

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, May 6, 2013 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 Thomas S. Hester, Jr., Commissioners Deborah F. Brown, Dan Brummitt, Terry E. Garrison, Archie B. Taylor, Jr., Gordon Wilder, and Eddie L. Wright.

Absent: None.

Also present were County Manager Jerry L. Ayscue, Finance Director David C. Beck, County Attorney Jonathan S. Care, and Clerk to the Board Kelly H. Grissom

Rev. Mary Anderson, Associate Pastor of Shiloh Baptist Church, gave the invocation.

As advertised, the Board of Commissioners, sitting as the Board of Equalization and Review, heard information concerning the following taxpayers and the value of their properties which were thought to be in excess of fair market value:

<b>Name</b>	<b>Address</b>
<del>Herbert Clayton</del> (cancelled)	<del>555 Forest Hills Drive Henderson, NC 27537</del>
Maria Parham Medical Center	566 Ruin Creek Road Henderson, NC 27536
Clifton and Marilyn Bennett	332 E. Stratford Drive Henderson, NC 27537
John M. Foster	See chart below
JMFBTF LLC	See chart below
F&F Development	See chart below
Tammy Doan	US Hwy #1

<b>John M. Foster Henderson, NC</b>	
<b>Address</b>	<b>Parcel</b>
820 Roberson Street	0068 02023
Gordon Street - Vacant Lot	0068 04024
Gordon Street - Vacant Lot	0068 04028
Gordon Street - Vacant Lot	0068 04031
729 Roberson Street	0068 01015
933 Bridgers Street	0070 01084
US #1 Bypass - Vacant Lot	0216 04007
Abbott Crossing - Vacant Lot	0457A02008
Abbott Crossing - Vacant Lot	0457A03002
Abbott Crossing - Vacant Lot	0457A03003

<b>JMFBTF LLC Henderson, NC</b>	
<b>Address</b>	<b>Parcel</b>
113 Willow Oak Place	0222A01008
Raleigh Road - Vacant Lot	0063 01011
Perry Land - Vacant Lot	0533 04003

<b>F&amp;F Development Henderson, NC</b>	
<b>Address</b>	<b>Parcel</b>
Martin Creek - #41	0541B01006
Martin Creek - #44	0541B01009

No one was present representing Maria Parham Medical Center. Tax Administrator Porcha Brooks stated that Maria Parham's reason for appeal was that the proposed assessment exceeds fair market and is not valued with like or similar properties. Ms. Brooks recommended that the value remain as is at \$56,645,891.

Motion was made by Commissioner Gordon Wilder to follow the recommendation of the Tax Administrator and make no change to the property value of 566 Ruin Creek Road. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

Clifton and Marilyn Bennett were not present. Ms. Brooks explained that the reason for this appeal is that the taxes are way over the recent appraised value. Ms. Brooks explained that current real estate values must reflect the market value as of January 1, 2008. She recommended that the value remain as is at 96,000.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Gordon Wilder, vote unanimous, to follow the recommendation of the Tax Administrator and make no change to the property value of 332 E. Stratford Drive.

Mr. John Foster was present and went over each property listed above. Mr. Foster stated that he feels the property values are too high. Ms. Brooks recommended that no change be made to the values.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Gordon Wilder, vote unanimous, to follow the recommendation of the Tax Administrator and make no change to the property values listed for John M. Foster, JMFOTF LLC, and F&F Development.

Mr. John Finch was present representing Ms. Tammy Doan. He explained that Ms. Doan currently resides in California and could not be present. Mr. Finch explained that Ms. Doan bought the property on US #1 Hwy to use as a distribution center, but those plans fell through, and the building has remained empty. He stated that there are four comps in the area that have a tax value of less than half of this property. He asked that the value be reduced from \$450,000 to \$350,000.

Tax Administrator Porcha Brooks stated that Ms. Doan purchased the property for \$490,000 in November 2006. The property has been on the market for the past few years for

\$620,000. She explained that the comps Mr. Finch spoke of are wood framed, tinned covered tobacco warehouses, while the property in question is a full metal framed building. Ms. Brooks recommended that the value remain as is.

Motion was made by Commissioner Deborah F. Brown to accept the recommendation of the Tax Administrator that the property value remain at \$450,000. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

Mr. Elbert Ouzts, Elijah Nicholson, and Ms. Nancy Townes appeared before the Board and stated that the Nicholson Street area of the ETJ (extra territorial jurisdiction) has become extremely blighted and needs to be looked into. There are approximately 19 vacant houses in this area that are burned out or falling in. Mr. Ouzts stated that this area is about 1,000 yards from L.B. Yancey Elementary School and could create an unsafe environment for the students and children living in this area. He asked that a program be created to identify these houses and clear them out of the area. He also stated that the streets in this area are not paved, and homeowners are having to maintain the road. The water pressure in this area is also inadequate.

The Board discussed this matter and since this area is located in the ETJ, motion was made by Commissioner Terry E. Garrison, seconded by Commissioner Archie B. Taylor, Jr., vote unanimous, to refer it to the County's Planning and Environmental Committee along with appropriate City of Henderson staff to review this matter further.

#### Committee Reports and Recommendations

*Human Resources Committee - Position Vacancies.* Human Resources Director Argretta Johen requested the Board to allow filling the following position vacancies which have been endorsed by the Human Resources Committee:

##### Sheriff's Office

Deputy Specialist  
Sheriff Deputy

##### Administration

Payroll Technician

##### Veterans Service

Veterans Service Officer

##### Social Services

Social Worker IAT

##### Fire and EMS

Fire Specialist III  
Fire Engineer

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Deborah F. Brown, vote unanimous, to approve the position requests as presented.

*Planning and Environmental Committee - Neighborhood Stabilization Program.* County Manager Jerry L. Ayscue stated that this will be addressed in closed session and any action will be taken in open session.

Finance Director's Report

*Budget Transfers.* Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Terry E. Garrison, vote unanimous, to approve the following budget transfers as presented:

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**Budget Transfer #6 - VOIDED**  
**Year Ending June 30, 2013**

<b>Fund 10</b>			
<b>Revenues</b>	<b>Code</b>	<b>Decrease</b>	<b>Increase</b>
DSS Administrative	10-348-434800	242,409	
Crisis Intervention	10-348-434820		230,575
Progress Energy	10-348-434825		11,834
<b>Totals</b>		<b>\$ 242,409</b>	<b>\$ 242,409</b>

Authorization: Vance County Board of Commissioners  
 April 8, 2013

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**Budget Transfer #7**  
**Year Ending June 30, 2013**

<b>Fund 10</b>			
<b>Expenditures</b>	<b>Code</b>	<b>Decrease</b>	<b>Increase</b>
Contingency	10-530-500337	1,500	
Project Lift Contribution	10-999-500099		1,500
<b>Totals</b>		<b>\$ 1,500</b>	<b>\$ 1,500</b>

Purpose: To appropriate funds from Contingency for Project Lift to support their participation in weightlifting competition in Statesville.

Authorization: Vance County Board of Commissioners  
 May 6, 2013

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**Budget Transfer #8**  
**Year Ending June 30, 2013**  
**Social Services**

Fund 10			
Expenditures	Code	Decrease	Increase
Group Insurance	10-610-500006	800	
Foster Care - Non-Reimb.	10-610-500028		800
<b>Totals</b>		<b>\$ 800</b>	<b>\$ 800</b>

Purpose: To cover increase in non-reimbursable foster care expenses, primarily related to clothing and day care costs.

Authorization: Vance County Board of Commissioners  
May 6, 2013

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County Attorney's Report

County Attorney Jonathan S. Care reported that the County had received two offers to purchase foreclosed property. The first offer is from EarlyFalsom Properties, Inc. in the amount of \$2,000 for 601 East Avenue, Henderson. Attorney Care stated that this is currently a jointly owned property between the County and the City of Henderson. The City has not yet taken action to deed this property over to the County, but that should happen within the next 30 days. If the Board approves this offer, it should be contingent upon receiving the City's interest of the property.

The second offer is from Duvel William White in the amount of \$1,000 for 102 N. Hacienda Lane, Henderson. If the Board accepts these offers, Attorney Care requested approval of a resolution authorizing the upset bid process for the sale of the properties.

The Commissioners asked that a listing of all available foreclosed properties be placed on the County's website. They also asked to receive a copy of the list of properties that are being sent to the foreclosure attorney.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Eddie L. Wright, vote unanimous, to approve the following resolution authorizing the upset bid process for the sale of property located at 601 East Avenue, Henderson, NC, contingent upon the City's approval.

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

**WHEREAS**, Vance County and the City of Henderson owns certain real property with an address of **601 East Avenue, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0079 04 002**; 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 **\$2,000.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by *EarlyFalsom Properties, Inc.*; and,

**WHEREAS**, the County has requested the City of Henderson to deed their undivided interest to the County, as has been previously done, in order to affect the sale contemplated herein; and,

**WHEREAS**, *EarlyFalsom Properties, Inc.* has paid the required deposit in the amount of **\$750.00** with his offer.

**THEREFORE, THE VANCE COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:**

1. The Board of County Commissioners declares the real property described above surplus and after having received the City of Henderson's undivided interest in the said real property, does authorize its sale through the upset bid procedure of North Carolina General Statute §160A-269.
2. After such time as the City of Henderson's interest is received by Vance County, a notice of the proposed sale shall be published which shall describe the property and the amount of the offer and shall require any upset offer be subject to the same terms and conditions as contained therein except for the purchase price.
3. Any person may submit an upset bid to the Clerk to the Board of County Commissioners within 10 days after the notice of sale is published. Once a qualifying higher bid has been received, that bid will become the new offer.
4. If a qualifying upset bid is received, a new notice of upset bid shall be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of County Commissioners.
5. A qualifying higher bid is one that raises the existing offer by the greater of \$750 or ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of the offer and is subject to the same terms and conditions of the previous bid.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of the greater of \$750 or five percent (5%) of the bid, which may be made by cash, cashier's check or certified funds. The County will return the deposit of any bid not accepted and will return the bid of an offer subject to upset if a qualifying higher bid is received.
7. The terms of the final sale are that the Board of County Commissioners must approve the final high offer before the sale is closed and the buyer must pay with certified funds or wire transfer the bid amount and any other amounts as required pursuant to the terms and conditions of the bid at the time of closing, which shall be no later than 30 days following the approval by this Board of the final bid. The real property is sold in its current condition, as is, and the County gives no warranty with respect to the usability of the real property or title. Title will be delivered at closing by a **Non Warranty Deed**, subject to exceptions for ad valorem taxes, assessments, zoning regulations, restrictive covenants, street easements, rights of others in

possession and any other encumbrances of record. Buyer shall pay for preparation and recording of the Deed and revenue stamps.

8. The County reserves the right to withdraw the property from sale at any time before the final high bid is accepted **and the right to reject all bids at any time.**

9. If no qualifying upset bid is received, the Board of County Commissioners will accept or reject the bid submitted within 60 days after the close of the 10-day upset period.

**This the 6<sup>th</sup> day of May, 2013.**

**Thomas S. Hester, Jr.** (signed)  
**Thomas S. Hester, Jr., Chairman**  
**Vance County Board of Commissioners**

**ATTEST:**

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

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Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Gordon Wilder, vote unanimous, to approve the following resolution authorizing the upset bid process for the property located at 102 N. Hacienda Lane, Henderson, NC.

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**RESOLUTION AUTHORIZING UPSET BID PROCESS  
FOR SALE OF REAL PROPERTY  
102 N. Hacienda Lane, Henderson, NC 27537**

**WHEREAS,** Vance County owns certain real property with an address of **102 N. Hacienda Lane, Henderson, North Carolina,** and more particularly described by the Vance County Tax Department as Parcel Number **0552D 01 002;** 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 **\$1,000.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **Duvel William White;** and,

**WHEREAS,** **Duvel William White** has paid the required deposit in the amount of **\$1,000.00** with his offer.

**THEREFORE, THE VANCE COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:**

1. The Board of County Commissioners declares the real property described above surplus and authorizes its sale through the upset bid procedure of North Carolina General Statute §160A-269.
2. A notice of the proposed sale shall be published which shall describe the property and the amount of the offer and shall require any upset offer be subject to the same terms and conditions as contained therein except for the purchase price.
3. Any person may submit an upset bid to the Clerk to the Board of County Commissioners within 10 days after the notice of sale is published. Once a qualifying higher bid has been received, that bid will become the new offer.

4. If a qualifying upset bid is received, a new notice of upset bid shall be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of County Commissioners.

5. A qualifying higher bid is one that raises the existing offer by the greater of \$750 or ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of the offer and is subject to the same terms and conditions of the previous bid.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of the greater of \$750 or five percent (5%) of the bid, which may be made by cash, cashier's check or certified funds. The County will return the deposit of any bid not accepted and will return the bid of an offer subject to upset if a qualifying higher bid is received.

7. The terms of the final sale are that the Board of County Commissioners must approve the final high offer before the sale is closed and the buyer must pay with certified funds or wire transfer the bid amount and any other amounts as required pursuant to the terms and conditions of the bid at the time of closing, which shall be no later than 30 days following the approval by this Board of the final bid. The real property is sold in its current condition, as is, and the County gives no warranty with respect to the usability of the real property or title. Title will be delivered at closing by a **Non Warranty Deed**, subject to exceptions for ad valorem taxes, assessments, zoning regulations, restrictive covenants, street easements, rights of others in possession and any other encumbrances of record. Buyer shall pay for preparation and recording of the Deed and revenue stamps.

8. The County reserves the right to withdraw the property from sale at any time before the final high bid is accepted **and the right to reject all bids at any time.**

9. If no qualifying upset bid is received, the Board of County Commissioners will accept or reject the bid submitted within 60 days after the close of the 10-day upset period.

**This the 6<sup>th</sup> day of May, 2013.**

Thomas S. Hester, Jr. (signed)  
Thomas S. Hester, Jr., Chairman  
Vance County Board of Commissioners

ATTEST:

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

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County Manager's Report

*Henderson Collegiate Charter School (HCCS) Lease Extension.* Mr. Ayscue explained that HCCS received a three-year lease for \$1 per year from the County for part of the Vance Manor property at the intersection of County Home Road and Cherry Street. That lease agreement expires on June 30, 2013 and the School wishes to request two one-year extensions. Further, HCCS wants to use additional land for a parking area and would also like to amend the existing lease to add more area for parking. Expansion of the area will require a public notice to be advertised. If the Board decides to approve the expansion, it will be advertised and brought back to the Board at a later date.



Motion was made by Commissioner Dan Brummitt to approve the request to extend the existing lease for two one-year periods (for July 1, 2013 – June 30, 2014 and for July 1, 2014 – June 30, 2015). This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

*Kerr Tar Regional COG.* Mr. Ayscue reported that the Council of Governments is requesting a special assessment from its member units on a one-time basis. They are having to return revolving loan funds to EDA (Economic Development Administration) prior to May 31<sup>st</sup> and their current financial position does not enable them to do so. COG's only recourse is to request the resources from its member units. The amount being requested from Vance County is \$40,941. Mr. Ayscue recommended that the County appropriate the \$40,941 from Fund Balance.

As a COG Board member, Commissioner Terry E. Garrison reiterated this matter and stated that Vance County's contribution should be contingent upon the other member units doing the same.

After discussion, motion was made by Commissioner Terry E. Garrison to appropriate \$40,941 from the Fund Balance to use as a one-time contribution to the Kerr Tar Council of Governments for the purpose of paying back the Economic Development Administration, contingent upon enough other local government members contributing their share in a sufficient amount to keep COG afloat financially. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

#### Pending Business

*County Water Project. Phase 1A.* A total of 873 customers have been enrolled in Phase 1A as of the first week in April, and there are 14 additional dry taps. Additional roads will be presented to Commissioners for inclusion in Phase 1A through the traditional change order process. Engineers and staff continue to work together to identify and prepare additional roads for extension of lines and will work through the Planning & Environmental Committee in identifying the added areas. The construction of the elevated storage tank is completed, and painting has also been completed. The County seal has been placed on one side of the tank and "VANCE COUNTY WATER DISTRICT" has been put on the opposite side. Three full-time work crews continue working on line installations. Over 98% of the construction of Contract 1 has been completed and close to 85% of Contract 2 is complete. More water taps and meter boxes have been put in along a portion of the installed lines areas. There are five customers just

inside Warren County on Tower Road that can be easily served by the Vance County Water District. On May 6, the Warren County Board of Commissioners plans to consider a proposed intergovernmental agreement to allow the Vance County Water District to serve those five customers. The Vance County Board of Commissioners and the City of Henderson will also have to approve an intergovernmental agreement. County staff continues to deliver letters and pin flags to residents who have purchased taps for installation of the meter boxes. Monthly construction meetings are being held with work crews, engineers, DOT officials, etc. to coordinate on various issues with construction, safety, billing, traffic control, etc. Policies are being developed for rate and fee schedules, cross connections, water conservation, tank leasing, etc. Staff will use the Planning & Environmental Committee to review policies prior to submission to the Water Board for approval. Discussions regarding potential customers on Foster Road and whether they should remain in Phase 1A or be moved to Phase 1B have taken place and the Water Board will be asked later in the meeting to provide direction. *Phase 1B.* USDA Rural Development and Kittrell Water Association continue to work together to seek funding for Phase 1B, consistent with action taken by the Commissioners in December 2009. *Phases 2A & 2B.* Approval of the County's request for an extension of time for ARRA grant and loan funding for Phases 2A and 2B has been granted. Regional and state USDA RD staffs continue to encourage the County to continue to proceed as expeditiously as possible. A preliminary sign-up analysis has been completed for these two phases which will enable the County to know which project areas to bid initially. All State permits have been obtained. Erosion control permits and permits from the Army Corps of Engineers have been acquired. USDA Rural Development has given its approval for the County to proceed with bidding. A pre-application meeting has been scheduled for County staff and engineers to meet with the NC Local Government Commission that will enable the Water District to move forward with the sale of bond anticipation notes. Kerr Lake Operations staff members are processing new easements for crossing of Kerr Lake. Sites for the water tank and one meter vault in the area covered by Phase 2A and 2B have been approved by the Schools System. Negotiations have taken place with two additional property owners for two meter vault sites and options to purchase are currently being processed. Engineers are pursuing a lake crossing permit and a Kerr Lake Reservoir utility crossing easement through the U.S. Army Corps of Engineers. There are some low pressures concerns in the Poplar Creek Road area that are being studied and addressed. The approved O&M services contract will cover Phases 2A and 2B in addition to 1A. Additional

sign-ups remain essential in Phases 2A and 2B due to the current lack of substantial customer concentration. Current sign-up totals remain at 370 for Phase 2A and are 373 for Phase 2B.

*VFD Contracts and Audits.* It was noted that all but two audits have been submitted to the County on time. Cokesbury's report is currently at their auditor's office and the Vance County Rescue Squad's auditor requested a 60 day extension in performing their audit.

Motion was made by Commissioner Dan Brummitt to approve the request for a 60 day extension for Vance County Rescue Squad's audit report. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Consent Agenda

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Eddie L. Wright, vote unanimous, that the following consent agenda items be approved as presented: March 2013 Tax Refunds and Releases, April 2013 Monthly Reports received and filed, and the minutes of the April 8, 2013 regular meeting.



**Tax Office Refund and Release Report for March 2013**

<b>Taxpayer Name</b>	<b>Tax Year</b>	<b>Real</b>	<b>Personal</b>	<b>Motor Vehicle</b>	<b>MV Fee</b>	<b>Solid Waste Fee</b>	<b>Reason</b>
Brame Leah B. heirs	2000	28.00	0	0	0	0	foreclosure
Brame Leah B. heirs	2001	28.00	0	0	0	0	foreclosure
Brame Leah B. heirs	2003	30.20	0	0	0	0	foreclosure
Carthens Herbert Jr.	2003	0	58.17	0	0	75.00	pers prop billed
Davis Georgia S heirs	2003	0	253.75	0	0	0	foreclosure
Yarborough Haywood	2003	253.52	0	0	0	75.00	pers prop billed
Brame Leah B. heirs	2004	30.80	0	0	0	0	foreclosure
Davis Georgia S. heirs	2004	31.57	0	0	0	0	foreclosure
Yarborough Haywood	2004	253.52	0	0	0	75.00	pers prop billed
Brame Leah B. heirs	2005	31.80	0	0	0	0	foreclosure
Davis Georgia S. heirs	2005	32.60	0	0	0	0	foreclosure
Davis Georgia S. heirs	2005	0	50.00	0	0	0	foreclosure
Yarborough Haywood	2005	258.97	0	0	0	90.00	pers prop billed
Brame Leah B. heirs	2006	31.80	0	0	0	0	foreclosure
Davis Georgia S. heirs	2006	32.60	0	0	0	0	foreclosure
Yarborough Haywood	2006	258.97	0	0	0	90.00	pers prop billed
Brame Leah B. heirs	2007	31.80	0	0	0	0	foreclosure
Davis Georgia S. heirs	2007	32.60	0	0	0	0	foreclosure
Yarborough Haywood	2007	258.97	0	0	0	95.00	pers prop billed
Brame Leah B. heirs	2008	49.07	0	0	0	0	foreclosure
Davis Georgia S. heirs	2008	50.30	0	0	0	0	foreclosure
Yarborough Haywood	2008	241.03	0	0	0	102.50	pers prop billed
Brame Leah B. heirs	2009	49.21	0	0	0	0	foreclosure
Davis Georgia S. heirs	2009	50.45	0	0	0	0	foreclosure
Yarborough Haywood	2009	236.35	0	0	0	102.50	pers prop billed
Brame Leah B. heirs	2010	49.21	0	0	0	0	foreclosure
Davis Georgia S. heirs	2010	50.45	0	0	0	0	foreclosure
Davis Geraldine	2010	0	45.19	0	0	102.50	pers prop billed
Yarborough Haywood	2010	236.35	0	0	0	102.50	pers prop billed
Alston Robert Lee	2011	0	0	7.11	0	0	pro-rate
Brame Leah B. heirs	2011	49.21	0	0	0	0	foreclosure
Brownson Jacqueline Denise	2011	0	0	12.04	0	0	pro-rate
Davis Georgia S. heirs	2011	50.45	0	0	0	0	foreclosure
Davis Geraldine	2011	0	45.19	0	0	105.00	pers prop billed
Glasco Tasha Nicole	2011	0	0	11.33	0	0	pro-rate
Hargrove Linda Wade	2011	0	0	9.22	0	0	pro-rate
Howard Bettie Denise	2011	0	0	24.81	0	0	pro-rate

Taxpayer Name	Tax Year	Real	Personal	Motor Vehicle	MV Fee	Solid Waste Fee	Reason
Lande David John Jr.	2011	0	0	39.15	0	0	pro-rate
Moore Ne Dempsey Jr.	2011	0	0	5.08	10.00	0	correct situs
Norton Viktor Sergei	2011	0	0	6.89	0	0	pro-rate
Perry James Otis	2011	0	0	4.21	0	0	pro-rate
Seward Robyn Mechelle	2011	0	0	35.91	0	0	pro-rate
Wiggins Derrick Devon	2011	0	0	22.86	0	0	pro-rate
Yarborough Haywood	2011	236.37	0	0	0	105.00	pers prop billed
Allen Latisha Monique	2012	0	0	45.00	0	0	pro-rate
Alston Bridget Denise	2012	0	0	4.09	0	0	pro-rate
Brown Annette	2012	0	0	6.17	0	0	pro-rate
Bullock Almonmonick Delshron	2012	0	0	9.16	0	0	pro-rate
Bullock Gwendolyn Bailey	2012	0	0	1.02	0	0	pro-rate
Catlett Robert Stephen	2012	0	0	2.55	0	0	pro-rate
Crews Albert Harris	2012	0	0	1.59	0	0	pro-rate
Czys J Jill Anne	2012	0	0	19.12	0	0	pro-rate
Czys J Jill Anne	2012	0	0	10.43	0	0	pro-rate
Hicks Niesha Renee	2012	0	0	7.11	0	0	pro-rate
Horton Robert Davis	2012	0	0	1.84	0	0	pro-rate
Hughes Howard Arthur	2012	0	0	5.81	0	0	pro-rate
Johnson Sabrina Antionette	2012	0	0	9.73	0	0	pro-rate
Johnson Yvette Terry	2012	0	0	26.74	0	0	pro-rate
Jones Howard Jr.	2012	0	0	9.05	0	0	transfer out
Lee Lisa Woodlief	2012	0	0	2.52	0	0	pro-rate
Mata Erica	2012	0	0	3.56	0	0	pro-rate
Melchoir Jessica Kamill	2012	0	0	5.05	0	0	pro-rate
Miller Nathaniel	2012	0	0	52.74	0	0	pro-rate
Mitchell Barbara Jean	2012	0	0	14.18	0	0	pro-rate
Myrick Michael Andrew	2012	0	0	24.01	0	0	pro-rate
Perry James Otis	2012	0	0	20.81	0	0	pro-rate
Pipkin Anita Carol	2012	0	0	19.07	0	0	transfer out
Thorpe Julia Henderson	2012	0	0	3.65	0	0	pro-rate
Wilkins Kevin Michael	2012	0	0	4.11	0	0	military non res
Williams Patron Cornelius	2012	0	0	6.26	0	0	pro-rate
Adcock Charles Taylor Jr.	2012	0	0	89.27	0	0	pro-rate
Allen Helen Thomas	2012	0	0	9.91	0	0	pro-rate
Alliance Rehabilitative Care	2012	0	0	200.12	10.00	0	charitable all o
Anderson Nickole Michelle	2012	0	0	37.68	0	0	pro-rate
Bishop Horace Joseph	2012	0	0	1.24	0	0	pro-rate
Blackwell William Andrew	2012	0	0	36.99	0	0	military non res
Brame Leah B. heirs	2012	49.21	0	0	0	0	foreclosure
Brown Isabelle Hargrove	2012	0	0	39.78	0	0	pro-rate
Brust Wilhelm	2012	0	0	11.77	0	0	pro-rate
Bullock Darnell	2012	0	0	82.20	0	0	pro-rate
Carroll Larry Darnell	2012	0	0	136.70	0	0	pro-rate
Carter Brandon Jamaille Small	2012	0	0	87.88	0	0	pro-rate
Cash Christopher Lee	2012	0	8.71	0	0	0	pers prop billed
Cash Christopher Lee	2012	0	0.82	0	0	0	pers prop billed
Cawthorne Wallace Graham	2012	0	0	88.98	0	0	pro-rate
Clark Elizabeth Leonard	2012	0	0	6.06	0	0	pro-rate
Clodfelter Catherine Shoaf	2012	0	0	11.70	0	0	correct value
Corbitt Hills Construction LLC	2012	0	0	143.92	0	0	pro-rate
Cress John Mark	2012	0	0	173.98	0	0	pro-rate
Currin Clyde Young	2012	0	0	81.54	0	0	reg veh billed i
Davis Georgia S. heirs	2012	50.45	0	0	0	0	foreclosure
Davis Geraldine	2012	0	45.97	0	0	105.00	pers prop billed
Diaz Augustin	2012	0	51.40	0	0	105.00	pers prop billed
Dieng Xernorna Yolanda	2012	0	0	66.81	0	0	pro-rate
Elks Roy Wayne	2012	0	0	2.47	0	0	transfer out
Ellis Charles Lawrence	2012	0	0	59.19	10.00	0	correct situs
Epperly Steven Paul	2012	0	0	3.99	0	0	correct value
ETC of Henderson NC Inc	2012	0	0	102.19	0	0	correct value
Farrar Burchie S.	2012	0	0	0	0	105.00	remove solid was
Finch William Crawford Sr.	2012	0	0	7.80	0	0	pro-rate
Floyd Jill Nicole	2012	0	0	112.65	0	0	pro-rate
Foran John Francis	2012	0	0	6.93	0	0	pro-rate
Gill Patrice	2012	0	78.11	0	0	105.00	pers prop billed
Giron Monica Eugenia Palencia	2012	0	0	19.23	0	0	pro-rate
Gleason Jeremy Milton	2012	0	0	26.23	0	0	transfer out
Gleason Jeremy Milton	2012	0	0	185.03	0	0	transfer out
Glover Pamela E.	2012	0	48.87	0	0	105.00	pers prop billed
Grainger James Larry	2012	0	0	55.24	0	0	correct value
Grissom Charles Wayne	2012	0	0	4.50	0	0	pro-rate

<b>Taxpayer Name</b>	<b>Tax Year</b>	<b>Real</b>	<b>Personal</b>	<b>Motor Vehicle</b>	<b>MV Fee</b>	<b>Solid Waste Fee</b>	<b>Reason</b>
Hamm Johnny Hartwell	2012	0	0	21.15	0	0	pro-rate
Hawkins Dale Anthony	2012	0	0	11.65	0	0	pro-rate
Henderson Charline Shunta	2012	0	0	21.33	0	0	pro-rate
Henderson Orthopedics	2012	0	0	4.55	10.00	0	pro-rate
Henderson Willie	2012	0	0	1.64	0	0	correct situs
Henderson Willie	2012	0	0	141.91	10.00	0	correct situs
Hensley Phyllis Ann	2012	0	0	4.58	0	0	pro-rate
Hernandez Tomas Santos	2012	0	0	16.60	0	0	pro-rate
Holtzman Lucy Tucker	2012	0	0	43.16	0	0	transfer out
Holtzmann Lucy Tucker	2012	0	0	92.14	0	0	transfer out
Holtzmann Wallace Phillip	2012	0	0	4.11	0	0	transfer out
Holtzmann Wallace Phillip	2012	0	0	4.11	0	0	transfer out
Holtzmann Wallace Phillip	2012	0	0	4.11	0	0	transfer out
Howard Bettie Denise	2012	0	0	118.10	10.00	0	transfer out
Howes Lebert Andre	2012	0	0	9.68	0	0	pro-rate
Jackson Blake Norman	2012	0	20.55	0	0	0	correct value
Jones Howard Jr.	2012	0	0	4.76	0	0	transfer out
Karos Stephen S.	2012	0	0	62.02	0	0	pro-rate
Kelley Tyrone	2012	0	0	55.17	0	0	pro-rate
Kelly Jazman Shua	2012	0	0	78.73	0	0	pro-rate
Kerr Area Trans. Authority	2012	0	0	207.53	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	169.23	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	169.23	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	169.23	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	649.33	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	649.33	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	649.33	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	238.82	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	560.80	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	206.96	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	560.31	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	607.93	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	607.93	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	560.31	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	607.93	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	206.96	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	206.96	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	238.82	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	202.73	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	560.80	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	238.82	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	560.80	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	238.82	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	238.82	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	260.55	10.00	0	charitable all o
Kerr Area Trans. Authority	2012	0	0	238.82	10.00	0	charitable all o
Kodavanti Viswanadham	2012	0	0	10.35	0	0	pro-rate
Lewis Jeffrey Dewayne	2012	0	0	77.10	0	0	military non res
Leyes Gladys	2012	0	0	26.09	0	0	pro-rate
Mclaughlin Amy Ball	2012	0	0	89.40	0	0	pro-rate
Michael Jamie Lee	2012	0	0	83.27	0	0	taxpayer decease
Michel Hans Guenter	2012	0	0	15.21	0	0	transfer out



county line and into Warren County. A three-party Memorandum of Agreement has been developed for this arrangement.

County Attorney Jonathan S. Care stated that this must be approved by the Board of Commissioners as well as the Water District Board.

Motion was made by Commissioner Gordon Wilder to approve the three-party Memorandum of Agreement as presented. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

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**AGREEMENT  
BETWEEN THE VANCE COUNTY WATER DISTRICT,  
WARREN COUNTY, and the CITY OF HENDERSON  
RELATIVE TO SALE OF WATER ALONG A LIMITED PORTION  
OF S.R. 1125 IN WARREN COUNTY**

**WHEREAS**, the Vance County Water District is currently constructing a water line in Phase 1A along Vance County SR 1513 (Tower Road) which turns into Warren County SR 1125 (also known locally as Tower Road) with plans to end the line at the county line of Vance and Warren Counties; and,

**WHEREAS**, several property owners directly across the county line within Warren County and along Tower Road beyond the point of planned termination of the newly constructed water line have expressed an interest in being able to receive water from a public water supply system such as the one being constructed; and,

**WHEREAS**, Warren County Public Utilities is not in a position to serve this area and does not currently have any future plans to be able to serve this area; and

**WHEREAS**, pursuant to the water purchase agreement between the City of Henderson, Vance County and Vance County Water District, official approval of the Henderson City Council is required to construct water lines and sell water to customers outside of Vance County; and,

**WHEREAS**, Vance County Water District has requested Warren County to enter into an agreement to permit the installation and operation of a water line along SR 1513 in Vance County and portions located in Warren County along SR 1125, subject to obtaining approval from the City of Henderson.

**NOW, THEREFORE, the parties agree as follows:**

1. Vance County Water District may extend a waterline up to 2,500 feet crossing the border into Warren County for the purpose of providing public water to residents, customers and property owners along Warren County SR 1125 and located within 300 feet of the installed Vance County Water District water line. No such construction shall occur until this Agreement is fully executed by all parties hereto.
2. Vance County Water District shall not extend the water line main beyond the 2,500 feet to provide water to customers located outside of this area, and in no event will it overlap the current Warren County Public Utility line located further down said road.
3. Vance County Water District may charge fees, rates or charges and set water service policies for property owners, customers and residents within this area that are equal to those that are consistent with such charges and policies applicable to the other property owners, customers and residents that are being served public water through the Vance County Water District.

4. Warren County shall retain all rights to develop its water system as it desires outside of this designated area without any approval or interference from Vance County Water District.
5. It is understood that installation is contingent upon Vance County Water District obtaining any required approvals and funding sources, and this agreement does not commit the Vance County Water District to construct or install any amount of water line within Warren County. In the event the aforesaid line is not constructed by the Vance County Water District within five (5) years of the date of this Agreement, this Agreement shall then become null and void.
6. Vance County joins in the execution of this Agreement as a party to the said Water Sales Agreement with the City of Henderson. Vance County will not be involved in the construction, installation and/or operation of the water line or water sales.
7. The City of Henderson joins in the execution of the Agreement to evidence its consent pursuant to the Water Sales Agreement with Vance County and the Vance County Water District together with the Regional Water Agreement to which both the City of Henderson and Warren County are parties
8. This Agreement may be amended or changed only by a written amendment signed by all parties. Further, no additional extensions of said approved line shall take place without the written consent of the Warren County Board of Commissioners.

Effective this the \_\_\_ day of \_\_\_\_\_, 2013.

CITY OF HENDERSON

ATTEST:

BY: \_\_\_\_\_  
James D. O'Geary, Mayor

\_\_\_\_\_  
City Clerk

(MUNICIPAL SEAL)

Approved as to legal form:

\_\_\_\_\_  
John H. Zollicoffer, Jr.  
City Attorney  
City of Henderson

VANCE COUNTY

Attest:

\_\_\_\_\_  
Kelly H. Grissom, Secretary to the  
Board of Commissioners

\_\_\_\_\_  
By: Thomas S. Hester, Jr., Chairman of  
the Board of Commissioners

VANCE COUNTY WATER DISTRICT

Attest:

\_\_\_\_\_  
Kelly H. Grissom, Secretary

\_\_\_\_\_  
By: Thomas S. Hester, Jr., Chairman



WARREN COUNTY

Attest:

\_\_\_\_\_  
Secretary to Warren County  
Board of Commissioners

\_\_\_\_\_  
By: Chairman of Warren County  
Board of Commissioners

. . . . .  
At this time, 8:00 p.m., Chairman Hester adjourned the Board of Equalization and Review.

As advertised, at 8:00 p.m., a public hearing was held regarding a rezoning request for several parcels along Welshie Way Lane. Chairman Thomas S. Hester, Jr. recused himself from this matter stating that his corporation owns the property adjacent to said property.

Vice-Chairperson Deborah F. Brown declared the public hearing open. Planning Director Jordan McMillen stated that initially, the proposal included rezoning a single proposed lot from R-30 to A-R to allow additional land uses. Following Planning Board consideration and recommendations, the property owner agreed to revise the request to rezone a total of eight lots (45.61 acres) to better harmonize the character of the area. The parcels are zoned R-30 and are wooded and vacant. The surrounding land use is predominantly residential and agricultural in nature. The rezoning lowers the allowable density contributing to maintaining the rural character of the county. A rezoning to A-R does change the allowable uses; however, a conditional use permit with public input would be required for those uses that may have greater impacts. The Vance County Planning Board recommends approval of this request.

Mr. Charles Powell spoke in support of this rezoning request.

Commissioner Terry E. Garrison asked what the intended use of the property is. Mr. McMillen responded that the property owner intends to construct a building to train personal dogs. This would not be a commercial operation.

As there were no other persons who wished to speak on the matter, Vice-Chairperson Deborah F. Brown declared the public hearing closed.

Motion was made by Commissioner Dan Brummitt to approve the rezoning request by the following rationale: The request to rezone eight total parcels is reasonable, will allow the zoning to be consistent with the proposed land use, while allowing for additional uses and is consistent with the land use plan by preserving the rural character of the county. This motion was seconded by Commissioner Gordon Wilder and unanimously approved. Commissioner Thomas S. Hester, Jr. abstained.

At this time, Chairman Thomas S. Hester, Jr. called the Water District Board to order.

*Tower Road Water Line Extension.* County Attorney Jonathan S. Care noted that during last month's meeting, the Board agreed, by consensus, to approach the City of Henderson and Warren County to extend the water line on Tower Road a distance of up to 2,200 feet across the county line and into Warren County. A three-party Memorandum of Agreement has been developed for this arrangement and needs Board approval.

Motion was made by Commissioner Dan Brummitt to approve the three-party Memorandum of Agreement as presented. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

. . . . .

**AGREEMENT  
BETWEEN THE VANCE COUNTY WATER DISTRICT,  
WARREN COUNTY, and the CITY OF HENDERSON  
RELATIVE TO SALE OF WATER ALONG A LIMITED PORTION  
OF S.R. 1125 IN WARREN COUNTY**

**WHEREAS,** the Vance County Water District is currently constructing a water line in Phase 1A along Vance County SR 1513 (Tower Road) which turns into Warren County SR 1125 (also known locally as Tower Road) with plans to end the line at the county line of Vance and Warren Counties; and,

**WHEREAS,** several property owners directly across the county line within Warren County and along Tower Road beyond the point of planned termination of the newly constructed water line have expressed an interest in being able to receive water from a public water supply system such as the one being constructed; and,

**WHEREAS,** Warren County Public Utilities is not in a position to serve this area and does not currently have any future plans to be able to serve this area; and

**WHEREAS,** pursuant to the water purchase agreement between the City of Henderson, Vance County and Vance County Water District, official approval of the Henderson City Council is required to construct water lines and sell water to customers outside of Vance County; and,

**WHEREAS,** Vance County Water District has requested Warren County to enter into an agreement to permit the installation and operation of a water line along SR 1513 in Vance County and portions located in Warren County along SR 1125, subject to obtaining approval from the City of Henderson.

**NOW, THEREFORE, the parties agree as follows:**

1. Vance County Water District may extend a waterline up to 2,500 feet crossing the border into Warren County for the purpose of providing public water to residents, customers and property owners along Warren County SR 1125 and located within 300 feet of the installed Vance County Water District water line. No such construction shall occur until this Agreement is fully executed by all parties hereto.
2. Vance County Water District shall not extend the water line main beyond the 2,500 feet to provide water to customers located outside of this area, and in no event will it overlap the current Warren County Public Utility line located further down said road.
3. Vance County Water District may charge fees, rates or charges and set water service policies for property owners, customers and residents within this area that

are is equal to those that are consistent with such charges and policies applicable to the other property owners, customers and residents that are being served public water through the Vance County Water District.

4. Warren County shall retain all rights to develop its water system as it desires outside of this designated area without any approval or interference from Vance County Water District.
5. It is understood that installation is contingent upon Vance County Water District obtaining any required approvals and funding sources, and this agreement does not commit the Vance County Water District to construct or install any amount of water line within Warren County. In the event the aforesaid line is not constructed by the Vance County Water District within five (5) years of the date of this Agreement, this Agreement shall then become null and void.
6. Vance County joins in the execution of this Agreement as a party to the said Water Sales Agreement with the City of Henderson. Vance County will not be involved in the construction, installation and/or operation of the water line or water sales.
7. The City of Henderson joins in the execution of the Agreement to evidence its consent pursuant to the Water Sales Agreement with Vance County and the Vance County Water District together with the Regional Water Agreement to which both the City of Henderson and Warren County are parties
8. This Agreement may be amended or changed only by a written amendment signed by all parties. Further, no additional extensions of said approved line shall take place without the written consent of the Warren County Board of Commissioners.

Effective this the \_\_\_ day of \_\_\_\_\_, 2013.

CITY OF HENDERSON

ATTEST:

BY: \_\_\_\_\_  
James D. O'Geary, Mayor

\_\_\_\_\_  
City Clerk

(MUNICIPAL SEAL)

Approved as to legal form:

\_\_\_\_\_  
John H. Zollicoffer, Jr.  
City Attorney  
City of Henderson

VANCE COUNTY

Attest:

\_\_\_\_\_  
Kelly H. Grissom, Secretary to the  
Board of Commissioners

\_\_\_\_\_  
By: Thomas S. Hester, Jr., Chairman of  
the Board of Commissioners

VANCE COUNTY WATER DISTRICT

Attest:

\_\_\_\_\_  
Kelly H. Grissom, Secretary

\_\_\_\_\_  
By: Thomas S. Hester, Jr., Chairman

WARREN COUNTY

Attest:

\_\_\_\_\_  
Secretary to Warren County  
Board of Commissioners

\_\_\_\_\_  
By: Chairman of Warren County  
Board of Commissioners

. . . . .

*Approval of Contract #4, Change Order #3.* County Manager Jerry L. Ayscue explained that action on this matter has been taken in the past, and now the official change order needs Board approval. Planning Director Jordan McMillen stated that the county seal has been painted on the water tank as well as “Vance County Water District” on the opposite side. The change order is in the amount of \$6,800.

Motion was made by Commissioner Dan Brummitt to approve Change Order #3 for Contract #4 for the installation of the county seal and other wording on the water tank in the amount of \$6,800. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

*Foster Road.* As requested at the April 8, 2013 Board of Commissioners meeting, Commissioners Brummitt and Wilder met with the County engineer and the Kittrell Water Authority (KWA) engineer to discuss the feasibility of serving Foster Road, Foster Road Extension, and Foster’s Mobile Home Park (MHP) from the KWA system in Phase 1B or from the County Water District in Phase 1A. This area is currently located within the County Water District Phase 1A.

The Engineers for both KWA and the County Water District provided input by confirming that from an engineering and hydraulic standpoint, either system could serve this area. Both engineers proposed installing a 2 way meter box system as a possibility in the future to better serve the hydraulic needs of both systems. If this were considered in the future, it would require City of Henderson approval.

County staff pointed out that funds are currently not available for immediate construction by the County Water District, with anticipation that additional funding could be received in the future to serve this area if needed. County staff also mentioned that there is a push for shifting remaining stimulus funds from Phase 2 to this area once construction is completed within Phase

2 of the county water project. In regards to signups, county staff confirmed that the signups within Foster's MHP make it feasible in terms of having the required signups to serve the remaining portion of Rock Mill Road, NC 39 South between Gillburg and Foster Road, as well as Foster Road and a portion of Foster Road Extension currently within the district boundaries. All of this could be completed subject to funding being available. Representatives for KWA confirmed that USDA funding has been applied for to begin Phase 1B but has not yet been received.

No consensus was reached between the parties. A request was made to seek full board consideration.

Commissioner Gordon Wilder stated that his reason for wanting Foster Road to remain in Phase 1A is that Foster's Mobile Home Park will allow enough sign-ups to justify serving the residents of Rock Mill Road, NC 39 South between Gillburg and Foster Road, Foster Road, and a portion of Foster Road Extension.

Commissioner Dan Brummitt stated that the current line ends at Finch Road. To run a line in Phase 1A to Foster's Mobile Home Park would be 4.08 miles to Foster Road. If the Kittrell Water Association were to serve this area, the line would need to be extended just a few hundred feet. He stated that this is a more efficient delivery of water and use of funds.

It was noted that Foster Road is in Phase 1A of the Water District and was included in the original plans. If this area were to be served by Phase 1A, it would need to be approved by USDA and additional bonds would need to be sold.

After further discussion, the Board, by consensus, decided to leave Foster Road in Phase 1A of the Vance County Water District.

At this time, Chairman Thomas S. Hester, Jr. closed the Water District Board.

Chairman Hester declared that the Board enter into closed session to discuss a property/legal matter.

Upon return to open session, motion was made by Commissioner Dan Brummitt, seconded by Commissioner Terry E. Garrison, vote unanimous, to approve the Sales and Assistance Guidelines for the 2008 CDBG Neighborhood Stabilization Program.



**VANCE COUNTY  
2008 CDBG NEIGHBORHOOD STABILIZATION PROGRAM  
PROPERTY SALES AND ASSISTANCE GUIDELINES**

Vance County has been granted funding under the Community Development Block Grant program, Neighborhood Stabilization Program. These funds have been used to acquire, demolish, rehabilitate and construct new homes in place of abandoned, deteriorating housing. These funds will also be used to offset a portion of the purchase price, when these homes are sold.

This document provides guidelines for who is eligible for assistance under the program, how Offers to Purchase for project houses will be received and what are the terms of assistance. This program is designed to be fair, open and consistent with its approved application for funding and with the CDBG NSP Program Guidelines.

This document describes the guidelines and procedures throughout the sales process.

**Eligibility:** The major requirements to be eligible for assistance are:

1. The gross annual household income must not exceed 120% of the area median income for Vance County ;
2. The homeowner must complete a minimum of eight hours of homebuyers education classes with a certified HUD housing counselor;
3. The home must remain the borrower’s primary residence and cannot be used at any time as a rental property (homeowner occupied).

**1. Income Eligibility Requirement**

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The homebuyer income eligibility requirements are for households that do not exceed 120% of the area median income (AMI). In this program, 120% AMI is deemed “middle-income” by HUD. Homebuyers may have any income that does not exceed 120% of the median income.

Income limits used will be those posted for the current year and modified only when the new income limits have been posted for the subsequent year.

**2012 Income Limits for Vance County**

<b>Number in Household</b>	<b>50% of Median Income Very Low Income</b>	<b>80% of Median Low Income</b>	<b>120% of Median Low Income</b>
1	\$17,600	\$28,150	\$42,150
2	\$20,100	\$32,150	\$48,200
3	\$22,600	\$36,150	\$54,200
4	\$25,100	\$40,150	\$60,250
5	\$27,150	\$43,400	\$65,050
6	\$29,150	\$46,600	\$69,900
7	\$31,150	\$49,800	\$74,700
8	\$33,150	\$53,000	\$79,500

A minimum of 30% of the grant funds will be used to provide housing for individuals or families whose incomes do not exceed 50% of the AMI.

**2. Housing Counseling Requirement**

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There is a requirement that all homebuyers receive and complete at least eight hours of homebuyer counseling from a HUD-approved housing counseling agency before obtaining a mortgage loan. This homebuyer counseling can include the ABCs of Homebuying, Homebuying 101 and other approved introduction courses. There is one HUD-approved housing counseling agency located in Vance County, Franklin-Vance-Warren Opportunity, Inc. Other HUD-approved counseling agencies are available in surrounding areas such as Raleigh, Durham and Rocky Mount.

**3. Residency required**

The home must remain the borrower’s primary residence and cannot be used at any time as a rental property.

**What are the steps in the process, from application to completion?**

- 1. Completing eight hours of homeowner’s education classes.**
- 2. Complete loan application documents for the purchase of a house**

Assistance with preparing an application for a loan is available free of cost to the purchaser upon request to Franklin/Vance/Warren Opportunities.

**3. Offer to purchase**

It is suggested that any offer to purchase property should be prepared by an attorney or by a licensed real estate broker. All offers must include:

- An Offer to Purchase
- The Certificate of Completion of 8 hours of homeowner’s education classes

- 4. Screening of Offers:** Household income, Certification of eight hours of homebuyer’s education will be verified for program purposes only. Offers will be forwarded for action as submitted.

Vance County will accept additional offers from eligible applicants on a non-competitive, first-come, first serve basis until there are no more houses or funds.

Eligible offers will be forward to the Vance County Board of Commissioners for action.

**5. Loan closing**

Each house will have two loans.

In addition to the Purchasers' loan documents from their Bank, a second set of Loan documents (Promissory Note and Deed of Trust) will be prepared by Vance County and executed by the homeowner which will protect the amount of assistance or subsidies provided to the individuals and will remain in place as determined below. By law, homeowner's have the right to hire legal representation of their choosing at the loan closing. However, any such costs must be paid by the homeowner.

**6. Materials and Workmanship:** Any manufacturers' and suppliers' written guarantees and warranties covering materials and equipment shall be furnished to the purchaser.

**7. Protection of Persons and Property/Owner's Responsibilities:** The Borrower must keep the property and all improvements constantly insured for the benefit of the Beneficiary against loss by fire, windstorm and such other casualties and contingencies, in the manner and with companies as may be satisfactory to Vance County. The amount of the insurance required by this provision is replacement value of the property or the value of the primary and secondary loans.

The Borrower must keep the County property taxes up to date, as well as, maintain the property in a state of good repair for the life of the loan.

The homeowners shall be responsible for all costs for moving into the house including utility deposits.

**Form and terms of assistance:**

Vance County has adjusted the List Prices for these homes, which are all below the appraised values received by Vance County. In order to protect any equity provided by these reduced sales prices and to provide for the intended goals of the Program, there will be a secondary Promissory Note and a Deed of Trust for the amount of the reduction between the sales price of the home and the appraised amount of the home. These will be recorded at closing after the Purchasers' primary loan documentation has been recorded. The term of the loan will be for ten years, and will be forgiven at a rate of 10% per year. For example, if the amount of the loan is \$20,000, the term is 10 years, (then \$2,000 will be forgiven per year for the next ten years).

This "soft" second mortgage will be subordinated to the first mortgage from the homebuyer's primary lender. The first mortgage must be a 30-year term loan and can only have a fixed interest rate. No refinances, Adjustable Rate Mortgages (**ARMs**), Interest-Only, Hybrids, Combo or Second (2nd) mortgages with variable interest rates, or sub-prime loans will be allowed in conjunction with this program. (Maximum debt-to-income ratio cannot exceed 45%.) All homebuyers are required to make a down payment of at least \$500 on properties assisted with NSP funds.

The interest rate of the County loan will be 0% due upon sale, transfer of title or refinance of the first mortgage. Upon sale, transfer of title or refinancing of the property, the NSP principle loan amount will be due and payable.

As long as the borrower lives in the home, no payments on the loan will be required. If the recipient prefers, the loan can be paid off at any time, either in installments or as a lump sum payment. Furthermore, under certain circumstances Vance County may allow assumption or refinancing of the loan. Should an heir inherit the property and choose to live in the house as their permanent residence, they may assume the loan without being income eligible. However, the lien remains on the property. A buyer who may wish to buy the property to live in may assume the loan so long as they can document that they are income-eligible ( $\leq 120\%$  AMI). Default can occur if the property is sold or transferred to another person and/or if the borrower fails to use the home as a principal residence, without prior written approval of Vance County.

**Who can I contact about the program?** Any questions regarding any part of this program should be addressed to:

Karen Foster, CD Planner  
(252) 436-2040  
Kerr-Tar Regional Council of Governments  
1724 Graham Avenue, Post Office Box 709  
Henderson, NC 27536

Received and reviewed this the \_\_\_ day of \_\_\_\_\_, 2013.

Prospective Buyers:

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Motion was made by Commissioner Terry E. Garrison, seconded by Commissioner Eddie L. Wright, vote unanimous, to approve the following resolution Revising the List Prices for the Vance County NSP Grant Homes.

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**RESOLUTION**  
**By the Vance County Board of Commissioners**

*Revising the List Prices for the Vance County NSP Grant Homes*

**WHEREAS,** the Vance County Board of County Commissioners on March 26, 2013 adopted a revised List Price for the homes within the Vance County NSP; and

**WHEREAS,** these new List Prices may not portray the true intent of Vance County's goals and purposes of the NSP Grant to retain Low and Moderate Income Owners as occupants of these homes; and

**WHEREAS,** in accordance with Vance County's goals and requirements of the Vance County NSP grant the List Prices are to be revised as follows.

**NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners for the County of Vance as follows:**

In addition to the List Prices adopted on March 26, 2013, the subject NSP homes shall also be sold subject to a Promissory Note and Deed of Trust to Vance County as follows;

1. The Second loan amount will be the difference between the final Sales Price and the Appraised Value of the home.
2. The interest rate of the County loan will be 0% and will be due upon sale, transfer of title or refinance of the first mortgage for a term of ten (10) years. For each year the Purchaser lives in the property, 10% of the original loan amount will be forgiven.
3. Upon sale, transfer of title or refinancing of the property, the NSP principle loan amount will be due and payable.
4. As long as the borrower lives in the home, no payments on the loan will be required. There will be no prepayment penalty.

This resolution shall be effective upon its adoption.

**ADOPTED this the 6<sup>th</sup> day of May, 2013.**

**Thomas S. Hester, Jr. (signed)**  
**Thomas S. Hester, Jr., Chairman**  
**Vance County Board of Commissioners**

**Attest:**

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

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Address	Current Listing Price	Recommended Listing Price
614 Andrews Avenue	\$80,000	\$65,000
661 Charles Street	\$83,000	\$70,000



203 College Street	\$100,000	\$65,000
460 Cross Street	\$73,000	\$45,000
454 Cross Street	\$96,703	\$45,000
225 Hawkins Drive	\$72,000	\$49,000
534 Horner Street	\$89,229	\$42,000
317 Yancey Lane	\$78,000	\$59,000
463 Poplar Street	\$92,355	\$42,500
467 Poplar Street	\$86,710	\$45,000
317 Rockspring Street	TBD	TBD

Motion was made by Commissioner Gordon Wilder to approve the following resolution Authorizing a Private Sale Pursuant to N.C.G.S 153A-378 of Low and Moderate Income Housing from the Vance County NSP Grant Program subject to the contingencies that are in line with the two previous Board actions. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.



**RESOLUTION**  
**By the Vance County Board of Commissioners**

*Authorizing a Private Sale Pursuant to N.C.G.S 153A-378 of Low and Moderate Income Housing from the Vance County NSP Grant Program*

**WHEREAS,** the Vance County Board of County Commissioners has heretofore adopted procedures wherein certain minimum standards for the sale of the Vance County NSP Grant Programs homes were established; and

**WHEREAS,** Vance County has received an Offer to Purchase 225 Hawkins Drive, Henderson, North Carolina; and

**WHEREAS,** in accordance with Vance County’s goals and requirements of the Vance County NSP grant the proposed Offer to Purchase should fulfill these goals and requirements subject to protecting the long term occupancy of the residence by the owner.

**NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners for the County of Vance as follows:**

1. Pursuant to N.C.G.S. 153A-378 the Vance County Board of Commissioners will sell the property to the Buyer with the following conditions;
  - a. N.C. Note and Deed of Trust in a second priority position securing \$23,000 for 10 years, with the balance due and owing decreasing by \$2,300 for each full year the residence is owned and occupied (owner-occupied) by the Buyer.
  - b. The Buyer fulfills all NSP requirements of education and counseling and does fulfill the income requirements of the program.
2. A Notice summarizing the contents of such sale shall be published once at least ten days prior to the consummation of the sale.
3. This resolution shall be effective upon its adoption.

**ADOPTED this the 6<sup>th</sup> day of May, 2013.**

**Thomas S. Hester, Jr. (signed)**  
**Thomas S. Hester, Jr., Chairman**  
**Vance County Board of Commissioners**

Attest:

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

. . . . .  
Chairman Hester noted that a list price has yet to be determined on the house at Rock Spring Street. He asked the County Manager to contact the Council of Governments regarding this matter.

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

Approved and signed June 3, 2013.

Thomas S. Hester, Jr. (signed)  
Thomas S. Hester, Jr., Chairman