

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

MARCH 23, 2020
OTHERS PRESENT

B. Ray Jeffers
Jimmy B. Clayton
Kyle W. Puryear
Gordon Powell
C. Derrick Sims

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

The Board of Commissioners for the County of Person, North Carolina, met in regular session on Monday, March 23, 2020 at 9:00am in the commissioners' boardroom in the Person County Office Building.

Chairman Jeffers called the meeting to order. Commissioner Sims offered an invocation and Chairman Jeffers led the group in the Pledge of Allegiance. County Attorney, Ron Aycock participated in the meeting via telephone conference call.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

Chairman Jeffers made a **motion** to table the following items: a) Election of Vice Chairman, b) Broadband Project Update, c) Update on Person County participation in the national Opioid litigation, d) Appointments to Boards and Committees, and to add to the agenda an item for a Text Amendment to the Board of Commissioners' Rules of Procedures; the motion **carried unanimously**.

County Manager, Heidi York introduced Person County's newly hired Transportation Director, Kurt Neufang. Mr. Neufang shared a little of his previous work experience and highlighted that PATS' current transportation included employment and medical trips. He noted that the uptown shuttle route would be expanding on March 30, 2020.

INFORMAL COMMENTS:

There were no comments from the public.

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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 March 9, 2020,
- B. Budget Amendment # 16,
- C. Certificate of Clerk re: Approval of Tax-Exempt Loan to Timberlake Fire and Rescue, Inc. from Roxboro Savings Bank up to \$140,000,
- D. Audit Contract for Fiscal Year 2020 with Elliott Davis in the amount of \$59,300, and
- E. PATS Drug & Alcohol Policy Update

NEW BUSINESS:**RESOLUTION AND AGREEMENT FOR BANKING SERVICES WITH BB&T:**

Finance Director, Amy Wehrenberg informed the Board that the Finance Department was notified on February 12, 2020 that the local SunTrust Bank branch, the current depository for the County's banking services, will be sold to First Horizon National Corporation in June 2020 prior to the merger of SunTrust Bank with BB&T, now to be renamed Truist Financial Corporation. Unfortunately, the sale of the local branch occurs well before the formal merger of SunTrust and BB&T is scheduled to take place, now estimated to happen in the next 18-24 months.

Ms. Wehrenberg stated that although the County's accounts could technically remain with SunTrust, the local branch will no longer be available to serve the County's banking needs, causing a major disruption of services such as the ability to make deposits, cash checks, etc. At the time Ms. Wehrenberg was notified of this change, BB&T and SunTrust representatives hoped to provide the County with some options until the merger could be finalized in 2021. On March 10th, the County was given a proposal to enter into a banking services contract with BB&T to establish accounts at their branch with the same services, rates, and agreement terms as with SunTrust. If the merger between SunTrust and BB&T was finalized before the divestment process occurred between SunTrust and First Horizon, county accounts would have transferred automatically to BB&T without having to establish new accounts. The expedient divestment process and late notification to the County presented a critical situation that caused the need to enter into a contract with BB&T, prior to its formally merged status with SunTrust, and go through the comprehensive tasks associated with the creation of and transfer to new bank accounts.

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Ms. Wehrenberg explained that typically after the contract was signed, the transition process of switching banks from the time the contract is signed can take up to three months. The short notice from BB&T and SunTrust only allows about a two-month timeline for working with BB&T and the County's accounting software provider to change the information in the accounts payable and payroll systems, as well as notifying employees and departments of the change and the impacts to their processes. Ms. Wehrenberg said this tight schedule was the reason for her request for the approval of the contract with BB&T, to allow as much time as possible to transition and provide the least disruption to the County's financial processes.

Ms. Wehrenberg presented to the Board BB&T's Resolution and Agreement for Deposit Account for consideration to approve with BB&T as the County's new depository under the terms provided.

Commissioner Puryear requested the Board to recuse him from voting on this item as BB&T is his employer. A **motion** was made by Commissioner Powell and **carried 5-0** to recuse Commissioner Puryear from the vote on the consideration to approve BB&T as the County's new depository.

A **motion** was made by Commissioner Powell and **carried 4-0** to approve the BB&T Resolution and Agreement for Deposit Account for BB&T to become the County's new depository, as presented.

BB&T
RESOLUTION AND AGREEMENT FOR DEPOSIT ACCOUNT

PERSON COUNTY

566000331

Name of Entity

EIN

- ☐ Corporation
☐ Unincorporated Association
☐ Limited Liability Company

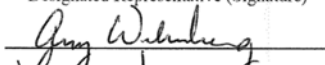
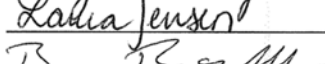
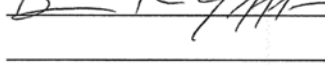
- ☒ Government Entity
☐ General Partnership
☐ Limited Partnership

- ☐ Sole Proprietorship
☐ Non-Profit Corporation
☐ Other

I, the undersigned, am a duly elected/appointed Authorized Officer, Proprietor, Authorized Partner, Authorized Manager, or other Authorized Employee of the above-named Entity duly organized and existing under the laws of the State of North Carolina; and that I am authorized to certify that the following resolutions duly adopted by the Entity, and that such resolutions are in full force and effect and have not been amended or rescinded.

RESOLVED, that BB&T is hereby designated as a depository institution in which the funds of this Entity may, subject to the rules of BB&T, be deposited by any of its officers, agents or employees; and that any such officer, agent or employee is hereby authorized on behalf of the Entity and in its name to endorse for deposit, whether in demand or time accounts, or for negotiation or collection, any and all checks, drafts, certificates of deposit or any other payment instrument payable to the Entity, which endorsement may be in writing, by stamp or otherwise, with or without signature of the person so endorsing, it being understood that on such items all prior endorsements are guaranteed by the Entity, irrespective of the lack of a guarantee by the Entity; and

FURTHER RESOLVED, that any of the individuals listed below (a "Designated Representative") is hereby authorized to open or close any deposit account with BB&T and to authorize those persons ("Authorized Signers") who may execute a BB&T signature card on behalf of the Entity and transact business on such account:

Designated Representative (Signature)	Printed/Typed Name	Title
	Amy Wehrenberg	Finance Director
	Laura L. Jensen	Assistant Finance Director
	Brannon Ray Jeffers	Chairman of Board
_____	_____	_____
_____	_____	_____

FURTHER RESOLVED, that BB&T be and is hereby authorized and directed to honor, pay and charge any of the accounts of the Entity, without inquiry to or responsibility for the application of the proceeds thereof, all checks, drafts, or other orders for the payment, withdrawal or transfer of money in the accounts of or to the credit of the Entity, and to honor any authorization for the transfer of funds between different accounts whether oral, by phone or electronic means without inquiry as to the circumstances related thereto and for whatever purpose or to whomever payable, including requests for conversion into cash as well as for deduction from and payment of cash out of any deposit, and whether or not payable to, endorsed or negotiated by or for the credit of any person signing same or any other officer, agent or employee of the Entity, when signed or endorsed by an original or facsimile signature of any ONE Authorized Signer; and

FOR BANK USE ONLY

Prepared By D05772

Date 03/20/2020

Center 6010001

Bank No. 102 State NC

Forward to:
Centralized Document Scanning Operations
M/C 100-99-15-11

RESRES102566000331



8010 (1812)

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FURTHER RESOLVED, that BB&T be and is hereby authorized to honor, receive, or pay any items bearing the signature of any one Authorized Signer even though payment may create an overdraft or even though such items may be drawn or endorsed to the order of such signer for exchange or cashing, or in payment of the individual obligation of such signer, or for deposit to such Authorized Signer's personal account and BB&T shall not be required or be under any obligation to inquire as to the circumstances of the issuance or use of any such item or the application or disposition of such item or the proceeds thereof; and

FURTHER RESOLVED, that the Entity assumes full responsibility and holds harmless BB&T for any and all payments made or any other action taken by BB&T in reliance upon the signatures, including facsimiles thereof, of any Authorized Signer regardless whether or not the use of the facsimile signature was unlawful or unauthorized and regardless of by whom or by what means the purported signature or facsimile signature may have been affixed if such signature reasonably resembles the specimen or facsimile signature of the Authorized Signer; and

FURTHER RESOLVED, that any Designated Representative, or person authorized in writing by a Designated Representative, is authorized to act on behalf of the Entity as follows: obtain information on accounts; appoint, remove or change Authorized Signers; deliver any night depository agreement; enter into any agreement for cash management services; lease a safe deposit box; enter into an agreement for deposit access device; enter into an agreement for credit cards; or enter into other agreements concerning the deposit accounts at BB&T; and

FURTHER RESOLVED, that any and all prior resolutions executed on behalf of the Entity are hereby revoked and that the foregoing resolutions shall remain in full force and effect until the Entity officially notifies BB&T to the contrary in writing. BB&T may conclusively presume that this Resolution and Agreement for Deposit Account and any signature cards executed pursuant hereto are in effect and that persons identified herein are properly authorized to act on behalf of the Entity. The Entity, as changes to the Designated Representatives and/or Authorized Signers are made, will immediately report and certify such changes to BB&T through submission of a new Resolution and Agreement for Deposit Account and/or signature card, as applicable. BB&T shall be fully protected in relying on such certifications and shall be indemnified and saved harmless from any claims, demands, expenses, losses, or damages resulting from the signature of any Designated Representative so certified, or refusing to honor any signature not so certified; and

FURTHER RESOLVED, that all transactions by any officer, employee or agent of the Entity on its behalf and in its name prior to the delivery of this Resolution and Agreement for Deposit Account are hereby ratified and approved.

In Witness Whereof, I have hereunto subscribed my name and affixed the seal, if any, of this Entity,
this 20 day of March, Year 2020.

For All Entities:

 (Seal)
(Authorized Officer/Proprietor/Authorized Partner/Authorized Manager/Other Authorized Employee)
(Corporate Seal)

Commissioner Puryear thanked the Finance Director and staff for the expeditious manner and leadership to secure the transition of the County's financial accounts.

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BOARD'S RULES OF PROCEDURE:

County Attorney, Ron Aycock presented a text amendment to the Board's Rules of Procedure for consideration to be added to the existing Rules of Procedure. The addition related to conducting meetings during a Declared State of Emergency to allow a quorum to meet via electronic means and would apply to the Board of Commissioners and all county boards, committees, authorities and commissions.

The language proposed for addition to the Rules of Procedure follows:

“3- Meetings during Declared State of Emergency

- (a) When the chair or other authorized county official has declared a state of emergency pursuant to NC law and it is impossible or imprudent to meet in a physical in person meeting the Board of County Commissioners may meet as a board by electronic means upon a certification by the chair or other authorized official that it is necessary to do so. Notice shall be given of such meeting to the public by any reasonable means according to the Open Meetings law along with the opportunity for the public to observe such meeting.
- (b) When a meeting of the board is held as provided for in 3(a) above the board may permit staff and others to participate electronically as necessary for the efficient and effective consideration of issues before the board.
- (c) The procedures provided for in this section 7.3 shall be applicable to all county boards and commissions including but not limited to the Board of Health, the Board of Social Services, the Planning Board, the Board of Adjustments and the Recreation Board.”

Mr. Aycock noted the proposed rule was a result of the current state of emergency responding to the COVID-19 corona virus for an alternative procedure to keep attendees safe and to comply with executive orders limiting gathering of people in one space. Mr. Aycock further noted state law authorizes the Board to set its own Rules of Procedure. Mr. Aycock noted the ability to conduct meetings by an electronic means should only apply during a state of emergency. In addition, Mr. Aycock said proper notice to the Sunshine listing through an email announcement as well as the procedure on how the public would have the opportunity to observe the electronic meeting including a group platform for citizens to provide comments was required.

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve the language, as presented, to be added to the Board's Rules of Procedure for a Rule to conduct meetings during a Declared State of Emergency.

CHAIRMAN'S REPORT:

Chairman Jeffers asked the Board about cancelling the Board's first meeting in April, scheduled for April 6, 2020 at 7:00pm. It was the consensus of the Board to cancel the Board of Commissioners regular scheduled meeting on April 6, 2020. The Board's next regular scheduled meeting will be held on April 20, 2020 at 9:00am.

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MANAGER'S REPORT:

County Manager, Heidi York announced that all county buildings will be closed to the public for general access this date through April 6, 2020, at which time, the county will reassess the current COVID-19 situation and make decisions accordingly. Ms. York stated this was a precautionary measure to protect the health and well-being of the public and Person County employees.

Ms. York said county operations will continue with normal operating hours with the majority of county business being conducted by telephone and online. County services can be accessed on an individual appointment basis by calling the department directly and scheduling an appointment. This will allow departments to regulate the number of visitors at any given time in county buildings. Walk-ins are discouraged but county departments may tailor their programs and services as they see fit to minimize the number of people (with a goal of not exceeding ten people at a time) in a county facility. Ms. York noted PATS will provide appointment-scheduled rides which will be limited to medical appointments and employment transportation. There is currently an uptown shuttle in place with a set route providing access to retail needs and beginning on March 30th there will be two uptown shuttles running and available to the public. The Recycling Center will be closing its gates and not accepting materials at noon this date.

Ms. York informed the Board that all full and part-time county employees will be granted new paid leave balances for COVID-19 to use at their discretion during the outbreak of the virus. Employees will be granted two weeks of emergency leave. This leave will expire on December 31, 2020 and any unused hours will not carry-forward and will not be paid out. Ms. York said this complies with the Families First Coronavirus Response Act that was signed into law this week. This leave as well as expanded Family and Medical Leave Act provisions will be available to employees effective Monday, March 23rd.

In addition, telecommuting of employees (where feasible with their job duties) will be allowed for those who already have a county-issued laptop. The County will not be deploying new laptops, new mi-fi devices, or new hotspots. Personal devices are not allowed to connect to the county network and be used to work from home. Having a county-issued smart phone or cell phone does not qualify an employee to be able to work from home. Employees will be required to work their same amount of hours from home in their standard work week as they would if they were in the office. Ms. York stated these provisions have been sent out earlier to department directors in the County's Temporary Telecommuting/Teleworking Agreement. Department Directors will coordinate with employees to institute the operational changes necessary to continue serving our community and meet the needs of our employees.

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Ms. York summarized that county departments are looking at doing business differently so not have more than 10 people in a county facility, i.e., the Library will have online reservations and curb side delivery to vehicles in an effort to have resources available especially as children are out of school, and DSS, a state mandated service, will have less in-home visits, online services and a drop box for applications, etc.

Ms. York told the commissioners there are telephone conference call opportunities for elected officials with the Governor, through the NC Association of County Commissioners as well as with the Speaker of the House, Tim Moore: she said she would send call-in information to the Board.

COMMISSIONER REPORT/COMMENTS:

Commissioner Puryear urged residents to support local businesses by shopping local. There were no comments from Commissioners Powell, Clayton and Sims.

ADJOURNMENT:

A **motion** was made by Commissioner Puryear and **carried 5-0** to adjourn the meeting at 9:31am.

Brenda B. Reaves
Clerk to the Board

B. Ray Jeffers
Chairman

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