

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

SEPTEMBER 21, 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, September 21, 2020 at 9:00am in the Person County Office Building Auditorium.

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

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

Chairman Jeffers noted an item to add to the agenda for consideration of a Seventh Amendment to Amended and Restated Agreement for Continued Development, Use and Operation of Upper Piedmont Regional Landfill.

A **motion** was made by Chairman Jeffers and **carried 5-0** to add to the agenda for consideration of a Seventh Amendment to Amended and Restated Agreement for Continued Development, Use and Operation of Upper Piedmont Regional Landfill.

A **motion** was made by Chairman Jeffers and **carried 5-0** to approve the agenda as adjusted.

INFORMAL COMMENTS:

There were no comments from the public.

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. Revision to the False Alarm Ordinance,
- B. Library Annual State Aid Application for Fiscal Year 2020-2021,
- C. Home & Community Care Block Grant Final Reports for Fiscal Year 2019-2020, and
- D. REAL Academy LLC Contract

NEW BUSINESS:**BROADBAND DEPLOYMENT UPDATE:**

IT Director, Chris Puryear stated broadband has certainly come to the forefront with communities during this time of coronavirus, remote learning and teleworking. Mr. Puryear said Person County has been privileged that the Board of Commissioners considered broadband a priority for the last few years. Mr. Puryear introduced RiverStreet Networks Business Development Manager, Mr. Bill Shillito and Vice President Business Development, Mr. Greg Coltrain to provide the Board with an update regarding their current deployment of broadband service across Person County and across the state of NC, as well as their future goals for broadband service expansion.

Mr. Bill Shillito stated he and Mr. Greg Coltrain will illustrate through the following presentation the extent of their organization since the purchase of NC Wireless by RiverStreet as they updated the group on their efforts with Person County and other partners to extend access of broadband.

Mr. Greg Coltrain, a native of Beaufort County said he has been in the broadband industry for 22 years; he shared the following presentation:



PERSON COUNTY BROADBAND PROJECT (PCAN)
AND CORPORATE OVERVIEW UPDATE

BILL SHILLITO - BUSINESS DEVELOPMENT MANAGER
GREG COLTRAIN - VP BUSINESS DEVELOPMENT

SEPTEMBER 21, 2020

WILKES TELEPHONE MEMBERSHIP CORP COMPANY OVERVIEW

WILKES TELEPHONE MEMBERSHIP CORPORATION

- MEMBER OWNED PARENT COOPERATIVE
- ESTABLISHED IN 1951 - 69 YEARS IN OPERATION
- 83 EMPLOYEES
- ALL FTTH GIGABIT CAPABLE NETWORK IN WILKES - \$44M
 - \$15.6M STIMULUS GRANT
- BROADBAND SPEEDS FROM 100/100 to 1Gig

2



WILKES TMC MISSION STATEMENT

“TO PROVIDE EXCELLENCE IN CUSTOMER
SERVICEAND ADD VALUE TO THE
LIVES OF OUR CUSTOMERS”

3

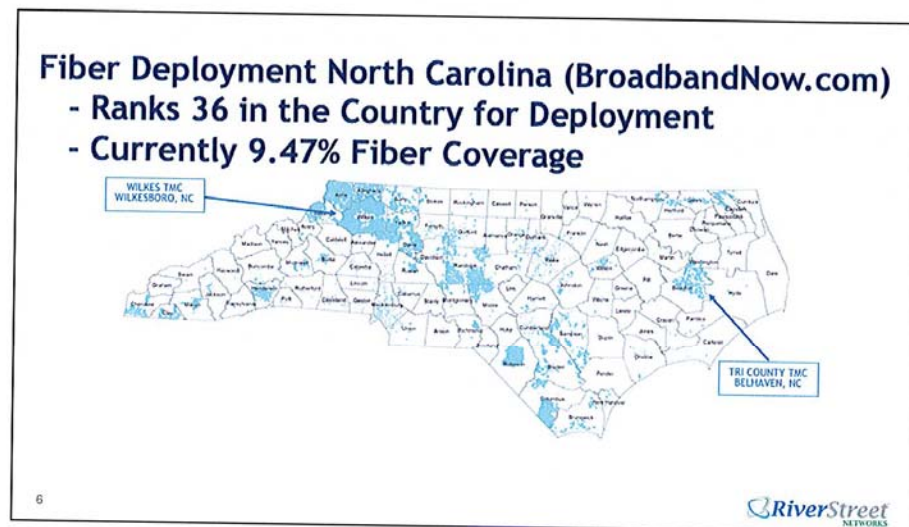
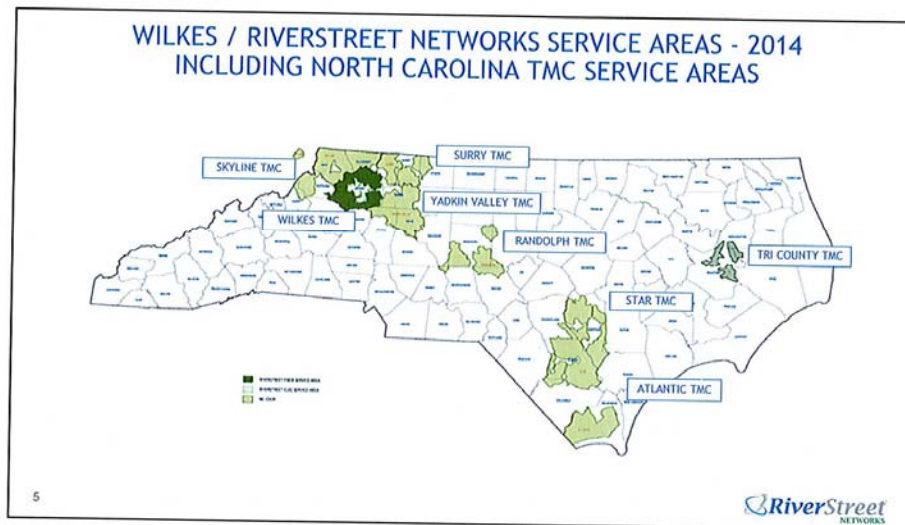


WILKES COMMUNICATIONS NETWORKS SERVICE AREAS 2014



4





RIVERSTREET MANAGEMENT SERVICES COMPANY OVERVIEW

RIVERSTREET MANAGEMENT SERVICES - RIVERSTREET NETWORKS

- FOR PROFIT SUBSIDIARY OF THE PARENT COOPERATIVE
- ESTABLISHED IN 2015
- 116 EMPLOYEES
- REGIONALIZED NETWORK EXPANSION AND GROWTH
THROUGH EDGE OUTS, ACQUISITIONS, MERGERS AND PUBLIC
PRIVATE PARTNERSHIPS

7



RIVERSTREET MISSION

“TO SERVE THE UNSERVED AND
UNDERSERVED”

8





LightLeap



RiverStreet
NETWORKS

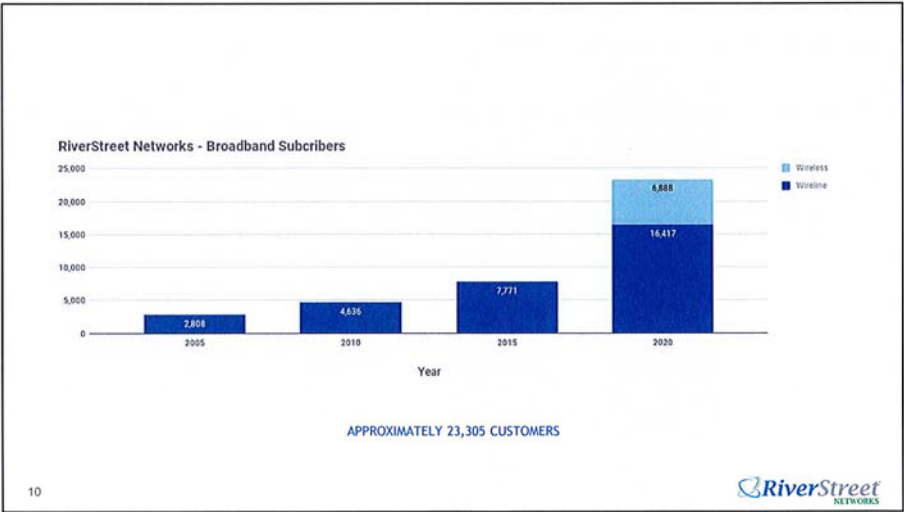


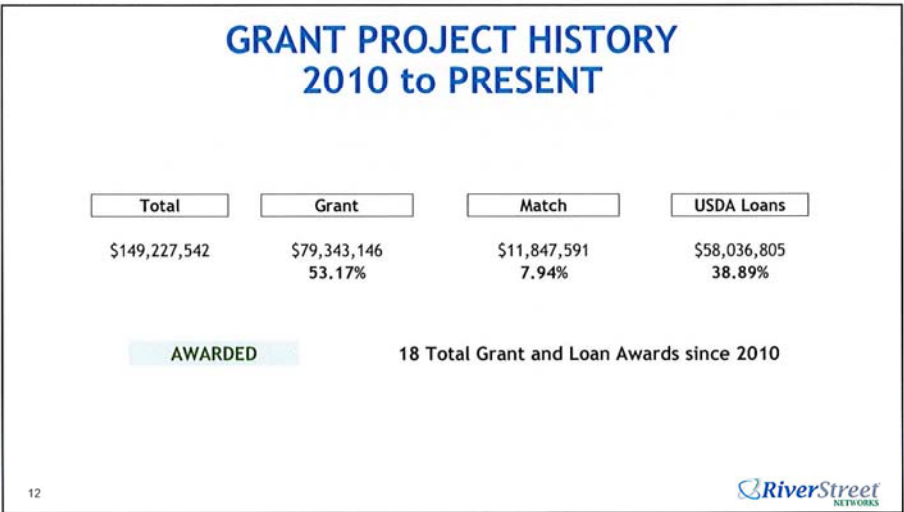
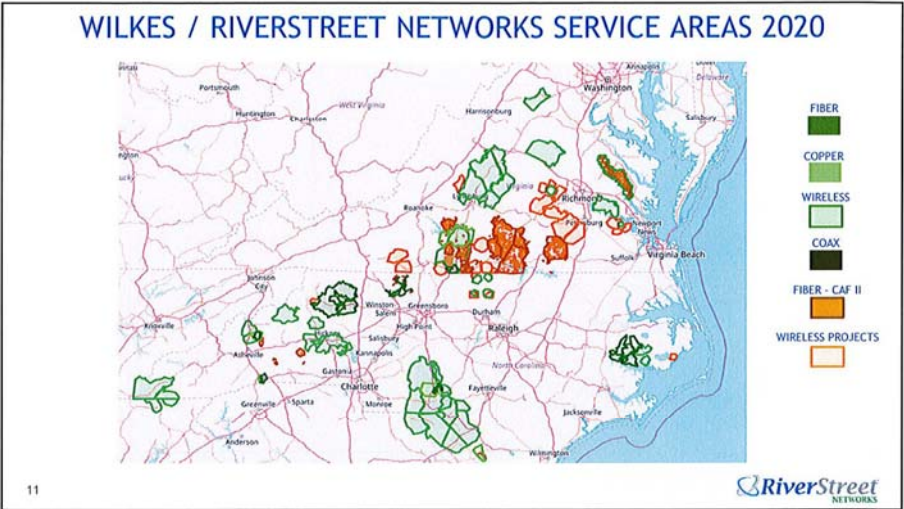
BETTER
TOGETHER

9



RiverStreet
NETWORKS





Mr. Shillito presented the update on the Person County Advanced Network as follows:

9/21/2020

Person County Advanced Network(PCAN) Update and Overview

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- Goals and Aims:
 - Purpose: *Develop The Next Generation Broadband Infrastructure to meet the technological needs of current and future business, public institutions, educational institutions, and local residents.*
 - PCAN Goals: *Create a scalable network solution, Foster Economic Growth, Foster Development in new areas of the County, provide reliable service for 15+ years*
 - Grant: *\$254,000 by Person County (Person County Advanced Network) PCAN*
 - Match: *\$254,000 by NC Wireless*

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Person County Advanced Network(PCAN) Update and Overview

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- Funds Expended To Date:
 - PCAN Funds expended to date: \$209,985.24 (disbursed thru six cost reviews, and check releases) no change since last briefing.
 - NC Wireless Funds expended to date: ~~\$497,423.46~~, \$233,465.00
 - Remaining PCAN Funds: \$44,014.76 no change since last briefing
 - Remaining NC Wireless Match: ~~\$56,576.54~~, \$20,535.00
 - Any additionally requested PCAN Funds will be in the form of new client adds at \$250.00/new client.
 - The transition.....LightLeap to RiverStreet

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CURRENT STANDARD PRICING

15

A Better Internet Experience

CUTTING EDGE TECHNOLOGY AND ROCK-SOLID RELIABILITY

LightLeap d.sh

EQUIPMENT REQUIRED

STANDARD RELAY	WIRELESS UPGRADE	ROCKET UPGRADE
\$0	\$50	\$250

MONTHLY SUBSCRIPTION FEES

LITE	ULTRA	MEGA	PRO
\$39.95	\$69.95	\$89.95	\$109.95

www.lightleap.net
888-322-1505

RiverStreet
NETWORKS

NEW RIVERSTREET BROADBAND PRICING

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FIBER BASELINE PRICING

100M / 100M - \$75 + \$5 = \$80
Less Cooperative Discount
\$70.00
Less \$9.25 Low Income Lifeline discount
\$60.75

\$75 Per Month 100M/100M <ul style="list-style-type: none"> ✓ Unlimited Data ✓ Free WiFi ✓ Free Phone Service ✓ 24/7 Tech Support 	\$100 Per Month 250M/250M <ul style="list-style-type: none"> ✓ Unlimited Data ✓ Free WiFi ✓ Free Phone Service ✓ 24/7 Tech Support 	\$200 Per Month 1Gig/1Gig <ul style="list-style-type: none"> ✓ Unlimited Data ✓ Free WiFi ✓ Free Phone Service ✓ 24/7 Tech Support
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WIRELESS BASELINE PRICING

Up To 25M / 3M - \$50 + \$5 = \$55
Less Cooperative Discount
\$45.00
Less \$9.25 Low Income Lifeline discount
\$35.75

WIRELESS TIER II PRICING

Up to 50M / 3M - \$70 + \$5 = \$80
Less Cooperative Discount
\$70.00
Less \$9.25 Low Income Lifeline Discount
\$60.75

RiverStreet
NETWORKS

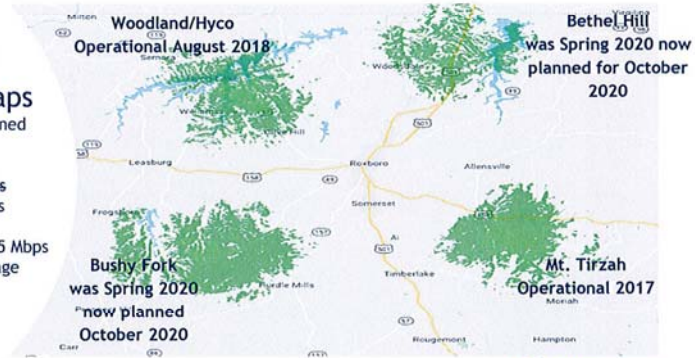
CURRENT ACCESS POINT STATUS/PLAN

17

Original Anticipated Coverage Maps

With two towers turned up we have

- 32 active clients
- 41 active clients
- 12 clients are 25 Mbps download package
- 2 commercial clients



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CURRENT ACCESS POINT STATUS/PLAN

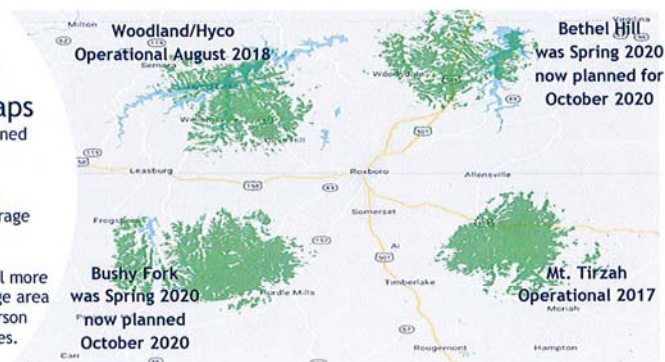
18

Original Anticipated Coverage Maps

With two towers turned up we have

- 87.61 sq/ miles estimated coverage
- 1,970 Homes.

Next two towers will more than double coverage area to almost 45% of Person County's 404 Sq miles.



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CURRENT ACCESS POINT STATUS/PLAN

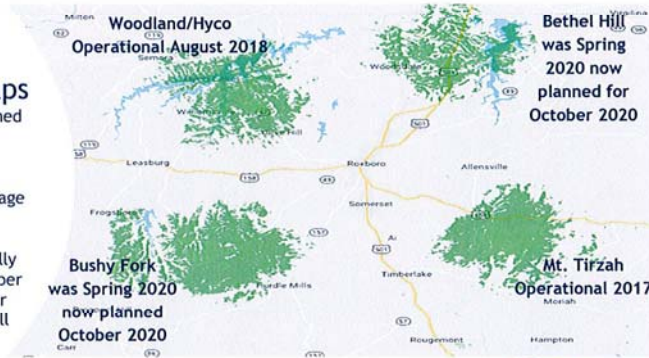
19

Original Anticipated Coverage Maps

With two towers turned up we have

- 87.61 sq/ miles estimated coverage
- 1,970 Homes.

Next two towers Fully loaded. Awaiting Fiber Optic connection for Backhaul. Bethel Hill key location.



19

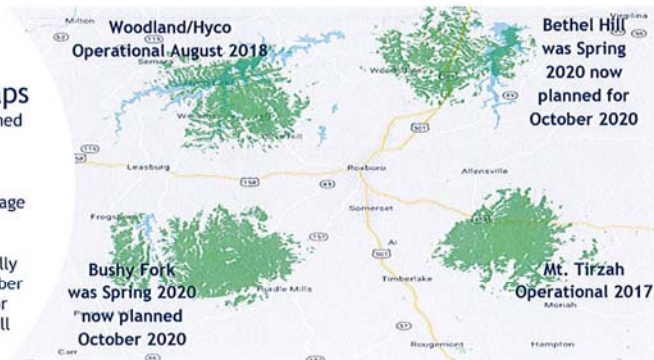
EXPANSION ACCESS POINT PLAN

Original Anticipated Coverage Maps


With two towers turned up we have

- 87.61 sq/ miles estimated coverage
- 1,970 Homes.

Next two towers Fully loaded. Awaiting Fiber Optic connection for Backhaul. Bethel Hill key location.



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2020 GREAT Grant Oak Pointe Tower Coverage (Available October)

This location extends and expands the Woodland access point (AP) coverage area

Frequency coordinated not to interfere between towers and APs

Provides an additional 300+ households and fills some coverage gaps off Woodland AP

Current backhaul uses Fixed Wireless with plans to move to Person County Fiber



2020 GREAT Grant Whitt Tower Coverage (Available 2nd Quarter 2021)


Location extends and expands the Mt. Tirzah AP coverage area

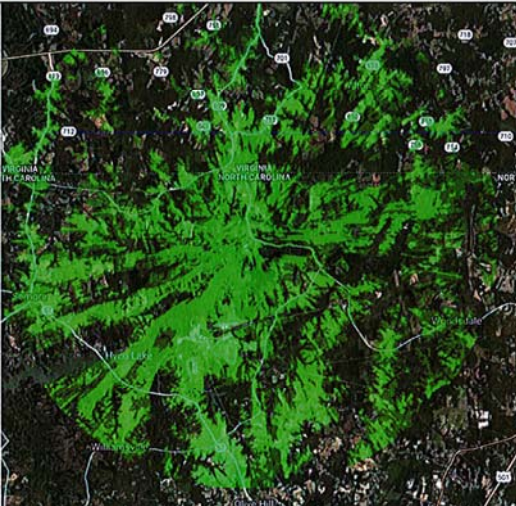
Frequency coordinated not to interfere between towers and APs

Provides an additional 400+ households and fills some coverage gaps off Mt. Tirzahn AP

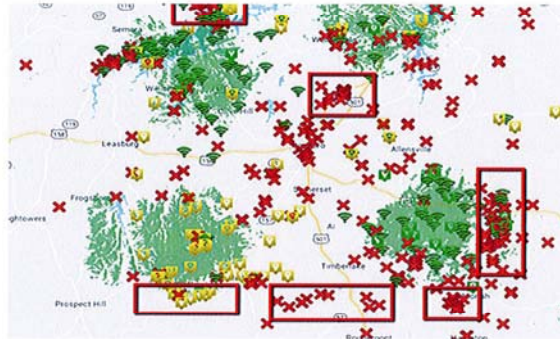
Current backhaul uses Fixed Wireless with plans to move to Person County Fiber

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CUSTOMER COLLECTION AND CONSOLIDATION



- Red X (currently cannot serve)
- Green WIFI (can service but not yet a customer)
- Green Balloons (subscribed customers)
- Yellow Balloons (NEW EUS) Not set a status to

RiverStreet
NETWORKS

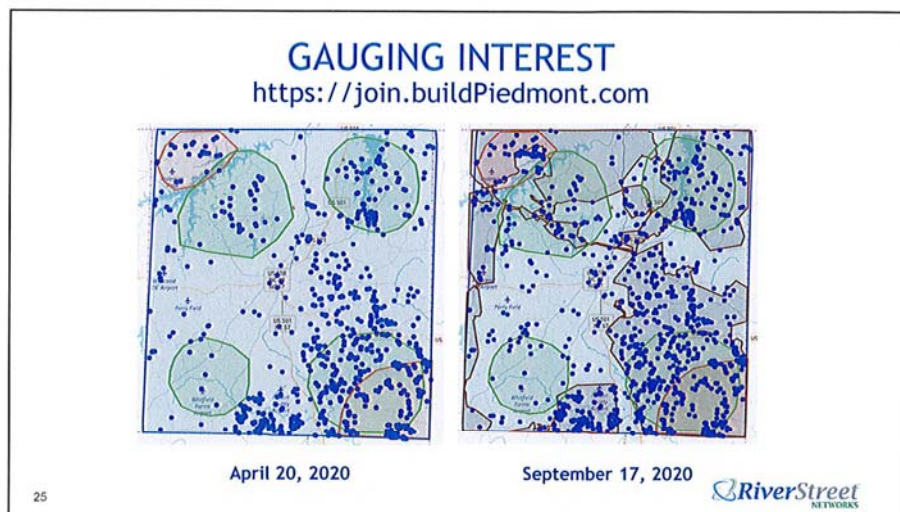
RIVERSTREET NETWORKS, NC - GAUGE INTEREST

<http://join.buildPiedmont.com>

A screenshot of the RiverStreet Networks website. The header features the RiverStreet Networks logo and a 'Powered by Piedmont Electric Membership Corporation' badge. Below the header, there is a section titled 'Help Bring Faster Internet to Your Neighborhood!' with a subtext 'Register your address, and we'll bring you faster service. Become a leader and spread the word!'. There is a form with fields for 'Address', 'City', and 'Zip'. Below the form, there is a map titled 'Service Areas' showing various regions. At the bottom, there is a section titled 'Are you in the Registration?' with a progress bar and a '100% In Progress' indicator. The footer shows 'Alamance County, NC' and 'Piedmont EMC'.

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RiverStreet
NETWORKS



Person County Advanced Network(PCAN) Update and Overview

Looking Forward. The Good News/Updates

- RiverStreet Networks (RSN) Acquired NC Wireless
- RSN Acquired Fiber IRU (Indefeasible Right of Use, not able to be lost, annulled, or overturned), from Person County.
- RSN proposes new standard pricing (Shown Earlier)
- RSN has strong Marketing Process and Budget. Will Rebrand the Service in the near future. Proposed Timeline for Advertising TBD
- RSN ~~authorized~~ hired a full time field technician for Person County
- Better Potential Customer Consolidation Planning Tool (Crowd Source) in use
- GREAT Grant Effect shown on previous maps



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Person County Advanced Network(PCAN) Update and Overview

Looking Forward.The Good News/Updates

- GREAT Grant Effect shown on previous maps
- GREAT Grant and other funding potentially available.
- Great Partnership with PEMC.
- PEMC adding a WiFi hotspot at PEMC location on Oxford Road with assistance from RSN to support student access to internet
- Continue to work with local sales representative Mr. Dale Fortner.
- Initial Fiber Backhaul out of Bethel Hill was 100 Mbps x 100 Mbps. Recent upgrade with Centurylink for 200 Mbps x 200 Mbps. Project Complete.
- Plan is to purchase 1G fiber backhaul from fiber provider in Roxboro NOC

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RiverStreet
NETWORKS



QUESTIONS?

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Chairman Jeffers noted he was sending individuals inquiring about service to the RiverStreet web site. Mr. Coltrain stated for specific pricing he recommended to use myriverstreet.com but the join.buildPiedmont.com can be utilized to put in an order and request service. Mr. Coltrain said if a person enters an address, it will note if interest only or taking orders.

September 21, 2020

Commissioner Clayton stated the PEMC survey is helpful and he encouraged citizens to participate in the survey. He added the hot spots are a big deal during the pandemic. Commissioner Clayton thanked the Board, past and present members, for working together as well as Person County IT taking on broadband projects.

Mr. Shillito said they are leasing space on a tower at Oak Point that is owned by American Tower near Hyco Lake. Once online, it will expand the coverage area by 40% in the northwest section of Person County. Additionally, Mr. Shillito noted a new location identified in southeastern Person County on property owned by Joey Whitt, which requires construction of a new tower. RiverStreet is currently working with Person County to complete the appropriate approvals and permits. Once constructed and equipped, RiverStreet projects an increase in the coverage area adjacent to Mt. Tirzah by at least 50%. The completion timeline is mid-2021.

Mr. Shillito further noted they are taking data to determine where to build mini access points (60 ft. pole) that can service as few as 15-20 people.

Mr. Coltrain stated they deal with a lot of counties across NC and VA and pleased with the progressive nature of Person County. Mr. Coltrain said RiverStreet brings on stakeholders that can ensure the successfulness of any project. RiverStreet has vetted a new business entity called the Rural Broadband Network, for which they are partners with state-wide Electric Association to use joined assets to reduce overall overhead costs to get to some of the hard to reach rural areas. He added several electric coops across the state have built fiber to their substations with Piedmont Electric being one of those. Currently they are in process of establishing a new WiFi Hotspot for students in conjunction with Piedmont Electric Membership Corporation located at 1125 Oxford Road, Roxboro. Mr. Coltrain stated this only presents greater opportunities for Person County as well as neighboring counties.

County Manager, Heidi York reminded the group of the negotiations for a new contract with Republic Services included three monopoles to be installed on the landfill footprint to further provide access in the Mt. Tirzah area. She noted the state has approved the new permit for the landfill and the County is ready to begin the process for those monopoles. Mr. Shillito stated they would need the geo-locations and welcomed the opportunity to deploy equipment to reach more residents.

Vice Chairman Powell stated support of closing the gap of fiber connectivity into Virginia for regional economic development opportunities to which Mr. Coltrain stated they would like to further discuss with the goal to connect the two networks for redundancy purposes.

UPDATE TO THE COMPREHENSIVE LAND USE PLAN FOR PERSON COUNTY AND THE CITY OF ROXBORO:

Planning Director, Lori Oakley stated earlier this year the County and the City started updating the Comprehensive Land Use Plan. Ms. Oakley introduced Mr. Jason Epley, President of Benchmark, the planning consultant who will provide an update on the progress made to date on the Comprehensive Land Use Plan to the Board of Commissioners for Person County and the City of Roxboro. Ms. Oakley said the Roxboro City Council received this same update a few weeks ago.

Mr. Jason Epley stated the purpose of the Comprehensive Land Use Plan is to review the entire county jurisdiction including the City of Roxboro for land use, development, capital investment and gross management decisions. Mr. Epley noted the Plan will have a shared vision between the County and the City for planned growth with some overlap of strategies for both jurisdictions as well as tailored specifics for each entity.

Mr. Epley shared the following presentation for his update:

KICKOFF PRESENTATION

Person County & City of Roxboro

Joint Comprehensive Land Use Plan



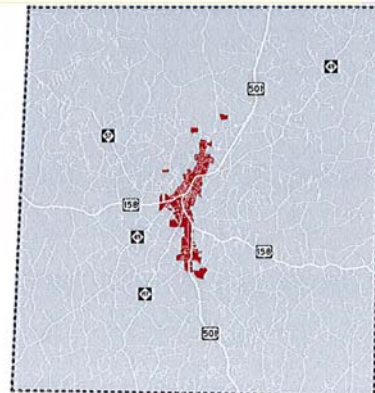
BENCHMARK

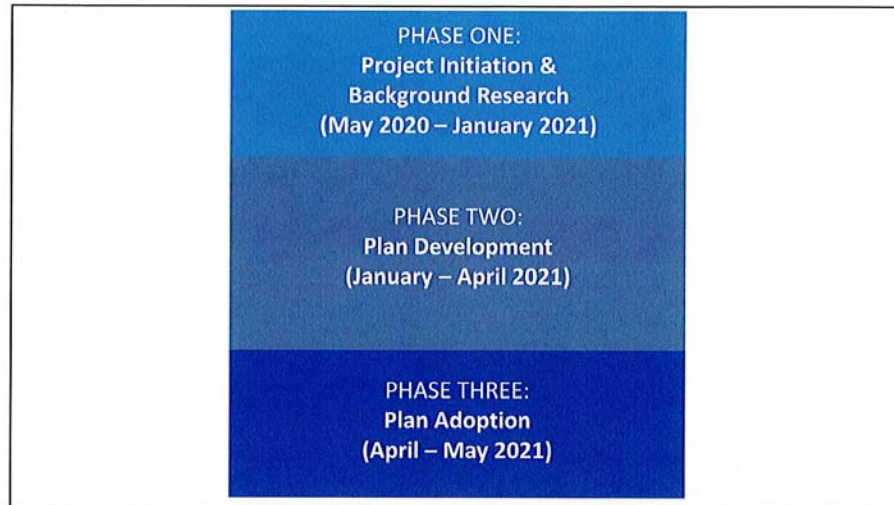
Purpose of the Plan

The Plan serves as the primary policy guide over the next decade and beyond for:

- Land Use
- Development
- Capital Investments
- Growth Management Decisions

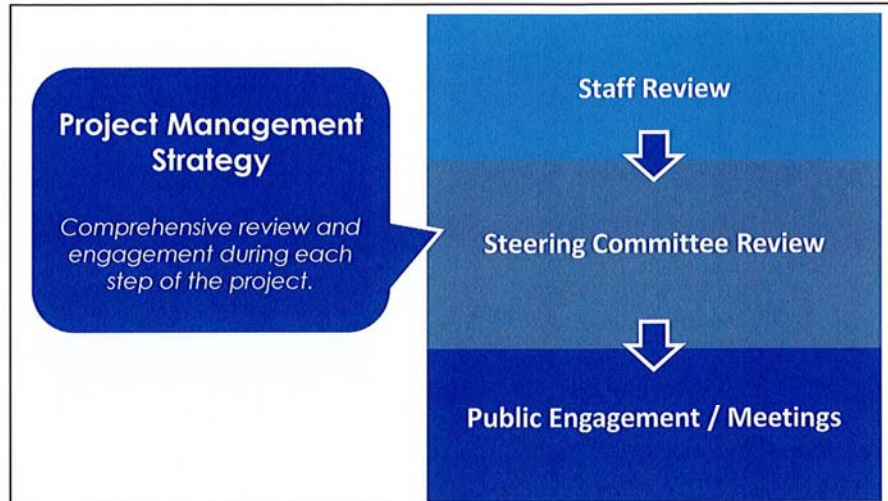
The Plan will include a shared vision with clearly stated implementation strategies for each jurisdiction.





Steering Committee Role

- 10 members (5 appointed by County, 5 appointed by City)
- Intended to act as an advisory body to the consultant, County staff, and City staff
- Review and discuss information, ideas, and recommendations prior to public presentation
- Assist with public outreach and engagement
- Give final recommendation to the plan prior to advancing to the Planning Boards, Board of Commissioners, and City Council



Public Engagement Plan

- Public Outreach – Online, News, City/County, Steering Committee
- May through June – Listening Sessions
- July through August: Online Community Survey
- September: Online Presentations & Council/Commission Presentations
- October through December: Online or In-person public meetings
- March: Public Meeting to Review Draft

Project Website



PCR Person
Roxboro
Community
Plan

Public Presentations in September

www.PlanPCR.com

- Watch presentations
- Leave comments
- Submit questions
- Join email update list

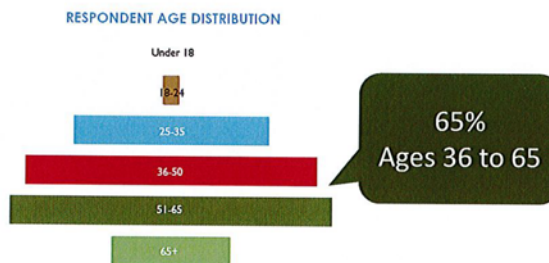
About the Plan | Stay Connected | Steering Committee | Comments/Questions

Survey Results

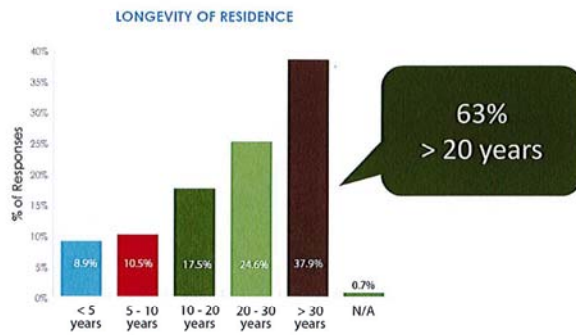
Who Took the Survey

- The survey was open during July and was closed on August 7
- 585 total responses were received
- Approximately 81% of survey respondents lived in the County
- Approximately 17% of survey respondents lived in the City
- 2% of respondents indicated they did not live in the County or the City

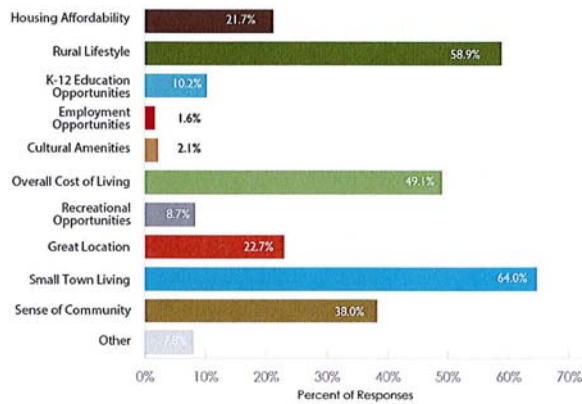
WHO TOOK THE SURVEY

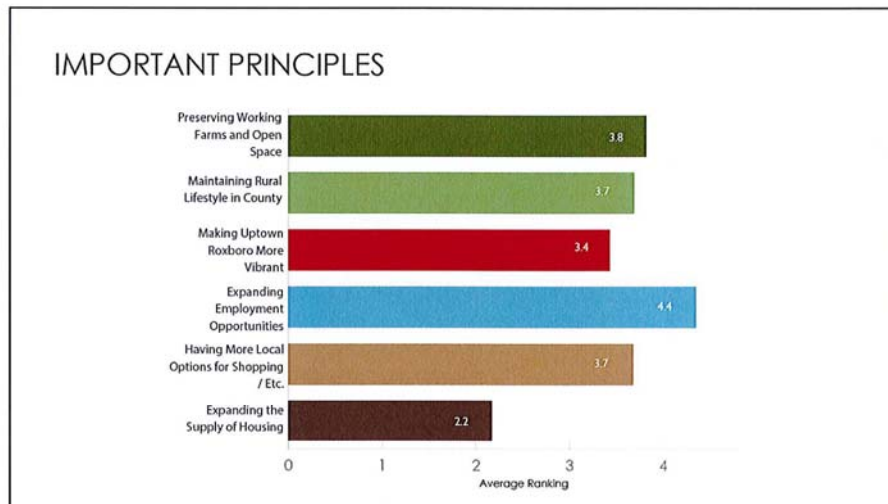
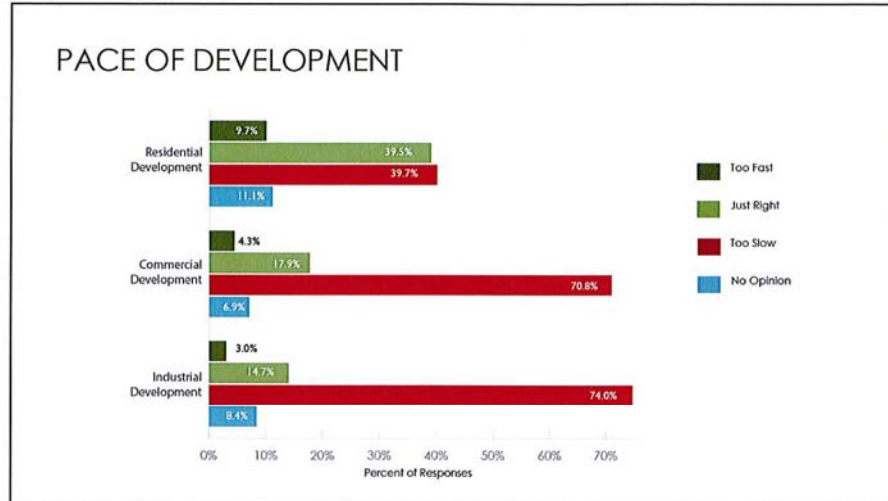


WHO TOOK THE SURVEY



FAVORITE ASPECT OF PERSON COUNTY & ROXBORO

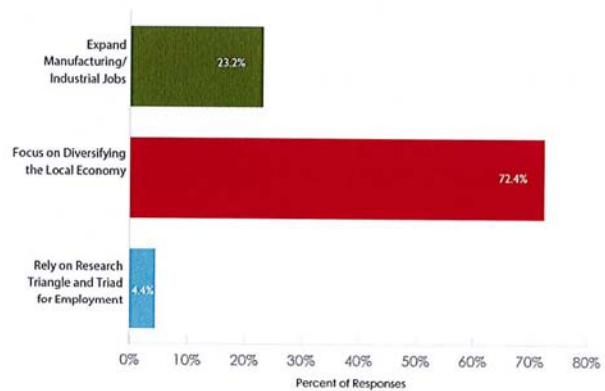




COMMUNITY ASSETS TO PROTECT

Lakes *Barns* Farms Open Space
 Historic Buildings
 Natural Landscapes
 Forests *Uptown* Small Town Character
 Trees Hagar's Mountain
 Monuments

ECONOMIC DEVELOPMENT STRATEGIES

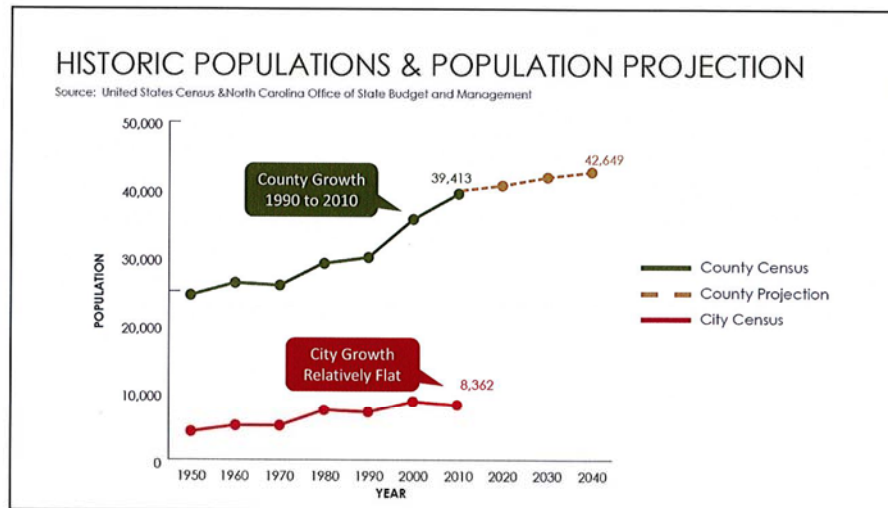


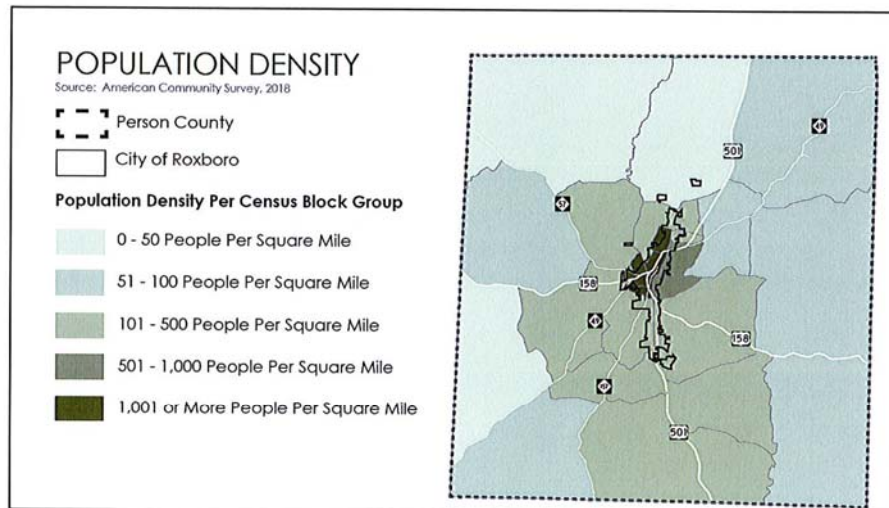
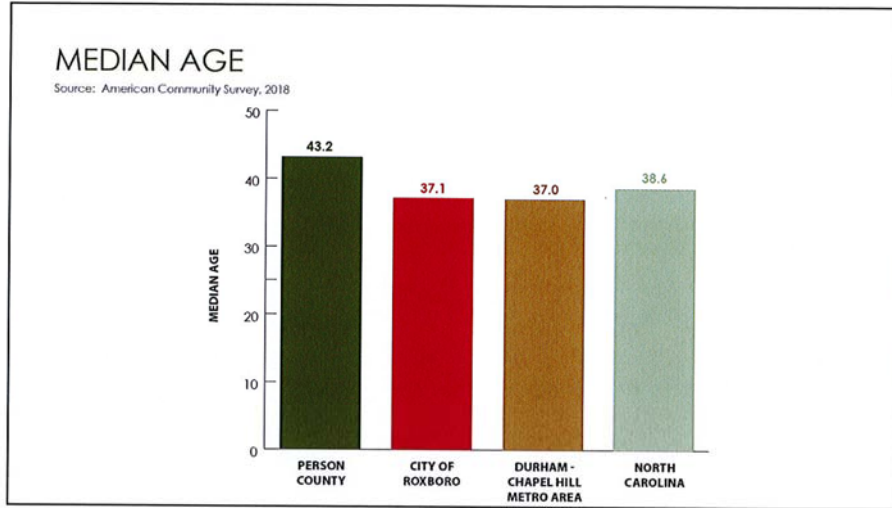


Background Research

Background Research

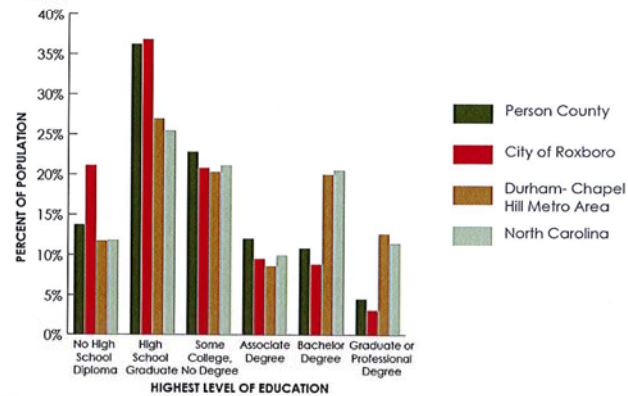
- Demographics
- Economy
- Housing
- Land Use & Zoning
- Agriculture
- Transportation
- Utilities
- Environment





EDUCATIONAL ATTAINMENT

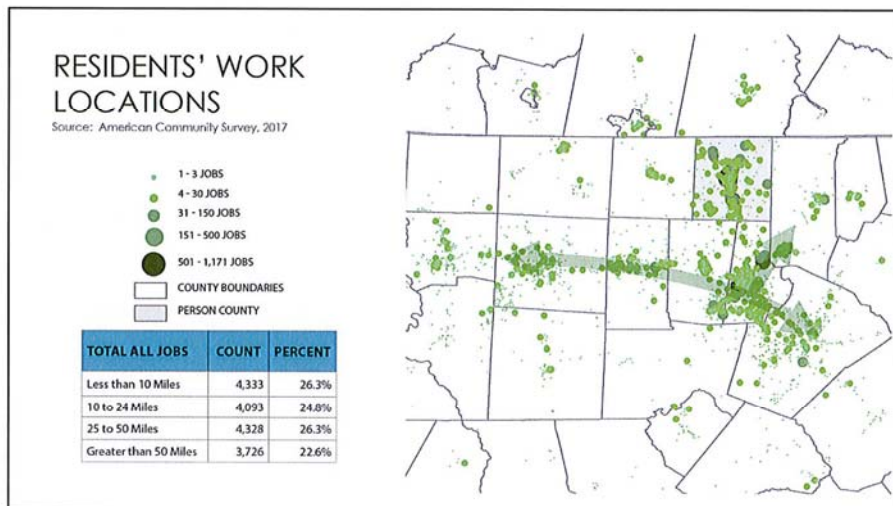
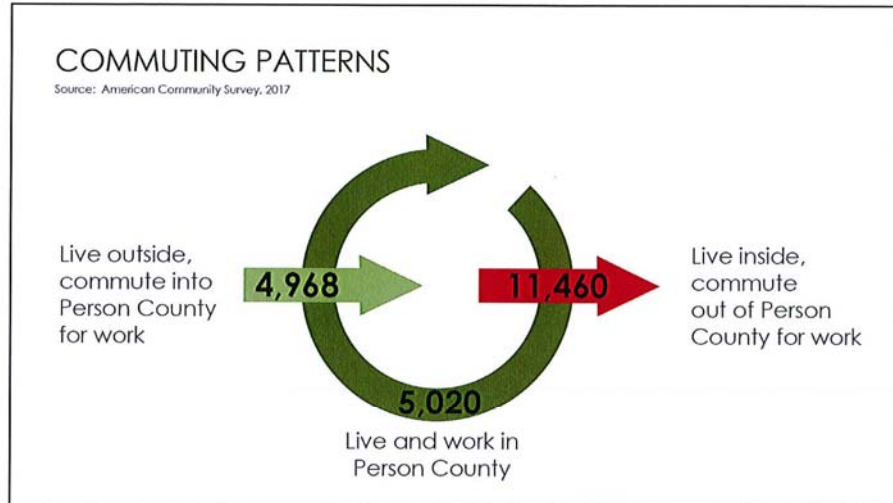
Source: American Community Survey, 2018

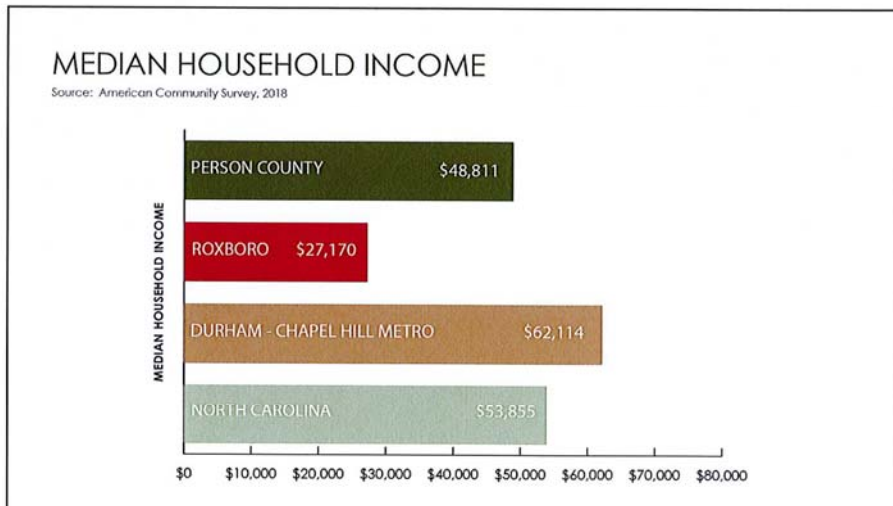
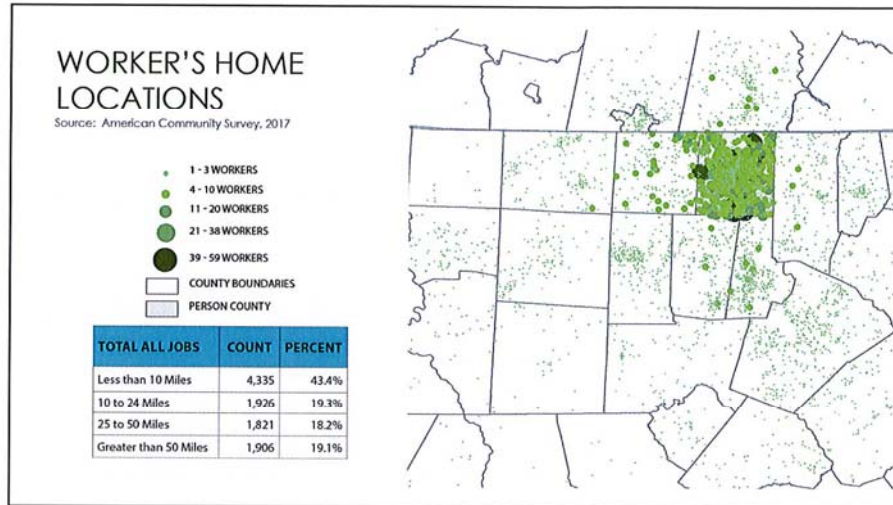


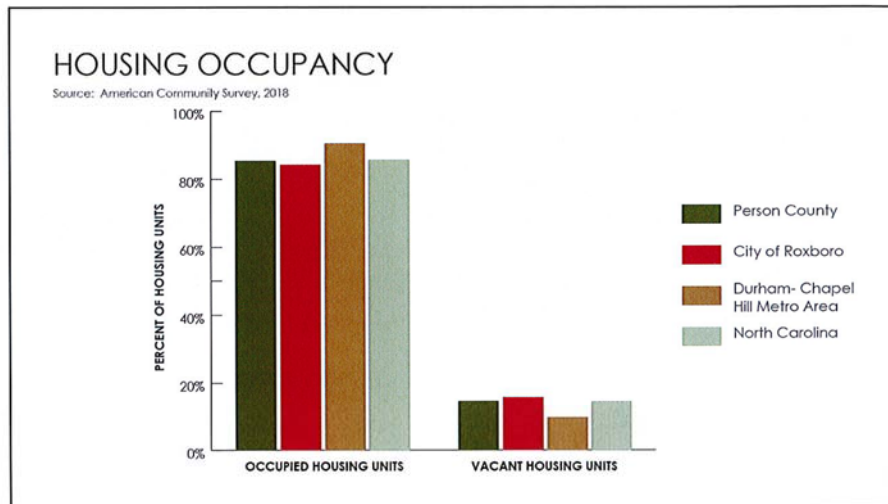
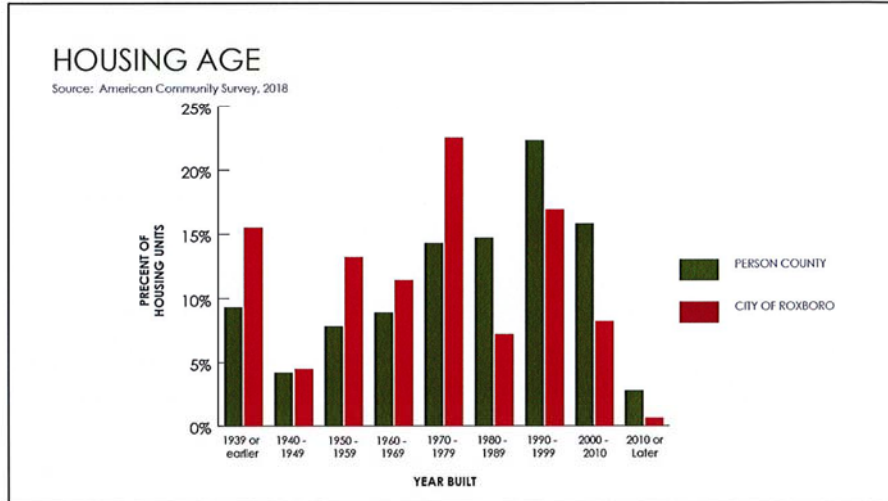
KEY INDUSTRY SECTORS

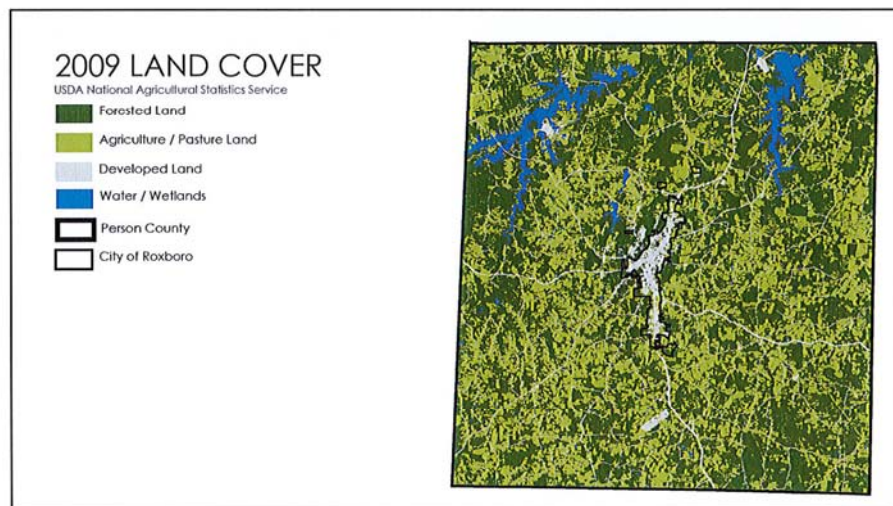
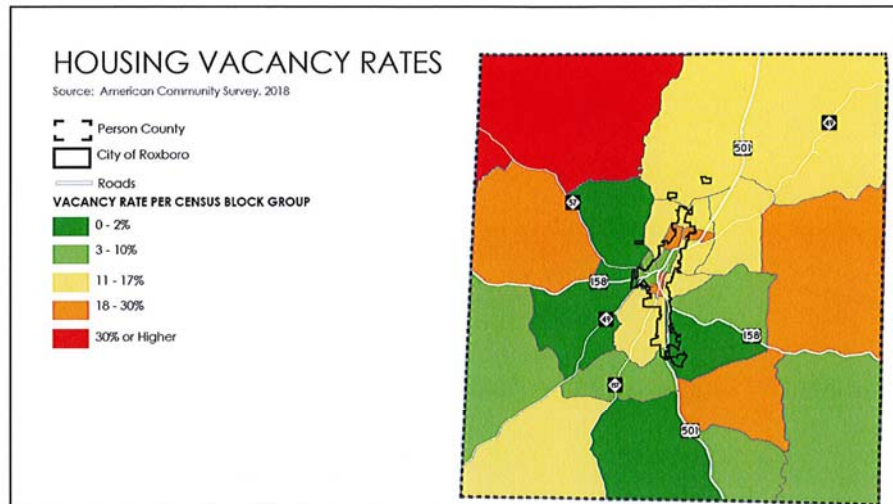
Source: American Community Survey, 2018

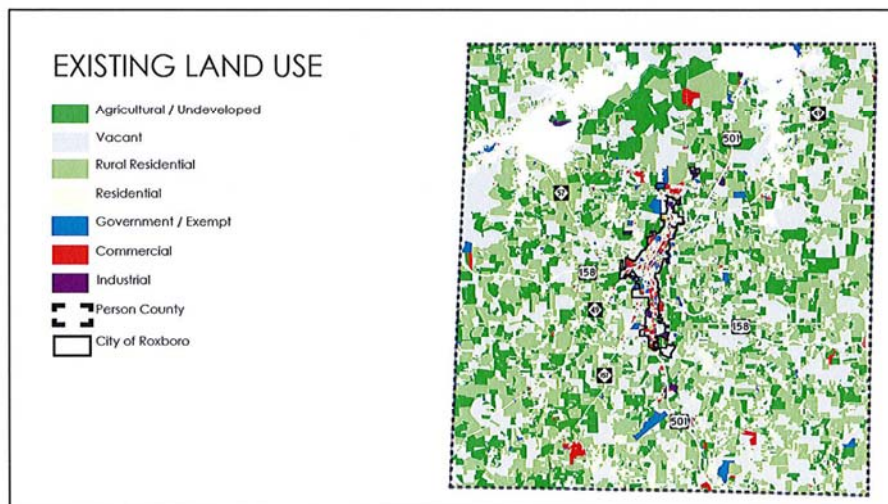
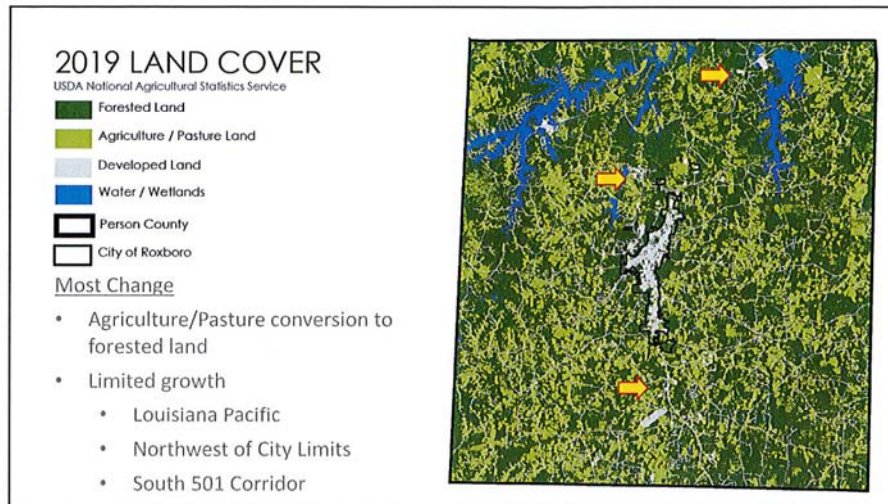
INDUSTRY SECTOR	NUMBER OF WORKERS IN COUNTY	PERCENT OF COUNTY WORKFORCE	NUMBER OF WORKERS IN ROXBORO	PERCENT OF CITY WORKFORCE
Agriculture	236	1.31%	14	0.43%
Construction	1,596	8.83%	410	12.59%
Manufacturing	2,781	15.39%	679	20.85%
Wholesale Trade	107	0.59%	10	0.31%
Retail Trade	1,868	10.34%	348	10.69%
Transportation, Warehousing, Utilities	1,094	6.10%	80	2.46%
Information	327	1.81%	6	0.18%
Finance, Insurance, and Real Estate	451	2.50%	60	1.84%
Professional, Scientific, Management, Administrative	1,449	8.02%	200	6.14%
Educational Services, Health Care, Social Assistance	5,210	28.84%	728	22.36%
Arts, Entertainment, Recreation, Accommodations	1,325	7.33%	517	15.88%
Other Services, Except Public Administration	801	4.43%	80	2.46%
Public Administration	820	4.54%	124	3.81%

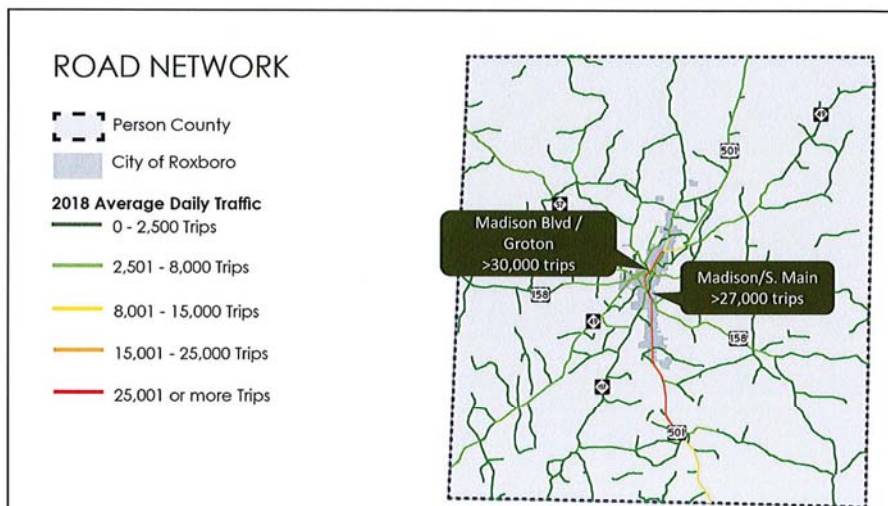
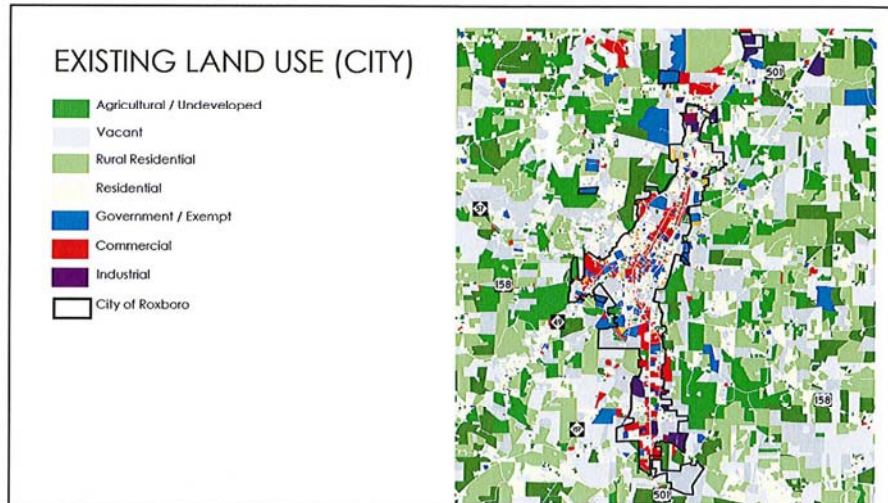


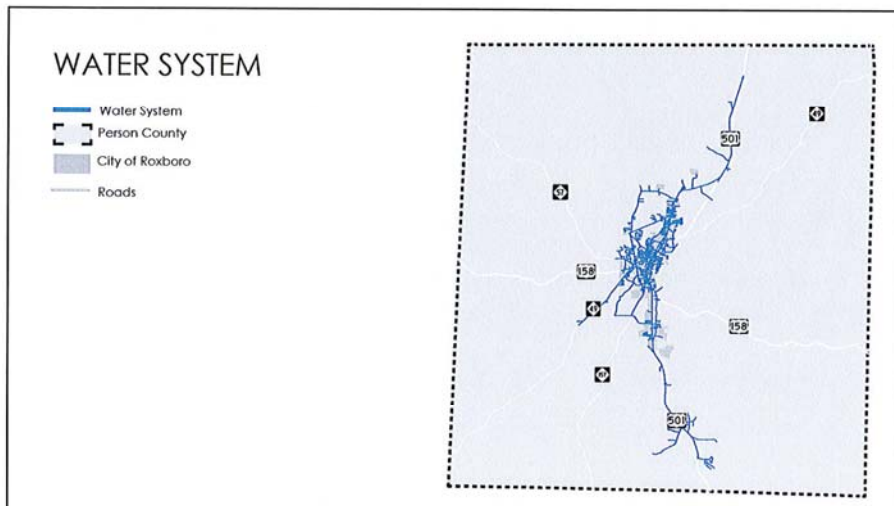
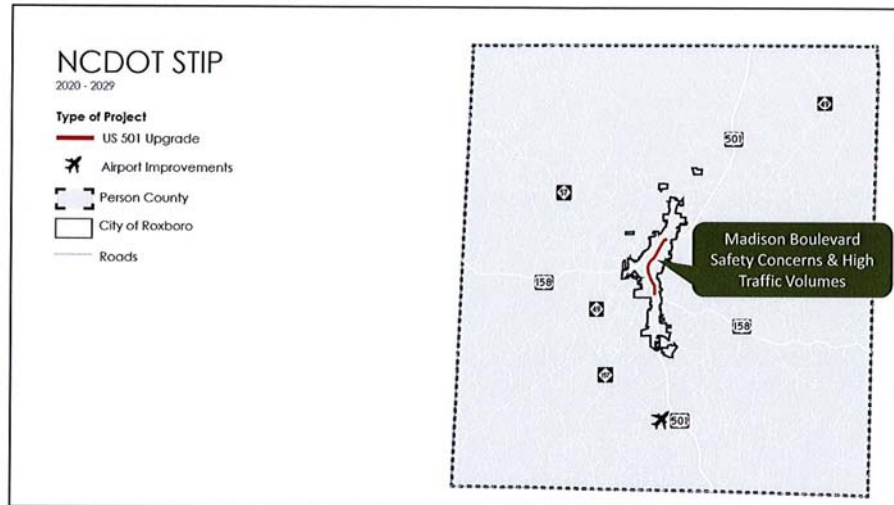


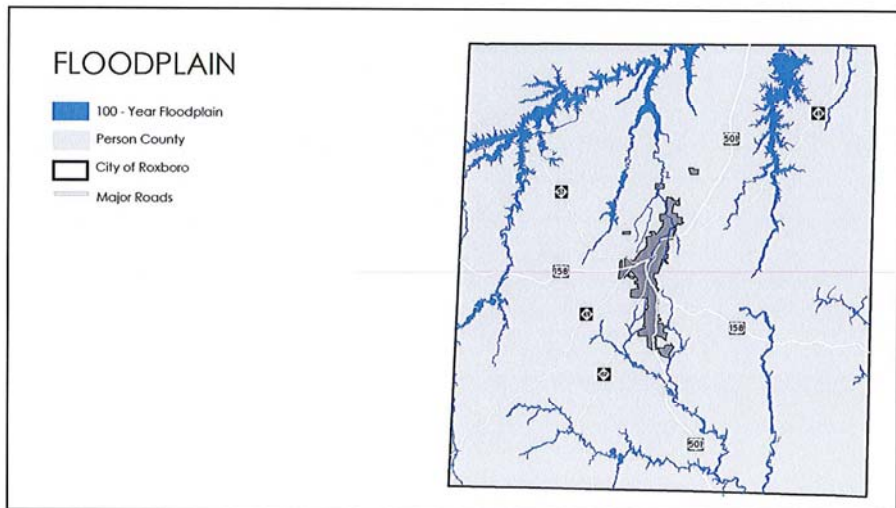
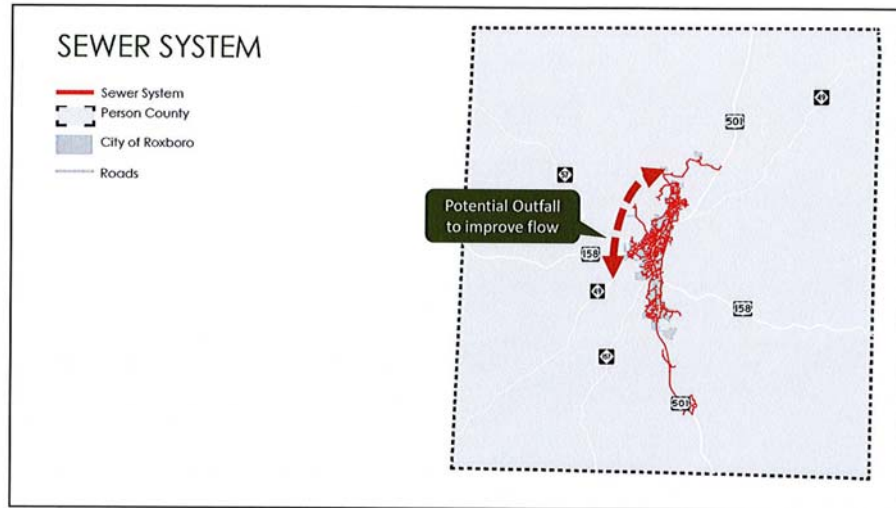


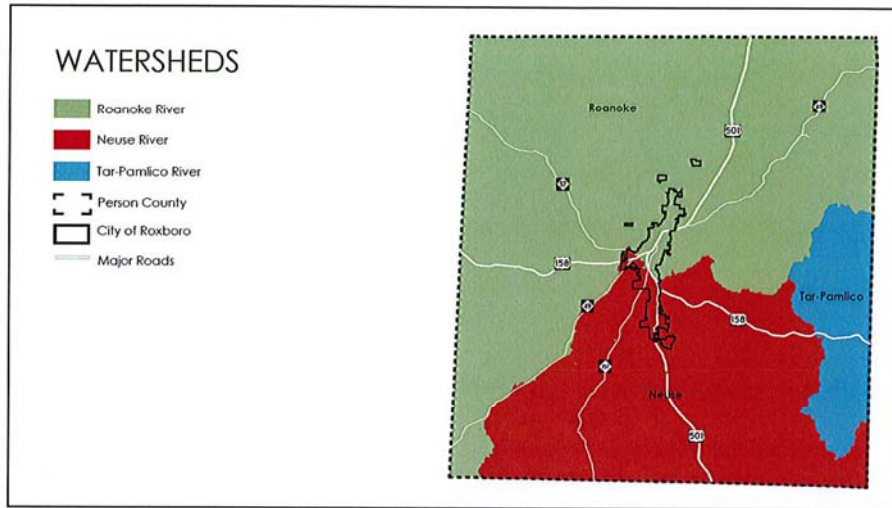












Next Steps

Next Steps

- Committee to begin working on a draft vision for the Plan
- Committee to discuss future public meetings
- Draft Plan - January to March
- Visit project website
 - www.planPCR.com
 - Watch presentations
 - Leave comments
 - Submit questions
 - Join email update list



KICKOFF PRESENTATION

Person County & City of Roxboro

Joint Comprehensive Land Use Plan



BENCHMARK

Mr. Epley announced the following upcoming panels are being planned:

- Economic Development Panel with local speakers informing the group of economic development trends and misinformation, data input with a Q&A time held on October 27, 2020 held in the City Council Chambers,
- Agricultural and Natural Resources Panel with farmers on November 19, 2020, and
- Growth and Development Panel on December 1, 2020.

Mr. Epley urged the group to visit the project web site and to watch video presentations.

Vice Chairman Powell stated the committee is looking at a ten-year plan and beyond.

REQUEST FOR SUPPORT OF THE TRIANGLE TRAILS INITIATIVE:

Commissioner Clayton presented a Resolution of Support for the Triangle Trails Initiative to gauge the interest of his fellow commissioners. Commissioner Clayton noted the initiative is led by Wake County Commissioner Sig Hutchinson and Chuck Flink, President/Owner of Greenways Incorporated that seeks to connect communities through a network of trails and greenways by using old railroad corridors to enhance quality of life activities, i.e., walking trails, biking trails. Commissioner Clayton further noted they are not asking for any financial contributions from any county but are fund raising from private sources as well as grant opportunities.

Chairman Jeffers stated that he, Commissioner Clayton, Dr. Claudia Berryhill and others met with this group. He asked the Board if they were interested in hearing a presentation to the Board at a future meeting; following the presentation the Board can decide if a Resolution of Support is appropriate.

Commissioner Clayton pointed out that a dedicated corridor such as this project may count toward a credit for storm water projects.

Commissioner Sims stated interest in hearing a presentation on this topic. He added the railroads have grown over with trees and was interested in those being cleaned up for walking trails for an opportunity for citizens to use.

It was the consensus of the Board to request a presentation at a future meeting. Commissioner Clayton requested staff input related to any affect with storm water rules and/or if eligible credits would apply.

PROPOSED OPEN BURNING ORDINANCE:

Keith Duncan, Person County Fire Marshal proposed an Open Burning Ordinance to the Board for consideration to adopt that would allow for enforcement of state laws and NC Fire Code for illegal burning as well as the ability to assess penalties for violations. Enforcement of such violations are authorized to the Fire Marshal and the Sheriff. Mr. Duncan stated he would only assess fines as a last resort as his intent was to educate the community.

Mr. Duncan noted problems arising from open burning can and have caused damage in our county. Burning trash in a barrel is an example of an open burning that has been illegal since 1972. There have been times where out of control burning has damaged or destroyed property, structures, and caused injuries to citizens and firefighters. Chairman Jeffers added this was something he hears that is needed from the Volunteer Fire Chiefs as they use resources at fires that are started with an illegal burn.

Commissioner Puryear asked how many complaints were made in the last year to which was unknown by Mr. Duncan as the new Fire Marshal in Person County. Chairman Jeffers stated Forestry is aware of illegal burning however, they have no power to enforce. When asked about burn permits, Mr. Duncan said Forestry follows state guidelines to issue burn permits noting illegal burn materials should be disposed of in the landfill. Commissioner Puryear asked if this ordinance was necessary noting he had not received any complaints.

A **motion** was made by Commissioner Clayton and **failed 2-3** to adopt an Open Burning Ordinance. Commissioner Clayton and Chairman Jeffers voted in favor of the motion. Vice Chairman Powell and Commissioners Puryear and Sims voted against the motion.

SUBMISSION OF LEGISLATIVE GOALS FOR NC ASSOCIATION OF COUNTY COMMISSIONERS:

County Manager, Heidi York stated every two years, counties are invited to submit proposals to the North Carolina Association of County Commissioners (NCACC) for legislative goals that the Association should seek in the best interest of all 100 counties. The NCACC goals-setting process begins in August of each even-numbered year and consists of five stages, beginning with the solicitation of proposals from counties, and ending with the adoption of the legislative agenda at the Legislative Goals Conference. Ms. York noted proposed goals for the 2021-2022 legislative session must be received by the Association on or before September 30th. The proposals are then sent through steering committees, a legislative goals committee and onto the NCACC Board of Directors before being adopted in January at the Legislative Goals Conference. Ms. York asked the Board if there are any specific legislative goals desired for submission to the NCACC noting Person County, in the past, submitted goals for increased broadband access, which was adopted by the NCACC as a top priority.

Chairman Jeffers stated the Association's top priority has been and continues to be broadband for all 100 counties; he said Person County is often highlighted for its efforts towards increasing access to broadband.

Vice Chairman Powell stated support to submit a goal that rewards counties, such as Person County who has invested independently without state funding in broadband to receive priority in grant funding.

County Attorney, Ron Aycock said he was a member of an ad hoc subcommittee working with the telecommunications industry in proposing legislation that could be agreed upon by all parties to advance the access of broadband.

Commissioner Puryear stated support to submit a local bill as well as a legislative goal for the ability to post public notices electronically.

CONSIDERATION TO CANCEL THE OCTOBER 19, 2020 REGULAR SCHEDULED BOARD MEETING:

County Manager, Heidi York requested the Board's consideration to cancel its regular scheduled meeting on October 19, 2020 due to the Person County Office Building Auditorium is a One-Stop Early Voting site from October 15-31, 2020. Ms. York stated the Auditorium was not available for the Board of Commissioners to conduct its regular scheduled meeting.

A **motion** was made by Vice Chairman Powell and **carried 5-0** to cancel the Board regular scheduled meeting on October 19, 2020.

APPOINTMENTS TO BOARDS AND COMMITTEES:

Clerk to the Board, Brenda Reaves presented interested citizen applications to the Board for consideration of appointment as deemed appropriate on the following boards, commissions, authorities, and committees.

The Person County Board of Commissioners solicited volunteers to fill positions on the following boards, commissions, authorities, and committees through advertisement in the *Courier-Times* edition dated August 27, 2020 with notice to submit applications by the deadline of noon September 15, 2020.

- **Economic Development Commission**
Unexpired Term to 6/30/22; 1 position available for a citizen
 - 1) Elizabeth Bradsher requested appointment
 - 2) Larry Cole requested appointment
 - 3) Michael Wilkins requested appointment
 - 4) David Ziolkowski requested appointment

A **motion** was made by Commissioner Sims and **carried 5-0** to schedule the informal interview process with the applicants of the Economic Development Commission on October 5, 2020 starting at 6:30pm.

- **Juvenile Crime Prevention Council**

1-Year Initial Term: 2-Year Reappointment

1 position available for a citizen under the age of 18 serving on the State Youth Council – no applications

Up to 4 positions for citizens at-large

Vaxaeadrene A. Allen requested appointment for a 2-year term

1 unexpired citizen at-large term to 6/30/21,

Neya Garcia (student) requested appointment

Madison Daly (Health Dept. designee) requested appointment replacing Chiletta Collins who is no longer with the Health Dept. for an unexpired term to 6/30/21

Laura Jensen (County Manager’s designee) for a 2-year term

1 position for a representative of United Way

Kelly Foti requested reappointment for a 2-year term

A **motion** was made by Chairman Jeffers and **carried 5-0** to appoint Vaxaeadrene A. Allen (citizen representative) for a 2-year term, Neya Garcia to fulfill an unexpired citizen representative term to June 30, 2021, Madison Daly (Health Dept. designee) to fulfill an unexpired term to June 30, 2021, Laura Jensen (County Manager’s designee) for a 2-year term, and Kelly Foti (United Way representative) for a 2-year term to the Juvenile Crime Prevention Council.

- **Piedmont Community College Board of Trustees**

4-Year Term: 1 position available

Joel B. Adler requested appointment

A **motion** was made by Commissioner Sims and **carried 5-0** to appoint Joel Adler to the Piedmont Community College Board of Trustees for a 4-year term.

- **Transportation Advisory Board**

3-Year Term; 1 position for a citizen at-large

Froncello Bumpass requested appointment

A **motion** was made by Vice Chairman Powell and **carried 5-0** to appoint Froncello Bumpass to the Transportation Advisory Board for a 3-year term.

SEVENTH AMENDMENT TO AMENDED AND RESTATED AGREEMENT FOR CONTINUED DEVELOPMENT, USE AND OPERATION OF THE UPPER PIEDMONT REGIONAL LANDFILL:

County Manager, Heidi York presented to the Board a Seventh Amendment to the Agreement with Republic Services of North Carolina, LLC for Continued Development, Use and Operation of the Upper Piedmont Regional Landfill, which continues and extends the Agreement through November 30, 2020. Ms. York announced that Republic has secured the necessary state approval for their new permit with the agreed upon provisions in their new contract, however, there is a 60-day period from September 3, 2020 for appeals. There is no indication that there will be an appeal, but this Amendment will allow for that contingency. Ms. York stated the new contract will then take effect on December 1, 2020 at which time the provisions will go into effect for county residents to dump for free at the landfill as well as a county-wide anti-littering initiative.

A **motion** was made by Commissioner Puryear and **carried 5-0** to adopt the Seventh Amendment to the Amended and Restated Agreement for Continued Development, Use and Operation of the Upper Piedmont Regional Land, which will extend the current Agreement through November 30, 2020.

**SEVENTH AMENDMENT TO
AMENDED AND RESTATED AGREEMENT
FOR CONTINUED DEVELOPMENT, USE AND
OPERATION OF UPPER PIEDMONT
REGIONAL LANDFILL**

THIS SEVENTH AMENDMENT ("Seventh Amendment") to that certain Amended and Restated Agreement for Continued Development, Use and Operation of Upper Piedmont Regional Landfill ("New Landfill" as defined in the Agreement), by and between Person County, North Carolina, a political subdivision, organized and existing under the laws of the State of North Carolina (hereinafter referred to as the "County"), and Republic Services of North Carolina, LLC, a limited liability company organized and existing under the laws of North Carolina, d.b.a. Upper Piedmont Regional Landfill, formerly Upper Piedmont Environmental, Inc. (hereinafter referred to as "Republic"). The August, 1995 Amended and Restated Agreement for Continued Development, Use and Operation of Upper Piedmont Regional Landfill is hereinafter referred to as the "Agreement".

RECITALS

WHEREAS, in August of 1994, the parties entered into an Agreement for Development, Use and Operation of New Landfill; and

WHEREAS, in August of 1995, the parties entered into the Agreement; and

WHEREAS, the New Landfill first began operation on July 1, 1997; and

WHEREAS, in June of 2017, the parties entered into the First Amendment to Amended and Restated Agreement for Continued Development, Use and Operation of Upper Piedmont Regional Landfill ("First Amendment"); and

WHEREAS, in May of 2018, the parties entered into the Second Amendment to Amended and Restated Agreement for Continued Development, Use and Operation of Upper Piedmont Regional Landfill ("Second Amendment"); and

WHEREAS, in June of 2019, the parties entered into the Third Amendment to Amended and Restated Agreement for Continued Development, Use and Operation of Upper Piedmont Regional Landfill ("Third Amendment"); and

WHEREAS, in September of 2019, the parties entered into the Fourth Amendment to Amended and Restated Agreement for Continued Development, Use and Operation of Upper Piedmont Regional Landfill ("Fourth Amendment"); and

WHEREAS, in April of 2020, the parties entered into the Fifth Amendment to Amended and Restated Agreement for Continued Development, Use and Operation of Upper Piedmont Regional Landfill ("Fifth Amendment"); and

September 21, 2020

WHEREAS, in June of 2020, the parties entered into the Sixth Amendment to Amended and Restated Agreement for Continued Development, Use and Operation of Upper Piedmont Regional Landfill ("Sixth Amendment"); and

WHEREAS, under Section 7.4(e)(ii)(A)-(C) of the Agreement, Republic may not accept for disposal in any calendar year more than an Average Daily Equivalent of 600 Tons of Waste per day, subject to an allowable variance of ten (10%) percent per day on an annualized basis; and

WHEREAS, by Executive Order 116 dated March 10, 2020, North Carolina Governor Roy Cooper declared a State of Emergency, as defined in N.C. Gen. Stat. §§ 166A-19.3(6) and 166A-19.3(19) for the State of North Carolina based on the public health emergency posed by the COVID-19 pandemic ("Pandemic"); and

WHEREAS, Republic has asked that the County agree to waive temporarily Section 7.4(e)(ii)(A)-(C) of the Agreement;

WHEREAS, the County has determined that a temporary waiver of Section 7.4(e)(ii)(A)-(C) of the Agreement, under the terms hereinafter set forth, would be in the best interest of the citizens of Person County and would protect the health, safety and welfare of the citizens of Person County; and

WHEREAS, the parties desire to amend the certain provisions of the Agreement as described herein on a temporary basis.

NOW, THEREFORE, the parties hereto agree as follows:

1. The recitals set forth above are true and correct and are hereby incorporated herein by reference. Capitalized terms used herein and not otherwise defined shall have the meanings given them in the Agreement, First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment and Sixth Amendment.
2. On a temporary basis, but no later than November 30, 2020 (unless otherwise extended by the parties) and subject to the terms set forth herein, Section 7.4(e)(ii) of the Agreement, including Subsections (A)-(C), is hereby waived in its entirety.
3. The provisions of this Seventh Amendment shall terminate no later than 11:59 p.m. on November 30, 2020, unless otherwise extended by the parties.
4. The effective date of this Seventh Amendment shall be the date that the Seventh Amendment is fully executed by both parties.
5. Except as set forth herein, the Agreement, First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment and Sixth Amendment shall remain in full force and effect. In the event of a conflict between the terms of this Seventh Amendment and those contained in the Agreement, First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment and Sixth Amendment, the terms of this Seventh Amendment shall prevail and control.

6. This Seventh Amendment may be executed in one or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the County and Republic have caused their respective duly authorized officers to execute this Seventh Amendment as of the day and year first above written.

[SIGNATURE BLOCKS ON FOLLOWING PAGES]

ATTEST:

PERSON COUNTY, NORTH CAROLINA

By: Brenda B. Reaves
Brenda B. Reaves
Clerk to the Board

By: B. Ray Jeffers
B. Ray Jeffers
Chairman

Date: 9-21-20



[County Seal]

APPROVED AS TO FORM:

C. Ronald Aycock
C. Ronald Aycock
County Attorney

This instrument has been pre-audited in the
manner required by the Local Government
Budget and Fiscal Control Act

By: Amy Wehrenberg 9-21-20
Amy Wehrenberg
County Finance Officer

September 21, 2020

ATTEST:

**REPUBLIC SERVICES OF NORTH
CAROLINA, LLC D.B.A. UPPER
PIEDMONT REGIONAL LANDFILL**

By: _____

[Corporate Seal]

By: _____

Shane Walker
Vice President

Date: _____

September 21, 2020

CHAIRMAN'S REPORT:

Chairman Jeffers had no report.

MANAGER'S REPORT:

County Manager, Heidi York announced an Economic Development Commission (EDC) meeting on September 22, 2020 at 4:00pm in the Person County Office Building Auditorium to allow social distancing.

COMMISSIONER REPORT/COMMENTS:

There were no reports from Commissioners Powell, Clayton, Puryear and Sims.

RECESS:

A **motion** was made by Commissioner Sims and **carried 5-0** to recess the meeting at 10:26am until October 5, 2020 at 6:30pm.

Brenda B. Reaves
Clerk to the Board

B. Ray Jeffers
Chairman

September 21, 2020