

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, August 2, 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 R. 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.

Commissioner Gordon Wilder gave the invocation.

Public comments were heard first. Mr. Brian Ingraham with Vaya Health provided an update on the Cardinal/Vaya consolidation. He stated that a consolidation agreement has been approved with a final consolidation date of April 2022. In the meantime, disengagements from those counties who chose to disengage should be completed by the end of the year. Financials will be addressed and dispersed accordingly. He stated that Vaya is currently looking into a facility in Vance County and is excited to begin working with us.

Mr. Frankie Nobles, Vance County Employee Engagement Team Chair, appeared before the board to recognize the new employee of the month. He noted that employees are nominated by their peers, and this month's recognition goes to Sergeant Andre Alston with the Vance County Sheriff's Office. His peers noted that he is extremely dependable, fills in whenever needed, and is always willing to assist others in any way possible. Sgt. Alston will receive a \$100 gift card and a designated parking space for the month. Sgt. Alston was presented with a certificate of appreciation and the board congratulated him on receiving this recognition.

Tax Administrator Porcha Brooks was next on the agenda and presented the following untimely exemption applications for approval:

Untimely Exemptions

| Name | Exemption Requested | Tax Administrator's Recommendation |
|---|----------------------------|---|
| Myra S. Parnell 2176 US 1 Hwy S. - Parcel 0487 03010 | Disabled Veteran Exemption | Approve Application |
| Sarah R. Poythress 406 Parham Road - Parcel 0037A07002 | Elderly Exemption | Approve Application |
| Joyce A. Taylor 1599 Ruin Creek Rd - Parcel 0215 01041 | Elderly Exemption | Approve Application |

| | | |
|---|-------------------|---------------------|
| Mary Baskerville 548 High Street - Parcel 0008 01026 | Elderly Exemption | Approve Application |
|---|-------------------|---------------------|

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the untimely exemptions as requested.

As advertised, a public hearing was held to receive public input on the submission to the Local Government Commission for approval of the proposed installment financing agreement obligating the County to make installment payments thereunder in a principal amount not to exceed \$6,000,000 (the “Contract”) pursuant to NCGS 160A-20. The purpose of the proposed financing is to fund the cost of repairs to multiple school buildings and grounds. Under the agreement, the loan will be secured by a deed of trust on all of the Dabney Elementary School real property.

As there was no one who wished to speak on this matter, Chairman R. Dan Brummitt declared the public hearing closed. Action was taken on the matter under the Finance Director’s Report.

Water District Board

Chairman R. Dan Brummitt called the Water District Board to order. The June 2021 monthly operations report was presented to the board for information. Chairman Brummitt adjourned the water district board.

Committee Reports and Recommendations

Properties Committee – Eaton Johnson Project Update. County Manager Jordan McMillen stated that the committee (Brummitt, Kelly & Wilder) met Tuesday, July 20 with the project architect to discuss progress of the Eaton Johnson project. The project remains on budget with a projected underrun of approximately \$138,000 with an estimated \$25,000 of this to be utilized for senior center modifications once soil removal costs are resolved. Site work was halted in early June and a surveyor was brought in to determine the amount of soil that has left the site vs. estimates provided by the contractor. On July 8, the architect and engineer determined the amount of soil removed should remain within the project allowances and an official statement was provided to the contractor directing them to resume site work. The committee discussed the possibility of contacting the contractor’s bond company and/or pursuing liquidated damages should issues continue. The delay in site work continues to delay completion of the overall project which is projected for finalization in late September or early October (barring no additional setbacks). The building portion of the work continues to near the punch list and completion stage.

Properties Committee – Jointly Owned Properties. Mr. McMillen noted that the committee met with the City of Henderson Manager and Assistant Manager to discuss jointly owned properties. The committee received an update on the city's ongoing redevelopment efforts which has caused the city to hold off in selling approximately 107 of the 134 jointly owned properties. The city continues to work with the School of Government who recently determined the city needs an additional 3,000 housing units. The city has recently reestablished their urban redevelopment commission and is working to bundle properties together in order to attract developers in the future. As a part of this effort the city is prioritizing residential development and home ownership and may have an interest in the county conveying its ownership interest of certain properties to support this effort.

Properties Committee – Henderson Laundry Property. Mr. McMillen stated that the former Henderson Laundry property located at the corner of Chestnut Street and Andrews Avenue has been abandoned by the owner with no taxes paid since 2011. The city representatives presented a proposal seeking the county's support to proceed with tax foreclosure and take ownership of the property which would allow it to be entered into the NC Dry Cleaning Solvent Cleanup program (DSCA). The committee expressed concern with the county taking ownership of the property without having a full understanding of the cleanup costs and potential liabilities. The city representatives informed the committee the state program would limit cleanup cost liability to \$16,000 around the building with an additional \$15,000 estimated to cleanup residual chemicals within the building. Beyond this, the city anticipates having to purchase the adjoining property and potentially put \$400,000 into demolishing the structure in the next few years. The committee recognized the need for cleaning up the property, but questioned whether the state NCDEQ could use their enforcement powers to clean up the property without county and city involvement. The committee also questioned whether NCDEQ could include demolition costs within their cleanup efforts. The committee expressed concern with the county putting significant funds into the property with no guarantee that it would be reusable or marketable in the future. The committee requested the city to provide additional input and organize a meeting with NCDEQ to better understand their timeframe for enforcement on the property before recommending whether the county should begin foreclosure or take ownership.

Human Resources Committee – Employee Survey Focus Group Results. County Manager Jordan McMillen stated that the committee (Faines, Taylor & Wilder) met Wednesday, July 21

with the school of government to receive recommendations from the employee focus groups which were established to look further into the employee survey results. Several themes related to supervisors, commissioners, department heads and the department of social services were brought out during the focus groups. The committee discussed the results and asked staff to highlight the items that specifically related to the board of commissioners. The items specific to commissioners are as follows:

- Commissioners matter deeply to employees.
- Commissioners' words affect employee morale – good and bad.
- Employees want the commissioners to show them they appreciate the employees and care about their welfare; Employees would like to see commissioners at employee events; Commissioner praise means the world to employees and their morale.
- Remember employees are nervous and intimidated when they come before the commissioners; handle with care.
- Ensure you are giving thought to the ideas of employees; they work hard on them – don't dismiss them outright.
- Sometimes commissioners get too involved in the business of departments which can create the perception of preferential treatment for some citizens.

The school of government then presented the following recommendations which are not specific to any one department, but are designed for the entire organization:

- The county needs to invest in supervisory training that emphasizes communication, soliciting and managing employee voice, recognizing the role of supervisors as stewards, and closing the loop in conflict.
- Development of a set of values that govern and guide workplace behavior. This should be developed at the employee level and involve the whole organization in the process.

Staff informed the committee that efforts are already being made to organize and offer additional training opportunities for supervisors which has been hindered during the pandemic. The committee discussed the importance of group trainings and felt that onsite workshops would be of great value for supervisors.

Human Resources Committee – Oversight Structure of DSS. Mr. McMillen noted that during the retreat, the HR committee was directed to discuss the current oversight structure of the department of social services and evaluate whether the commissioners should assume these duties from the DSS board. The committee reviewed materials compiled from the school of government relating to the current structure and alternative structures used by a few counties in North Carolina. Additionally they reviewed the new legislation from 2012 that allows counties to make changes related to county department of social services and they discussed pros and cons from counties in North Carolina that have changed the oversight structure. The committee members discussed the importance of the DSS board and director focusing on employee morale and recognized that federal and state law is a large contributing factor as to how DSS agencies operate. The committee

recognized the heavy workload within DSS and the impact it has on burnout and morale issues. Following discussion the committee indicated they did not have an interest in furthering the conversation and would prefer to keep the oversight structure of DSS as it currently is organized.

Commissioner Carolyn Faines expressed her concerns and stated that there have been several issues brought up by DSS employees which have not been addressed by the DSS board. She also asked for a list showing the years of service of those employees who have left DSS employment within the last two years.

Commissioner Archie B. Taylor, Jr., who is also a member of the DSS board responded and stated that the DSS board is focused on employee morale, employee treatment, and the best operation of the department of social services. When issues come up, they are addressed. He stated that issues mentioned by Commissioner Faines have never been brought before the DSS board. He stated that employees are always welcome to bring concerns before the DSS board. He noted that the current structure is working properly and there is no need to change it.

Chairman R. Dan Brummitt stated that he would like to hold a work session to discuss this matter further.

Human Resources Committee – Tuition Assistance Program. Mr. McMillen stated that the committee reviewed a proposed tuition assistance program for employees that would provide a reimbursement up to \$800 per fiscal year to employees that work to improve their skills for their current job or prepare them for promotional opportunities within their department. The language has previously been included within the personnel policy manual, but has not been implemented to date. The committee supported the program and felt improving skills within departments as well as requiring successful completion with an equivalent “B” letter grade was adequate accountability for receiving the assistance. The committee discussed whether employees receiving the assistance should provide “payback” if they leave employment with the county and decided not to include this provision due to potential costs of enforcement and recovery vs. the amount of assistance provided. The committee felt the financial impact of the program should be fairly minimal and recommended implementation of the program.

Motion was made by Commissioner Carolyn Faines to approve the revised tuition assistance language within the personnel policy manual and approve implementation of the program. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Commissioner Hester asked who will approve the requests. Mr. McMillen stated that requests for tuition assistance must be submitted to Human Resources prior to course registration for approval. The HR Director will approve or deny the requests.

Finance Director’s Report

Financing & Findings Resolution – Truist Bank Financing. This item relates to the public hearing held earlier during the meeting. Finance Director Katherine Bigelow stated that after sending out RFPs, the following quotes came back for financing for the Schools CIP borrowing:

- Truist – 1.64%
- Sterling National Bank – 1.8%
- Signature Public Funding – 1.7975%
- United Financial – 2.74%
- Capital One Public Funding – 1.96%
- Union Bank – 2.53%

Ms. Bigelow recommended financing with Truist Bank for 1.64% for a term of 15 years, on a Bank Qualified Bond Financing agreement for the Schools CIP borrowing and to approve the preliminary findings resolution and resolution to select Truist Bank to provide financing for Schools CIP borrowing, subject to LGC approval.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following preliminary findings resolution and resolution to select Truist Bank to provide financing for Schools CIP borrowing, subject to LGC approval:



RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING THE FINANCING OF CERTAIN IMPROVEMENTS FOR THE COUNTY PURSUANT TO AN INSTALLMENT FINANCING AGREEMENT, REQUESTING THE LOCAL GOVERNMENT COMMISSION TO APPROVE THE FINANCING ARRANGEMENT AND CALLING A PUBLIC HEARING

BE IT RESOLVED by the Board of Commissioners (the “Board”) for the County of Vance, North Carolina (the “County”) as follows:

Section 1. The Board does hereby find and determine as follows:

(a) The Board has previously determined to execute a Capital Improvement Plan agreed upon with the school system to improve certain infrastructure projects needed at various schools throughout the county (the “Project”), and the Finance Officer has now presented a proposal for the financing of such Project; and

(b) After due consideration, the County has determined to consider entering into an installment financing agreement (the “Agreement”) in the aggregate principal amount not to exceed \$6,000,000 for the purpose of financing the cost of the Project various other repairs and improvements and reimbursements for the schools’ Project, and the fees and expenses associated with the Agreement.

(c) If the County proceeds with all or some part of the financing, the County will enter into the Agreement with a financial institution to be selected by the County with the advice of the County's financial advisor (the "Lender"), pursuant to which the Lender will advance to the County amounts sufficient to pay the costs of financing the Project, and the County will repay the advancement in installments (the "Installment Payments").

(d) In order to secure the Installment Payments, the County will grant a lien on all of Dabney Elementary School, together with any improvements or fixtures located or to be located thereon.

(e) It is in the best interest of the County to enter into the Agreement in that such transaction will result in providing financing for such Project in an efficient and cost effective manner.

(f) Entering into the Agreement is preferable to a general obligation bond and revenue bond issue in that (i) the County does not have the constitutional authority to issue non-voted general obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution because the County has not retired a sufficient amount of debt in the preceding fiscal year to issue a sufficient amount of general obligation bonds for the Project without an election; (ii) the nature of the financing does not allow for the issuance of revenue bonds; (iii) the cost of the Project exceeds the amount to be prudently provided from currently available appropriations and unappropriated fund balances; (iv) the circumstances existing require that funds be available to commence construction of the Project as soon as practicable and the time required for holding an election for the issuance of voted general obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution and the Local Government Bond Act will delay the commencement of construction of the Project by several months; and (v) there can be no assurances that the Project will be approved by the voters and the necessity of such Project dictates that the Project be financed by a method that assures that such Project will be constructed in an expedient manner.

(g) It has been determined by the Board that the cost of financing the Project through an installment financing agreement is reasonably comparable to the costs of issuing general obligation bonds or other available methods of financing and is acceptable to the Board.

(h) Counsel to the County will render an opinion to the effect that the proposed undertaking as described above is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of the State of North Carolina.

(i) The debt management policies of the County have been carried out in strict compliance with law, and the County is not in default under any obligation for repayment of borrowed money.

(j) Any tax rate increase necessary to pay the Installment Payments will be reasonable and not excessive.

Section 2. The Board hereby authorizes, ratifies and approves the filing of an application with the Local Government Commission for approval of the Agreement and requests the Local Government Commission to approve of the Agreement and the proposed financing in connection therewith.

Section 4. This resolution shall take effect immediately upon its passage.

This resolution is effective upon its adoption this 2nd day of August, 2021. The motion to adopt this resolution was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, and passed by a vote of 7 to 0.

SEAL

R. Dan Brummitt (signed)
R. Dan Brummitt, Chairman

Attest:

This is to certify that this is a true and accurate copy of a Resolution, adopted by the Board of Commissioners of the County of Vance on the 2nd day of August, 2021.

Kelly H. Grissom (signed)
Kelly H. Grissom, Clerk

August 2, 2021
Date



RESOLUTION APPROVING FINANCING TERMS

WHEREAS, the County of Vance (the “County”) has previously determined to execute a Capital Improvement Plan agreed upon with the school system to improve certain infrastructure projects needed at various schools throughout the county (the “Project”), and the Finance Officer has now presented a proposal for the financing of such Project; and

WHEREAS, the County solicited and received competitive proposals from financial institutions to complete the project; financing not to exceed \$6,000,000: and

WHEREAS, Truist offers the lowest overall financing costs with a fixed interest rate of 1.64% for a 15 year term for this purchase.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Vance, that the Board of Commissioners authorizes the Finance Director to enter into a contract with Truist Bank on behalf of the County to finance the Project with the total amount financed not to exceed \$6,000,000. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action, as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

BE IT FURTHER RESOLVED that the aforesaid contracts by and between the County, various State contracts and other vendors, and Truist Bank, together with the amounts to be paid thereunder, be and the same are hereby designated as qualified tax-exempt obligations of the County for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

BE IT FURTHER RESOLVED that the Vance County Board of Commissioners does not reasonably expect that the Purchaser (and any subordinate entities) will issue more than \$10,000,000 in qualified tax-exempt obligations pursuant to such Sections 265(b)(3)(ii) during the current calendar year.

BE IT FURTHER RESOLVED the County intends that the adoption of this resolution will be a declaration of the County’s official intent to reimburse expenditures for the project that is to be financed from the proceeds of the financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County’s general fund or any other County fund related to the Project, for project costs may be reimbursed from the financing proceeds.

This resolution is effective upon its adoption this 2nd day of August, 2021. The motion to adopt this resolution was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, and was passed by a vote of 7 to 0.

SEAL

R. Dan Brummitt (signed)
R. Dan Brummitt, Chairman

Attest:

This is to certify that this is a true and accurate copy of a Resolution, adopted by the Board of Commissioners of the County of Vance on the 2nd day of August 2021.

Kelly H. Grissom (signed)
Kelly H. Grissom, Clerk

August 2, 2021
Date



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 129 Henry Street – Parcel 0055 05006; McBorn Street Lot – Parcel 0021 03014; 1134 Washington Street – Parcel 0071 04005; Rockspring Street Lot – Parcel 0078 06001; Booth Avenue Lot – Parcel 0084 03007; 962 Harriett Street – Parcel 0086 02004; and 815 Harriett Street – Parcel 0087 02002. The properties have been through the upset bid process and the board is now free to sell the properties or reject the offers.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Archie B. Taylor, Jr., vote unanimous, to approve the following resolutions accepting the bids for 129 Henry Street – Parcel 0055 05006; McBorn Street Lot – Parcel 0021 03014; 1134 Washington Street – Parcel 0071 04005; Rockspring Street Lot – Parcel 0078 06001; Booth Avenue Lot – Parcel 0084 03007; 962 Harriett Street – Parcel 0086 02004; and 815 Harriett Street – Parcel 0087 02002.



**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:

Lot 5 Henry Street, Plat Book M, Page 55, Henderson, NC, Vance County Tax Department Parcel Number 0055 05006.

WHEREAS, pursuant to NCGS 160A-269 and the Resolution Authorizing Upset Bid Process for Sale of Real Property adopted by the Vance County Board of Commissioners on June 7, 2021, a notice was published in the *Daily Dispatch* on **June 17, 2021**, stating that said offer by **Ruben A. Rivas Garcia** in the amount of **\$6,500.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by **Paul Thomas**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **June 26, 2021**, stating that said offer by **Paul Thomas** in the amount of **\$8,000.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by **Ruben A. Rivas Garcia**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **July 10, 2021**, stating that said offer by **Ruben A. Rivas Garcia** in the amount of **\$10,500.00** 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 **Ruben A. Rivas Garcia** in the amount of **\$10,500.00** 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 2nd day of August, 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 for the purchase and sale of County owned real property, which is more particularly described below:

McBorn Street Lot, Henderson, NC, Vance County Tax Department Parcel Number 0021 03014.

WHEREAS, pursuant to NCGS 160A-269 and the Resolution Authorizing Upset Bid Process for Sale of Real Property adopted by the Vance County Board of Commissioners on June 7, 2021, a notice was published in the *Daily Dispatch* on **June 17, 2021**, stating that said offer by **Kevin Martinez-Galmiche** in the amount of **\$4,738.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by **Oyewale Akinrefon**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **June 26, 2021**, stating that said offer by **Oyewale Akinrefon** in the amount of **\$5,500.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by **Kevin Martinez-Galmiche**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **July 8, 2021**, stating that said offer by **Kevin Martinez-Galmiche** in the amount of **\$6,250.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by **Oyewale Akinrefon**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **July 13, 2021**, stating that said offer by **Oyewale Akinrefon** in the amount of **\$7,000.00** 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 **Oyewale Akinrefon** in the amount of **\$7,000.00** 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 2nd day of August, 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 for the purchase and sale of County owned real property, which is more particularly described below:

Lot 16, Block D, Washington Street, Plat Book A, Page 2, Henderson, NC, Vance County Tax Department Parcel Number 0071 04005.

WHEREAS, pursuant to NCGS 160A-269 and the Resolution Authorizing Upset Bid Process for Sale of Real Property adopted by the Vance County Board of Commissioners on June 7, 2021, a notice was published in the *Daily Dispatch* on **June 17, 2021**, stating that said offer by **Saturnina Gonzalez Piedra** in the amount of **\$12,000.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by **Ruben A. Rivas Garcia**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **June 22, 2021**, stating that said offer by **Ruben A. Rivas Garcia** in the amount of **\$13,000.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by **Paul Thomas**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **June 26, 2021**, stating that said offer by **Paul Thomas** in the amount of **\$14,000.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by **Saturnina Gonzalez Piedra**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **July 1, 2021**, stating that said offer by **Saturnina Gonzalez Piedra** in the amount of **\$15,000.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by **Rosalinda Grady**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **July 3, 2021**, stating that said offer by **Rosalinda Grady** in the amount of **\$16,000.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by **Ruben A. Rivas Garcia**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **July 8, 2021**, stating that said offer by **Ruben A. Rivas Garcia** in the amount of **\$16,750.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by **Saturnina Gonzalez Piedra**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **July 10, 2021**, stating that said offer by **Saturnina Gonzalez Piedra** in the amount of **\$17,500.00**

had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by *Rosalinda Grady*; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **July 22, 2021**, stating that said offer by *Rosalinda Grady* in the amount of **\$18,250.00** 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 *Rosalinda Grady* in the amount of **\$18,250.00** 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 2nd day of August, 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 **\$2,053.00** from **Life of Riches LLC** for the purchase and sale of County owned real property, which is more particularly described below:

Rockspring Street Lot, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0078 06001.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **July 13, 2021** stating that said offer from **Life of Riches LLC** in the amount of **\$2,053.00** 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 **Life of Riches LLC** in the amount of **\$2,053.00** 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 2nd day of August, 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 \$1,440.00 from Omega Perry for the purchase and sale of County owned real property, which is more particularly described below:

Lots 13 & 14 Booth Avenue, Block B, Plat Book A, Page 53, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0084 03007.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **July 13, 2021** stating that said offer from **Omega Perry** in the amount of **\$1,440.00** 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 **Omega Perry** in the amount of **\$1,440.00** 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 2nd day of August, 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 for the purchase and sale of County owned real property, which is more particularly described below:

962 Harriett Street, Henderson, NC, Vance County Tax Department Parcel Number 0086 02004.

WHEREAS, pursuant to NCGS 160A-269 and the Resolution Authorizing Upset Bid Process for Sale of Real Property adopted by the Vance County Board of Commissioners on June 7, 2021, a notice was published in the *Daily Dispatch* on **June 17, 2021**, stating that said offer by **Kevin Martinez-Galmiche** in the amount of **\$2,286.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by **Rosalinda Grady**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **June 26, 2021**, stating that said offer by **Rosalinda Grady** in the amount of **\$3,036.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by **Kevin Martinez-Galmiche**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **July 8, 2021**, stating that said offer by **Kevin Martinez-Galmiche** in the amount of **\$3,786.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by **Rosalinda Grady**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **July 22, 2021**, stating that said offer by **Rosalinda Grady** in the amount of **\$4,536.00** 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 **Rosalinda Grady** in the amount of **\$4,536.00** 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 2nd day of August, 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 **\$2,210.00** from **Rosalinda Grady** for the purchase and sale of County owned real property, which is more particularly described below:

815 Harriett Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0087 02002.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **July 10, 2021** stating that said offer from **Rosalinda Grady** in the amount of **\$2,210.00** 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 **Rosalinda Grady** in the amount of **\$2,210.00** 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 2nd day of August, 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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REO Property – New Offer. Attorney Care stated that a new offer has been received for real property located at 572 McBorn Street – Parcel 0021 03007. Attorney Care 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. The property is jointly owned with the City of Henderson, so any action will need to be contingent upon the city taking similar action.

Motion was made by Commissioner Thomas S. Hester, Jr. to approve the upset bid process for real property located at 572 McBorn Street – Parcel 0021 03007. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

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

WHEREAS, Vance County owns certain real property with an address of **572 McBorn Street, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0021 03007**; 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 **\$3,002.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Life of Riches LLC**; and

WHEREAS, **Life of Riches LLC** has paid the required deposit in the amount of **\$750.00** 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 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 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 a 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 2nd day of August, 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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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 (NC DOT) sponsors cleanup campaigns to beautify the roadsides of the state. This year, DOT is sponsoring their Fall Litter Sweep Campaign from September 11 - 25, 2021. Vance County encourages individuals and organizations to support this effort. Recommendation: Approve the proclamation designating September 11 – 25, 2021 as Fall Litter Sweep in Vance County.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following proclamation designating September 11 – 25, 2021 as Fall Litter Sweep in Vance County.



PROCLAMATION
by the
Vance County Board of Commissioners
in
Recognition of the 2021 Fall Litter Sweep

WHEREAS, in conjunction with the North Carolina Department of Transportation, Vance County supports and encourages participation in the Fall 2021 roadside cleanup effort to ensure clean and beautiful roads throughout the County; and

WHEREAS, the Fall 2021 Litter Sweep roadside cleanup campaign will occur September 11 - 25. 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 11 - 25, 2021 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 2nd day of August, 2021.

R. Dan Brummitt (signed)
R. Dan Brummitt, Chairman



Fireworks Permit – Tourism. Mr. McMillen advised that the Vance County Tourism Department is requesting approval of a fireworks permit for its Labor Day celebration at Kerr Lake. The display will be handled by a professional pyrotechnics firm (East Coast Pyrotechnics) with the appropriate credentials and insurance coverage and the county fire marshal has approved the permit subject to board approval. Recommendation: approve the request from tourism for a

permit to discharge fireworks at its Labor Day celebration at Kerr Lake on Saturday, September 4, 2021.

Motion was made by Commissioner Carolyn Faines to approve the request from tourism for a permit to discharge fireworks at its Labor Day celebration at Kerr Lake on Saturday, September 4, 2021 and an alternate rain date to be identified if needed. This motion was seconded by Commissioner Leo Kelly, Jr. and unanimously approved.

Personnel Policies – Register of Deeds and Elections MOU. Mr. McMillen stated that the county's revised personnel policies were approved by the board and went into effect July 1. The policies identify the separate hiring authorities (Sheriff, Register of Deeds, Elections Board, DSS Director, etc.) and recognize that employees of the various authorities are not automatically subject to the county's personnel policies. The HR committee suggested MOUs be provided to each authority formalizing their use of county policies and providing them access and use of the county's HR Department. Individual MOUs have been prepared and distributed to the various hiring authorities for their consideration and approval. The MOUs have been reviewed by the HR committee and have been approved by the Register of Deeds and Elections Board and were provided for commissioner approval.

Motion was made by Commissioner Gordon Wilder to approve the Memorandums of Understanding with the Register of Deeds and the Elections Board establishing consistent administration of the county's personnel policies by each entity. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

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 (\$12,960) and 40% County (\$8,639). The two governing bodies must enter into a Memorandum of Understanding (Inter-local Agreement) in order to receive and utilize the federal funds.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Gordon Wilder, vote unanimous, 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 \$8,639.

Consent Agenda

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following consent agenda items as presented: Budget Amendment #1, June 2021 Tax Refunds and Releases, departmental monthly reports, and the minutes of the July 6, 2021 regular meeting.



**Budget Amendment #1
FY 2021-2022
Tax Office**

| Revenue Amendment Request | Account Number | Revenue Increase (Decrease) |
|--|-----------------------|------------------------------------|
| General Fund Balance | 10-399-439900 | 49,661.57 |
| Total Revenue Increase (Decrease) | | \$ 49,661.57 |

| Expenditure Amendment Request | Account Number | Expense Increase (Decrease) |
|--------------------------------------|-----------------------|------------------------------------|
| City Portion – Tax Foreclosures | 10-450-500059 | 49,661.57 |
| Total | | \$ 49,661.57 |

Purpose: Reimbursement to the City of Henderson for their portion of jointly owned properties that have been sold.

Authorization: Vance County Board of Commissioners
August 2, 2021



TAX OFFICE REFUND AND RELEASE REPORT FOR JUNE 2021

| TAXPAYER NAME | TAX YR | REAL | PERSONAL | SOLID WASTE FEE | REASON |
|----------------------|---------------|-------------|-----------------|------------------------|------------------|
| BRAME LONNIE T JR | 2016 | 422.10 | 0 | 0 | CORRECT SITUS |
| HARGROVE JOEANNIE | 2016 | 0 | 0 | 0 | ADD SOLID WASTE |
| BRAME LONNIE T JR | 2017 | 422.10 | 0 | 0 | CORRECT SITUS |
| BRAME LONNIE T JR | 2018 | 409.46 | 0 | 0 | CORRECT SITUS |
| BRAME LONNIE T JR | 2019 | 393.66 | 0 | 0 | CORRECT SITUS |
| BRAME LONNIE T JR | 2020 | 393.66 | 0 | 0 | CORRECT SITUS |
| CAMPOS TOMAS | 2020 | 0 | 16.16 | 117 | CHANGE OF OWNERS |
| EATON ANNIE HEIRS | 2021 | 294.70 | 0 | 0 | REMOVE LATE LIST |
| EATON ANNIE HEIRS | 2021 | 122.10 | 0 | 0 | CORRECT DUE DATE |
| EATON ANNIE HEIRS | 2021 | 269.82 | 0 | 0 | REMOVE LATE LIST |
| EATON ANNIE HEIRS | 2021 | 111.78 | 0 | 0 | CORRECT DUE DATE |
| EATON ANNIE HEIRS | 2021 | 239.84 | 0 | 0 | REMOVE LATE LIST |
| EATON ANNIE HEIRS | 2021 | 99.36 | 0 | 0 | CORRECT DUE DATE |
| EATON ANNIE HEIRS | 2021 | 212.38 | 0 | 0 | REMOVE LATE LIST |
| EATON ANNIE HEIRS | 2021 | 87.99 | 0 | 0 | CORRECT DUE DATE |
| EATON ANNIE HEIRS | 2021 | 182.04 | 0 | 0 | REMOVE LATE LIST |
| EATON ANNIE HEIRS | 2021 | 75.42 | 0 | 0 | CORRECT DUE DATE |

| TAXPAYER NAME | TAX YR | REAL | PERSONAL | SOLID WASTE FEE | REASON |
|-------------------|---------|---------|----------|-----------------|------------------|
| EATON ANNIE HEIRS | 2021 | 151.6 | 0 | 0 | REMOVE LATE LIST |
| EATON ANNIE HEIRS | 2021 | 54.15 | 0 | 0 | CORRECT DUE DATE |
| EATON ANNIE HEIRS | 2021 | 121.28 | 0 | 0 | REMOVE LATE LIST |
| EATON ANNIE HEIRS | 2021 | 43.32 | 0 | 0 | CORRECT DUE DATE |
| EATON ANNIE HEIRS | 2021 | 92.91 | 0 | 0 | REMOVE LATE LIST |
| EATON ANNIE HEIRS | 2021 | 33.18 | 0 | 0 | CORRECT DUE DATE |
| EATON ANNIE HEIRS | 2021 | 63.56 | 0 | 0 | REMOVE LATE LIST |
| EATON ANNIE HEIRS | 2021 | 22.70 | 0 | 0 | CORRECT DUE DATE |
| EATON ANNIE HEIRS | 2021 | 31.78 | 0 | 0 | REMOVE LATE LIST |
| EATON ANNIE HEIRS | 2021 | 11.35 | 0 | 0 | CORRECT DUE DATE |
| HARRIS JOEL SIMON | 2021 | 0 | 20.43 | 0 | CORRECT SITUS |
| TOTAL | | 4362.24 | 36.59 | | |
| GRAND TOTAL | 4398.83 | | | | |

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

Miscellaneous

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

Economic Development Commission – three year term
Reappoint Ruxton Bobbitt and Dan Brummitt

Motion was made by Commissioner Thomas S. Hester, Jr. to reappoint Ruxton Bobbitt and Dan Brummitt to the Economic Development Commission for a three year term. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

September Meeting Date. Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approving the following resolution changing the September 2021 meeting date from Monday, September 6, 2021 to Tuesday, September 7, 2021 due to the Labor Day Holiday:

RESOLUTION
by the
Vance County Board of Commissioners
Changing the Date of the September 2021 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

