

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

FEBRUARY 1, 2021
OTHERS PRESENT

Gordon Powell
Kyle W. Puryear
C. Derrick Sims
Charlie Palmer
Patricia Gentry

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, February 1, 2021 at 7:00pm in the Person County Office Building Auditorium.

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

Vice Chairman Puryear and County Attorney, Ron Aycock attended the meeting remotely.

Chairman Powell recognized the month of February as Black History Month and urged citizens to participate in activities offered throughout the month.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

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

INFORMAL COMMENTS:

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

Mr. John Seepe of 277 Barefoot Landing Lane, Semora noted the unanimous support of the Economic Development Commission of Commissioner Gentry's proposal to establish a Task Force to review the funding structure for Economic Development and deemed this topic the most important topic before the Board of Commissioners this year.

DISCUSSION/ADJUSTMENT/APPROVAL OF CONSENT AGENDA:

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

- A. Approval of Minutes of January 19, 2021,
- B. Budget Amendment #10,
- C. Person Industries Consent forms,
- D. Report of Unpaid Taxes,
- E. Advertisement of Unpaid Real Estate Taxes,
- F. Tax Adjustments for February 2021,
 - a. Tax Releases, and
 - b. NC Vehicle Tax System pending refunds

UNFINISHED BUSINESS:

REVIEW OF THE FUNDING STRUCTURE FOR ECONOMIC DEVELOPMENT:

The Board, at its meeting on January 19, 2021 took action to delay further discussion and action until this date, after which the Economic Development Commission (EDC) had an opportunity to hear Commissioner Gentry’s proposal to establish a task force to study other counties structure for funding economic development and bring back recommendation to the Board in an effort to stabilize the EDC for success.

Commissioner Gentry provided the Board and staff with a handout outlining her proposed Task Force for Economic Development as follows:

Task Force Appointees:

All have had and/or continue to be stakeholders in Person County. The stakeholders selected for the Task Force, understand business, have been active in businesses throughout their careers as owners, Executive Directors, business leaders in industry, as well as state government and understand the stimulus needed to promote and sustain business in Person County.

Recommended Task Force Members:

Five (5) members

As previously proposed at the Board’s last meeting, Commissioner Gentry said each commissioner would select one member and all remaining commissioners would agree with each selection. She stated there were currently three individuals confirmed to serve on the Task Force. Commissioner Gentry recommended once all five individuals were confirmed, a press release would go out to the public, possibly later this week.

Task Force Mission:

To review existing public/private Economic Development Commission partnerships utilized by other counties, and to provide the Board of Commissioners with an Economic Development prototype or some type of hybrid, to better respond to the economic development needs of Person County.

Meetings:

Frequency and time to be discussed and determined by the selected Task Force members. Commissioner Gentry suggested at a minimum, weekly meetings, maybe in the Person County Library conference room and/or by video conferencing.

Duration of Task Force:

Six (6) weeks but flexible to the needs of the Task Force.

Board Liaison:

Commissioner Gentry said she would like to serve as the liaison.

Resource Materials:

Commissioner Gentry requested resource materials to be provided by the Clerk's Office.

A **motion** was made by Commissioner Sims and **carried 5-0** to proceed with the Task Force as outlined and presented by Commissioner Gentry.

Chairman Powell clarified that 1,217 corporate jobs were added in Person County since 2011 noting this number did not include small business, etc. He thought it was worthy of mentioning as the aggregate number of 400 was used in the past referring to lost jobs in the last ten years. Chairman Powell stated support of economic development and looked forward to a positive outcome from the Task Force.

NEW BUSINESS:

RESOLUTION OF INTENT TO EXCHANGE PROPERTY:

IT Director, Chris Puryear presented to the Board a Resolution of Intent to Exchange Property for consideration. Mr. Puryear stated Person County was approached by IntellaPlex, a third party provider, with an offer to enter into an Indefeasible Right of Use for a term of twenty (20) years which will take place as an exchange of property with equal amounts of fiber optic cabling strand miles being exchanged by both parties. Mr. Puryear noted that IntellaPlex was seeking access to twelve (12) strands of fiber along Person County's recently constructed fiber optic network which consists of approximately 52 miles of 288-strand fiber cabling. This equates to approximately 627.6 strand miles across the infrastructure. In exchange, IntellaPlex offered Person County access to 55 strands of fiber along its fiber optic network which equates to approximately 627.6 strand miles across their proposed infrastructure. Mr. Puryear said as part of the agreement, IntellaPlex will build out their fiber infrastructure to include runs of fiber optic cable to both the Airport and the Virginia border which have been discussed previously as extremely favorable for future economic development opportunities without capital funding. Furthermore, this action presents the opportunity for broadband expansion in the county.

Mr. Puryear confirmed the Exchange of Property, as presented, has been reviewed by the attorney and staff recommended proceeding with this opportunity. The Board was asked to adopt a Resolution of Intent to Exchange Property thereby authorizing the Clerk to publish a notice as required by General Statute 160A-271 with this item to come back before the Board at its next meeting to consider authorization of the exchange of property.

County Manager, Heidi York stated the value of the property of Person County is \$470,700; the estimated value of the property of IntellaPlex, LLC is \$470,700. No other consideration will change hands.

Commissioner Gentry asked for the timeframe from start to finish to which Mr. Puryear said the agreement mandated completion within a 12-month time span however it was expected some of the project would be completed as early as four to six months. Commissioner Gentry asked staff to estimate connectivity to residents. Mr. Puryear said Person County is not a service provider and connectivity would be dependent on a service provider. He added that the infrastructure will surround the Mega Park site for huge potential for commercial industry as well as residential access by a third party provider.

Chairman Powell said the extension to the Virginia border was of great interest to identified entities already.

A **motion** was made by Commissioner Gentry and **carried 5-0** to adopt a Resolution Intent to Exchange Property, as presented.



RESOLUTION OF INTENT TO EXCHANGE PROPERTY

WHEREAS, the Person County Board of Commissioners adopted a strategic plan in 2010, which includes goals for expanding broadband; and

WHEREAS, In March of 2017, Person County entered into an agreement to provide broadband to unserved areas of the county and in November of 2017, Person County entered into a contract to install a fiber system comprised of approximately 52 miles of 288-strand fiber; and

WHEREAS, expanding broadband to unserved and underserved portions of Person County remains a top priority of the Person County Board of Commissioners, and the County continues to evaluate options and take proactive steps to improve broadband service to businesses and residents; and

WHEREAS, the Person County Board of Commissioners has received a proposal to exchange the real and personal property of the County described below for the real and personal property of IntellaPlex, LLC described below:

- (1) Property of Person County: 12 fiber strands (627.6 strand miles) of a multi-strand optical fiber cable system located throughout Person County, North Carolina; along the routes identified on the attached Exhibit A and as said routes may be changed from time to time (individually and collectively, as context requires, the "Person County Multi-strand Optical Fiber Cable System or PMOFCS"),
- (2) Property of IntellaPlex, LLC: 55 fiber strands (627.6 strand miles) of a multistrand optical fiber cable system located in and throughout North Carolina including segments in Person County along routes identified on the attached Exhibit B; and as said routes may be changed from time to time (individually and collectively, as context requires, the "IntellaPlex Multi-strand Optical Fiber Cable System or IMOFCS"); and

WHEREAS, the estimated value of the property of Person County is \$470,700; the estimated value of the property of IntellaPlex, LLC is \$470,700; and

WHEREAS, No other consideration will change hands; and

WHEREAS, the Board of Commissioners intends to consider authorizing such exchange at its regular meeting to be held on February 16, 2021.

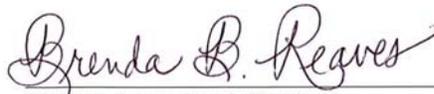
NOW, THEREFORE, BE IT RESOLVED by the Person County Board of Commissioners that the Clerk to the Board shall cause to be published at least 10 days prior to February 16, 2021, a notice as required by G.S. 160A-271.

Adopted this 1st day of February, 2021.


Gordon Powell, Chairman



Attest:


Brenda B. Reaves, Clerk to the Board

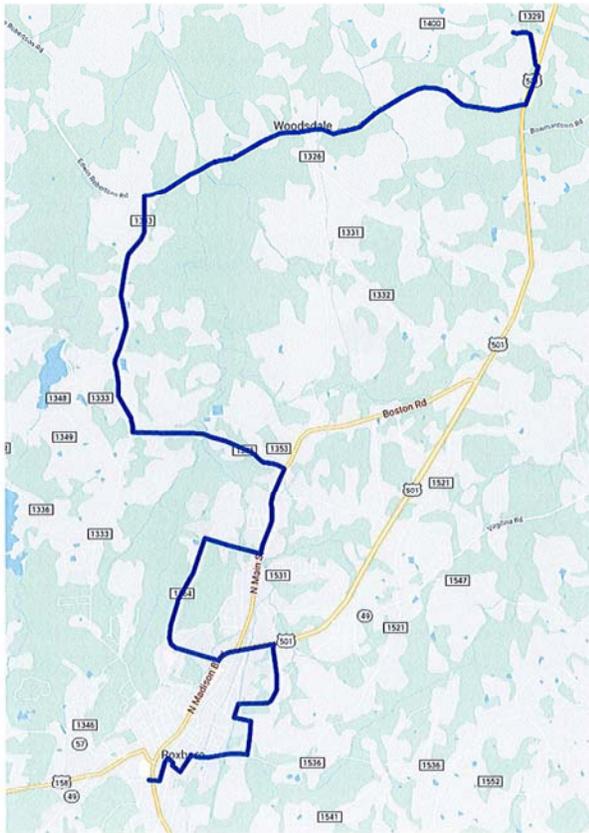
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Exhibit A

The following Route(s) which are depicted on the map attached to this Exhibit A are those in which PERSON COUNTY may grant an IRU to IntellaPlex, LLC. The total aggregate IRU fiber length is 627.6 strand miles.

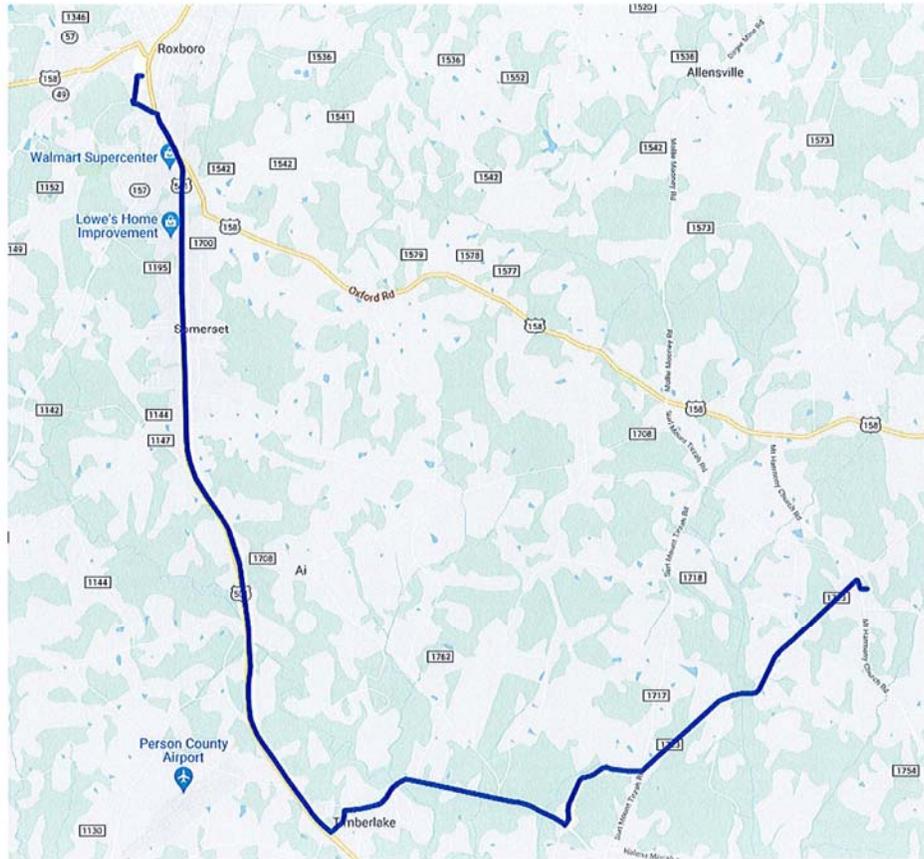
ROUTE P1 (Bethel Hill Communication Tower)

This route begins at the Person County Data Center located at 304 W. Barden Rd. Roxboro NC; with terminus at the FDP of the Bethel Hill Communication Tower (approx. -78.918209W 36.507949N). Route distance approx. 16.7 miles, in which IntellaPlex will be allocated 12 fiber strands for a total of 200.4 fiber strand miles.



ROUTE P2 (Mt. Tirzah Communication Tower)

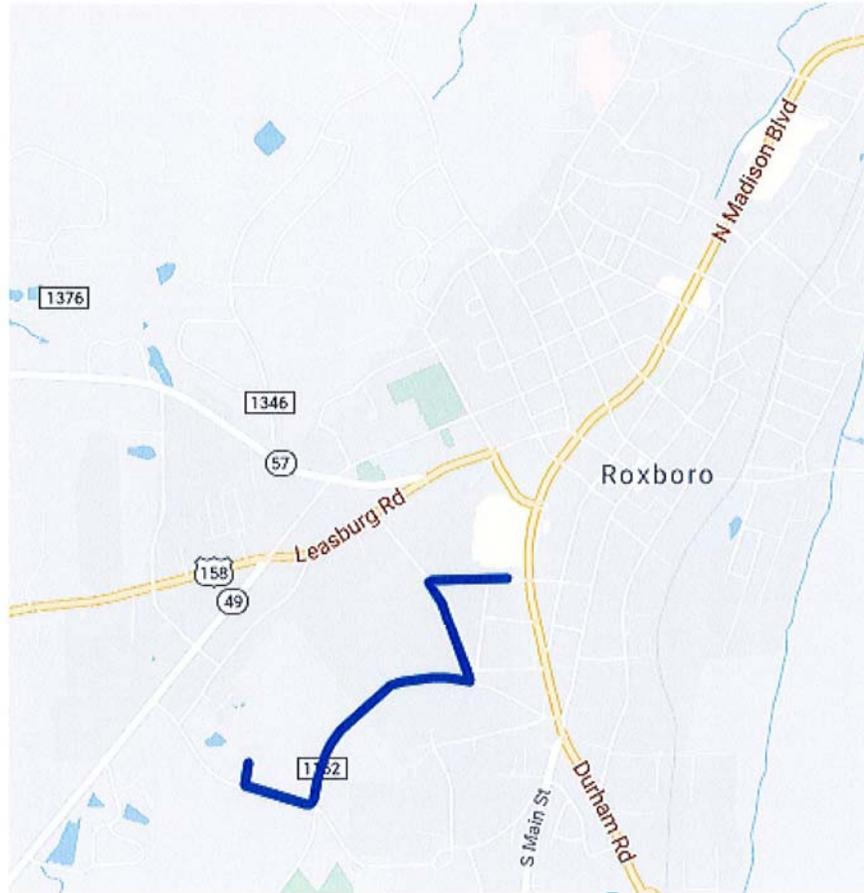
This route begins at the Person County Data Center located at 304 W. Barden Rd. Roxboro NC; with terminus at the FDP of the Mt. Tirzah Communication Tower (approx. -78.8613W 36.317293N). Route distance approx. 14.9 miles, in which IntellaPlex will be allocated 12 fiber strands for a total of 178.8 fiber strand miles.



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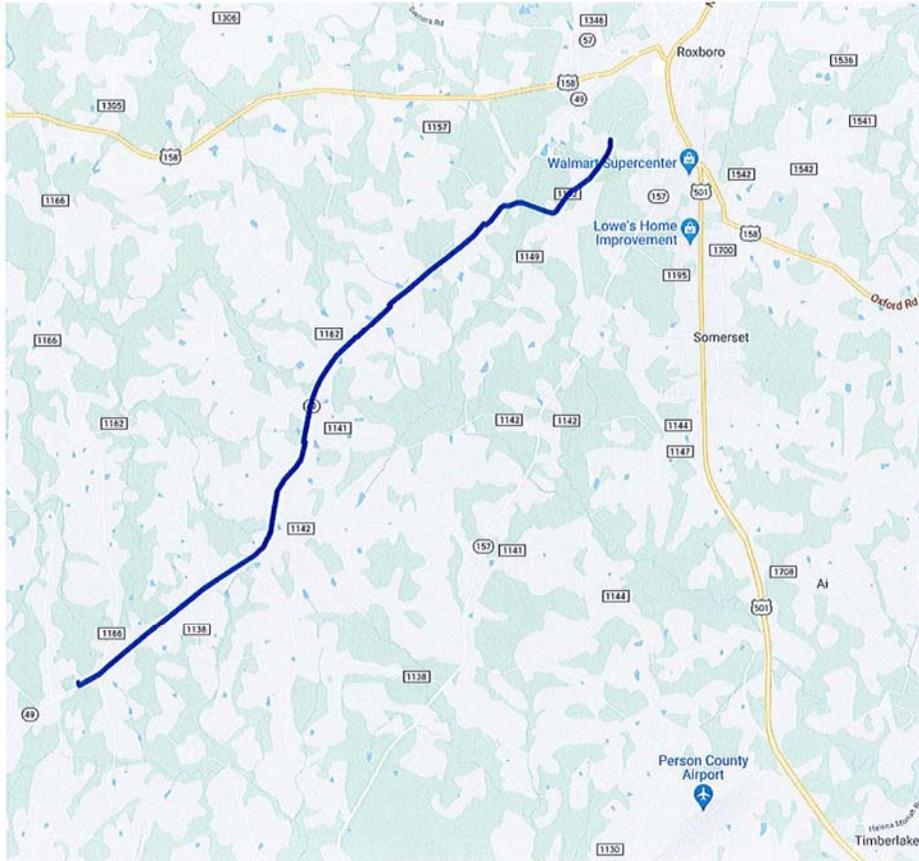
ROUTE P3A (Communication Tower near Critcherwilkerson Rd)

This route begins at the Person County Data Center located at 304 W. Barden Rd. Roxboro NC; with terminus at the FDP of the Communication Tower near Critcherwilkerson Rd (approx. -79.001052W 36.383438N). Route distance approx. 1.3 miles, in which IntellaPlex will be allocated 12 fiber strands for a total of 15.6 fiber strand miles.



ROUTE P3B (Bushy Fork Communication Tower)

This route begins at the HH near the intersection of Critcherwilkerson Rd and Wesleyan Heights Rd; with terminus at the FDP of the Bushy Fork Communication Tower (approx. -79.091398W 36.307484N). Route distance approx. 7.9 miles, in which IntellaPlex will be allocated 12 fiber strands for a total of 94.8 fiber strand miles.



ROUTE P3C (911 OP Center)

This route begins at the HH near the intersection of Critcherwilkerson Rd and Wesleyan Heights Rd; with terminus at the FDP of the Person County 911 OP Center (approx. -78.993416W 36.382961N). Route distance approx. 0.7 miles, in which IntellaPlex will be allocated 12 fiber strands for a total of 8.4 fiber strand miles.



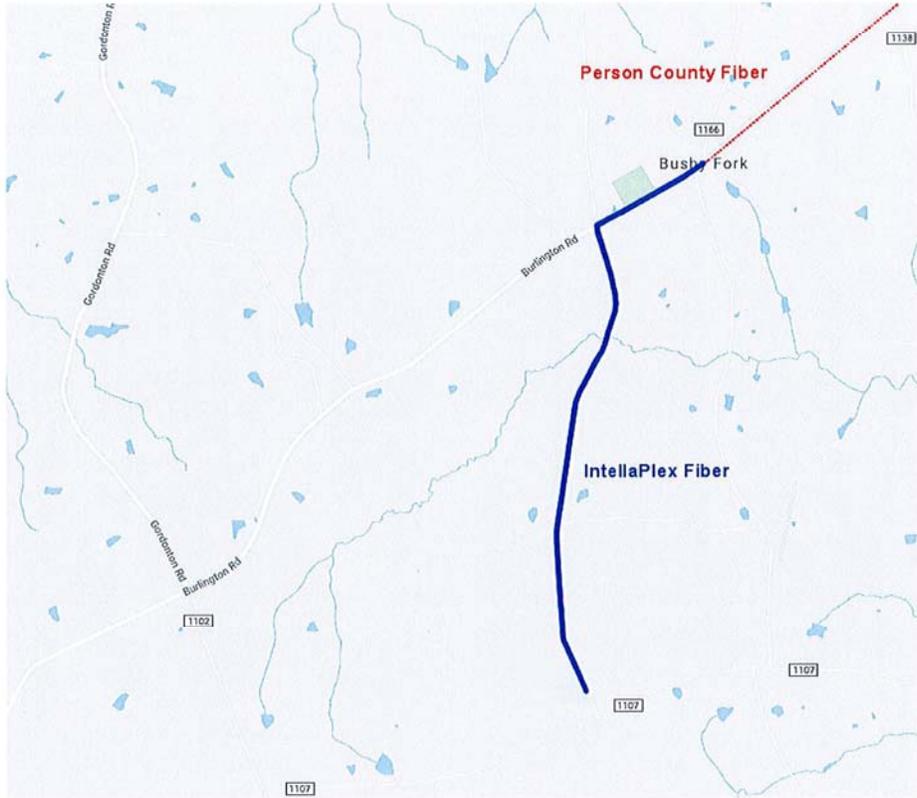
ROUTE P3D (South Elementary School)

This route begins at the HH near the intersection of Carrington Ln and Franklin St; with terminus at the HH across the street from South Elementary School (-78.989593W 36.375604N). Route distance approx. 0.4 miles, in which IntellaPlex will be allocated 12 fiber strands for a total of 4.8 fiber strand miles.



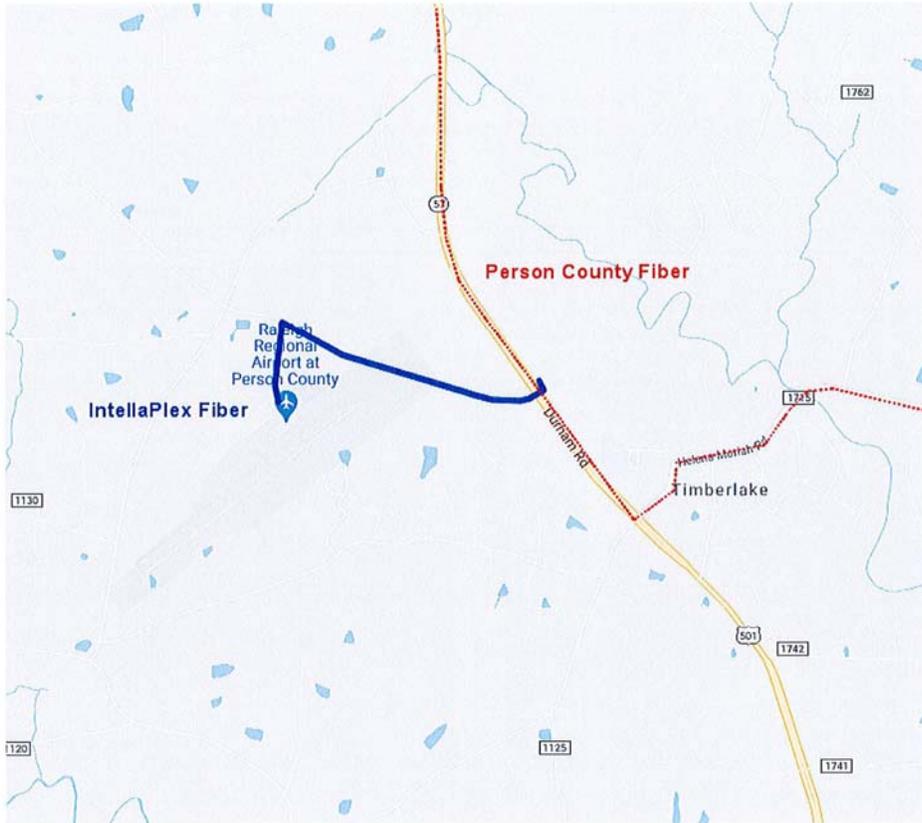
ROUTE I2 (Oak Lane Elementary)

This route begins at the HH near the entrance to Bushy Fork Communication Tower (approx. -79.090406W 36.305976N); with terminus at the HH near Oak Lane Elementary (approx. -79.095721W 36.274290N). Route distance approx. 2.4 miles, in which Person County will be allocated 55 fiber strands for a total of 132 fiber strand miles.



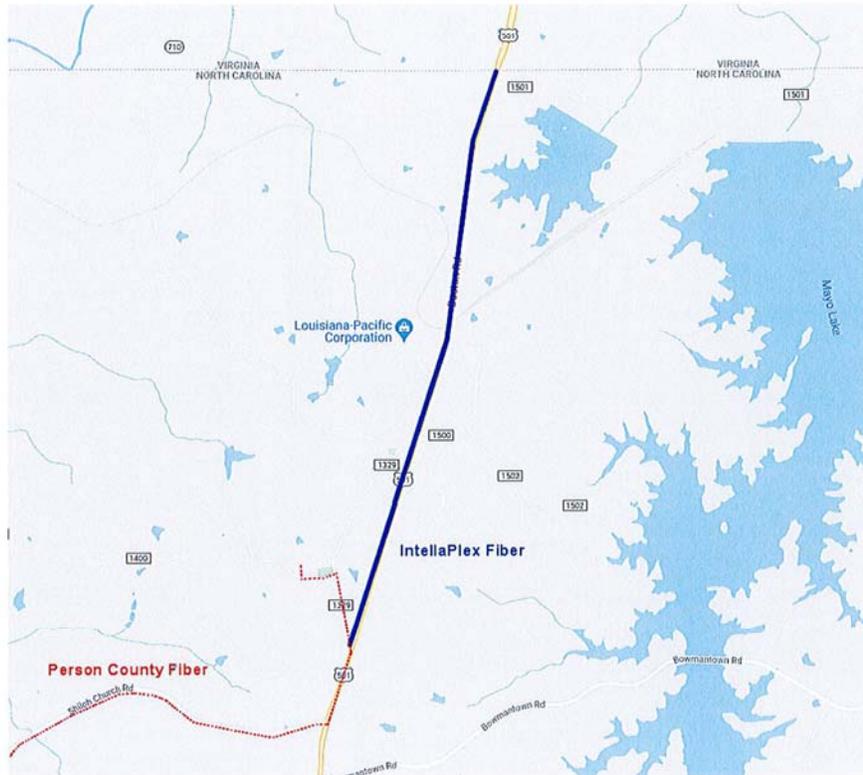
ROUTE I3 (Airport)

This route begins at the HH near the intersection of Durham Rd and Cates Mill Rd (approx. -78.963588W 36.290150N); with terminus at HH near Person County Airport (approx. -78.982857W 36.289542N). Route distance approx. 1.5 miles, in which Person County will be allocated 55 fiber strands for a total of 82.5 fiber strand miles.



ROUTE I4 (Boston Rd)

This route begins at the HH near the intersection of Boston Rd (US-501) and Bethel Hill School Rd (approx. -78.915402W 36.49898N); with terminus at HH located near the intersection of Boston Rd and Mayo Lake Rd (approx. -78.902095W 36.541236N). Route distance approx. 3.11 miles, in which Person County will be allocated 55 fiber strands for a total of 171.1 fiber strand miles.



CONSIDERATION OF THE SPECIAL BOARD OF EQUALIZATION AND REVIEW:

Tax Administrator, Russell Jones told the Board that on January 22, 2013, the Board of Commissioners, by resolution, established a special Board of Equalization and Review for Person County pursuant to NC General Statute 105-322. All terms for the members of this special Board have expired, and future membership needed to be addressed for the 2021 revaluation appeals. Mr. Jones advised that any change to the structure of the special Board of Equalization and Review must be done no later than the first Monday in March (March 1, 2021) by resolution, i.e., abolish or amend the resolution.

Mr. Jones noted the most recent members serving on the special Board of Equalization and Review are as follows:

1. Former commissioner, Margaret Bradsher, (served as Chair)
2. Commissioner Kyle Puryear
3. Former commissioner, David Newell, Sr.
4. Former commissioner, Curtis Bradsher
5. Former commissioner, Tracey Kendrick (no longer eligible due to relocation out of county)

Recent alternative members were:

1. Former commissioner, Ray Jeffers
2. Faye Boyd, citizen at-large

Mr. Jones further noted that due to the time commitment, the most recent special Board of Equalization and Review was reimbursed per meeting. The reimbursement rate was set at \$150 per meeting, or \$50 per meeting if the member was also serving as a County Commissioner.

Some reasons that counties consider creating a special Board of Equalization and Review:

1. The Board of Commissioners are involved with the budget process during this time and may have other additional issues to focus on.
2. A special Board of Equalization and Review allows the Board of County Commissioners to appoint individuals from a cross section of the citizens, choosing those who possess the expertise necessary for the board to carry out its duties.
3. The creation of a special Board of Equalization and Review helps to remove the matter of taxation from local political issues.

Mr. Jones provided some background from previous reappraisal years:

- In 2005, there were 34 appeals, and
- In 2013, there were 4,000 appeals with 3,500 being resolved informally by the Tax Office.

Mr. Jones stated he could not at this time estimate the number of appeals that would be expected in 2021 however he offered a suggestion to open the acceptance of appeals in writing or in person in April and to close acceptance of appeals in May. This would allow his office to prioritize those with the highest monetary impact for the budget to be addressed first. Mr. Jones stated it was preferred to have the appeals heard by June 30th however, there have been times when appeals were also held in July.

Mr. Jones stated the North Carolina Department of Revenue is offering a 2-hour training session to assist the Board of Equalization and Review members with guidelines and requirements for the appeal process. The training will be a virtual training session, and is offered on either March 11 or March 18. Mr. Jones added, in the past, this training has very beneficial, especially for new Board members, or members that have not been through the appeals process during a reappraisal year.

Commissioner Sims asked if the Board could review or appoint members at its next Board meeting to which Mr. Jones replied affirmatively. Mr. Jones said at the creation of the special Board of Equalization and Review, each commissioner nominated a member.

Commissioner Puryear confirmed the term was four-years as set out in the resolution; the resolution could be amended to set the term limit as desired by the Board. Mr. Jones stated any points of the current 2013 resolution could be amended as deemed appropriate before March 1, 2021.

It was the consensus of the Board to continue with its special Board of Equalization and Review and that each commissioner would appoint one member at its next meeting on February 16, 2021.

CHAIRMAN’S REPORT:

Chairman Powell reported that the NC DOT delayed funding for the Airport’s Runway Extension project to 2029. He said he sent letters to the NC Transportation Board members as well as the County’s representatives urging them to reconsider and recommit the funding that was approved in 2018 for Person County.

MANAGER’S REPORT:

County Manager, Heidi York echoed Chairman Powell’s comments noting the NC DOT provided funding as recent as last year for planning of the Runway Extension project. She added the Clerk has a template letter should any commissioner wish to use for sending their request to NC transportation officials.

Ms. York reminded the Board of an invitation for Elected Officials to RSVP for the Research Triangle Regional Partnership virtual Economic Development Symposium on February 9, 2021 from 9:00 to 11:00am.

COMMISSIONER REPORT/COMMENTS:

Vice Chairman Puryear thanked the IT Department for accommodating his request to attend the meeting remotely.

Commissioner Sims reported there would be an update at the Board’s next meeting related to Triple Springs covering the Woodsdale district.

Commissioner Sims requested review of the County’s ordinance that restricted view from public roads of junk to also be extended on private roads. County Manager, Heidi York stated she would follow up with the Planning Director.

Commissioner Palmer said the cross walks were not marked on the Long Avenue public access and asked staff to follow up.

Commissioner Gentry had no report.

CLOSED SESSION #1

A **motion** was made by Commissioner Sims and **carried 5-0** to enter into Closed Session at 7:52pm per General Statute 143-318.11(a)(6) for the purpose to discuss personnel to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee with the following permitted to attend: County Manager, Heidi York and Clerk to the Board, Brenda Reaves.

Chairman Powell call the Closed Session to order at 7:57pm.

A **motion** was made by Commissioner Sims and **carried 5-0** to return to open session at 8:15pm.

ADJOURNMENT:

A **motion** was made by Commissioner Sims and **carried 5-0** to adjourn the meeting at 8:16pm.

Brenda B. Reaves
Clerk to the Board

Gordon Powell
Chairman