

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

DECEMBER 2, 2019
OTHERS PRESENT

B. Ray Jeffers
David B. Newell, Sr.
Jimmy B. Clayton
Kyle W. Puryear
Gordon Powell

Heidi York, County Manager
C. Ronald Aycock, County Attorney
Brenda B. Reaves, Clerk to the Board

The Board of Commissioners for the County of Person, North Carolina, met in regular session on Monday, December 2, 2019 at 7:00pm in the Commissioners' meeting room in the Person County Office Building.

Chairman Newell called the meeting to order. Commissioner Clayton offered an invocation. Chairman Newell asked boy scouts, present in the audience, to lead the group in the Pledge of Allegiance.

Chairman Newell turned the gavel over to the County Attorney to preside over the meeting for the Organization of the Board.

ORGANIZATION OF BOARD:

County Attorney, Ron Aycock presided over the meeting and explained the rules of procedure for the election of Chairman and Vice-Chairman noting reorganization of the board of commissioners was held at the first meeting in December for a term of the ensuing year.

Mr. Aycock presided over the election of the Chairman of the Board of Commissioners and opened the floor for nominations.

Commissioner Newell nominated Commissioner Jeffers as Chairman.
Commissioner Puryear nominated Commissioner Powell as Chairman.

There were no further nominations.

A **motion** was made by Commissioner Newell and **carried 5-0** to close nominations for Chairman.

By show of hands, Commissioners Puryear and Powell voted for Commissioner Powell for Chairman.

By show of hands, Commissioners Newell, Jeffers and Clayton voted for Commissioner Jeffers for Chairman.

Commissioner Jeffers was elected the Board's Chairman by a **simple majority vote**.

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Newly elected Chairman Jeffers opened the floor for nominations for Vice Chairman of the Board of Commissioners.

Commissioner Clayton nominated Commissioner Newell as Vice Chairman.

Commissioner Powell nominated Commissioner Puryear as Vice Chairman.

A **motion** was made by Commissioner Puryear and **carried 5-0** to close nominations for Vice Chairman.

Commissioners Powell and Puryear voted for Commissioner Puryear for Vice Chairman; Commissioners Clayton, Jeffers and Newell cast dissenting votes.

Commissioners Clayton, Jeffers and Newell voted for Commissioner Newell for Vice Chairman; Commissioners Powell and Puryear cast dissenting votes.

Commissioner Newell was elected the Board's Vice Chairman by a **simple majority vote 3-2**.

APPROVAL OF BONDS FOR THE FINANCE DIRECTOR, THE REGISTER OF DEEDS, THE TAX ADMINISTRATOR, AND THE SHERIFF:

County Attorney, Ron Aycock stated Chapter 161 (Register of Deeds) and 162 (Sheriff) of the North Carolina General Statutes requires the Board of County Commissioners to approve the official bonds at the first meeting in December. The Bonds are a continuation of existing bonds and were secured by the County Human Resources Director, who also serves as Insurance Liaison. The Human Resources Director provided information that the Sheriff's bond, in the amount of \$25,000, is for the length of his term. The Bonds of the Register of Deeds in the amount of \$50,000 and \$100,000 each for the Tax Administrator and Finance Director (amount of each Bond is dictated by legislature).

Mr. Aycock requested Board approval of the Bonds of the Finance Director, the Register of Deeds, the Tax Administrator and the Sheriff as presented.

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve the Bonds of the Register of Deeds in the amount of \$50,000 and \$100,000 each for the Tax Administrator and Finance Director as well as \$25,000 for the Sheriff.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve the agenda.

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INFORMAL COMMENTS:

The following individual appeared before the Board to make informal comments:

Mr. Steven Bailey of 2210 Haywood Bailey Road, Roxboro, and the Board of Health Chair stated his support of the request on the Board's agenda to unfreeze the positions at the Health Department so that staff may recruit and fill as needed following the County Manager's approval. He noted the Board of Health addressed this issue at its recent meeting with all members in favor of the request going to the Board of Commissioners.

DISCUSSION/ADJUSTMENT/APPROVAL OF CONSENT AGENDA:

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve the Consent Agenda with the following items:

- A. Approval of Minutes of November 18, 2019, and
- B. Budget Amendment # 11

NEW BUSINESS:**FIRE MARSHAL POSITION:**

Chairman Jeffers stated the Volunteer Fire Chiefs are requesting consideration of a Fire Marshal position. Chairman Jeffers yielded the floor to Mr. Bruce Lynch, Fire Chief for the Moriah VFD to speak on the Fire Chief's request.

Mr. Lynch requested the Board of Commissioners to reinstate the Fire Marshal position to assist the VFDs in the day-to-day operations, to govern the VFDs, and to serve as a form of law enforcement in the fact that VFDs have no one to call upon in the case of fire investigations and illegal burnings. Mr. Lynch stated reinstatement of the Fire Marshal position would greatly assist the VFDs to move forward with lowering the ISO rating.

Vice Chairman Newell asked Mr. Lynch if all the Fire Chiefs were in agreement to work with a Fire Marshal and to take instructions to which Mr. Lynch stated he has only heard positive statements for having a Fire Marshal however, he stated the County needs to hire the best candidate.

Commissioner Powell asked if the job description was the same as in 2006 to which County Manager, Heidi York said the 2006-job description that was shared was prior to including 911 communication duties, which no longer applied; the updated job description that was shared only included fire marshal duties. Commissioner Powell asked who would do the hiring of the position to which Ms. York stated county staff would hire. Chairman Jeffers added his recommendation that this position report to the County Manager.

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Ms. York stated the job description was not a department head level and typically would fall under an Emergency Services Director type position, as Department Heads supervise staff and have large budgets. Ms. York said additional duties could be added to make it a department head level.

Chairman Jeffers asked Ms. York about the Fire Inspector position being moved from Inspections to the Fire Marshal for supervisory duties for a more competitive salary to entice the right person to apply. Mr. Lynch stated many counties have a Fire Marshal I, II and III positions noting that was the type of person to target (someone already trained that currently did not have an opportunity to advance).

Chairman Jeffers asked the Board to consider taking action to hire a Fire Marshal along with his recommendation to place the Fire Inspector under this position and direct staff to bring back more information.

Commissioner Clayton stated his support but wanted the Fire Chiefs to work with the Fire Marshal noting it was getting hard to get volunteers to serve; all could agree times have changed.

A **motion** was made by Chairman Jeffers and **carried 5-0** to reinstate the Fire Marshal position with supervisory duties for the Fire Inspector with a recommendation on salary from staff to be brought back to the Board.

Ms. York stated she would need to bring back a request for funding for the Board to approve to reinstate the Fire Marshal position. Chairman Jeffers noted that the Contingency Fund could cover the costs for the remainder of this budget year to which Ms. York confirmed.

TAXPAYER APPEAL OF LAND/HOMES ON DURHAM RD:

Tax Administrator, Russell Jones stated before the Board of Commissioners was a taxpayer appeal for three properties located on Old Durham Road. Mr. Jones went on to explain the reason for a tax appeal for 2019 in the month of December when the Board of Commissioners has appointed a special board to hear appeals. Mr. Jones noted as of January 1, values are established, but not all properties are evaluated by the time the Board of Equalization and Review is in session. In order to protect the taxpayer's rights in the case where a value is not determined by the time the Board of Equalization and Review adjourns its session, the taxpayer may use the tax bill as notice of a change in value.

Mr. Jones presented the following summary of the events to the Board of Commissioners noting the taxpayer, Mr. Michael Slaughter, was present to share information with the Board of Commissioners.

- Madison Boulevard and Durham Road (Northern Section) is mainly a commercial district. Today, there are only 13 single-family dwellings on this just over 3-mile strip of highway. Most of these single-family dwellings are over 70 years old. There are three other single-family dwellings located along this strip that are now used for commercial purposes (used car sales, insurance agency, and hair salon). During November 2019, two single family dwellings were torn down.
- The highest and best use of land on this strip is commercial, as proven by current uses. The value of a property with a single-family dwelling is mostly land value.
- The taxpayer purchased three properties on 10/19/2018 for \$127,000. All three properties are considered improved parcels, with single-family dwellings, built in 1923. The taxable value at time of purchase was \$221,776 for all three properties.
- Shortly after purchase and as early as November 20, 2018, the taxpayer obtained building permits for various improvements to the properties (heating/air systems, plumbing, electrical panel replacement, etc.).
- The taxpayer may appeal the assessed value of their property during January of each year, which is considered an informal appeal. The taxpayer did not file an informal appeal during January 2019, even though his purchase price was lower than the taxable value.
- The taxpayer may also file a formal appeal while the Board of Equalization and Review is in session, which occurs during the month of April. The taxpayer did not file a formal appeal with the Board of Equalization and Review.
- Shortly after January 1, 2019, staff visited the properties in order to assess any changes in taxable value based on the building permits/improvements. Based on these visits, the taxable value increased to \$244,853 for all three properties. Staff did not enter the dwellings, but verified that improvements to the properties were in progress. The total increase in the taxable value was \$23,077.
- The tax office mailed tax bills on or around July 23, 2019, which also served as notice to the taxpayer that his taxable value had changed.
- The taxpayer filed an informal appeal within 30 days of receiving their tax bill.
- Staff meet with the taxpayer.
- The taxpayer shared a “Residential Property Valuation Request Form-26037” that had been completed by Fidelity Bank on October 4, 2018 prior to purchase. This report was an Internal Evaluation and not an appraisal. In addition, the report was clearly marked as CONFIDENTIAL and stated, “This report may NOT be relayed to or relied upon by persons outside of the Bank”.
- The on-going improvements, the status of the improvements as of January 1, along with other repairs that needed to be done were discussed in detail with the taxpayer.
- Based on the information exchanged during the informal appeal, the tax office adjusted the net total taxable value to \$223,347, which lowered the total taxable value of all three properties by \$21,505, and made the increase in the 2019 taxable value \$1,571. Notice of the new taxable value was mailed to the taxpayer on October 17, 2019.

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- On October 25, 2019, the taxpayer “hand delivered” his formal appeal forms. On the appeal forms, the taxpayer indicated that the value as of January 1, 2019, and based on the January 1, 2013 schedule of values, should be \$45,000 for each of these properties, for a total value of \$135,000.
- On November 25, 2019, the tax office returned the copies of the “Residential Property Valuation Request Form-26037” that had been provided to our office to forward to the Board of County Commissioners as part of this appeal and taxpayer evidence. The copies were returned based on the statement that the report was “CONFIDENTIAL”. These may be provided by the taxpayer if he has been given permission by Fidelity Bank. There were numerous attempts by the tax office and the taxpayer to get permission to include the taxpayer’s evidence.
- The report provided by the taxpayer is not an appraisal, however, it was a “Residential Property Valuation Request Form-26037”. This report is “CONFIDENTIAL” and should only be used for loan purposes, as stated in the report on numerous occasions.
- Also, the “Residential Property Valuation Request Form-26037” states that the properties were inspected and found to be in average condition with no evidence of necessary repairs that have not been done. However, later in the same report, it states that the properties were in poor condition with extensive repairs needed.
- A purchase price of three properties on October 18, 2018 does not provide clear evidence to dispute the re-appraisal that was completed for January 1, 2013.
- The land value of the three properties is consistent with other properties in the area, which is supported by sales around the valuation period of January 1, 2013. The total taxable value of \$223,347 has a total land value of \$163,900 with improvements valued at \$59,447.
- The taxpayer has not submitted substantial evidence to show that the January 1, 2013 Schedule of Values was not properly applied in the valuation of his three properties.
- The taxpayer has not submitted any evidence that shows what the value should have been on January 1, 2013, as required by law.

Mr. Jones stated the Real Property Value Changes in Non-Reappraisal Years are governed by North Carolina General Statute 105-387 as follows:

Parcel #	2018	2019- Billed	2019- Adjusted	2020
18 2	75,096	82,346	72,782	78,051
18 3	76,516	86,450	80,402	86,752
18 4	70,164	76,057	70,164	70,164
Total	221,776	244,853	223,348	234,967

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Mr. Slaughter said he purchased three houses adjacent to DPC Pawn & Gun Shop for \$127,000 and was appealing the valuation based on an Alternative Transaction Value Report whereby a realtor agent and the bank did not agree with the County's value. Mr. Slaughter noted the state of the houses, when purchased, was very poor. He added that plumbing and electrical were redone this year. Mr. Slaughter stated he was trying to get the value at \$45,000 per house and he knew the values would increase in 2020 due to the renovations. Mr. Slaughter told the group an appraisal was not required for the purchase and he did not want to spend the money for an appraisal if not needed. He added the sale was not under duress.

Mr. Jones stated an adjustment was made due to the structural conditions making the total increase by \$1,571. He noted the biggest difference was reflected in the purchase price which was approximately one-half of where the County started with its value. Mr. Jones said the 2019 adjusted value totaled \$223,348 for the three parcels; the houses were valued at \$59,447 for the three.

Commissioner Puryear stated fair market value was \$127,000 for the purchase of the three parcels that were not a foreclosure or a sale under duress.

A **motion** was made by Commissioner Puryear and **carried 3-2** to change all three parcels taxable value on the tax cards to \$43,000, which would be just above fair market value. Commissioners Puryear, Powell and Vice Chairman Newell voted in support of the motion; Chairman Jeffers and Commissioner Clayton voted in opposition to the motion.

REQUEST TO UNFREEZE HEALTH DEPARTMENT POSITIONS:

Health Director, Janet Clayton recalled that on June 17, 2019, the Board of Commissioners voted to freeze the hiring of all vacant Health Department positions. On July 22, 2019 the Board approved three positions to hire. On November 7, 2019, a workgroup met to assess the service needs of the community; the workgroup members included the Chair and Vice Chair of the Board of Health, Steven Bailey and Jeffrey Noblett, Commissioners Powell and Puryear, Board of Health members Kimmie Yarborough and Ben Tillett as well as the Health Director and newly hired Nursing Supervisor Tabitha Philpott; the findings of the work group was to formally request the Board of Health to recommend unfreezing of the remaining four positions to the Board of Commissioners to provide these needed services to the residents of Person County due to transportation barriers and barriers of the individuals to be seen locally and to staff the agency efficiently to provide such services. Ms. Clayton told the group that as is the current procedure, the positions would only be recruited and filled after receiving approval from the County Manager. She added that unfreezing the positions would allow flexibility to hire the positions and classifications needed and most beneficial to the department. The remaining frozen positions are three Public Health Nurse II positions and one Community Health Technician position. The cost of these positions are included in the adopted FY2020 budget.

Ms. Clayton stated that since July 8, 2019, the Health Department has assured maternal health, family planning, and STD services for residents through medical providers both in Person County and outside of the county. While these services are being provided by other facilities, the Health Department still incurs costs associated with the services and is not able to fully access revenue sources due to not directly providing the medical care.

The U.S. Census Bureau estimates there are 4,938 uninsured residents in Person County and approximately 2,200 of those are females. The number of uninsured and underinsured individuals has increased since 2015 despite insurance options offered by the Affordable Care Act. Currently, there are no obstetricians or full-time gynecologists providing care in Person County. Individuals who need maternity care, family planning services, or STD diagnosis and treatment are having to seek care both in and outside of Person County. Additionally, there are no other local providers who utilize a zero-sliding fee scale.

Ms. Clayton stated to reduce access to care barriers and to better meet the needs of Person County residents, the Health Department was making strides to rebuild the maternal health program followed by the STD and family planning services. The unfreezing of the aforementioned positions would provide flexibility of hiring staff, improve the efficiency of the hiring process, and provide local coverage of these services for Person County residents as the Health Department moves forward without the need to appear before the Board of Commissioners to request each hiring request.

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Chairman Jeffers asked Ms. Clayton about the expenses incurred since the positions were frozen to which she noted invoices have been received from Lab Corp and Person Family Medical Center for approximately \$24,000. She added that Durham County has provided in-kind maternal health services with the assumption that the County Health Department would resume providing such services. Ms. Clayton stated the revenues were harder to estimate due to the type(s) of coverage or lack thereof by each client.

Vice Chairman Newell asked Ms. Clayton how many people are seen daily at the Health Department to which she noted only eight people per day due to immunizations was the only service being offered as compared to an average of thirteen per day last year. Vice Chairman Newell asked Ms. Clayton how many patients were seen at the Health Department on an annual basis to which she noted there were around 5,200 in 2017 and 4,500 in 2018.

Commissioner Powell stated it was the responsibility of the Board to take care of the County's residents and providing services to those in the County that cannot afford was the department's priority. He added there had been times when patients were turned away at the alternative provider.

Commissioner Puryear expressed his displeasure at the Board of Commissioners interrogating the Health Director with so many questions when the funding was already included in the approved budget; he advocated to allow the Health Director to do her job without having to come before the Board to gain approval for the needed staff to build services so that Person County residents will not have to go elsewhere.

Commissioner Clayton asked Ms. Clayton questions related to reimbursement and following the patient once treated by another provider. Ms. Clayton noted the Health Department did not receive funds for following the patient as they were not providing pregnancy care management.

Vice Chairman Newell asked the County Manager for her opinion. County Manager, Heidi York stated the County has to offer services for people who cannot afford to pay and she found it embarrassing that pregnant mothers had to travel out of county for such services that were offered in the past. She added the current process was inefficient and recommended that the Board of Commissioners unfreeze the positions to be filled on an as needed basis noting staff are constantly scrutinizing positions in all departments.

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve the unfreezing of the three Public Health Nurse II positions and one Community Health Technician position.

FISCAL YEAR 2020-2021 BUDGET CALENDAR:

County Manager, Heidi York stated a budget calendar was developed for the Board's adoption, outlining a schedule for the timing of the budget process. She noted a Board Retreat was proposed for February 3rd, along with the Capital Improvement Plan adoption in April, Presentation of the Recommended Budget in May, a required Public Hearing on June 1st and Adoption of the FY2020-2021 Budget Ordinance on June 15th. The dates outlined are subject to change if needed, but this will facilitate an organized budget process for staff and elected officials.

A **motion** was made by Vice Chairman Newell and **carried 5-0** to adopt the Fiscal Year 2020-2021 Budget Calendar, as presented.



PERSON COUNTY GOVERNMENT FISCAL YEAR 2020-2021 BUDGET CALENDAR

Date	Task
Mon/Dec. 2, 2019*	BOCC adopts FY21 budget calendar
Wed/Jan. 15, 2020	CIP Requests due to Assistant County Manager
Fri/Jan. 31, 2020	Personnel forms due to Human Resources
Fri/Jan. 31, 2020	Final insurance costs due
Mon/Feb. 3, 2020*	Board of County Commissioners Annual Retreat
Mon/Feb. 10, 2020	Distribution of budget training manual to departments and fee schedule requests
Thurs/Feb. 20, 2020	Departmental budget requests for operating & capital due to Finance and fee schedule requests due to Assistant County Manager
Tues-Fri/Mar. 10-20, 2020	Departmental budget presentations with County Manager
Mon/April 6, 2020*	FY21 CIP presented to Board of Commissioners
Mon/April 20, 2020*	Adoption of FY21 CIP
Mon/ May 18, 2020*	County Manager presents recommended budget
Mon/June 1, 2020*	BOCC holds Public Hearing on recommended budget
Tues-Fri/June 2-12, 2020	Potential BOCC budget work sessions (specific dates to be scheduled)
Mon/June 15, 2020*	Adoption of FY21 Annual Budget Ordinance
Wed/July 1, 2020	FY21 budget available in accounting system
Mon/Aug. 3, 2020	Adopted budget document finalized and available online

** denotes a Board of Commissioners meeting date.*

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CHAIRMAN'S REPORT:

Chairman Jeffers thanked his fellow commissioners for the opportunity to serve as Chairman noting he looked forward to working with all of them.

MANAGER'S REPORT:

County Manager, Heidi York reported she had hired a Human Resources Director who started with Person County this date; Ms. York said she would introduce her to the Board at a future meeting.

COMMISSIONER REPORT/COMMENTS:

Commissioner Powell commented on the \$20M sizeable investment OBX Extracts has made in Person County noting sixty people has been employed with this growing hemp processing company.

Commissioner Clayton reported the annual Kiwanis Club Pancake Day would be held on December 7th.

Commissioner Puryear reported the Jingle on Main Uptown event would be taking place on December 5th.

Vice Chairman Newell had no report.

ADJOURNMENT:

A **motion** was made by Vice Chairman Newell and **carried 5-0** to adjourn the meeting at 8:19pm.

Brenda B. Reaves
Clerk to the Board

B. Ray Jeffers
Chairman

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