

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Tuesday, September 6, 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.

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

Public comments were heard first. Mr. John Mattocks introduced himself as the Program Director at Vance Recovery, an opioid treatment program. He stated that the program is the gold standard for evidence based treatment for individuals suffering with opioid use disorder. He would like to work together with the county to overcome the overdose and opioid epidemics.

Chad Abbott, C3 Design and Engineering, stated that he has been working with the Planning Department on plans for a proposed, mixed use residential development with 2,500 linear footage bordering I-85 near Poplar Creek Road. The parcel is 84 acres and he wanted to let the board know that he will be requesting R10 zoning because the proposal is for mixed use – town homes, patio homes and town homes.

Fire Chief Chris Wright invited the board to attend the Vance County Public Safety Expo on Saturday, September 10 from 10:00 a.m. to 2:00 p.m. It will be held at the old Charles Boyd Chevrolet on US 158 Bypass.

As advertised, a public hearing was held to gain citizen input regarding a petition to abandon the end portion (approximately 175 feet) of Cardinal Drive from NCDOT state maintenance. County Manager Jordan McMillen stated that the property owner at the end of Cardinal Drive is requesting DOT to abandon approximately 175 feet at the end of the roadway. The section to be abandoned is surrounded by the property of the individual requesting the abandonment and is being requested to counteract littering, mass dumping and other potential illegal activity that has occurred in the area.

There was no one from the public who wished to speak on this matter.

Commissioner Dan Brummitt wanted to make sure that the property owner is aware that they would be responsible for the upkeep of this portion of the road if it is abandoned. The board discussed this and decided to table the matter until the county manager has a chance to speak with the property owner.

Chairman Leo Kelly, Jr. closed the public hearing.

Mr. Frankie Nobles, Vance County Employee Engagement Team Chair, was first 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 Mattie Marrow with the Vance County Tax Office. Her peers noted that she is dependable, a team player, and is always willing to help others as needed. Ms. Marrow will receive a \$100 gift card and a designated parking space for the month. She was presented a certificate of appreciation and the board congratulated her on receiving this recognition.

Mr. Randy Deming and Patrick Moseley with GFL Environmental was next on the agenda to provide an update on solid waste. After providing information on the management team, the board was made aware of county volume from 2018 to 2022, with 2020 and 2021 being the highest, most likely due to the pandemic. Some challenges GFL faces include a national driver shortage, equipment parts being on backorder, employee turnover and commodity market slowdown. Focus points moving forward include improved communications between GFL and Vance County, prompt issue resolutions, improved windblown litter control, superior customer service, improved appearance at the transfer station, and state mandated upgrades to the transfer station.

Commissioner Gordon Wilder expressed his concerns with the main compactor being down for two weeks at the Aycock site, no extra containers on site when the main compactor is full, and sites closing early. Commissioner Dan Brummitt stated that his concerns include sites closing early, containers being full, containers too tall, and wait times at the transfer station. Mr. Deming thanked the board for letting them know their concerns and stated that they will work to get these issues resolved in a timely manner. The board thanked Mr. Deming and Mr. Moseley for their report.

EDC Director McKinley Perkinson appeared before the board and presented an update on economic development. She began by reviewing the two goals that the board set for economic development. Those are *“to retain or assist in the creation of 150 new jobs and \$10 million in new investment for the county, to include completion of design and construction of a shell building*

at the Henderson-Vance Industrial park” and “completion of an economic development strategic plan aimed at setting priorities and benchmarks for the future of economic development to include prioritizing regionalization”. She noted that in the last two months a value of \$3,515,000 has been obtained for commercial permits. Regarding the strategic plan, the economic development strategic planning committee is on track to make a recommendation to the EDC Board this week for a vendor.

Ms. Perkinson informed the board that economic development and tourism are working on a marketing campaign with WRAL Digital Solutions. The stories will feature Alumadock, Hoyle Tire & Axle, McGregor Hall, Gear and Beer/Sadie’s/Nella Roo’s, and Kerr Lake. Another initiative is to become a certified retirement community which is in the beginning phase. She then presented the Economic Development Partnership Community Investment Report for the state. The Board thanked Ms. Perkinson for her report.

Water District Board

Chairman Leo Kelly, Jr. called the Water District Board to order and County Manager Jordan McMillen presented the following staff report.

Water Tap on Non-Buildable Land. Mr. McMillen stated that an additional vacant lot at Dabney Woods Subdivision (Lot 30 – Tax Parcel 0407C03009) has been determined as unsuitable for an accepted or conventional septic system. As a result, the owners are requesting the tap be converted from a wet tap to a dry tap to provide relief from the availability fee. The board approved a similar request for Lot 3 at the July meeting.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Dan Brummitt, vote unanimous, to convert Lot 30 Dabney Woods Subdivision (Tax Parcel 0407C03009) from a wet tap to a dry tap.

Grant Application – Water System Asset Assessment and Rate Study. Mr. McMillen advised that the water system is required to conduct an asset inventory assessment (AIA) and a rate study as a result of the recent designation from the NCDEQ and Local Government Commission as a distressed water system. Grant funds are available through NCDEQ to assist with this requirement and grant applications are due September 30. He stated that the water system has a strong case for a grant due to the distressed designation, and county staff intends to prepare a grant application totaling up to \$250,000 for completion of the required studies. He noted that a resolution is required to authorize submittal of the grant application.

Motion was made by Commissioner Carolyn Faines, seconded by Commissioner Yolanda Feimster, vote unanimous, to approve the following resolution authorizing staff to prepare and submit a grant application to the Division of Water Infrastructure for completion of an asset inventory assessment and rate study for the water system.



RESOLUTION
by the
Vance County Water District Board
*Authorizing a Water District Asset Inventory Assessment and
Loan/Grant Application*

WHEREAS, Vance County has been designated as a distressed unit under the North Carolina Viable Utility Program by the State Water Infrastructure Authority and the Local Government Commission for the water system that is owned and operated by the Vance County Water District, a separate local governmental unit under North Carolina General Statutes; and

WHEREAS, the Vance County Water District has a need for and intends to construct, plan for, or conduct a study in a project described as Vance County Water District System Asset Inventory Assessment; and

WHEREAS, the Vance County Water District intends to request State loan and/or grant assistance for the project from NCDEQ-Division of Water Infrastructure (DWI).

NOW THEREFORE BE IT RESOLVED, BY THE VANCE COUNTY WATER DISTRICT BOARD as follows:

1. Vance County Water District, the Applicant, does authorize the below identified Authorized Official to apply on behalf of the Applicant to the State of North Carolina DEQ, Division of Water Infrastructure for a loan and or a grant to aid in the study of, or the construction of the Vance County Water District System Asset Inventory Assessment, the project.
2. The Applicant will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.
3. Jordan McMillen, County Manager, is the Authorized Official, and successors so titled, and is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan and/or grant to aid in the study of, or construction of the project described above.
4. The Authorized Official, and successors so titled, is authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.
5. The governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Vance County Water District to make a scheduled repayment of the loan, to withhold from the Vance County Water District any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.
6. The Applicant authorizes the Authorized Official to enter into such agreements as necessary for the completion of the project.
7. Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

8. Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.
9. Vance County Water District, the Applicant, has been requested by Vance County, the designated distressed unit, to conduct the project and comply with all other requirements and requests related to the designation of being a distressed unit, and the Applicant hereby agrees to do so.
10. The Applicant has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 6th day of September, 2022 at Vance County, North Carolina.

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

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

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Phase 1B – Engineering Services Agreement Amendment. Mr. McMillen stated that staff continues to work with the county attorney and engineer in meeting USDA requirements and receiving their permission to proceed with bidding for Phase 1B. As a part of their review, USDA is requiring an amendment to the engineering services agreement with LKC Engineering requiring additional services. LKC will be required to amend and update the existing preliminary engineering report (PER) and will have additional administrative burden managing certifications, inspections and reporting related to complying with American Iron and Steel (AIS) provisions. The PER amendments add \$14,000 to the contract cost and the American Iron and Steel provisions add \$12,000. The original contract totaled \$355,000 and following the amendment increases the contract cost to \$381,000. Recommendation: Approve engineering services amendment #1 with LKC Engineering related to the Phase 1B expansion project for the water system.

After discussion, motion was made by Commissioner Thomas S. Hester, Jr. to approve the engineering services amendment #1 with LKC Engineering related to the Phase 1B expansion project for the water system. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

The June 2022 monthly operations report was presented to the board for information.

Chairman Kelly adjourned the Water District Board.

Committee Reports and Recommendations

Public Safety Committee – Rescue Squad Funding Requests. County Manager Jordan McMillen reported that the committee (Brummitt, Faines & Wilder) met Wednesday, August 24 to discuss two funding requests from the rescue squad. The county recently approved funding for part-time positions at the rescue squad and the squad is requesting an upfront payment to allow them to set up a new checking account for payroll and to lessen the burden on their budget. Providing one month of funding upfront would total \$7,837. Additionally, the rescue squad is requesting a one-time capital payment of \$20,000. The committee discussed that a similar arrangement was made when the county provided \$7,500 upfront to the volunteer fire departments when they began part-time positions in 2019 and mentioned \$20,000 in one-time capital was provided to each volunteer fire department in the current year budget. Staff indicated existing funds budgeted in the fire fund for the rescue squad could be used to cover the \$7,837 (no budget amendment necessary) since they have not yet begun the part-time program and did not use their allocation during the month of July, but a budget amendment is necessary for the \$20,000 in one-time capital funding. The committee recommended providing \$7,837 or one month’s worth of cost upfront to the rescue squad from the fire tax fund and recommended providing \$20,000 in one-time capital from the general fund.

Motion was made by Commissioner Carolyn Faines, seconded by Commissioner Dan Brummitt, vote unanimous, to authorize staff to provide a one-time upfront payment from the fire fund of \$7,837 to the rescue squad for purposes of beginning their part-time payment program and approve Budget Amendment #8 providing \$20,000 in one-time capital funding to the rescue squad from the general fund.



**Budget Amendment #8
FY 2022-2023
Rescue Squad**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
General Fund Balance	10-399-000000	20,000
Total Revenue Increase (Decrease)		\$ 20,000
Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Rescue Squad	10-600-500203	20,000
Total		\$ 20,000

Purpose: Per committee recommendation, to pay the Rescue Squad the same one-time capital distribution as the volunteer fire departments.

Authorization: Vance County Board of Commissioners
September 6, 2022

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Public Safety Committee – Radio Interoperability System (RIOS) Purchase. Mr. McMillen stated that the committee discussed a request from the fire association for the county to purchase a RIOS system from the county fire tax fund. A RIOS system is connected to the county 911 system and converts and transmits 800 MHz (VIPER) transmissions to VHF, allowing those with VHF pagers and transmitters to hear VIPER transmissions. The county’s current system was purchased in 2006 with federal grant funds but went offline approximately a year and a half ago as it was not compatible with the county’s updated 911 consoles. According to the county’s Emergency Operations Director, the volunteer fire departments are the most impacted departments and would benefit the most from the new system. The committee supported the purchase and felt it should be made from the general fund balance instead of the fire fund due to the potential for county departments utilizing the system. The total cost of the system is \$63,407.36.

Recommendation: Approve Budget Amendment #9 and authorize staff to proceed with the purchase of a radio interoperability system (RIOS) from the general fund balance.

Motion was made by Commissioner Dan Brummitt to approve Budget Amendment #9 and authorize staff to proceed with purchase of a radio interoperability system (RIOS) from the general fund balance. This motion was seconded by Commissioner Carolyn Faines.

Commissioner Archie B. Taylor, Jr. expressed his concerns with the funding coming from the general fund and not the fire tax fund. He moved to amend the motion on the floor to take the funds from the fire fund instead of the general fund. This motion was seconded by Commissioner Gordon Wilder.

Commissioner Dan Brummitt stated that the reason the committee’s recommendation is to use the general fund is because other county departments will be using this system (Sheriff, Animal Control and Fire) and not just the volunteer fire departments. Commissioner Thomas S. Hester, Jr. stated that he supports the funds coming from the fire tax fund.

Vote on the amendment to utilize funds from the fire tax fund instead of the general fund was ayes – five (5); noes – two (2), with the dissenting votes being cast by Commissioner Dan Brummitt and Commissioner Carolyn Faines.

Vote on the amended motion to approve Budget Amendment #9 and authorize staff to proceed with the purchase of a radio interoperability system (RIOS0 from the fire tax fund was unanimous.

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**Budget Amendment #9
FY 2022-2023
Fire Tax**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Fund Balance Appropriated	43-399-439900	70,000
Total Revenue Increase (Decrease)		\$ 70,000

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Capital Outlay	43-354-500074	70,000
Total		\$ 70,000

Purpose: Per committee recommendation, to purchase the Radio Interoperability System (RIOS). Due to needing a new quote, asking for approval for no more than \$70,000.

Authorization: Vance County Board of Commissioners
September 6, 2022

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Public Safety Committee – Jail Space and Facility Needs Assessment RFQ. Mr. McMillen stated that the committee reviewed a draft request for qualifications (RFQ) to be sent out to procure a firm to complete the space and facility needs assessment at the jail. The committee mentioned the need to include additional language in the RFQ to ensure services are provided in the study to specifically evaluate opportunities for regionalization. He stated that staff released the RFQ on August 29 as the board has already taken action supporting the study, and responses are due back by September 26.

Human Resources Committee – Assistant County Manager Position. Mr. McMillen reported that the committee (Faines, Taylor & Wilder) met Tuesday, August 30 and discussed the need for creating an assistant county manager position. The county previously created a dual-role deputy county manager position in 2013 which changed to a dual-role assistant county manager position in 2016 and ultimately went away in 2019. The committee reviewed data from surrounding counties and tier one counties across the state that indicated stand-alone assistant manager positions are common. The committee discussed the benefits of having the position and mentioned the ability of the position to not only handle special projects, but also to have direct

departmental oversight as a part of the job duties. The committee felt the position was necessary and would free up time for the county manager to be more involved in mentoring, advising, and overseeing county operations while allowing more focus on planned and future growth services and priorities. The committee reviewed salary information and felt it was appropriate to create the position and place it in grade 82 on the salary schedule. The committee recommended converting the existing vacant special projects coordinator position into the assistant county manager position and noted it would only require an annual budget impact of approximately \$23,000 more for the new position. Staff noted that no additional cost would be required in the current fiscal year depending upon when the position begins and the ultimate position salary. Recommendation: Approve reclassifying the special projects coordinator position into a new stand-alone assistant county manager position at a grade 82.

Motion was made by Commissioner Gordon Wilder to approve reclassifying the special projects coordinator position into a new stand-alone assistant county manager position at a grade 82. This motion was seconded by Commissioner Carolyn Faines.

Commissioner Gordon Wilder stated that he supports the recommendation not to increase government, but to improve services to our citizens. Commissioner Dan Brummitt stated that he opposes this recommendation because it is an increase in government and is not warranted.

Vote on the motion to approve reclassifying the special projects coordinator position into a new stand-alone assistant county manager position at a grade 82 was ayes – six (6); noes – one (1), with the dissenting vote being cast by Commissioner Dan Brummitt.

Commissioner Brummitt asked if the commissioners would be involved in the hiring process for this position. Commissioner Archie B. Taylor, Jr. asked for the county attorney's opinion. Attorney Care stated that unless the job description specifies the hiring by this board, the county manager is responsible for the hiring.

County Manager's Report

Fall Litter Sweep Proclamation. County Manager Jordan McMillen stated that in the spring and fall of each year, the NC Department of Transportation (NCDOT) sponsors cleanup campaigns to beautify the roadsides of the state. This year, DOT is sponsoring its Fall Litter Sweep Campaign from September 10 - 24, 2022. Vance County encourages individuals and organizations to support this effort.

Motion was made by Commissioner Carolyn Faines, seconded by Commissioner Archie B. Taylor, Jr., vote unanimous, to approve the following proclamation designating September 10 – 24, 2022 as Fall Litter Sweep in Vance County.



P R O C L A M A T I O N
by the
Vance County Board of Commissioners
in
Recognition of the 2022 Fall Litter Sweep

WHEREAS, in conjunction with the North Carolina Department of Transportation, Vance County supports and encourages participation in the Fall 2022 roadside cleanup effort to ensure clean and beautiful roads throughout the County; and

WHEREAS, the Fall 2022 Litter Sweep roadside cleanup campaign will occur September 10 - 24. The County urges all communities, civic and professional groups, businesses, churches, schools, families, and individual citizens to participate in the cleanup effort by sponsoring and organizing roadside cleanup teams; and

WHEREAS, Adopt-A-Highway volunteers, community service workers, community leaders, civic and community organizations, businesses, churches, schools, and environmentally concerned citizens conduct local cleanups during Litter Sweep and may receive Certificates of Appreciation for participation; and

WHEREAS, the natural beauty of our State and County, in addition to a clean environment, is a source of great pride for all Vance County residents, attracting tourists and aiding in the recruiting of new industries; and

WHEREAS, the cleanup effort will increase the awareness of the need for cleaner roadsides, emphasize the importance of anti-litter campaigns, and emphasize the recycling of solid wastes such as glass, metals, and plastics; and

WHEREAS, the Litter Sweep cleanup will be a part of educating the children and citizens of the County regarding the importance of a clean environment to the quality of life in Vance County.

NOW, THEREFORE BE IT PROCLAIMED, that the Vance County Board of Commissioners does hereby recognize September 10 - 24, 2022 as “Fall Litter Sweep” in Vance County and encourages all citizens to take an active role in making the community a cleaner and more beautiful place in which to live.

THIS, the 6th day of September, 2022.

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



EMS Station – Land Acquisition. Mr. McMillen noted that the board established a goal for the current fiscal year to begin planning (land acquisition and design) for a new public safety center. The properties committee discussed potential land acquisition during its meetings in May and June, and during its July regular meeting, the board authorized the manager to formally negotiate and develop an offer to purchase land adjacent to the existing fire and EMS station. The

manager and property owner have since negotiated a purchase price within the parameters established by the board during the July meeting. The property owner has agreed to sell 2.5 acres at a total price of \$142,500. The offer to purchase has been submitted to and approved by the property owner and upon final approval will formalize the purchase of the property by the county. Mr. McMillen stated that the offer to purchase provides the county time to complete a Phase one environmental report as well as a survey and other necessary due diligence. Budget Amendment #11 authorizes use of funds from the general fund for the purchase. Recommendation: Approve real estate purchase agreement to purchase 2.5 acres adjacent to the current fire and EMS station subject to final attorney review and approve Budget Amendment #11 appropriating \$142,500 from fund balance for the purchase. Upon finalization of purchase, authorize manager to develop and release a request for qualifications to procure architectural services for design of a public safety building.

Motion was made by Commissioner Thomas S. Hester, Jr. to approve the real estate purchase agreement to purchase 2.5 acres adjacent to the current fire and EMS station subject to final attorney review and approve Budget Amendment #11 appropriating \$142,500 from fund balance for the purchase. Upon finalization of purchase, authorize manager to develop and release a request for qualifications to procure architectural services for design of a public safety building. This motion was seconded by Commissioner Archie B. Taylor, Jr.

Commissioner Dan Brummitt asked why a budget amendment is necessary at this point in time. He also expressed his concerns with the topography of the land.

Vote on the motion was ayes – six (6); noes – one (1), with the dissenting vote being cast by Commissioner Dan Brummitt.



**Budget Amendment #11
FY 2022-2023
Central Services**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
General Fund Balance	10-399-000000	142,500
Total Revenue Increase (Decrease)		\$ 142,500
Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Central Services Capital Outlay	10-555-500074	142,500
Total		\$ 142,500

Purpose: Purchase of 2.5 acres adjacent to current EMS/Fire Station.

Authorization: Vance County Board of Commissioners
 September 6, 2022



Shell Building – Offer to Purchase Property. Mr. McMillen stated that the Henderson-Vance Industrial Park, Inc. received bids on August 2 for construction of a 50,000 sq. ft. shell building at the corner of Bearpond Road and Commerce Drive. The low bid is from Hill Building Contractors totaling \$2,231,300 which is in line with estimates provided by the project engineer and can be held firm for 50 days from the bid opening date. The Industrial Park Board met on August 5 and made a commitment to move forward with the project by awarding the bid to Hill Building Contractors upon final approval of a land purchase agreement and a loan agreement with the county. Mr. McMillen noted that the board of commissioners previously supported, by consensus, the concept of having the Henderson-Vance Industrial Park Board handle the design, construction and marketing of the shell building with funding to be provided by the county. In order to proceed forward, the Industrial Park Board approved and submitted an offer to purchase 7.15 acres from the county for a total cost of \$185,900 with the commitment to construct a 50,000 sq. ft. pre-engineered metal shell building within two years of the purchase. He presented a resolution which authorizes the upset bid process for selling the 7.15 acres and depending on the outcome of the upset bid process, the commissioners will most likely need a special meeting in September to consider finalizing the sale and approval of loan terms should the Industrial Park board be the highest bidder for the property. Recommendation: Approve resolution authorizing the upset bid process for 7.15 acres located at the corner of Bearpond Road and Commerce Drive (portion of tax parcel 0453 05005) as identified in plat book Z-602; and authorize staff to develop a budget and draft loan terms and loan agreement for design, construction and marketing of a 50,000 sq. ft. shell building.

Commissioner Dan Brummitt and Commissioner Thomas S. Hester, Jr. recused themselves from this matter as they serve on the Industrial Park Board.

Motion was made by Commissioner Archie B. Taylor, Jr., seconded by Commissioner Gordon Wilder, vote unanimous, to approve the following resolution authorizing the upset bid process for 7.15 acres located at the corner of Bearpond Road and Commerce Drive (portion of tax parcel 0453 05005) as identified in plat book Z-602; and authorize staff to develop a budget

and draft loan terms and loan agreement for design, construction and marketing of a 50,000 sq. ft. shell building.



**RESOLUTION AUTHORIZING UPSET BID PROCESS
FOR SALE OF REAL PROPERTY**

WHEREAS, Vance County owns certain real property described as 7.15 acres as shown on survey for Vance County, prepared by Bartlett Engineering and Survey, PC, dated Aug 29, 2022 and recorded in Plat Book “Z”, Page 602. Vance County Register of Deeds Book 1349, Page 659. Tax ID No.: a portion of 0453 05005; 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 \$185,900.00 plus the commitment to construct a minimum of a 200’ x 250’ (50,000 square foot) pre-engineered metal shell building within two years. Building is to be expandable to 97,392 total square foot and include 30 foot eave heights, concrete footings supporting interior columns and plastic vapor barrier over four inches of compacted fill throughout the building interior; Building is to include a minimum of eight overhead doors measuring nine foot wide by ten foot high and a minimum of one overhead door measuring 12 foot wide by 14 foot high. The building is to include temporary interior lighting and windows for additional lighting. subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by *Henderson Vance Industrial Park, Inc.*; and

WHEREAS, *Henderson Vance Industrial Park, Inc.* has paid the required deposit in the amount of \$9,300.00 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 in the local newspaper and advertised as many other venues and sites as determined to be effective, 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. A notice of the proposed sale shall be advertised as many other venues and sites as determined to be effective, which shall describe the property, the amount of the offer and refer them to the publication and process to submit an upset offer be subject to the same terms and conditions as contained therein except for the purchase price.
4. 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. For purposes of this sale, a qualifying higher bid must exceed the purchase price and include the construction of a shell building as specified of equal or greater square footage.
5. If a qualifying upset bid is received, a new notice of upset bid shall be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of County Commissioners.

6. 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.

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

8. The terms of the final sale are that the Board of County Commissioners must approve the final high offer before the sale is closed and the buyer must pay with certified funds or wire transfer the bid amount and any other amounts as required pursuant to the terms and conditions of the bid at the time of closing, which shall be no later than 30 days following the approval by this Board of the final bid. The real property is sold in its current condition, as is, and the County gives no warranty with respect to the usability of the real property or title. Title will be delivered at closing by a **Special 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.

9. 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.**

10. 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 6th day of September, 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

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Consent Agenda

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Archie B. Taylor, Jr., vote unanimous, to approve the following consent agenda items as presented: Budget Amendments #7 and #10, July 2022 Tax Refunds and Releases, departmental monthly reports, and the minutes of the August 1, 2022 regular meeting.

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**Budget Amendment #7
FY 2022-2023
Emergency Operations**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Homeland Security Grant	10-380-438031	63,000
Total Revenue Increase (Decrease)		\$ 63,000

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Homeland Security Grant Program	10-621-500528	63,000
Total		\$ 63,000

Purpose: Homeland Security Grant obtained by the Emergency Operations Director and the Animal Services Director to receive a Multiple Event Response Trailer (MERT) and a Companion Animal Support Trailer (CAST).

Authorization: Vance County Board of Commissioners
September 6, 2022



**Budget Amendment #10
FY 2022-2023
Register of Deeds**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
General Fund Balance	10-399-000000	1,500
Total Revenue Increase (Decrease)		\$ 1,500

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Bank Fees	10-480-500088	1,500
Total		\$ 1,500

Purpose: To allow Register of Deeds to accept credit cards and online payments.

Authorization: Vance County Board of Commissioners
September 6, 2022



TAX OFFICE REFUND AND RELEASE REPORT FOR JULY 2022

TAXPAYER NAME	TAX YR	REAL	PERSONAL	SOLID WASTE FEE	REASON
JONES MICHELLE	2019	0	216.74	112	PERS PROP BILLED
JONES MICHELLE	2020	0	205.92	117	PERS PROP BILLED
JONES MICHELLE	2021	0	195.61	120	PERS PROP BILLED
COCONUTS SWEEPSTAKES	2022	0	2.89	0	CORRECT VALUE
COCONUTS SWEEPSTAKES	2022	0	861.24	0	CORRECT VALUE
COCONUTS SWEEPSTAKES	2022	0	248.00	0	CORRECT VALUE
MAZATLAN MEXICAN RESTAURANT	2022	0	9.61	0	CORRECT VALUE
BASKERVILLE MARY	2022	414.16	0	0	CORRECT/GRANT EX
GREEN MILDRED J	2022	436.90	0	0	CORRECT/GRANT EX
OWENS RALPH	2022	0	96.92	0	PERS PROP BILLED
PARNELL STANLEY M DECEASED	2022	351.01	0	0	CORRECT/GRANT EX
SIMMONS PHYLLIS VIRGINIA (DEC	2022	293.30	0	0	CORRECT/GRANT EX
TOTAL		1495.37	1836.93		
GRAND TOTAL	3332.30				



MONTHLY REPORTS: 911 Emergency Operations, Administrative Ambulance Charge-Offs, Cooperative Extension, 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:

Vance County Housing Authority – five year term
Reappoint Jeremy Hetrick and Tonya Pettaway

Perry Library Board of Trustees
Appoint George T. Blackburn to fill a vacant position.

Motion was made by Commissioner Archie B. Taylor, Jr. to approve the reappointments and appointment as presented. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

At this time, motion was made by Commissioner Gordon Wilder, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to enter into closed session to discuss a personnel matter.

Upon return to open session, motion was made by Commissioner Gordon Wilder to approve the minutes of the July 5, 2022 closed session. This motion was seconded by Commissioner Archie B. Taylor, Jr. and unanimously approved.

As there was no further business, at 8:45 p.m., motion was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, vote unanimous, that the meeting be adjourned.

Approved and signed October 3, 2022.

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