

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, January 3, 2011 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 Eddie L. Wright, Commissioners Terry E. Garrison, Deborah F. Brown, R. Dan Brummitt, Thomas S. Hester, Jr., J. Timothy Pegram, and Gordon Wilder.

Absent: None.

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

Commissioner Terry E. Garrison gave the invocation.

Ms. Deb Fields and Mr. Frank Sossamon, Juvenile Crime Prevention Council, were first on the agenda requesting additional funding for the Gang Assessment Project. They explained that Vance County and the Kerr-Tar Council of Governments entered into an agreement to conduct a gang assessment study. The Department of Juvenile Justice and Delinquency Prevention allocated \$25,000 in grant funding for the assessment. At the completion of the assessment, the actual cost will exceed the allocation by \$15,000, which is the amount requested from the County.

Commissioner R. Dan Brummitt stated that normally when grant funding is applied for, bids are submitted and work is performed for that bid amount. He asked why there was not a performance contract in place. Mr. Sossamon responded that the State allotted counties a certain amount. He is not certain as to how the State decided to allot Vance County \$25,000 when other counties were allotted more.

Commissioner Thomas S. Hester, Jr. suggested that the State be informed that Vance County was not able to complete the assessment with only \$25,000 and the County was willing to make up the difference in the total cost.

Commissioner Deborah F. Brown stated that as a member of the Gang Assessment Committee, she sees the value of this assessment for Vance County. The assessment is very much needed and she supports the funding request.

After further discussion, motion was made by Commissioner Gordon Wilder to approve the funding request to complete the gang assessment project in the amount of \$15,000. Funds will

come from the Contingency. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Mr. David Hicks, Northern Vance High School Athletic Director, and Mr. Ed Wilson, Southern Vance High School Athletic Director, were next on the agenda to discuss the need of tennis courts at both high schools. Mr. Hicks stated that students from both high schools have to practice and hold matches at Fox Pond Park, which sometimes causes transportation issues for parents. He stated that one of the valuable assets of tennis courts would be an additional classroom venue. He asked the Board to consider this during budget deliberations.

Mr. Ed Wilson stated that in addition to the competitive aspect of having the courts at the schools, the ability to have functional PE classes is important as well. He asked the Board to consider promoting tennis in Vance County.

Commissioner R. Dan Brummitt stated that the Education Committee discussed this matter during its meeting last month. While there is no question that tennis courts are important to have at our high schools, the County is in a negative cash flow for the next three years with the construction of the new elementary school. Based on this, the Committee recommended that this matter wait until better financial times.

Public comments were heard next. Mr. Roy Hall spoke in opposition of tennis courts being built at our high schools, and asked the Commissioners to be good stewards of the County in regards to spending money. He also stated that the City is trying to take advantage of the County regarding jointly funded programs.

The consent agenda was addressed next. Motion was made by Commissioner R. Dan Brummitt, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, that the following consent agenda items be approved as presented: Budget Amendments #16 - #20, December 2010 Refunds, December 2010 Ambulance Charge-Offs in the amount of \$8,475.38, December 2010 Monthly Reports received and filed, and the minutes of the December 6, 2010 regular meeting.

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**Budget Amendment #16  
General Fund**

**Fund 10 -  
General Fund**

<b>Revenues</b>	<b>Code</b>	<b>Increase</b>	<b>Increase</b>
Sheriff's Interdiction Revenue	10-359-435917	8,443	

**Expenditures**

Sheriff's Interdiction Revenue	10-517-500033		1,443
Police Dog	10-517-500056		7,000
<b>Totals</b>		<b>\$ 8,443</b>	<b>\$ 8,443</b>

Purpose: To record use of interdiction funds for purchases training DVD, software, and police dog.

Authorization: Vance County Board of Commissioners  
January 3, 2011

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**Budget Amendment #17  
General Fund**

**Fund 10 -  
General Fund**

<b>Revenues</b>	<b>Code</b>	<b>Increase</b>	<b>Increase</b>
Lease Proceeds	10-370-437024	93,220	
<b>Expenditures</b>			
Capital Outlay	10-530-500074		93,220
<b>Totals</b>		<b>\$ 93,220</b>	<b>\$ 93,220</b>

Purpose: To record remaining balance of lease proceeds for refurbished EMS unit.

Authorization: Vance County Board of Commissioners  
January 3, 2011

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**Budget Amendment #18  
General Fund**

**Fund 10 -  
General Fund**

<b>Expenditures</b>	<b>Code</b>	<b>Decrease</b>	<b>Increase</b>
Contingency	10-999-500099	11,762	
<b>Expenditures</b>			
Recreation All Star Contribution	10-600-500211		11,762
<b>Totals</b>		<b>\$ 11,762</b>	<b>\$ 11,762</b>

Purpose: To record All Star Contribution from Contingency.

Authorization: Vance County Board of Commissioners  
January 3, 2011

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**Budget Amendment #19  
General Fund**

**Fund 10 -  
General Fund**

<b>Revenues</b>	<b>Code</b>	<b>Increase</b>	<b>Increase</b>
Vending Machines	10-350-435001	330	
Donations Foster Children	10-350-435003	875	
Christmas at DSS	10-350-435066	5,000	
<b>Expenditures</b>			
Donations Foster Children	10-613-500061		875
Vending Machines	10-613-500069		330
Christmas at DSS	10-613-500166		5,000
<b>Totals</b>		<b>\$ 6,205</b>	<b>\$ 6,205</b>

Purpose: To record expenditures and donations for Christmas.

Authorization: Vance County Board of Commissioners  
January 3, 2011

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**Budget Amendment #20  
General Fund**

**Fund 10 -  
General Fund**

<b>Revenues</b>	<b>Code</b>	<b>Increase</b>	<b>Increase</b>
Lease Proceeds	10-370-437024	233,085	
<b>Expenditures</b>			
Capital Outlay	10-530-500074		233,085
<b>Totals</b>		<b>\$ 233,085</b>	<b>\$ 233,085</b>

Purpose: To record lease proceeds used in payoff of note for Kerr Lake Fire Department.

Authorization: Vance County Board of Commissioners  
January 3, 2011

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**REFUNDS  
December 2010**

Name	Year	Amount	Reason
David N. Hall	2009	5.88	Vehicle Tax
Eddie W. Forsythe	2009	63.88	Vehicle Tax
Lillian F. Davis	2010	8.46	Vehicle Tax
Lucy D. Pulley	2009	1.77	Vehicle Tax
David N. Hall	2009	.20	Fire Tax
Eddie W. Forsythe	2009	2.24	Fire Tax
<b>Total</b>		<b>\$ 82.43</b>	Fiscal y-t-d - \$ 5,623.60

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See on file monthly report, 911 Emergency Operations  
 See on file monthly report, Administrative Ambulance Charge-offs  
 See on file monthly report, Fire and Ambulance Service  
 See on file monthly report, Human Resources Department  
 See on file monthly report, Planning and Development Department  
 See on file monthly report, Public Health Department  
 See on file monthly report, Veterans Service Office

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Pending Business

*County Water Project.* Mr. Ayscue reported that detailed discussions for purchase of water and for system operation and maintenance continue between County and City staff. With the help of both attorneys, a formal agreement is being developed that will require action by each entity. Phase 1A. The County's engineer has redesigned the initial part of 1A according to sign-ups. Sign-ups have continued to come in, and it is likely that the 1A map will be updated to add back some roads. A tentative site for an overhead water tank has been located and related preliminary work has been completed. The Board will be asked later in the meeting to take formal action to obtain the site. Permit applications are being processed for submission by the engineers on behalf of the Water District. As part of that permit process, highway right of way encroachment agreements with the NC Department of Transportation have been prepared for execution. Phase 1B. The Kittrell Water Association and USDA continue to work together to seek funding for Phase 1B, consistent with action taken by the Commissioners in December 2009. The Water Association continues its sign-up campaign. Phases 2A & 2B. Funding from USDA Rural Development has been established for both of these phases. Phase 2A will be funded with \$2.2 million in loans and \$1.62 million in grants. Thus far, sign-ups total 284. Phase 2B has \$3.94 million in loans and \$1.99 million in grants. Sign-ups continue to be received for these two phases, with the current number being at 304.

*US #1 South Sewer Project.* Mr. Ayscue stated that W.K. Dickson, the County's project consulting firm, is currently gathering data for this sewer project study. Staff from the County and W.K. Dickson met on December 6 with City of Henderson staff to discuss various aspects of the study, including data collection of water meter usage. The consulting firm is now analyzing data developing cost estimates and alternatives.

#### County Manager's Report

*Schools - ADM Application.* Mr. Ayscue stated that on December 13, 2010 the Board of Education approved an application for ADM funds in the amount of \$35,250 from the Public School Capital Building Fund for the purpose of roof repairs at Aycock, Dabney, and Zeb Vance Elementary Schools. As of December 22, 2010, the remaining ADM balance of available funds was \$38,498. This application for roof repairs will replace a prior application for interior painting at Carver and E.O. Young Elementary Schools previously approved by the Board of Education (it was not submitted for action by the County Commissioners). Mr. Ayscue recommended that the Board approve the joint application for ADM funds.

Motion was made by Commissioner Thomas S. Hester, Jr. to approve the joint application for ADM funds in the amount of \$35,250 for needed roof repairs at Aycock, Dabney, and Zeb Vance Elementary Schools as approved and requested by the Vance County Board of Education. This motion was seconded by Commissioner R. Dan Brummitt and unanimously approved.

*Jail Inspection Report.* Mr. Ayscue reported that the semi-annual inspection of the Vance County Jail was conducted by the State on December 15, 2010. As traditionally required, the corrective action plan is currently being developed by Jail staff and will be submitted to the North Carolina Department of Health and Human Services prior to the deadline of January 25. Formal approval of receipt of the report is required.

Commissioner Terry E. Garrison stated that he is very pleased with the limited amount of citations in the report as compared to previous years.

Motion was made by Commissioner R. Dan Brummitt to approve receipt of the semi-annual inspection report for the Vance County Jail. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

*Planning Retreat.* Mr. Ayscue reminded the Board that its annual planning retreat is scheduled for Thursday, January 13, 2011 from 10:00 a.m. until 3:00 p.m. at the Ambassador Inn & Suites in Henderson.

*Commissioner Appointments.* Mr. Ayscue explained that as a result of the November 2010 election, there are several County Commissioner slots on various boards which must be filled. ① Commissioner Brummitt has volunteered to serve on the Area Mental Health Board (replacing Danny Wright). ② Commissioner Wilder has expressed a willingness to serve on the KARTS Board (replacing Scott Hughes). ③ Commissioner Hester has volunteered to serve on the Kerr-Tar Regional Council of Governments Board (replacing Danny Wright). ④ An alternate needs to be appointed for Mary Anderson on the COG Board (replacing Scott Hughes). ⑤ Commissioner Garrison has expressed interest in serving on the HUB Board (replacing Danny Wright).

Motion was made by Commissioner Terry E. Garrison, seconded by Commissioner Deborah F. Brown, vote unanimous, to appoint Dan Brummitt to the Area Mental Health Board to fill the position formerly held by Danny W. Wright.

Motion was made by Commissioner Deborah F. Brown to appoint Gordon Wilder to the KARTS Board to fill the position formerly held by A. Scott Hughes. This motion was seconded by Commissioner R. Dan Brummitt and unanimously approved.

Motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Terry E. Garrison, vote unanimous, to appoint Thomas S. Hester, Jr. to the Council of Governments Board to fill the position formerly held by Danny W. Wright.

Motion was made by Commissioner Terry E. Garrison to appoint Gordon Wilder as an alternate to Mary Anderson on the Council of Governments Board to fill the alternate position formerly held by A. Scott Hughes. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Motion was made by Commissioner R. Dan Brummitt to appoint Terry E. Garrison to the Triangle North HUB Board to fill the position formerly held by Danny W. Wright. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Chairman Wright stated that he had asked Commissioner Hester if he would be willing to be his alternate for any meetings with City officials consisting of the Chairman, the County Manager, the Mayor and the City Manager. Commissioner Hester agreed to this arrangement.

Motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Gordon Wilder, vote unanimous, to appoint Thomas S. Hester, Jr. as Chairman Wright's alternate for meetings with the Mayor, the City Manager, and the County Manager.

*CDBG Matters.* Ms. Julie Reid, Council of Governments, stated that as the County begins work on its \$850,000 Julia Avenue Community Revitalization Project (CDBG), various program requirements need to be addressed. She explained that when the County receives a grant, compliance documents are required to be filed with the State. The requirements are included in the resolution below.

County Attorney Jonathan S. Care expressed his concerns with the Disclosure of Civil Rights Complaints/Lawsuits document. He stated that it needs to address the Community Revitalization Program and not the County as a whole. Ms. Reid said that she would make the appropriate changes.

Motion was made by Commissioner Terry E. Garrison to approve the resolution containing CDBG Administrative Policies and Procedures subject to the change with the Disclosure of Civil Rights Complaints/Lawsuits document. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

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**RESOLUTION**  
**of the**  
**Vance County Board of Commissioners**  
**Approving Community Development**  
**Block Grant Administrative Policies and Procedures**

**WHEREAS**, the County of Vance applied to the North Carolina Department of Commerce, Division of Community Assistance, for Community Development Block Grant Community Revitalization Program; and

**WHEREAS**, the North Carolina Department of Commerce approved said application for \$850,000.00; and

**WHEREAS**, grant recipients of CDBG funds are required to comply with certain state and federal regulations.

**NOW, THEREFORE, BE IT RESOLVED**, by the Vance County Board of Commissioners the following resolutions and policies are hereby adopted as per the County’s Community Revitalization Community Development Block Grant Program and North Carolina General Statute:

- Scope of Work
- Citizen Participation Plan
- Complaint and Appeals Procedure
- Equal Employment Policy and Affirmative Action Policy
- Section 3 Plan for Training, Employment, and Business Opportunities
- Anti-Displacement and Relocation Assistance Plan
- Code of Conduct
- Procurement Policy
- Invoice Approval Policy
- Flood Plain Plan
- Disclosure of Civil Rights Complaints/Lawsuits
- Fair Housing Plan
- Section 504 Plan



**ADOPTED this 3<sup>rd</sup> day of January, 2011.**

**Eddie L. Wright (signed)**  
**Eddie L. Wright, Chairman**  
**Vance County Board of Commissioners**

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At this time, motion was made by Commissioner Terry E. Garrison, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to enter into closed session for the purpose of discussing economic development projects.

Upon return to open session, motion was made by Commissioner Terry E. Garrison to authorize staff to submit a CDBG Building Reuse grant application for an unnamed economic development project. This motion was seconded by Commissioner R. Dan Brummitt and unanimously approved.

Motion was made by Commissioner Terry E. Garrison, seconded by Commissioner R. Dan Brummitt, vote unanimous, to authorize staff to submit a grant application to the Golden LEAF Foundation for an economic catalyst grant for an unnamed economic development project.

Motion was made by Commissioner Terry E. Garrison to authorize staff to submit a grant application to the ONE NC Fund for an unnamed economic development project. This motion was seconded by Commissioner R. Dan Brummitt and unanimously approved.

County Manager Jerry L. Ayscue informed the Board that the staff, through Human Resources, is advertising and receiving applications for the economic development director's position. An executive search firm should be selected within the next 15 days.

Chairman Wright called the Water District Board to order.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner R. Dan Brummitt, vote unanimous, to enter into closed session to discuss a property matter.

Upon return to open session, motion was made Commissioner R. Dan Brummitt to authorize the County Manager to work with the County Attorney to formulate and negotiate an offer to purchase and/or an option for a water tank site. This motion was seconded by Commissioner Terry E. Garrison and unanimously approved.

At this time, motion was made by Commissioner R. Dan Brummitt, seconded by Commissioner Terry E. Garrison, vote unanimous, to adjourn the Water Board District Board.

As there was no further business, at 8:15 p.m., motion was made by Commissioner Deborah F. Brown, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, that the meeting be adjourned.

**Approved and signed February 7, 2011.**

**Eddie L. Wright (signed)**  
**Eddie L. Wright, Chairman**