PERSON COUNTY BOARD OF COMMISSIONERS MEMBERS PRESENT

JANUARY 4, 2021 OTHERS PRESENT

Gordon Powell Heidi York, County Manager
Kyle W. Puryear Brenda B. Reaves, Clerk to the Board
C. Derrick Sims C. Ronald Aycock, County Attorney
Charlie Palmer
Patricia Gentry

The Board of Commissioners for the County of Person, North Carolina, met in regular session on Monday, January 4, 2021 at 7:00pm in the Person County Office Building Auditorium.

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

County Attorney, Ron Aycock participated in the meeting remotely. Vice Chairman Puryear attended the meeting via telephone conference call.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

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

PUBLIC HEARING:

PETITION TA-06-20 - A REQUEST BY JENNIFER JACK WITH FLEX DEPLOYS TO MODIFY THE REQUIRED MINIMUM WIDTH OF INGRESS AND EGRESS IN THE PERSON COUNTY PLANNING ORDINANCE ARTICLE VIII SECTION 81 TO ALLOW REDUCED WIDTH FOR ACCESS TO NON-RESIDENTIAL STRUCTURES WITHOUT PERMANENT ON-SITE EMPLOYEES:

A **motion** was made by Commissioner Sims and **carried 5-0** to open the duly advertised public hearing for Petition TA-06-20, a request by Jennifer Jack with Flex Deploys to modify the required minimum width of ingress and egress in the Person County Planning Ordinance Article VIII Section 81 to allow reduced width for access to non-residential structures without permanent on-site employees.

Planning Director, Lori Oakley told the group that all state statutes and planning ordinance requirements have been met for this public hearing. She also requested her Staff Report be entered into the record.

Text Amendment TA-06-20 Ingress and Egress Width

EXPLANATION OF REQUEST

Petition TA-06-20 is a request by Jennifer Jack with Flex Deploys to modify the required minimum width of ingress and egress in the Person County Planning Ordinance Article VIII Section 81 to allow reduced width for access to non-residential structures without permanent on-site employees.

REQUESTED ORDINANCE CHANGES (APPLICANT)

Applicant Text

Article VIII Section 81 Commercial and Industrial Site Plan Requirements

11. The location of all existing and proposed off-street parking and parking bays, loading spaces and walkways, indicating types of surfacing, size, angle of stalls, width of aisles, and a specific schedule showing the number of parking spaces. All parking and travel ways shall be paved. Vehicular travel lanes or driveways shall not be less that twenty feet in width for two-way traffic and ten feet for one-way traffic. Non-residential structures without permanent on-site employees may be permitted to have a twelve-foot-wide paved or gravel vehicular travel lane or driveway.

REQUESTED ORDINANCE CHANGES (STAFF ADDITIONS)

Applicant Text

Staff Text

Article VIII Section 81 Commercial and Industrial Site Plan Requirements

11. The location of all existing and proposed off-street parking and parking bays, loading spaces and walkways, indicating types of surfacing, size, angle of stalls, width of aisles, and a specific schedule showing the number of parking spaces. All parking and travel ways shall be paved. Vehicular travel lanes or driveways shall not be less that twenty feet in width for two-way traffic and ten twelve feet for one-way traffic. Non-residential structures without permanent on-site employees may be permitted to have a twelve-foot-wide paved or gravel vehicular travel lane or driveway.

PLANNING STAFF ANALYSIS

The applicant is proposing to reduce the minimum width requirement of two-way ingress and egress to a structure from 20 feet to 12 feet for non-residential structures without permanent on-site employees. The applicant states that in the case of wireless towers, the structures are sited on properties with gated access roads and see one vehicle per month once constructed. These sites are not habitable and have no permanent on-site employees. Reducing the required width for structures of this nature to 12 feet would significantly reduce construction costs and have a smaller impact on the underlying property. The applicant states that a 12-foot-wide travel way meets all requirements for emergency vehicle access and is current industry standard.

Staff spoke to a number of neighboring jurisdictions regarding the minimum width of ingress and egress to a site. The consensus was that the minimum width is that which accommodates emergency vehicle access. Staff confirmed that reducing the width to 12 feet is sufficient for emergency vehicle access in Person County. Therefore, staff proposes modifying the existing language in Section 81 for one-way traffic from 10 feet in width to 12 feet in width.

Examples of non-residential structures without permanent on-site employees include cell towers and solar energy systems.

PLANNING STAFF RECOMMENDATION

Planning staff recommends approval of TA-06-20 to include both the applicant's proposed changes and staff's proposed changes. The proposed text provides flexibility for non-residential structures without permanent on-site employees while ensuring that emergency vehicles can access the site sufficiently.

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.

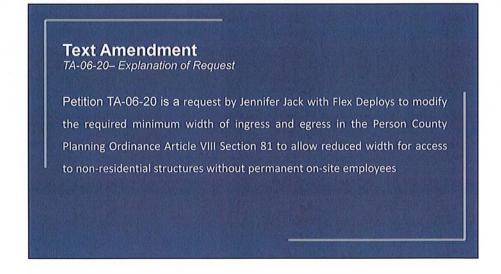
PLANNING BOARD RECOMMENDATION

At the December 10, 2020 Planning Board meeting, the Board voted unanimously (5-0) to recommend approval of TA-06-20 to include both the applicant's proposed changes and staff's proposed changes, and to also include the Statement of Reasonableness and Consistency.

Submitted by: Lori Oakley, Planning Director

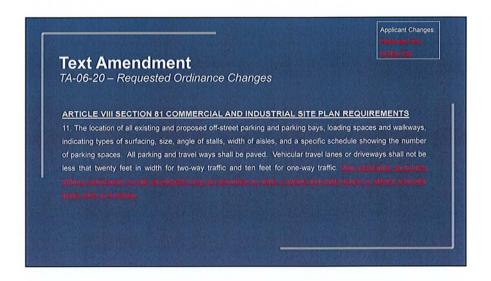
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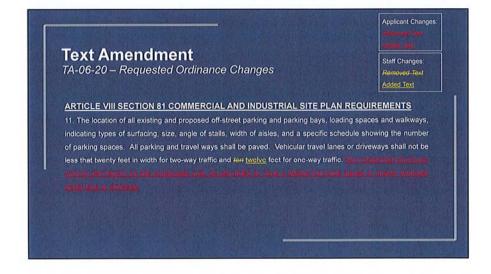




Ms. Oakley stated the applicant was proposing to add text allowing non-residential structures without permanent on-site employees to have a 12 foot wide paved or gravel vehicular travel lane or driveway instead of the required 20 feet width that is required now. This is the minimum width required to ensure emergency vehicles have access to the site.

1/4/2021





Ms. Oakley said staff proposed changing the requirement of one-way traffic to be a minimum of 12 feet since this is the minimum width requirement to ensure emergency vehicles have sufficient access to the site.

1/4/2021

Text Amendment

TA-06-20- Planning Staff Analysis

- The applicant is requesting the reduction in width be allowed for non-residential structures without
 permanent on-site employees to reduce construction costs and reduce the impact on the underlying
 property. The applicant proposes providing 12 feet in width to provide sufficient access to
 emergency vehicles.
- Staff spoke to neighboring jurisdictions and the consensus was that the minimum width is that which
 accommodates emergency vehicle access.
- · Staff confirmed that 12 feet is the minimum width to allow sufficient access to emergency vehicles.
- · Examples of uses of this nature include cell towers and solar energy systems.
- · Staff is proposing to amend the existing language for one-way traffic to also be 12 feet in width.

Text Amendment

TA-06-20- Planning Staff Recommendation

Planning staff recommends approval of TA-06-20 to include both the applicant's proposed changes and staff's proposed changes. The proposed text provides flexibility for non-residential structures without permanent on-site employees while ensuring that emergency vehicles can access the site sufficiently.

Text Amendment

TA-06-20 - Reasonableness and Consistency Statement

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

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.

Text Amendment

TA-06-20- Planning Board Recommendation from December 10th, 2020 Meeting

At the December 10, 2020 Planning Board meeting, the Board voted unanimously (5-0) to recommend approval of TA-06-20 to include both the applicant's proposed changes and staff's proposed changes, and to also include the Statement of Reasonableness and Consistency.

Speaking in favor of the Petition TA-06-20, a request by Jennifer Jack with Flex Deploys to modify the required minimum width of ingress and egress in the Person County Planning Ordinance Article VIII Section 81 to allow reduced width for access to non-residential structures without permanent on-site employees was the following:

Ms. Chris Phillips of 11124 Kingston Pike, Suite 119-234, Knoxville, Tennessee, addressed the Board via a Zoom virtual connection. Ms. Phillips was representing the applicant, Flex Deploys, and stated she was available for any questions. There were no questions from the Board.

There were no individuals appearing before the Board to speak in opposition to the Petition TA-06-20, a request by Jennifer Jack with Flex Deploys to modify the required minimum width of ingress and egress in the Person County Planning Ordinance Article VIII Section 81 to allow reduced width for access to non-residential structures without permanent on-site employees.

A motion was made by Commissioner Sims and carried 5-0 to close the public hearing for Petition TA-06-20, a request by Jennifer Jack with Flex Deploys to modify the required minimum width of ingress and egress in the Person County Planning Ordinance Article VIII Section 81 to allow reduced width for access to non-residential structures without permanent on-site employees.

CONSIDERATION TO GRANT OR DENY PETITION TA-06-20, A REQUEST BY JENNIFER JACK WITH FLEX DEPLOYS TO MODIFY THE REQUIRED MINIMUM WIDTH OF INGRESS AND EGRESS IN THE PERSON COUNTY PLANNING ORDINANCE ARTICLE VIII SECTION 81 TO ALLOW REDUCED WIDTH FOR ACCESS TO NON-RESIDENTIAL STRUCTURES WITHOUT PERMANENT ON-SITE EMPLOYEES:

A **motion** was made by Commissioner Gentry and **carried 5-0** to approve Petition TA-06-20, a request by Jennifer Jack with Flex Deploys to modify the required minimum width of ingress and egress in the Person County Planning Ordinance Article VIII Section 81 to allow reduced width for access to non-residential structures without permanent onsite employees, as presented with staff recommendations, noting the text amendment request was 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:

PETITION SUP-03-20 - A REQUEST BY JENNIFER JACK WITH FLEX DEPLOYS ON BEHALF OF JOEY AND CHRISTY WHITT TO CONSTRUCT A NEW 199' TALL SELF-SUPPORTING COMMUNICATIONS TOWER ON 21 ACRES LOCATED AT 1550 JULIAN OAKLEY ROAD (TAX MAP AND PARCEL A103-128) IN THE RC (RURAL CONSERVATION) ZONING DISTRICT:

A **motion** was made by Commissioner Sims and **carried 5-0** to open the duly advertised public hearing for Petition SUP-03-20, a request by Jennifer Jack with Flex Deploys on behalf of Joey and Christy Whitt to construct a new 199' tall self-supporting communications tower on 21 acres located at 1550 Julian Oakley Road (Tax Map and Parcel A103-128) in the RC (Rural Conservation) Zoning District.

The public hearing set to hear a Special Use Permit request by Jennifer Jack with Flex Deploys on behalf of Joey and Christy Whitt to construct a new 199' tall self-supporting communications tower on 21 acres located at 1550 Julian Oakley Road (Tax Map and Parcel A103-128) in the RC (Rural Conservation) Zoning District required a quasi-judicial zoning decision whereby witnesses are to be sworn in and subject to cross examination, no ex parte communication and requires findings of fact. Chairman Powell administered the Oath of Sworn Testimony to the following individuals who would offer testimony during the public hearing:

Ms. Lori Oakley and Ms. Chris Phillips

Planning Director, Lori Oakley stated all state statutes and planning ordinance requirements have been met for this public hearing. She requested her Staff Report be entered into record.

Special Use Permit SUP-03-20 Mt. Tirzah Communications Tower

EXPLANATION OF REQUEST

Petition SUP-03-20 is a request by Jennifer Jack with Flex Deploys on behalf of Joey and Christy Whitt to construct a new 199' tall self-supporting communications tower on 21 acres located at 1550 Julian Oakley Road (Tax Map and Parcel A103-128) in the RC (Rural Conservation) Zoning District.

LOCATION AND CURRENT LAND USE

Currently, the subject property is wooded and vacant. The property is zoned RC (Rural Conservation)

- > Condition and land use of the surrounding properties are:
 - To the North A single family dwelling and vacant wooded land zoned RC (Rural Conservation).
 - To the East Julian Oakley Road and several single family dwellings zoned RC (Rural Conservation).
 - To the South A single family dwelling zoned RC (Rural Conservation).
 - To the West Vacant wooded land under a conservation easement zoned RC (Rural Conservation).

LAND USE / SITE PLAN

- The subject property is zoned RC (Rural Conservation). The Table of Permitted Uses in Appendix C of the Planning Ordinance lists "Radio, Telephone, and TV Transmitting Tower" as a special use in this Zoning District.
- The applicant is requesting to construct an unmanned 199-foot self-supported communications tower and 12' wide gravel access road (pending approval of TA-06-20). The applicant included a fall zone letter sealed by an engineer.
- · The applicant will utilize the gravel turnaround area for two parking spaces.
- The leased area for the communication tower shall be surrounded by a six-foot (6') tall chain link fence with barbed

 wire.
- The property is located in the Tar-Pamlico watershed. The applicant is limited to 32,932 square feet of impervious surface on the subject property. The applicant is proposing to install an additional 8,806 square feet of impervious surface to the existing 12,875 square feet resulting in 21,681 square feet of impervious surface.
- Based on FEMA floodplain maps, this property contains floodplain in the northeastern corner. The applicant is not
 proposing to construct any structures in this area.

COMPREHENSIVE PLAN

The Person County Land Use Plan identifies the proposed site as Rural Residential/Agricultural (Poor Soils). Rural Residential/Agricultural (Poor Soils) is defined as:

Low-density residential (single site-built and manufactured homes); agriculture, forestry, churches; very limited commercial, office or public/institutional uses meeting locational criteria. Most of the land within protected water supply watersheds should be placed in this category. Locational criteria for non-residential sues within this land use category would include frontage and access to a major State highway or secondary road, proximity to similar uses and spatial separation from non-compatible uses such as existing residential development. Land uses within this category would be expected to develop without public sewer, i.e. with private septic tank systems.

SUP-03-20 Staff Analysis BOC Jan. 4, 2021

Appendix O of the Person County Land Use Plan lists goals and objectives for the County including the following relevant statements:

Goal 1.0 - Promote an orderly and efficient land use development pattern, which allows for a variety of land uses while being sensitive to environmental concerns.

Goal 2.0 - Provide a strong local planning environment that supports and enhances the economic growth potential of Person County.

PLANNING STAFF ANALYSIS

The property is zoned RC (Rural Conservation). The *Table of Permitted Uses* in Appendix C of the Planning Ordinance lists "Radio, Telephone, and TV Transmitting Tower" as a special use in this Zoning District. The applicant is requesting to construct a new 199-foot self-supported communications tower that will be utilized to provide wireless internet service.

The applicant has also submitted a text amendment application (TA-06-20) that is being reviewed concurrently with the special use permit application. If the text amendment application is approved the applicant will be able to install a 12' wide gravel access road. If the text amendment application is not approved, the access road will be required to be 20' wide.

PLANNING STAFF RECOMMENDATION

Planning staff recommends that if the Board approves the request, the following condition(s) be placed on the Special Use Permit:

- 1. Approval is contingent upon approval of TA-06-20.
- The applicant is to obtain all permits necessary from the Person County Departments of Environmental Health, Planning and Zoning, and Building Inspections, and any applicable state permits.

In approving an application for a Special Use Permit, the Board may attach fair and reasonable conditions to the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to a recommendation for approval or denial by the Planning Board.

PLANNING BOARD RECOMMENDATION

At the December 10, 2020 Planning Board meeting, the Board voted unanimously (5-0) to recommend approval of SUP-03-20 to include staff's recommended conditions.

The Board shall recommend approval of this Special Use Permit if it has evaluated an application and determined:

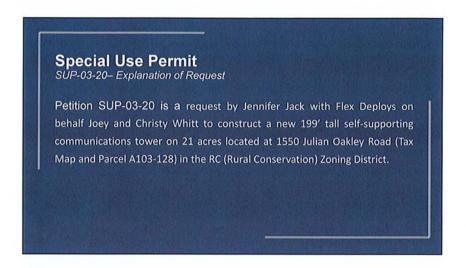
- That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted and approved;
- 2. That the use meets all of the required conditions and specifications;
- 3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity;
- 4. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Plan.

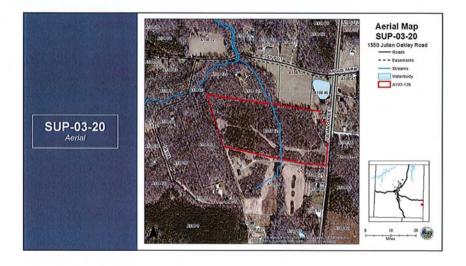
Please refer to the 4 Findings of Fact listed above when making a decision

Submitted by: Lori Oakley, Planning Director

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Ms. Oakley shared the following presentation for SUP-03-20:

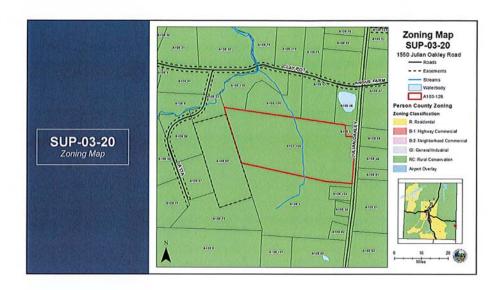


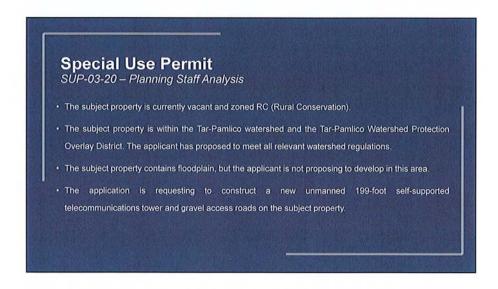


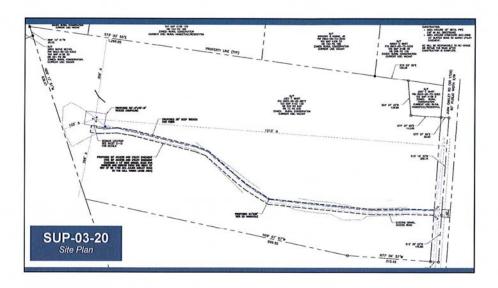
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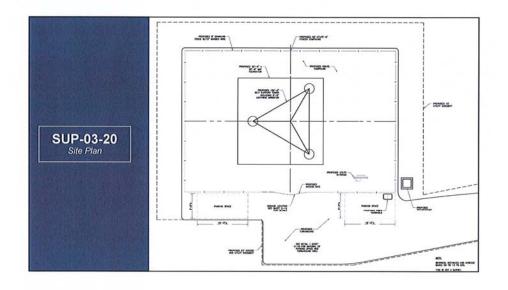
Ms. Oakley stated the subject property is currently wooded and vacant and zoned Rural Conservation (RC). Condition and land use of the surrounding properties are:

- ➤ To the North A single family dwelling and vacant wooded land zoned RC.
- ➤ To the East Julian Oakley Road and several single-family dwellings zoned RC.
- ➤ To the South A single-family dwelling zoned RC.
- ➤ To the West Vacant wooded land under a conservation easement zoned RC.









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Ms. Oakley pointed out on the site plan, the tower in the middle, with the access road and two parking spaces along with a turnaround area with barbed wire fence surrounding the site. A copy of the site plan was available to each commissioner.

Special Use Permit

SÜP-03-20 – Comprehensive Plan

The Person County Land use Plan identifies the proposed site as Rural Residential/Agricultural (Poor Soils). Rural Residential/Agricultural (Poor Soils) is defined as:

Low-density residential (single site-built and manufactured homes); egriculture, forestry, churches, very limited commercial, office, or public/institutional uses meeting locational criteria. Most of the land within protected water supply watersheds should be placed in this category. Locational criteria for non-residential uses within this land use category would include frontage and access to a major State highway or secondary road, proximity to similar uses and spatial separation from non-compatible uses such as existing residential development. Land uses within this category would be expected to develop without public sever, i.e., with private septic tank systems.



Ms. Oakley stated Appendix O of the Land Use Plan lists the goals and objectives for the County, two of which this project would meet. These are 1) promoting an orderly and efficient land use development pattern, which allows for a variety of land uses and 2) provide for a strong local planning environment that enhance the economic growth potential of Person County.

Ms. Oakley stated that Planning staff recommended that if the Board approves the request, the following conditions be placed on the Special Use Permit:

- 1. Approval is contingent upon approval of TA-06-20 (Ms. Oakley noted this approval was completed on the previous agenda item), and
- 2. The applicant is to obtain all permits necessary from the Person County Departments of Environmental Health, Planning and Zoning, and Building Inspections, and any applicable state permits.

Ms. Oakley said at the December 10, 2020 Planning Board meeting, the Planning Board voted unanimously (5-0) to recommend approval of SUP-03-20 with staff's recommended conditions.

Ms. Oakley noted the Board of Commissioners would need to address the Findings of Fact in Section 74-3 of the Person County Planning Ordinance and whether this proposal is in keeping with the Person County Land Use Plan. The Findings of Fact in Section 74-3 are as follows:

- 1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.
- 2. That the use meets all required conditions and specifications.
- 3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity, and
- 4. That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the comprehensive plan.

Speaking in favor of the Petition SUP-03-20, a request by Jennifer Jack with Flex Deploys on behalf of Joey and Christy Whitt to construct a new 199' tall self-supporting communications tower on 21 acres located at 1550 Julian Oakley Road (Tax Map and Parcel A103-128) in the RC (Rural Conservation) Zoning District was the following:

Ms. Chris Phillips of 11124 Kingston Pike, Suite 119-234, Knoxville, Tennessee, addressed the Board via a Zoom virtual connection. Ms. Phillips was representing the applicant, Flex Deploys, and stated she was available for any questions.

Commissioner Gentry asked what was the timeline to complete the project. Ms. Phillips stated once they receive zoning approval, they would pursue the application for the building permit with construction to begin as soon as possible. Ms. Phillips said construction generally takes a month or maybe a little longer with the significant access road.

Commissioner Gentry asked how much would be on the towers, as far as communications to which Ms. Phillips said this tower is planned for rural broadband deployment utilized for high-speed wireless internet access. Ms. Phillips said it would be made available to other carriers that would need to utilize the structure but this point, it is only being utilized by RiverStreet Networks for their broadband deployment.

Commissioner Gentry asked Ms. Phillips about the range to which she said it would be up to two miles. Commissioner Gentry asked if the range could be improved down the road to which Ms. Phillips said that would depend on how many subscribers they have and the demand on the network.

Commissioner Gentry asked if there were federal or state regulations prohibiting the range to reach to which Ms. Phillips stated no, that they operate on frequency, which is regulated by the Federal government.

Chairman Powell asked if this tied in with the County's current broadband efforts to which County Manager, Heidi York said yes noting this is an area that strongly underserved and needed an additional tower in order serve them. She added there has been many complaints from residents in this area. Ms. York stated hope that RiverStreet now has a solution to provide access to those residents.

Commissioner Gentry said the frequency is regulated by the FCC and questioned how to improve the range from two miles to more like four or five miles. She noted this may not be answered today but she would want to know in the future as it is really important to this county especially in terms of growth and staying plugged in (got to have broadband access). Ms. Phillips said it was difficult to service a large area with just one site as the frequency signal diminishes beyond two miles.

Commissioner Gentry asked if technology on the horizon was going to get any better where this improves to which Ms. Phillips said she did not know, as she was not radio frequency engineer. Ms. Phillips stated right now this is what we have noting that technology is always improving and innovating.

Commissioner Gentry asked if it would be operational in the next four to six months to which Ms. Phillips replied affirmatively as they want to have it online this year by the fall of 2021.

There was no individuals appearing before the Board to speak in opposition to Petition SUP-03-20, a request by Jennifer Jack with Flex Deploys on behalf of Joey and Christy Whitt to construct a new 199' tall self-supporting communications tower on 21 acres located at 1550 Julian Oakley Road (Tax Map and Parcel A103-128) in the RC (Rural Conservation) Zoning District.

A **motion** was made by Commissioner Sims and **carried 5-0** to close the public hearing for Petition SUP-03-20, a request by Jennifer Jack with Flex Deploys on behalf of Joey and Christy Whitt to construct a new 199' tall self-supporting communications tower on 21 acres located at 1550 Julian Oakley Road (Tax Map and Parcel A103-128) in the RC (Rural Conservation) Zoning District.

CONSIDERATION TO GRANT OR DENY PETITION SUP-03-20, A REQUEST BY JENNIFER JACK WITH FLEX DEPLOYS ON BEHALF OF JOEY AND CHRISTY WHITT TO CONSTRUCT A NEW 199' TALL SELF-SUPPORTING COMMUNICATIONS TOWER ON 21 ACRES LOCATED AT 1550 JULIAN OAKLEY ROAD (TAX MAP AND PARCEL A103-128) IN THE RC (RURAL CONSERVATION) ZONING DISTRICT:

A motion was made by Commissioner Sims and carried 5-0 to approve Petition SUP-03-20, a request by Jennifer Jack with Flex Deploys on behalf of Joey and Christy Whitt to construct a new 199' tall self-supporting communications tower on 21 acres located at 1550 Julian Oakley Road (Tax Map and Parcel A103-128) in the RC (Rural Conservation) Zoning District as presented with staff recommendations and noting the request met the followings Findings of Fact:

- 1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;
- 2. That the use meets all of the required conditions and specifications;
- 3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity;
- 4. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Plan.

INFORMAL COMMENTS:

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

Mr. John Seepe of 277 Barefoot Landing Ln, Semora stated the Board appoints qualified citizens to its boards and committees and asked if each of the Board's 38 boards and committees have mission statements and goals as well as short-term goals for its long-term plans. He asked if staff were satisfied with the accomplishments of the boards and committees.

DISCUSSION/ADJUSTMENT/APPROVAL OF CONSENT AGENDA:

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

- A. Approval of Minutes of December 7, 2020,
- B. Approval of Minutes of December 15, 2020, and
- C. Budget Amendment #8

NEW BUSINESS:

PERSON COUNTY SCHOOLS LONG RANGE PLAN 2020-21 DPI FACILITY NEEDS SURVEY:

Dr. Rodney Peterson presented the Person County Schools Long Range Plan for the 2020-21 DPI Facility Needs Survey to be submitted to the state. Dr. Peterson noted the Capacity Summary and Plan were separated into a) 0 to 5 years, and b) 6 to 10 years. He noted the Board of Education signed off of the plan at its December 2020 meeting.

County Manager, Heidi York stated the plan was submitted to the Board of Commissioners to review prior to the submission to the State Board of Education. Ms. York said by certifying receipt of the Facility Needs Survey and signature, it did not constitute endorsement of or committed funding of the Facility Needs Survey. Ms. York stated she would be meeting with Dr. Peterson in the near future to further discuss critical facility needs for the upcoming budget.

A **motion** was made by Commissioner Sims and **carried 5-0** to certify receipt of the Facility Needs Survey for signature by the Board Chairman and the County Manager.

The 2021-21 DPI Facility Needs Survey as presented by Dr. Peterson follows:

Person County Schools Long Range Plan

Administrative Unit: Person County Schools (Unit 730)

I. Certification of Board of Education

The Person County Schools Board of Education hereby submits its Facility Needs Survey dated 12/10/2020 listing all improvements and additional facilities needed to accommodate projected enrollments through the 2020-21 school year and improvements to existing facilities to provide safe, comfortable environments that support the educational programs.

We do hereby certify that the needs identified herein are a true representation of our situation. Alternatives were considered and this plan provides the best balance between cost and benefit to our students. We understand that costs have been standardized to statewide averages to provide uniform comparisons.

Signed:

Freda S. Julma, Chairman	12/10/2020 Date
, Secretary, Ex-officio	12/(0/2020 Date

2. Certification of Board of County Commissioners

The Person County Board of Commissioners has received and reviewed a copy of this survey prior to submission to the State Board of Education. This does not necessarily constitute endorsement of or commitment to fund the Facility Needs Survey.

Sorbon Daniell, Chairman 1/4/2020 Date

Spirit Jan County Manager or Clerk 1/4/20 Date

Person County Schools Facility Needs

printed: 12/8/2020

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Person
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Summary
Plan
Capacity

2020-21 DPI Facility Needs Survey	Facili	ity N	eeds	Surve						Ca	Capacity Summary 0 to 5 Years	oacity Summ O to 5 Years	nary		
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LINIT: 730	ADM		Curr	Current Capacity	city		Mobile	Teach	_		Plannec	Capaci	Planned Capacity (future)		3
	2019-20 Pre-K	Pre-K	Х -5	K-5 Middle High	High	K-12		Station	Needs	Pre-K	K-5	Middle	High	K-12	
730 100 New Elementary # 1		0	0	0	0	0	0	0	New School	0	800	0	0	800	
730 102 New High School		0	0	0	0	0	0	0		0	0	0	0	} 0	
730 113 Earl Bardsher		216	0	0	0	0	0	0	Renovations	216	0	0	0	0	
730 155 Elementary at old NMS		0	0	0	0	0	0	0		0	0	0	0	0	
730 156 Person Middle at old PH	_	0	0	0	0	0	0	0		0	0	0	0	0	
730 332 Helena Elementary	534	0	583	0	0	583	0	0	Renovations	0	583	0	0	583	
730 334 North Elementary	205	0	428	0	0	428	0	0	Renovations	0	428	0	0	428	
730 340 North End Elementary	198	0	291	0	0	291	0	0	Renovations	0	0	0	0	0	
730 344 Northern Middle	453	0	0	618	0	618	-	0	Renovations	0	0	618	0	618	
730 348 Oak Lane Elementary		0	291	0	0	291	0	0	Addition/Renovation	0	358	0	0	358	
730 350 Person Early College In	_	0	0	0	250	250	۲-	0	None Needed	0	0	0	250	250	
730 352 Person High	<u>-</u>	0	0	0	1,493	1,493	0		Renovations	0	0	0	1,493	1,493	
730 354 Stories Creek Elementa		0	458	0	0	458	0	0	Addition/Renovation	0	603	0	0	. 603	
730 356 South Elementary	326	0	479	0	0	479	0	0	Renovations	0	479	0	0	479	
730 360 Southern Middle	450	0	0	726	0	726	0	0	Renovations	0	0	726	0	726	
730 368 Woodland Elementary	199	0	291	0	0	291	0	0	Addition/Renovation	0	0	0	0	0	
Totals:	4,271	216	2,821	1,344	1,743	5,908	· ~	Ū	3,251	1,344	1,743	6,338	-1		
			K-5	Middle	High	K-12	•			-		-	:	:	
Curre	Current Capacity:		2,821	1,344	1,743	5,908			Total Capacity:	3,251	OI.	1.344 1	743	6.338	
¥	ADM 2019-20:	50:	2,138	903	1,230	4,271		Ÿ.	Proj Enrollment 2024-25:	2,081		849	1.177	4.107	
	Difference:	:e:	683	44	513	1,637			Difference:	1,170	•	495	566	2,231	



2020-21 DPI Facility Needs Survey

Cost Summary 0 to 5 Years

Person County Schools

Cost Summary (0 to 5 years)

	Unit: 730	Priority	New School	Additions	Renovations	Furn/Eqpt	Land	Total
100	New Elementary # 1	1 1	31,806,675	0	0	2,591,640	320,000	\$34,718,315
113	Earl Bardsher	1	0	0	454,899	0	0	\$454,899
332	Helena Elementary	1	0	0	1,139,997	0	0	\$1,139,997
334	North Elementary	1	0	0	364,504	0	0	\$364,504
340	North End Elementary	2	0	0	128,020	0	0	\$128,020
344	Northern Middle	1	0	0	333,477	0	0	\$333,477
348	Oak Lane Elementary	1	0	2,388,094	1,325,161	199,538	0	\$3,912,793
352	Person High	1	0	0	7,057,554	0	0	\$7,057,554
354	Stories Creek Elementary	1	0	2,934,281	703,545	245,176	0	\$3,883,002
356	South Elementary	1	0	0	1,956,507	0,	0	\$1,956,507
360	Southern Middle	1	0	0	1,346,373	0	0	\$1,346,373
368	Woodland Elementary	2	0	0	70,074	0	0	\$70,074
		Totals:	31,806,675	5,322,375	14,880,111	3,036,354	320,000	\$55,365,515

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2020-21 DPI Facility Needs Survey	163
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(A)	Person County Schools	опп	y Set	Sioo		ල මෙන	S VOIS		Capacity Summary & Plan (6 to 10 years)	0.0	year)		
!	ADM		Cur	Current Capacity	icity			Teach			Planne	Planned Capacity (future)	v (future	
ONIT: 730	2019-20	Pre-K	K-5	Middle	High	K-12	Mobile	Station	Needs	Pre-K	Ж.5	Middle	High	K-12
730 100 New Elementary # 1		0	0	0	0	0	0	0	Renovations	0	8			800
730 102 New High School		0	0	0	0	0	0		New School	0	0		1,400	1 400
730 113 Earl Bardsher	_	216	0	0	0	0	0	0	Renovations	216	. '0	,	0	2
30 155 Elementary at old NMS		0	0	0	0	0	0	0	Renovations	0	555		0	555
30 156 Person Middle at old PH	I	0	0	0	0	0	0	0	Renovations	0	0	1,400	0	1.400
730 332 Helena Elementary	534	0	583	0	0	583	0	0	Renovations	0	583	<u></u>	0	583
30 334 North Elementary	205	0	428	0	0	428	0	0	Close Facility	0		.,	-0	0
730 340 North End Elementary	198	0	291	0	0	291	0	0	Close Facility	0	0	0	0	0
30 344 Northern Middle	453	0	0	618	0	618	0		Renovations		0	0	0	0
30 348 Oak Lane Elementary	235	0	291	0	0	291	0	0	Renovations	0	358	0	0	358
30 350 Person Early College In	165	0	0	0	250	250	0	-			0	0	250	250
730 352 Person High	1,065	0	0	0	1,493	1,493	0	0	Renovations	0	0	0	0	9
30 354 Stories Creek Elementa	a 441	0	458	0	0	458	0	0	Renovations		603		0	603
730 356 South Elementary	326	0	479	0	0	479	0	0	Renovations	0	479	0	0	479
30 360 Southern Middle	450	0	0	726	0	726	0	0	Close Facility	0	0		0	2
730 368 Woodland Elementary	199	0	291	0	0	291	0	0	Close Facility	0	0	0	0) 0
Totals:	4,271	216	2,821	1,344	1,743	2,908	7	0		216	3,378	1,400	1,650	6,428
	1		K-5	Middle	High 139	K-12			:		101	Middle	High	K-12
AL AL	ADM 2019-20:		2,138	508	1230	3,906		å	Total Capacity:		3,378	1,400	1,650	6,428
				3					oj Elli Ollinerit 2023-30		470'	\$	201,1	4,268
	Difference:		683	441	513	1,637			Difference:		1,054	226	550	2,160



2020-21 DPI Facility Needs Survey

Cost Summary 6 to 10 Years

Person County Schools

Cost Summary (6 - 10 years)

	Unit: 730	Priority	New School	Additions	Renovations	Furn/Eqpt	Land	Total
100	New Elementary # 1	4	0	0	23,700	0	- 0	\$23,700
102	New High School	3	72,153,826	0	0	5,479,123	1,400,000	\$79,032,949
113	Earl Bardsher	3	0	0	3,349,535	33,000	0	\$3,382,535
155	Elementary at old NMS	4	0	0	3,905,665	0	0	\$3,905,665
156	Person Middle at old PHS	4	0	0	592,500	0	0	\$592,500
332	Helena Elementary	3	0	0	4,566,181	46,200	0	\$4,612,381
344	Northern Middle	3	0	0	6,413,525	59,048	0	\$6,472,573
348	Oak Lane Elementary	3	0	0	3,724,883	0	0	\$3,724,883
352	Person High	3	0	0	20,904,471	892,430	0	\$21,796,901
354	Stories Creek Elementary	3	0	0	4,553,704	56,364	0	\$4,610,068
356	South Elementary	3	0	0	10,274,271	40,260	0	\$10,314,531
	Т	otals:	72,153,826	0	58,308,435	6,606,425	1,400,000	\$138,468,686

RESOLUTION AUTHORIZING THE RELOCATION OF GRAVES:

County Attorney, Ron Aycock stated the Board of Commissioners, per state law, can authorize the removal and relocation of graves. State law in NC General Statute 65-106 sets out the requirements for such relocation.

Mr. Aycock said that Carolina Sunrock has found an abandoned cemetery on land it leases from Halls Agri-Business for its Quarry. Mr. Aycock stated Carolina Sunrock has petitioned the County for permission to remove and relocate the graves onto land it owns nearby.

Mr. Aycock noted that Carolina Sunrock authorized a study by an archeological firm and that study indicated that it may be a cemetery that dates back to the early 1800's with evidence of both African American and European descendants buried in the cemetery. Mr. Aycock said the study was required by state law for a field evaluation and background research of the abandoned cemetery. State law requires the removing party to bear to all expenses of the removal; those expenses include a publication in the newspaper of the intent to remove.

Mr. Aycock said Carolina Sunrock has complied with state law and has prepared all the necessary documents and was prepared to publish the required notice.

Mr. Aycock further noted state law requires the County Health Department to generally supervise the relocation. Health Director, Janet Clayton has designated the Environmental Health Director, Harold Kelly as the responsible health official for such duty.

Mr. Aycock presented to the Board a Resolution Authorizing the Relocation of Graves for consideration.

Carolina Sunrock representative, Ronnie Goswick attended the meeting remotely and told the Board that Carolina Sunrock has identified a site close to Woodsdale Road that would be easily accessible. Mr. Goswick said the identified site for the graves to be relocated was owned by Carolina Sunrock and would be dedicated for a cemetery. Mr. Aycock said Carolina Sunrock was complying with state statutes in that there are laws regulating donated land; in this case, land donated and dedicated for the purpose of the use of a cemetery and that would not change unless it procedurally came before the Board of Commissioners. Mr. Aycock confirmed the land would remain under Carolina Sunrock's ownership with restrictions for this use.

Commissioner Sims asked if there was any chance of any living relatives that would take issue with the relocation of graves to which Mr. Aycock stated that was the reason for the public notice for any persons that are relatives or interested persons in the cemetery graves. Mr. Aycock noted that Carolina Sunrock had tried, although unsuccessfully to find any living relatives.

Commissioner Palmer asked if the cemetery was family named and how many graves were involved. Mr. Aycock responded that the archaeologist study noted that the names were not listed; most markers were fieldstone. The cemetery, although not definitively verified, did not appear to be a single-family cemetery. Mr. Goswick stated there were 13 graves suspected at this time. Careful examination would be taken when the top soil was removed in the case more graves are discovered. Mr. Goswick added they were also working with Brooks & White Funeral Home who would be assisting in the removal and relocation process.

Commissioner Gentry asked if there was a clear chain of property to which Mr. Goswick stated the property came from the Woods family noting the name of Woodsdale Road. He added the property then went to the current property owners, the Berryhills, through their mother's father. Mr. Aycock said the property has been in the Berryhill family for a couple of generations. Commissioner Gentry confirmed with Mr. Aycock that there was no chance of anyone coming forward to lay claim on the property.

A **motion** was made by Commissioner Gentry and **carried 5-0** to adopt a Resolution Authorizing the Relocation of Graves.

RESOLUTION AUTHORIZING THE RELOCATION OF GRAVES

Whereas, Carolina Sunrock, LLC, hereinafter referred to as "Sunrock", has discovered an abandoned grave site on lands it leases from Hall's Agri-Business, LLC; and

Whereas, Sunrock has requested that it be permitted to remove and relocate such graves; and

Whereas, North Carolina law contained in NC General Statutes 65-106 establishes procedures and requirements for the removal and re-interment of such graves; and

Whereas, that state law requires the Person County Board of County Commissioners to grant permission to a private entity to remove and relocate such graves; and

Whereas, that state law requires the requesting party to bear all the expenses of such removal and relocation, including the cost of publishing a notice of such proposed action; and

Whereas, Sunrock has engaged an archeological consulting firm to research such graves and develop a detailed analysis of the location and circumstances of such grave site; a copy of which is appended to this resolution; and

Whereas, the Board of Commissioners is authorized to designate the County Health Director or designee to supervise the removal and relocation of graves.

Now, Therefore Be it Resolved by the Person County Board of Commissioners, pursuant to NC General Statues 65-106 that:

- Sunrock is hereby authorized to proceed with all efforts to remove and relocate the indicated graves pursuant to state law.
- The Person County Health Director is hereby authorized to supervise such efforts by Sunrock pursuant to state Law.
- 3. This resolution shall be effective upon its adoption.

Adopted, this the 4th day of January 2021.

The Person County Board of Commissioners

Gordon Powell, Chairman

Brenda B. Reaves, Clerk to the Board

SUBMISSION OF FISCAL YEAR 2020/2021 COMMUNITY SERVICES BLOCK GRANT APPLICATION:

Shatarra Williams, Program Coordinator with the Community Services Block Grant (CSBG) / Project IMPACT of Telamon Corporation requested Board approval to submit Fiscal Year 2020/2021 CSBG application. Telamon Corporation is a designation Community Action Agency for Caswell, Person and Rockingham counties. Ms. Williams announced Telamon's intent to apply noting the CSBG funding serves low-income community members in Caswell, Person and Rockingham counties.

The funding allocation is projected to be similar to last year's allocation as follows:

Caswell County - \$45,889 Person County - \$72,740 Rockingham County - \$201,638 The three-county service area total is \$320,267

State of North Carolina Administrative code requires that the CSBG application be presented for review and comment to each county Board of Commissioners within 30 days of submission. The Clerk to the Board distributed the grant application to the Board of Commissioners via email on December 14, 2020, with a revised copy emailed on December 15, 2020. The grant application is due to the Office of Economic Opportunity by January 15, 2021.

The commissioners' packet included proposed outcomes for service area counties. Local funding will not be required to match the grant dollars allocated to these counties. Ms. Williams stated the grant application is in the review process noting each county's Board of Commissioners completed submission documentation will be added to the final proposal.

Ms. Williams further noted Fiscal Year 2020-2021 will be the fifth full year of operation and she thanked the Board for its continued support. She requested the Board to vote to approve submission of Fiscal Year 2020/2021 Community Services Block Grant Application, as presented.

A **motion** was made by Commissioner Gentry and **carried 5-0** to approve submission of Fiscal Year 2020/2021 Community Services Block Grant Application, as presented.

CONTRACT AWARD FOR THE HANGAR CONSTRUCTION AT THE RALEIGH REGIONAL AIRPORT AT PERSON COUNTY:

County Manager, Heidi York told the group that after a competitive Request for Proposals process was undertaken for the construction of a new corporate hangar, site work, and utility improvements, Southeastern Properties and Development Company was selected for award of this contract. This company received the unanimous recommendation of the Airport Commission Board (Henry Newell, Airport Commission Chairman, present in the audience), the Airport Manager (Bill Tougas, present in the audience), and is supported by Talbert & Bright (Stephen Bright and Steve Bright, both present remotely via Zoom), the County's Airport Consultants as the lowest responsible bidder in the amount of \$4,083,051 for the airport hangar construction project.

Ms. York stated with the scope of the project totaling over \$4M, she wanted to identify the funding sources for the project. She noted the County budgeted \$3.6 million in Capital Project funds. The County also has approximately \$500,000 of federal Non-Primary Entitlement (NPE) funds from the FAA, reserved for this project. In addition, the County is projected to receive another \$150,000 of NPE funds in September 2021. The project will also require the commitment of future NPE funds (2022 and 2023) to secure another \$300,000 towards this project, for a total of \$950,000 in federal NPE funding combined with the \$3.6 million in County Capital Project funds. Ms. York further noted the project encountered a required sewer line upgrade resulting in additional expenses of approximately \$400,000 that were not budgeted. After some reductions in project scope, there remains a deficit of \$193,179. In order to execute the construction contract with Southeastern Properties and Development Company and move the project forward, the Board would need to appropriate \$681,816 from the General Fund, Fund Balance because the future NPE funds have not yet been obtained.

Ms. York confirmed for Commissioner Palmer this project included the airport hangar including office space but was not the runway extension project.

Commissioner Sims asked Ms. York to confirm the request of appropriating \$681,816 from the County's General Fund, Fund Balance in order to award and execute the contract with Southeastern Properties and Development Company. Chairman Powell added during the process, there was \$400,000 of mandated sewer work that was not budgeted. Ms. York said the NPE required a match and the requested funding would cover the required match.

Chairman Powell stated from an economic impact perspective, this project could provide tax revenues if a corporate jet were permanently housed in this hangar. For example, a \$50M jet would generate \$360,000 in county property tax and \$13,750 in fire tax annually. A \$40M jet would generate \$288,000 in county property tax and \$11,000 in fire tax annually.

A **motion** was made by Commissioner Palmer and **carried 5-0** to appropriate \$681,816 from the County's General Fund, Fund Balance and to award the contract by authorizing the County Manager to execute a contract with Southeastern Properties and Development Company for the Airport Hangar construction project.

BOARD OF COMMISSIONERS 2021 COMMITTEE ASSIGNMENTS:

Chairman Powell announced the 2021 Committee Assignments as follows:

Chairman Gordon Powell

Airport Commission
Board of Health
Cardinal Innovations Board of Directors
City/County Comprehensive Land Use Plan Steering Committee
Economic Development Commission
Research Triangle Regional Partnership

Vice Chairman Kyle Puryear

Board of Equalization and Review
Home & Community Care Block Grant Adv. Committee
Library Board
Local Emergency Planning Committee

Commissioner Derrick Sims

Animal Control Advisory Committee
COG Board
Fire Chief's Association
Person Area Transportation System Board
Person County Partnership for Children
Person County Senior Center Advisory Council
Region K Workforce Development Board

Commissioner Charlie Palmer

Community Services Block Grant Advisory Council

Extension Advisory Committee

Juvenile Crime Prevention Council

Recreation Advisory Board

Commissioner PJ Gentry

Environmental Issues Advisory Committee Kerr Tar RPO – TAC Social Services Board Upper Neuse River Basin Association

APPOINTMENTS TO BOARDS AND COMMITTEES:

Clerk to the Board, Brenda Reaves presented interested citizen applications for current vacancies received in response to an ad published in the local newspaper with a deadline to submit by December 1st. She said there were no contested positions. Ms. Reaves outlined the following:

Adult Care Home Community Advisory Committee

1-Year Initial Term; 3-Year Reappointment: 3 positions available

1) Charlene Wilkins requested reappointment

Airport Commission

3-Year Term: 1 citizen at-large position available

1) Dr. Anderson White requested reappointment

Animal Services Advisory Committee

Unspecified Term: 1 position for a veterinarian and 1 position for a citizen

1) Cathy Williams requested appointment as a citizen representative

Board of Adjustment

1 position to fill an unexpired term to 12/31/22

1) Cynthia Lynch is the current alternate on the Board of Adjustment (BOA); Ms. Lynch requested to be moved from the alternate to fulfill the unexpired term of PJ Gentry who resigned when she became an elected official. The alternate seat will be advertised should be Board appoint Ms. Lynch as a voting member of BOA.

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,

1 position available for a substance abuse professional, and

1 position available for a Juvenile Defense Attorney

- 1) Martha Pickett requested reappointment as the substance abuse professional;
- 2) Katherine Cathey requested appointment to fulfill the unexpired term to 12/31/22 of Laura Jensen, who is no longer with Person County, as the county manager's designee.

Planning Board

- 3-Year Term: 2 positions available
 - 1) Tabitha George requested reappointment
 - 2) Zakiya James requested appointment

Region K Aging Advisory Council

3-Year Term: 6 positions available

1) Robert Allen requested reappointment

A motion was made by Commissioner Sims and carried 5-0 to reappoint Charlene Wilkins to the Adult Care Home Community Advisory Committee for a 3-year term, to reappoint Dr. Anderson White to the Airport Commission for a 3-year term, to appoint Cathy Williams to the Animal Services Advisory Committee as a citizen representative for an unspecified term, to move Cynthia Lynch from the alternate on the Board of Adjustment to fulfill an unexpired term to 12/31/22 in a voting capacity, to reappoint Martha Pickett as the substance abuse professional on the Juvenile Crime Prevention Council for a 2-year term and to appoint Katherine Cathey as the County Manager's designee fulfilling an unexpired term to 12/31/22, to reappoint Tabitha George on the Planning Board for a 3-year term, and to reappoint Robert Allen to the Region K Aging Advisory Council for a 3-year term.

CHAIRMAN'S REPORT:

Chairman Powell reported the Cardinal Innovations staff would be filled soon and would be housed at the Department of Social Services.

Chairman Powell asked the Board for input on the next steps to filling the County Attorney position. County Manager, Heidi York stated the Board could advertise, if desired or could interview selected individuals in Closed Session. Commissioner Gentry stated she knew of a former elected official with municipal experience from Oxford that may be interested. Commissioner Sims advocated to have local attorneys to have an opportunity. Ms. York offered to craft a job description/qualifications to advertise locally as well as on other postings.

MANAGER'S REPORT:

County Manager, Heidi York reported updates related to the COVID-19 vaccine clinics noting the Health Department clinic scheduled for this week was already full and another vaccine drive-thru clinic is scheduled for January 13-14, 2021 in the Palace Pointe parking lot starting at 10am on a first come first serve basis. Ms. York asked the Health Director to provide an update as well. Health Director, Janet Clayton noted the clinics Ms. York spoke of were targeting individuals 75 years old and older as they are still in Phase I. She said approximately 190 vaccine immunizations had been administered to health professionals by the Health Department. Ms. Clayton further noted she expected a spike of positive cases following the holidays as she reported 1,753 positive cases in Person County with 21 deaths as of earlier this date. The next group to be vaccinated include police, fire and teachers.

COMMISSIONER REPORT/COMMENTS:

Vice Chairman Puryear thanked the Board for accommodating him to attend the meeting via telephone conference call and apologized for not being at the meeting inperson.

Commissioner Palmer had no report.

Commissioner Sims commented that each commissioner could provide board and committee reports going forward to provide more transparency.

Commissioner Gentry asked to have an item on the next Board's agenda to discuss restructuring the function of the Economic Development by establishing a Taskforce to review options of other counties for a better, more stable structure for quicker and faster results. Commissioner Gentry noted the shell building was a good start and the County has invested too much money in the Mega Site to walk away.

ADJOURNMENT:

A **motion** was made by Commissioner Sims and **carried 5-0** to adjourn the meeting at 8:36pm.

Brenda B. Reaves	Gordon Powell
Clerk to the Board	Chairman