resolution allowing the County to be reimbursed by Bank Funding LLC through financing proceeds for expenses incurred towards the purchase of new vehicles as budgeted for in FY 2020-21 was ayes – six (6); noes – one (1), with the dissenting vote being cast by Commissioner Leo Kelly, Jr.



**RESOLUTION OF THE COUNTY DECLARING ITS OFFICIAL INTENT
TO REIMBURSE EXPENDITURES UNDER UNITED STATES
DEPARTMENT OF TREASURY REGULATIONS**

853 Water Street – Parcel 0069 05009; 619 Water Street – Parcel 0078 06005; Lawrence Street Lot – Parcel 0085 01014; and Island Creek Estates Lot – Parcel 0352A03002. The properties were advertised through the upset bid process and no upset bids were received. The board is now free to sell the properties or reject the offers.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following resolutions accepting the bids for 853 Water Street – Parcel 0069 05009; 619 Water Street – Parcel 0078 06005; Lawrence Street Lot – Parcel 0085 01014; and Island Creek Estates Lot – Parcel 0352A03002:



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

WHEREAS, the Vance County Board of County Commissioners received an offer in the amount of \$2,611.00 from Nahid Sanaei for the purchase and sale of County owned real property, which is more particularly described below:

853 Water Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0069 05009.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **February 12, 2021** stating that said offer from Nahid Sanaei in the amount of \$2,611.00 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 *Nahid Sanaei* in the amount of **\$2,611.00** 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 1st day of March, 2021.

R. Dan Brummitt (signed)
R. Dan Brummitt, 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 in the amount of \$2,218.00 from Nahid Sanaei for the purchase and sale of County owned real property, which is more particularly described below:

619 Water Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0078 06005.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on *February 12, 2021* stating that said offer from Nahid Sanaei in the amount of \$2,218.00 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 *Nahid Sanaei* in the amount of **\$2,218.00** 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 1st day of March, 2021.

R. Dan Brummitt (signed)
R. Dan Brummitt, Chairman
Vance County Board of Commissioners

ATTEST:

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

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

WHEREAS, the Vance County Board of County Commissioners received an offer in the amount of \$2,285.00 from Kenyatta Clark for the purchase and sale of County owned real property, which is more particularly described below:

Lawrence Street Lot, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0085 01014.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on *February 12, 2021* stating that said offer from Kenyatta Clark in the amount of \$2,285.00 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 *Kenyatta Clark* in the amount of **\$2,285.00** 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 1st day of March, 2021.

R. Dan Brummitt (signed)
R. Dan Brummitt, 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 in the amount of \$900.00 from Kenyatta Clark for the purchase and sale of County owned real property, which is more particularly described below:

Lot Island Creek Estates, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0352A03002.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **February 5, 2021** stating that said offer from Kenyatta Clark in the amount of \$900.00 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 *Kenyatta Clark* in the amount of **\$900.00** 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 1st day of March, 2021.

R. Dan Brummitt (signed)
R. Dan Brummitt, Chairman
Vance County Board of Commissioners

ATTEST:

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



REO Properties – New Offers. Attorney Care stated that six offers have been received for real property located at 710 Marshall Street – Parcel 0091 03008; 509 Grant Street – Parcel 0096 04016; 513 Grant Street – Parcel 0096 04017; and 1335 Epsom Road – Parcel 0216 04002. 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. All of the properties except 1335 Epsom Road are jointly owned with the City of Henderson, so any action on those properties will need to be contingent upon the City taking similar action.

Motion was made by Commissioner Gordon Wilder to approve the upset bid process for real property located at 710 Marshall Street – Parcel 0091 03008; 509 Grant Street – Parcel 0096

04016; 513 Grant Street – Parcel 0096 04017; and 1335 Epsom Road – Parcel 0216 04002, contingent upon the City taking similar action. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.



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

WHEREAS, Vance County owns certain real property with an address of **710 Marshall Street, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0091 03008**; 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 **\$1,850.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **A. Grace Housing LLC**; and

WHEREAS, **A. Grace Housing LLC** has paid the required deposit in the amount of **\$1,400.00** with their 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 1st day of March, 2021.

R. Dan Brummitt (signed)
R. Dan Brummitt, 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
509 Grant Street, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **509 Grant Street, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0096 04016**; 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 **\$3,225.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Nahid Sanaei**; and

WHEREAS, **Nahid Sanaei** 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. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.**

8. 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 1st day of March, 2021.

R. Dan Brummitt (signed)
R. Dan Brummitt, 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
513 Grant Street, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **513 Grant Street, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0096 04017**; 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 **\$3,877.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Nahid Sanaei**; and

WHEREAS, **Nahid Sanaei** 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. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.**

8. 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 1st day of March, 2021.

R. Dan Brummitt (signed)
R. Dan Brummitt, 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
1335 Epsom Road, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **1335 Epsom Road, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0216 04002**; 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 **\$5,297.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Danielle Harris**; and

WHEREAS, *Danielle Harris* 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. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.**

8. 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 1st day of March, 2021.

R. Dan Brummitt (signed)
R. Dan Brummitt, Chairman
Vance County Board of Commissioners

ATTEST:

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

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Industrial Park Parcel – Bid Acceptance Resolution. Attorney Care noted that during its February meeting, the board of commissioners approved a 20-day upset bid process for the sale of

Tract 2, 2.048 acres Bearpond Road, Henderson, NC 27537 – Parcel 0453 05005A. He stated that in addition to the legal requirements of publication, notice was advertised in the News and Observer and was sent to multiple real estate brokers in the region. No upset bids were received. The board is now free to sell the property or reject the offer.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following resolution accepting the bid for Tract 2, 2.048 acres Bearpond Road, Henderson, NC 27537 – Parcel 0453 05005A:



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

WHEREAS, the Vance County Board of County Commissioners received an offer in the amount of \$275,000.00 from Gatham Properties, LLC for the purchase and sale of County owned real property, which is more particularly described below:

Tract 2, 2.048 acres Bearpond Road, Henderson, North Carolina 27537, Vance County Tax Department Parcel Number 0453 05005A.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **February 6, 2021** stating that said offer from Gatham Properties, LLC in the amount of \$275,000.00 had been received and that any person wishing to submit an upset bid should do so within 20 days, and

WHEREAS, in addition to the legal requirement of publication, notice of the upset bid process was advertised in the Raleigh News and Observer, and was sent to the multiple real estate brokers in the region, as requested, 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 **Gatham Properties, LLC** in the amount of **\$275,000.00** 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 1st day of March, 2021.

R. Dan Brummitt (signed)
R. Dan Brummitt, Chairman
Vance County Board of Commissioners

ATTEST:

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



County Manager's Report

Goals for FY 2021-22. County Manager Jordan McMillen stated that the following goals were prioritized during the retreat on February 10, 2021 for FY 2020-21:

1. To retain or assist in the creation of 150 new jobs and \$10 million in new investment for the county.
2. Explore options and financials for creating pad ready sites, construction of a shell building and/or repurposing existing buildings to further the county's economic development efforts.
3. Successful implementation of a 24/72 schedule for EMS that results in sufficient staffing, provides adequate number of ambulances responding and maintains a response time of less than 10 minutes countywide.
4. To implement a community paramedicine program that seeks to improve community health, reduce frequent fliers, and assist in lowering EMS call volume.
5. To bring closure to the fire reorganization discussion.

Recommendation: Approve the goals as developed by the Board of Commissioners for FY 2021-2022.

Commissioner Gordon Wilder recommended that Goal #3 be revised to maintain a response time of less than 8 minutes countywide and made a motion to approve the goals as developed by the Board of Commissioners for FY 2021-2022 including this revision to Goal #3. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Established Committee Topics. Mr. McMillen noted that through the goal setting process, the board determined several topics for further committee discussion as follows:

- Human Resources Committee – Workplace Survey Results - Identify two or three areas to focus attention followed by involvement of employees as suggested by School of Government.
- Human Resources Committee – Evaluate commissioners assuming control of DSS - full board to receive presentation from school of government followed by committee meeting to evaluate.
- Properties Committee – Review school facility usage redesign changes and schools capital improvement plans.
- Properties Committee – Disposal of DSS building and property on Ruin Creek Road.
- Properties Committee – Evaluate relocation of Veterans Services, Elections, and Planning and Development Departments.
- Public Safety Committee – Re-evaluate fire reorganization leading to commissioners bringing closure to topic.
- Technology Committee – Fostering Community Technology (e.g. educating citizens on technology use).

Commissioner Gordon Wilder requested that the Human Resources Committee look into a policy that would require a minimum amount of personnel to be on the job during working hours. (Ex.: the highway patrol's policy is no more than 20% of personnel on vacation at once).

Purchase of New Voting Machines. Mr. McMillen stated that the Board of Elections has received \$83,876 in HAVA (Help America Vote Act) funds which must be utilized by June 30, 2021. The county has held off in purchasing new voting machines the past few years and we

anticipate the state will require new machines to be purchased in the next year or so. Additionally the county’s existing M100 machines are 14 years old, are beyond the 10 year life expectancy and have begun having challenges with sensors, batteries, and tabulators in the past election. The total cost for purchasing and installing new DS200 voting machines is \$263,064 which includes a \$21,800 trade in allowance for the current machines. The county cost will total \$148,726.04 after accounting for the grant funds and \$30,461.96 in city funds as they fund 17% of elections expenses. We also anticipate saving \$25,000 in equipment maintenance costs next fiscal year with the new equipment. This will replace all voting machines. The county manager recommends proceeding forward with the purchase in the current fiscal year from fund balance. Recommendation: Approve the purchase of new voting machines totaling \$263,064 and approve Budget Amendment #24 utilizing funds from fund balance for the purchase.

Motion was made by Commissioner Gordon Wilder to approve the purchase of new voting machines totaling \$263,064 and approve Budget Amendment #24 utilizing funds from fund balance for the purchase. This motion was seconded by Commissioner Archie B. Taylor, Jr. and unanimously approved.



**Budget Amendment #24
FY 2020-2021
Elections**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
General Fund Balance	10-399-439900	263,064
Total Revenue Increase (Decrease)		\$ 263,064

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Capital Outlay	10-430-500074	263,064
Total		\$ 263,064

Purpose: New equipment: \$263,064 including trade in. Will be reimbursed \$83,876 (HAVA – Help America Vote Act – CFDA #: 90.404) and \$30,461.96 – City of Henderson (17%) - \$148,726.04 total funding needed.

Authorization: Vance County Board of Commissioners
March 1, 2021



Consent Agenda

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the following consent agenda items as presented: Budget Amendment #23, January 2021 Tax Refunds and Releases, departmental monthly reports, and the minutes of the February 1, 2021 regular meeting.

The board reviewed and discussed the new EMS daily staffing log report. The report shows the amount of personnel on duty during first and second shifts. It also identifies the amount of units running during those times.



**Budget Amendment #23
FY 2020-2021
Smart Start**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
General Fund Balance	10-399-439900	6,027.97
Insurance Reimbursement	10-367-436702	19,201.19
Total Revenue Increase (Decrease)		\$ 25,229.16

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Smart Start Building Repairs	10-601-500034	25,229.16
Total		\$ 25,229.19

Purpose: In July of 2020, a pipe burst and the floor flooded. Insurance replaces at current cost; we chose to take the opportunity to make it better with hard floors instead of carpet so it will last longer.

Authorization: Vance County Board of Commissioners
March 1, 2021



TAX OFFICE REFUND AND RELEASE REPORT FOR JANUARY 2021

TAXPAYER NAME	TAX YR	REAL	PERSONAL	SOLID WASTE FEE	REASON
MAYFIELD JENNIE	2013	0	67.09	105	PERS PROP BILLED
ELLIS AMANDA WALKER	2020	0	298.09	0	PERS PROP BILLED
ELLIS AMANDA WALKER	2020	0	166.27	0	PERS PROP BILLED
ELLIS AMANDA WALKER	2020	0	35.00	0	PERS PROP BILLED
ESTES HOWARD WILLIAM	2020	0	165.31	0	PERS PROP BILLED
EVANS DAVID H	2020	0	12.53	0	PERS PROP BILLED
EVANS DAVID H	2020	0	2.94	0	PERS PROP BILLED
PEREZ CELIA MUNOZ	2020	24.66	0	0	CORRECT VALUE
PULLEY RUSSELL WAYNE	2020	0	70.09	0	PERS PROP BILLED

THOMPSON DAVID DUANE	2020	0	70.86	0	PERS PROP BILLED
WALLER JAMES C	2020	0	36.51	0	PERS PROP BILLED
WALLER JAMES C	2020	0	3.24	0	PERS PROP BILLED
LIMER MICHAEL R	2021	0	20.03	0	PERS PROP BILLED
STEELE CREEK FOOD & TACKLE INC	2021	0	1.08	0	PERS PROP BILLED
STEELE CREEK FOOD & TACKLE INC	2021	0	5.43	0	PERS PROP BILLED
STEELE CREEK FOOD & TACKLE INC	2021	0	39.29	0	PERS PROP BILLED
STEELE CREEK FOOD & TACKLE INC	2021	0	14.49	0	PERS PROP BILLED
THIEDE BRIAN MATTHEW	2021	0	24.33	0	PERS PROP BILLED
THIEDE BRIAN MATTHEW	2021	0	3.23	0	PERS PROP BILLED
TOTAL		24.66	1035.81		
GRAND TOTAL	1060.47				

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

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Motion was made by Commissioner Thomas S. Hester, Jr. to enter into closed session to discuss an attorney client matter. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

Upon return to open session, motion was made by Commissioner Gordon Wilder to approve the minutes of the November 2, 2020 closed session. 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 Gordon Wilder, vote unanimous, that the meeting be adjourned.

Approved and signed April 5, 2021.

Chairman