

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, March 6, 2023 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: Chair Yolanda J. Feimster, Vice-Chair R. Dan Brummitt, Commissioners Sean A. Alston, Sr., Carolyn Faines, Thomas S. Hester, Jr., Leo Kelly, Jr., and Archie B. Taylor, Jr.

Absent: None

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

Rev. Ron Cava, First Baptist Church, gave the invocation.

County Manager Jordan McMillen introduced Chris Dillon as the county's Assistant County Manager. He noted that Mr. Dillon brings 23 years of federal, state and local government policy and management experience to the county. The board welcomed Mr. Dillon to the Vance County team.

Public comments were heard next. Mr. Joseph Brodie and Mr. Thomas Yates both stated that the Key Estates subdivision needs to be paved and asked the board to look into what could be done to help with this. NC DOT will not pave the roads because they are private roads. Mr. Yates stated that there is a homeowners association for the subdivision, but it cannot afford to pave or upkeep the roads. County Manager Jordan McMillen stated that the county's legal options are limited and it is ultimately the homeowners' responsibility for the maintenance of private roads. He noted that if the homeowners are able to bring the roads up to NC DOT standards, they can then petition DOT to take over the maintenance of the roads.

Mr. Frankie Nobles, Vance County Employee Engagement Team Chair, was first on the agenda to recognize the employee of the year. He noted that the employee of the year is chosen from the 2022 employees of the month. Each candidate was rated on a scale of 1 to 5 in the categories of teamwork, initiative, attendance, and who goes above and beyond when needed. The Employee of the Year goes to Mr. Carl James with Vance County Maintenance. His peers noted that he is extremely dependable, is always willing to help in any way possible, and always has a

positive attitude. Mr. James will receive a monetary gift and a reception will be held in his honor on March 16, 2023.

Ms. Julie White, Mr. Jason Orthner and Mr. Ryan Brumfield with NC Department of Transportation appeared before the board to present an update on the S-Line Rail Corridor Project. The Richmond to Raleigh Project is a collaboration with the State of North Carolina to develop the currently out-of-service S-Line corridor for future high-performance rail service between Richmond, VA and Raleigh, NC. This technologically advanced railroad system will offer 110 mph passenger rail, 91 new grade separations, concrete ties, high speed switches, high level platforms, freight bypass tracks, positive train control, and advance signal systems. The board asked when the project will be complete and was told that it is hoped to be completed in 2030 to 2031.

EDC Director McKinley Perkinson appeared before the board and presented an update on economic development. She reminded the board of its two goals geared toward economic development. Those are *“to retain or assist in the 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”* and *“completion of an economic development strategic plan aimed at setting priorities and benchmarks for the future of economic development to include prioritizing regionalization”*. She noted that we are currently at \$12.1 million in investments according to commercial permits this fiscal year. Some of the larger investments include Eastern Minerals storage expansion, Matzalan, Marshalls, Alumadock expansion, and Petco. Regarding the strategic plan, Creative Economic Development was chosen as the vendor to complete the plan, the first steering committee meeting was held as well as a community leaders’ focus group, and one-on-one interviews with local and regional representatives were conducted. The consultant is scheduled to provide preliminary findings at the next steering committee meeting on March 20. The board thanked Ms. Perkinson for her report.

Dr. Jerry Edmonds, Vance Granville Community College, provided the board with information on the VGCC Small Business Center. He noted that the Center advises small businesses in Vance, Granville, Franklin and Warren Counties on how to conquer business challenges. The Center’s goal is to help existing businesses and start-ups expand through training, education, counseling and referral. It also addresses the continuing need for updated information

and refinement of management skills through seminars, resource information and one-on-one counseling. After a question/answer session, the board thanked Dr. Edmonds for his report.

Mr. Weldon Bullock with the Sheriff’s Office appeared before the board to request funding to move inmates out of the jail facility in order to replace existing doors in the dorms. It was noted that this matter was discussed at last month’s meeting and it was decided that the Sheriff would hire a professional to identify all repairs that are needed before the inmates are relocated. That way, all repairs can be done at once while the inmates are out of the facility and they will not need to be moved twice. Mr. Bullock stated that the door replacements can no longer wait and requested that inmates be moved as soon as possible if he is able to get written commitment from the contractor that the doors can be replaced within 30 days.

After discussion, motion was made by Commissioner Dan Brummitt to approve up to \$90,000 to house inmates off-site, contingent upon the contractor affirming in writing that work can be completed within 30 days; and to approve Budget Amendment #31 for this purpose. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

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**Budget Amendment #31
FY 2022-2023
Sheriff/Jail**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
General Fund Balance	10-399-439900	90,000
Total Revenue Increase (Decrease)		\$ 90,000

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Contracted Services	10-510-500045	90,000
Total		\$ 90,000

Purpose: To relocate 55 inmates for 30 days (\$50 per day per inmate) for door project, contingent upon written commitment from the contractor to complete the work within 30 days.

Authorization: Vance County Board of Commissioners
March 6, 2023

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At this time, Commissioner Thomas S. Hester, Jr. left the meeting.

**Resolution Approving Conveyance of Personal Property to
Gang Free Incorporated
Pursuant to G.S. 160A-279**

WHEREAS, the County of Vance owns 15 HP Desktops which are no longer in use for the County; and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a governmental unit to sell at a private sale surplus personal property to entities carrying out a public purpose and shall attach conditions to the conveyance which insure that the property will be put to a public use by the recipient entity; and

WHEREAS, Gang Free Incorporated is such an entity that carries out a public purpose.

NOW THEREFORE BE IT RESOLVED that the Vance County Board of Commissioners resolves as follows:

1. The County of Vance declares the following computer equipment as surplus, 15 HP Desktops and hereby authorizes the Vance County Finance Director to sell by private sale for a total of \$1 the said 15 HP Desktops.
2. The personal property herein described shall be conveyed subject to the condition that said computer equipment will only be used for the benefit and in support of the services provided to the community of Vance County, and that such computer equipment will not be sold for a profit within three years from the date of this sale.
3. The Vance County Finance Officer is authorized to execute any documents necessary to convey the property in the manner authorized by this Resolution.
4. Pursuant to N.C.G.S. 160A-267, the attached notice shall be published in the newspaper at least ten (10) days prior to the consummation of such authorized sale.

Adopted this the 6th day of March, 2023.

Yolanda J. Feimster (signed)
Yolanda J. Feimster, Chair

ATTEST:

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

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Ms. Bigelow stated that IT also has 34 HP Desktops with wiped hard drives and 10 HP Procurve network POE Switches that we would like to donate to Hubzone Technology Initiative, a local non-profit in Vance County. Recommendation: Approve resolution declaring 34 HP Desktops with wiped hard drives and 10 HP Procurve network POE Switches as surplus and approve the conveyance of said personal property to Hubzone Technology Initiative, a non-profit in Vance County.

Motion was made by Commissioner Carolyn Faines, seconded by Commissioner Dan Brummitt, vote unanimous, to approve the following resolution declaring 34 HP Desktops with wiped hard drives and 10 HP Procurve network POE Switches as surplus and approve the

conveyance of said personal property to Hubzone Technology Initiative, a non-profit in Vance County.



**Resolution Approving Conveyance of Personal Property to
Hubzone Technology Initiative
Pursuant to G.S. 160A-279**

WHEREAS, the County of Vance owns 34 HP Desktops and 10 HP Procurve network PEO Switches which is no longer in use for the County; and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a governmental unit to sell at a private sale surplus personal property to entities carrying out a public purpose and shall attach conditions to the conveyance which insure that the property will be put to a public use by the recipient entity; and

WHEREAS, Hubzone Technology Initiative is such an entity that carries out a public purpose.

NOW THEREFORE BE IT RESOLVED that the Vance County Board of Commissioners resolves as follows:

1. The County of Vance declares the following computer equipment as surplus, 34 HP Desktops and 10 HP Procurve network PEO Switches and hereby authorizes the Vance County Finance Director to sell by private sale for a total of \$1 the said 34 HP Desktops and 10 HP Procurve network PEO Switches.
2. The personal property herein described shall be conveyed subject to the condition that said computer equipment will only be used for the benefit and in support of the services provided to the community of Vance County, and that such computer equipment will not be sold for a profit within three years from the date of this sale.
3. The Vance County Finance Officer is authorized to execute any documents necessary to convey the property in the manner authorized by this Resolution.
4. Pursuant to N.C.G.S. 160A-267, the attached notice shall be published in the newspaper at least ten (10) days prior to the consummation of such authorized sale.

Adopted this the 6th day of March, 2023.

Yolanda J. Feimster (signed)
Yolanda J. Feimster, Chair

ATTEST:

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



Ms. Bigelow stated that the Sheriff's Office currently possesses the following: a 2003 Chevrolet S10, 2003 Chevrolet Silverado, 2001 Cadillac Seville, and a 2009 Dodge Charger. She noted that the vehicles are unable to be sold due to various reasons including engines disabled by rats/squirrels, lack of keys, missing roof, water standing in floor, etc., and staff is requesting to

scrap them instead of selling them on GovDeals. Recommendation: Approve the property presented as surplus and authorize the Finance Director to dispose of said property.

Motion was made by Commissioner Leo Kelly, Jr. to approve the property presented as surplus and authorize the Finance Director to dispose of said property. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

Banking RFP. Ms. Bigelow informed the board that local government standards recommend sending Banking RFP/RFQ's out for review every five years. She noted that the county has been with BB&T/Truist for many years, and in the near future, she will be putting our banking services out for references and bids.

County Manager's Report

Annual Planning Retreat. County Manager Jordan McMillen reminded the board that the planning retreat is scheduled for Wednesday, March 8 from 8:45 a.m. to 4:00 p.m. at the Perry Memorial Library. The agenda includes a board training on establishing a high performing board during the morning, a finance and budget review and discussion with our Finance Director in the early afternoon followed by a goal prioritization session for the coming fiscal year.

Supplemental Opioid Settlements. Mr. McMillen informed the board that we have recently been informed of additional Opioid Settlements with the participating pharmacies (CVS, Walgreens, Walmart, Allergan, and Teva). The settlements are being referred to as the "wave two" settlements and will result in an additional \$600 million to North Carolina State and local governments with an expected amount of \$2.76 million into Vance County between 2023 and 2036. These settlements are in addition to the wave one settlements in 2021 with distributors Cardinal, McKesson, and AmerisourceBergen and manufacturer Johnson and Johnson. He noted that the County has already received \$315,053.36 of the approximate \$3.45 million that is expected between 2022 and 2038 from the wave one settlements. Final amounts from the wave two settlements are subject to change depending upon the final number of local governments who sign onto the settlement agreements. The County's national attorneys have recommended signing onto the settlements and the NC Association of County Commissioners and the NC Department of Justice are asking local governments to approve the Supplemental Agreement for the Additional Funds (SAAF) which will distribute the newest funds in the same manner as the previous settlement funds. He noted that counties have until April 18 to join and sign the settlement

agreements. The draft resolution and supplemental agreement was provided to the board for approval.

Motion was made by Commissioner Carolyn Faines, seconded by Commissioner Leo Kelly, Jr., vote unanimous, to approve the following resolution authorizing the execution of Opioid Settlements and approving the supplemental agreement for additional funds relating to the settlement of opioid litigation.

**RESOLUTION BY THE COUNTY OF VANCE
AUTHORIZING EXECUTION OF OPIOID SETTLEMENTS AND APPROVING THE
SUPPLEMENTAL AGREEMENT FOR ADDITIONAL FUNDS BETWEEN THE STATE
OF NORTH CAROLINA AND LOCAL GOVERNMENTS ON PROCEEDS RELATING
TO THE SETTLEMENT OF OPIOID LITIGATION**

WHEREAS, the opioid overdose epidemic had taken the lives of more than 32,000 North Carolinians (2000-2021);

WHEREAS, the COVID-19 pandemic has compounded the opioid overdose 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, pharmaceutical distribution companies, and chain drug stores to hold those companies accountable for their misconduct; and

WHEREAS, settlements have been reached in litigation against Walmart, Inc., Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Allergan Limited, CVS Health Corporation, CVS Pharmacy, Inc., and Walgreen Co., as well as their subsidiaries, affiliates, officers, and directors named in the these Settlements; 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 Supplemental Agreement for Additional Funds (SAAF) to provide for the equitable distribution of the proceeds of these settlements; and

WHEREAS, by joining the settlements and approving the SAAF, the state and local governments maximize North Carolina's share of opioid settlement funds to ensure the needed resources reach communities as quickly, effectively, and directly as possible; and

WHEREAS, it is advantageous to all North Carolinians for local governments, including Vance County and its residents, to sign onto the settlements and SAAF and demonstrate solidarity in response to the opioid overdose crisis, 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 SAAF directs substantial resources over multiple years to local governments on the front lines of the opioid overdose epidemic while ensuring that these resources are used in an effective way to address the crisis.

NOW, THEREFORE BE IT RESOLVED, that the Vance County Board of Commissioners does hereby authorize the County Manager or County Attorney to execute all documents necessary to enter into opioid settlement agreements with Walmart, Walgreens, CVS, Allergan, and Teva, to execute the SAAF, and to provide such documents to Rubris, the Implementation Administrator.

Adopted this the 6th day of March, 2023.

Yolanda J. Feimster (signed)
Yolanda J. Feimster, Chair
Vance County Board of Commissioners

ATTEST:

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

KARTS Funding Request. Mr. McMillen explained that KARTS is a transportation authority created by joint resolution of the Boards of Commissioners of Granville, Vance, Warren, and Franklin Counties. Their board includes one commissioner as well as one human service organization representative from each county. Their total annual budget is approximately \$3.75 million of which 80% is funded by the federal government with a portion funded by the state, and 10-15% funded by the local counties (10% capital and 15% administration). He stated that KARTS has recently requested \$75,000 in emergency funds from each of the participating counties by June 1 to allow them to finish out the fiscal year. In addition they are requesting an increase of \$154,936 from Vance County in administrative funds for the upcoming FY23-24 budget in order to rightsize their budget. They will also be requesting an increase of \$32,931 in capital funds for the FY23-24 budget to allow for replacing buses which are over the recommended mileage limits. He stated that it is our understanding the funding requests are a result of expiring Federal CARES Act funds which have been instrumental in filling a gap in their new facility and operational costs the past couple of years. They have also indicated a need to increase driver rates and have been paying significant overtime due to driver shortages. The KARTS board is exploring various ways to improve efficiency and raise additional revenue to include possible increased rates for contracted services, recouping money for no shows, and advertising on their vans among other things. You will see this again in the finance and budget review during the retreat and we anticipate coming back to discuss approval of the \$75,000 in emergency funds during your April board meeting.

Commissioner Dan Brummitt expressed his concerns with the financials of KARTS and stated that based on the budget numbers they are requesting and the amount of money they have received over the past couple of years, it doesn't balance. County Manager Jordan McMillen responded that KARTS is comparing its FY 2018 budget with its FY 2023 budget which shows the difference from when they were leasing office space to now, when they are in their new facility.

Just in those line items alone, there is a \$407,000 per year difference in operational costs. He noted that he hopes to have a formal recommendation to the board by the April 3 meeting.

Scrap Tire Disposal Contract. Mr. McMillen stated that the County has contracted with Central Carolina Holdings for 25+ years for its scrap tire disposal program. Central Carolina is located in Cameron, NC and is the main provider of this service for eastern NC serving nearly 60 counties and all counties in this region. CCH provides the equipment, supplies, transportation and processing associated with the scrap tire recycling program. The cost of this service is dependent upon the number of tires received and processed – the county has spent an average of \$133,500 each of the last three fiscal years and has received an average of \$84,300 in reimbursed funds from the state each year. On average the County has been receiving 63% of the cost in reimbursement from the state each year. He noted that the new contract reduces the disposal fee from \$100 per ton to \$90 per ton and adds a new \$567 per load fee. We anticipate this new fee could add \$50,000 - \$60,000 to our annual costs. After careful review of the CCH proposal and pricing and considering their favorable performance history, staff recommends contracting with CCH to continue collecting, transporting, and processing scrap tires for the County.

Motion was made by Commissioner Carolyn Faines to approve the scrap tire recycling and disposal contract with Central Carolina Holdings for the County’s scrap tire program and authorize the County Manager to execute the contract subject to the terms and conditions acceptable to the County Attorney. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

County Attorney’s Report

REO Property – Bid Acceptance Resolution. County Attorney Jonathan S. Care noted that during its February 2023 meeting, the board of commissioners approved the public sale process for Elsie Street Lot (Parcel 0066 03024A). The property was advertised through the upset bid process and the board is now free to sell the property or reject the offer.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following resolution accepting the bid for Elsie Street Lot – Parcel 0066 03024A:



**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:

Elsie Street Lot, Henderson, NC, Vance County Tax Department Parcel Number 0066 03024A.

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 February 6, 2023, a notice was published in the *Daily Dispatch* on **February 11, 2023**, stating that said offer by **Sergio Martinez Alvarez** in the amount of **\$750.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

WHEREAS, an upset bid was received by **Fisher of Men Church**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **February 16, 2023**, stating that said offer by **Fisher of Men Church** in the amount of **\$1,500.00** 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 **Fisher of Men Church** in the amount of **\$1,500.00** 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 6th day of March, 2023.

Yolanda J. Feimster (signed)
Yolanda J. Feimster, Chair
Vance County Board of Commissioners

ATTEST:

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

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EMS Land Purchase Update. Attorney Care noted that during the due diligence period, the county ran into some restrictive covenants from where the current owner sold adjacent land to the Dollar General. He stated that it has taken approximately three months, and we are beginning to make some headway with Dollar General, but we have not gotten to the final process of getting the restrictive covenants resolved. He requested a 90 day extension to the study period to continue discussions with Dollar General as well as other matters that may need attention.

Motion was made by Commissioner Archie B. Taylor, Jr. to authorize the Chair or County Manager to negotiate a 90 day extension to the study period. This motion was seconded by Commissioner Leo Kelly, Jr.

Commissioner Carolyn Faines stated that she would like to see the purchase of this land to go back to committee for further review. Commissioner Dan Brummitt agreed.

Vote on the motion to authorize the Chair or County Manager to negotiate a 90 day extension to the study period was ayes – five (5); noes – one (1), with the dissenting vote being cast by Commissioner Sean A. Alston, Sr.

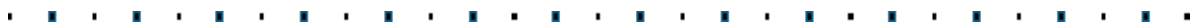
Consent Agenda

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following consent agenda items as presented: Budget Amendment #30, January 2023 Tax Refunds and Releases, departmental monthly reports, and the minutes of the February 6, 2023 regular meeting.



TAX OFFICE REFUND AND RELEASE REPORT FOR JANUARY 2023

TAXPAYER NAME	TAX YR	REAL	PERSONAL	SOLID WASTE FEE	REASON
DAVIS HERMAN ANTONIO	2022	0	114.39	20	PERS PROP BILLED
DAVIS HERMAN ANTONIO	2022	0	108.22	20	PERS PROP BILLED
DAVIS HERMAN ANTONIO	2022	0	794.40	20	PERS PROP BILLED
CLARK FLORENCE	2022	77.06	0	0	FC OWNED BY THE
COZART WILLIAM D	2022	0	86.60	120	PERS PROP BILLED
MASSEY CHADWICK S	2022	0	274.27	0	CORRECT VALUE
ROYSTER LUCY KIMBALL	2022	0	48.14	0	PERS PROP BILLED
MCCAFFREY JULIE D	2023	0	1066.75	0	PERS PROP BILLED
TOTAL		77.06	2492.77		
GRAND TOTAL	2569.83				



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.



As there was no further business, at 8:55 p.m., motion was made by Commissioner Dan Brummitt, seconded by Commissioner Archie B. Taylor, Jr., vote unanimous, that the meeting be adjourned.

Approved and signed April 3, 2023.

Yolanda J. Feimster, Chair