

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

SEPTEMBER 7, 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
S. Ellis Hankins, County Attorney

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

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

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

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

PUBLIC HEARING:

PETITION CD-01-21, A REQUEST BY PLATEAU SOLAR, LLC ON BEHALF OF THE PROPERTY OWNERS, THOMAS AND RACHEL PUCKETT, W. RUFFIN WOODY JR. REVOCABLE TRUST AND SAMUEL CATES, FOR A CONDITIONAL DISTRICT REZONING FROM R (RESIDENTIAL), RC (RURAL CONSERVATION) AND B1 (HIGHWAY COMMERCIAL) TO CD-RC (CONDITIONAL DISTRICT – RURAL CONSERVATION), FOR A LEVEL 3, (10 ACRES OR GREATER) SOLAR ENERGY SYSTEM ON TAX MAP AND PARCEL NUMBERS A41-1, A31-16, A31-42 AND A42-5, CONSISTING OF APPROXIMATELY 798 ACRES LOCATED ON HURDLE MILLS ROAD AND SATTERFIELD ROAD:

A **motion** was made by Vice Chairman Puryear and **carried 5-0** to open the duly advertised public hearing for Petition CD-01-21, a request by Plateau Solar, LLC on behalf of the property owners, Thomas and Rachel Puckett, W. Ruffin Woody Jr. Revocable Trust and Samuel Cates, for a Conditional District Rezoning from R (Residential), RC (Rural Conservation) and B1 (Highway Commercial) to CD-RC (Conditional District – Rural Conservation), for a Level 3, (10 acres or greater) Solar Energy System on Tax Map and Parcel numbers A41-1, A31-16, A31-42 and A42-5, consisting of approximately 798 acres located on Hurdle Mills Road and Satterfield Road.

September 7, 2021

Planning Director, Lori Oakley introduced Angela Blount, Planner I to present petition CD-01-21. Ms. Blount stated all state statutes and planning ordinance requirements have been met for this public hearing. The Staff Report for CD-01-21 is hereby entered into record.

CD-01-21
BOC 9-7-21
Staff Analysis

**Conditional District Rezoning – CD-01-21
Hurdle Mills and Satterfield Roads
Plateau Solar, LLC**

EXPLANATION OF THE REQUEST

Petition CD-01-21 is a request by Plateau Solar, LLC on behalf of the property owners, Thomas and Rachel Puckett, W. Ruffin Woody Jr. Revocable Trust and Samuel Cates, for a Conditional District Rezoning from R (Residential), RC (Rural Conservation) and B1 (Highway Commercial) to CD-RC (Conditional District - Rural Conservation), for a Level 3, (10 acres or greater) Solar Energy System on Tax Map and Parcel numbers A41-1, A31-16, A31-42 and A42-5, consisting of approximately 798 acres located on Hurdle Mills Road and Satterfield Rd.

LOCATION & CURRENT LAND USE

Currently, the subject property (A41-1) is a 353.56-acre tract located to the west and east of Hurdle Mills Rd, and North and South of Rogers Whitfield Rd. The property is zoned R (Residential) and RC (Rural Conservation).

➤ Condition and land use of the surrounding properties are:

- To the West – Pasture/Farmland and a few single family dwellings, zoned R (Residential).
- To the North – Woodlands, small amount of pasture/farm lands and a few single family dwellings, zoned R (Residential) and RC (Rural Conservation).
- To the East – Mainly woodlands, some pasture/farmland and a few single family dwellings, zoned RC (Rural Conservation) and R (Residential).
- To the South – Mainly woodlands, a few single family dwellings, zoned R (Residential) and RC (Rural Conservation).

Currently, the subject property (A31-16) is a 98.16-acre tract located to the east of Hurdle Mills Rd and to the North of Satterfield Rd. The property is zoned R (Residential), RC (Rural Conservation) and B1 (Highway Commercial).

➤ Condition and land use of the surrounding properties are:

- To the West - a mixture of woodlands and pasture/farm land with a few single family dwellings, zoned R (Residential) and B1 (Highway Commercial).
- To the North - Mainly woodlands, zoned R (Residential) and RC (Rural Conservation).
- To the East – Mainly woodlands, zoned RC (Rural Conservation).
- To the South – Bordered by Satterfield Rd, then a mixture of woodlands and pasture/farmland with a few single family dwellings, zoned B1 (Highway Commercial) and R (Residential).

Currently, the subject property (A31-42) is a 218.82-acre tract located to the east of Hurdle Mills Rd and to the North of Satterfield Rd. The property is zoned R (Residential) and RC (Rural Conservation).

➤ Condition and land use of the surrounding properties are:

- To the West – Across Hurdle Mills Rd, single family dwellings, between property line and Hurdle Mills are a mixture of pasture/farmland and woodlands, zoned R (Residential).

- To the North – A mixture of woodlands and planted tree farms, zoned R (Residential) and RC (Rural Conservation).
- To the East – A mixture of woodlands, planted tree farms and some pasture/farmland, zoned RC (Rural Conservation).
- To the South – A mixture of woodlands, planted tree farms and a few single family dwellings, zoned RC (Rural Conservation) and B1 (Highway Commercial).

Currently, the subject property (A42-5) is a 126.83-acre tract located to the North of Satterfield Rd. The property is zoned RC (Rural Conservation).

➤ Condition and land use of the surrounding properties are:

- To the West – Woodlands, zoned RC (Rural Conservation).
- To the North – Woodlands and planted tree farms, zoned RC (Rural Conservation).
- To the East – A mixture of woodlands and pasture/farmland, zoned RC (Rural Conservation).
- To the South – Across Satterfield Rd, mainly woodlands with a small amount of pasture/farmland and few single-family dwellings zoned R (Residential).

EXISTING ZONING AND LAND USE

- The properties are currently zoned R (Residential), RC (Rural Conservation) and B1 (Highway Commercial). According to Article VII Section 70 of the Person County Planning Ordinance:

The purpose of R (Residential) district is to provide for single-family residential uses and compatible development.

The purpose of RC (Rural Conservation) district is to provide for only limited land use controls in areas with limited nonagricultural development.

The purpose of B1 (High Commercial) district is to provide for commercial and light industrial development which operate in a relative quiet, clean and non-noxious manner.

- The properties are a mix of woodlands, pasture/farmlands, planted tree farms and single-family dwellings.

COMPREHENSIVE LAND USE PLAN

The Person County Land Use Plan identifies the proposed site as Rural Residential and Suburban Residential.

Rural Residential/AG 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 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 sewer, i.e., with private septic tank systems.

Suburban Residential is defined as:

Residential land uses including subdivisions and manufactured home parks at densities of 1-3 dwelling units per acre; commercial, office, industrial, public/institutional uses meeting locational criteria. Locational criteria for nonresidential 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 could develop with or without public sewer.

Appendix O of the Land Use Plan lists goals and objectives for the county including the following:

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.

PLANNING STAFF ANALYSIS & RECOMMENDATION

The applicant is requesting a rezoning of the property from R (Residential), RC (Rural Conservation) and B1 (Highway Commercial) to CD-RC (Conditional District - Rural Conservation), in order to allow development of an approximately 798-acre, Level 3, Solar Energy System on contiguous parcels in separate ownership.

The proposed development would be comprised of approximately 205,000 mono-crystalline solar panels, not to exceed 15' in height. The generating capacity is to be 65 MW.

A 150' vegetative buffer (existing or planted) is required along all exterior property lines, with the exception of those participating parcels sharing property lines, which will be exempt from buffering requirements, provided each property owner signs and submits a waiver per Article 2 of the Person County Solar Energy Ordinance. These waivers have been submitted and are on file.

There is at least one blue line stream on 3 out of the 4 parcels requiring a 50' buffer on each side and this has been shown on the site plan.

A 300' setback from the nearest solar panel to the nearest dwelling is required and has been delineated on the site plan.

Solar Energy Systems proposed within five (5) nautical miles of an airport operation must submit documentation from Article 2, Section 2.5(B)(2) of the Person County Solar Energy Ordinance, which are: Map analysis results, Determination of whether the airport is in the National Plan of Integrated Airport Systems (NPIAS), Documentation/certification that the project will not interfere with airport/aircraft communications systems, and proof that intent to construct a Solar Energy Systems was sent to the NC Commanders Council at least 30 days prior to the hearing. These items have been submitted and are on file.

Planning staff recommends approval of the proposed Conditional District Rezoning/Level 3 Solar Energy System based on the Person County Land Use Plan and the Future Land Use Map contained within the Land Use Plan. Staff has determined that all regulations and standards set forth in the Person County Solar Energy System Ordinance have been applied to the site plan for this proposed CD Rezoning case and have either met or exceeded those regulations and standards.

This zoning is a Conditional District Rezoning request, and conditions can be placed on the approval, provided that they comply with the Person County Planning Ordinance and Solar Energy System Ordinance and are agreed upon by the applicant.

REASONABLENESS AND CONSISTENCY STATEMENT

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

Proposed Reasonableness and Consistency Statement:

The 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 the goals of the Person County Land Development Plan specifically 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 August 12, 2021 meeting of the Person County Planning Board, the Board voted 4 to 2 to deny case CD-01-21, Conditional Rezoning to the Board of Commissioners, stating that the request *was not* consistent with the Person County Land Use Plan and future planning goals of the county, that it *was not* reasonable and *was not* in the public interest as it *did not* meet the goals of the Person County Land Development Plan.

The Board stated the request was denied for the following reasons:

1. That the community did not support the requested land use.
2. That the use would reduce the amount of land available for agricultural use.
3. That there would be a reduction in the availability of jobs and income to farmers.

Since the Planning Board meeting, the applicant has submitted revisions to their site plan. The applicant has reduced the solar panel height from the maximum of 15' to 10'. The applicant has also increased the landscaping and buffering requirement of 3' minimum height at planting, to 12' to 14'.

Submitted by: Angie Blount, Planner 1

Ms. Blount shared the following presentation with the group:

September 7, 2021

Conditional District Rezoning

CD-01-21

Conditional District Rezoning

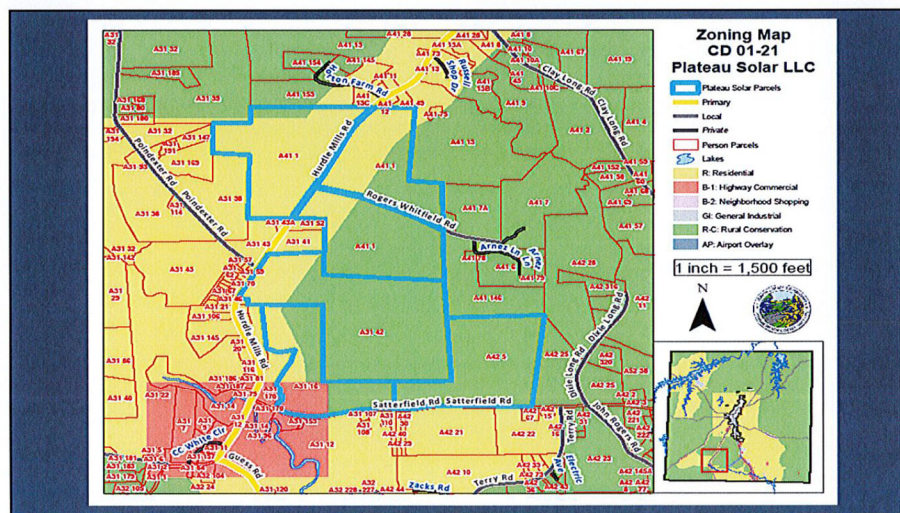
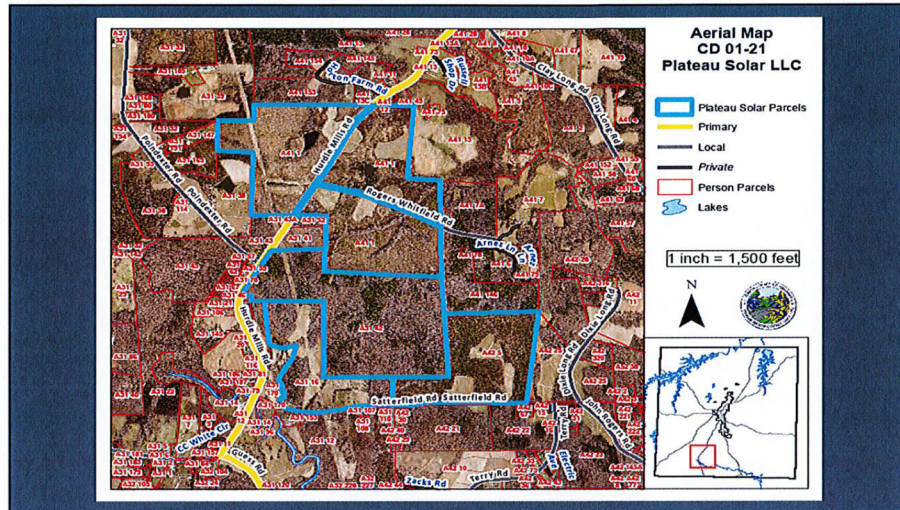
CD-01-21– *Explanation of Request*

- Petition CD-01-21 is a request by Plateau Solar, LLC, on behalf of the property owners, Thomas and Rachel Puckett, W. Ruffin Woody Jr. Revocable Trust and Samuel Cates, for a Conditional District Rezoning from R (Residential), RC (Rural Conservation) and B1 (Highway Commercial) to CD-RC (Conditional District - Rural Conservation) for a Level 3, (10 acres or greater) Solar Energy System on Tax Map and Parcel numbers A41-1, A31-16, A31-42 and A42-5, consisting of approximately 798 acres located on Hurdle Mills Rd and Satterfield Rd.

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Ms. Blount said a Conditional District Rezoning was new for Person County since the adoption of 160D. It differs from a Rezoning, in that a site plan for the use of the property is also presented at the same time. She noted the properties to the North, East, West, and South of the proposed project, are a mixture of Woodlands, Pasture or Farm Land with few single-family homes.

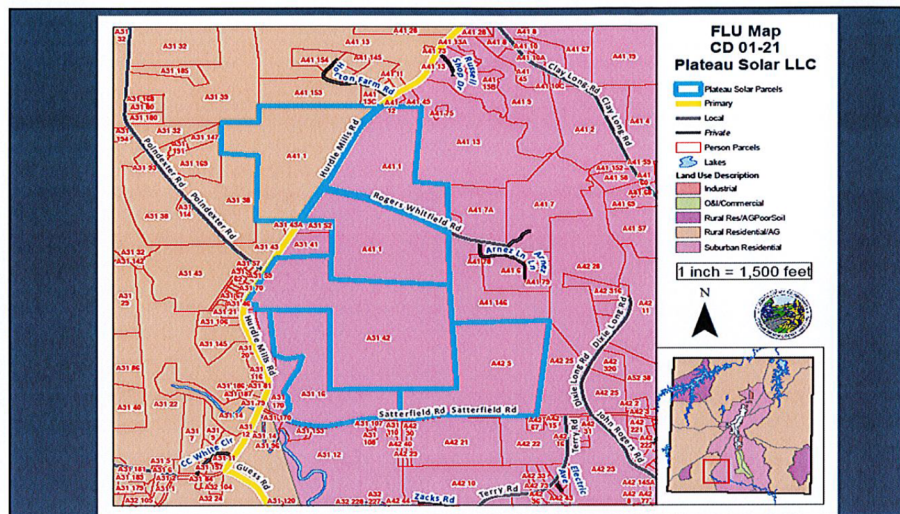
September 7, 2021



Ms. Blount stated the four tracts involved are currently zoned R (Residential) represented in yellow, RC (Rural Conservation) in green and B1 (Highway Commercial) in red.

Ms. Blount noted the Future Land Use plan allows for Rural Residential (Tan), agriculture, forestry, churches, limited commercial, and Suburban Residential (pink) allows for subdivisions, manufactured home parks, commercial, office, industrial, public/institutional uses.

9/7/2021



Conditional District Rezoning Request

CD-01-21 – Planning Staff Analysis

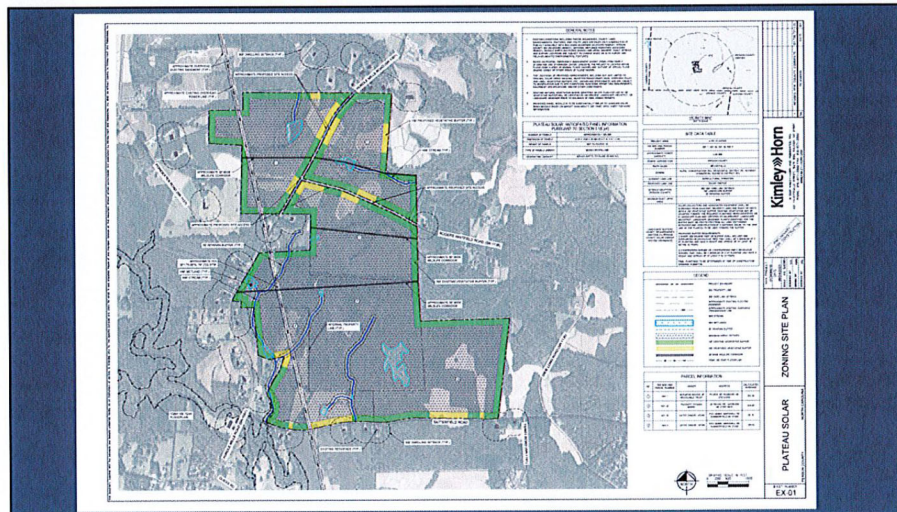
- The proposed development would consist of approximately 205,000 mono-crystalline solar panels. The applicant The generating capacity is to be 65 Mega Watts.
- A 150' vegetative buffer (existing or planted) is required along all exterior property lines, with the exception of those participating parcels sharing property lines, which will be exempt from buffering requirements provided each property owner signs and submits a waiver per Article 2 of the Person County Solar Energy Ordinance. These waivers have been submitted and are on file.

Conditional District Rezoning Request

CD-01-21 – Planning Staff Analysis

- There is at least one blue line stream on each parcel, a 50' buffer, each side, has been shown on the site plan.
- A 300' setback from the nearest solar panel to the nearest dwelling is required and has been delineated on the site plan.
- Solar Energy Systems proposed within five (5) nautical miles of an airport operation must submit documentation from Article 1, Section 2.5, 2., i. through iv. (a), of the Person County Solar Energy Ordinance, which are: Map analysis results, Determination of whether the airport is in the National Plan of Integrated Airport Systems (NPIAS), Documentation/certification that the project will not interfere with airport/aircraft communications systems, and proof that intent to construct a Solar Energy Systems was sent to the NC Commanders Council at least 30 days prior to the hearing. These items have been submitted and are on file.

Board of Commissioners – September 7th, 2021



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Ms. Blount said the above map shows existing 150' vegetative buffer in green, areas to be planted to 150' shown in yellow. This map also shows a 50' buffer on each side of all the blue line streams. They also show 30' wide corridors for wildlife, and the Point of Interconnectivity along the power line easement.

September 7, 2021

Planning Board Recommendation

CD-01-21

- The Person County Planning Board, at their last regularly scheduled meeting, August 12, 2021, voted 4-2 to deny the request for a Conditional District Rezoning, stating that the request was not consistent with the Person County Land Use Plan and future planning goals for the county, that it was not reasonable and was not in the public interest as it did not meet the goals of the Person County Land Development Plan. The board stated they denied the request for the following reasons:
 1. That the community did not support the requested land use.
 2. That the use would reduce the amount of land available for agricultural use.
 3. That there would be a reduction in the availability of jobs and income to farmers.

Since the Planning Board meeting, the applicant has submitted revisions to their site plan. The applicant has reduced the solar panel height from the maximum of 15' to 10'. The applicant has also increased the landscaping and buffering requirement of 3' minimum height at planting, to 12' to 14'.

Conditional District Rezoning Request

CD-01-21 – Planning Staff Recommendation

- Planning staff recommends approval of the proposed Conditional District Rezoning/Level 3 Solar Energy System based on the Person County Land Use Plan and the Future Land Use Map contained within the Land Use Plan. Staff has determined that all regulations and standards set forth in the Person County Solar Energy System Ordinance have been applied to the site plan for this proposed CD Rezoning case and have either met or exceeded those regulations and standards.
- This zoning is a Conditional District Rezoning request, and conditions can be placed on the approval and site plans can be approved with the request.

Conditional District Rezoning Request

CD-01-21 – Statement of Reasonableness and Consistency

- Reasonableness and Consistency Statement: The 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 the goals of the Person County Land Development Plan, specifically:
- 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.

Chairman Powell announced that Plateau Solar representatives would have a time limit of 20-minutes to present its information. Other individuals speaking in support of or in opposition to the request would have a 3-minute time limit. He noted the IT staff would be the timekeeper.

Speaking in favor of the Petition CD-01-21, a request by Plateau Solar, LLC on behalf of the property owners, Thomas and Rachel Puckett, W. Ruffin Woody Jr. Revocable Trust and Samuel Cates, for a Conditional District Rezoning from R (Residential), RC (Rural Conservation) and B1 (Highway Commercial) to CD-RC (Conditional District – Rural Conservation), for a Level 3, (10 acres or greater) Solar Energy System on Tax Map and Parcel numbers A41-1, A31-16, A31-42 and A42-5, consisting of approximately 798 acres located on Hurdle Mills Road and Satterfield Road were the following:

Mr. Thomas Terrell, Jr. of 230 N. Elm, Greensboro, NC with Fox Rothschild, LLP, counsel representing the applicant confirmed that Plateau Solar has offered two new conditions, although, following the standards of the County's new solar ordinance. Mr. Terrell stated the solar panel height would be limited to 10 ft., instead of 15 ft., as well as offered to plant two rows of vegetation at 12-14 ft. at time of planting. Mr. Terrell said the practical result of this is concealment in year one noting this is a site with more than 85% of the facility already 100% concealed with 150 ft. of existing vegetation.

Mr. Terrell addressed some of the misstatements, errors and irrelevant matters that have been made and continue to be made in these public hearings concerning Berea and Plateau:

He said a county has never been given the power to control energy market forces, technology for the energy industry nor given the powers to regulate our nation's energy sources through zoning.

He addressed individuals anger that part(s) of these panels might come from China by noting that Canadian Solar has plants in Canada, Brazil, the United States, Mexico, Spain, Italy, the U.K., Germany, South Africa, Argentina, Turkey and Australia as well as 8 countries in Asia. He added that no countries' trade policies and the market forces of supply and demand in a global economy are something that counties have any statutory authority to influence for their zoning but such a focus on China only when it comes to a solar panel is puzzling and extremely hypocritical because it is impossible to live in today's society without owning or benefiting from electronic devices from China and parts of Asia, i.e. cell phones, vehicles, scanners, cash registers, college scoreboxes and electronic systems that control the stop-lights, and thousands of others ways, and parts and components that we, in this country, benefit from a global economy. Mr. Terrell noted the County's ordinance mandates that they disclose all constitute parts of these panels.

He addressed a previous speaker who identified himself originally as a CEO of a company that designs and supplies specialized equipment for coal plants. This particular speaker and his wife, regular speakers at these hearings more than likely have suffered personal and economic loss as our nation's energy productions have shifted away from coal and other resources. He added it was not fair or logical to take it out on these

landowners and these projects that have nothing to do with the closing of coal plants in Person County.

Mr. Terrell said one of the landowners have had his land in his family since the 1700s and he wants to exercise his property rights but he has to come here and deal with two of the people who have the strongest opinions expressed about how he uses his property having just moved here from New Jersey.

Another regular speaker, Mr. Seepe, lives 13.3 miles from this site; Mr. Terrell asked the Board to consider the distance he lives from this site when he offers his opinion about how these landowners should use their land.

Regarding over heated language regarding a community being devastated by a use that no one will be able to hear, to smell or to see that generates fewer fieldtrips in one month than a single-family home generates in a day, he asked the Board to remember the context. He said each of these speakers live in a community that has 110 ft. transmission lines and power poles that they see every single day and 30 ft. power poles in front of their homes.

At the August 16, 2021 public hearing on Berea Solar, three members of the Board said the primary concern was there was no assurance of decommissioning. Ms. Oakley (Planning Director) stepped up to the podium to remind the Board and in the new Solar Ordinance there was a requirement that before an applicant can receive a building permit, that applicant has to post a bond for 125% of the decommissioning costs.

Mr. Terrell said he hopes the primary concerns were now taken off the table. As to bald eagles, Mr. Terrell said the NC Wildlife Commission has already determined that no endangered species would be affected by this project.

Regarding that portion of this site that is zoned residential, Mr. Terrell said residential does not mean that it is only for homes or something that is residential in nature which is a keen misunderstanding of the ordinance. The following uses are found in the County's ordinance to be compatible in a residential district: airport, breweries, campgrounds, convenience stores, apartments, mobile home parks, landfills, swim clubs, utility substations and schools of all sizes. Mr. Terrell said this solar farm will generate less traffic than all those uses and again will not be audible or visible.

Regarding the 2001 Land Use Plan, it was written 12 years before anybody had heard the term solar farm. Despite that, numerous examples are in the notebook on how this facility is consistent with the principles of the Person County Land Use Plan. Mr. Terrell said most importantly, the Board of Commissioners made the finding on October 5, 2020 when adopting the new Solar Ordinance that anybody that meets the standards of the new Solar Ordinance is consistent with the Land Use Plan.

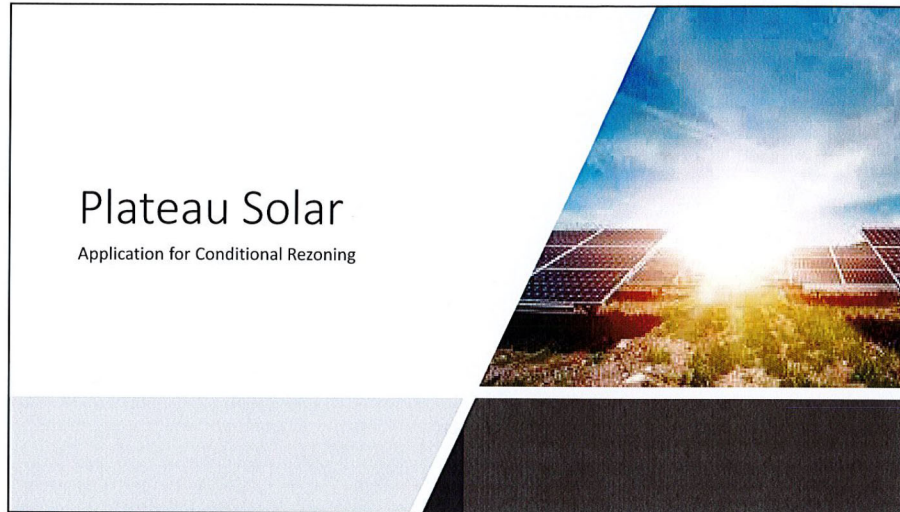
Mr. Terrell said they support property rights, limited government that does not exceed the powers given to it in the context of zoning as well as economic growth just as the Land Use Plan supports economic growth.

Mr. Terrell asked the Board to support the County's Land Use Plan noting they had demonstrated consistency and compatibility in a wide variety of ways in a facility that not just meets but exceeds the zoning ordinance.

Mr. Chris Sandifer, P.E., of 3118 Green Rd., Spring Hope, NC addressed the issue of coal power plants and solar farms. He stated per Duke Energy's 2020 resource plans, the utility plans to retire all its power plants in the Carolinas that rely exclusively on coal. This effort is to allow Duke Energy to achieve 50% reduction of carbon emissions by 2030. Mr. Sandifer said Duke's Hyco and Mayo plants will be closed noting that is not an if, but just a matter of when. He noted solar renewable energy is not responsible for the coal industry's demise. He further noted that each megawatt hour of energy produced by a coal plant produces over one ton of greenhouse gases; he stated there are already over 24 million tons of coal ash in Person County that need an environmentally safe permanent disposition. Mr. Sandifer referenced the United States Department of Energy noting the costs of coal electric energy is twice as much as energy produced by solar. Mr. Sandifer said by refusing to expand the tax base to include renewable energy, it will not help the coal power industry to survive in Person County but will penalize its taxpaying residents into perpetuity for the perceived benefit of just a few.

Mr. Tommy Cleveland, of 4141 Laurel Hills Rd, Raleigh, NC, and a NC professional engineer who has worked his entire career in solar energy. Mr. Cleveland stated he has heard some of the most inaccurate statements about solar energy, i.e., that the solar project will triple the electricity rates in the future, that the project will take power out of transmission lines at night time and the only source for the raw materials for solar materials is from China. He said all those statements are incorrect.

Mr. Matt Delafield, Chief Operating Officer of Renewable Energy Services, the original developer of this project. Mr. Delafield prepared and shared the following slide presentation.




Project Overview

Plateau Solar

- Originated by RES in 2016 under a different project name
 - Partnered with Pine Gate Renewables who will own and operate the facility
- Reimagined the project in 2021 as Plateau Solar to incorporate many design changes
- 65MW Facility – Generating enough energy to power approximately 13,000 homes

Project Benefits

- Significant increase to County tax base
 - Estimated \$1,664,797 increase over 40 years
- Secluded – extraordinary vegetative buffers
- Existing Power Purchase Agreement with DEP at a rate under their current avoided cost

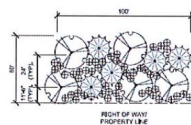
A photograph of solar panels installed in a field. The panels are tilted and reflect the sky. The background shows a clear blue sky with some white clouds and a green field in the foreground.

Project Reimagined

Through various forums, the community made us aware of some of their key areas of concern regarding the project in its original form. Hearing that, we made the following changes in 2021 to address those concerns:

Decommissioning	Project will post a decommissioning security (bond or irrevocable letter of credit) to ensure the landowners and the County will never shoulder the cost of removal
Impact to wildlife	Implementation of wildlife-friendly fencing to allow passage for small and medium mammals Implementation of three wildlife corridors of 50' each, under the guidance of NC Wildlife Commission, to allow passage for large mammals
Visual impact on the community	Significantly increased setbacks from property lines Significantly increased the depth and planting height of vegetative buffer Reduction of maximum allowable panel height from 15' to 10'

Depiction of Vegetative Buffer - Original MD1

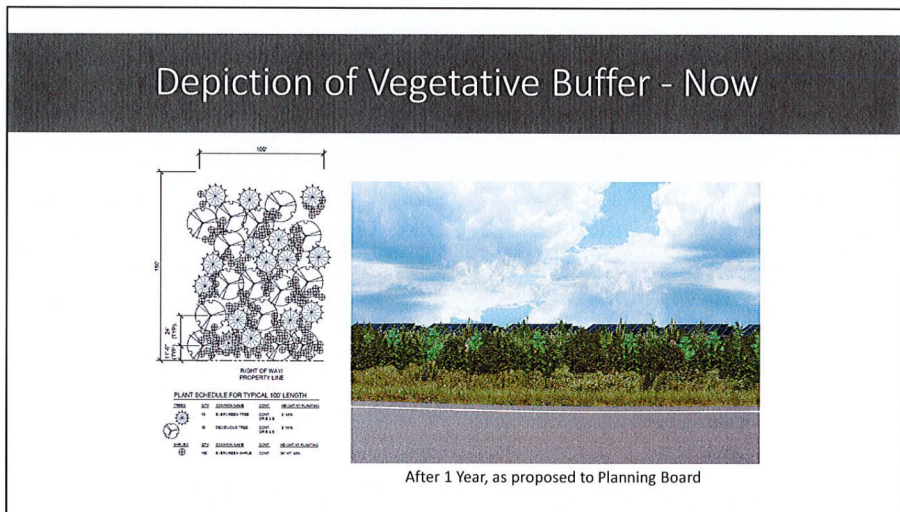
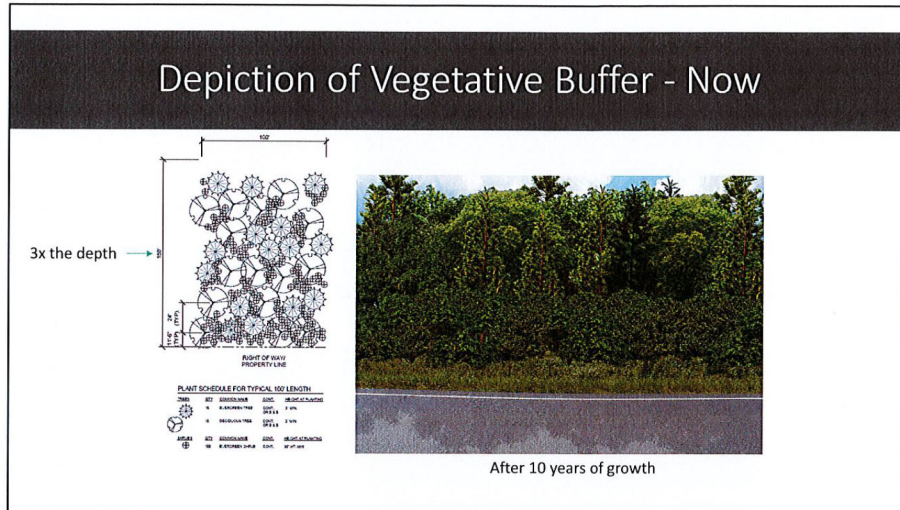


PLANT SCHEDULE FOR TYPICAL 100' LENGTH

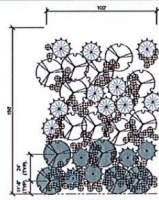
SYMBOL	SPY	SPACING	END	REMARKS
(Symbol)	SPY	SPACING	END	REMARKS
(Symbol)	SPY	SPACING	END	REMARKS



After 10 years of growth



Depiction of Vegetative Buffer - Now



PLANT SCHEDULE FOR TYPICAL 100' BUFFER

PLANT	SIZE	SPACING	ROW	ROW SPACING
1. BURNING BUSH	10' x 10'	10' x 10'	1	10'
2. BURNING BUSH	10' x 10'	10' x 10'	2	10'
3. BURNING BUSH	10' x 10'	10' x 10'	3	10'
4. BURNING BUSH	10' x 10'	10' x 10'	4	10'
5. BURNING BUSH	10' x 10'	10' x 10'	5	10'
6. BURNING BUSH	10' x 10'	10' x 10'	6	10'
7. BURNING BUSH	10' x 10'	10' x 10'	7	10'
8. BURNING BUSH	10' x 10'	10' x 10'	8	10'
9. BURNING BUSH	10' x 10'	10' x 10'	9	10'
10. BURNING BUSH	10' x 10'	10' x 10'	10	10'



After 1 Year, with additional approval conditions

Depiction of Viewshed – Existing w/ Supplemental Buffer



Community Engagement

Proactive Outreach:

- ✓ Three rounds of letters sent
 - ✓ FAQ + Invitation to PIMs
- ✓ Personal outreach to the landowners who voiced specific concern about the project


Public Information Meetings

- Three meetings:
 - Homestead Steakhouse (7/28/21)
 - Homestead Steakhouse (7/29/21)
 - Hurdle Mills Park (9/1/21)

Key Feedback:

-Concern around wildlife passage
-Viewshed concern

-Decommissioning



Addressing Community Concerns

<p>A rural landscape is pleasing</p>	<p>The rural landscape is preserved by the county's 150-foot buffer, which the applicant will not negatively impact by lowering panel height and increasing tree height at time of planting.</p>	<p>As farmland is "taken away," farming support services are harmed. What is "tipping point" that suppliers go out of business?</p>	<p>Agriculture, like all other economies, evolves. Mules and plows have given way to large air-conditioned tractors with navigation systems, each with its own job support services. With change come new jobs and types of jobs. But bottom line is that the county is authorized to use powers to regulate land for many things, but macroeconomic market regulation is not one of them.</p>
<p>A solar farm is a burden on taxpayers</p>	<p>Quite to the contrary, a solar farm greatly increases the tax income from the same tract. No subsidies are provided by this project.</p>	<p>Solar panels will "litter the countryside"</p>	<p>No, they will not, and these panels will be concealed.</p>
<p>This proposal will "devastate the Hurdle Mills community."</p>	<p>The county adopted an ordinance that ensures this facility won't be seen. It will not prevent any resident from using their land as they wish. It is not fair to claim that the ten foot high panels concealed by vegetation will "devastate" the community when there are 30-foot power poles and state highways in front of every home and series of 110-foot transmission towers crossing this property that no one has complained about.</p>	<p>If the power output is 65 megawatts, it will remove this much power from the transmission lines during times when the solar farm is not producing, such as at night.</p>	<p>A confident claim based on no facts. The amount of power on the grid will remain the same 24/7/365, with or without this facility.</p>

Addressing Community Concerns

These panels will have parts made in China.	The vast majority of American products used in everyday life are made in China. Therefore, claiming solar is bad because of materials made in China is hypocritical for every American consumer.
It will take two years to construct	It will take 9 to 12 months to construct.
There is no way to recycle solar panels	Approximately 98% of panel parts and components are recyclable and have recycling markets

Economic Benefit to Person County

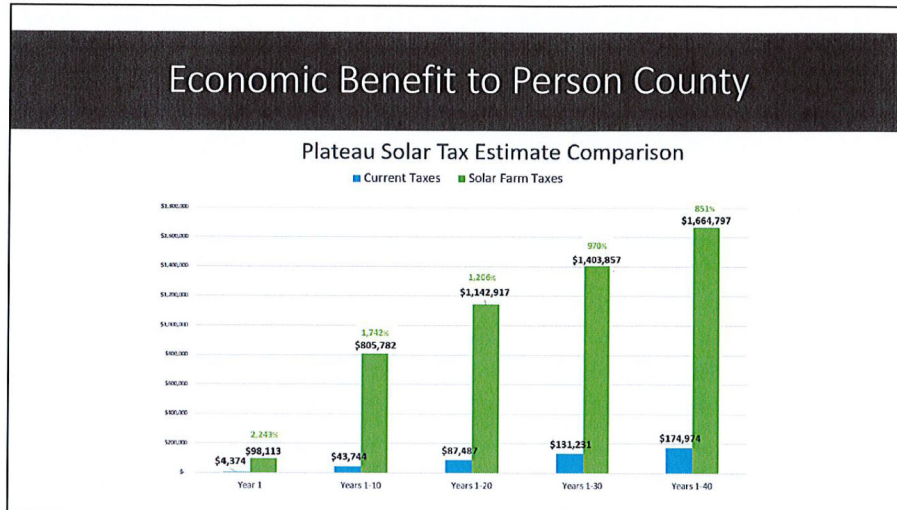
Plateau Solar is poised to provide significant benefit to Person County

Estimated over 2,000% increase in tax base

- \$4,374 in current annual taxes
- **\$98,113** in annual tax base Year 1
- **\$1,664,797** in 40-year tax base

- Project will commit to work with Person County's economic development officials to ensure local companies and labor pools have the opportunity to participate in the project, including:
 - Fuel/Parts -Grading -Hospitality
 - Fencing -Solid waste -Maintenance
- Applicant to pay 3-year roll back taxes
- Minimal demand on tax-funded / County services





Mr. Delafield addressed the reliability of this tax base noting it does not rely on trends but on a bankable utility. Mr. Delafield requested the Board to approve the Conditional District rezoning request.

Mr. John B. Mangum of 1101 Bethany Church Road, Rougemont, and a property owner in the Berea Solar project spoke in support of the Hurdle Mills Solar project due to the benefits it would bring Person County, most notably a zero carbon emission power generation source. He said he did not own property adjacent the Hurdle Mills project. Mr. Mangum said the county leadership's opposition to solar energy stands in contrast to high-tech companies that could bring high-paying jobs, which are moving toward carbon-neutral or carbon-free production. Mr. Mangum provided examples of major companies' plan to reduce emissions, i.e., Ford Motor Company by 2035 to only have electric vehicles, Amazon by 2040 to have 100,000 electric vehicles for its delivery, and Duke Energy by 2050 to achieve net zero carbon emissions. He said Person County is choosing to not be a part of a future trend. Mr. Mangum said the property owners involved in the Hurdle Mills project made the best decision for themselves for their own property that they have paid property taxes.

Ms. Mary Susan Mangum Williams of 109 Westlake Dr., Henderson, NC, and a property owner in the Berea Solar project stated she was a real estate broker in the state of NC for over 20 years. Ms. Williams described how her rights have been violated noting her property has not even been farmed commercially. She said the opportunity to use her property for solar energy gave her a way to protect her land and keep out unwanted trespassers.

County Attorney, Ellis Hankins reminded the Board and the individuals appearing before the Board that the purpose of this public hearing was for comments related to the conditional district rezoning application.

Mr. Chance Sanford of 400 Clayton Avenue, Roxboro stated that property owners have a right to use their land for what they would like noting the vegetation would be high enough that it would not be an eyesore to the community. Mr. Sanford said the coal jobs that have left the community is not due to solar energy but due to natural gas. He said solar is the future as the cheaper technology. Mr. Sanford stated farmers who did not make a living farming could make money with solar energy. He asked the Board to let them do it.

Mr. Kevin Cates of 8131 Mabe Moshell Rd., Summerfield and a property owner in the Hurdle Mills project on Satterfield Road said his land has been in his family since before Person County was formed in 1791 noting no one there probably knew his grandfather but conveyed that his grandfather, Hester Cates, would have wanted this on his property noting he leased an easement to CP&L at that time for the high tension lines that are located all through the properties being discussed. Mr. Cates said for the most part people don't want change but unfortunately the only constant is change. Mr. Cates asked for the help of the Board to protect his rights as a landowner. Mr. Cates said the land would not be farmed in the future and the only way to keep the property in his family for another 200 years was for it to pay for itself. Mr. Cates said it is clean, that there was no noise to be heard, nothing to smell or taste and after the buffers installed, it would not be seen. He asked the Board to vote yes.

Speaking in opposition to Petition CD-01-21, a request by Plateau Solar, LLC on behalf of the property owners, Thomas and Rachel Puckett, W. Ruffin Woody Jr. Revocable Trust and Samuel Cates, for a Conditional District Rezoning from R (Residential), RC (Rural Conservation) and B1 (Highway Commercial) to CD-RC (Conditional District – Rural Conservation), for a Level 3, (10 acres or greater) Solar Energy System on Tax Map and Parcel numbers A41-1, A31-16, A31-42 and A42-5, consisting of approximately 798 acres located on Hurdle Mills Road and Satterfield Road were the following:

Mr. Ray Foushee of 8930 Hurdle Mills Rd., Hurdle Mills said he would focus on the guidelines that Person County uses to make rezoning decisions. Based on this information, Mr. Foushee advocated for the Board to deny the rezoning of the proposed property for solar development as was done by the Planning Board. Mr. Foushee said three of the seven goals in the County's Comprehensive Use Plan that was adopted in 2001 do not support a zoning change for a solar development of this size. 1) The Land Use goal: promote an orderly and efficient land use development pattern which allows for a variety of land uses while being sensitive to environmental concerns. He added that cutting trees off 500+ acres, taking the farming away from 110 acres was not sensitive to environmental concerns. 2) Community Appearance goal: maintain and enhance the character of Person County and other features that represent America's heritage. He added that nothing about 797 acres of cleared land and solar panels will enhance the character of Person County. Mr. Foushee noted existing vegetation, most of which is trees that leaves fall off in fall and winter will not suffice as an adequate barrier. 3) Natural Environment goal: protect water quality and ecological or other important factors. He added that taking 500 acres of trees off will not satisfy that goal. Mr. Foushee noted #1 on the County's Strategic Plan: protect our land. He added 110 acres removed farmland will be eliminated and 500+ acres of woodlands eliminated does not protect our land. Is the plan to develop in harmony with the area; Mr. Foushee said no. Will the plan developed substantially injure the value of adjoining or abutting property; Mr. Foushee said yes, in particular when it surrounds his son's property. Mr. Foushee said Person County citizens don't have the good fortune to have attorneys and experts to plead its case and asked the Board to represent the citizens of the community. Mr. Foushee said the Hurdle Mills citizens appeal to the Board to vote no to the rezoning and the solar development because it does not fit the County's Comprehensive Use Plan and does not fit the County's Strategic Plan and it is not in harmony with the area and it will no doubt substantially injure the value of adjoining and abutting property nor does it fit the County's Farmland Preservation Plan. Mr. Foushee said the request has not fully been approved to be within five miles of the Airport and this request was rejected by the Planning Board.

Mr. Jason Foushee of 8019 Hurdle Mills Rd., Hurdle Mills and the owner of 20 acres that Plateau Solar would like to surround with a solar facility. He said he purchased the property and built a home in a residentially zoned area and is now worried about being surrounded by glass and silicone. Mr. Foushee said the attorney says the solar facility will not devalue his property but asked the Board if they would pay the same for a piece of

property surrounded by a solar facility versus one that is not. Mr. Foushee said that the attorneys have said the vegetative buffer will conceal everything from being seen but he feels it will be impossible to hide 797 acres of solar panels by planting a few trees. The construction of this project alone will disrupt his family and the Hurdle Mills community for years. Mr. Foushee stated he hoped to provide his young children with options to build homes on his property but surrounded by a solar facility, he did not think that would happen. Mr. Foushee asked the Board to put themselves in his position to consider if they would want this surrounding their home and property. He asked the Board to leave the adjacent property zoned as residential.

Mr. Anthony Horton of 7233 Hurdle Mills Rd., Hurdle Mills said the proposed solar project would be on two sides abutting his property. He stated his concerns related to catastrophic weather issues, i.e., hail, hurricane, fire, the island heat affect especially if they will drop them another five feet as it will change the temperature of that area including around his and other properties. Mr. Horton said there were 35 homes and a church within 500 ft. of the project. Mr. Horton asked what happens if these panels are lifted and put on farm property and deemed sterile. Mr. Horton asked who will have to clean it up. Will they have to file lawsuits against the county, against the landowners, against the solar companies to cover their losses. Mr. Horton said he understood land rights, but what about the land if it damages his property. He asked what rights does he have as a landowner adjoining this property. Mr. Horton opined it would affect property values. Mr. Horton noted he has three kids that have expressed building on the farmland behind his house but not if it is surrounded by solar panels. He further noted they have no way of knowing if these property values won't be hurt based on their data as there are no 800-acre solar farms in this area. He asked if NC really wanted to keep growing these solar farms and be like California, i.e., rolling blackouts. Mr. Horton referenced a packet of information he provided to the commissioners of information that refutes what the lawyers have said about the contribution to Duke Energy Progress is less than two-tenths of a percent that goes into nominal reserves. Mr. Horton said natural gas is a better way to go. Mr. Horton asked the Board to vote no on this project.

Mr. Anthony Wilkins of 2180 Union Grove Church Rd., Hurdle Mills said he had traced his family history in Person County to 1836 noting farming is very important. He said what will be the future vision of farming noting Person County has a bright future. Mr. Wilkins asked why was this project a good option for Person County noting the Hurdle Mills area was not the place for it to be. Mr. Wilkins addressed the issue of the coal plants closing noting between the Hyco and Mayo plants, there is 3000+ megawatts being produced 24/7 with the proposed solar that may produce energy for part of that time so he asked how many solar farms will it take to be equalivant of the two coal plants. Mr. Wilkins asked the Board to vote no.

Mr. Bruce Moore of 1406 Union Grove Church Rd., Hurdle Mills said he was a lifelong Personian, a businessman and Vice Chairman of the Uptown Roxboro Group where they promote businesses and support local businesses. Mr. Moore said there was not one thing about these solar farms that puts food on his table or bring people into his business. He noted that a 798-acre in the heart of a community would be devastating and Person County did not need to be the solar capital of NC. Mr. Moore asked the Board to look at the room and that speaks for itself, as they did not want this in their community. Mr. Moore stated when that project of this size affect everybody in this county and in the Hurdle Mills community, a choice has to be made to oppose this project.

Ms. Cynthia Lynch of 395 Union Grove Church Rd., Hurdle Mills referenced to the section of the packet titled Rebuttals, page 3 about farmland being taken away noting as long as we all need to eat, we all need farms. Ms. Lynch further noted the two top things that people in Person County said they are concerned about is expanding employment opportunities and preserving farms and open space and she did not want the applicant to tell the Board that it was none of their business that the county has no authority with macro market regulations. Ms. Lynch said she did come from New Jersey and she has seen the loss of agriculture in two communities and she does not want this area to lose that. Ms. Lynch addressed property rights to use their land; she said all of us are controlled by the Land Use ordinance to some extent.

Mr. John Seepe of 277 Barefoot Landing Ln., Semora said he owns over 100 acres in Person County and as a taxpayer, he appreciated the speakers addressing the impact to the whole county that solar farms of this magnitude would have. Mr. Seepe said that OSHA was not recommending to put solar panels into landfills due to breakage and contamination of groundwater. Mr. Seepe noted he worked years in nuclear energy and said the energy that has the lowest amount of waste is nuclear power so he may put a nuclear power plant on his 100 acres. He added it would be neat to put an adult store wherever he wanted or a bar wherever he wanted. He said to reregulate this stuff noting the Board has five and a half months with the moratorium to think about what is right for the county. Mr. Seepe told the Board to listen to the Planning Board and turn it down.

Ms. Kay Rimmer of 8533 Hurdle Mills Rd., Hurdle Mills asked to defer her time to Mr. Lynch. Mr. Terrell, the applicant's attorney stated they were not given that opportunity. Chairman Powell stated the Board would stand by the rules put into place to allow 3-minutes per person. Ms. Rimmer stated she lives near the proposed solar farm and it would be right behind her house. She said she did not want it noting she pays taxes and she votes.

Mr. Paul Lynch of 395 Union Grove Church Rd., Hurdle Mills stated he had a degree in environmental engineering and worked in the power industry for over 35 years and is currently CEO of a company that designs and supply custom engineering equipment for power plants, all kinds of power plants, not just coal, including solar thermal noting they are doing so well, they are hiring people as they cannot keep up with the work being thrown at them. Mr. Lynch said the applicant has made a number of false statements, misrepresentations and the easy one is that these panels are made in China. He noted they said in their original application, the panels were built in Canada and they are not as this company has facilities around the world. Mr. Lynch said their filing with the Securities and Exchange Commission, on page 34 states as of December 31, 2020, 78% of the manufacturing is done in China, with 22% in other countries in Southeast Asia. Mr. Lynch said the applicant's attorney also stated that there were no subsidies to be provided with this project; he stated if there were no subsidies for solar power, you would not see single one of them in existence. Mr. Lynch noted they have massive subsidies including guarantee loans for the Department of Energy, all kinds of accounting benefits for tax purposes and more. Mr. Lynch noted an environmental impact; the thermal heat island effect of this facility would be much like a grove of pine trees. Mr. Lynch stated the benefits to the property owners are obvious; the benefits to the developer is obvious. He asked what does the citizens get, long term jobs, no, clean energy will cost a fortune as the power bills will triple in the next 10 years. He added this is a utility scale power plant, an industrial use by any definition. Mr. Lynch implored the Board to not let this happen to their community.

A **motion** was made by Commissioner Gentry and **carried 5-0** to close the public hearing for Petition CD-01-21, a request by Plateau Solar, LLC on behalf of the property owners, Thomas and Rachel Puckett, W. Ruffin Woody Jr. Revocable Trust and Samuel Cates, for a Conditional District Rezoning from R (Residential), RC (Rural Conservation) and B1 (Highway Commercial) to CD-RC (Conditional District – Rural Conservation), for a Level 3, (10 acres or greater) Solar Energy System on Tax Map and Parcel numbers A41-1, A31-16, A31-42 and A42-5, consisting of approximately 798 acres located on Hurdle Mills Road and Satterfield Road.

CONSIDERATION TO GRANT OR DENY PETITION CD-01-21, A REQUEST BY PLATEAU SOLAR, LLC ON BEHALF OF THE PROPERTY OWNERS, THOMAS AND RACHEL PUCKETT, W. RUFFIN WOODY JR. REVOCABLE TRUST AND SAMUEL CATES, FOR A CONDITIONAL DISTRICT REZONING FROM R (RESIDENTIAL), RC (RURAL CONSERVATION) AND B1 (HIGHWAY COMMERCIAL) TO CD-RC (CONDITIONAL DISTRICT - RURAL CONSERVATION), FOR A LEVEL 3 (10 ACRES OR GREATER) SOLAR ENERGY SYSTEM ON TAX MAP AND PARCEL NUMBERS A41-1, A31-16, A31-42 AND A42-5, CONSISTING OF APPROXIMATELY 798 ACRES LOCATED ON HURDLE MILLS ROAD AND SATTERFIELD ROAD:

Commissioner Gentry said this was a difficult position as no one wants to deny someone the right to do what they want with their property. She added that when those rights impact other property owners, that is why we have zoning laws. Commissioner Gentry said this project was an industrial sized project that was trying to be implemented in a residential, rural agricultural area. She added it was not the proper place for it, as an industrial use, it needs to be in its own industrial place. Commissioner Gentry said the proposed project did not coincide with the County's Comprehensive Plan. As the county has regulations, she stated it was unfortunate the county did not protect itself and was forced upon a project of this size. She said the county was looking at updating its solar and planning ordinances and felt the Rural Conservation district needed to be tightened up. Commissioner Gentry said for those reasons, she was against this solar facility in this location.

A **motion** was made by Vice Chairman Puryear and **carried 5-0** to deny Petition CD-01-21, a request by Plateau Solar, LLC on behalf of the property owners, Thomas and Rachel Puckett, W. Ruffin Woody Jr. Revocable Trust and Samuel Cates, for a Conditional District Rezoning from R (Residential), RC (Rural Conservation) and B1 (Highway Commercial) to CD-RC (Conditional District – Rural Conservation), for a Level 3, (10 acres or greater) Solar Energy System on Tax Map and Parcel numbers A41-1, A31-16, A31-42 and A42-5, consisting of approximately 798 acres located on Hurdle Mills Road and Satterfield Road based on the Planning Board's recommendation.

Chairman Powell announced a brief break at 8:13pm; the meeting was reconvened at 8:21pm.

PUBLIC HEARING:

PUBLIC COMMENTS TO CONSIDER WHETHER THE BOARD OF COMMISSIONERS SHOULD ADOPT A RESOLUTION TO CHANGE THE ORGANIZATION AND GOVERNANCE OF THE CURRENT DEPARTMENTS OF SOCIAL SERVICES AND HEALTH:

Chairman Powell announced a 3-minute time limit for individuals making comments during this public hearing.

A **motion** was made by Commissioner Sims and **carried 5-0** to open the duly advertised public hearing to hear public comments to consider whether the Board of Commissioners should adopt a resolution to change the Organization and Governance of the current Departments of Social Services and Health.

There were no individuals to appear before the Board to speak in favor of the Board of Commissioners to adopt a resolution to change the Organization and Governance of the current Departments of Social Services and Health.

Speaking in opposition to the Board of Commissioners to adopt a resolution to change the Organization and Governance of the current Departments of Social Services and Health were the following:

Mr. Ray Jeffers of 1138 Concord-Ceffo Rd., Roxboro, and Chairman of the Social Services Board said he was joined by fellow Social Service Board members, Linda Mabe, and Charles Dickens in the audience. He said Fay Martin was unable to attend due to a previous scheduled commitment. Mr. Jeffers said they were present to oppose Commissioner Gentry's proposal to consolidate the governance structure of human services. Mr. Jeffers stated Commissioner Gentry, a first-term commissioner serving eight months does not have a full understanding of the workings of the largest county department, the Department of Social Services (DSS). Mr. Jeffers stated Commissioner Gentry's accusations of DSS key personnel was misleading, false, and a lie. Mr. Jeffers said the Social Services Board approved teleworking last year for staff with the necessary technology due to the level of un-readiness amongst employees due to the corona virus. He added that along with employment, benefits such as maternity leave, sick leave and family and medical leave are extended to employees and those employees Commissioner Gentry spoke of in a Board of Commissioners' meeting had the right to utilize the benefits offered to them and did so. Mr. Jeffers recalled when Commissioner Sims asked Commissioner Gentry if she had met and discussed her proposal with the Social Services Board, and she said yes but they didn't want to hear it. Mr. Jeffers stated this was another falsehood as the Social Service Board could attest, she was asked to share her proposal and she declined. Mr. Jeffers recalled Commissioner Gentry's response when the Board of Commissioners voted to remove a member from the Economic Development Commission as petty politics and yet she proposes to dissolve the Social Services and Health boards without evidence of the need. Mr. Jeffers asked the Board of Commissioners to vote down

Commissioner Gentry's proposal as well as asked Chairman Powell to replace Commissioner Gentry on the Social Services Board with a commissioner representative that was interested to work with the Social Services Board to improve the largest department in the county that serves so many.

Mr. Carlton Paylor, Director of Person County's Department of Social Services said the Health and DSS employees traditionally have been considered state personnel act employees which protects from local control and the potential for harassment and malign this could bring noting it seems wise to create a buffer between those service providers against politically or socially sensitive decisions. Mr. Paylor said the relationship between Health and DSS works very well, both with a good relationship with the County Manager. Mr. Paylor said even working in a pandemic, experiencing the cyber-incident among other issues that his competent team addressed the state corrective action noting receipt letters from state agencies with commending reviews for its performance. He noted there was a minimal payback for Medicaid. Mr. Paylor spoke of internal, state and online trainings for his employees. Mr. Paylor stated there were some incorrect comments made about DSS in June related to former employees, current employees as well as himself not working which were false. Mr. Paylor asked the Board to not consolidate the DSS and Health department and allow them to get back to work.

Mr. Clevie Brandon of 635 Oliver Loop Rd., Roxboro and president of the Person County Interdenominational Ministerial Alliance stated opposition to the destructive attitude that reference that leaders are unknowledgeable and insufficient noting they are aware these leaders are well educated and possess the knowledge and background to adequately perform their job as stated in the most recent audit. As the peace makers and peace keepers of the community, he requested the Board of Commissioners to be more considerate about department leaders in Person County before accusations are made that are damaging to one's character. Mr. Brandon made it known he supports the Social Services Director and his staff and asked that their names be cleared. Mr. Brandon asked the Board of Commissioners to consider leaving the DSS as is and to not consolidate the DSS and Health Department.

Dr. Jeff Noblett of 70 Teal Drive, Semora and Chairman of the Board of Health spoke in opposition to the consolidation proposal. Dr. Noblett noted the goal of the Health Department is the health and well-being of the citizens of Person County. In order to do that, the county needs a board that consists of people that are very familiar with the health field. He noted the current pandemic of COVID-19 with vaccinations, weekly status of Person County's statistics, tobacco ordinance, maintenance of stockpile of medical supplies for the county in the event that there is a disaster, STDs, maternal health, environmental health, wells and septic tanks, food service inspections, swimming pool inspections, all of these issues would have to be dealt with by the Board of Commissioners if these boards are merged or the departments are merged. Dr. Noblett noted health professionals on the Board of Health include a doctor, a nurse, a veterinarian, an engineer and others familiar with the health field and equipped to handle these things. Dr. Noblett

said the Board of Health's consensus opinion was that the Board of Commissioners should vote against the consolidation of the DSS and Health Department as they are doing two entirely different things.

Mr. Avie Lester, Sr. of 7455 Virgilina Rd., Roxboro spoke on behalf of NAACP and concerned citizens to offer absolute objection to consolidation of function of the DSS and Health Department. Mr. Lester said both the public health and DSS falls under the strict guidelines of the NC Department of Health and Human Services and there was no reason for more oversight by the County Manager, who serves at the pleasure of the county commissioners. Mr. Lester encouraged the citizens of the community to strongly object and reject any form of consolidation, which in his opinion was short sighted and unnecessary.

Mr. Ben Tillett of 275 Knolls of Mayo Rd., Roxboro and a member of the Board of Health noted the Board of Health was established in 1988. Prior to 1988, Mr. Tillett said the Person County Health Department reported to a district board of health which meant the resource allocation for Person County's health needs came from outside the county. Establishment of a local board of health was a significant step forward bringing local public health governance to the citizens of Person County. Per state statute, the Board of Health in NC is to be made of up of a specified local mix of local health care professionals as well as the general public, all people that have vested interests in the public health needs of our citizens. Mr. Tillett said each member of the board of health are appointed for three-year terms by the Board Commissioners and bring an individual professional perspective and when combined with the others provides a unique understanding of the public health needs of the county to which is taken responsibly. Mr. Tillett noted ultimate control of public health resources and performance rests with the Board of Commissioners. He further noted the members of the Board of Health are committed to its mission as evidenced by attendance and participation. Mr. Tillett, a member of the Board of Health for many years, attested to the spirit of service noting they have never failed to have a quorum. As a member of the local health department and accreditation board, the state agency that surveys local health departments using standards of performance approved by state legislature, Mr. Tillett stated great pride under the current Health Director's leadership was one of the first health departments in the state to meet all 148 standards of performance earning a score of 100. He added the health department continues to score high on these surveys receiving Accreditation of Honors distinction which is not an easy accomplishment requiring outstanding leadership and employee commitment within the department. Mr. Tillett encouraged the Board to allow this longstanding tradition to continue by not consolidating the boards of Health and Social Services.

Mr. Chance Sanford of 400 Clayton Ave., Roxboro represented Personians Against Injustices and Racism stated the need for better access to information, education and jobs. Without these things, Mr. Sanford said citizens will increasingly rely on access to subsidized healthcare through the County's health department and subsidized food, childcare, utility payments and housing through DSS. Mr. Sanford voiced concerns to the Board as they sit in judgment over these services. Mr. Sanford asked the Board why to consider consolidation of these two departments. He asked who benefits from consolidation, the citizens, the employees or is this simply to place people in position of power to influence and effect the outcomes that are congruent with the Republican political party.

Mr. Robert Trotter of 117 Hill St., Roxboro stated he worked in Social Services for over 30 years and never seen an agency consolidate two separate local government services. Mr. Trotter said he did not understand the situation but felt this was a misguided approach as it was not a public hearing but a sounding board from the public.

A **motion** was made by Commissioner Palmer and **carried 5-0** to close the public hearing for public comments for the Board of Commissioners to consider adopting a resolution to change the Organization and Governance of the current Departments of Social Services and Health.

CONSIDERATION TO AUTHORIZE STAFF TO DRAFT A RESOLUTION TO CHANGE THE ORGANIZATION AND GOVERNANCE OF THE CURRENT DEPARTMENTS OF SOCIAL SERVICES AND HEALTH:

Chairman Powell stated he voted in favor to schedule and hold the public hearing as he needed to, and wanted to hear from the public related to changing the organization and governance of the current departments of Social Services and Health. After hearing the comments, he said he was not in favor to proceed with action on this matter.

Commissioner Gentry said there had been misconceptions about the concept of merging the boards noting she was not talking about merging the departments. Commissioner Gentry stated she understood the concerns as change is always challenging. Commissioner Gentry said she could not understand why anyone would not want to make it better and stronger. Commissioner Gentry said the employees would not lose their protections from the state and there was an effective and efficient way to merge the boards to have direct supervision like every other department in the county. She explained the reason for her proposal was due to county having to spend around \$60,000 to hire outside consultants to fix a problem at DSS that the Board was unaware that existed. Perhaps these funds could have been saved if there had been better communication and oversight; Commissioner Gentry said that money could have been put into programming and not in the pocket of the consultant. Commissioner Gentry felt the Board should have some say with the \$5M that is spent. Commissioner Gentry noted her vision was an opportunity to engage more professional people on a consolidated board as the county was having issues with drug abuse, alcohol and other issues affecting families and causing them to rely on government services at DSS, which in turn go to the Health Dept. She advocated for finding more professional help with a consolidated board and that it was worth a look. Commissioner Gentry asked to Board to consider the options noting it was not a power grab.

Commissioner Sims stated he could see both sides of the issue and noted his preference to take action on this item and not kick it down the road.

A **motion** was made by Commissioner Sims and **carried 3-2** to not proceed with changing the organization and governance of the current departments of Social Services and Health. Commissioner Sims, along with Chairman Powell and Vice Chairman Puryear voted in favor of the motion; Commissioners Gentry and Palmer cast the dissenting votes.

INFORMAL COMMENTS:

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

Ms. Cynthia Lynch of 395 Union Grove Church Rd., Hurdle Mills stated as the Board has recently approved a solar moratorium to allow time to review its Solar Energy Systems Ordinance noting it was just a year ago the Board was doing the same thing. Ms. Lynch suggested to look at the size of the projects and have some limitation on the size. Ms. Lynch also suggested to the Board to establish a task force of people beside the staff planners who have some technical experience. Another issue not touched on in the recent applications was battery storage, and Ms. Lynch said unless the Board makes some prohibition in the solar ordinance, the Board could find themselves looking at such a year from now.

DISCUSSION/ADJUSTMENT/APPROVAL OF CONSENT AGENDA:

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

- A. Approval of Minutes of August 2, 2021,
- B. Home & Community Care Block Grant Final Reports FY 2020-2021, and
- C. Person County Health Department Fee Requests for Immunization Administration of the 3rd Dose COVID-19 Pfizer and Moderna

NEW BUSINESS:

RESOLUTION AUTHORIZING RECONVEYANCE OF SCHOOL PROPERTY:

County Attorney, Ellis Hankins presented a Resolution Authorizing Reconveyance of School Property for Board consideration explaining the County made its final loan payment on or about June 1, 2021 that pledged Woodland Elementary School property as security for repayment of the loan. The School Board sent notice of its desire to exercise its purchase option pursuant to the Lease Agreement dated on or about May 16, 2006 that the County provided to the School Board during the term of the financing agreement. The School Board adopted a Resolution Taking Appropriate Action Related to Exercising the Purchase Option for the Woodland Elementary School site, which was construed as a written offer. Upon the County receiving the School Board's check for \$100.00, the mutually agreed purchase price, the Chairman is authorized to execute a Warranty Deed to convey Woodland Elementary School to the School Board. Mr. Hankins noted Chairman Powell would be signing the Warranty Deed 15 years later after signing it as the Board of Education's Chairman.

A **motion** was made by Vice Chairman Puryear and **carried 5-0** to adopt a Resolution Authorizing Reconveyance of School Property, as presented.

RESOLUTION AUTHORIZING RECONVEYANCE OF SCHOOL PROPERTY

WHEREAS, the Person County Board of Education (the "School Board") and the County of Person, North Carolina, by and through the Person County Board of Commissioners (the "Board of Commissioners"), previously agreed to cooperate in a plan to finance the cost of necessary and appropriate improvements to Woodland Elementary School, using the installment financing method as authorized by NC General Statutes §160A-20 and related statutes; and

WHEREAS, the transaction was set forth in detail in the Agreement Concerning Various Projects for the Person County School Administrative Unit (the "Agreement"), dated May 16, 2006, and duly authorized and executed by the School Board and the County; and

WHEREAS, to accomplish the financing it was necessary for the School Board to sell and convey the Woodland Elementary School real property (the "Woodland Elementary School property") to the County, so the County could grant a security interest to the lender to secure repayment of the loan, as authorized by law; and

WHEREAS, the School Board did sell the Woodland Elementary School Property to the County for nominal consideration for that sole and express purpose, and conveyed the real property to the County by Warranty Deed, signed by its then-Chairman Gordon Powell, recorded in Book 587, Page 114, Person County Registry; and

WHEREAS, the County recorded a Deed of Trust granting a security interest in the Woodland Elementary School property to secure the loan, in Book 587, Page 116, Person County Registry; and

WHEREAS, the Agreement provided that the County would lease the Woodland Elementary School property to the School Board during the term of the financing agreement, and the School Board and County entered into a lease agreement on or about May 16, 2006 (the "Lease"), which was recorded in the Person County Registry in Book 587, Page 130; and

WHEREAS, pursuant to the Lease, the School Board has an option to purchase the Woodland Elementary School property at the end of the lease term upon payment by the County of all of the installment financing payments, and upon payment to the County of a purchase option price of One Hundred Dollars (\$100.00); and

WHEREAS, the County made its final loan payment on or about June 1, 2021, and the County received satisfactory notice of final payment and satisfaction of the promissory note from the lender, and the lender, PNC Bank, as successor to RBC Centura Bank, the original lender, recorded in the Person County Registry a discharge and release of the Deed of Trust under which the County pledged the Woodland Elementary School property as security for repayment of the loan, on June 25, 2021, in Book 1083, Page 725; and

September 7, 2021

WHEREAS, the School Board sent notice of its desire to exercise its purchase option pursuant to the Lease, by letter dated June 15, 2021, along with the School Board's adopted Resolution Taking Appropriate Action Related To Exercising the Purchase Option for the Woodland Elementary School Site (the "School Board Resolution");

NOW, THEREFORE, BE IT RESOLVED by the Person County Board of Commissioners:


1. The School Board Resolution shall be construed as a written offer to purchase the Woodland Elementary School property, and the Board of Commissioners hereby accepts the offer by means of this written Resolution, such that the offer and acceptance together constitute a written purchase and sale agreement with respect to the real property; and
2. Gordon Powell, Chair of the Board of Commissioners, is authorized to execute a Warranty Deed to convey the Woodland Elementary School property to the School Board, upon receipt of the School Board's check for \$100.00, the mutually agreed purchase price; and
3. All actions of Person County officers and employees in connection with the Agreement, Lease and other documents with respect to the installment financing and real property transactions are hereby authorized and ratified.
4. This Resolution is effective upon adoption.

ADOPTED this the 7th day of September, 2021.




(SEAL)

PERSON COUNTY BOARD OF COMMISSIONERS


Gordon Powell, Chairman

ATTEST:


Brenda B. Reaves, Clerk to the Board

September 7, 2021

CHAIRMAN'S REPORT:

Chairman Powell reported an upcoming Patriot's Day on September 11, 2021 with a parade at 9:00am and a ceremony at the Veterans' Park at 10:00am.

Chairman Powell said a ceremony to dedicate the flagpole at Merritt Commons on September 18, 2021 at noon to honor the memory of Bruce Wrenn.

MANAGER'S REPORT:

County Manager, Heidi York had no report.

COMMISSIONER REPORT/COMMENTS:

Commissioner Gentry reported that both Verizon and AT&T cell phone providers are removing equipment from towers for upgrades causing cell phone coverage to be spotty; however, because of proprietary information, it is not known when the new equipment would be installed. Commissioner Gentry recommended citizens experiencing issues to file an online complaint with the FCC.

Commissioner Sims stated he wanted to correct some misinformed information given out at the last Board meeting by Mr. John Seepe. Mr. Seepe said Commissioner Sims was on the ATC advisory committee; Commissioner Sims stated he was on a Mechatronics Advisory Board prior to being elected but has not been on any committee related to the ATC. He noted his understanding with PCC Vice President Beth Townsend was that there has not yet been an advisory committee established for the ATC.

There were no reports or comments from Vice Chairman Puryear nor Commissioner Palmer.

ADJOURNMENT:

A **motion** was made by Vice Chairman Puryear and **carried 5-0** to adjourn the meeting at 9:01pm.

Brenda B. Reaves
Clerk to the Board

Gordon Powell
Chairman

September 7, 2021