

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, April 4, 2022 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 Leo Kelly, Vice-Chair Yolanda J. Feimster, Commissioners R. Dan Brummitt, Carolyn Faines, 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.

Public comments were heard first. Mr. Andre Poole stated that he was wrongfully fired from the Sheriff's Office by Sheriff Brame and he is currently suing the county because of this. He asked how to proceed with petitioning Curtis Brame not to run for office again.

Tiffany Jones, Symia Crews, Jonathan Collier, Barbara Davis, and Quincy King yielded their time to John Miles. Mr. Miles expressed his concerns with the Sheriff's Office continuing to pay three employees who are on administrative leave due to being indicted by a grand jury. He distributed information on the indictments to each commissioner. He stated that additional information on the investigation is available to the commissioners, if they are interested, upon request by the county attorney to the courts. He asked the board to stop funding the Sheriff's Office to pay these employees on administrative leave.

Mr. Sterlin Walker thanked the board for the award of his badge later tonight.

As advertised, the board would be sitting as the Board of Equalization and Review to hear from any taxpayers who feel their property is incorrectly listed or appraised. Porcha Brooks, Tax Administrator, was also present. There was no one present who wished to speak on this matter. Chairman Kelly stated that he will hold the Board of E&R open during this meeting, recess at the end of the meeting, and re-open during the May 2 regular meeting.

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 Detective Andrew Bishop with the Vance County Sheriff's Office. His peers noted that he never hesitates helping other investigators with

cases, is extremely motivated to solve cases in a timely matter, and goes above and beyond normal job duties. Detective Bishop will receive a \$100 gift card and a designated parking space for the month. He was presented a certificate of appreciation and the board congratulated him on receiving this recognition.

Pam Hester, Tourism Director, appeared before the board and provided an update on tourism activities. She explained that all tourism funding comes from hotel occupancy tax, not county taxpayers. These funds can only be used to promote, advertise and market in order to increase the use of lodging, meeting and convention facilities. She provided information on occupancy revenue and stated that those funds are used for the annual car show, fishing tournaments, Independence Day celebrations, construction, corporate events, etc.

She also presented information on preliminary plans for a convention/welcome center to be used for corporate meetings, community events, large fundraisers, trade shows, graduations, weddings, reunions, etc. It is anticipated that once the convention center is built, a hotel and winery/brewery will follow as well as a playground, walking trails, and greenways.

The board asked Ms. Hester the timeline of the project. She responded that it is in the beginning phase at this time. A feasibility study will need to be done before a more definitive timeline can be established. It is hoped to begin construction within a year. The board thanked Ms. Hester for her report.

Mr. Elliot Clark, Vaya Health, provided information to the board on a Children and Families Specialty Plan (CFSP) as proposed by the NC Department of Health and Human Services (DHHS). This is a Medicaid Managed Care health plan for children, youth and families served by the child welfare system. It would be a single, statewide plan managed by one entity as opposed to the current regional plans managed by LME/MCOs. He explained that if the plan moves forward as proposed, the management of services for children and youth in DSS custody/pre-custody and their families will be the sole responsibility of the contracted plan, which means Vaya would no longer provide care management to CFSP members, no longer coordinate placement for children and youth in DSS custody, and no longer serve as a liaison with hospitals when a child in DSS custody is taken to the emergency room. He stated that the plan would negatively impact existing LME/MCO collaborations with counties and would jeopardize the innovative solutions that Vaya has developed and launched across the region. Mr. Clark asked the board to consider

writing a letter to DHHS requesting them to delay the issuance of the CFSP Request for Proposal in order to allow time to fully understand what the impact will be.

After discussion of this matter, motion was made by Commissioner Dan Brummitt to write a letter to DHHS requesting them to delay the issuance of the CFSP Request for Proposal. This motion was seconded by Commissioner Gordon Wilder and vote was ayes – five (5), noes – two (2), with the dissenting votes being cast by Commissioner Archie B. Taylor, Jr. and Commissioner Thomas S. Hester, Jr.

Water District Board

Chairman Leo Kelly, Jr. called the Water District Board to order and the February 2022 monthly operations report was presented to the board for information. Chairman Kelly adjourned the Water District Board.

Committee Reports and Recommendations

Human Resources Committee – Award of Service Badge Policy Update. County Manager Jordan McMillen stated that the committee (Faines, Taylor & Wilder) met Thursday, March 24 and Wednesday, March 30 and reviewed proposed changes to the county's award of service weapon and badge policy. The revisions update the policy in accordance with NC General Statute 20-187.2 which states that "retiring members of such [law enforcement] agencies shall receive upon request and at no cost to them, the badge worn" by the retiring member. The committee discussed the two major changes which include removing the requirement of retiring in good standing and removing the requirement for the sheriff to be in agreement for providing the badge. The changes are to ensure the policy is reflective of current state law which does not mention or require either of these items. No significant changes were made to the policy regarding award of service weapon as the statute requires Board of Commissioners approval for this award. The committee was agreeable to the changes.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the revised "Award of Service Weapon and Badge" policy as presented.

Human Resources Committee – Vacation Leave Buyback Policy. Mr. McMillen stated that the committee reviewed a proposed new policy which would allow county employees to sell accrued vacation time back to the county one time per year. The policy would allow employees who have over 100 hours of vacation time to sell back up to 37.5 hours which lowers the county's

future cost liability and provides an opportunity each fall for employees to cash in some of their time. The committee saw the proposal as a win-win for the county and the employees and requested staff to look into the percentage of employees participating and potential annual costs from a similar program in Granville County. Staff confirmed that Granville County has approximately 1/3 of its employees who utilize the program at an annual cost of \$130,000. Staff anticipates a cost under \$100,000 for this program in Vance County. The committee recommended adding language to the policy indicating the program is subject to budget availability and recommended approval of the policy.

Motion was made by Commissioner Carolyn Faines to approve the Vacation Leave Buyback Policy as presented. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

Human Resources Committee – New Employee Recruitment Incentive Policy. Mr. McMillen advised that the committee reviewed a proposed new policy to incentivize existing employees to recruit new employees. The policy would provide a monetary incentive of \$750 to an existing employee who refers candidates who are hired into county positions and the newly hired employee would also receive a monetary incentive of \$500. The proposed policy would preclude HR staff, elected officials, and the county manager from participating and allows department directors and supervisors to participate if the recruited employee is hired into a different department. The committee discussed staff's proposal of requiring the referred employee to be employed six months prior to incentives being provided and the committee suggested increasing this requirement to nine months. With the revision, the committee recommended approval of the policy.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Carolyn Faines, vote unanimous, to approve the Employee Recruitment Incentive Policy as presented.

Human Resources Committee – Salary Study Implementation. Mr. McMillen noted that the committee reviewed existing and proposed pay plans from the salary study and discussed the overall cost of implementation. The committee reviewed data indicating the overall cost including FICA and retirement benefits for implementing the study is \$1,964,177 with an overall county cost of \$1,549,570 after accounting for reimbursements. Staff indicated the implementation will be included in the recommended FY 22-23 budget and it is anticipated that increased sales tax

revenues will assist in covering the implementation cost. The committee plans to review finalized pay and classification grades at its next meeting and is targeting the May board meeting for recommending implementation of the plan to be effective July 10th.

Properties Committee – Proposed Changes from City on ETJ Line. Mr. McMillen stated that the committee (Brummitt, Kelly & Taylor) met Monday, March 28 with representatives from the City of Henderson to discuss and review proposed plans for adjusting the ETJ (Extra Territorial Jurisdiction) to better follow property boundaries. ETJ's are common surrounding cities in North Carolina and are set up to allow enforcement of planning and development regulations immediately adjacent to and outside a city's formal limits. The current ETJ boundary was established in 1995 at a one and a half mile radius from the city limits and splits parcels which complicates the development process requiring these property owners to seek zoning permits from both the city and county. The city planning board is recommending expansion of the entire ETJ to two miles beyond the city limits as allowed by state statute. Revision of the ETJ requires approval from the county by resolution. The committee discussed a similar proposal from the city in 2020 in the Carey Chapel Road area in which the commissioners discussed limiting the expansion of the ETJ in that area. The committee supported the efforts of the city to fix ETJ lines to better follow property lines and natural boundaries and expressed a desire to work with the city to learn more on the issues and reasons necessary for the expansion, but raised concerns with the expansion proposal. The city representatives agreed to rework the proposed changes for further consideration by the committee.

Commissioner Gordon Wilder stated that he supports the landowners having a say in this matter, but does not support the expansion of the ETJ.

Properties Committee – Extension of Building Requirement at Industrial Park. Mr. McMillen stated that the committee reviewed a proposal from Gatham Properties to extend their deadline 180 days for beginning construction on the two acre tract purchased from the County at the Henderson-Vance Industrial Park. Gatham Properties purchased the property on March 15, 2021 with the stipulation that construction of a building would occur within one year of purchase. The committee reviewed the proposed timeline and during discussion raised a concern with the architectural style and exterior wall material for the proposed building as submitted with the extension request. The committee felt the style and look of the building was very similar to a structure in the community which the owner previously represented would be different than the

newly proposed building. The committee tabled its discussion of the request and is asking for further discussion with the owner before recommending extension of the deadline.

Properties Committee – Head Start Wing Construction at Eaton Johnson. Mr. McMillen noted that the committee reviewed bids for renovation of wing two at Eaton Johnson for the Franklin, Vance, Warren Opportunity Head Start program. The county has an existing lease agreement with Head Start that begins later this year which includes provisions for Head Start paying the county back for the renovation over the first five years of the lease. The renovation includes adding doors and sinks into every classroom, adding ramps/stairs as needed at the new doors, installation of new storefront windows near the office, as well as repainting and cleaning up the wing. Head Start plans to begin using the space by September and current construction timeframes are estimating completion in August. The low base bid from H.G. Reynolds totals \$378,000 and Head Start has requested inclusion of alternate G-1 (addition of \$3,000) to add washer/dryer vents in one location. Additionally, alternate G-3 (addition of \$11,000) is for the senior center and includes adding sliding glass windows and required data ports for the walk-up reception desk. The county's architect is negotiating with the low bidder to identify cost savings as the project is over the originally estimated budget of \$275,000. Head Start has agreed to pay the overage subject to the county negotiating in good faith with the low bidder. The committee recommended proceeding with the low bid to include alternate G-1 and G-3.

Motion was made by Commissioner Thomas S. Hester, Jr. to award the contract to H.G. Reynolds in an amount not to exceed \$392,000 for the base bid and alternates G-1 and G-3 for renovating the Head Start Wing at Eaton Johnson. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

Properties Committee – Dennis Building Lead Abatement. Mr. McMillen noted that the committee reviewed a proposal for remediating the lead paint on the second and third floors of the Henry A. Dennis Building. The remediation includes constructing a negative pressure enclosure over the entire work area, scraping loose lead containing paint, and encapsulating the areas with lead barrier coating. Following this work both floors would be repainted by a separate painting company. The estimated cost for lead abatement is \$23,050 and the estimated painting cost is \$27,210. The committee recommended proceeding forward with Enpuricon, Inc. for the lead abatement and authorized up to \$55,000 (includes a 10% contingency) for both the lead abatement and necessary painting from current fiscal year contingency funds.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Dan Brummitt, vote unanimous, to authorize staff to proceed with lead abatement and painting services at the Dennis Building with a total amount not to exceed \$55,000 from contingency funds.

Properties Committee – Former DSS Building Appraisal. Mr. McMillen advised that the committee discussed the need for an updated appraisal of the former DSS building on Ruin Creek Road. Based on guidance from the committee, staff is initiating an updated appraisal of the property.

Finance Director’s Report.

Budget Amendment #15. Finance Director Katherine Bigelow stated that in agreement with Session Law 2021-180 (S.B. 105), the Vance County Sheriff’s Office accepts the grant while the Finance Officer will be fiscally responsible for the grant spending and reporting. \$84,269.66 is allocated to Vance County. This funding is allowed for new spending (no budget replacement). The current spending is proposed for: Drone (\$35,989), Drone Pilot Training (\$1,607), Cameras (\$802), Polaris Ranger (\$16,847), and BOSS strongboxes (\$8,500). The balance will be \$20,525. This grant time period will terminate on June 30, 2023. Ms. Bigelow requested approval of Budget Amendment #15 for this purpose.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Gordon Wilder, vote unanimous, to approve Budget Amendment #15 as presented:



**Budget Amendment #15
FY 2021-2022
Sheriff**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
NCDPS Grant	10-359-435919	84,269.66
Total Revenue Increase (Decrease)		\$ 84,269.66

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
NCDPS Grant	10-510-500103	84,269.66
Total		\$ 84,269.66

Purpose: NC Department of Public Safety Grant from SB 105.

Authorization: Vance County Board of Commissioners
April 4, 2022



PROCLAMATION
by the
Vance County Board of Commissioners
in
Recognition of the 2022 Spring Litter Sweep

WHEREAS, in conjunction with the North Carolina Department of Transportation, Vance County supports and encourages participation in the Spring 2022 roadside cleanup effort to ensure clean and beautiful roads throughout the County; and

WHEREAS, the Spring 2022 Litter Sweep roadside cleanup campaign will occur April 16 - 30. 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 April 16 - 30, 2022 as “Spring 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 4th day of April, 2022.

Leo Kelly, Jr. (signed)
Leo Kelly, Jr., Chairman

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Award of Service Badge. Mr. McMillen stated that Mr. Sterlin Walker has requested his service badge since retiring from the Vance County Sheriff’s Office in 2014. According to NCGS 20-187.2, retiring members of law enforcement agencies shall receive upon request and at no cost to them, the badge worn or carried by the retiring member. Vance County’s local policy previously indicated Sheriff’s Office badges are provided upon written request to the Sheriff and upon agreement and request from the Sheriff. Staff recently worked with the HR Committee to update the policy to better reflect the statutory language and as a result will be providing Mr. Walker his service badge.

Final Payment – Middleburg Loan. Mr. McMillen advised that the Town of Middleburg has provided a letter expressing gratitude to the county for assisting them with funds for the septic system at the Middleburg Community Building. The loan totaled \$24,000 and was provided to the Town of Middleburg in October 2014 and the final payment was received January 2022. The county's contribution was part of an overall economic development package from USDA and the county which assisted with the renovation of the Middleburg Community Building and installation of a new septic system that allowed for the reopening and current operation of the Middleburg Steak and Seafood House.

EDA Grant at Henderson-Vance Industrial Park. Mr. McMillen stated that during the month of March the county was awarded \$761,040 in US Department of Commerce Economic Development Administration grant funds along with \$190,260 in matching funds for the Henderson-Vance Industrial Park. The funds are to complete 2,800 linear feet of roadway and 2,450 linear feet of sewer force main for Phase III of the Industrial Park and are tied to job and investment commitments from Carolina Country Snacks and Versatrim. The Kerr-Tar COG is assisting the county as the grant administrator and both the City of Henderson and NCDOT are named as co-applicants along with the county. The grant amount is tied to project cost estimates from 2020 and the county will be responsible for Kerr-Tar COG grant admin fees totaling \$20,000 and a yet to be determined amount for engineering design and construction inspections. The county worked with LKC Engineering on the initial project and staff has asked them for an amendment to the original contract for the additional work. It is anticipated that minimal design work will be necessary since this portion of the project was previously designed. The original project budget was presented to the board for information.

Goals for FY 2022-23. Mr. McMillen presented the following goals as prioritized during the retreat in March for FY 2022-23.

1. To retain or assist in creation of 150 new jobs and \$10 million in new investment for the County to include completion of design and construction of a shell building at the Henderson-Vance Industrial Park.
2. Completion of an Economic Development Strategic Plan aimed at setting priorities and benchmarks for the future of economic development to include prioritizing regionalization.
3. To implement a community paramedicine program that seeks to improve community health, reduce frequent fliers, and assist in lowering EMS call volume.
4. Begin planning land acquisition and design necessary for a new public safety center to house the county EMS and fire departments.
5. Begin construction of Phase 1B of the county water system and offer public information/signup meetings with a goal of increasing signups 20% above the current level.

Recommendation: Approve the goals as developed by the Board of Commissioners for FY 2022-2023.

Motion was made by Commissioner Gordon Wilder to approve the goals as presented. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

County Attorney's Report

REO Properties – Bid Acceptance Resolutions. County Attorney Jonathan S. Care noted that during previous meetings, the board approved the public sale process for real properties located at 1129 Booker Street – Parcel 0021 03017; Warrenton Road – Parcel 0212 01012; and 311 Tungsten Mine Road – Parcel 0325 03039. He stated that 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 Dan Brummitt, vote unanimous, to approve the following resolutions accepting the bids for 1129 Booker Street – Parcel 0021 03017; Warrenton Road – Parcel 0212 01012; and 311 Tungsten Mine Road – Parcel 0325 03039.



**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:

1129 Booker Street, Henderson, NC, Vance County Tax Department Parcel Number 0021 03017.

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 March 7, 2022, a notice was published in the *Daily Dispatch* on **March 10, 2022**, stating that said offer by **Frederick Taylor** in the amount of **\$2,100.00** 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 **Macario Morales Galaviz**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **March 19, 2022**, stating that said offer by **Macario Morales Galaviz** in the amount of **\$2,850.00** 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 **Renita Richardson**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **March 24, 2022**, stating that said offer by **Renita Richardson** in the amount of **\$3,600.00** 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 **Renita Richardson** in the amount of **\$3,600.00** 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.

This the 4th day of April, 2022.

Leo Kelly, Jr. **(signed)**
Leo Kelly, Jr., Chairman
Vance County Board of Commissioners

ATTEST:

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



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

WHEREAS, the Vance County Board of County Commissioners received an offer for the purchase and sale of County owned real property, which is more particularly described below:

Warrenton Road, Henderson, NC, Vance County Tax Department Parcel Number 0212 02012.

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 March 7, 2022, a notice was published in the *Daily Dispatch* on **March 10, 2022**, stating that said offer by **Frederick Taylor** in the amount of **\$920.00** 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 **Macario Morales Galaviz**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **March 19, 2022**, stating that said offer by **Macario Morales Galaviz** in the amount of **\$1,670.00** 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 **Frederick Taylor**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **March 24, 2022**, stating that said offer by **Frederick Taylor** in the amount of **\$2,420.00** 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 **Frederick Taylor** in the amount of **\$2,420.00** 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.

This the 4th day of April, 2022.

Leo Kelly, Jr. **(signed)**
Leo Kelly, Jr., Chairman
Vance County Board of Commissioners

ATTEST:

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



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

WHEREAS, the Vance County Board of County Commissioners received an offer for the purchase and sale of County owned real property, which is more particularly described below:

311 Tungsten Mine Road, Henderson, NC, Vance County Tax Department Parcel Number 0325 03039.

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 March 7, 2022, a notice was published in the *Daily Dispatch* on **March 10, 2022**, stating that said offer by **Angel Bernardino Flores Rios** in the amount of **\$6,100.00** 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 **Macario Morales Galaviz**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **March 19, 2022**, stating that said offer by **Macario Morales Galaviz** in the amount of **\$6,850.00** 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 **Macario Morales Galaviz** in the amount of **\$6,850.00** 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.

This the 4th day of April, 2022.

Leo Kelly, Jr. (signed)
Leo Kelly, Jr., 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 new offers have been received for real properties located at 706 Highland Avenue – Parcel 0070 01039; 717 Highland Avenue – Parcel 0070 01033; 243 Swain Street – Parcel 0084 01005E; and 1002 Standish Street – Parcel 0091 07001. He stated that the board needs to vote on whether or not to proceed with the sale by advertising for upset bids and recommended approval of the resolutions to begin the upset bid

process for the properties. The properties are jointly owned with the City, 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 properties located at 706 Highland Avenue – Parcel 0070 01039; 717 Highland Avenue – Parcel 0070 01033; 243 Swain Street – Parcel 0084 01005E; and 1002 Standish Street – Parcel 0091 07001. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.



**RESOLUTION AUTHORIZING UPSET BID PROCESS
FOR SALE OF REAL PROPERTY
706 Highland Avenue, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **706 Highland Avenue, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0070 01039**; 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 **\$4,520.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Macario Morales Galaviz**; and

WHEREAS, **Marcario Morales Galaviz** has paid the required deposit in the amount of **\$750.00** with the 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 cash, cashier's check or certified funds. The County will return the deposit of any bid not accepted and will return the bid of an offer subject to upset if a qualifying higher bid is received.

7. The terms of the final sale are that the Board of County Commissioners must approve the final high offer before the sale is closed and the buyer must pay with certified funds or wire transfer the bid amount and any other amounts as required pursuant to the terms and conditions of the bid at the time of closing, which shall be no later than 30 days following the approval by this Board of the final bid. The real property is sold in its current condition, as is, and the County gives no warranty with respect to the usability of the real property or title. Title will be delivered at 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 4th day of April, 2022.

Leo Kelly, Jr. (signed)
Leo Kelly, Jr., Chairman
Vance County Board of Commissioners

ATTEST:

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



**RESOLUTION AUTHORIZING UPSET BID PROCESS
FOR SALE OF REAL PROPERTY
717 Highland Avenue, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **717 Highland Avenue, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0070 01033**; 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 **\$3,112.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Rosalinda Grady** and

WHEREAS, **Rosalinda Grady** has paid the required deposit in the amount of **\$750.00** with the 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 4th day of April, 2022.

Leo Kelly, Jr. (signed)
Leo Kelly, Jr., Chairman
Vance County Board of Commissioners

ATTEST:

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

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

WHEREAS, Vance County owns certain real property with an address of **243 Swain Street, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0084 01005E**; 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 **\$6,250.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Macario Morales Galaviz**; and

WHEREAS, **Macario Morales Galaviz** has paid the required deposit in the amount of **\$750.00** with the 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 cash, cashier's check or certified funds. The County will return the deposit of any bid not accepted and will return the bid of an offer subject to upset if a qualifying higher bid is received.
7. The terms of the final sale are that the Board of County Commissioners must approve the final high offer before the sale is closed and the buyer must pay with certified funds or wire transfer the bid amount and any other amounts as required pursuant to the terms and conditions of the bid at the time of closing, which shall be no later than 30 days following the approval by this Board of the final bid. The real property is sold in its current condition, as is, and the County gives no warranty with respect to the usability of the real property or title. Title will be delivered at 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 4th day of April, 2022.

Leo Kelly, Jr. (signed)
Leo Kelly, Jr., Chairman
Vance County Board of Commissioners

ATTEST:

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



**RESOLUTION AUTHORIZING UPSET BID PROCESS
FOR SALE OF REAL PROPERTY
1002 Standish Street, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **1002 Standish Street, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0091 07001**; 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 **\$3,323.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Macario Morales Galaviz**; and

WHEREAS, **Macario Morales Galaviz** has paid the required deposit in the amount of **\$750.00** with the 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 cash, cashier's check or certified funds. The County will return the deposit of any bid not accepted and will return the bid of an offer subject to upset if a qualifying higher bid is received.
7. The terms of the final sale are that the Board of County Commissioners must approve the final high offer before the sale is closed and the buyer must pay with certified funds or wire transfer the bid amount and any other amounts as required pursuant to the terms and conditions of the bid at the time of closing, which shall be no later than 30 days following the approval by this Board of the final bid. The real property is sold in its current condition, as is, and the County gives no warranty with respect to the usability of the real property or title. Title will be delivered at 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 4th day of April, 2022.

Leo Kelly, Jr. (signed)
Leo Kelly, Jr., Chairman
Vance County Board of Commissioners

ATTEST:

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

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Criminal Nuisance Abatement Lawsuit. Attorney Care stated that a property on Swain Drive has been identified by the Sheriff’s Office as a public nuisance because of continual criminal activity. The Sheriff’s Office contacted the Nuisance Abatement Team with the NC Department of Public Safety ALE Division to assist with abatement of the nuisance through civil action. The Team has investigated the property and made contact with the owners who are three brothers. Two of the brothers have agreed to give their interest to the third brother, who has agreed to clean up the property. Attorney Care stated that the next step is to file a complaint, enter a consent order, and appear before Superior Court. This is to ensure that the owner does not allow any type of criminal nuisance activity in the future.

Motion was made by Commissioner Gordon Wilder to authorize the county attorney to sign the lawsuit, consent order, and any other related documents in connection with the Swain Drive criminal nuisance abatement. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Consent Agenda

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Dan Brummitt, vote unanimous, to approve the following consent agenda items as presented: Budget Amendments #14 and #16; February 2022 Tax Refunds and Releases, departmental monthly reports, and the minutes of the March 7, 2022 regular meeting.

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**Budget Amendment #14
FY 2021-2022
Central Services**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Miscellaneous Revenue	10-370-437005	500
Total Revenue Increase (Decrease)		\$ 500

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Employee Appreciation	10-555-500132	500

Total		\$ 500
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Purpose: Donation specifically for Employee Spirit Week.

Authorization: Vance County Board of Commissioners
April 4, 2022



**Budget Amendment #16
FY 2021-2022
Tax Collections**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Tax Foreclosure Income	10-301-430109	8,347.47
Total Revenue Increase (Decrease)		\$ 8,347.47

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Tax Foreclosures – City Portion	10-450-500058	8,347.47
Total		\$ 8,347.47

Purpose: Income was \$19,508. The City’s portion is \$8,347.47.

Authorization: Vance County Board of Commissioners
April 4, 2022



TAX OFFICE REFUND AND RELEASE REPORT FOR FEBRUARY 2022

TAXPAYER NAME	TAX YR	REAL	PERSONAL	SOLID WASTE FEE	REASON
ELLIS DAVID	2016	0	41.01	105	PERS PROP BILLED
ELLIS DAVID	2017	0	42.86	105	PERS PROP BILLED
ROBINSON CHARLES H	2017	0	3.08	0	PERS PROP BILLED
ROBINSON CHARLES H	2017	0	3.25	0	PERS PROP BILLED
ELLIS DAVID	2018	0	41.58	112	PERS PROP BILLED
VASINA TERI PANKO	2018	0	576.70	0	PERS PROP BILLED
VASINA TERI PANKO	2018	0	2.86	0	PERS PROP BILLED
VASINA TERI PANKO	2018	0	2.86	0	PERS PROP BILLED
FIELDS DANIELLE	2019	0	132.12	112	PERS PROP BILLED
FIELDS DANIELLE	2020	0	125.51	117	PERS PROP BILLED
TYSON HARVEY LEE	2020	0	3.24	0	PERS PROP BILLED
TYSON HARVEY LEE	2020	0	3.24	0	PERS PROP BILLED
BAKER BARBARA W	2021	337.58	0	0	CORRECT/GRANT EX
FIELDS DANIELLE	2021	0	119.23	120	PERS PROP BILLED
HARRIS ALLIE M	2021	0	0	120	REMOVE SOLID WAS
HARRIS FRED W- DECEASED	2021	244.75	0	0	CORRECT/GRANT EX
KALB PAUL	2021	440.55	0	0	CORRECT/GRANT EX
LANGLEY DAKOTA WAYNE	2021	0	0	0	ADD SOLID WASTE
MA FOSTER PROPERTIES OF VANCE	2021	0	0	960	REMOVE SOLID WAS
MA FOSTER PROPERTIES OF VANCE	2021	0	15.59	120	PERS PROP BILLED

At this time, Chairman Leo Kelly, Jr. referred the public comments heard earlier during this meeting regarding the Sheriff's Office to the Public Safety Committee for review.

Motion was made by Commissioner Thomas S. Hester, Jr. to enter into closed session to discuss a legal matter. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

Upon return to open session, motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the minutes of the February 7, 2022 closed session.

Chairman Leo Kelly, Jr. recessed the Board of Equalization and Review until the May 2 regular meeting.

As there was no further business, at 9:05 p.m., motion was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, vote unanimous, that the meeting be adjourned.

Approved and signed May 2, 2022.

Chairman