

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, November 7, 2022 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 Leo Kelly, Jr., Vice-Chair Yolanda J. Feimster, Commissioners R. Dan Brummitt, Carolyn Faines, Thomas S. Hester, Jr., Archie B. Taylor, Jr., and Gordon Wilder.

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.

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

The first item on the agenda was a special recognition for Commissioner Gordon Wilder whose term will end December 5, 2022. On behalf of the Vance County Board of Commissioners, Chairman Leo Kelly, Jr. presented a certificate of appreciation to Commissioner Wilder for his 12 years of dedicated and loyal service to the citizens of Vance County. Commissioner Wilder thanked the board for this recognition and stated that he has enjoyed his tenure as a member of the board of commissioners.

Mr. Frankie Nobles, Vance County Employee Engagement Team Chair, was next on the agenda to recognize the new employee of the month. He noted that employees are nominated by their peers, and this month's recognition goes to Lt. Ray Shearin with the Vance County Sheriff's Office. His peers noted that he is a team player, dependable, and is always willing to help others as needed. It was also noted that Lt. Shearin has only take one sick day in his 28 years of service. Lt. Shearin 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.

Tax Administrator Porcha Brooks was next on the agenda and presented the following untimely exemption applications for approval:

Untimely Exemptions

Name	Exemption Requested	Tax Administrator's Recommendation
Joseph and Lucille Garcia 254 Charles Street - Parcel 0024 04007	Elderly/Disabled	Approve Application
Joseph Brodie and Marcie Freeman 70 Cardinal Lane - Parcel 0365C01021	Disabled Veteran	Approve Application

Thomas and Leslie James 1812 Waddill Way - Parcel 0215B02007	Disabled Veteran	Approve Application
Juanita H. Williamson 753 Walter Bowen Road - Parcel 0548 02026	Elderly	Approve Application
Barbara L. Stainback 420 Allison Cooper Road - Parcel 0616 01003	Elderly	Approve Application
Betty Edwards 1881 Weldons Mill Road - Parcel 0543 01003	Elderly	Approve Application
Lisa F. Miravalle 1609 Cypress Drive - Parcel 0015 07007	Elderly	Approve Application
Johnnie Mae Hinton 1415 High Street - 1992 Vogue 14 x 70	Elderly	Approve Application
James A. Sutton, Sr. 1749 US 1 Hwy South - Parcel 0482 02010	Elderly	Approve Application
Johnetta Hicks 817 E. Montgomery St. - Parcel 0077 04013	Elderly	Approve Application
Jake Hargrove 409 Horner Street - Parcel 0022 06016	Disabled Veteran	Approve Application
Edith Green 429 Sunnyview Road - Parcel 0214C02008	Elderly	Approve Application
Robert Alan Pernell 1360 Spring Valley Lake Road - Parcel 0202 01006	Elderly	Approve Application
Robert Lee Overton Horseshoe Bend Road Parcels 0426 02017, 0428 02002, and 0428 03004	Present Use Agriculture and Forestry	Approve Application
Life Line Outreach, Inc. 2040 Raleigh Road - Parcel 0067 03007 2039 Francis Ave - Parcel 0067 03022 2031 Francis Ave - Parcel 0067 03023	Charitable/Educational	Approve Application

Motion was made by Commissioner Gordon Wilder to approve the untimely exemptions as presented. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Ms. Brooks then presented an appeal from Charles Robinson for new construction at 770 Marina Cove Lane, Henderson who feels the value of his property is too high. Mr. Robinson stated that he has compared his home to other similar built homes in the surrounding area and feels the grade level of A+10 is too extreme. He stated that other homes that are built with the same materials, same location, and similar square footage are all taxed at grades B+ to C- and feels his home should be the lower grade as well. He also feels that the value of \$150,000 for one acre is substantially overvalued granted the lack of privileges associated with his red zone location (meaning dock permits are not allowed by the US Army Corps of Engineers). He feels the value should be \$50,000 per acre for the entire 2.965 acres.

Ms. Brooks stated that Vance County real estate values reflect the market value as of January 1, 2016. Mr. Robinson had not given an opinion of value before tonight and prior attempts to discuss the value with the county's real property appraiser were unsatisfactory. She stated that

she has compared the comps that Mr. Robinson provided and determined that there was not enough evidence to change the assessed value.

The board discussed this matter at length and suggested that Mr. Robinson have his property appraised in order for the board to make a sound decision on this matter.

Motion was made by Commissioner Thomas S. Hester, Jr. to continue this matter until the board's January regular meeting in order to allow the property owner time to have the property appraised based on 2016 values. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

As advertised, a public hearing was held to gain citizen input regarding a petition to abandon a portion of Kate Bullock Road (approximately 2,800 feet) from NCDOT state maintenance. County Manager Jordan McMillen stated that the four property owners surrounding the end portion of Kate Bullock Road (SR 1330) are requesting DOT to abandon the last 2,800 feet of the roadway. The request is to allow for preventative measures to eliminate dumping trash, parking, and other unsolicited activities along a very remote portion of the roadway. He stated that in accordance with NCGS 136-63, it is appropriate for the board of commissioners to formally request the abandonment when the best interest of the people of the county will be served thereby. Staff has been in conversation with a representative for all four property owners and all are in support of proceeding with the request.

Mr. Andrew Perkinson spoke in support of the abandonment. As there was no one else who wished to speak on this matter, Chairman Leo Kelly, Jr. declared the public hearing closed.

Motion was made by Commissioner Gordon Wilder to approve the following resolution requesting NCDOT to abandon a portion of Kate Bullock Road (State Road 1330). This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.



RESOLUTION
by the
Vance County Board of Commissioners
Requesting the North Carolina Department of Transportation to Abandon a
Portion of Kate Bullock Road (State Road 1330)

WHEREAS, the Vance County Board of County Commissioners has heretofore received a petition from the property owners along SR 1330 to abandon that portion of the road which is at the end of said road and surrounded entirely by their properties; and

WHEREAS, pursuant to NCGS 136-63, the Board of County Commissioners may, upon receipt of said petition, request the North Carolina Department of Transportation to abandon any road in the secondary road system when the best interest of the people of the county will be served thereby; and

WHEREAS, at the time of termination of the maintenance agreement with the North Carolina Department of Transportation, this portion of the road will revert back pursuant to state law.

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

1. Pursuant to NCGS 136-63, the abandonment of the end portion (approximately 2,800 feet) of SR 1330 is in the best interest of the people of the county served thereby; and
2. The North Carolina Department of Transportation is requested to abandon this section of SR 1330; and
3. This resolution shall be effective upon its adoption.

ADOPTED this the 7th day of November, 2022.

ATTEST:

Leo Kelly, Jr. (signed)
Leo Kelly, Jr., Chairman
Vance County Board of Commissioners

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

.

As advertised, a public hearing was held to gain citizen input on a rezoning request for a parcel located at 165 Faulkner Town Road (Parcel 0541 01030). James and Marsha Wallace are the owners of the property. Planning and Development Director Keith Callahan stated that the request is to amend the zoning map and to rezone the 1.43 acre parcel from Residential Manufactured Housing Community (R-M-H-C) to Residential Low Density (R-30) in order to make the parcel eligible for a stick-built home. Mr. Callahan stated that the proposed zoning is a down-zoning, which decreases housing density. He noted that the planning board recommended approval of the rezoning at its October 13 meeting.

As there was no one present who wished to speak on this matter, Chairman Leo Kelly, Jr. declared the public hearing closed.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Dan Brummitt, vote unanimous, to approve the rezoning on the basis that it is reasonable and consistent with the county’s land use plan, and that the proposed zoning would be consistent with surrounding zoning and current uses.

As advertised, a public hearing was held to gain citizen input on a rezoning request for five parcels totaling 418+/- acres in the area of Technology Lane and Hwy 158 Business (Parcels 0412 01001, 0412 01008, 0413 02017, 0413 02018, and 0413 02021). Kerr-Tar Regional Economic Development Corporation is the owner of the parcels. Planning and Development Director Keith Callahan stated that the request is to amend the zoning map and to rezone the parcels from

Employment and Institutional Area (E-I-A) to Light Industrial (L-I) in order to be more flexible for economic development. He noted that the planning board recommended approval of the rezoning at its October 13 meeting.

Mr. Dennis Renn spoke in opposition of the rezoning because he does not know what might be built there. He is concerned a recycling center, or something similar might be built. Ms. Stephanie Hoyle asked for an example of Light Industrial and was told the Henderson-Vance Industrial Park is an example of Light Industrial. Economic Development Director McKinley Perkinson spoke in support of the rezoning for marketing and economic development purposes. As there was no one else who wished to speak on this matter, Chairman Leo Kelly, Jr. declared the public hearing closed.

After discussion, motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Dan Brummitt, vote unanimous, to approve the rezoning on the basis that it is reasonable and consistent with the county's land use plan, and that the proposed zoning would be consistent with surrounding zoning and current uses.

Water District Board

Chairman Leo Kelly, Jr. called the Water District Board to order and the September 2022 monthly operations report was presented to the board for information. County Manager Jordan McMillen informed the board that 45 signups were received during the recent signup campaign that ran in August and September. Chairman Leo Kelly, Jr. adjourned the Water District Board.

Committee Reports and Recommendations

Human Resources Committee – Shift Differential Pay. County Manager Jordan McMillen stated that the committee (Faines, Taylor & Wilder) met Wednesday, October 24 to continue discussing shift differential pay which would provide additional pay to employees working permanent night shifts. The committee reviewed a proposal from staff that provides \$20 per night shift worked which could equate up to \$3,840 in additional pay for an employee over an entire year. The impacted departments include 911 and the jail, and the committee discussed the potential annual cost which would be a maximum of \$30,720 for 911 and \$50,400 for the jail if their night shifts are fully staffed. Staff initially recommended implementing the program January 1 and the committee, after discussion with the 911 director, recommended implementation immediately with the pay period that begins following board approval. The committee was fully in support of the

concept making note that shift differential pay is common in the private industry and comes as a recommendation from the Association of Public-Safety Communications Officials (APCO).

Motion was made by Commissioner Carolyn Faines to approve the shift differential pay policy to be effective with the November 13, 2022 pay period. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

Public Safety Committee – Ambulance Remounts. Mr. McMillen reported that the committee (Brummitt, Faines & Wilder) met Wednesday, October 24 to discuss proposals for remounting county ambulances. The county’s recent strategy has been to purchase a new ambulance every other budget year and due to rising costs coupled with a recent ambulance with a blown transmission/engine, staff is recommending the county begin remounting two existing ambulances every other year instead of buying one new. He stated that remounting an ambulance can occur one time and involves rehabbing the existing ambulance box and placing it on a new truck chassis, essentially providing a new unit at a reduced cost. The cost for a new ambulance is \$330,000 vs. \$388,600 for two remounts. The committee was in favor of proceeding forward with two remounts in the current fiscal year understanding the unit may not be finalized and payment delivered until next fiscal year which is our normal year for a new ambulance purchase. The committee discussed the possibility of upfitting one of the newly remounted ambulances to include a bariatric rated stretcher and lift system. Mr. McMillen stated that staff has done some initial research, and thus far has found a bariatric stretcher adds only 50 pounds of capacity to the stretcher and it is not compatible with the automatic Stryker lift system utilized within our ambulances thus requiring manual lifting. Staff intends to research other systems, but prefers to remain with the current Stryker system which provides 750 pounds of capacity for the stretcher and 1,000 pounds of lifting capacity with the lift system.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Dan Brummitt, vote unanimous, to approve the contract with Northwestern Emergency Vehicles for the remount of two existing ambulances and approve Budget Amendment #20 appropriating the necessary funds.



Budget Amendment #20
FY 2022-2023
EMS

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
----------------------------------	-----------------------	------------------------------------

pricing for carpet and paint comes in better than the county's current vendors. The committee was in favor of proceeding forward and recommended to award the contract to H.G. Reynolds totaling \$27,000 from existing budgeted funds for work at the County Office Building to assist in preparing the space for Planning and Development.

Motion was made by Commissioner Carolyn Faines to award the contract to H.G. Reynolds totaling \$27,000 from existing budgeted funds for work at the County Office Building to assist in preparing the space for Planning and Development. This motion was seconded by Commissioner Dan Brummitt and unanimously approved.

Properties Committee – Kittrell Solid Waste Site Paving. Mr. McMillen stated that the committee reviewed quotes for paving the interior of the Kittrell Solid Waste Convenience site. Staff indicated this project is an effort to improve the citizen experience at the county owned sites. Staff initially recommended paving the most heavily travelled areas surrounding the solid waste compactor (up to 6,000 square feet) at a total price of \$17,395, and after discussion, the committee recommended paving the entire site (approximately 18,300 square feet) at a price of \$44,395. The committee noted that the county is spending funds each year at each site adding gravel and felt pavement was a better long term investment, saving future maintenance costs while improving the citizen experience. The committee recommended awarding the work to Reynolds Hauling at a total cost of \$44,395 to pave the entire site.

Motion was made by Commissioner Dan Brummitt to award the contract to Reynolds Hauling totaling \$44,395 from the capital fund to pave the Kittrell Solid Waste Convenience Site. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

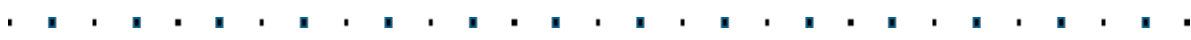
Properties Committee – Window Replacements. Mr. McMillen noted that the committee was informed of recent bidding to replace 13 windows at the Administration Building and all of the windows at the County Office Building. He stated that this project is budgeted for in the current year budget, although only one bid was received which was significantly higher than the anticipated budget. Staff is working with the project engineer (REI Engineering) and intends to rebid the project this month to include general contractors.

County Manager's Report

Resolution – Operation Green Light. County Manager Jordan McMillen informed the board that Operation Green Light is an initiative endorsed by the NC Association of County Commissioners (NCACC), the National Association of Counties (NACo), and the National

Association of County Veterans Service Officers (NACVSO) that shows support and honor for military veterans. He stated that during Operation Green Light, residents and businesses are asked to shine a green light or light their buildings green from November 7 to November 13 as a way of letting veterans know they are seen, appreciated, and supported. The following resolution supports this effort which will include lighting the exterior lights green at the Henry Dennis Building.

Motion was made by Commissioner Gordon Wilder to approve the following resolution supporting operation green light for veterans. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.



R E S O L U T I O N
by the
Vance County Board of Commissioners
Supporting Operation Green Light for Veterans

WHEREAS, the residents of Vance County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, the Vance County Board of Commissioners seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veterans Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

WHEREAS, approximately 200,000 service members transition to civilian communities annually, and an estimated 20 percent increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life, and active military service members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans; and

WHEREAS, the Vance County Board of Commissioners appreciates the sacrifices of our United State Military Personnel and believes specific recognition should be granted.

NOW THEREFORE BE IT RESOLVED, that the Vance County Board of Commissioners hereby supports Operation Green Light by lighting certain County buildings green during the period from November 7 through November 13, 2022, the week of Veterans Day, a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service; and

BE IT FURTHER RESOLVED, that in observance of Operation Green Light, the Vance County Board of Commissioners encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business or residence during the week of Veteran’s Day, November 7 through November 13.

This, the 7th day of November, 2022.

Leo Kelly, Jr. (signed)
Leo Kelly, Jr., Chairman

.....

Records Preservation – Register of Deeds. Mr. McMillen noted that the Register of Deeds is completing additional preservation of birth and death record books similar to work completed over the past three years. The next group to be preserved are birth records from 1913, 1914, 1932, 1934, 1940, 1945 and 1947 and death records from 1933. He stated that North Carolina law requires approval from the board to remove records for greater than 24 hours. The records will be taken to Greensboro for approximately 18-22 weeks to complete the preservation process and the cost will be covered out of the Register of Deeds automation fund.

Motion was made by Commissioner Dan Brummitt, seconded by Commissioner Yolanda Feimster, vote unanimous, to approve the following resolutions authorizing documents to be taken offsite from the Register of Deeds Office for the purpose of preservation.

.....

RESOLUTION
by the
Vance County Board of Commissioners
To Authorize Documents to be Moved Off-site from the Register of Deeds Office
for Purpose of Preservation

WHEREAS, the Register of Deeds is an elected official with primary duties deemed to be a major custodian of records in county government, including maintenance and protection of such records; and

WHEREAS, Vance County Register of Deeds Cassandra D. Neal has determined the need for preservation of **2 bound birth books** which are currently stored in the Vance County Register of Deeds Office dated **1945 and 1947** are all birth records whereas the year, number of records and volume of pages including any documentary attachments as follows: **1945 vol. 32 pgs. 0001-0776 and 1947 vol. 34 pgs. 0001-1006.**

WHEREAS, such preservation requires said records to be taken to the office of Kofile, in Greensboro, N.C., 18-22 weeks or until marriage preservation is completed; and

WHEREAS, North Carolina General Statute 153A-436(b) only allows a Register of Deeds to approve removal of public records for a maximum of twenty-four hours, with a longer absence to be approved only by the board of county commissioners.

NOW THEREFORE BE IT RESOLVED, that the Vance County Board of Commissioners does approve the request of duly elected Vance County Register of Deeds Cassandra D. Neal

for removal from the Vance County Register of Deeds Office of original birth certificate books dated **1945 and 1947**, whereas the year's numbers of records and volume of pages including any documentary attachments as follows: {**1945 vol. 32 pgs. 0001-0776**} {**1947 vol. 34 pgs. 0001-1006**}.

This the 7th day of November, 2022.

Leo Kelly, Jr. (signed)
Leo Kelly, Jr., Chairman
Vance County Board of Commissioners



RESOLUTION
by the
Vance County Board of Commissioners
*To Authorize Documents to be Moved Off-site from the Register of Deeds Office
for Purpose of Preservation*

WHEREAS, the Register of Deeds is an elected official with primary duties deemed to be a major custodian of records in county government, including maintenance and protection of such records; and

WHEREAS, Vance County Register of Deeds Cassandra D. Neal has determined the need for preservation of **4 Birth Books & 1 Death Book** which are currently stored in the Vance County Register of Deeds Office dated **1913-1914, 1932, 1934, 1940**, are all birth records and **1933** death book whereas the year, number of records and volume of pages including any documentary attachments as follows: {**1913-1914 vol. 1 pgs. 0001-0584**} {**1932 vol. 19 pgs. 0001-0814**} {**1934 vol. 27 pgs. 0001-0734A**} {**1940 vol. 27 pgs. 0001-0765**} {**death book 1933 vol. 20 pgs. 0001-0673**}.

WHEREAS, such preservation requires said records to be taken to the office of Kofile, in Greensboro, N.C., 18-22 weeks or until marriage preservation is completed; and

WHEREAS, North Carolina General Statute 153A-436(b) only allows a Register of Deeds to approve removal of public records for a maximum of twenty-four hours, with a longer absence to be approved only by the board of county commissioners.

NOW THEREFORE BE IT RESOLVED, that the Vance County Board of Commissioners does approve the request of duly elected Vance County Register of Deeds Cassandra D. Neal for removal from the Vance County Register of Deeds Office of original birth and death records dated {**1913-1914 vol. 1 pgs. 0001-0776, 1932 vol. 19 pgs. 0001-0814, 1934 vol. 21 pgs. 0001-0734A, 1940 vol. 27 pgs. 0001-0765, death book 1933 vol. 20 pgs. 0001-0673**}, whereas years, number of records, and volume of pages including any documentary attachments as follows on each document submitted to Kofile. These documents are to be transported to Kofile staff to the Greensboro office for the purpose of preservation of said documents.

This the 7th day of November, 2022.

Leo Kelly, Jr. (signed)
Leo Kelly, Jr., Chairman
Vance County Board of Commissioners



Resolution – Dabney Drive Corridor Project. Mr. McMillen stated that the upgrade of Dabney Drive is included in the DRAFT NCDOT Statewide Transportation Improvement Program

(STIP) for 2024-2033. He explained that the STIP is the multi-year capital improvement document which determines scheduling and funding of construction projects across the state. According to DOT this puts the project on schedule for right-of-way and utilities acquisition/work in 2026 followed by construction in 2028. The NCDOT Board of Transportation is scheduled to meet in the spring to approve and finalize the STIP helping to better lock this schedule in. He presented a resolution for approval which supports this project remaining on schedule and preventing further delays.

Motion was made by Commissioner Thomas S. Hester, Jr. to approve the following resolution endorsing the County's support for the Dabney Drive Corridor Upgrade Project. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.



R E S O L U T I O N

by the

Vance County Board of Commissioners

Endorsing Vance County's Support for the Dabney Drive Corridor Upgrade Project within the revised draft 2024-2033 NCDOT Statewide Transportation Improvement Program

WHEREAS, the North Carolina Board of Transportation (BOT), every two years, prepares a Statewide Transportation Improvement Program (STIP) that identifies transportation projects to be implemented over the next ten years with State and Federal funding; and

WHEREAS, the North Carolina BOT solicits input for identifying transportation projects of local and regional importance to be included in the STIP; and

WHEREAS, North Carolina has established Rural Planning Organizations (RPOs) to coordinate regional transportation planning in rural areas in cooperation with the North Carolina Department of Transportation (NCDOT); and

WHEREAS, Vance County is a member of the Kerr-Tar Regional Transportation Organization charged with developing and prioritizing proposed transportation projects that the RPO believes should be included in the STIP; and

WHEREAS, according to the revised draft 2024-2033 STIP NCDOT approved the funding of Project U-5890 which includes upgrading the corridor for Dabney Drive from Coble Blvd. to US 158 In Henderson, NC; and

WHEREAS, this project is scheduled for Right-of-Way and Utilities acquisition/work in 2026 followed by construction beginning in 2028; and

WHEREAS, NCDOT has introduced a "seniority approach" or "flexibility option" which allows projects to be swapped out for others in the region of which project U-5890 is eligible for being swapped out and pushed back from its current schedule; and

WHEREAS, the North Carolina BOT is scheduled to meet in the spring of 2023 to approve and finalize the 2024-2033 STIP.

NOW, THEREFORE, BE IT RESOLVED by the Vance County Board of Commissioners that the board supports efforts to keep the Dabney Drive Project (U-5890) on schedule and from further delays and furthermore encourages the NCDOT BOT to approve the 2024-2033 STIP and confirm the funding of this project.

Surplus Property. Ms. Bigelow presented the following items from the IT Department to be declared surplus.

- 3 – Rack mount UPS backups – nonfunctional
- 1 – Xerox Phaser 6180 MFP – nonfunctional/not repairable
- 3 – HP desktop multifunction printers – not repairable
- 2 – APC desktop UPS backups – failed batteries, replacement batteries not available.
- 1 – Analog DVR, unknown manufacture, nonfunctional
- 3 – Mitel 5312 desk phones – broken beyond repair
- 10 – Desktop computers – nonfunctional, no value in parts due to age

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Dan Brummitt, 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 August meeting, the board approved the public sale process for real property located at Pool Rock Road – Parcel 0359C01002. He stated that the property has been through the upset bid process and the board is now free to sell the property or reject the offer.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Dan Brummitt, vote unanimous, to approve the following resolutions accepting the bid for Pool Rock Road Lot – Parcel 0359C01002.



**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:

Pool Rock Road Lot, Henderson, NC, Vance County Tax Department Parcel Number 0359C01002.

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 August 1, 2022, a notice was published in the *Daily Dispatch* on **August 11, 2022**, stating that said offer by **Meredith Sossamon** in the amount of **\$1,200.00** 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 **Jamica Battle**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **August 23, 2022**, stating that said offer by **Jamica Battle** in the amount of **\$1,950.00** 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 **Delores W. Woodard**; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on **September 6, 2022**, stating that said offer by **Delores W. Woodard** in the amount of **\$2,700.00** 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 *Katherine Rios*; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on *September 10, 2022*, stating that said offer by *Katherine Rios* in the amount of **\$3,450.00** 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 *Delores W. Woodard*; and

WHEREAS, pursuant to NCGS 160A-269, a notice was republished in the *Daily Dispatch* on *September 22, 2022*, stating that said offer by *Delores W. Woodard* in the amount of **\$4,200.00** 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 *Delores W. Woodard* in the amount of **\$4,200.00** 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 November, 2022.

Leo Kelly, Jr. (signed)
Leo Kelly, Jr., Chairman
Vance County Board of Commissioners

ATTEST:

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

.
REO Property – New Offer. Attorney Care stated that a new offer has been received for real property located at 813 E. Andrews Avenue – Parcel 0079 03005. He stated that the board needs to vote on whether or not to proceed with the sale by advertising for upset bids and recommended approval of the resolution to begin the upset bid process for the property. The property is jointly owned with the City, so any action will need to be contingent upon the City taking similar action.

Motion was made by Commissioner Thomas S. Hester, Jr. to approve the upset bid process for real property located at 813 E. Andrews Avenue – Parcel 0079 03005. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

.

**RESOLUTION AUTHORIZING UPSET BID PROCESS
FOR SALE OF REAL PROPERTY
813 E. Andrews Avenue, Henderson, NC 27536**

WHEREAS, Vance County owns certain real property with an address of **813 E. Andrews Avenue, Henderson, North Carolina**, and more particularly described by the Vance County Tax Department as Parcel Number **0079 03005**; 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 **\$6,586.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by **A. Grace Housing, LLC**; and

WHEREAS, **A. Grace Housing, LLC** has paid the required deposit in the amount of **\$750.00** with the offer.

THEREFORE, THE VANCE COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:

1. The Board of County Commissioners declares the real property described above surplus and authorizes its sale through the upset bid procedure of North Carolina General Statute §160A-269.
2. A notice of the proposed sale shall be published which shall describe the property and the amount of the offer and shall require any upset offer be subject to the same terms and conditions as contained therein except for the purchase price.
3. Any person may submit an upset bid to the Clerk to the Board of County Commissioners within 10 days after the notice of sale is published. Once a qualifying higher bid has been received, that bid will become the new offer.
4. If a qualifying 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 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 a closing by a **Non Warranty Deed**, subject to exceptions for ad valorem taxes, assessments, zoning regulations, restrictive covenants, street easements, rights of others in possession and any other encumbrances of record. Buyer shall pay for preparation and recording of the Deed and revenue stamps.
8. The County reserves the right to withdraw the property from sale at any time before the final high bid is accepted **and the right to reject all bids at any time.**
9. If no qualifying upset bid is received, the Board of County Commissioners will accept or reject the bid submitted within 60 days after the close of the 10-day upset period.

This the 7th day of November, 2022.

Leo Kelly, Jr. (signed)
Leo Kelly, Jr., Chairman
Vance County Board of Commissioners

ATTEST:

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

.

Zoning Violations Procedures. Attorney Care stated that over the years, the county has dealt with zoning violations on a case by case basis, and matters that require legal action have come before the board for approval. He recommended that the board set up a standardized procedural process to keep the board informed of all violations and not just those that require legal action. He suggested that a monthly report on zoning enforcement actions be included in the board’s agenda each month. The extent of the detail of the report is up to the board. At any time legal action is necessary, it will be brought to the board for approval. Attorney Care referenced a case in process on Faulkner Town Road that has been ongoing since August with no response from the property owner and may possibly require legal action. This is the type of case that will be included in the report. The board agreed to begin receiving a monthly report on zoning violations.

Consent Agenda

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve the following consent agenda items as presented: Budget Amendment #22, September 2022 Tax Refunds and Releases, departmental monthly reports, and the minutes of the October 3, 2022 regular meeting and the October 24, 2022 special meeting.

.

**Budget Amendment #22
FY 2022-2023
Social Services**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Foster Care Christmas	10-350-435003	7,306.78
Total Revenue Increase (Decrease)		\$ 7,306.78
Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Foster Care Christmas	10-613-500166	7,306.78
Total		\$ 7,306.78

Purpose: Foster Care Christmas Donations, roll over balance from prior year designated funds along with new donations.

Authorization: Vance County Board of Commissioners
November 7, 2022

TAX OFFICE REFUND AND RELEASE REPORT FOR SEPTEMBER 2022

TAXPAYER NAME	TAX YR	REAL	PERSONAL	SOLID WASTE FEE	REASON
GANG FREE INCORPORATED	2021	0	0	120	REMOVE SOLID WAS
CURRIN DENTAL LAB	2022	0	89.32	0	CORRECT SITUS
ADEMCO INC	2022	0	321.37	0	PERS PROP BILLED
ADEMCO INC	2022	0	2.81	0	PERS PROP BILLED
ADEMCO INC	2022	0	7.78	0	PERS PROP BILLED
ADEMCO INC	2022	0	1.62	0	PERS PROP BILLED
AKINS BARBARA	2022	0	0	0	ADD SOLID WASTE
ALLEN ROGER DALE SR	2022	0	0	0	ADD SOLID WASTE
AYSCUE DELORES D	2022	0	0	0	ADD SOLID WASTE
BARAJAS MARIELA SANTOS	2022	0	55.19	120	PERS PROP BILLED
BECKHAM TIMOTHY RANDALL	2022	165.22	0	0	CORRECT/GRANT EX
BIGGS BILLY E	2022	0	276.23	0	PERS PROP BILLED
BLACKWELL LEANNE GRIFFIN	2022	0	0	0	ADD SOLID WASTE
BUESKER PATRICIA A	2022	0	0	0	ADD SOLID WASTE
BURNETTE JOSHUA MICHAEL	2022	0	0	0	ADD SOLID WASTE
CANADY AARON	2022	0	0	0	ADD SOLID WASTE
CARDENAS JUAN	2022	0	0	0	ADD SOLID WASTE
CLOPTON MICHAEL A	2022	0	0	0	ADD SOLID WASTE
CREWS ERIN	2022	0	0	0	ADD SOLID WASTE
CURRIN DENTAL LAB	2022	0	137.36	0	CORRECT SITUS
FOSTER AUNDR A	2022	0	0	0	ADD SOLID WASTE
GANG FREE INCORPORATED	2022	0	0	120	REMOVE SOLID WAS
GAYE MELISSA	2022	0	0	0	ADD SOLID WASTE
GRIFFIN STEVE	2022	0	0	0	ADD SOLID WASTE
HARGROVE ERWIN	2022	0	0	0	ADD SOLID WASTE
HARGROVE JOAN	2022	0	17.14	0	PERS PROP BILLED
HUNTER JERALD	2022	0	0	0	ADD SOLID WASTE
KEEGSTRA JAMES	2022	0	176.62	0	PERS PROP BILLED
LANGLEY DAKOTA WAYNE	2022	0	0	0	ADD SOLID WASTE
LINGLE THERESA M	2022	0	44.84	0	PERS PROP BILLED
MARES GISELA	2022	0	0	0	ADD SOLID WASTE
MCFARLAND ANDREA WILSON	2022	0	0	0	ADD SOLID WASTE
NEWKIRK JAMES	2022	440.55	0	0	CORRECT/GRANT EX
NEWKIRK JAMES	2022	440.55	0	0	CORRECT/GRANT EX
OSWALD JOHN B	2022	0	191.73	0	PERS PROP BILLED
PARKEN LLC	2022	0	0	0	ADD SOLID WASTE
PENA KIMBERLY LARA	2022	0	0	0	ADD SOLID WASTE
RICHARDSON WILLIE M DECEASED	2022	0	16.16	0	PERS PROP BILLED
RICHARDSON WILLIE M DECEASED	2022	0	8.81	0	PERS PROP BILLED
ROBERTSON PHILLIP LEE	2022	883.79	0	0	CORRECT/GRANT EX
ROSADO JUAN	2022	0	0	0	ADD SOLID WASTE
SOMERVILLE ROBERT	2022	0	0	0	ADD SOLID WASTE
T J C INVESTMENTS LLC	2022	708.14	0	360	CORRECT VALUE
T J C INVESTMENTS LLC	2022	0	80.23	120	PERS PROP BILLED
THE ESTATE OF JOHN R JACOBS	2022	298.74	0	120	CORRECT VALUE
THOMAS MICHELLE	2022	0	0	0	ADD SOLID WASTE
THOMAS TYRE	2022	0	0	0	ADD SOLID WASTE
TUGWELL TODD JASON	2022	0	214.70	0	CORRECT VALUE
VARGAS CRUZ	2022	0	0	0	ADD SOLID WASTE
WILKERSON DAVID A	2022	62.16	0	0	CORRECT/GRANT EX
WILKERSON DAVID A	2022	0	102.28	0	CORRECT/GRANT EX

TAXPAYER NAME	TAX YR	REAL	PERSONAL	SOLID WASTE FEE	REASON
WILSON TRACY	2022	0	0	0	ADD SOLID WASTE
TOTAL		2999.15	1744.19		
GRAND TOTAL	4743.34				

.....

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

.....

Miscellaneous

Appointment. The following appointment was presented to the board for consideration:

Vance County Zoning Board of Adjustments – three year term
 Reappoint Logan Darensburg

Motion was made by Commissioner Gordon Wilder to approve the reappointment as presented. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

At this time, motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Archie B. Taylor, Jr., vote unanimous, to enter into closed session to discuss attorney client matters (pending EEOC Cases – Williams and Dause).

Upon return to open session, motion was made by Commissioner Thomas S. Hester, Jr. to approve the minutes of the October 24, 2022 closed session. This motion was seconded by Commissioner Yolanda Feimster and unanimously approved.

As there was no further business, at 9:00 p.m., motion was made by Commissioner Dan Brummitt, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, that the meeting be adjourned.

Approved and signed December 5, 2022.

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