

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Tuesday, September 7, 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.

Pastor Carolyn Roy, Plank Chapel United Methodist Church, gave the invocation.

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 Kimberly Christopher with the Register of Deeds Office. Her peers noted that she is a team player, has outstanding initiative and goes above and beyond her job responsibilities in keeping the office running smoothly. Ms. Christopher will receive a \$100 gift card and a designated parking space for the month. She was presented with a certificate of appreciation and the board congratulated her on receiving this recognition.

EMS Director Javier Plummer was next on the agenda and provided an update on EMS activities and the new 24/72 schedule. He stated that the new schedule has been well received by employees and is attracting new employees as he works to fill vacant positions. Director Plummer then introduced FTO-Paramedic and assistant Shift Supervisor Kris Talley who informed the board that Vance County EMS was one of 12 counties selected to join the Pediatric Emergency Care Coordinators Plus (PECC+) Program. The program is an advanced pediatric training and education program developed by researchers at the UNC Chapel Hill School of Medicine in partnership with the NC Office of EMS and funded by the EMS for Children Innovation and Improvement Center. The program will provide specialized pediatric training, educational opportunities, and other resources to Vance County, including online educational courses for individual providers working in Vance County EMS. Regular program participation earns Vance County EMS a monthly stipend that will be used towards local pediatric care needs.

The board thanked Director Plummer and Supervisor Talley for their reports and congratulated Vance County EMS on being selected to this program.

Water District Board

Chairman R. Dan Brummitt called the Water District Board to order. The August 2021 monthly operations report was presented to the board for information. County Manager Jordan McMillen discussed the metered availability aging report which is fortunately on a downward trend. Chairman Brummitt asked if there were any funds still available for assistance. Mr. McMillen stated that there may be some state funds still available, but he would double check on that. After brief discussion, Chairman Brummitt adjourned the water district board.

Committee Reports and Recommendations

Properties Committee – Eaton Johnson Project Update/Change Order. County Manager Jordan McMillen stated that the committee (Brummitt, Kelly & Wilder [absent]) met Tuesday, August 31 with the project architect, engineer and contractor to discuss progress of the Eaton Johnson project. The committee reviewed the budget noting that no changes have occurred since last month with an estimated underrun of approximately \$138,000. The committee was informed that the contractor has reinitiated site work in good faith during the past week with an understanding that the county would consider approval of a change order relative to the soil. The project architect and engineer indicated that they have reviewed the complete soil surveys and agree with the contractor that an additional \$26,398.85 should be due to the contractor to compensate for final soil removal and infill to the site. This was presented to the committee as a change order. The contractor provided a schedule indicating completion of the overall project in mid-November, should the change order be approved. The committee questioned the engineer and contractor regarding the soil removal and recommended proceeding forward with the change order.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the change order for unsuitable soils undercut and fill at Eaton Johnson totaling \$26,398.85 from project contingency.

Properties Committee – Henderson Laundry Property. Mr. McMillen stated that staff reported to the committee the outcome of recent conversations with NC Department of Environmental Quality as to whether the state would enforce upon the Henderson Laundry property or whether the county needed to proceed with the foreclosure and NC Dry Cleaning Solvent Cleanup program (DSCA). Based upon these conversations, staff is under the impression

that NCDEQ enforcement would not occur quickly and is recommending proceeding with foreclosure of the property and conveying ownership of the property to the City to allow the DSCA trust fund to assist with cleanup of the property. Staff intends to determine the City's interest in this prior to reinitiating the foreclosure process. The committee was agreeable to this arrangement as well as providing 50% of the initial property cleanup costs. The committee noted this mechanism was used previously with the EC Terry Funeral Home and the former Southern National Bank downtown in recent years allowing one entity to lead the process. Recommendation: Authorize staff to reinitiate the foreclosure process for the Henderson Laundry property and to only place the opening bid in the name of the City of Henderson, and to provide 50% of the initial cleanup costs to the City of Henderson up to \$16,000 with the condition that the City provides the County with its share of any revenue generated from the property.

Motion was made by Commissioner Thomas S. Hester, Jr. to authorize staff to reinitiate the foreclosure process for the Henderson Laundry property and to only place the opening bid in the name of the City of Henderson, and to provide 50% of the initial cleanup costs to the City of Henderson up to \$16,000 with the condition that the City provides the County with its share of any revenue generated from the property. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

Properties Committee – GRRO Kitchen Lease Agreement. Mr. McMillen noted that the committee reviewed the draft lease agreement with Green Rural Redevelopment Organization for use of the kitchen at Eaton Johnson. The committee was made aware the agreement does not provide onsite parking and conveys ownership of the equipment to the county upon install based upon concerns raised by the board at the previous meeting. The committee and a GRRO representative agreed to raise the lease rate by one dollar per square foot (\$7.50 per square foot through June 30, 2027 followed by \$9 per square foot through June 30, 2032) to offset the additional annual cost of providing heat and air conditioning into the kitchen space. The lease requires GRRO to cover gas, water/sewer, electricity, pest treatment and trash removal on their own. The lease payments would commence January 1, 2022 or sooner if final inspections are completed prior to then. GRRO intends to proceed with the zoning, trade permits and equipment installations with a goal of beginning operations the first of the year. Recommendation: Approve draft lease agreement with Green Rural Redevelopment Organization (GRRO) for the kitchen at Eaton Johnson, subject to final attorney review.

Commissioner Archie B. Taylor, Jr. recused himself from this matter since he is a member of the GRRO Board.

After discussion, motion was made by Commissioner Leo Kelly, Jr. to approve the draft lease agreement with Green Rural Redevelopment Organization for the kitchen at Eaton Johnson, subject to final attorney review. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Properties Committee – Eaton Johnson Wing Lease. Mr. McMillen stated that he presented the committee with a proposal and recommended proceeding forward with leasing wing two (8,900 square feet) at Eaton Johnson to the Franklin, Vance, Warren Opportunity Head Start program. FVW Opportunity is interested in a five year lease with a five year renewal and believes the existing classroom setup would be ideal for their program. Due to parking requirements for office use, it is not anticipated the county could use wing two without significant cost to add additional parking, although with a lesser parking standard for a pre-school, the use is optimal for the space.

The general terms of a proposed lease are as follows:

- Five year lease with five year renewal.
- County to invest approximately \$250,000 to prepare the space (locker/concrete removal, installation of door into each classroom, painting, carpet in office space, new data wiring, cleaning/waxing floors, minor grading, fence between wing one and two) – FVW willing to pay increased rate for the first five years to cover project costs.
- Proposed lease rate of \$15.60 per square foot for the first five years followed by \$10 per square foot the second five years.
- FVW to cover monthly electric, gas, water and sewer costs (based on square footage).
- County responsible for structural and roof issues and FVW responsible for maintaining everything else, including all electrical, plumbing and mechanical systems for the leased area.
- FVW responsible for installing playground equipment.
- FVW's use will not interfere with parking needs and/or access into the senior center; FVW would have availability for bus drop-off at entrance of the senior center if acceptable to city zoning.
- FVW would need to carry appropriate levels of general liability insurance and workman's compensation insurance as required by the county.
- FVW to handle working with Green Rural Redevelopment Organization or similar entity in regard to their food requirements.
- FVW handles zoning permit process with City; lease contingent upon them getting zoning approval.

The committee discussed the proposed lease terms and was agreeable to the concept for further discussion with the board. The committee was informed FVW would like to begin using the space in the March/April timeframe which would require the county to move quickly to approve the lease and authorize the county's architect to proceed with design for the necessary improvements. Recommendation: Authorize staff to draft a lease agreement and to contract with architect for necessary modifications once lease agreement is finalized.

The board discussed this matter and motion was made by Commissioner Thomas S. Hester, Jr. to authorize staff to draft a lease agreement and to contract with an architect for necessary modifications once the lease agreement is finalized. This motion was seconded by Commissioner Leo Kelly, Jr. and unanimously approved.

Finance Director’s Report

Schools CIP – Final Financing Resolution. Finance Director Katherine Bigelow noted that the board previously selected and approved Truist Bank to provide financing for the Schools CIP projects. The final resolution authorizes the execution and delivery of an installment financing agreement, a deed of trust, and related documents in connection with the financing. Recommendation: Approve the resolution authorizing the execution and delivery of an installment financing agreement, a deed of trust, and related documents in connection with the financing of certain improvements for the Vance County Schools, subject to LGC approval.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the following resolution authorizing the execution and delivery of an installment financing agreement, a deed of trust, and related documents in connection with the financing of certain improvements for the Vance County Schools, subject to LGC approval.



RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING AGREEMENT AND RELATED DOCUMENTS IN CONNECTION WITH THE FINANCING OF CERTAIN IMPROVEMENTS FOR THE COUNTY OF VANCE, NORTH CAROLINA

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 determined to enter into an installment contract financing for the purpose of providing funds, together with any other available funds, to pay the cost of financing certain improvements, repairs and renovations to various school projects (collectively, the “Project”).

(b) After a public hearing and due consideration, the Board has determined that the most efficient manner of financing the Project will be through the entering of a Financing Agreement and Deed of Trust (the “Agreement”), between the County and Truist (the “Bank”) pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended. At the Board’s August 2, 2021 meeting, the Board formally approved and accepted the proposal of the Bank to provide the above-described financing pursuant to the Agreement.

(c) Pursuant to the Agreement, the Bank will advance moneys to the County in an amount of not to exceed \$5,105,000 to pay the cost of the Project and the financing costs relating thereto, and the County will repay the advancement in installments, with interest (the “Installment Payments”), as described in the Agreement.

(d) In order to secure the repayment pursuant to the terms of the Agreement by the County of the advance of moneys to pay the cost of the Project, the County will, pursuant to the Agreement,

grant to the Bank a deed of trust on the real property known as Dabney Elementary School, Tax parcel #'s 0410 02005 and 0410 02004.

(e) There has been presented to the Board at this meeting a draft of the Agreement.

Section 2. In order to provide for the financing of the Project, the County is hereby authorized to enter into the Agreement and receive an advancement pursuant thereto in a principal amount not to exceed \$5,105,000. The County shall repay the advancement in installments due in the amounts and at the times set forth in the Agreement. The payments of the Installment Payments shall be designated as principal and interest as provided in the Agreement. The interest rate payable under the Agreement shall not exceed 1.64% per annum (subject to adjustment as provided in the Agreement) and the final maturity shall not exceed September 1, 2036.

Section 3. The Board hereby approves the Agreement in substantially the form presented at this meeting. The Chairman, the Vice Chairman, the County Manager and the Assistant County Manager/Finance Director are each hereby authorized to execute and deliver on behalf of the County said document in substantially the form presented at this meeting, containing such insertions, deletions and filling in of blanks as the person executing such document shall approve, such execution to be conclusive evidence of approval by the Board of any such changes. The Clerk to the Board or any Deputy or Assistant Clerk to the Board is hereby authorized and directed to affix the seal of the County to said document and to attest the same.

Section 4. No deficiency judgment may be rendered against the County in any action for breach of any contractual obligation authorized pursuant to this resolution and the taxing power of the County is not and may not be pledged directly or indirectly to secure any moneys due under any contract herein authorized.

Section 5. The Chairman, the Vice Chairman, the County Manager, the Finance Director/Assistant County Manager, the County Attorney and the Clerk to the Board of the County, and any other officers, agents and employees of the County, are hereby authorized and directed to execute and deliver such closing certificates, agreements, opinions and other items of evidence as shall be deemed necessary to consummate the transactions described above.

Section 6. The County hereby represents that it reasonably expects that it, all subordinate entities thereof and all issuers issuing obligations on behalf of the County will not issue in the aggregate more than \$10,000,000 of tax-exempt obligations (not counting certain current refunding obligations and private-activity bonds except for qualified 501(c)(3) bonds, as defined in the Internal Revenue Code of 1986, as amended (the "Code")) during calendar year 2021. In addition, the County hereby designates each of the Installment Payments under the Agreement as a "qualified tax-exempt obligation" for the purposes of the Code.

Section 7. On June 8, 2021, the Board of the County adopted a resolution declaring its official intent to reimburse certain expenditures relating to the Project from the proceeds of tax-exempt debt (the "Reimbursement Resolution"). The description of the Project set forth in the Reimbursement Resolution is hereby amended to add costs related to the demolition of certain County buildings.

Section 8. This resolution shall take effect immediately upon its passage.

This the 7th day of September, 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



Surplus Property. Ms. Bigelow reported that the windows in the commissioners’ room of the administration building have been replaced. She requested the board to surplus the old window sashes in order to sell them.

Motion was made by Commissioner Leo Kelly, Jr., seconded by Commissioner Carolyn Faines, vote unanimous, to declare the old window sashes as surplus and authorize the finance director to dispose of said property accordingly as allowed by state statute.

American Rescue Plan Act (ARPA). Ms. Bigelow reported that the Treasury has issued an interim final rule and the below chart lists out the seven categories that are ARPA allowable spending. The first interim report was due on August 31, 2021. As of August 31, Vance County’s obligation and expenditures were zero dollars. Going forward she requested approval to obligate \$2,000,000 for Phase 1B waterlines and \$250,000 for the Health Department for public health outreach and staffing.

American Rescue Plan Act (ARPA)	Potential Spending
1. Public Health	
2. Negative Economic Impacts	
3. Expenditure Category: Services to Disproportionately Impacted Communities	
4. Expenditure Category: Premium Pay	
5. Expenditure Category: Infrastructure	\$ 2,000,000.00
6. Expenditure Category: Revenue Replacement	
7. Expenditure Category: Administrative/Other	\$ 250,000.00
TOTAL:	\$ 2,250,000.00

TOTAL VANCE COUNTY ALLOCATION: \$8,650,402.00

Motion was made by Commissioner Carolyn Faines, seconded by Commissioner Gordon Wilder, vote unanimous, to approve the ARPA funding as presented.

County Manager’s Report

Records Preservation – Register of Deeds. County Manager Jordan McMillen stated that the Register of Deeds is completing additional preservation of marriage licenses having completed similar work in 2019, 2020, and early 2021. The next group to be preserved are marriage licenses from 1927 - 1930. North Carolina law requires approval from the board to remove records for greater than 24 hours. The records will be taken to Greensboro for approximately 18-22 weeks to complete the preservation process.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following resolution authorizing documents to be taken offsite from the Register of Deeds Office for the purpose of preservation.



RESOLUTION

By the

Vance County Board of Commissioners

**To authorize documents to be moved off-site from the Register of Deeds Office
for purpose of Preservation**

WHEREAS, the Register of Deeds is an elected official with primary duties deemed to be a major custodian of records in county government, including maintenance and protection of such records; and

WHEREAS, Vance County Register of Deeds Cassandra D. Neal has determined the need for preservation of Original Marriage License which are currently stored in the Vance County Register of Deeds Office dated 1927-1930, whereas the year, number of records and volume of pages including any documentary attachments as follows: **{1927 vol. 14 pgs. 1-288} {1928 vol. 15 pgs. 1-307} {1929 vol. 16 pgs. 1- 267} {1930 vol. 17 pgs. 1-254}**

WHEREAS, such preservation requires said records to be taken to the office of Kofile, in Greensboro, N.C., 18-22 weeks or until marriage preservation is completed; and

WHEREAS, North Carolina General Statute 153A-436(b) only allows a Register of Deeds to approve removal of public records for a maximum of twenty-four hours, with a longer absence to be approved only by the board of county commissioners.

NOW THEREFORE BE IT RESOLVED, that the Vance County Board of Commissioners does approve the request of duly elected Vance County Register of Deeds Cassandra D. Neal for removal from the Vance County Register of Deeds Office of original marriage licenses dated **{1927 vol. 14 pgs. 1-288} {1928 vol. 15 pgs. 1-307} {1929 vol. 16 pgs. 1- 267} {1930 vol. 17 pgs. 1-254}**, whereas the years, number of records, and volume of pages including any documentary attachments as follows: **{1927 vol. 14 pgs. 1-288} {1928 vol. 15 pgs. 1-307} {1929 vol. 16 pgs. 1- 267} {1930 vol. 17 pgs. 1-254}**. These documents are to be transported to Kofile Staff to the Greensboro office for the purpose of preservation of said documents.

This the 7th day of September, 2021.

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



County Showcase Videos Update – CGI Communications. Mr. McMillen explained that the county previously worked with CGI Communications in 2016 to create several short community videos that are featured on the county’s website. The existing contract with CGI has expired, and in order to update the video content, an updated contract is necessary. The videos are completed at no cost to the county with local businesses pledging financial support in exchange for marketing their businesses. CGI has completed similar projects in Granville and Franklin counties as well as the City of Henderson and is sponsored by the National Association of Counties (NACo). The Tourism Development staff will be leading the initiative on the county’s behalf.

Motion was made by Commissioner Carolyn Faines to approve the agreement with CGI Communications, Inc. to provide a County Video Showcase accessible from the County website at no cost. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

Salary and Benefit Study. Mr. McMillen noted that the board approved funding in the current fiscal year for completion of a comprehensive salary and benefit study and staff recently released an RFQ to solicit consultants. A total of three companies responded (Piedmont Triad Regional Council, MAPS Group, and Evergreen Solutions, LLC). The county used the MAPS group in 2007 and in 2016 for similar studies and upon reviewing the submittals and talking with references, HR staff and the manager recommend contracting with Evergreen Solutions. Evergreen recently completed Franklin County's study and has worked in several NC counties and municipalities. Input from references indicates that Evergreen provides a more tech driven approach that includes providing the county with a tool that can better assist with maintaining job descriptions and classifications. Recommendation: Authorize staff to contract with Evergreen Consulting for completion of a salary and benefits study in an amount not to exceed \$41,500.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Gordon Wilder, vote unanimous, to authorize staff to contract with Evergreen Consulting for completion of a salary and benefits study in an amount not to exceed \$41,500.

Resolution – NC Opioid Memorandum of Agreement. Mr. McMillen reported that a proposed national settlement has been announced with the three big drug distributors (Cardinal, McKesson, and Amerisource Bergen) and one manufacturer (Johnson and Johnson) of opioids that would total \$26 billion across the US with \$23.9 billion available for opioid crisis remediation. North Carolina anticipates receiving \$750 million over a 17 year period. The NC Memorandum of Agreement outlines how proceeds from the national settlement would be distributed in North Carolina, how they can be used and how local governments must account for, report, and audit the funds. The NC MOA would provide 80% of North Carolina funds to counties and municipalities, with 15% to the state and the remaining 5% to an incentive funds for local governments that sign on by October 1st. Although the NC MOA does not include an additional attorney's fund for the Plaintiff's attorneys as our national counsel has requested, it does provide for a more favorable allocation of funds to local governments than the default allocation in the National Settlement. Based on the information we have received, our National Counsel has said they intend on waiving

their fees due to them in their contracts and participating in the National Attorney fund set up in the national settlement. The North Carolina Association of County Commissioners and its Board of Directors urges all 100 counties to approve the agreement. As of August 31, nearly 60 counties have signed off on the agreement. Recommendation: Approve resolution approving the Memorandum of Agreement between the State of North Carolina and Local Governments on proceeds relating to the Settlement of Opioid Litigation.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the following resolution approving the Memorandum of Agreement between the State of North Carolina and Local Governments on proceeds relating to the Settlement of Opioid Litigation.



**A RESOLUTION BY THE COUNTY OF VANCE
APPROVING THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE
STATE OF NORTH CAROLINA AND LOCAL GOVERNMENTS ON PROCEEDS
RELATING TO THE SETTLEMENT OF OPIOID LITIGATION**

WHEREAS, as of 2019, the opioid epidemic had taken the lives of more than 16,500 North Carolinians, torn families apart, and ravaged communities from the mountains to the coast; and

WHEREAS, the COVID-19 pandemic has compounded the opioid crisis, increasing levels of drug misuse, addiction, and overdose death; and

WHEREAS, the Centers for Disease Control and Prevention estimates the total "economic burden" of prescription opioid misuse alone in the United States is \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement; and

WHEREAS, certain counties and municipalities in North Carolina joined with thousands of local governments across the country to file lawsuits against opioid manufacturers and pharmaceutical distribution companies and hold those companies accountable for their misconduct; and

WHEREAS, representatives of local North Carolina governments, the North Carolina Association of County Commissioners, and the North Carolina Department of Justice have negotiated and prepared a Memorandum of Agreement (MOA) to provide for the equitable distribution of any proceeds from a settlement of national opioid litigation to the State of North Carolina and to individual local governments; and

WHEREAS, Local Governments and the State of North Carolina anticipate a settlement in the national opioid litigation to be forthcoming; and

WHEREAS, by signing onto the MOA, the state and local governments maximize North Carolina's share of opioid settlement funds to ensure the needed resources reach communities, once a negotiation is finalized, as quickly, effectively, and directly as possible; and

WHEREAS, it is advantageous to all North Carolinians for local governments, including Vance County and its citizens, to sign onto the MOA and demonstrate solidarity in response to the opioid epidemic, and to maximize the share of opioid settlement funds received both in the state and this county to help abate the harm; and

WHEREAS, the MOA directs substantial resources over multiple years to local governments on the front lines of the opioid epidemic while ensuring that these resources are used in an effective way to address the crisis.

NOW, THEREFORE BE IT RESOLVED, Vance County hereby approves the Memorandum of Agreement between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation, and any subsequent settlement funds that may come into North Carolina as a result of the opioid crisis. Furthermore, Vance County authorizes the County Manager (or County Attorney) take such measures as necessary to comply with the terms of the MOA and receive any settlement funds, including executing any documents related to the allocation of opioid settlement funds and settlement of lawsuits related to this matter. Be it further resolved copies of this resolution and the signed MOA be sent to opioiddocs@ncdoj.gov as well as forwarded to the North Carolina Association of County Commissioners at communications@ncacc.org.

Adopted this the 7th day of September, 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 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 572 McBorn Street – Parcel 0021 03007 and 695 Adams Street – Parcel 0079 05008. 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 Thomas S. Hester, Jr., seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following resolutions accepting the bids for 572 McBorn Street – Parcel 0021 03007 and 695 Adams Street – Parcel 0079 05008.

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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 **\$3,002.00** from **Life of Riches LLC** for the purchase and sale of County owned real property, which is more particularly described below:

572 McBorn Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0021 03007.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **August 5, 2021** stating that said offer from **Life of Riches LLC** in the amount of **\$3,002.00** 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 **\$3,002.00** 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 7th day of September, 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:

695 Adams Street, Henderson, NC, Vance County Tax Department Parcel Number 0079 05008.

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 July 6, 2021, a notice was published in the *Daily Dispatch* on **July 13, 2021**, stating that said offer by **Nahid Sanaei** in the amount of **\$8,774.00** 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 29, 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 7th day of September, 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 two new offers have been received for real property located at 1109 Washington Street – Parcel 0021 02007 and Crozier Street Lot – Parcel 0061 02013. 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 properties are 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 Gordon Wilder to approve the upset bid process for real property located at 1109 Washington Street – Parcel 0021 02007 and Crozier Street Lot – Parcel 0061 02013. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

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**RESOLUTION AUTHORIZING UPSET BID PROCESS
FOR SALE OF REAL PROPERTY
Lot 6, Block B, Plat Book A, Page 2, Washington St, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **Lot 6, Block B, Plat Book A, Page 2, Washington St, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0021 02007**; 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 **\$3,448.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Veronica Antonio Nuez**; and

WHEREAS, **Veronica Antonio Nuez** has paid the required deposit in the amount of **\$1,000.00** with her 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 7th day of September, 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
Lot 30 Crozier Street, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **Lot 30 Crozier Street, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0061 02013**; 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 **\$1,058.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Grace Ministries of Henderson, NC, Inc.**; and

WHEREAS, **Grace Ministries of Henderson, NC, Inc.** 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 7th day of September, 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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Redistricting. Attorney Care noted that as a result of the 2020 Census data, it will be necessary to adjust commission district lines in order to stay within the population thresholds for each district. The changes will be minor and will not affect all districts. He provided data to the

board showing population and racial changes in each district. He suggested that two or three community meetings be offered to gain citizen input on new, proposed district lines. He asked the commissioners to let him know of any specific roads/streets that they wish to keep in their district. Attorney Care stated that he and the county manager will create a couple of scenarios for the board to review based on census data. The board agreed to this and Chairman Brummitt stated that he would like this process to be completed and ready for action by the December meeting.

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 Amendments #2 - #4, July 2021 Tax Refunds and Releases, departmental monthly reports, and the minutes of the August 2, 2021 regular meeting.



**Budget Amendment #2
FY 2021-2022
Medical Expense Reimbursement Plan**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
MERP Revenue	72-350-500001	840,000
Total Revenue Increase (Decrease)		\$ 840,000

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
MERP Expense	72-500-500006	840,000
Total		\$ 840,000

Purpose: Per approved FY 2021-22 Budget, for MERP (Medical Expense Reimbursement Plan), this is creating the actual budget line items to pay medical bills.

Authorization: Vance County Board of Commissioners
September 7, 2021



**Budget Amendment #3
FY 2021-2022
EMS**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
UNC PECC Grant	10-360-436003	3,600
Total Revenue Increase (Decrease)		\$ 3,600

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
UNC PECC Grant	10-530-500058	3,600
Total		\$ 3,600

Purpose: Grant awarded for EMS – restricted fund lines for specific expenditures.

Authorization: Vance County Board of Commissioners
September 7, 2021



**Budget Amendment #4
FY 2021-2022
Emergency Management**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Investment Earnings	71-329-432900	(5,805)
911 ETS Funds	71-371-437103	(178,934)
Fund Balance Appropriated	71-399-439900	(583,739)
Total Revenue Increase (Decrease)		\$ (768,478)

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Telephone & Postage	71-751-500011	100,000
Travel/Training	71-751-500014	10,000
Maintenance Equipment	71-751-500016	95,000
Departmental Supplies	71-751-500033	12,000
Capital Outlay	71-751-500074	551,478
Total		\$ 768,478

Purpose: To correct budget to balance with E-911 Board.

Authorization: Vance County Board of Commissioners
September 7, 2021



TAX OFFICE REFUND AND RELEASE REPORT FOR JULY 2021

TAXPAYER NAME	TAX YR	REAL	PERSONAL	MOTOR VEHICLE	SOLID WASTE FEE	REASON
MCNEILL ESTHER R. HEIRS	2003	42.41	0	0	0	REAL PROP - BILL
MCNEILL ESTHER R. HEIRS	2005	43.32	0	0	0	REAL PROP - BILL
MCNEILL ESTHER R. HEIRS	2006	43.32	0	0	0	REAL PROP - BILL
MCNEILL ESTHER R. HEIRS	2007	43.32	0	0	0	REAL PROP - BILL
MCNEILL ESTHER R. HEIRS	2008	41.20	0	0	0	REAL PROP - BILL
MCNEILL ESTHER R. HEIRS	2009	40.40	0	0	0	REAL PROP - BILL
MCNEILL ESTHER R. HEIRS	2010	40.40	0	0	0	REAL PROP - BILL
MCNEILL ESTHER R. HEIRS	2011	40.40	0	0	0	REAL PROP - BILL
MCNEILL ESTHER R. HEIRS	2012	41.10	0	0	0	REAL PROP - BILL
MARLOWE BRETT WILSON	2013	0	0	194.42	0	PRO-RATE
MCNEILL ESTHER R. HEIRS	2013	41.10	0	0	0	REAL PROP - BILL

TAXPAYER NAME	TAX YR	REAL	PERSONAL	MOTOR VEHICLE	SOLID WASTE FEE	REASON
MCNEILL ESTHER R. HEIRS	2014	41.60	0	0	0	REAL PROP - BILL
MCNEILL ESTHER R. HEIRS	2015	41.60	0	0	0	REAL PROP - BILL
MCNEILL ESTHER R. HEIRS	2016	55.56	0	0	0	REAL PROP - BILL
MCNEILL ESTHER R. HEIRS	2017	55.56	0	0	0	REAL PROP - BILL
MCNEILL ESTHER R. HEIRS	2018	56.75	0	0	0	REAL PROP - BILL
EDMONDS ROY ROGERS	2019	0	150.88	0	0	PERS PROP BILLED
EDMONDS ROY ROGERS	2019	0	3.23	0	0	PERS PROP BILLED
MCNEILL ESTHER R. HEIRS	2019	58.23	0	0	0	REAL PROP - BILL
BECKHAM BRIAN THOMAS	2020	0	5.17	0	0	PERS PROP BILLED
EDMONDS ROY ROGERS	2020	0	143.35	0	0	PERS PROP BILLED
EDMONDS ROY ROGERS	2020	0	3.24	0	0	PERS PROP BILLED
MCNEILL ESTHER R. HEIRS	2020	58.23	0	0	0	REAL PROP - BILL
SPAIN ROBERT W	2021	611.35	0	0	0	CORRECT VALUE
SPAIN ROBERT W	2021	627.37	0	0	0	CORRECT VALUE
SPAIN ROBERT W	2021	627.37	0	0	0	CORRECT VALUE
EDMONDS ROY ROGERS	2021	0	136.24	0	0	PERS PROP BILLED
EDMONDS ROY ROGERS	2021	0	3.23	0	0	PERS PROP BILLED
JANSON HARRY ROBERT JR	2021	0	3.23	0	0	PERS PROP BILLED
PAYNTER JOHNATHAN E	2021	0	517.31	0	0	CORRECT VALUE
PAYNTER JOHNATHAN E	2021	0	7.44	0	0	CORRECT VALUE
PAYNTER JUSTIN RANDALL	2021	0	70.10	0	0	PERS PROP BILLED
PAYNTER JUSTIN RANDALL	2021	0	3.23	0	0	PERS PROP BILLED
TOTAL		2650.59	1046.65			
GRAND TOTAL	3697.24					

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.

Miscellaneous

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

Vance County Housing Authority – five year term

Reappoint Valencia Perry

Henderson-Vance Recreation Commission

Appoint Charles Bullock to fill vacant position.

Motion was made by Commissioner Thomas S. Hester, Jr. to reappoint Valencia Perry to the Vance County Housing Authority for a five year term and appoint Charles Bullock to the Henderson-Vance Recreation Commission to fill a vacant position. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to enter into closed session to discuss a personnel matter.

Upon return to open session, motion was made by Commissioner Thomas S. Hester, Jr. to approve the minutes of the August 2, 2021 closed session. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

As there was no further business, at 9:00 p.m., motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, that the meeting be adjourned.

Approved and signed October 4, 2021.

Chairman