

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

NOVEMBER 16, 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, November 16, 2020 at 9:00am in the Person County Office Building Auditorium.

Chairman Jeffers called the meeting to order. Commissioner Clayton offered an invocation and Commissioner Sims led the group in the Pledge of Allegiance.

County Attorney, Ron Aycock attended the meeting remotely.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

A **motion** was made by Vice Chairman Powell and **carried 5-0** to approve the agenda.

PUBLIC HEARING:

TEXT AMENDMENT (TA-04-20) REQUEST BY THE PERSON COUNTY PLANNING DEPARTMENT AND THE PERSON COUNTY ECONOMIC DEVELOPMENT DEPARTMENT TO REVISE THE REGULATIONS GOVERNING INDUSTRIAL DEVELOPMENT IN THE PERSON COUNTY PLANNING ORDINANCE ARTICLE VII, APPENDIX B, AND APPENDIX C TO PROVIDE MORE CLEAR AND COHESIVE INDUSTRIAL REGULATIONS:

A **motion** was made by Vice Chairman Powell and **carried 5-0** to open the duly advertised public hearing for a Text Amendment (TA-04-20) request by the Person County Planning Department and the Person County Economic Development Department to revise the regulations governing industrial development in the Person County Planning Ordinance Article VII, Appendix B, and Appendix C to provide more clear and cohesive industrial regulations.

Planning Director, Lori Oakley stated all state statutes and planning ordinance requirements have been met for this public hearing. She submitted her staff report into the record as follows:

November 16, 2020

**Text Amendment TA-04-20
Industrial Revisions**

EXPLANATION OF REQUEST

Petition TA-04-20 is a request by the Person County Planning Department and the Person County Economic Development Department to revise the regulations governing industrial development in the Person County Planning Ordinance Article VII, Appendix B, and Appendix C to provide more clear and cohesive industrial regulations.

REQUESTED ORDINANCE CHANGES

Article VII Section 70 *(see attached language)*

Staff proposes modifying the descriptions of uses accommodated in the General Industrial (GI) Zoning District to include a wider variety of industrial uses and to indicate that industrial uses of both light and heavy nature are included in this district.

Appendix B Definitions *(see attached language)*

Staff proposes modifying the “Industrial Use” definition to include wider variety of uses and direct interested parties to additional information.

Appendix C Table of Permitted Uses *(see attached language)*

Staff proposes adding “Industrial, Light” and “Industrial, Heavy” as uses in the table. “Industrial, Light” uses are prohibited in Residential (R), require a Special Use Permit in Neighborhood Shopping (B-2), and allowed by right in Highway Commercial (B-1), General Industrial (GI), and Rural Conservation (RC). “Industrial, Heavy” uses are prohibited in Residential (R), Neighborhood Shopping (B-2), and Rural Conservation (RC), require a Special Use Permit in Highway Commercial (B-1) and allowed by right in General Industrial (GI). In addition, staff proposes modifying the text before the table of permitted uses to remove the language indicating that industrial uses are permitted by right in all districts except Residential (R) to match the new uses added to the table. Staff also proposes removing a number of uses from the table that were determined to fall under “Industrial, Light” and “Industrial, Heavy” categories to prevent conflicting regulations.

Appendix C Note 2 Industrial and Manufacturing Operations *(see attached language)*

Staff proposes modifying the language in both the light and heavy industrial sections to match the uses listed in the ordinance. In addition, staff proposes adding removed uses from the table into the appropriate section under this note to serve as examples for interested parties.

PLANNING STAFF ANALYSIS

Earlier this year, Planning Staff met with the Economic Development Director to discuss revising the industrial use sections in the Planning Ordinance in order to simplify regulations for industrial uses in the county. Staff reviewed industrial regulations in surrounding and similar counties to develop new standards for Person County. The compiled research is attached to this staff report. The proposed regulations provide a clearer set of standards for industrial development that both protect residents and support economic growth. While Planning Staff proposes a number of changes to the industrial regulations, portions of the existing regulations will remain unchanged, including the buffering requirements.

Once the draft regulations were created, the Economic Development Commission reviewed the draft at their September 22nd, 2020 meeting. Planning Staff received a unanimous endorsement from the Economic Development

Commission. Please note that Ray Jeffers recused himself from the vote to endorse this text amendment due to him voting on the proposal in November at the Board of Commissioners meeting.

PLANNING STAFF RECOMMENDATION

Planning staff recommends approval of TA-04-20. The proposed amendments provide clearer and consistent standards that protect the public and support economic development.

MODIFICATIONS TO STAFF PROPOSAL FROM PLANNING BOARD

At the October 8th, 2020 Planning Board meeting, the Board proposed adding the word “employment” into staff’s definition of “Industrial”. The definition now reads as follows with the Board’s proposed modification underlined and bolded:

A non-residential **employment** use engaged in the manufacturing and basic processing of materials or products predominately from extracted or raw materials or previously prepared materials. This use may also include processing, fabrication, assembly, treatment, packing, storage, sales and distribution of such products. For additional information, see Note 2 located after Appendix C Table of Permitted Uses.

PLANNING BOARD RECOMMENDATION

At the October 8th, 2020 Planning Board meeting, the Board voted unanimously to recommend approval of the proposed text amendment with the above modification.

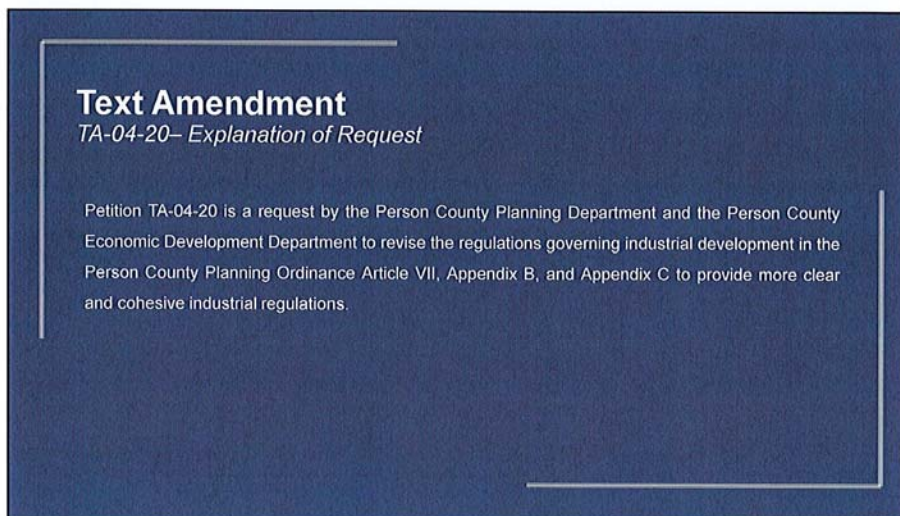
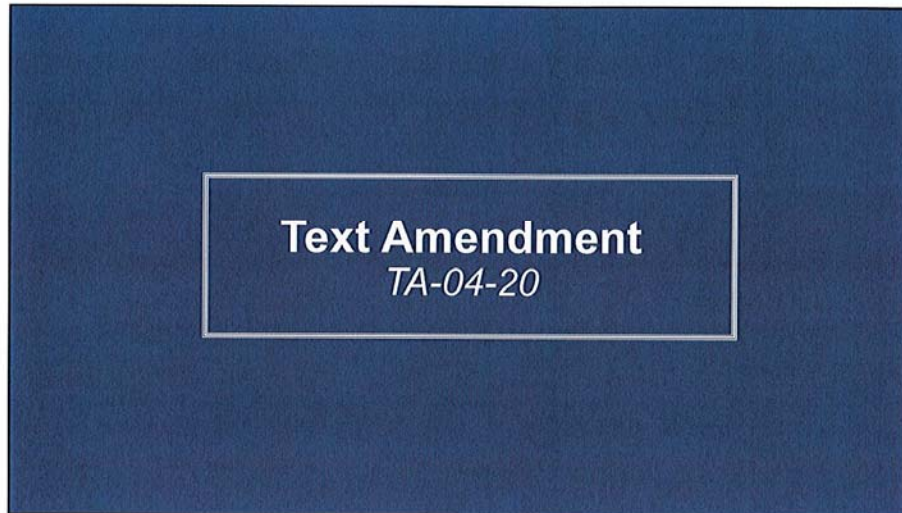
REASONABLENESS AND CONSISTENCY STATEMENT

The text amendment request is consistent with the Person County Land Use Plan and future planning goals of the county, is reasonable, and in the public interest as it meets several objectives listed in the Person County Land Use Plan. Specifically, Goal 2.0 to provide a strong local planning environment that supports and enhances the economic growth potential of Person County citizens.

Submitted by: Lori Oakley, Planning Director

Ms. Oakley shared the following presentation with the Board:

11/16/2020



1

November 16, 2020

Staff Changes:
~~Removed Text~~
 Added Text

Text Amendment

TA-04-20 – Requested Planning Ordinance Changes (from Staff)

Article VII Section 70

DESCRIPTION OF GENERAL USE AND SPECIAL USE DISTRICTS
 (Revised: Amended 8-17-92, X/X/2020)

70-1(D) GI General Industrial District: The purpose of this district shall be to provide suitable locations for ~~various manufacturing and processing activities which are not classified as~~ wholesale, distribution, warehousing, fabrication, and processing of both light and heavy industrial production natures.

Staff Changes:
~~Removed Text~~
 Added Text

Text Amendment

TA-04-20 – Requested Planning Ordinance Changes (from Staff)

Appendix B Definitions
 (Amended 09/09/2019, X/X/2020)

INDUSTRIAL USE – Nonresidential employment uses such as retail and manufacturing, ~~“industrial” uses include both “light”~~ wholesale and heavy industrial uses and activities including, but not limited to the uses of Appendix Table 1.

~~Light industrial: The intent of this use category is to provide for wholesale and manufacturing uses as well as those industrial uses that involve machine manufacturing, assembling or processing of materials that are of refined form and that do not in their development create noise, vibration, dust, smoke, or other air quality impacts, and in applying to this category that is reflective when measured at the property line of sound intensity, must meet their minimum height from the ground level of the property line. If so, the use is considered a heavy industrial use and may be regulated with a permit and zoning.~~

~~Heavy industrial: A category of uses that have public interests protected and under the Planning Commission are subject to sensitive review for potential impacts on surrounding land uses and the environment. Such uses are generally located within designated development or commercial areas or other land uses that have the potential to create noise, vibration, dust, smoke, and other air quality impacts. These industrial uses shall meet the minimum height from the ground level of the property line and shall be subject to zoning and permit review.~~

A non-residential use engaged in the manufacturing and basic processing of materials or products predominately from extracted or raw materials or previously prepared materials. This use may also include processing, fabrication, assembly, treatment, packing, storage, sales and distribution of such products. For additional information, see Note 2 located after Appendix C Table of Permitted Uses.

Text Amendment

TA-04-20 – Requested Planning Ordinance Changes (from Staff)

Staff Changes:

~~Removed Text~~

Added Text

Appendix C Table of Permitted Uses

(Amended: 5/18/92; 11/17/92; 4/4/94; 7/11/94; 2/19/96; 6/3/96; 7/8/96; 5/5/97; 12/6/99; 5/4/2001; 12/1/2003; 6/6/2005; 11/1/2004; 11/19/2007; 11/3/2008; 12/1/2008; 4/20/2015; 9/6/2016; 10/2/17, X/X/2020)

Industry and manufacturing operations are allowed as a use-by-right or with a special use permit in any zoning district, except Residential (R). Please see NC 75-2 for additional information and standards.

Districts in which particular uses are permitted as a Use-By-Right are indicated by "X". Districts in which particular uses are permitted as a Use-By-Right with certain conditions are indicated by "X" with a reference to a footnote to this Table.

Districts in which particular uses are permitted as a conditional use upon approval of the Board of Adjustment are indicated by "C". See Section 73 for details in obtaining a conditional use permit.

District in which particular uses are permitted as a special use upon approval of the Board of Commissioners are indicated by "S". See Section 74 for details in obtaining a Special Use Permit.

Text Amendment

TA-04-20 – Requested Planning Ordinance Changes (from Staff)

Appendix C Table of Permitted Uses

Uses to be removed...

PRINCIPAL USES	ZONING DISTRICTS				
	R	B-2	B-1	GI	RC
Coal Sales and Storage (Amended 12/1/2008)			X		S
Cold Storage Plant (Amended 12/1/2008)			X		S
Explosive Storage and Distribution Facilities (Amended 5/18/92)				S	S
Fertilizer Manufacture (Amended 12/1/2008)				S	S
Industrial				See Note 2	
Manufacturing				See Note 2	
Quarry Operations	S				S
Storage, Coal By-Products				S	C
Storage, Flammable (Amended 12/1/2008)			C	S	C

Text Amendment

TA-04-20 – Requested Planning Ordinance Changes (from Staff)

Appendix C Table of Permitted Uses

Uses to be added...

PRINCIPAL USES	ZONING DISTRICTS				
	R	B-2	B-1	GI	RC
Equipment Rental		X	X	X	X
Industrial, Light (See Appendix C Note 2)		S	X	X	X
Industrial, Heavy (See Appendix C Note 2)			S	X	

Text Amendment

TA-04-20 – Requested Planning Ordinance Changes (from Staff)

Appendix C Note 2

(Amended 3/18/96; 2016, X/X/2020)

Light Industrial

Light industrial uses are prohibited in the Residential (R) Zoning District.

Uses in this category are those for light industry located within 200' of a residential structure as measured from the nearest end of any structure adjacent to the property line, exclusive of easements and rights of way.

Uses that include structures located within 200' of an adjacent residential use may be approved with a special use permit.

Typical uses may include offices, research and development laboratories, light production and/or advanced manufacturing, including manufacturing, assembly and repair, — Offices and light manufacturing (excluding processing) are permitted to use on building materials storage and sales, car storage, and maintenance and construction yards and distribution of goods produced on site.

A special use permit shall be required for industrial uses not specifically permitted as a "use-by-right" in any district except Residential (R).

Staff Changes:

Removed Text

Added Text

Staff Changes:
~~Removed Text~~
 Added Text

Text Amendment

TA-04-20 – Requested Planning Ordinance Changes (from Staff)

Appendix C Note 2
 (Amended 3/18/96; 2016; X/X/2020)

Heavy Industrial

Heavy industrial uses are prohibited in the Residential (R), Neighborhood Business (B-2), and Rural Conservation (RC) Zoning Districts, subject:

Vegetative and/or structural buffers shall be required when heavy industrial land uses are adjacent to or across from, any residential use regardless of the distance separating uses (For additional information, please see Setback Requirements – Section 75)

~~Uses in this category would generally be considered a use by right unless the property line abuts operations and facilities are located within 2500' of a residential structure in any zoning district or if located in the Rural Conservation district.~~

These industrial uses typically have large land requirements and require the outdoor storage of materials. In addition to most of the industrial uses permitted ~~in this category~~ as "Industrial Light" uses, uses involving the primary processing of materials such as metal refining, plastics, pulp and paper, animal rendering, clay sand or gravel processing are ~~permitted as of right included in this category.~~

~~A storage use permit shall be required for industrial uses not specifically permitted as a "Use-by-right" in any district except Residential (R).~~

Staff Changes:
~~Removed Text~~
 Added Text

Text Amendment

TA-04-20 – Requested Planning Ordinance Changes (from Staff)

Appendix C Note 2
 (Amended 3/18/96; 2016; X/X/2020)

Light Industrial

- Manufacture, assembly, repair, storage or servicing of light industrial goods and products; business or consumer machinery; equipment, products or by-products;
- ~~• Commercial storage;~~
- Commercial bakery;
- Crematorium;
- Cold storage plant;
- Coal sales and storage;
- ~~• Equipment rental;~~
- ~~• Fabrication;~~
- ~~• Manufacturing, maintenance, repair, maintenance and repair;~~
- Manufacture, assembly, repair, storage or servicing of computer components including semi-conductors; precision instruments; electrical/electronic; toys; solar and wind energy components; telecommunication equipment; advanced textiles; transportation equipment components;
- Sheet metal shop;
- Bottling;
- ~~• Storage area for manufacturing, working, machines and tool repair;~~
- Woodworking, cabinet making, and/or furniture manufacturing
- Warehousing of an industrial nature
- Wholesale distribution

Staff Changes:
~~Removed Text~~
 Added Text

Text Amendment

TA-04-20 – Requested Planning Ordinance Changes (from Staff)

Appendix C Note 2

(Amended 3/18/96; 2016; ~~X/X/2020~~)

Heavy Industrial

- Animal Processing, Packing, Treatment and Storage
- Livestock Slaughtering, Processing of Food and Related Products
- Production of Chemicals, Rubber, Leather, Clay, Bone, Plastic, Stone, Glass, ~~Fertilizer~~
- Production of Fabrication of Metals or Metal Products (enameling, galvanizing, sawmill)
- Asphalt and concrete plants
- Power generating plants, including the storage of ore, coal, atmospheric gas, grain, petroleum and other materials used to produce power

- Hazardous material disposal
- ~~Commercial recycling and/or salvage yard~~
- Explosive Storage and Distribution Facilities
- Fertilizer Manufacture
- Quarry Operations
- Storage, Flammable

Text Amendment

TA-04-20– Planning Staff Analysis

- Planning Staff met with the Economic Development Director to discuss revising the industrial use sections in the Planning Ordinance.
- Staff reviewed industrial regulations in surrounding and similar counties to develop new standards for Person County.
- The proposed regulations provide a clearer set of standards for industrial development that both protect residents and support economic growth.
- The Economic Development Commission reviewed the draft at their September 22nd, 2020 meeting. Planning Staff received a unanimous endorsement from the Economic Development Commission.

Text Amendment

TA-04-20– Planning Staff Recommendation

Planning staff recommends approval of TA-04-20. The proposed amendments provide clearer and consistent standards that protect the public and support economic development.

Text Amendment

TA-04-20– Modifications from Planning Board

At the October 8th, 2020 Planning Board meeting, the Board proposed modifying staff's definition of "Industrial". The following text shows this change underlined in yellow:

A non-residential employment use engaged in the manufacturing and basic processing of materials or products predominately from extracted or raw materials or previously prepared materials. This use may also include processing, fabrication, assembly, treatment, packing, storage, sales and distribution of such products. For additional information, see Note 2 located after Appendix C Table of Permitted Uses.

Text Amendment

TA-04-20– Planning Board Recommendation from October 8th, 2020 Meeting

At the October 8th, 2020 meeting of the Planning Board, the Board voted unanimously to recommend approval of the proposed text amendment with the modification of the definition of "Industrial".

Text Amendment

TA-04-20 – Reasonableness and Consistency Statement

The Board of Commissioners is required to make a motion on the Reasonableness and Consistency statement.

The text amendment request is consistent with the Person County Land Use Plan and future planning goals of the county, is reasonable, and in the public interest as it meets several objectives listed in the Person County Land Use Plan. Specifically, Goal 2.0 to provide a strong local planning environment that supports and enhances the economic growth potential of Person County citizens.

Chairman Jeffers asked Ms. Oakley about the category of Animal Processing, Packing, Treatment and Storage Livestock Slaughtering, Processing of Food and Related Products being included under the Heavy Industrial to which she noted this type of facility would usually have an odor associated that would affect the surrounding neighbors; Ms. Oakley said a public hearing requirement for this category was appropriate to hear public comments and for consideration of a great buffer requirement. Vice Chairman Powell confirmed this section of the ordinance did not have any proposed text amendments. Chairman Jeffers asked what were the buffer requirements for light industrial and heavy industrial to which Ms. Oakley stated 50 ft. and 150 ft. respectively. Commissioner Clayton asked Ms. Oakley to explain any effects on this section for small farmers to which Ms. Oakley noted animal processing in this context was a factory solely for slaughtering; she added that farmers that have a small area of the farm dedicated to slaughter (considered as an accessory use to the farm) is a bona fide farm use and would be exempt under NC General Statutes from the local ordinance.

There were no individuals appearing before the Board to speak in favor of or in opposition to the Text Amendment (TA-04-20) request by the Person County Planning Department and the Person County Economic Development Department to revise the regulations governing industrial development in the Person County Planning Ordinance Article VII, Appendix B, and Appendix C to provide more clear and cohesive industrial regulations.

A **motion** was made by Vice Chairman Powell and **carried 5-0** to close the public hearing for a Text Amendment (TA-04-20) request by the Person County Planning Department and the Person County Economic Development Department to revise the regulations governing industrial development in the Person County Planning Ordinance Article VII, Appendix B, and Appendix C to provide more clear and cohesive industrial regulations.

CONSIDERATION TO GRANT OR DENY A TEXT AMENDMENT (TA-04-20) REQUEST BY THE PERSON COUNTY PLANNING DEPARTMENT AND THE PERSON COUNTY ECONOMIC DEVELOPMENT DEPARTMENT TO REVISE THE REGULATIONS GOVERNING INDUSTRIAL DEVELOPMENT IN THE PERSON COUNTY PLANNING ORDINANCE ARTICLE VII, APPENDIX B, AND APPENDIX C TO PROVIDE MORE CLEAR AND COHESIVE INDUSTRIAL REGULATIONS:

A **motion** was made by Vice Chairman Powell and **carried 5-0** to approve the Text Amendment (TA-04-20) request by the Person County Planning Department and the Person County Economic Development Department to revise the regulations governing industrial development in the Person County Planning Ordinance Article VII, Appendix B, and Appendix C to provide more clear and cohesive industrial regulations noting the text amendment request is consistent with the Person County Land Use Plan and future planning goals of the county, is reasonable, and in the public interest as it meets several objectives listed in the Person County Land Use Plan. Specifically, Goal 2.0 to provide a strong local planning environment that supports and enhances the economic growth potential of Person County citizens.

PUBLIC HEARING:

TEXT AMENDMENT (TA-05-20) REQUEST BY THE PERSON COUNTY PLANNING DEPARTMENT ON BEHALF OF THE PERSON COUNTY BOARD OF COMMISSIONERS TO AMEND ARTICLE VI SECTION 60 *GENERAL REGULATIONS* AND APPENDIX B *DEFINITIONS* OF THE PERSON COUNTY PLANNING ORDINANCE IN ORDER TO AMEND THE REQUIREMENTS FOR ACCESSORY BUILDINGS:

A **motion** was made by Commissioner Sims and **carried 5-0** to open the duly advertised public hearing for a Text Amendment (TA-05-20) request by the Person County Planning Department on behalf of the Person County Board of Commissioners to amend Article VI Section 60 *General Regulations* and Appendix B *Definitions* of the Person County Planning Ordinance in order to amend the requirements for accessory buildings.

Planning Director, Lori Oakley stated all state statutes and planning ordinance requirements have been met for this public hearing. She submitted her staff report into the record as follows:

November 16, 2020

Proposed Revision per Mr. Groce (in blue)

**Text Amendment TA-05-20
Accessory Structures**

EXPLANATION OF THE REQUEST

Petition TA-05-20 is a request by the Person County Planning Department on behalf of the Person County Board of Commissioners to amend Article VI Section 60 *General Regulations* and Appendix B *Definitions* of the Person County Planning Ordinance in order to amend the requirements for accessory buildings.

REQUESTED ORDINANCE CHANGES

The proposed text is in red and reads as follows:

Article VI Application of District Regulations Section 60 General Regulations

60-6B Accessory buildings shall **only** be allowed on a lot upon which a primary dwelling, multifamily dwelling, business use **or** industrial use exists. (Added 6/3/2013) **Accessory buildings shall also be allowed on lots adjacent to and under common ownership to the parcel where the principle structure is located or within 1,000 feet of the aforementioned parcel (as measured from property line to property line) to the extent that the principal use itself would be allowed.**

Appendix B Definitions

ACCESSORY BUILDING - An accessory building, structure or use is a building or structure or use on the same lot or site with, or of a nature customarily incidental or subordinate to, and of a character related to the principal use or structure **except as may be specifically provided elsewhere in the Ordinance.** Accessory buildings are, but not limited to: sheds, garages, lean-to, storage building, carports, pool, but not to include well houses (not to exceed 6' x 6'), and gazebo or pool house if attached to footprint of pool. (Amended 6/3/2013)

PLANNING STAFF ANALYSIS

In the spring of 2020, the Board of Commissioners directed staff to amend the Planning Ordinance to allow accessory structures on vacant lots as long as they are under the same ownership as the lot adjacent to them and there is a principal structure on the adjacent lot.

Staff researched several neighboring counties and counties of a similar size in NC and discovered three counties that allow accessory structures on a parcel without a principal structure - Vance, Harnett and Granville counties. The proposed language for the Person County Planning Ordinance is from Harnett County and Vance County. Staff feels that the proposed language will allow property owners to permit accessory structures on adjacent parcels in the same ownership that might not be able to be located on the same parcel with the principal structure.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends approval of TA-05-20. The proposed text amendment will allow accessory structures to be located on the same parcel as the principal structure or on an adjoining parcel under same ownership thereby allowing more flexibility for property owners.

Proposed Revision per Mr. Groce (in blue)

REASONABLENESS AND CONSISTENCY STATEMENT

The text amendment request is consistent with the Person County Land Use Plan and future planning goals of the county, is reasonable, and in the public interest as it meets several objectives listed in the Person County Land Use Plan. Specifically, Objective 1.0 to promote an orderly and efficient land use development pattern, which allows for a variety of land uses while being sensitive to environmental concerns.

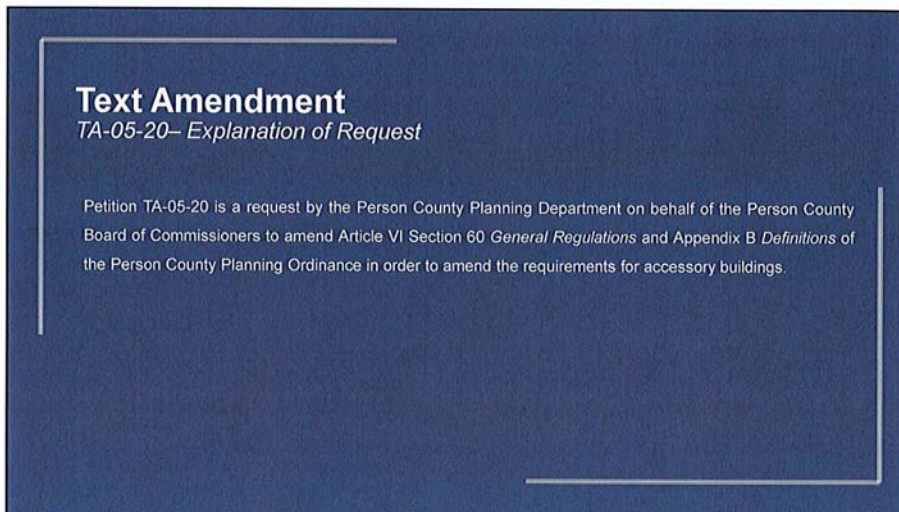
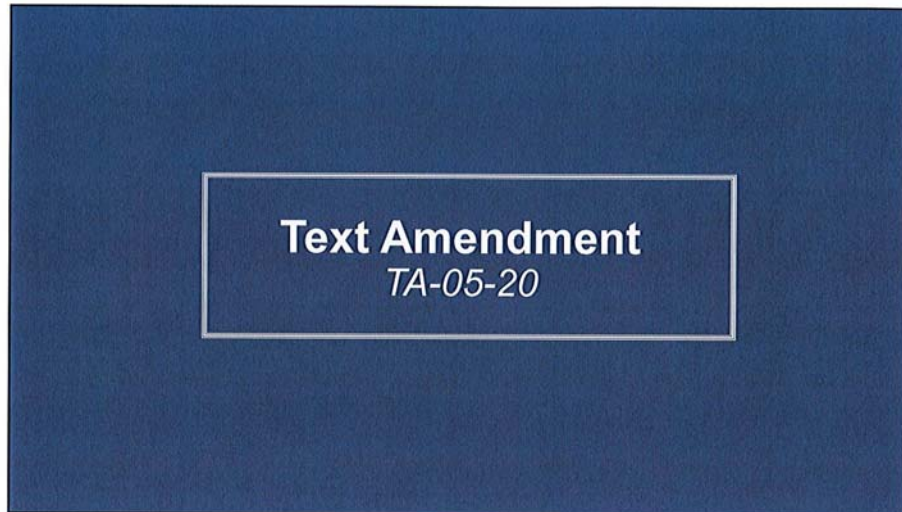
PLANNING BOARD RECOMMENDATION

At the October 8, 2020 meeting of the Planning Board, the Board voted unanimously (5-0) to recommend approval of TA-05-20 to include the recommended Statement of Reasonableness and Consistency.

Submitted by: Lori Oakley, Planning Director

Ms. Oakley shared the following presentation with the Board:

11/16/2020



Staff Changes:
~~Removed Text~~
 Added Text

Text Amendment

TA-05-20 – Requested Planning Ordinance Changes (from Staff)

ARTICLE VI APPLICATION OF DISTRICT REGULATIONS SECTION 60 GENERAL REGULATIONS

60-6B Accessory buildings shall ~~only~~ be allowed on a lot upon which a primary dwelling, multifamily dwelling, business use ~~or~~ industrial use exists. (Added 6/3/2013) Accessory buildings shall also be allowed on lots adjacent to and under common ownership to the parcel where the principle structure is located to the extent that the principal use itself would be allowed.

Staff Changes:
~~Removed Text~~
 Added Text

Text Amendment

TA-05-20 – Requested Planning Ordinance Changes (from Staff)

APPENDIX B DEFINITIONS

ACCESSORY BUILDING - An accessory building, structure or use is a building or structure or use on the same lot or site with, or of a nature customarily incidental or subordinate to, and of a character related to the principal use or structure except as may be specifically provided elsewhere in the Ordinance. Accessory buildings are, but not limited to: sheds, garages, lean-to, storage building, carports, pool, but not to include well houses (not to exceed 6' x 6'), and gazebo or pool house if attached to footprint of pool. (Amended 6/3/2013)

Text Amendment

TA-05-20– Planning Staff Analysis

- In the spring of 2020, the Board of Commissioners directed staff to amend the Planning Ordinance to allow accessory structures on vacant lots as long as they are under the same ownership as the lot adjacent to them and there is a principal structure on the adjacent lot.
- Staff researched several neighboring counties and counties of a similar size in NC and discovered three counties that allow accessory structures on a parcel without a principal structure (Vance, Harnett and Granville counties).
- The proposed language for the Person County Planning Ordinance is from Harnett County and Vance County.
- Staff feels that the proposed language will allow property owners to permit accessory structures on adjacent parcels in the same ownership that might not be able to be located on the same parcel with the principal structure.

Text Amendment

TA-05-20– Planning Staff Recommendation

Planning staff recommends approval of TA-05-20. The proposed text amendment will allow accessory structures to be located on the same parcel as the principal structure or on an adjoining parcel under same ownership thereby allowing more flexibility for property owners.

Text Amendment

TA-05-20– Planning Board Recommendation from October 8th, 2020 Meeting

At the October 8th, 2020 meeting of the Planning Board, the Board voted unanimously (5-0) to recommend approval of TA-05-20 to include the Statement of Reasonableness and Consistency.

Text Amendment

TA-05-20 – Reasonableness and Consistency Statement

The Board is required to make a motion on the Reasonableness and Consistency statement.

The text amendment request is consistent with the Person County Land Use Plan and future planning goals of the county, is reasonable, and in the public interest as it meets several objectives listed in the Person County Land Use Plan. Specifically, Objective 1.0 to promote an orderly and efficient land use development pattern, which allows for a variety of land uses while being sensitive to environmental concerns.

Ms. Oakley stated that since the Planning Board meeting occurred, staff was approached by Mr. Jerry Groce about erecting an accessory building on a vacant parcel that he owned although that vacant parcel was not immediately adjacent to his parcel with the dwelling, and was more like a quarter-mile away. Staff informed Mr. Groce that a text amendment was going through the process to amend the requirements for accessory buildings. Ms. Oakley said staff then discussed amending the language to state that accessory buildings could be located on parcels adjacent to the parcel where the principal structure was located or on a parcel within 1,000 ft. as measured from property line to property line. Ms. Oakley noted Mr. Groce submitted a request to the Board to amend the proposed text amendment to include language to state that accessory buildings could be located on parcels adjacent to the parcel where the principal structure was located or on a parcel within 1,000 ft. as measured from property line to property line. Ms. Oakley provided the Board with proposed language to consider for Article 6, Section 60-6B as follows:

Accessory buildings shall also be allowed on lots adjacent to and under common ownership to the parcel where the principle structure is located or within 1,000 feet of the aforementioned parcel (as measured from property line to property line) to the extent that the principal use itself would be allowed.

There were no individuals appearing before the Board to speak in favor of the Text Amendment (TA-05-20) request by the Person County Planning Department on behalf of the Person County Board of Commissioners to amend Article VI Section 60 *General Regulations* and Appendix B *Definitions* of the Person County Planning Ordinance in order to amend the requirements for accessory buildings.

Speaking in opposition to Text Amendment (TA-05-20) request by the Person County Planning Department on behalf of the Person County Board of Commissioners to amend Article VI Section 60 *General Regulations* and Appendix B *Definitions* of the Person County Planning Ordinance in order to amend the requirements for accessory building was the following:

Mr. Brent Groce of 103 Miranda Lane, Roxboro stated he signed up to request the Board consider an expanded definition by which the revision as presented by staff would fill the request. Mr. Groce said his father's property (Mr. Jerry Groce) was located at 116 Lex Lane, Roxboro and his other parcel for which he desired an accessory structure was located at 701 Stories Creek Road, Roxboro, approximately 860 ft. from property line to property line. Mr. Groce said his father's improvement by adding a structure shows an interest in the economic vitality and feasibility of his neighborhood.

Commissioner Clayton confirmed with Mr. Groce that the revised language was agreeable to which he replied affirmatively.

A **motion** was made by Vice Chairman Powell and **carried 5-0** to close the public hearing for Text Amendment (TA-05-20) request by the Person County Planning Department on behalf of the Person County Board of Commissioners to amend Article VI Section 60 *General Regulations* and Appendix B *Definitions* of the Person County Planning Ordinance in order to amend the requirements for accessory buildings.

CONSIDERATION TO GRANT OR DENY A TEXT AMENDMENT (TA-05-20) REQUEST BY THE PERSON COUNTY PLANNING DEPARTMENT ON BEHALF OF THE PERSON COUNTY BOARD OF COMMISSIONERS TO AMEND ARTICLE VI SECTION 60 GENERAL REGULATIONS AND APPENDIX B DEFINITIONS OF THE PERSON COUNTY PLANNING ORDINANCE IN ORDER TO AMEND THE REQUIREMENTS FOR ACCESSORY BUILDINGS:

Chairman Jeffers said this amendment made good common sense noting he and other commissioners have had citizens contact them with similar issues noting the way to resolve was to pay a surveyor to combine parcels to comply with the ordinance requirements. He added this amendment would allow citizens to use their property as they see fit while keeping responsible growth and planning.

A **motion** was made by Chairman Jeffers and **carried 5-0** to approve the Text Amendment (TA-05-20) request by the Person County Planning Department on behalf of the Person County Board of Commissioners to amend Article VI Section 60 *General Regulations* and Appendix B *Definitions* of the Person County Planning Ordinance in order to amend the requirements for accessory buildings including the new language for accessory buildings to be allowed on lots adjacent to and under common ownership to the parcel where the principle structure is located or within 1,000 feet of the aforementioned parcel (as measured from property line to property line) to the extent that the principal use itself would be allowed as well as noted the text amendment request is consistent with the Person County Land Use Plan and future planning goals of the county, is reasonable, and in the public interest as it meets several objectives listed in the Person County Land Use Plan. Specifically, Goal 2.0 to provide a strong local planning environment that supports and enhances the economic growth potential of Person County citizens.

PUBLIC HEARING:

REQUEST TO SUBMIT THE PROPOSED FISCAL YEAR 2022 COMMUNITY TRANSPORTATION PROGRAM APPLICATION TO NC DEPARTMENT OF TRANSPORTATION:

A **motion** was made by Commissioner Sims and **carried 5-0** to open the duly advertised public hearing for request to submit the proposed Fiscal Year 2022 Community Transportation Program Application to NC Department of Transportation (DOT).

Transportation Director, Kurt Neufang stated all the required notices for the public hearing has been met and complied with NC DOT standards. Mr. Neufang presented the information for the proposed Fiscal Year 2022 Community Transportation Program Application for administrative and capital transportation 5311 grant requests that is due to be submitted to the NC DOT no later than December 1, 2020. He added he was looking to secure a federal grant to help pay the expenses for administrative (four full-time staff positions) and capital (replacement of four vehicles) costs associated with this grant. The Community Transportation Program provides assistance to coordinate existing transportation programs operating in Person County as well as provides transportation options and services for the communities within this service area. These services are currently provided using demand response, subscription and trip referrals.

Services are rendered by utilizing ADA equipped vans and Light Transit Vehicles (LTV's). The total estimated amount requested for the period July 1, 2021 through June 30, 2022 are as follows:

Project	Total Amount	Local Share
Administrative	\$ 190,237	\$ 28,535 (15%)
Capital (vehicles & Other)	\$ 264,863	\$ 26,486 (10%)
Total Project	\$ 455,100	\$ 55,021
	Total Funding Request	Total Local Share

Mr. Neufang noted the current local share responsibility for Person County is 15% of the administrative costs and 10% of the capital investment for vehicles. He added that NC DOT has informed all the counties and transit agencies across the state that because of the budget shortfall with the state, they are requesting the local entities to look at the possibility, if needed, to pay the state's share. Mr. Neufang said that the local share would then increase to 20% for both the administrative and capital.

Mr. Neufang requested the Board to support a resolution for submittal to the Federal Transit Administration 5311 for administrative and capital requests for Fiscal Year 2022.

There were no individuals appearing before the Board to speak in favor of or in opposition to the request to submit the proposed Fiscal Year 2022 Community Transportation Program Application to NC DOT.

A **motion** was made by Commissioner Sims and **carried 5-0** to close the public hearing for the request to submit the proposed Fiscal Year 2022 Community Transportation Program Application to NC Department of Transportation.

CONSIDERATION TO GRANT OR DENY REQUEST TO SUBMIT THE PROPOSED FISCAL YEAR 2022 COMMUNITY TRANSPORTATION PROGRAM APPLICATION TO NC DEPARTMENT OF TRANSPORTATION:

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve the request to submit the proposed Fiscal Year 2022 Community Transportation Program Application to NC Department of Transportation, as presented.

PUBLIC HEARING:

A REQUEST BY THE ADDRESS COORDINATOR TO ADD PROVIDENCE FALLS TRL TO THE DATABASE OF ROADWAY NAMES USED FOR E-911 DISPATCHING:

A **motion** was made by Commissioner Puryear and **carried 5-0** to open the duly advertised public hearing for a request by the Address Coordinator to add Providence Falls Trl to the database of roadway names used for E-911 dispatching.

GIS Manager, Sallie Vaughn stated three residences are planned to be added along a private driveway, which necessitates the naming of the driveway; she noted that one private residence (926 Robert Whitfield Rd) is currently located on a private driveway off Robert Whitfield Rd. A second and third private residence are being added to this driveway. In accordance with Article IV, Section 402 H of the "Ordinance Regulating Addresses and Road Naming in Person County," the driveway must be named. The addition of this road will require occupants of the existing residence to change their addresses to reflect the new roadway name.

Ms. Vaughn said North Carolina General Statute 153A-239.1(A) required a public hearing to be held on the matter and public notice be provided at least 10 days prior in the newspaper. The required public notice was published in the November 5, 2020 edition of the Roxboro Courier-Times. A sign advertising the public hearing was placed at the proposed roadway location on the same date. In addition, adjacent property owners were contacted via certified mail at the time permits were obtained for the new residence.

Ms. Vaughan confirmed all involved parties agreed upon a single road name, Providence Falls Trl, which is compliant with all naming regulations in the Ordinance. She requested the Board to approve the new roadway name, Providence Falls Trl to be added to the database for E-911 dispatching.

There were no individuals appearing before the Board to speak in favor of or in opposition to the request by the Address Coordinator to add Providence Falls Trl to the database of roadway names used for E-911 dispatching.

A **motion** was made by Vice Chairman Powell and **carried 5-0** to close the public hearing for a request by the Address Coordinator to add Providence Falls Trl to the database of roadway names used for E-911 dispatching.

CONSIDERATION TO GRANT OR DENY REQUEST BY THE ADDRESS COORDINATOR TO ADD PROVIDENCE FALLS TRL TO THE DATABASE OF ROADWAY NAMES USED FOR E-911 DISPATCHING:

A **motion** was made by Commissioner Clayton and **carried 5-0** to approve a request by the Address Coordinator to add Providence Falls Trl to the database of roadway names used for E-911 dispatching.

INFORMAL COMMENTS:

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

Mr. John Seepe of 277 Barefoot Landing Lane, Semora thanked Chairman Jeffers and Commissioner Clayton for their service and contributions.

DISCUSSION/ADJUSTMENT/APPROVAL OF CONSENT AGENDA:

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

- A. Approval of Minutes of October 5, 2020,
- B. Budget Amendment #5 and Budget Amendment #6 Carryforward of Purchase Orders,
- C. False Alarm Ordinance revision,
- D. Tax Adjustments for November 2020,
 - a. Tax Releases,
 - b. NC Vehicle Tax System pending refunds, and
- E. Consideration of Approval of Late Exemption Applications

NEW BUSINESS:**REQUEST FOR WATER LINE EXTENSION FROM RESIDENTS OF WINCO POINT SUBDIVISION:**

County Manager, Heidi York reminded the Board of the request for a water line extension from residents at the Board's September 8, 2020 meeting; residents of the Winco Point Subdivision requested County assistance with their low flow private wells. This subdivision includes Dee Long Road and Victoria Lane specifically. Currently four households have submitted written requests to the City Manager for city water to be extended to their properties. Ms. York noted the requests have been made in accordance with the existing City and County Joint Water and Sewer Agreement between the City of Roxboro and Person County. The Agreement requires that both the City and the County approve and authorize all water line extensions. The Agreement further provides that all extensions shall be funded by the County from the Water and Sewer Construction Fund with the City approving engineering contracts and plans and the County obtaining any rights of way and permits. To provide city water to these residences, a 6" line would need to be installed from the existing water line on NC 49, a distance of 560' along Dee Long Road to Victoria Lane (Banks property) and then 255' along Victoria Lane to 68 Victoria Lane (Salisbury property). To reach 180 Victoria Lane (Walker property) and 96 Victoria Lane (Taylor property), another 590' of water line is needed for a total of 1,405' of water main. As the existing water line is on the east side of NC 49, a casing pipe would need to be bored and jacked under NC 49. This layout will be able to provide water to the first eight houses on Victoria Lane. The estimated cost provided by the City of Roxboro is \$220,625. To serve any additional houses within the Winco Point subdivision, the water line would have to be extended an additional 815' down Victoria Lane for an additional \$121,875. The total estimated cost to serve the entire subdivision which would provide city water to the all thirteen existing houses and four vacant lots is \$342,500.

Ms. York said the Roxboro City Council approved this water line extension request at its October 13, 2020 Council meeting.

Ms. York noted the Water and Sewer Fund has approximately \$1.2M funds. While the county has the responsibility to pay upfront the costs associated with the water line extension, the county will receive 50% of the excess rate as well as 15% of a 115% tapping fee paid by the user.

Chairman Jeffers asked the Tax Administrator, Russell Jones, present in the audience, to address if any value was added to the homes for access to city water. Mr. Jones stated there would not be an increase in value for access to city water however a decrease in value if there was no water.

Commissioner Clayton asked the group to understand what they were considering and if the Board was setting a precedent to other subdivisions in close proximity to the city water line. Commissioner Clayton questioned if the residents making the request should have to participate in the investment of the water line. Ms. York said the Agreement with the City, as is, does not require any funds from the residents. Ms. York stated with Board direction, staff could pursue amendments to the Agreement with the City of Roxboro, which was approved in the 90's. She added that staff are hearing from other residents in other parts of the county interested in water line extensions.

Commissioner Sims asked consideration to table action on this item to allow an opportunity to first amend the Agreement between the City and County.

County Attorney, Ron Aycock stated the Board has the authority, if desired, to do what Commissioner Sims has suggested.

A **motion** was made by Commissioner Sims and **carried 4-1** to table action on this item to allow an opportunity to amend the Agreement between the City and County. Chairman Jeffers cast the dissenting vote; he stated opposition to putting a roadblock in the progress after the Board asked the residents to go before the City Council for approval.

TRIANGLE TRAILS INITIATIVE:

Sig Hutchinson, Wake County Commissioner and Chair of the Triangle Trails Initiative Advisory Board and Charles A. Flink, President of Greenways Incorporated, and a consultant to the Triangle Trails Initiative shared the following presentation with the Person County Commissioners regarding the establishment of a 14-county regional greenway and trail organization. Wake County Commissioner Hutchinson noted there was no cost associated with the request however, financial and technical resources are available.

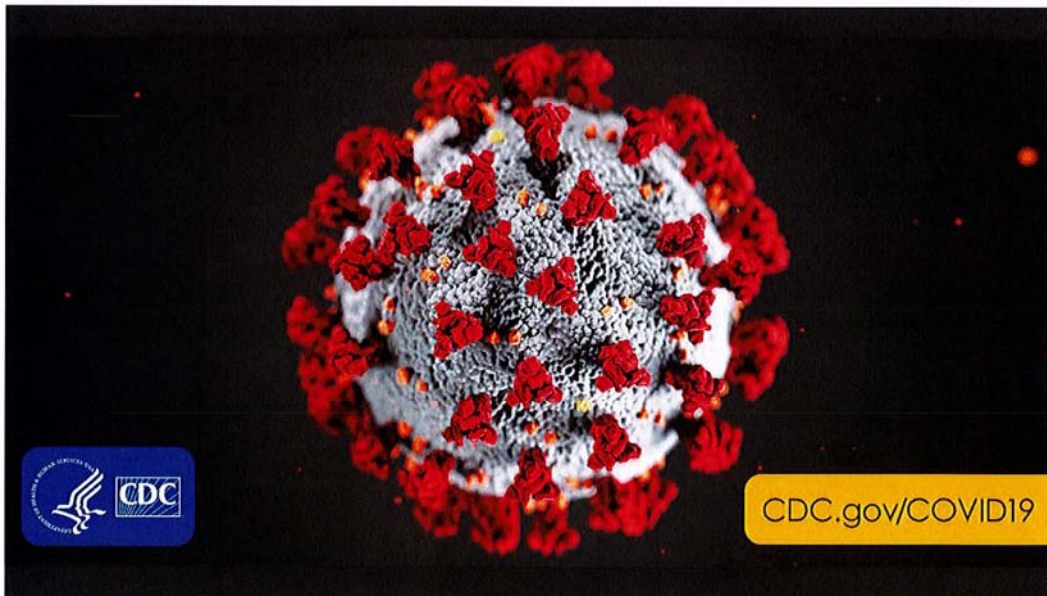


Photo: Ted Richardson, VisitRaleigh.com

Photo: [unclear]

Safe places to go during the coronavirus crisis

By Melissa Robinson
Contributor

While staying home is recommended to slow the spread of the coronavirus, there are still safe places to go during the crisis to get some fresh air while observing social distancing guidelines.

In Raleigh and elsewhere, greenways and parks are offering people a safe place to go. While the city is not recommending people go to parks, it is encouraging people to go to greenways and parks that have no public restrooms and no public water fountains. People should look for a sign that says "Safe Place to Go".

CAROLINA GREENWAY TRAIL SYSTEM

People made use of a network of greenways and trails in the Triangle region for many years. The system is now being expanded to include more trails throughout the region. The system is now being expanded to include more trails throughout the region. The system is now being expanded to include more trails throughout the region.

AMERICAN TURKISH TRAIL

All around Raleigh, all around the city, there are many trails. The American Turkish Trail is one of the most popular. It is a 1.5-mile trail that runs through the city. It is a 1.5-mile trail that runs through the city. It is a 1.5-mile trail that runs through the city.

UNIVERSITY STATE PARK

A 1,500-acre state park is located in the city. It is a 1,500-acre state park is located in the city. It is a 1,500-acre state park is located in the city. It is a 1,500-acre state park is located in the city. It is a 1,500-acre state park is located in the city.

GREENWAYS

GREENWAYS

COVID-19: PHYSICAL DISTANCING IN PUBLIC PARKS AND TRAILS

Do not use parks or trails if you are exhibiting symptoms.

Be prepared for limited access to public restrooms or water fountains.

Share the trail and warn other trail users of your presence and as you pass.

Follow CDC's guidance on personal hygiene prior to visiting parks or trails.

Observe CDC's minimum recommended physical distancing of 6' from other persons at all times.

INRPA National Recreation and Parks Association
Because everyone deserves a great park.

GREENWAYS

Health Benefits of Trails

- Reduce obesity in all age groups
- Increase physical activity
- Control hypertension
- Protect against developing non-insulin dependent diabetes
- Improve symptoms of mild-to-moderate depression and anxiety
- Reduce the chance of premature death
- Reduce arthritis pain
- Prevent osteoporosis



(Centers for Disease Control, 2004)

GREENWAYS INC.



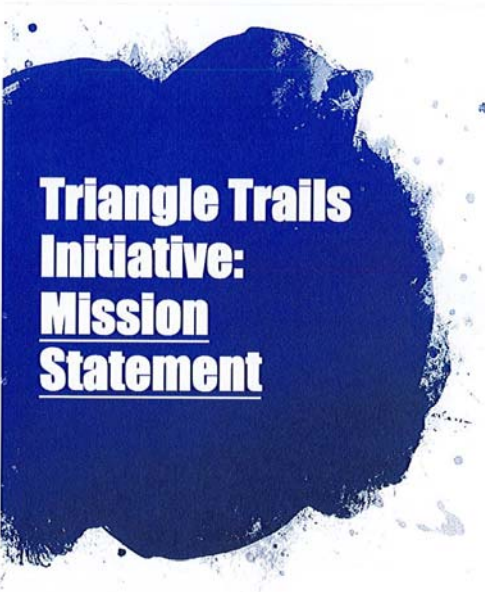
GREENWAYS INC.

Cover: The Sandy Creek Trail section of the East Coast Greenway (ECG) in Raleigh City (North Carolina). This page: The White Oak Greenway section of the ECG, at Bond Park in Cary.

The Black Creek Greenway section of the ECG, at Bond Park in Cary.

November 16, 2020





"Triangle Trails is a collaboration between government, business, institutions and civic leaders to make the Research Triangle Region a national leader in greenways and trails."





Triangle Trails Initiative: Regional Footprint

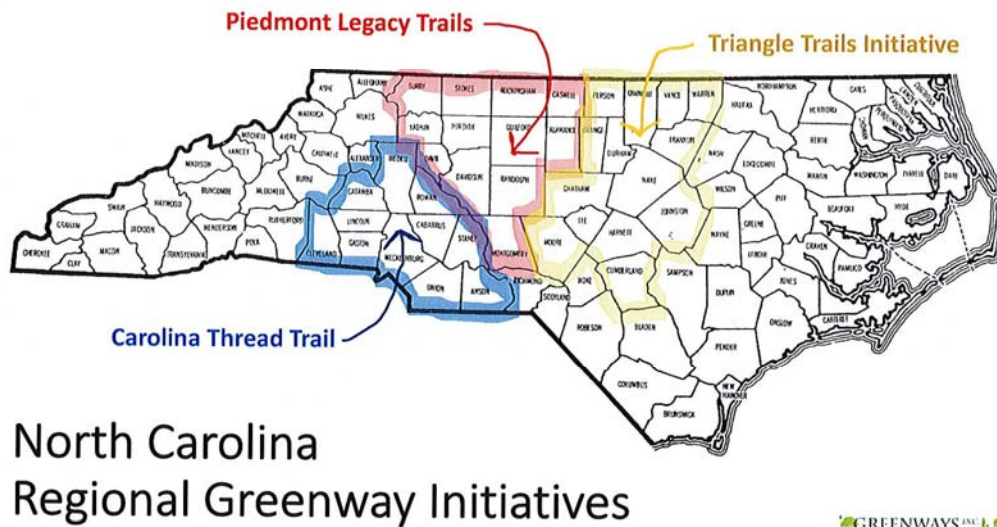
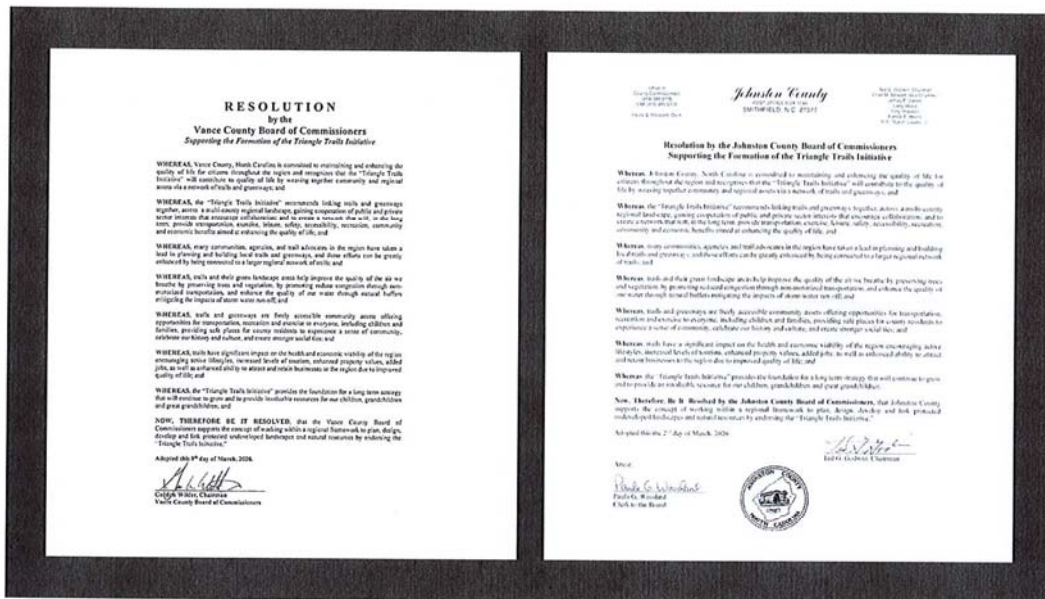


Triangle Trails Initiative – Expanded Footprint

- Chatham County (confirmed)
- Durham County (confirmed)
- Franklin County (confirmed)
- Harnett County (confirmed)
- Granville County (confirmed)
- Johnston County (confirmed)
- Cumberland (considering)
- Lee County (confirmed)
- Moore County (confirmed)
- Orange County (confirmed)
- Person County (confirmed)
- Vance County (confirmed)
- Wake County (confirmed)
- Warren County (confirmed)



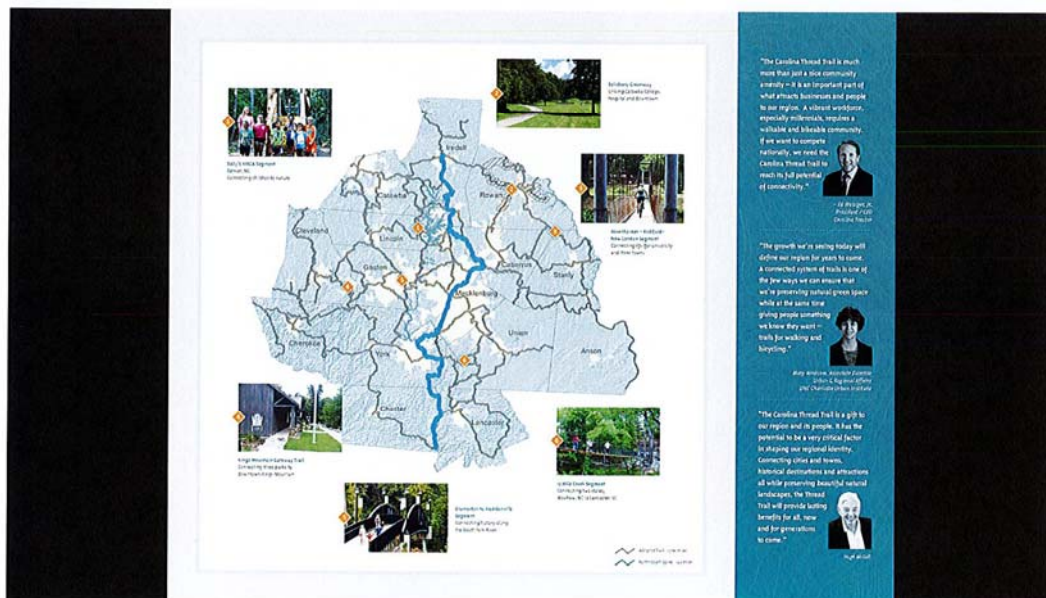
November 16, 2020



North Carolina Regional Greenway Initiatives

GREENWAYS INC.

November 16, 2020



Mr. Flink referred to the trail as the Timberlake Trail or the Roxboro Rail Trail located on the Northern/Southern railway corridor in Person County.

November 16, 2020

NC PBS NC Weekend Sign In Home Shows Video TV Schedules Shop Donate

Finding Your Adventure

Season 1700 Episode 1721 | 26m 46s | CC

+ My List


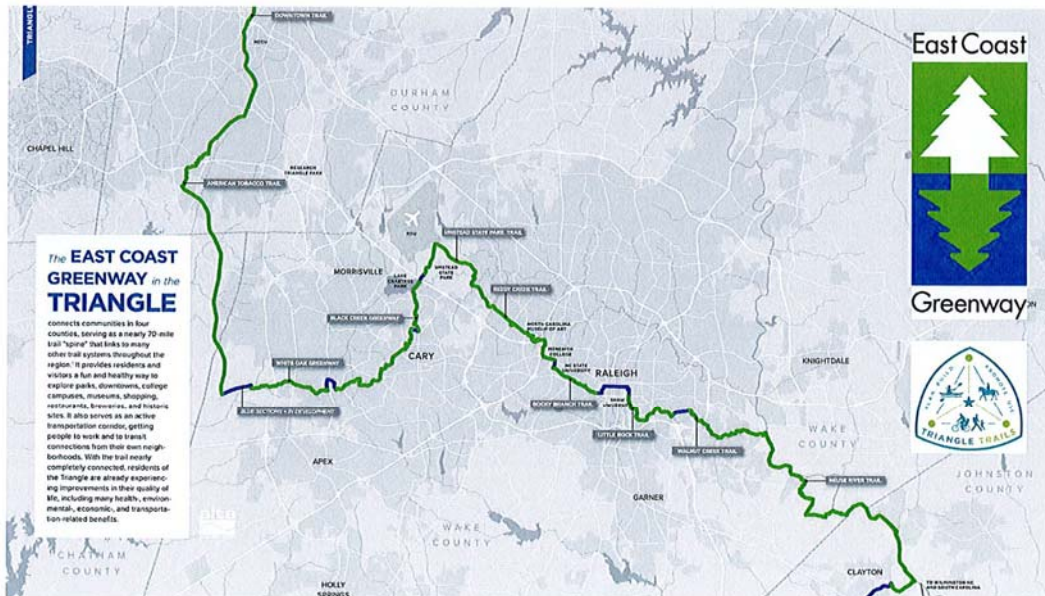
This week's show is all about finding your adventure as we feature a new greenway in Cary, whitewater rafting with Nantahala Outdoor Center, treehouse camping on the Cashie River, cycling Mount Mitchell, rock climbing at Rocky Face Mountain Recreational Area and fly fishing with River Girl Outfitters in Todd.

Aired: 07/02/20 | Rating: TV-G

Continuous Play: ☐ Off

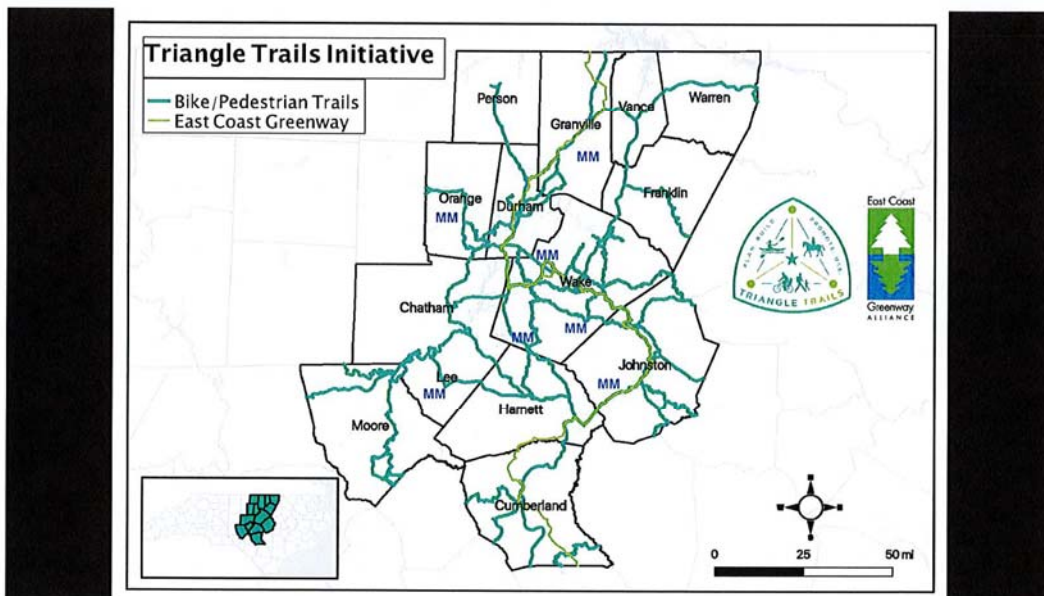
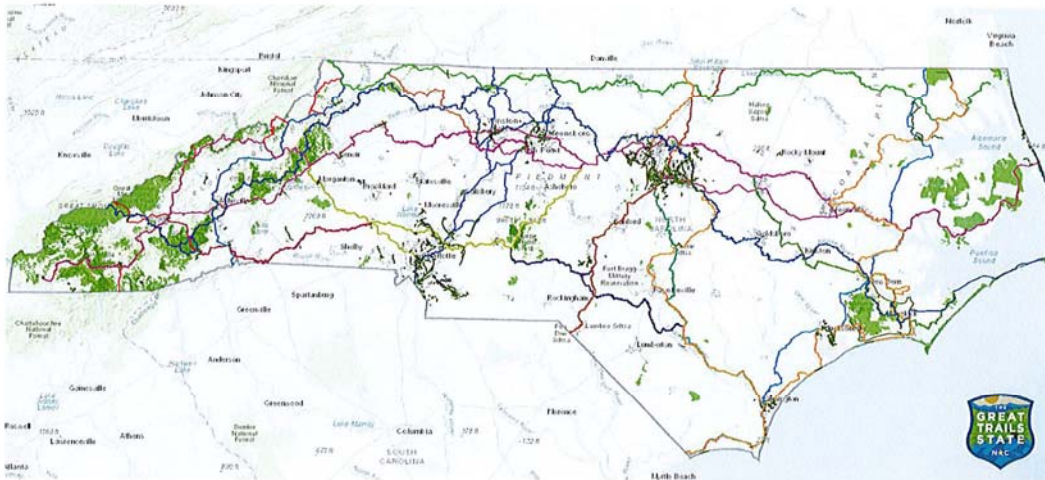
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Problems Playing Video? Report a Problem | Closed Captioning



DATA COLLECTION: DESIGNATED BICYCLE ROUTES





Triangle Trails Initiative Advisory Board



TTI: Advisory Board Membership (as of April, 2020)

- **Sig Hutchinson**, Wake County Commissioner
- **Scott Levitan**, President, Research Triangle Park
- **Mike Conlon**, Affordable Communities
- **Dennis Edwards**, VisitRaleighNC
- **Dennis Markatos-Soriano**, East Coast Greenway Alliance
- **Iona Thomas**, McAdams
- **Renee Price**, Orange County Commissioners
- **David Proper**, The Conservation Fund
- **Jule Smith**, Fred Smith and Company
- **Larry Zucchini**, Jdavis Architects
- **Coley Price**, Harnett County
- **Dan Lamontagne**, Chatham County



November 16, 2020



Funding the Triangle Trails Initiative



Raising Operating Funds for TTI

- Seeking to raise a base of **\$500,000** from private sector funders
- First charter funder pledge of **\$100,000** has been made by the **Research Triangle Park Foundation**. Second charter funder pledge of **\$100,000** has been made by **Raleigh Visitors and Convention Bureau**.
- Seeking pledge of financial support from **Hospital, Bank, and Industry**: Seeking charter funder pledge of \$100,000 each.
- Next goal is to raise additional **\$1.5 million** to support the operations of TTI.



November 16, 2020



	Year One	Year Two	Year Three
Funders	Pledge	Pledge	Pledge
RTPF*	\$ 34,000	\$ 33,000	\$ 33,000
Bank	\$ 34,000	\$ 33,000	\$ 33,000
Health/Hospital	\$ 34,000	\$ 33,000	\$ 33,000
VisitRaleigh*	\$ 34,000	\$ 33,000	\$ 33,000
Industry	\$ 34,000	\$ 33,000	\$ 33,000
Totals	\$ 170,000	\$ 165,000	\$ 165,000



Current Funding Strategy



Request of the Person County Board of Commissioners

Pass a Resolution of Support
for the Triangle Trails Initiative

A Resolution Supporting the Formation of the Triangle Trails Initiative

Whereas, Person County, North Carolina is committed to maintaining and enhancing the quality of life for citizens throughout the region and recognizes that the "Triangle Trails Initiative" will contribute to quality of life by weaving together community and regional assets via a network of trails and greenways; and

Whereas, the "Triangle Trails Initiative" recommends linking trails and greenways together, across a multi-county regional landscape, gaining cooperation of public and private sector interests that encourage collaboration, and to create a network that will, in the long term, provide transportation, exercise, leisure, safety, accessibility, recreation, community and economic benefits aimed at enhancing the quality of life; and

Whereas, many communities, agencies, and trail advocates in the region have taken a lead in planning and building local trails and greenways, and those efforts can be greatly enhanced by being connected to a larger regional network of trails; and

Whereas, trails and their green landscape areas help improve the quality of the air we breathe by preserving trees and vegetation, by promoting reduce congestion through non-motorized transportation, and enhance the quality of our water through natural buffers mitigating the impacts of storm water run-off; and

Whereas, trails and greenways are freely accessible community assets offering opportunities for transportation, recreation and exercise to everyone, including children and families, providing safe places for county residents to experience a sense of community, celebrate our history and culture, and create stronger social ties; and

Whereas, trails have significant impact on the health and economic viability of the region encouraging active lifestyles, increased levels of tourism, enhanced property values, added jobs, as well as enhanced ability to attract and retain businesses to the region due to improved quality of life; and

Whereas, the "Triangle Trails Initiative" provides the foundation for a long term strategy that will continue to grow and to provide an invaluable resource for our children, grandchildren and great grandchildren; and

Now, Therefore, Be It Resolved that the Person County Board of Commissioners supports the concept of working within a regional framework to plan, design, develop and link protected undeveloped landscapes and natural resources by endorsing the "Triangle Trails Initiative."

Adopted this 16th day of November 2020.

B. Ray Jeffers, Chairman

Brenda B. Reaves, Clerk to the Board

Wake County Commissioner Hutchinson and Mr. Flink concluded by asking the Board of Commissioners to endorse a Resolution Supporting the Formation of the Triangle Trails Initiative noting it would be rescindable at any time.

November 16, 2020

A **motion** was made by Commissioner Clayton and **carried 5-0** to adopt a Resolution Supporting the Formation of the Triangle Trails Initiative.

A Resolution Supporting the Formation of the Triangle Trails Initiative

Whereas, Person County, North Carolina is committed to maintaining and enhancing the quality of life for citizens throughout the region and recognizes that the "Triangle Trails Initiative" will contribute to quality of life by weaving together community and regional assets via a network of trails and greenways; and

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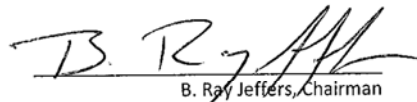
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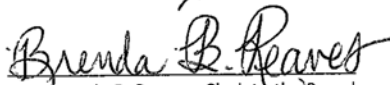
Whereas, the "Triangle Trails Initiative" provides the foundation for a long term strategy that will continue to grow and to provide an invaluable resources for our children, grandchildren and great grandchildren; and

Now, Therefore, Be It Resolved that the Person County Board of Commissioners supports the concept of working within a regional framework to plan, design, develop and link protected undeveloped landscapes and natural resources by endorsing the "Triangle Trails Initiative."

Adopted this the 16th day of November 2020.




B. Ray Jeffers, Chairman


Brenda B. Reaves, Clerk to the Board

November 16, 2020

LOUISIANA PACIFIC-APPEAL OF LATE LISTING PENALTY:

Tax Administrator, Russell Jones stated Louisiana Pacific has been assessed a 10% late listing penalty for failure to meet the deadline for listing their 2020 property taxes. The penalty is \$24,581.39, which is a combination of county late listing penalty (\$23,677.06) and fire late listing penalty (\$904.33).

Mr. Jones presented the facts of the case as follows:

1. The deadline for listing property taxes was January 31, 2020 as required by NC General Statute 105-307.
2. The tax office mailed a listing form to Louisiana Pacific on or around December 23, 2019.
3. Louisiana Pacific requested an extension of the filing deadline on January 2, 2020. This request was honored and the tax office granted an extension until April 15, 2020, based on NC General Statute 105-307(c). No extension may be granted beyond April 15th.
4. On April 29, 2020, the tax office received the 2020 business listing by email, however this was after the extended deadline of April 15, and beyond any allowable extension time-frame.
5. The tax office properly applied NC General Statute 105-312(h) in computing the required penalty for the late listing. The taxpayer has raised no issue with the application of the penalty, but specifically requests an exception be applied to their case due to COVID-19, which created strains on employees.
6. A timely appeal has been filed by Louisiana Pacific. The late listing penalty cannot be waived by the county assessor. The power to compromise late listing penalties is under the authority of the Board of County Commissioners, as per NC General Statute 105-312(k). No other timely appeals of the late listing penalties were received.

Mr. Jones requested the Board to consider upholding the late listing penalty for \$24,581.39.

A **motion** was made by Commissioner Puryear and **carried 5-0** to uphold the late listing penalty to Louisiana Pacific for \$24,581.39.

November 16, 2020

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

County Manager, Heidi York presented an Eighth Amendment to the Agreement with Republic Services of North Carolina, LLC for operation and use of the Upper Piedmont Regional Landfill that established the logistics and timeframes for the agreed upon deal points as last stated in the Fourth Amendment. Ms. York stated the state permit for the operation of the Landfill was finalized on November 3, 2020 and was no longer appealable; the Agreement has an effective date of November 3, 2020 and will operate on a calendar year basis.

1. Section 7.4(e)(ii) Annual waste acceptance volume: Effective on a calendar year basis (January 1, 2020 to December 31, 2020) and renewing every calendar year thereafter during the Term of the Agreement, the average maximum annual disposal rate = 780,000 tons.
2. Section 7.4(h) Site Appearance: Starting November 3, 2020 through December 31, 2021, Republic will spend \$24,000 on litter management. Starting January 1, 2022 through December 31, 2022, and renewing every calendar year thereafter during the Term of the Agreement, Republic will spend \$24,000 per year on litter management.
3. Section 9.0 Host Fees: Starting November 3, 2020, Republic will pay the County a fixed fee of \$2.75 per Ton of Waste, excluding bagged waste that Person County residents drop off at the Landfill convenience center at no charge.
4. Section 9.1 Annual Community Development Payments: On November 3, 2020, Republic will make its first \$100,000 payment to the County. Republic will make its next \$100,000 payment to the County in January of 2022. In January of every calendar year thereafter during the Term of the Agreement, Republic will pay Person County \$100,000 for County community development projects in collaboration with Republic.
5. Section 9.2 Wireless Monopoles: Starting November 3, 2020, Republic will work with Person County to provide the County with an easement for the installation of three wireless monopoles. It is Republic's expectation that a Republic representative will walk the landfill property with a County representative to determine appropriate locations for the three monopoles. Republic then will prepare an easement document (or documents) that includes the three locations of the monopoles. When the County and Republic agree on and execute the easement, Republic will make its one-time payment of \$30,000 to Person County to assist with the wireless monopole project. Schedule D was included with the Fourth Amendment.

November 16, 2020

6. Section 9.3 Residential Drop-Off Waste Allowance: Starting November 3, 2020 through December 31, 2020, Republic will allow Person County residents to drop off bagged waste at the Landfill convenience center at no charge to the residents up to a total amount of \$5,000 (approximately 2,000 tons). Starting January 1, 2021 through December 31, 2021, and renewing every calendar year thereafter during the Term of the Agreement, Republic will allow Person County residents to drop off bagged waste at the Landfill convenience center at no charge to the residents up to a total amount of \$5,000 per year. This only includes bagged waste. This does not include bulky waste that residents dispose of at the working face of the Landfill. After the \$5,000 cap is reached, residents will be charged for bagged waste. Republic is preparing a marketing strategy to announce this benefit, possibly to include newspaper, radio and Internet announcements. Republic will work with the County on this strategy.
7. Section 10.2 Fee Adjustment: Starting July 1, 2021, and on the first of July of each year thereafter for the Term of the Agreement, the Tipping Fees specified in Section 8 of the Host Agreement will be adjusted to increase or decrease in accordance with the CPI as specified on Amended Schedule C of the Host Agreement. Note that the CPI adjustment is not based on the calendar year. Section 10.2 does not affect the County. It only impacts the amount that Republic charges for the Tipping Fees. The July 1 date tracks the language in Amended Schedule C.
8. Section 12.1 Term: The term of the agreement shall continue through July 1, 2032 or until such earlier time as the landfill is completely filled.

Ms. York said Republic representatives, Mr. Matt Einsmann and Mr. Wade Bailey were present in the audience. She asked the Board to adopt the Eighth Amendment to the Agreement for Continued Development, Use, and Operation of the Upper Piedmont Landfill

Chairman Jeffers stated he did not recall in any correspondence that the residential drop-off waste had to be bagged waste only. Ms. York stated agreement with Chairman Jeffers and offered that they push back on this adjustment in the Eighth Amendment. Ms. York read the language in the Fourth Amendment and it did not provide that the residential drop-off waste allowance be bagged waste only.

Ms. York told the Board they could either not adopt the Eighth Amendment before them or adopt with a provision that section amended to read as it did in the Fourth Amendment.

A **motion** was made by Chairman Jeffers and **carried 5-0** to approve the Eighth Amendment contingent that the language in Section 9.3 Residential Drop-Off Waste Allowance revert to read as it did in the Fourth Amendment.

SCHEDULE OF VALUES CALL FOR PUBLIC HEARING:

Tax Administrator, Russell Jones requested Board action to call for a public hearing for the 2021 Reappraisal and Schedule of Values. Mr. Jones said the earliest date to conduct the public hearing is at the Board's December 7, 2020 regular scheduled meeting. Mr. Jones said the Schedule of Values must statutorily be adopted by December 31, 2020.

A **motion** was made by Commissioner Puryear and **carried 5-0** to set the public hearing for December 7, 2020.

UPDATE ON FALLS WATERSHED REGULATIONS – DRAFT INTERIM ALTERNATIVE IMPLEMENTATION APPROACH:

Planning Director, Lori Oakley & Commissioner Clayton provided the group an update on the Falls Watershed regulations and introduced a draft Interim Alternative Implementation Approach (IAIA).

Ms. Oakley provided background noting that in the summer of 2012, Person County adopted the *Falls Watershed Stormwater Ordinance for New Development* in the southern portion of Person County in order to comply with state watershed regulations. The regulations require adherence to two stages of nutrient reductions – Stage 1 and Stage 2. Since 2018, the Upper Neuse River Basin Association (UNRBA) has been exploring an alternative option for achieving compliance with Stage I Existing Development nutrient load reductions required by the Falls rules for watershed requirements.

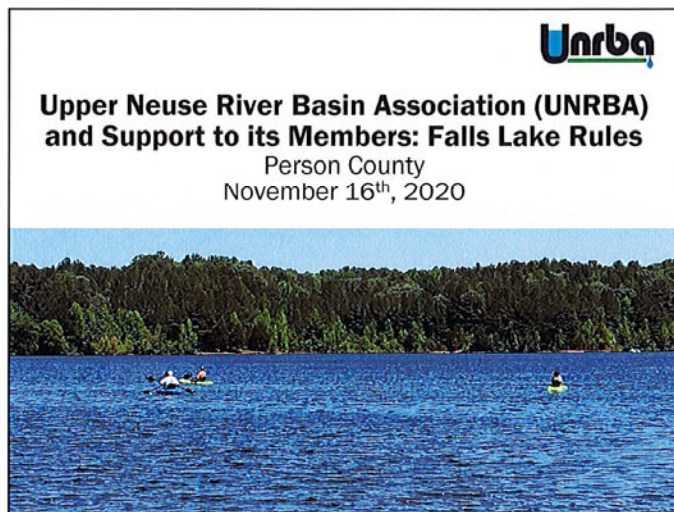
The IAIA is a voluntary program drafted by the UNRBA to provide greater flexibility in meeting reduction requirements which in turn reduces the cost share required by UNRBA members. The IAIA does not utilize the traditional individual nutrient load (pounds of nitrogen and phosphorus) reduction based tracking system, but rather proposes an investment based compliance system focused on the entire watershed as an avenue to meet the required standards. In other words, rather than counting pounds reduced in individual jurisdictions the IAIA counts dollars invested into the overall health of the watershed. These investments can be done individually or through partnerships with external jurisdictions. Staff has started to reach out to other local departments to determine if there are local programs that qualify for this program.

Ms. Oakley stated under the existing Stage 1 requirements, it is estimated that the county will be required to pay between \$3,800,00 to \$8,100,00. Under the IAIA, the estimated costs annually are \$114,000 for a 5-year period.

Ms. Oakley noted the UNRBA is requiring its members to vote on the IAIA at its' November 18, 2020 meeting and to indicate if they have local governing body support. The anticipated start date for qualifying projects or investments for the IAIA is July 1, 2021. The reason for securing intention for participation is to allow jurisdictions to effectively plan and budget for project/action investments during Fiscal Year 2021-2022.

Ms. Oakley shared the following presentation:

11/16/2020



History of the UNRBA

- Formed in 1996 to address water quality issues
- Engaged on the development of the Falls Lake Nutrient Management Rules
 - Two stages of nutrient reduction goals
 - Currently in Stage I
 - Allowed for adaptive management including re-examination of Stage II

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November 16, 2020

UNRBA—Focus Today—Main Objectives

- Develop and complete a science-based evaluation of Fall Lake
- Establish a foundation for better understanding of Falls Lake
- Provide a set of recommendations and actions for putting in place a more technologically reasonable, economically supportable, and balanced nutrient management strategy
- Provided support to the member governments in developing ways to implement Stage I Existing Development Rule

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Stage II Re-examination Components	Progress
Monitoring	All elements complete
Modeling	Underway
Stakeholder Involvement	Continuous effort
Re-examination	Starting soon

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November 16, 2020

Current Conditions of Falls Lake

- Provides safe drinking water to over 500,000 customers
- Supports aquatic life and recreational uses
 - Falls Lake provides swimming and boating opportunities
 - Supports large, regional fishing tournaments
- Provides flood protection and improved water quality to Neuse River

See [UNRBA 2019 Annual Monitoring Report](#) for more details

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Implementing Stage I Rules

- Mandatory participation
- Regulated sectors have made progress toward the implementation of Stage I Rules
 - New development rule is being implemented
 - Stage I reductions have been met for agriculture
 - Wastewater treatment plants have reduced loading to Falls Lake beyond Stage I requirements, resulting in [temporary credits](#) for nitrogen and phosphorus reduction.
- Stage I Existing Development Rules have several obstacles that have limited implementation related to required nitrogen and phosphorous reductions.
- Funding estimate for compliance with current Stage I rules is between approximately \$3,800,000 and \$8,100,000.

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Stage I Existing Development Interim Alternative Implementation Approach (IAIA)

- Developed by UNRBA as an [alternative to Stage I](#) Rules for Existing Development in March 2018
- Does not focus on counting pounds
- Focuses on investment and implementation of projects to [improve water quality](#)
- Provides more [flexibility](#) and [promotes cooperation](#) - expands eligible practices and actions, removes regulatory silos, and encourages joint ventures
- [Voluntary](#) program
- [Interim](#) until the Stage II re-examination is complete

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Core Principles to Develop Administrative Framework for the IAIA

- The IAIA is a group effort, but [compliance is assessed individually](#) for each jurisdiction
- Participation requires a [5-year minimum investment commitment](#) from each jurisdiction
- Commitments can either be [expended individually at the local level or as part of joint projects](#)
 - This provides an opportunity for cost-sharing with other IAIA jurisdictions.
- Individual jurisdictions decide how their funds are spent
- Jurisdictions may be more specific in their budgets or board directives about how funds are spent, and the IAIA Program Document is flexible
- Individuals [may drop out of the program at the end of a fiscal year](#)
 - Must notify other participants and DWR
 - Must prepare a local program to implement without lag, but will need to meet with previous funding estimates.

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IAIA Annual Funding Level

Member	Annual Minimum Funding Level*
Person County	\$114,394

Annual Funding Level Development

Developed using a \$100,000 annual funding level for Granville County and the current UNRBA fee structure calculation method (see below).



*Annual funding levels have not been approved yet.

Critical Steps and Schedule

- **September 9, 2020** information update to the EMC WQC
- **September 16, 2020** UNRBA Board authorizes development of formal agreements
- **Oct. – Nov. 2020** Local government members to brief their councils
- **November 18, 2020** UNRBA Board of Directors' vote to identify participation and pursue IAIA
- **November 18, 2020** DWR, UNRBA, NGO present Model Program and IAIA Program to EMC WQC
- **November 19, 2020** DWR provide information update to full EMC
- **January 14, 2021** DWR submits Model Program to full EMC for approval; 6-month clock starts for implementation
- **July 1, 2021 (potential start date)** Local governments begin Stage I Existing Development implementation under either the IAIA or a local program

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Ms. Oakley requested the Board to consider its intent to support or not support the County's participation in the IAIA program; she added the County could withdraw from the IAIA program at any time.

Commissioner Clayton stated if the County participated in the IAIA program, it would be much less costly than doing it alone. Commissioner Clayton opined the original model set out by the state was over regulated and the modifications made to the rules have made it better. He noted the UNRBA website was very informative and encouraged everyone to take a look at it.

Commissioner Puryear confirmed that the comparable costs were \$3M to \$8M to paying \$114,000 annually for the next five years. He told Commissioner Clayton he appreciated him going to the storm water meetings.

Ms. Oakley said Commissioner Clayton presently served on the UNRBA Board of Directors and she is his alternate. She said she looked forward to working with the elected official taking Commissioner Clayton's place.

A **motion** was made by Commissioner Clayton and **carried 5-0** for Person County to participate in the IAIA program starting in the new fiscal year.

APPOINTMENTS TO VOLUNTARY AGRICULTURAL DISTRICT BOARD & THE BOARD OF HEALTH:

Clerk to the Board, Brenda Reaves presented the following interested citizens' applications for appointment by the Board

- A) The Voluntary Agricultural District Board recommended the three-year reappointment of the following:
 - Coleman Whitfield as the Farm Bureau representative, and
 - Norman Boyette as the Grange representative
- B) An application of interest has been received for the Board of Health engineer representative vacant position from Mr. Mike Lagaly for a three-year term.

A **motion** was made by Commissioner Puryear and **carried 5-0** to reappoint Coleman Whitfield (Farm Bureau representative) and Norman Boyette (Grange representative) to the Voluntary Agricultural District Board for a three-year term and to appoint Mr. Mike Lagaly to the Board of Health as the engineer representative for a three-year term.

CHAIRMAN'S REPORT:

Chairman Jeffers had no report.

MANAGER'S REPORT:

County Manager, Heidi York had no report.

COMMISSIONER REPORT/COMMENTS:

There were no reports or comments from Vice Chairman Powell or Commissioners Clayton, Puryear and Sims.

ADJOURNMENT:

A **motion** was made by Vice Chairman Powell and **carried 5-0** to adjourn the meeting at 10:29am.

Brenda B. Reaves
Clerk to the Board

B. Ray Jeffers
Chairman

November 16, 2020