

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, January 9, 2023 at 6:00 p.m. in the commissioners' conference room, Vance County Administration Building, 122 Young Street, Henderson, NC. Those commissioners present were as follows: Chair Yolanda J. Feimster, Vice-Chair R. Dan Brummitt, Commissioners Sean A. Alston, Sr., Carolyn Faines, Thomas S. Hester, Jr., Leo Kelly, Jr., and Archie B. Taylor, Jr.

Absent: None

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

Rev. Joseph Ratliff, Shiloh Baptist Church, gave the invocation.

As advertised, a public hearing was held to receive public input on a proposed amendment to add conditional zoning to the Vance County Zoning Ordinance. Planning and Development Director Keith Callahan explained that conditional zoning is a legislative process in which an applicant proposes, and the local government considers, a map amendment that includes additional conditions that are site specific. County Attorney Jonathan S. Care noted that conditional zoning would not eliminate the underlying zoning classifications and is only considered when applied for. It is a much more flexible type of zoning and will allow the board to ask specific questions about the rezoning and allow dialog between the county and the applicant.

Mr. Eugene Matthews asked if conditional zoning would allow a business to locate in a residential area. He was told that in order for a business to operate in a residential area, the applicant would need to request a rezoning for that business. As there were no other persons who wished to speak on this matter, Chairman Yolanda J. Feimster declared the public hearing closed.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Leo Kelly, Jr., vote unanimous, to approve the following resolution amending the Vance County Zoning Ordinance to allow for conditional zoning.



**ORDINANCE AMENDING THE VANCE COUNTY ZONING ORDINANCE  
ALLOWING FOR CONDITIONAL ZONING**

**WHEREAS**, Chapter 160D of the NC general statutes authorizes local governments to undertake conditional or conditional district zoning; and

**WHEREAS**, conditional/conditional district zoning provides the opportunity for a local government to consider a map amendment and property rezoning that includes the ability

to agree on additional conditions that may be appropriate for a particular projects within the context of a legislative rezoning; and

**WHEREAS**, authorizing conditional zoning will continue to provide opportunities for public input into the rezoning process while providing the opportunity for the County to add appropriate development conditions; and

**WHEREAS**, the Planning and Development Department with assistance from the Vance County Planning Board and County Attorney have discussed and recommend specific language be added to the Vance County Zoning Ordinance authorizing the use of conditional zoning in the County; and

**WHEREAS**, conditional zoning supports multiple goals, objectives and strategies within the County land use plan such as encouraging development at a rate and pattern that can be efficiently and effectively served by existing and planned services and facilities, improving the visual image while preserving the natural character of the county, allowing for density incentives for particular housing types in short supply as well as providing flexibilities for the developer to provide and the County to request and/or require open space preservation within new developments; and

**WHEREAS**, the proposed amendment is therefore consistent with the Vance County land use plan, is reasonable, and is in the public interest.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS**, that:

A. The Vance County Zoning Ordinance be amended as follows (deletions as ~~striketroughs~~, additions shown as underlined text):

1) AMEND Section 3 to add the following:

**3.3 CONDITIONAL ZONING DISTRICTS**

A. In addition to the general use zoning districts established in Section 3.2, a corresponding conditional zoning district, bearing the designation ‘CZ’, may be established in accordance with the provisions of Section 11.6. Accordingly, the following conditional zoning districts may be designated upon approval by the Board of County Commissioners of a petition by the property owners to establish a conditional zoning district:

1. CZ-AR, Agricultural Residential Conditional Zoning District
2. CZ-WOZ, Watershed Overlay Zone Conditional Zoning District
3. CZ-R30, Residential Low Density Conditional Zoning District
4. CZ-R20, Residential Medium Density Conditional Zoning District
5. CZ-R10, Residential High Density Conditional Zoning District
6. CZ-OS, Open Space Conditional Zoning District
7. CZ-RMHC Planned Manufactured Housing Community Conditional Zoning District
8. CZ-EIA, Employment and Institutional Area Conditional Zoning District
9. CZ-HC, Highway Commercial Conditional Zoning District
10. CZ-GC1, General Commercial Conditional Zoning District
11. CZ-LI, Light Industrial Conditional Zoning District
12. CZ-IM, Industrial Mining/Quarry Conditional Zoning District
13. CZ-OI, Office Institutional Conditional Zoning District

B. The development and use of property within a conditional zoning district is subject to predetermined ordinance standards and the rules, regulations, and conditions imposed as part of the legislative decision creating the district. All regulations which apply to a general use zoning district also apply to the corresponding conditional zoning district. All other rules, regulations, and conditions which may be offered by the property owner and approved by the Board of County Commissioners as part of the rezoning process shall also apply. Property may be placed in a conditional zoning district only in response to a petition by the owners of all of the property proposed to be included in the conditional zoning district. Requirements for conditional zoning districts are delineated in Section 11.6.

2) AMEND Section 11 to add the following:

**11.6 Conditional Zoning**

- A. There are circumstances in which a general zoning district designation allowing a use by right would not be appropriate for a particular property even though the use itself could, if properly planned, be appropriate for the property consistent with the objectives of this Ordinance and adopted land development plan, comprehensive plan, corridor plans, small area plans, and other land use policy documents. The rezoning process established in this Section provides for the accommodation of such uses by a reclassification of property into a conditional district, subject to additional conditions which ensure compatibility of the proposed use with the use and enjoyment of neighboring properties. A conditional district allows a particular use or uses to be established only in accordance with specified standards and conditions tailored to each individual development project. This is a voluntary rezoning procedure that is intended for firm development proposals. It is not intended or suited for securing early zoning for tentative proposals that may not be undertaken for some time.
- B. The review and approval process for conditional district petitions involves a legislative hearing and legislative decision by the Board of County Commissioners. The review of conditional district petitions shall be undertaken in accordance with the provisions of Sections 11.
- C. Property may be placed in a conditional district only in response to a petition by the owners of all the property to be included. A petition for a conditional district shall include:
  - 1. A master site plan prepared in accordance with Sections 2.2, 6.9 and as required by this ordinance;
  - 2. Written supporting documentation that specifies the actual use or uses proposed for the property, and
  - 3. Proposed rules, regulations, and conditions that, in addition to all predetermined requirements of this Ordinance, will govern the development and use of the property.
  - 4. A statement analyzing the reasonableness of the proposed rezoning.
- D. Conditional districts, as established in Section 3.3, parallel general use zoning districts. Only those land uses (including uses by right, special uses, and conditional uses) permitted in a general use zoning district to which a conditional zoning district corresponds shall be allowed. All requirements of any corresponding general use district and all other requirements of this Ordinance apply to a conditional district except to the extent that the approved rules, regulations, and conditions included in the petition for rezoning are more restrictive than the general use district requirements.
- E. Review and Approval Process: The review and approval of a petition for a conditional district shall follow the same process as outlined in Section 11 for a general use rezoning.
  - 1. In the course of evaluating the proposed use, the Planning Board and/or the Board of County Commissioners may request additional information deemed appropriate to provide a complete analysis of the proposal.
  - 2. Conditional district decisions are a legislative process subject to judicial review using the same procedures and standard of review applicable to general use district zoning decisions.
  - 3. Conditional district decisions shall be made in consideration of identified relevant adopted land use plans for the area, including, but not limited to, land development plans, comprehensive plans, strategic plans, district plans, small area plans, corridor plans, and other land development policy documents.
- F. Conditions to Approval: Specific conditions applicable to the conditional districts may be proposed by the petitioner or the County or its agencies, but only those conditions mutually approved by the County and the petitioner may be incorporated into the zoning regulations or permit requirements.
  - 1. Conditions and site-specific standards imposed in a conditional district shall be limited to those that address the conformance of the development and use of the site to County ordinances and an officially adopted comprehensive or other plan and those that address the impacts reasonably expected to be generated by the development or use of the site.
  - 2. Any such conditions should relate to the relationship of the proposed use to surrounding property, proposed support facilities such as parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer

areas, the timing of development, street and right-of-way improvements, water and sewer improvements, storm water drainage, the provision of open space, and other matters that the Board of County Commissioners may find appropriate or the petitioner may propose. Such conditions to approval of the petition may include dedication to the county or state, as appropriate, of any rights-of-way or easements for streets, water, sewer, or other public utilities necessary to serve the proposed development.

3. The petitioner shall have a reasonable opportunity to consider and respond to any such conditions prior to final action by the Board of County Commissioners.
  4. If for any reason any condition for approval is found to be illegal or invalid or if the petitioner should fail to accept any condition following approval, the approval of the site plan for the district shall be null and void and of no effect and proceedings shall be instituted by the County to rezone the property to its previous zoning classification or to another zoning district.
- G. Effect of Approval: If a petition for a conditional district is approved, the development and use of the property shall be governed by the predetermined ordinance requirements applicable to the district's classification, the approved site plan or master plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to this Ordinance and to the zoning map.
1. If a petition is approved, only those uses and structures indicated in the approved petition and site plan shall be allowed on the subject property. A change of location of the structures may be authorized pursuant to subsection I below provided that such change in building layout does not result in an increase in the number of structures.
  2. Following the approval of the petition for a conditional district, the subject property shall be identified on the zoning map by the appropriate district designation. A conditional district shall be identified by the same designation as the underlying general district preceded by the letters 'CZ' [for example 'CZ-R10'].
  3. No permit shall be issued for any development activity within a conditional district except in accordance with the approved petition and site plan for the district.
  4. Any violation of the approved site plan or any rules, regulations and conditions for the district shall be treated the same as any other violation of this Ordinance and shall be subject to the same remedies and penalties as any such violation.
- H. Alterations to Approval: Except as provided in subsection 1 below, changes to an approved petition or to the conditions attached to the approved petition shall be treated the same as amendments to this Ordinance or to the zoning map and shall be processed in accordance with the procedures in this Ordinance.
1. The Planning Director shall have the delegated authority to approve an administrative amendment to an approved site plan. The Planning Director shall have no authority to amend the conditions of approval of a petition. The standard for approving or denying such a requested change shall be that the change does not significantly alter the site plan and that the change does not have a significant impact upon abutting properties. Any decision by the Planning Director must be in writing stating the grounds for approval or denial.
  2. The Planning Director, however, shall always have the discretion to decline to exercise the delegated authority either because he is uncertain about approval of the change pursuant to the standard or because a rezoning petition for a public hearing and Board of County Commissioners consideration is deemed appropriate under the circumstances. If the Planning Director declines to exercise this authority, the applicant may file a rezoning petition for a public hearing and Board of County Commissioners decision in accordance with the provisions delineated in Sections 11.
  3. Any request for an administrative amendment shall be pursuant to a written letter, signed by all of the owners of the property, detailing the requested change. Upon request, the applicant shall provide any additional information as deemed necessary by the Planning Director. Upon an approval of an administrative amendment, the applicant shall file a sufficient number of copies of the revised site plan as deemed necessary by the Planning Director.
  4. If the Planning Director denies approval of the requested administrative amendment, the applicant may file a rezoning petition for a public hearing and

Board of County Commissioner decision in accordance with the provisions delineated in Sections 11.

- I. Review of Approved Conditional Districts: It is intended that property shall be reclassified to a conditional district only in the event of firm plans to develop the property. Therefore, no sooner than one year (or two years if a vested right has been established in accordance with the provisions of Section 1.8) after the date of approval of the petition, the Planning Board may examine the progress made toward developing the property in accordance with the approved petition and any conditions attached to the approval. If the Planning Board determines that progress has not been made in accordance with the approved petition and conditions, the Planning Board shall forward to the Board of County Commissioners a report which may recommend that the property be rezoned to its previous zoning classification or to another zoning district.

The above amendments are effective upon adoption of this ordinance.

**Adopted this 9<sup>th</sup> day of January, 2023.**

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

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

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Ms. Argretta Johen, Vance County Employee Engagement Team, was next on the agenda to recognize the new employee of the month. She noted that employees are nominated by their peers, and this month’s recognition goes to Animal Services Manager Frankie Nobles. His peers noted that he is extremely dependable, never complains and offers solutions, is always willing to help others, and goes above and beyond his normal duties. Mr. Nobles will receive a \$100 gift card and a designated parking space for the month. He was presented a certificate of appreciation and the board congratulated him on receiving this recognition.

Ms. Porcha Brooks, Tax Administrator, appeared before the board to address a tax appeal that was brought to the board during its November meeting from Charles Robinson for new construction at 770 Marina Cove Lane, Henderson. During that meeting Mr. Robinson was asked to have his property appraised in order for the board to make a sound decision on this matter. Ms. Brooks stated that as of today, she has not received an appraisal. Mr. Robinson was present and stated that he has the appraisal, but wanted to submit it to the board tonight. Chair Yolanda J. Feimster stated that the board needs information ahead of time in order to review. She suggested that this matter be tabled until the board and the tax administrator have seen and reviewed the appraisal.

Motion was made by Commissioner Thomas S. Hester, Jr. to table this matter until the February 2023 meeting in order for the board and the tax administrator to obtain and review the

appraisal. This motion was seconded by Commissioner Archie B. Taylor, Jr. and vote was ayes – six (6); noes – one (1), with the dissenting vote being cast by Commissioner Dan Brummitt.

Ms. Jill Robinson asked how grades are determined and was told that the appraisal will be used to compare to the county's Schedule of Values.

#### Water District Board

Chair Yolanda J. Feimster called the Water District Board to order and the November 2022 monthly operations report was presented to the board for information. Mr. Andrew White, Director of Customer Relations with Envirolink, provided the board an update on the 45 new sign-ups that were received this past fall. He stated that all materials have been ordered and should be on sight tomorrow. He anticipates the tap installation work to begin this week and to complete two to three taps per day. Chair Yolanda J. Feimster thanked Mr. White for the update and adjourned the Water District Board.

#### Committee Reports and Recommendations

*Properties Committee – City/County Owned Properties and City Redevelopment Plan.*

County Manager Jordan McMillen stated that the committee (Brummitt, Kelly & Taylor) met jointly with the city's land planning committee on Thursday, December 29 to discuss the city's interest in purchasing the remaining jointly owned properties and learn more on the city's redevelopment plans. The city recently submitted an offer totaling \$181,529 to purchase the county's interest in the remaining 114 jointly owned properties. The vast majority of the properties are less than 6,500 square feet in size with the county owning an average of 57% of the interest in the properties to the city's 43% ownership. He stated that the city manager provided an overview presentation from the UNC School of Government's (Development Finance Initiative) study and redevelopment plans for the West End and Flint Hill areas. According to the study, the city has a shortage of 3,000 housing units and the greatest need is among families making less than 30% of the area median income. Based on the area median household income of \$54,900, a family of four can afford a home price of \$183,000 although the median list price in the area is \$229,000. The study indicates the city and county are the largest property owners within the Flint Hill area. He noted that the committee was informed that the city is not in the business of building residential properties, but has a few developers interested in working to redevelop some of the properties. The city's intention is to use the properties in order to seek proposals and facilitate and incentivize private developers and non-profits to create multiple housing types to include single family,

multifamily, affordable and workforce housing to meet the community need and match the individual community styles as outlined in the study. The study highlights the need for both market rate and subsidized housing as well as the need for both homeownership and rental options. The committees discussed the importance of financial literacy and homebuyer education to help improve the overall homeownership rate in the community. The committee as a whole was supportive of working with the city and their efforts to redevelop and create additional housing options available for citizens at various income levels. The committee members discussed whether a smaller group of the properties should be conveyed initially versus conveying all, and a majority of members agreed with conveying all at one time to avoid the city having to come back to the county multiple times to obtain the properties. The committee as a whole reiterated the need for the city to create small examples of success and results that could lead to further success in developing the properties.

After brief discussion, motion was made by Commissioner Leo Kelly, Jr. to approve the sale and authorize staff to execute the necessary documents to convey the remaining jointly owned properties to the City of Henderson. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

*Human Resources Committee – City Funded Animal Services Officer Position.* Mr. McMillen reported that the committee (Faines & Taylor) met Wednesday, January 4 to discuss and review an agreement with the City of Henderson whereby the city would fund an additional county animal services officer position. The new position would be a county employee and operate under the county's authority to provide animal services, and the city would cover the recurring salary and benefits cost which is estimated at \$51,000 annually. The committee was informed that approximately 50% of the animal service incidents/calls are within the city limits and adding the new position adds an additional officer into the on-call rotation and is beneficial for reducing burnout for existing officers. The committee discussed potential onetime costs and was informed they may total approximately \$11,000 in order to provide a laptop, mobile radio, uniform and other necessities of the position. The committee was supportive of the agreement with the city and recommended approval and creation of the additional animal services officer position.

Motion was made by Commissioner Carolyn Faines, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the following resolution authorizing an interlocal

agreement with the City of Henderson and the creation of an additional county animal services officer position to be funded by the city pursuant to the agreement.



**RESOLUTION**

**by the**

**Vance County Board of Commissioners**

***Authorizing an Interlocal Agreement with the City of Henderson Pursuant to NCGS §160A-461 and Creating an Additional Animal Services Officer Position Pursuant to the Agreement***

**WHEREAS**, N.C. General Statute 160A-461, “Interlocal cooperation authorized” authorizes units of local government to enter into agreements with each other in order to execute an undertaking by one unit of local government on behalf of another unit of local government and is required to be ratified by resolution of the governing board of each unit; and

**WHEREAS**, the City requested the County to provide additional animal control services within the City; and

**WHEREAS**, the City of Henderson has previously met and approved a resolution in support of funding an additional County Animal Services Officer position whose primary assignment would be within the jurisdiction of the City; and

**WHEREAS**, the County’s Human Resources Committee met in January 2023 and discussed the City’s proposal as well as reviewed a draft interlocal agreement between the City and the County providing for the additional position;

**NOW, THEREFORE BE IT RESOLVED**, that the Vance County Board of Commissioners, pursuant to NCGS §160A 461, does hereby ratify the attached Interlocal Agreement with the City of Henderson, authorizes the creation of an additional County animal services officer pursuant to the agreement, and directs the County Manager to execute the agreement.

**This the 9<sup>th</sup> day of January, 2023.**

**Attest:**

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

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



**County Manager’s Report**

*Board of Elections – Laptops Purchase.* County Manager Jordan McMillen explained that the Board of Elections has requested to purchase 27 laptops, printers and associated cables totaling \$23,213 from funds within the elections budget. The laptops are used on Election Day to print authorization to vote forms and will replace previous units purchased in 2013 which are beyond end of life. Due to the age and condition of their existing laptops, the board of elections chose to rent equipment during the 2022 general election at a cost of approximately \$6,600. Staff believes purchasing the equipment will be more economical in the long run and will alleviate performance issues experienced with the rental units.



Motion was made by Commissioner Carolyn Faines, seconded by Commissioner Leo Kelly, Jr., vote unanimous, to approve the purchase of laptops, printers and associated cables for the Board of Elections totaling \$23,213.

*Resolution – Supporting State Salary Increases for Juvenile Facility Staff.* Mr. McMillen stated that the County’s juvenile crime prevention council (JCPC) has gone on record supporting increased salaries for Division of Juvenile Justice and Delinquency Prevention (DJJDP) facility staff across the state and is requesting the same from the County. These are the positions that oversee the state’s juvenile detention facilities and their salaries are 100% state funded. According to information from JCPC, juvenile delinquency staff were passed over for increases in the current year state budget whereas staff within the state’s adult prisons were included in pay raises. Additionally a step pay plan providing annual increases based on years of experience was implemented for adult prisons and was left out for juvenile detention facility staff during last minute state budget negotiations. The DJJDP has a total of 416 vacancies (26% of its total positions) and 92% of the vacancies are either in youth detention facilities or in juvenile court services across the state. The resolution supports increased salaries and a step pay plan for juvenile facility staff across the state.

Motion was made by Commissioner Dan Brummitt to approve the following resolution in support of state salary increases for Division of Juvenile Justice and Delinquency Prevention detention and youth development center staff. This motion was seconded by Commissioner Archie B. Taylor, Jr. and unanimously approved.



**RESOLUTION**  
by the  
**Vance County Board of Commissioners**  
*Supporting Compression Increases for Division of Juvenile Justice and Delinquency  
Prevention Detention and Youth Development Center Staff*

**WHEREAS**, the Division of Juvenile Justice and Delinquency Prevention provides short term secure confinement in Juvenile Detention Centers and long term commitment services in the State’s Youth Development Centers; and

**WHEREAS**, the overarching mission of the Division of Juvenile Justice and Delinquency Prevention and the local Juvenile Crime Prevention Council is to provide services and programming to ensure the protection of the community and rehabilitation of youth offenders; and

**WHEREAS**, State juvenile facility staff have been passed over for pay increases that would recognize and reward the experienced staff, and make compensation more competitive as well as ensure qualified staff recruitment and retention; and

**WHEREAS**, Over one-quarter (26%) of JJDP positions are vacant (416 of 1,576), primarily in the areas of community supervision and case management and direct supervision of juveniles in confinement. More than half (225 or 54%) of the 416 vacancies are DJJDP

facilities' positions. More than one-third (157 or 38%) of the vacancies are in juvenile court services, which provides community supervision and case management services; and

**WHEREAS**, Compression Salary Increases for Division of Juvenile Justice and Delinquency Prevention facility staff were removed from the State's budget prior to final approval; and

**WHEREAS**, similar salary adjustments or increases WERE approved for Department of Public Safety staff in adult facilities.

**NOW, THEREFORE BE IT RESOLVED**, that Vance County Board of Commissioners supports the adequate and timely increase of the salaries of juvenile facility staff across the State of North Carolina to make those positions competitive and to ensure qualified staff are compensated adequately for years of experience for the purposes of retention, as well as lay the groundwork for recruitment of qualified staff for youth facilities which will ensure the immediate and ongoing protection of the community and strengthen rehabilitative services for those juveniles most in need.

**Adopted this 9<sup>th</sup> day of January, 2023.**

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

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

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*Jail Health and Facility Update.* Mr. McMillen reported that Advanced Correctional Healthcare (ACH) is set to begin providing jail health services on January 9. A contract between the Sheriff and ACH was provided to the board for review. County staff assisted the sheriff with the procurement process and contract review along with the county attorney since Southern Health ended services at the jail on October 14, 2022. The annual contract cost with ACH totals \$462,486. StarMed Healthcare will be wrapping up its 87 day interim jail health services when ACH begins.

Mr. McMillen also provided an overview of significant investments the County has recently made and is continuing to provide to the Sheriff for building improvements at the jail. All security doors are in the process of being replaced at a cost of approximately \$350,000, and over the past five budget years, the county has provided over \$933,580 for one-time capital and maintenance projects at the jail. During this time, the jail expenditure budget has increased from \$3.47 million to \$4.34 million annually and is \$4.86 million in the current fiscal year due to recent healthcare costs. Over the past two years, two separate salary studies were completed for detention center staff and starting detention officer salaries have increased from \$30,024 to \$36,433 as a result of these studies. Moseley Architects is currently completing a space and facilities needs assessment for the jail – they have previously met with staff, have toured the facility and have gathered plans and relevant data. They are in the stage of completing an inmate population forecast which will be used to determine future bed capacities and needs. As a part of the study, Moseley will be evaluating opportunities for

regionalization as well as providing options for expansion to include size, location, proposed layout, and cost. The study is to include recommendations for short and long term maintenance improvements. Study feedback and initial results are expected as we get into the spring months. As noted above, the county has stepped up and made significant investments to the facility as requested by the Sheriff the past few years.

Sheriff Curtis Brame was present and thanked the board for all it has done to help improve the facility, but it is still in poor condition. He stated that the facility is going to continue to cost the county money because of its age. Commissioner Carolyn Faines stated that the board is doing all it can do to make sure that employees and inmates are safe in this facility and will continue to do so. The group also discussed detention officer vacancies, inmate relocation during the installation of the new doors, and the space/facility study that is currently underway.

Finance Director's Report

*Surplus Property.* County Manager Jordan McMillen presented the following items from the former Social Services Building on Ruin Creek Road to be declared surplus.

- 2007 Ford Crown Vic
- 1988 Ford L800 (Engine 3)

Motion was made by Commissioner Leo Kelly, Jr., seconded by Commissioner Carolyn Faines, vote unanimous, to approve the property presented as surplus and authorize the Finance Director to dispose of said property accordingly as allowed by state statute.

County Attorney's Report

*REO Property – Bid Acceptance Resolution.* County Attorney Jonathan S. Care noted that during its November 2022 meeting, the board of commissioners approved the public sale process for 813 E. Andrews Avenue (Parcel 0079 03005). The property was advertised through the upset bid process and the board is now free to sell the property or reject the offer.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following resolution accepting the bid for 813 E. Andrews Avenue – Parcel 0079 03005:



**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:

**813 E. Andrews Avenue, Henderson, NC, Vance County Tax Department Parcel Number 0079 03005.**

**WHEREAS**, pursuant to NCGS 160A-269 and the Resolution Authorizing Upset Bid Process for Sale of Real Property adopted by the Vance County Board of Commissioners on November 7, 2022, a notice was published in the *Daily Dispatch* on **November 10, 2022**, stating that said offer by **A. Grace Housing LLC** in the amount of **\$6,586.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

**WHEREAS**, an upset bid was received by **Samuel N. Merritt**; and

**WHEREAS**, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **November 26, 2022**, stating that said offer by **Samuel N. Merritt** in the amount of **\$7,606.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

**WHEREAS**, an upset bid was received by **A. Grace Housing LLC**; and

**WHEREAS**, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **December 8, 2022**, stating that said offer by **A. Grace Housing LLC** in the amount of **\$8,606.00** had been received and that any person wishing to submit an upset bid should do so within 10 days; and

**WHEREAS**, no upset bids were received within the statutorily prescribed time period.

**THEREFORE, BE IT RESOLVED** by the Vance County Board of Commissioners, pursuant to NCGS 160A-269 that:

The bid submitted by **A. Grace Housing LLC** in the amount of **\$8,606.00** 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 9<sup>th</sup> day of January, 2023.**

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

**ATTEST:**

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

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Consent Agenda

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following consent agenda items as presented: Budget Amendment #25, November 2022 Tax Refunds and Releases, departmental monthly reports, and the minutes of the December 5, 2022 regular meeting.

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**Budget Amendment #25**  
**FY 2022-2023**  
**Social Services**

<b>Revenue Amendment Request</b>	<b>Account Number</b>	<b>Revenue Increase (Decrease)</b>
General Fund Balance	10-399-439900	7,500
<b>Total Revenue Increase (Decrease)</b>		<b>\$ 7,500</b>

  

<b>Expenditure Amendment Request</b>	<b>Account Number</b>	<b>Expense Increase (Decrease)</b>
DSS General Assistance Fund	10-610-500020	7,500
<b>Total</b>		<b>\$ 7,500</b>

Purpose: Additional funds needed to complete the fiscal year.

Authorization: Vance County Board of Commissioners  
January 9, 2023

**TAX OFFICE REFUND AND RELEASE REPORT FOR NOVEMBER 2022**

<b>TAXPAYER NAME</b>	<b>TAX YR</b>	<b>REAL</b>	<b>PERSONAL</b>	<b>SOLID WASTE FEE</b>	<b>REASON</b>
TUGWELL TODD JASON	2021	0	225.92	0	CORRECT VALUE
HINTON JOHNNIE MAE	2022	0	76.76	105	CORRECT/GRANT EX
SHORT WILTON L	2022	170.39	0	0	BILLED ROLLBACKS
SHORT WILTON L	2022	170.39	0	0	BILLED ROLLBACKS
SHORT WILTON L	2022	170.39	0	0	BILLED ROLLBACKS
ADAMS PAUL LANCASTER JR	2022	153.82	0	0	CEMETARY
EDWARDS BILLY C	2022	368.93	0	0	CORRECT/GRANT EX
FREEMAN MARCIE A	2022	440.55	0	0	CORRECT/GRANT EX
GARCIA JOSEPH	2022	400.50	0	0	CORRECT/GRANT EX
GILLIS HAZEL SMITH	2022	0	27.81	0	PERS PROP BILLED
GREEN EDITH HARGROVE	2022	573.23	0	0	CORRECT/GRANT EX
HARGROVE JAKE	2022	579.42	0	0	CORRECT/GRANT EX
HICKS JOHNETTA	2022	400.50	0	0	CORRECT/GRANT EX
HOLLOWAY DEALIE	2022	0	0	120	REMOVE SOLID WAS
JAMES THOMAS P	2022	720.90	0	0	CORRECT/GRANT EX
JEFFREYS VANN J	2022	0	631.50	0	PERS PROP BILLED
JEFFREYS VANN J	2022	0	3.23	0	PERS PROP BILLED
JOHNSON TAMMY	2022	0	16.16	120	PERS PROP BILLED
MIRAVALLE LISA F	2022	580.44	0	0	CORRECT/GRANT EX
PERNELL ERNEST E DECEASED	2022	570.01	0	0	CORRECT/GRANT EX
SHORT WILTON L	2022	170.39	0	0	BILLED ROLLBACKS
SPECTRUM SOUTHEAST LLC FKA	2022	0	31139.58	0	CORRECT VAL PER
SPECTRUM SOUTHEAST LLC FKA	2022	0	1168.23	0	CORRECT VAL PER
SPECTRUM SOUTHEAST LLC FKA	2022	0	40411.34	0	CORRECT VAL PER
SPECTRUM SOUTHEAST LLC FKA	2022	0	31139.58	0	CORRECT VAL PER
STAINBACK BARBARA L	2022	429.29	0	0	CORRECT/GRANT EX
SUTTON JAMES A SR	2022	315.53	0	0	CORRECT/GRANT EX
VICK DAVID E JR	2022	388.12	0	120	CORRECT VALUE
WILLIAMSON CHRISTOPHER K	2022	662.68	0	0	CORRECT/GRANT EX
WILSON WILLIAM ONEAL DECEASED	2022	340.80	0	120	CORRECT VALUE
TOTAL		7606.28	104840.11		
GRAND TOTAL	112446.39				

MONTHLY REPORTS: 911 Emergency Operations, Administrative Ambulance Charge-Offs, EMS, Human Resources, Information Technology, Parks and Recreation, Planning and Development, Tax Collections and Veterans Service.

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Miscellaneous

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

Downtown Development Commission – three year term  
Reappoint Yolanda Feimster

Kerr-Tar Regional Aging Advisory Committee – three year term  
Reappoint Sandra Tubbs

KARTS Board – two year term  
Appoint Schania Gales, Senior Center Director, to fill position formerly held by Denita Devega.  
Appoint commissioner to fill position formerly held by Gordon Wilder.

Motion was made by Commissioner Leo Kelly, Jr. to reappoint Yolanda Feimster to the Downtown Development Commission, reappoint Sandra Tubbs to the Kerr-Tar Regional Aging Advisory Committee, appoint Schania Gales to the KARTS Board, and appoint Archie B. Taylor, Jr. to the KARTS Board to fill the position formerly held by Gordon Wilder. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

As there was no further business, at 8:05 p.m., motion was made by Commissioner Dan Brummitt, seconded by Commissioner Leo Kelly, Jr., vote unanimous, that the meeting be adjourned.

**Approved and signed February 6, 2023.**

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