

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, August 7, 2017 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 Dan Brummitt, Vice-Chairman Thomas S. Hester, Jr., Commissioners Carolyn Faines, Yolanda J. Feimster, Leo Kelly, Jr., Archie B. Taylor, Jr., and Gordon Wilder.

Absent: None.

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

Pastor Frank Sossamon, South Henderson Pentecostal Holiness Church, gave the invocation.

As advertised, a public hearing was held to gain citizen input on a rezoning request for two parcels adjacent to 3963 Raleigh Road (Parcels 0224 02015 and 0224 02019). The property owners are Billy and Elsie Stanton. Planning and Development Director Sam Hobgood stated that the request is to amend the zoning map and to rezone two parcels (1.44 acres) from R20 and R30 (Residential Low and Medium Density) to HC (Highway Commercial). The parcel is located in an area that currently consists of a variety of commercial uses along Raleigh Road. The area is a transitional development area, so this proposed change would comply with the land use plan.

Mr. Hobgood stated that the Planning Board recommended approval of the rezoning on June 29 on the basis that the rezoning would cause the property to fit the character of the surrounding land use.

As there was no one from the public who wished to speak on this matter, Chairman Dan Brummitt declared the public hearing closed.

Motion was made by Commissioner Gordon Wilder to approve the rezoning request from R20 and R30 (Residential Low and Medium Density) to HC (Highway Commercial) on the basis that it is reasonable and consistent with the county's land use plan by directing commercial development in transitional development areas. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Mr. Sam Hobgood, Planning and Development Director, presented a request from Gary Ferringer to accept a one-time settlement in the amount of \$1,000 for zoning violations from an original fine of \$5,300. The violation is for erecting a two story storage building (16' x 24') without proper permits and violating the required setbacks for accessory structures. Mr. Hobgood stated that Planning staff has worked diligently with Mr. Ferringer to be in compliance with zoning regulations. After months of working with him to no avail, a civil penalty of \$100 per day was issued. Mr. Hobgood recommended that the board accept the settlement of \$1,000. Mr. Ferringer did eventually correct the zoning issue.

Commissioner Gordon Wilder stated that he would be willing to accept half of the penalty and made a motion to offer to settle this matter in the amount of \$2,650. This motion was seconded by Commissioner Carolyn Faines and failed by a vote of ayes - two (2); noes - five (5), with the dissenting votes being cast by Commissioners Brummitt, Feimster, Hester, Kelly and Taylor.

After further discussion, motion was made by Commissioner Thomas S. Hester, Jr., to accept the \$1,000 settlement from Gary Ferringer for the zoning violation. This motion was seconded by Commissioner Yolanda J. Feimster and vote was ayes - six (6); noes - one (1), with the dissenting vote being cast by Commissioner Carolyn Faines.

Water District Board

Commissioner Dan Brummitt called the Water District Board to order.

Phase 3 Update. County Manager Jordan McMillen stated that the water committee (Wilder [C], Brummitt & Hester) met Tuesday, August 1 and received an update on Phase 3. During the past month, the engineer and staff reviewed the entire length of the project to ensure proposed locations for waterlines, hydrants, and blow off valves are best placed to serve the customer and to allow efficient operation of the system. Surveying has begun for easements in the Gillburg area, and due to the time it is taking to obtain easements, it is anticipated the project will begin in late 2017 or early 2018. The committee recognized that the proposed waterline will be reduced in size in the Gillburg area and requested clarification from the engineer to ensure the risk of blow outs are reduced and to ensure that the line can be tapped within the private easement area near Gillburg. The committee reiterated a desire to keep the project schedule moving and requested that staff ensure there are no imminent time limits with the USDA funding.

Reduction in Connection Fees. Mr. McMillen stated that the committee discussed reducing the connection fees within all phases to incentivize and encourage additional customers to connect to the system. The committee was informed that a total of six customers have signed up since the connection fees were increased to the post-construction rate in January 2017 and that 17 customers are necessary at the reduced rate to bring equal revenue as six at the regular rate. Over the long term, the goal is to add 100 customers per year beginning in FY19-20 to allow the system to be self-sufficient within seven years. A majority of the committee members favored reducing the connection fees to the incentivized pre-construction rates for all three phases of the project on a retroactive basis to cover the six customers since January, while one member favored waiting until Phase 3 construction begins to make the reduction. The committee also requested that staff review the current capacity charge for 1 inch meters with the idea of distinguishing between commercial and residential customers and lowering the charge for residential customers.

Current and Proposed Water Connection Costs				
Current 3/4 inch meter	Proposed 3/4 inch meter	Current 1 inch meter	Proposed 1 inch meter	
\$1,100	\$125	\$1,500	\$285	Connection Fee
\$500	\$0	\$5,000	\$0	Capacity Charge
\$150	\$150	\$150	\$150	Security Deposit (Refundable)
\$195	\$0	\$285	\$0	Meter Cost and Installation
\$50	\$50	\$50	\$50	Plumbing Permit
\$1,995	\$325	\$6,985	\$485	Total Cost

Recommendation: Approve a reduction in the connection fee, capacity charge, meter cost and installation to \$125 for ¾ inch meters and \$285 for 1 inch meters retroactive to January 1, 2017.

Chairman Dan Brummitt stated that he does not support this change at this time. The board had discussed changing this fee at the time Phase 3 was under construction and additional vendors were in the area that could lessen the costs. He asked for a policy change in the 1” meter capacity charge of \$5,000 for residential customers and to develop a definition of residential customer. He stated that the system is already bleeding us of \$400,000 to \$500,000 a year from the General Fund, and to reduce the cost at this time is not a good idea.

Commissioner Thomas S. Hester, Jr. stated that he supports the \$125 fee because he wants customers to have every opportunity to hook up to county water. He stated that we tried for six months with the increased fee and only received six hook-ups. We’re not going to get

customers to hook up at a cost of \$1,995. He stated that we need to develop a marketing plan now to attract new customers.

Commissioner Leo Kelly, Jr. agreed with the development of a marketing plan and stated that we may need help from outside sources.

After further discussion, motion was made by Commissioner Archie B. Taylor, Jr. to approve a reduction in the connection fee, capacity charge, meter cost and installation to \$125 for ¾ inch meters and \$285 for 1 inch meters retroactive to January 1, 2017. This motion was seconded by Commissioner Gordon Wilder and vote was ayes - six (6); noes - one (1), with the dissenting vote being cast by Commissioner Dan Brummitt.

Closed Session - Legal Matter. The committee entered into closed session to discuss a legal matter. This will be discussed further in closed session with the full water board.

The July 2017 operations report was presented to the board for information.

Chairman Brummitt recessed the Water District Board.

Committee Reports and Recommendations

Properties Committee - REO Property (Offer to Purchase). Chairman Dan Brummitt stated that the committee (Brummitt[C], Wilder & Kelly) met Monday, July 31st and reviewed an offer to purchase 1807 Nicholas Street (Parcel 0111 04017) from Daisy P. Zambrano Angelino in the amount of \$750.

The committee discussed the offer and was informed that the mobile home shown on the aerial is no longer on the property as it was removed prior to the foreclosure in 2014. The committee recommended proceeding with the upset bid process for the property. Recommendation: Approve the offer to purchase and the resolution authorizing the upset bid process for the sale of 1807 Nicholas Street (tax parcel 0111 04017).

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the offer to purchase and the resolution authorizing the upset bid process for the sale of 1807 Nicholas Street (tax parcel 0111 04017).



**RESOLUTION AUTHORIZING UPSET BID PROCESS
FOR SALE OF REAL PROPERTY
1807 Nicholas Street, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **1807 Nicholas Street, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0111 04017**; 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 **\$750.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by *Daisy P. Zambrano Angelino*; and,

WHEREAS, the County has made a counteroffer to amend the terms of the Offer to Purchase County Owned Property; and,

WHEREAS, *Daisy P. Zambrano Angelino* has paid the required deposit in the amount of **\$750.00** with her initial 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. Upon acceptance of the County's counter offered terms and conditions, 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.

Adopted this the 7th day of August, 2017.

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

ATTEST:

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

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Properties Committee - Change Order #1 (Administration Building Window Replacement). Chairman Brummitt stated that the committee met with the project engineer (Bob Tomlinson – REI Engineers) and was informed that the existing security bars for 12 windows must be removed to allow replacement of the windows. The change order totals \$7,565 and includes refinishing the bars offsite and reinstalling them for the existing first floor windows. The total project cost remains within the budget of \$125,000 and the committee recommended approval of change order #1. Recommendation: Approve change order #1 with Bar Construction increasing the contract by \$7,565 for the removal, restoration, and reinstallation of security bars as a part of the window replacement project.

Motion was made by Commissioner Thomas S. Hester, Jr. to approve change order #1 with Bar Construction increasing the contract by \$7,565 for the removal, restoration, and reinstallation of security bars as a part of the window replacement project. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

Properties Committee - Urban Homesteading Program. County Manager Jordan McMillen stated that the committee reviewed and discussed the urban homesteading program which was recently approved by the City Council for reducing the inventory of jointly owned properties and encouraging homeownership. The program is designed to offer properties to individuals who are willing to construct a dwelling on a vacant lot or bring an existing structure to minimum housing standards within 2½ years. The owner would be required to occupy the property for three years following the property restoration. The city currently has a waiting list of individuals for the program and is prepared to handle all administration duties. The committee was informed that the county’s involvement would include conveying the county’s property interest to the city at the point a property is selected and approved for the program. The committee was supportive of the program and requested that staff provide property information and photos for each property prior to including in the program.

Properties Committee - Parking Lot Access Easement. The committee reviewed and recommended approval of an easement agreement between the county and the First United Methodist Church allowing the public to cross the church parking lot to enter the new public parking lot at the former teacherage site. The county's new public parking lot is currently under construction and is anticipated to be complete within the next 30 days. Recommendation: Approve the easement agreement with the First United Methodist Church for shared access to the new public parking lot at the former teacherage site.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Leo Kelly, Jr., vote unanimous, to approve the easement agreement with the First United Methodist Church for shared access to the new public parking lot at the former teacherage site.

Properties Committee - Closed Session (Property Matter). The committee entered closed session to discuss a property matter. This will be discussed further in closed session with the full board.

Finance Director's Report

Surplus Property. Finance Director David Beck requested that the following pieces of property be declared as surplus and authorize the finance director to dispose of said property as allowed by state statute.

Description	Reason No Longer Needed	Department
Metal storage box	Very poor condition	Tax
Metal storage box	Very poor condition	Tax
Metal storage box	Very poor condition	Tax
Metal storage box	Very poor condition	Tax
Printer	Obsolete	Tax
2012 Dodge Charger	Poor condition, motor/transmission issues	Sheriff
2009 Dodge Charger	Poor condition, motor/transmission issues	Sheriff
2009 Ford Crown Victoria	Poor condition, motor/transmission issues	Sheriff
2012 Dodge Charger	High mileage, motor issues	Sheriff

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to declare the property presented as surplus and authorize the finance director to dispose of said property as allowed by state statute.

County Attorney's Report

REO Properties. County Attorney Jonathan S. Care noted that during a previous meeting, the board of commissioners approved the public sale process for the following tax foreclosure properties: Lot 6 Big Ruin Creek Lane, Parcel 0404 03029; Lot 8 Tanner Street,

Parcel 0111 04014; 1235 Topleman Street, Parcel 0051 08005; 1408 Hight Street, Parcel 0051 03003; 629 Powell Street, Parcel 0095 01008; and 324 Charles Street, Parcel 0076 03002. The properties were advertised for upset bids and none were received. The board is now free to sell the property or reject the offer. This should be done by resolution. He asked that the board take action on all of the properties except 324 Charles Street.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to adopt the following resolutions accepting the bids for Lot 6 Big Ruin Creek Lane, Parcel 0404 03029; Lot 8 Tanner Street, Parcel 0111 04014; 1235 Topleman Street, Parcel 0051 08005; 1408 Hight Street, Parcel 0051 03003; and 629 Powell Street, Parcel 0095 01008.



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

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

Lot 6, Big Ruin Creek Lane, Henderson, North Carolina 27537, Vance County Tax Department Parcel Number 0404 03029.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **June 13, 2017**, stating that said offer 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 **Quintina Thomas** in the amount of **\$3,216.00** subject to the terms and conditions contained in the submitted bid, attached hereto as Exhibit "A", is hereby accepted for the property described herein and the Board's Chairperson shall execute the documents necessary to complete the transfer of title to such property.

Adopted this the 7th day of August, 2017.

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

ATTEST:

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



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

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

Lot 8 Tanner Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0111 04014.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **July 12, 2017**, stating that said offer 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 *Sharmise Kearney* in the amount of **\$1,422.00** subject to the terms and conditions contained in the submitted bid, attached hereto as Exhibit "A", is hereby accepted for the property described herein and the Board's Chairperson shall execute the documents necessary to complete the transfer of title to such property.

Adopted this the 7th day of August, 2017.

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

ATTEST:

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

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

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

1235 Topleman Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0051 08005.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **July 12, 2017**, stating that said offer 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 *Metamorphosis Property Development, LLC* in the amount of **\$750.00** subject to the terms and conditions contained in the submitted bid, attached hereto as Exhibit "A", is hereby accepted for the property described herein and the Board's Chairperson shall execute the documents necessary to complete the transfer of title to such property.

Adopted this the 7th day of August, 2017.

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

ATTEST:

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



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

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

1408 Hight Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0051 03003.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **July 12, 2017**, stating that said offer 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 *Metamorphosis Property Development, LLC* in the amount of **\$750.00** subject to the terms and conditions contained in the submitted bid, attached hereto as Exhibit "A", is hereby accepted for the property described herein and the Board's Chairperson shall execute the documents necessary to complete the transfer of title to such property.

Adopted this the 7th day of August, 2017.

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

ATTEST:

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



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

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

629 Powell Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0095 01008.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on **July 12, 2017**, stating that said offer 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 *Javier M. Plummer* in the amount of **\$2,100.00** subject to the terms and conditions contained in the submitted bid, attached hereto as Exhibit "A", is hereby accepted for the property described herein and the Board's Chairperson shall execute the documents necessary to complete the transfer of title to such property.

Adopted this the 7th day of August, 2017.

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

ATTEST:

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

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324 Charles Street. Attorney Care explained that there is a current high bid on this property in the amount of \$2,000. The property was advertised for upset bids and none were received within the 10 day period. On August 4th, a bid was received for \$3,000. Attorney Care recommended that the board reject the \$2,000 bid and begin a new upset bid process for the \$3,000 bid.

After discussion, motion was made by Commissioner Thomas S. Hester, Jr. to reject the \$2,000 bid, refund the \$750 deposit to the bidder, and approve the following resolution authorizing a new upset bid process for 324 Charles Street. This motion was seconded by Commissioner Gordon Wilder and vote was ayes - five (5); noes - two (2), with the dissenting votes being cast by Commissioners Yolanda Feimster and Leo Kelly, Jr.

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

WHEREAS, Vance County owns certain real property with an address of **324 Charles Street, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0076 03002**; and,

WHEREAS, North Carolina General Statute §160A-269 permits the county to sell real property by upset bid, after receipt of an offer for the property; and,

WHEREAS, the County has received an offer to purchase the real property described herein above in the amount of **\$3,000.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by *Stanley Lloyd Williams*; and,

WHEREAS, the County has made a counteroffer to amend the terms of the Offer to Purchase County Owned Property; and,

WHEREAS, *Stanley Lloyd Williams* has paid the required deposit in the amount of **\$750.00** with his initial 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. Upon acceptance of the County’s counter offered terms and conditions, 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.

Adopted this the 7th day of August, 2017.

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

ATTEST:

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



County Manager's Report

Semi-Annual Jail Inspection Report. County Manager Jordan McMillen stated that the NC Division of Health Service Regulation, Construction Section, conducts inspections of county detention facilities twice a year. The Vance County Jail was inspected on June 20, 2017 and the deficiencies noted involved a water leak, a need to update the operations manual, and communication issues within a portion of the jail. A plan for corrective action was submitted July 19, 2017 and all deficiencies have been addressed. Recommendation: Accept the June 20, 2017 Vance County Jail Inspection Report for informational purposes.

Motion was made by Commissioner Gordon Wilder to receive the June 20, 2017 Vance County Jail Inspection Report for information. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Health Department Buildings - Plumbing Project Update. Mr. McMillen stated that surveying and design work has begun at the health department buildings related to the project to replace internal plumbing lines and install a sewer pump. The engineer (Kilian Engineering) anticipates completion of design work within the next few weeks at which time the construction project will be released for bids. The properties committee will review the bids and provide a recommendation for proceeding once bids are received.

Broadband Initiative. Mr. McMillen stated that broadband or "high-speed internet" remains a high priority at the federal, state, and local government levels. The federal government's plan in 2010 followed by the state plan in 2014 recognizes high speed internet as the most significant innovation of the late 20th century which has profound benefits for stimulating economic growth, creating jobs, and transforming education. The state plan highlights the ability of local governments to lower deployment costs by forming partnerships with private sector internet service providers, leveraging existing infrastructure and investing in next-generation infrastructure. The Kerr-Tar Council of Governments held a broadband summit in April and there is interest from surrounding counties for a regional broadband study. The Kerr-Tar board has reviewed a proposal from Mighty River, LLC to inventory available assets, determine actual broadband availability and create a strategic road map for the region. The study would go beyond the federal and state broadband plans by bringing internet service providers to the table through an RFP process to improve coverage and available speeds. The proposed study would take one year, include four counties, and position each county for future grant funding to

assist with implementation. Vance County's portion of the study would cost \$30,000 and the COG is interested in receiving input from the county boards prior to moving forward with the study.

Commissioner Thomas S. Hester, Jr. stated that he would like to receive a second quote on this issue in order to compare prices. Chairman Dan Brummitt agreed and supports the idea of this being a regional project. Commissioner Archie B. Taylor, Jr. stated that we may want to consider getting an individual quote just for Vance County. He suggested that we solicit ideas from NACo, UNC and NC State University. He also suggested that options other than fiber be considered, possibly satellite or electric. Commissioner Leo Kelly, Jr. would like to know if this company has worked with small counties and if so, how were they able to help.

Schedule Upcoming Work Session. Mr. McMillen stated that some board members attending the NACO conference and the upcoming NCACC conference have expressed an interest in a work session to debrief and discuss conference takeaways. A suggested timeframe would be the week of August 14th or 21st. The board scheduled a work session for Tuesday, August 22 from 3:00 to 5:00 p.m.

Opioid Forum. Mr. McMillen stated that Granville and Vance Counties are collaborating for a county leadership forum on opioid abuse. The forum is scheduled for October 17 from 2-5PM at the VGCC Civic Center. The forum is a result of work by the Association of County Commissioners and its president, Fred McClure, to engage local elected leaders in an informed discussion about the opioid epidemic while developing collaborative strategies that enhance prevention, education, and treatment. In North Carolina, drug overdose deaths increased by over 14% between 2014 and 2015. Between 2010 and 2016, North Carolina babies born opioid dependent increased 55% from 832 to 1,287. Emergency doses of the opioid overdose reversal medication, Naloxone/Narcan, increased from 6,067 in 2010 to 13,069 in 2016. In Vance County alone there are 83 opioid pills per resident or 1.16 opioid prescriptions per resident. The following video link produced by New Hanover County provides an idea of the wide ranging impacts of opioids, both legal and illegal, on our communities.

<https://www.youtube.com/watch?v=hUhXuYtuO04&feature=youtu.be>

WRAL recently completed a documentary titled "Searching for a Fix" which details North Carolina's addiction epidemic. <http://www.wral.com/news/video/16854118/>

Chairman Brummitt stated that this is a major, national issue. It is probably one of the most important issues of our time, and we need to do what we can to change this pattern. He encouraged all elected officials and our faith community to attend the forum if possible.

Consent Agenda

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Leo Kelly, Jr., vote unanimous, to approve the following consent agenda items as presented: Budget Amendments #1 - #3, Budget Transfers #1 - #2, June 2017 Tax Refunds and Releases, Departmental Monthly Reports, and the minutes of the June 5, 2017 regular meeting and the July 6, 2017 regular meeting. Commissioner Yolanda J. Feimster abstained.



**Budget Amendment #1
FY 2017-2018
Farmers Market**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Fund Balance Appropriated	10-399-439900	1,585
Total Revenue Increase (Decrease)		\$ 1,585

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Master Gardener	10-605-500159	1,585
Total		\$ 1,585

Purpose: The Master Gardener Club donated \$1,585 in the prior fiscal year for an education landscape project at the Farmers Market. The project was delayed and unable to be completed in the prior fiscal year. The donated funds became part of fund balance at June 30, 2017. The funds are being carried forward to the current year to complete the project.

Authorization: Vance County Board of Commissioners
August 7, 2017



**Budget Amendment #2
FY 2017-2018
Farmers Market**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Fund Balance Appropriated	10-399-439900	2,000
Total Revenue Increase (Decrease)		\$ 2,000

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Maintenance Building & Grounds	10-622-500015	2,000
Total		\$ 2,000

Purpose: Additional funds are needed for grounds maintenance at the Farmers Market facility due to erosion issues around the parking lot.

Authorization: Vance County Board of Commissioners
August 7, 2017



**Budget Amendment #3
FY 2017-2018
Economic Development**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Fund Balance Appropriated	10-399-439900	310,000
Transfer from General Fund	47-397-439710	310,000
Total Revenue Increase (Decrease)		\$ 620,000

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
CDBG Refund	47-445-500265	310,000
Transfer to Economic Development	10-696-500193	310,000
Total		\$ 620,000

Purpose: The second installment payment to return CDBG grant funds to the NC Dept. of Commerce for the Semprius project is due September 1, 2017. The amount due is \$310,000.

Authorization: Vance County Board of Commissioners
August 7, 2017



**Budget Transfer #1
FY 2017-2018
Finance**

Transfer From:	Account Number	Amount
Salary Adjustments	10-555-500000	576,892
Total		\$ 576,892

Transfer To:	Account Number	Amount
Salary	10-410-500001	13,788
FICA	10-410-500005	1,055
Salary	10-430-500001	1,896
FICA	10-430-500005	145
Retirement	10-430-500007	144

Salary	10-440-500001	10,344
FICA	10-440-500005	791
Retirement	10-440-500007	785
Salary	10-450-500001	30,096
FICA	10-450-500005	2,302
Retirement	10-450-500007	2,284
Salary	10-480-500001	5,004
FICA	10-480-500005	383
Retirement	10-480-500007	380
Salary	10-490-500001	8,400
FICA	10-490-500005	643
Retirement	10-490-500007	638
Salary	10-491-500001	828
FICA	10-491-500005	63
Retirement	10-491-500007	63
Salary	10-500-500001	4,884
FICA	10-500-500005	373
Retirement	10-500-500007	370
Salary	10-505-500001	13,188
FICA	10-505-500005	1,009
Retirement	10-505-500007	1,002
Salary	10-506-500001	888
FICA	10-506-500005	68
Retirement	10-506-500007	67
Salary	10-510-500001	134,880
Part-Time Salary	10-510-500002	3,570
FICA	10-510-500005	10,592
Retirement	10-510-500007	10,781
401K	10-510-500009	4,124
Salary	10-520-500001	100,812
FICA	10-520-500005	7,712
Retirement	10-520-500007	7,652
Salary	10-530-500001	(8,244)
FICA	10-530-500005	(631)
Retirement	10-530-500007	(626)
Salary	10-531-500001	14,436
FICA	10-531-500005	1,104
Retirement	10-531-500007	1,096
Salary	10-541-500001	8,040
FICA	10-541-500005	615
Retirement	10-541-500007	610
Salary	10-576-500001	5,016
FICA	10-576-500005	384
Retirement	10-576-500007	381
Salary	10-599-500001	12,552
FICA	10-599-500005	960
Retirement	10-599-500007	953
Salary	10-610-500001	99,756
FICA	10-610-500005	7,631
Retirement	10-610-500007	7,571
Salary	10-611-500001	8,544
FICA	10-611-500005	654
Retirement	10-611-500007	648
Salary	10-621-500001	29,016
FICA	10-621-500005	2,220
Retirement	10-621-500007	2,202
Total		\$ 576,892

Purpose: Transfer budgeted funds out to departmental budgets for the first year of implementation of the salary and benefits study.

Authorization: Vance County Board of Commissioners
August 7, 2017

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Budget Transfer #2
FY 2017-2018
Health

Transfer From:	Account Number	Amount
Contingency	10-999-500099	9,400
Total		\$ 9,400

Transfer To:	Account Number	Amount
Maintenance Building & Grounds	10-590-500015	9,400
Total		\$ 9,400

Purpose: The Board of Commissioners approved a contract with Kilian Engineering at their July 6 meeting for design services related to repair of the sewer system at the Health Department buildings on Charles Rollins Road.

Authorization: Vance County Board of Commissioners
August 7, 2017

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Tax Office Refund and Release Report for June 2017

Taxpayer Name	Tax Year	Real	Personal	Motor Vehicle	City Lien	Solid Waste Fee	Reason
Williams Deryl Von	2007	206.06	0	0	0	190.00	foreclosure
Williams Deryl Von	2008	163.56	0	0	0	205.00	foreclosure
Williams Deryl Von	2009	164.04	0	0	0	205.00	foreclosure
Williams Deryl Von	2010	164.04	0	0	0	205.00	foreclosure
Williams Deryl Von	2011	0	0	0	10,184.48	0	foreclosure
Williams Deryl Von	2011	164.04	0	0	0	0	foreclosure
Williams Deryl Von	2012	0	0	0	0	150.00	foreclosure
Williams Deryl Von	2012	164.04	0	0	0	0	foreclosure
Williams Deryl Von	2012	0	0	0	0	150.00	foreclosure
Williams Deryl Von	2013	168.24	0	0	0	0	foreclosure
Williams Deryl Von	2013	0	0	0	0	180.00	foreclosure
Moorefield Charlie Mrs. heirs	2014	371.27	0	0	0	150.00	foreclosure
Moorefield Charlie Mrs. heirs	2014	67.25	0	0	0	0	foreclosure
Williams Deryl Von	2014	169.44	0	0	0	0	foreclosure
Moorefield Charlie Mrs. heirs	2015	371.27	0	0	0	105.00	foreclosure
Moorefield Charlie Mrs. heirs	2015	67.25	0	0	0	0	foreclosure
Williams Deryl Von	2015	169.44	0	0	0	0	foreclosure
Moorefield Charlie Mrs. heirs	2016	195.35	0	0	0	105.00	foreclosure
Moorefield Charlie Mrs. heirs	2016	63.77	0	0	0	0	foreclosure
Thompson David Wayne	2016	0	55.53	0	0	105.00	pers prop bill
Williams Deryl Von	2016	70.87	0	0	0	0	foreclosure
Total		2,739.93	55.53		10,184.48	1,705.00	
Total Releases and Refunds		14,684.94					

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Miscellaneous

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

Economic Development Commission - three year term

Re-appoint Tom Church and Tommy Hester

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Archie B. Taylor, Jr., vote unanimous, to reappoint Tom Church and Tommy Hester to the Economic Development Commission for three year terms.

September 2017 Meeting Date. Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Gordon Wilder, vote unanimous, to approve the following resolution changing the September 2017 meeting date from Monday, September 4, 2017 to Tuesday, September 5 due to the Labor Day Holiday.



R E S O L U T I O N
by the
Vance County Board of Commissioners
Changing the Date of the September 2017 Commissioners' Meeting

WHEREAS, the Vance County Board of Commissioners normally holds its regular meetings on the first Monday of each month at 6:00 p.m.; and

WHEREAS, North Carolina General Statute 153A-40 provides that in the event the Board of Commissioners desires to change the date and time of a regular meeting, that the Board may do so by adopting a resolution at least ten (10) days before such meeting; and

WHEREAS, the Vance County Board of Commissioners desires to change its regular meeting scheduled for Monday, September 4, 2017 at 6:00 p.m. to Tuesday, September 5, 2017 at 6:00 p.m.

NOW, THEREFORE, BE IT RESOLVED by the Vance County Board of Commissioners that it does hereby change its regular meeting date from September 4, 2017 at 6:00 p.m. to September 5, 2017 at 6:00 p.m. at the usual place, the Commissioners' Conference Room, Vance County Administration Building, Henderson, NC.

BE IT FURTHER RESOLVED that a copy of this resolution is to be posted on the Administration Building bulletin board, and the news media within Vance County is to be made aware of this change.

This, the 7th day of August, 2017.

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



At this time, motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Gordon Wilder, vote unanimous, that the Water District Board enter into closed session to discuss a legal matter.

Upon return to open session, Chairman Brummitt closed the Water District Board.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Gordon Wilder, vote unanimous, that the Board of Commissioners enter into closed session to discuss a property matter and a legal matter.

Upon return to open session, motion was made by Commissioner Gordon Wilder to renounce its interest in the Donald Marion estate life insurance annuity that was left to Vance County. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

As there was no further business, at 8:20 p.m., motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Yolanda J. Feimster, vote unanimous, that the meeting be adjourned.

Approved and signed September 5, 2017.

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