

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

JANUARY 18, 2022
OTHERS PRESENT

Gordon Powell
C. Derrick Sims
Kyle W. Puryear
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, January 18, 2022 at 9:00am 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.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

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

PUBLIC HEARING:

PETITION TA-03-21, A REQUEST BY THE PERSON COUNTY PLANNING DEPT., ON BEHALF OF THE PERSON COUNTY BOARD OF COMMISSIONERS, TO REVISE THE PERSON COUNTY SOLAR ENERGY SYSTEM ORDINANCE:

A **motion** was made by Vice Chairman Sims and **carried 5-0** to open the duly advertised public hearing for a request by the Person County Planning Dept., on behalf of the Person County Board of Commissioners, to revise the Person County Solar Energy System Ordinance.

Planning Director, Lori Oakley stated all state statutes and planning ordinance requirements have been met for this public hearing and requested that her staff report be entered into the record.

**Text Amendment TA-03-21
Solar Energy System Ordinance Revision**

EXPLANATION OF THE REQUEST

Petition TA-03-21 is a request by the Person County Planning Department, on behalf of the Person County Board of Commissioners, to revise the Person County Solar Energy System Ordinance.

REQUESTED ORDINANCE CHANGES

Article 2 and 3 of the Person County Solar Energy System Ordinance both contain proposed revisions. Please see the attached sheet labeled "Summary of Proposed Changes to the Person County Solar Energy System Ordinance" for a list of detailed changes.

PLANNING STAFF ANALYSIS

The Person County Solar Energy System Ordinance was adopted by the Board of Commissioners on Oct. 5, 2020 following a 7-month moratorium on solar energy systems, excluding accessory solar uses for both residential and non-residential uses.

On Aug. 16, 2021, the Person County Board of Commissioners adopted a 6-month moratorium on level 3 solar energy systems (greater than 10 acres) to allow staff time to review the current requirements and make adjustments accordingly.

Staff reviewed solar energy system ordinances across the state (including Beaufort County, Warren County, Stanly County, Nash County, Carteret County, Granville County and Orange County) and then drafted revisions to the ordinance. The draft ordinance was then sent to the following boards/committees for review: Economic Development Commission, Airport Commission and Farm Bureau.

The following is a summary of the commentary received from the aforementioned groups:

- Economic Development Committee: No suggested changes.
- Farm Bureau: The consensus among the board is the concern about the cleanup and removal of decommissioned solar panels and the long-term effects on the soil after removal, as well as concern of anything being left behind and not disposed of properly or not disposed of at all. They are still opposed to solar panels taking over or monopolizing productive farmland. They feel that as the nation's population is expanding, the need for more farming would increase and they felt that solar sites could be bad for future agricultural production.
- Airport Committee: No suggested changes.

The above commentary was incorporated into the proposed revised ordinance to the extent that was feasible.

Staff is proposing the following changes to the ordinance:

- No changes to where level 3 solar energy systems can be located (other than reformatting the Table to match the Table of Uses in the Planning Ordinance).
- No changes to setbacks (other than reformatting the Table to match the Planning Ordinance setback table); however, a 100' setback from a well was added.

- Buffer width reduced from 150' to 100' while planting height of trees increases from 3' to 6' at the time of planting.
- Aviation notification to other agencies increased from 30 days to 45 days prior to public hearing. All special use permits/conditional district rezoning application along with aviation requirements will also be submitted to the Person County Airport Commission. The website used for solar glare studies was updated to reflect a new website address.
- Decommissioning bond amount shall be reviewed by an engineer every 5 years.
- Conditional district rezoning language was added just to clarify a process that is already allowed.
- Additional information shall be included with the special use permit / conditional district rezoning application including but not limited to: a copy of the lease agreement, battery storage information, a Phase 1 environmental analysis, and any other relevant studies/documents requested by staff and/or boards.
- A fire response and emergency response section was added to ensure proper emergency response coverage along with the requirement of an emergency response plan that must be filed with the Fire Marshal.
- Prior to receiving a Certificate of Compliance, a noise level certification letter shall be submitted.
- An annual inspection shall be required by staff to ensure continued compliance.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends approval of TA-03-21. The proposed text will address board member and community concerns and better regulate solar energy systems.

PLANNING BOARD RECOMMENDATION

At the Planning Board meeting on December 9, 2021, the Board recommended unanimous (4-0) approval of TA-03-21 with the following changes:

- Table 2.1 – Change “S” in the chart to “S/CD” to better reflect that it includes both a special use permit and conditional district rezoning.
- Section 2.3 – Change the title to “Height and Size Limitation” and include a “b” that reads:
 - B. The maximum size of a level 3 solar energy system shall not exceed three hundred (300) acres as measured around the immediate perimeter of the panels and shall not be located within one (1) linear mile of an existing level 3 solar energy system.
- Section 3.1-E.2.c – include what PFAS means in parenthesis (Polyfluoroalkyl substances).

The Board included the recommended statement of reasonableness and consistency listed below in their approval.

Board member James had concerns about limiting the size of a level 3 solar energy system and the impact it would have on economic development for the county. Board member George had concerns about requiring a one-mile separation in between level 3 solar energy systems and how it would affect an adjoining property owner who might want to develop a solar energy system in the future. Both board members voted to approve the text amendment as written with the Planning Board’s recommended changes in order to move it along in the process due to the time-limited moratorium.

REASONABLENESS AND CONSISTENCY STATEMENT

The text amendment request is consistent with the Person County and City of Roxboro Joint Comprehensive Land Use Plan and future planning goals and objectives of Person County. It is

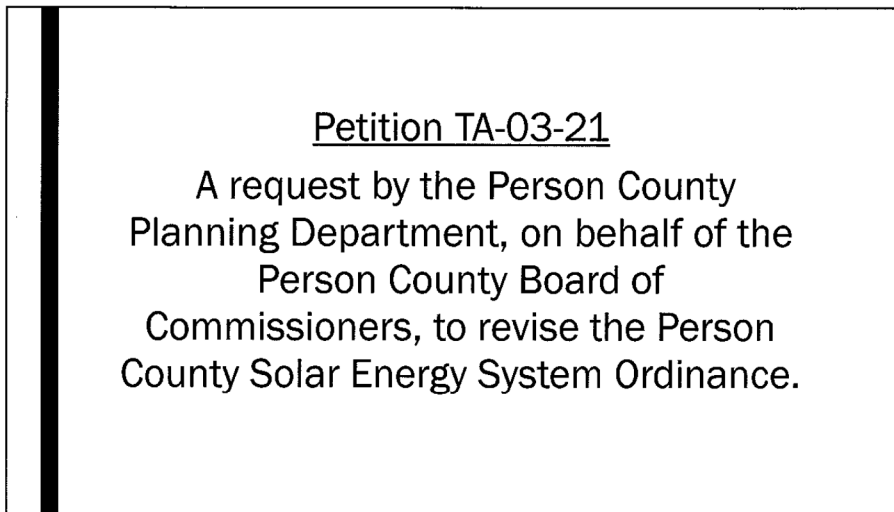
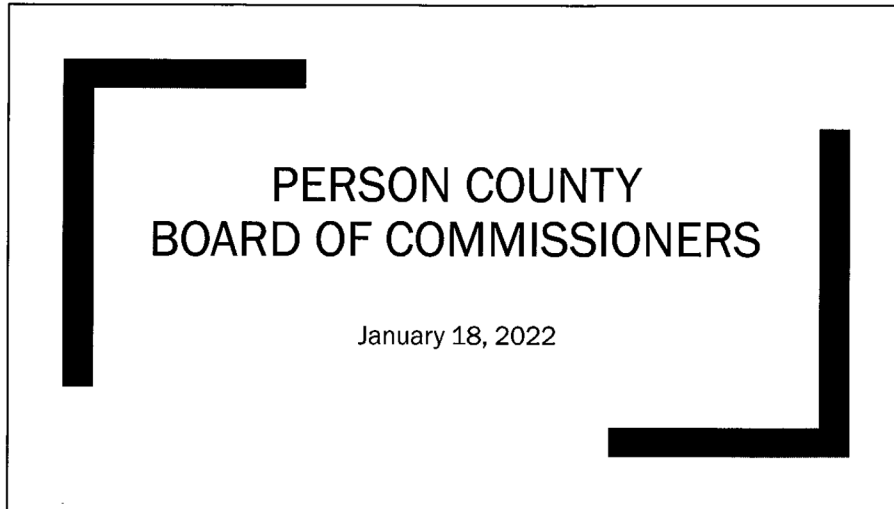
reasonable and in the public interest as it will provide clear regulations in the Person County Solar Energy System Ordinance.

The proposed text amendment meets the Comprehensive Land Use Plan Guiding Principle 2, which states to facilitate sustainable economic growth.

Submitted by: Lori Oakley, Planning Director

Ms. Oakley shared the following presentation with the group for this public hearing.

January 18, 2022



BACKGROUND INFORMATION

- The Person County Solar Energy System Ordinance was adopted by the Board of Commissioners on Oct. 5, 2020 following a 7-month moratorium on solar energy systems, excluding accessory solar uses for both residential and non-residential uses.
- On Aug. 16, 2021, the Person County Board of Commissioners adopted a 6-month moratorium on level 3 solar energy systems (greater than 10 acres) to allow staff time to review the current requirements and make adjustments accordingly.
- Staff reviewed solar energy system ordinances across the state (Beaufort County, Warren County, Stanly County, Nash County, Carteret County, Granville County and Orange County) and then drafted revisions to the ordinance.

CONCERNS REGARDING SOLAR ENERGY SYSTEMS

- Industrial Use
- Buffer height
- Battery storage
- Decommissioning
- Size limitation
- Effect on the environment & wildlife
- Heat island effect
- Loss of farmland

Proposed Changes to the Solar Energy System Ordinance

- No changes to where level 3 solar energy systems can be located (other than reformatting the Table to match the Table of Uses in the Planning Ordinance). **The Planning Board did request that I add "CD" to the table where "S" is currently listed.**
- No changes to setbacks (other than reformatting the Table to match the Planning Ordinance setback table); however, a setback of 100' from a well was added after speaking with the EH Supervisor.
- Buffer width reduced from 150' to 100' while planting height of trees increases from 3' to 6' at the time of planting.
- Aviation notification to other agencies increased from 30 days to 45 days prior to public hearing. All special use permits/conditional district rezoning application along with aviation requirements will also be submitted to the Person County Airport Commission in addition to staff.

Proposed Changes to the Solar Energy System Ordinance

- We currently require a decommissioning plan and a bond amount equal to 1.25 times the cost of the project. Additional language includes that the bond shall be reviewed every 5 years by an engineer.
- Conditional district rezoning language was added just to clarify a process that is already allowed.
- Additional information shall be included with the special use permit / conditional district rezoning application including but not limited to: a copy of the lease agreement, battery storage information, a Phase 1 environmental analysis, and any other relevant studies/documents requested by staff and/or boards.

Proposed Changes to the Solar Energy System Ordinance

- A fire response and emergency response section was added to ensure proper emergency response coverage along with the requirement of an emergency response plan that must be filed with the Fire Marshal. Any new equipment needed by the local fire district shall be provided by the owner of the solar energy system. Chemical fire suppressants shall be stored by any battery storage areas if applicable. And the 50' buffer around the site shall be maintained by the owner and inspected annually (see inspection below).
- Prior to receiving a Certificate of Compliance, a noise level certification letter shall be submitted to ensure that the noise from any equipment is barely audible at the property boundaries.
- An annual inspection shall be required by staff to ensure continued compliance. A fee will be added at a later date for that inspection.

Additional Reviews

The draft ordinance was also sent to the following boards/committees for review: Economic Development Commission, Airport Commission and Farm Bureau.

The following is a summary of the commentary received from the aforementioned groups:

- Economic Development Committee: No suggested changes.
- Farm Bureau: The consensus among the board is the concern about the cleanup and removal of decommissioned solar panels and the long-term effects on the soil after removal, as well as concern of anything being left behind and not disposed of properly or not disposed of at all. They are still opposed to solar panels taking over or monopolizing productive farmland. They feel that as the nation's population is expanding, the need for more farming would increase and they felt that solar sites could be bad for future agricultural production.
- Airport Committee: No suggested changes other than updating the website address for solar glare studies.

CONCERNS REGARDING SOLAR ENERGY SYSTEMS

- Industrial Use
- Buffer height
- Battery storage
- Decommissioning
- Size limitation
- Effect on the environment & wildlife
- Heat island effect
- Loss of farmland

PLANNING STAFF RECOMMENDATION

- Planning Staff recommends approval of TA-03-21. The proposed text will address board member and community concerns and better regulate solar energy systems.

Ms. Oakley outlined the concerns related to solar energy systems as follows:

Industrial Use -There are no changes proposed to where solar facilities can be located.

Buffer Height – The buffer height was increased to 6 ft. from 3 ft. at the time of planting while reducing the buffer width from 150 ft. to 100 ft. That reduction in width will allow for better fire protection around the perimeter of the site while still maintaining the integrity of the buffer since the height was increased.

Battery Storage - An additional section was added regarding battery storage and it states that any battery storage containing Poly Fluoro-Alkyl Substances (PFAS) technology must be noted in the application. The Planning Board requested the words (Polyfluoroalkyl substances) be added to Section 3.1E2c. It is a class of chemical compounds that are used in a variety of industries for their ability to create coatings that are water repellent. PFAS's are resilient within the environment and typically do not break down over time. An example of a PFAS is Teflon. The new section does state that if a project uses PFAS, it must submit a containment plan and a separate decommissioning plan for those battery storage areas containing PFAS's.

Decommissioning – Person County already had a well written decommissioning section comparable with other jurisdictions. We added that the decommissioning bond needs to be reviewed every five years by an engineer to determine that it is still valid and takes into account any inflation.

Size Limitation - I could not find any jurisdiction that had a size limitation on SES and I did not feel comfortable selecting an arbitrary number. The Planning Board discussed this topic at length and did propose additional language regarding a size limitation and distance separation. They proposed to add Section 2.3 Height and Size Limitation B to read: The maximum size of a level 3 solar energy system shall not exceed three hundred (300) acres as measured around the perimeter of the immediate perimeter of the panels and shall not be located within one (1) linear mile of an existing level 3 solar energy system.

Effect on the Environment & Wildlife - Research is scarce on how solar facilities affects wildlife. Solar facilities have the potential to deter, attract or be imperceptible to different wildlife species. I did include a requirement for any relevant studies/reports/documentation that might be required by staff or any board member as it pertains to field surveys for state and federal listed species protected under state and federal law. As for the environment, a Phase 1 environmental site assessment shall be submitted with all level 3 applications. A Phase I environmental site assessment looks into the history of a property. The resulting report provides a detailed summary of the environmental history of the property and findings about potential recognized environmental conditions. Also, under the additional information section that can be requested by staff or board members, there is also several environmental reports that can be requested including geological reports, surface water reports, soil surveys and an environmental constraint analysis. An environmental

constraints analysis screens proposed developments for potential issues that may pose a constraint to successful implementation.

Photovoltaic Heat island effect - This question has been raised across the US not just in NC and it continues to be studied and examined. As renewable energy continues to surge, will large-scale facilities produce a “heat island” effect, and there is just not definitive data at this time to support that. In fact, some models have suggested that solar energy systems can actually have a cooling effect on the local environment depending on the efficiency and placement of the panels. This area of concern will be continued to be monitored as solar continues to increase.

Loss of Farmland - This topic brings me to the term agrivoltaics, the simultaneous use of areas of land for both solar power generation and agriculture. While not as common in US, other countries are raising panel heights slightly in order to grow crops underneath and animals are grazing along the solar panels and I believe we have some of that occurring here in Person County.

PLANNING BOARD RECOMMENDATION

At the Planning Board meeting on December 9, 2021, the Board recommended unanimous (4-0) approval of TA-03-21 with the following changes:

- Table 2.1 – Change “S” in the chart to “S/CD” to better reflect that it includes both a special use permit and conditional district rezoning.
- Section 2.3 – Change the title to “Height and Size Limitation” and include a “b” that reads:
 - *B. The maximum size of a level 3 solar energy system shall not exceed three hundred (300) acres as measured around the immediate perimeter of the panels and shall not be located within one (1) linear mile of an existing level 3 solar energy system.*
- Section 3.1-E.2.c – include what PFAS means in parenthesis (Polyfluoroalkyl substances).

PLANNING BOARD RECOMMENDATION CONTINUED

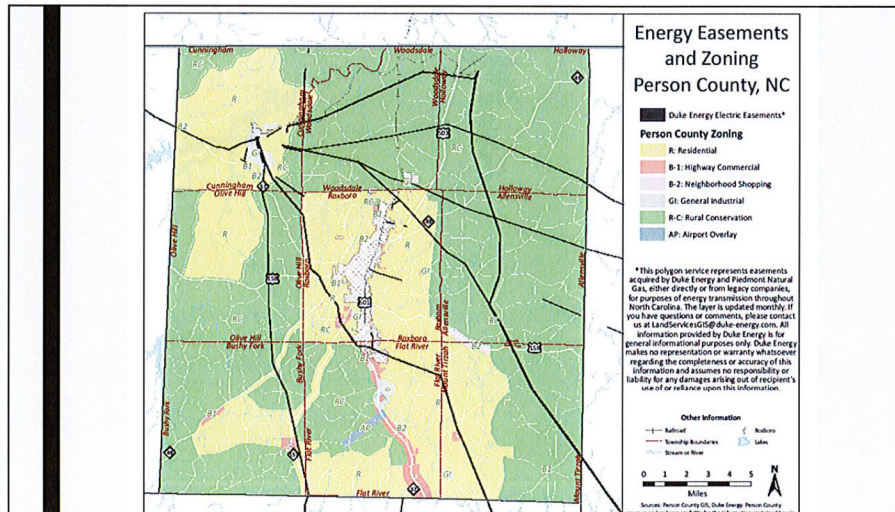
- Board member James had concerns about limiting the size of a level 3 solar energy system and the impact it would have on economic development for the county.
- Board member George had concerns about requiring a one-mile separation in between level 3 solar energy systems and how it would affect an adjoining property owner who might want to develop a solar energy system in the future.

Both board members voted to approve the text amendment as written with the Planning Board’s recommended changes in order to move it along in the process due to the time-limited moratorium.

REASONABLENESS AND CONSISTENCY STATEMENT AND COMPREHENSIVE PLAN

The text amendment request is consistent with the Person County and City of Roxboro Joint Comprehensive Land Use Plan and future planning goals and objectives of Person County. It is reasonable and in the public interest as it will provide clear regulations in the Person County Solar Energy System Ordinance.

The proposed text amendment meets the Comprehensive Land Use Plan Guiding Principle 2, which states to facilitate sustainable economic growth.



Speaking in favor of the request by the Person County Planning Dept., on behalf of the Person County Board of Commissioners, to revise the Person County Solar Energy System Ordinance were the following:

Mr. Ray Foushee of 8930 Hurdle Mills Road, Hurdle Mills stated opposition to reducing the 150 ft. buffer to 100 ft. as presented; he noted his preference to have the buffer remain at 150 ft. as well as to add on the 50 ft. right-of-way for emergency vehicles. In addition, Mr. Foushee requested the Board to consider setting the maximum size at 150 acres.

Mr. Paul Lynch of 395 Union Grove Church Road, Hurdle Mills requested the Board to consider when setting the maximum size of the solar facilities to define in actual acreage as defined by boundaries versus the perimeter of the panels. In addition, he wanted the Board to increase the 1-mile space between level 3 solar energy systems.

There were no individuals appearing before the Board to speak in opposition to the request by the Person County Planning Dept., on behalf of the Person County Board of Commissioners, to revise the Person County Solar Energy System Ordinance.

A **motion** was made by Vice Chairman Sims and **carried 5-0** to close the public hearing for the request by the Person County Planning Dept., on behalf of the Person County Board of Commissioners, to revise the Person County Solar Energy System Ordinance.

CONSIDERATION TO GRANT OR DENY REQUEST TO REVISE THE PERSON COUNTY SOLAR ENERGY SYSTEM ORDINANCE:

Commissioner Gentry stated that the solar power has to be sold to a power company, which she believes is an industrial use, and by so, she feels the solar systems should not be zoned for use in RC (Rural Conservation.) Commissioner Gentry advocated to change the five-year review by an engineer to a shorter period, i.e., 2 or 3 years.

Commissioner Puryear asked staff to bring to the Board any proposed fee(s) that would go along with the Solar Energy System Ordinance, i.e., an annual inspection fee. He agreed with Commissioner Gentry and other board members that 150 acres would be good as a maximum; he stated that 100 acres would be sufficient in his opinion to which other commissioners agreed as well.

A **motion** was made by Commissioner Puryear and **carried 5-0** to postpone consideration to revise the Person County Solar Energy System Ordinance to the Board's next meeting, on February 7, 2022.

County Attorney, Ellis Hankins said staff would bring back two versions of the ordinance, 1) the proposed ordinance as presented on this date, and 2) the ordinance with the Board's proposed amendments. He confirmed another public hearing was not required for the amendments suggested by the Board.

Planning Director, Lori Oakley confirmed with the Board the key changes proposed by the Board of Commissioners were as follows:

- 5-year engineer review to 2 or 3 years
- Remove from RC (Rural Conservation) zoning
- Keep 150 ft. buffer with an additional 50 ft. open space for emergency vehicles
- 100 acres maximum size of panels
- Proposed fee schedule

INFORMAL COMMENTS:

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

Mr. Chris Weaver of 342 Satterfield Farm Road, Timberlake, NC told the Board that in December he noted an announcement that a semi-conductor facility was looking at Chatham County and that now, Chatham County was no longer in the running for the facility. He told the Board if they were not going to do anything with the Mega Site to just throw in the towel; he said he would be posting on Person County Local's Face Book page documents related to the Mega Site he received through a public records request.

DISCUSSION/ADJUSTMENT/APPROVAL OF CONSENT AGENDA:

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

- A. Approval of Minutes of December 6, 2021,
- B. Budget Amendment #11,
- C. Commissioner Assignments for 2022,
- D. Records Retention and Disposition Schedule, and
- E. Official Written Ordinance approval for Conditional District Rezoning Petition CD-02-21, a request by Kevin Puryear Properties, LLC for a Conditional District Rezoning from Residential to Conditional District Rural Conservation for equipment storage on Tax Map/Parcel Number A25-151

NEW BUSINESS:

COMMUNITY SERVICES BLOCK GRANT APPLICATION OVERVIEW:

Ms. Alexis Franks, Telamon SE Director of Workforce and Career Services presented to the Board its intent to re-apply for Community Services Block Grant (CSBG) funding from the North Carolina Office of Economic Opportunity for program year 2022-2023. This funding will allow Telamon's Project PRIDE to continue to provide support to low-income residents in North Carolina counties of Caswell, Person and Rockingham who are 125% of the Federal Poverty Level or below. An overview of the CSBG program year 2022-2023 follows:



Community Services Block Grant Application Overview Program Year 2022-2023

What is Telamon Corporation?

Telamon is a 501c3 private nonprofit headquartered in Raleigh, NC. Our mission is to provide educational services that lead to better jobs, better lives, and better communities. Telamon has been in operation for over 50 years. We offer early childhood, employment/training, and housing/financial services.

What are Community Services Block Grant Funds (CSBG)?

CSBG funds are federal dollars that are used to address the causes and conditions of poverty in communities. North Carolina's Division of Social Services' Office of Economic Opportunity administers these funds in our state. CSBG funds are allocated to Community Action Agencies.

What are Community Action Agencies (CAA)?

CAA is the national name for the entities that are designated to carry out CSBG-funded services in all 50 states and Puerto Rico. In North Carolina CSBG funds are designated in all 100 NC counties. Telamon Corporation is designated to receive CSBG funds to serve three (3) NC counties: Rockingham, Caswell, and Person. An 18-member Advisory Council, with membership from these three counties, provides oversight of the CSBG allocation.

Why Are Public Meetings Held?

As a CAA, Telamon must follow a process governed by NC Administrative Code 10A NCAC 97B.0402(3). The process requires us to inform communities about how we propose using the CSBG funds that we have been allocated, and to solicit citizen views and comments.

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Who is Eligible for CSBG-funded Services?

Low-income families with incomes at or below 125% of the federal poverty guidelines may be eligible.

What is Telamon's CSBG Funding Allocation?

Telamon received an allocation for FY22/23 of \$422,503 broken out in the following amounts: Caswell County \$55,997; Person County \$97,694; and Rockingham County \$268,812.

What is Telamon's Plan for Spending this CSBG Allocation?

Telamon plans to use the funds to continue the existing Project PRIDE program. To provide support to program participants in becoming more self-sufficient. Available support includes financial literacy workshops and counseling, assistance with education and employment goals, and case management to help participant overcome obstacles to better employment and further their education.

Project PRIDE *Personal Responsibility in Daily Endeavors* **Program Year 2021-2022**

Overview

- Project PRIDE focuses on assisting low-income individuals with achieving self-sufficiency.
- The program offers employment, training, and support resources.
- Low-income families and/or individuals whose income is at or below the 125% of the current federal poverty guideline may be eligible for Project PRIDE services.
- Services are available to the residents of Caswell, Person and Rockingham Counties.

Challenges Addressed

- Lack of access to full-time employment and jobs with benefits
- Educational barriers, especially those concerning earning a high school diploma or its equivalent
- Financial barriers to accessing short-term training programs through postsecondary institutions
- Limited levels of employment skills and job readiness
- Limited access to supportive services to help meet identified goals

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Services Offered

Education	Employment	Support	Referrals
HS-GED Completion	Work Experience	Transportation	Housing
Vocational Assessments	Career Exploration	Tuition assistance	Mental Health & Substance Abuse
Occupational Skills Training (hard skills)	Employment Counseling	Assistance with purchase of books	Domestic Violence
Work Skills Training (soft skills)	Job Referrals	Assistance with purchase of uniforms/tools	Food security
Financial Literacy	Linkages with NC Works Career Centers	Childcare	Health

Commissioner Gentry asked Ms. Franks how many eligible families does Telamon currently serve and how many are proposed in the program year 2022-2023 to which Ms. Franks stated Telamon currently serves 20 families with plans to reach up to 32 families as well as have an on-site staff part-time at the community college location. Ms. Franks noted goals for each family is customized based on the need(s), i.e., childcare, educational support, with an individual employment plan.

A **motion** was made by Commissioner Gentry to and **carried 5-0** to approve the Community Services Block Grant Application funding to continue Project PRIDE for program year 2022-2023, as presented.

WEBSITE REDESIGN UPDATE:

IT Director, Chris Puryear provided a website redesign update noting staff have been working diligently with the website vendor for the last three (3) months. The first step was to gather information via vendor-conducted surveys of website users and other stakeholders, a heat map study, and user testing. The survey indicated that most people use smartphones to access the website and only do so when looking for specific information. They also indicated that they would like to see clearer language and less information overall. The heat map indicated that the “employment” and “GIS” links were, by far, the most clicked links on the homepage followed by the search feature. The user testing showed that users not familiar with the inner-workings of county government have difficulty completing tasks such as finding the requirements for a marriage license and overall difficulty navigating the website.

Mr. Puryear stated the designers were able to address the requests and needs indicated by the citizens and other website users in the new website design. The new layout features more user-friendly menu titles, a service finder to quickly locate services, and a fully integrated search feature. The designers also incorporated more relevant “call to action” buttons along the bottom of the main image on the homepage for easier access to regularly requested information.

Mr. Puryear said staff are continuing to work with the vendor for minor adjustments and are on schedule for delivery of the final product in April of 2022.

APPOINTMENTS TO BOARDS AND COMMITTEES:

Clerk to the Board, Brenda Reaves presented interested citizen applications for current vacancies received in response to an ad published in the local newspaper and on the county website. Ms. Reaves recommended the Board nominate for appointment as deemed appropriate.

The Board of Commissioners and committee liaisons are encouraged to recruit citizens to fill current vacancies.

Adult Care Home Community Advisory Committee

1-Year Initial Term; 3-Year Reappointment: 2 positions available

Airport Commission

3-Year Term: 1 at-large position available

- 1) Norman Carden III requested appointment
- 2) Henry Newell, Jr. requested reappointment

A **motion** was made by Commissioner Puryear and **carried 5-0** to reappoint Henry Newell, Jr. to the Airport Commission for a 3-year term.

Board of Health

1 position for an engineer for an unexpired term to June 30, 2023 (no applications)

Environmental Issues Advisory Committee

3-Year Term: 1 position for a citizen residing in each of the following townships:

- Bushy Fork: 1) Larry Williams requested appointment
- Cunningham for an unexpired term to June 30, 2022: (no applications)
- Holloway: (no applications)
- Mt. Tirzah: (no applications)
- Woodsdale: 1) Joe Hodges requested appointment

A **motion** was made by Commissioner Gentry and **carried 5-0** to appoint Larry Williams (Bushy Fork representative), and Joe Hodges (Woodsdale representative) to the Environmental Issues Advisory Committee, each for a 3-year term.

Juvenile Crime Prevention Council

1-Year Initial Term: 2-Year Reappointment

1 position available for a citizen under the age of 18: (no applications)

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

2-Year Term:

1 position for the Chief of Police or designee: Ricky Hughes requested reappointment

1 position for the Sheriff or designee: Aron Lappin requested appointment

1 position for the School Superintendent or designee: (no applications)

1 position for the District Attorney or designee: Alisa Black requested reappointment

1 position for the Social Services Director or designee: Ashley Stone requested reappointment

1 position for the Chief District Court Judge or designee: (no applications)

1 position available for a Juvenile Defense Attorney: (no applications)

1 designated seat for a representative for Parks & Recreation: John Hill requested reappointment

up to 5 citizens-at-large: Louise Wright-Oliver requested reappointment

A **motion** was made by Vice Chairman Sims and **carried 5-0** to appoint Aron Lappin (Sheriff designee), and reappoint Ricky Hughes (Chief of Police designee), Alisa Black (District Attorney designee), Ashley Stone (Social Services' Director designee), John Hill (Parks & Recreation representative) and Louise Wright-Oliver (citizen-at-large) to the Juvenile Crime Prevention Council, each for a 2-year term.

Kerr Tar Regional Council of Government Board

1 citizen-at-large alternate position representing the private sector business (no applications)

Nursing Home Advisory Committee

1-Year Initial Term: 3-Year Reappointment; 4 positions available (no applications)

Person Area Transportation System Board

3-Year Term:

1 position available for an occupational affiliation representative of the following:

Health Department: Kimberly Nichols requested appointment

Social Services: (no applications)

Medical related entity:(no applications)

private industry: Cindy Chandler requested appointment

citizen-at-large: (no applications)

A **motion** was made by Commissioner Gentry and **carried 5-0** to appoint Kimberly Nichols (Health Dept. representative) and Cindy Chandler (private industry) to the Person Area Transportation System Board each for a 3-year term.

Region K Aging Advisory

3-Year Term: 5 positions available (no applications)

Tourism Development Authority

3-Year Term: 1 position available

- 1) Sally Humphries requested reappointment

A **motion** was made by Commissioner Puryear and **carried 5-0** to reappoint Sally Humphries to the Tourism Development Authority for a 3-year term.

Workforce Development Board

1-Year Initial Term; 2-Year Reappointment

1 position available for a member or an officer of organized labor (no applications)

1 position available for a small business representative (no applications)

AMENDMENT TO THE RESOLUTION ESTABLISHING 2022 SCHEDULE OF REGULAR MEETINGS FOR THE BOARD OF COMMISSIONERS:

County Manager, Heidi York noted the Board of Commissioners took action to set its regular schedule of meetings for 2022 at its November 15, 2021 meeting. Since that time, the NC Supreme Court moved the March 8, 2022 Primary to May 17, 2022. Due to this recent change, and the fact that the Person County Office Building Auditorium serves as a One-Stop site and an official polling site, the Board of Commissioners will need to change the location of its May 2, 2022 meeting to its Boardroom 215. Also due to this recent change, the Auditorium is now available for the Board of Commissioners' to hold its March 7, 2022 meeting in the auditorium.

As retreat planning is underway, the Board has the option to hold its annual retreat either in the FEMA Shelter Room as was adopted in November or to change the location to be held in the Kirby Upstairs Main Hall, should this location be preferred.

Clerk to the Board, Brenda Reaves asked the Board to consider the changes as presented and take action to adopt an Amended Resolution Establishing 2022 Schedule of Regular Meetings so to cause copy of such to be distributed and posted.

A **motion** was made by Commissioner Gentry and **carried 5-0** to amend the Board's Resolution establishing 2022 Schedule of Regular Meetings to reflect that the Board's May 2, 2022 meeting will be held in the Boardroom 215, the Board's March 7, 2022 meeting will be held in the Auditorium and the Board's Annual Retreat, scheduled for February 22, 2022 will be held in the Kirby Upstairs Main Hall located at 213 North Main Street, Roxboro, NC and to cause copy of such amendment to be distributed and posted.



**Resolution Establishing
2022 Schedule of Regular Meetings for the
Person County Board of Commissioners**

WHEREAS, NC General Statute 153A-40 requires boards of commissioners to hold a regular-scheduled meeting at least once a month; and

WHEREAS, the Person County Board of Commissioners meets in its Commissioners' Boardroom 215 in the Person County Office Building, located at 304 S. Morgan Street in Roxboro, North Carolina, unless otherwise noted below.

WHEREAS, an amendment is hereby proposed due to the 2022 Primary dates was moved from March to May affecting the availability of the Person County Auditorium. Now therefore, be it

RESOLVED by action of the Person County Board of Commissioners, the following Schedule of Regular Meetings for 2022 is set forth as following:

January 3, 2022	7:00 p.m. County Auditorium**
January 18, 2022 (Tuesday)	9:00 a.m. County Auditorium**
February 7, 2022	7:00 p.m. County Auditorium**
February 22, 2022 (Tuesday)Retreat	9:00 a.m. Kirby Upstairs Main Hall***
March 7, 2022	7:00 p.m. County Auditorium**
March 21, 2022	9:00 a.m. County Auditorium**
April 4, 2022	7:00 p.m. County Auditorium**
April 18, 2022	9:00 a.m. County Auditorium**
May 2, 2022	7:00 p.m. Boardroom 215
May 16, 2022	9:00 a.m. Boardroom 215
June 6, 2022	7:00 p.m. County Auditorium**
June 20, 2022	9:00 a.m. County Auditorium**
July 18, 2022	9:00 a.m. County Auditorium**
August 1, 2022	7:00 p.m. County Auditorium**
August 15, 2022	9:00 a.m. County Auditorium**
September 6, 2022 (Tuesday)	7:00 p.m. County Auditorium**
September 19, 2022	9:00 a.m. County Auditorium**

January 18, 2022

October 3, 2022	7:00 p.m. County Auditorium**
October 17, 2022	9:00 a.m. County Auditorium**
November 7, 2022	7:00 p.m. Boardroom 215
November 21, 2022	9:00 a.m. County Auditorium**
December 5, 2022	6:00 p.m. County Auditorium**

**County Auditorium is located within the County Office Building at 304 S. Morgan St., Roxboro, NC 27573

***Kirby Upstairs Main Hall is located at 213 North Main Street, Roxboro, NC 27573

BE IT FURTHER RESOLVED that a copy of this Resolution shall be posted on the Board of Commissioners' bulletin board located outside the Commissioners' meeting room 215 of the County Office Building at least ten (10) days before the first meeting to which it applies, and that the adopted Schedule of Meetings dates shall be posted on the County website and distributed with the Sunshine email group.

Adopted this, the 18th day of January 2022.



Gordon Powell, Chairman
Person County Board of Commissioners

Attest:

Brenda B. Reaves, NCMCC, MMC
Clerk of Board

January 18, 2022

NUISANCE ORDINANCE DISCUSSION:

Planning Director, Lori Oakley informed the Board that the Ordinance Regulating Automobile Graveyards and Junkyards in Person County (“Junkyard Ordinance”) was originally adopted on September 21, 1987 and re-adopted on April 6, 2015. In September 2021, Ms. Oakley stated staff updated the Board on the existing on-going violation on the Yarboro property and requested guidance as to how the Board would like for staff to proceed with the Junkyard Ordinance. Ms. Oakley noted at that time, two possible violations existed on the Yarboro property and they have since been remedied. As of December 2021, Ms. Oakley further noted the Yarboro property was in compliance with both the Junkyard Ordinance and the Planning Ordinance.

Ms. Oakley said the Board previously expressed an interest in possibly amending the Junkyard Ordinance and including an amortization schedule as well as directed staff to explore other avenues of enforcement. Staff discussed the issue with County Attorney’s law partner, Kevin Hornik, who suggested implementing a nuisance ordinance. Staff feels that the nuisance ordinance might be the best avenue to enforce junk-like violations while still allowing individuals who have brought their property into compliance over the years to still be in compliance. Ms. Oakley said Mr. Hornik stated that his law firm could also draft the nuisance ordinance for Person County.

Ms. Oakley requested Board consideration to direct staff on how the Board would like to proceed in this matter. Options include:

- 1) A possible text amendment of the Junkyard Ordinance to include an amortization schedule
- 2) A new nuisance ordinance
- 3) To leave the current Junkyard Ordinance as it is currently written and do not draft a nuisance ordinance

It was the consensus of the Board through discussion that a new nuisance ordinance would address and resolve issues for the general public’s health and safety purposes.

A **motion** was made by Commissioner Gentry and **carried 5-0** to request the Brough Law Firm to draft a new nuisance ordinance with staff’s assistance for the Board’s consideration.

HUMAN RESOURCES SOFTWARE PROPOSAL:

County Manager, Heidi York stated Person County was in need of upgrading its human resources technology. Ms. York said the current software vendor, NeoGov, which supports job applications, postings, and tracking of applicants, has offered the County several needed enhancements and upgrades with additional modules, which would be considered in the upcoming FY23 proposed budget. However, NeoGov was substantially increasing their pricing after the first of this year. Ms. York noted that staff worked creatively to obtain the significant savings over the next three years, and wanted to bring this opportunity to the Board for consideration in an effort to be the best stewards of taxpayer dollars. Through the informal bid process under G.S. 143-131, as suggested by the County Attorney, several potential vendors were invited to submit proposals, but none were able to meet our needs. Should the Board wish to make this investment, it would require a mid-year budget appropriation and pre-audited agreement for commitment of funds. Should the Board not desire to authorize this purchase of software at this time, there is a 60-day out clause in the proposed agreement with no penalty.

Human Resources Director, Miranda Harrison provided an overview of the modules that staff are considering include:

- Perform – This is a performance management platform that allows for competencies and goals to be tracked throughout the year with automatic reminders and the ability for employees and supervisors to engage with the system by adding periodic notes at pre-set check-in times.
- eForms – This function allows for electronic fillable forms that we can run reports off of (examples include PAFs, teleworking agreements, volunteer leave, shared leave, parental leave, safety/injury forms, requisitions, orientation forms, etc). The system allows electronic approval routing along with reminders to be set up. While things like this up can be set up in Munis, everything must be entered manually from a paper form and there are no reminders (you have to log-in to see what needs your approval); eForms in NeoGov can be exported so the information can be imported into Munis rather than manually entered.
- Learn – This platform allows us to access hundreds of training courses on a variety of topics. We currently have access to a portion of this platform for courses related to safety and risk management through our risk management pool. If we add the full Learn module it will include more courses and will allow us to integrate with the Perform platform (so we can track courses through individual development plans).
- Onboard – This is a portal where employees can be assigned onboarding actions from HR or other departments with associated due dates (or exit actions – this can be used for onboarding and off-boarding). It has areas to upload videos or checklists and can be customized to brand the onboarding experience specific to Person County. It can be available for employees prior to their start date, all the way up to their first year anniversary, with pre-established checklist activities for certain times throughout their first year on the job.

- Single Sign On (SSO) – This allows everyone to have one log-in for all the different NeoGov modules. The single sign-on enhances the user experience and also cuts down on admin time resetting passwords.
- NHI – This is a set-up fee that is required. It is the part of the implementation process where we would ensure everything in NeoGov can be integrated with Munis (this is most important for things like PAFs) so that we don't have to do double entry.

Prioritizing the options, Ms. Harrison said the county could gain the most value from the eForms and Perform modules. NHI is also a vital component. The Learn and Onboard modules also align well to future goals.

Below are the pricing options and the amounts due per year of a 3-year contract.

End of Year Perform, Eforms, SSO, NHI	Year	Discount
10% off prorated term + 50% off year 1+ 50% off setup/training		
600ees	Annual	Setup/Training Cost
12/31/2021-6/29/2022	\$19,484.17	\$7,500.00
6/30/2022- 6/29/2023	\$21,828.50	
6/30/2023-6/29/2024	\$43,657.00	
Total		\$92,469.67
Savings		\$31,743.86

End of Year Perform, Eforms, Learn, SSO, NHI	Year	Discount
70% off year 1, 30% off year 2 + 50% off setup/training		
600ees	Annual	Setup/Training Cost
12/31/2021-6/29/2022	\$29,160.98	\$10,500.00
6/30/2022- 6/29/2023	\$17,676.10	
6/30/2023-6/29/2024	\$41,244.00	
6/30/2024 - 6/29/2025	\$58,920.00	
Total		\$157,501.08
Savings		\$66,818.36

End of Year Perform, Eforms, Onboard,	Year	Discount SSO, NHI
70% off year 1, 30% off year 2 + 50% off setup/training		
600ees	Annual	Setup/Training Cost
12/31/2021-6/29/2022	\$27,838.36	\$9,500.00
6/30/2022- 6/29/2023	\$16,935.00	
6/30/2023-6/29/2024	\$39,515.00	
6/30/2024 - 6/29/2025	\$56,450.00	
Total		\$150,238.36
Savings		\$66,471.88

End of Year Perform, Eforms, Learn, Onboard,	Year	Discount SSO, NHI
70% off year 1, 30% off year 2, 10% off year 3 + 50% off setup/training		
600ees	Annual	Setup/Training Cost
12/31/2021-6/29/2022	\$35,469.86	\$12,500.00
6/30/2022- 6/29/2023	\$21,514.00	
6/30/2023-6/29/2024	\$50,199.10	
6/30/2024 - 6/29/2025	\$64,541.70	
Total		\$184,224.66
Savings		\$88,906.08

WITHOUT DISCOUNTS, after the first of the year, below are the per module/per year pricing (the above quotes include each of the modules listed in their respective headlines).

Standard 2022 Individual Product Pricing

NEOGOV Standard 2022 Prices		
600 employees	Annual	One Time -Setup/Training Cost
Onboard	\$12,803.23	\$4,000.00
Perform	\$21,948.54	\$6,000.00
Eforms	\$18,285.14	\$4,000.00
Learn (upgrade from Riskpool account)	\$15,263.00	\$3,000.00
Single Sign On	\$1,550.78	\$2,000.00
NHI (Munis)	\$1,900.95	\$3,000.00

Ms. York stated should the Board wish to direct staff to move forward, an appropriation from Fund Balance would be required to be approved by budget amendment. Ms. York said the County may have an opportunity to reimburse these funds back to Fund Balance if the Finance Director finds that the County is eligible to use American Rescue funding.

County Attorney, Ellis Hankins noted staff worked to lock in pricing for significant savings during the holiday period with the December 31 deadline; he added the County Manager had authority to execute contracts with limitations, therefore he recommended a contract to lock in the lowest pricing with a 60-day provision for the Board of Commissioners to approve, or if not approved, there was no cost or obligation on the County's part.

A **motion** was made by Commissioner Gentry and **carried 5-0** to accept the proposal as presented by staff. Mr. Hankins noted the next steps would be for the Board to approve a budget amendment to appropriate the funds and formalize the contract with the necessary pre-auditing by the Finance Director.

CRIMINAL HISTORY RECORD CHECK ORDINANCE REPEAL/REPLACE:

Human Resources Director, Miranda Harrison presented a Criminal History Record Check Ordinance to the Board for consideration to repeal and replace for a more efficient government. Ms. Harrison said Person County Government regularly conducts criminal history record checks through North Carolina State Bureau of Investigation, Division of Criminal Information Network (SBI/DCI) as part of the County's pre-employment screening process. The Criminal History Record Check Ordinance was adopted May 4, 2009 to allow Person County Government to utilize the SBI/DCI Network for this purpose.

Ms. Harrison stated added language in the proposed Criminal History Record Check Ordinance would allow Person County Government the option to establish vendor partnerships with alternative criminal history record check providers beyond SBI/DCI. She said having vendor options is an essential need for Person County to ensure efficiency within our pre-employment screening process. Historically, the time to receive results through SBI/DCI was two weeks or less. Recently, the results have begun to take 4-6 weeks or more, significantly delaying new employee start dates. Ms. Harrison noted other industry leading vendors offer criminal history record check services with a turnaround time of less than one week for results.

The proposed new language requires the Board's adoption at its First Reading by unanimous vote or the proposed language would require a Second Reading at the Board's next regular scheduled meeting at which time a majority vote is required for adoption. Ms. Harrison requested the Board to repeal the Criminal History Record Check Ordinance adopted May 4, 2009 and adopt the Criminal History Record Check Ordinance as presented.

A **motion** was made by Commissioner Puryear and **carried 5-0** to repeal the Criminal History Record Check Ordinance adopted May 4, 2009 and adopt the Criminal History Record Check Ordinance with the proposed new language, as presented.

PERSON COUNTY CRIMINAL HISTORY RECORD CHECK ORDINANCE

Section 1- PURPOSE and AUTHORITY

In order to protect the citizens of Person County and their properties, the provisions of this ordinance are established to provide a policy and procedures for criminal history checks through the North Carolina SBI/DCI on final applicants for employment with the County. Subject to the provisions of Section—below, employment with the County may be denied for those persons convicted of any crime against a person or crimes against property where intent is an element, or any drug or gambling related offense. This ordinance is adopted pursuant to North Carolina general statutes 153A-11 and 153A-12.

Section 2- RECORD SEARCH - CANDIDATE TO PROVIDE PERSONAL INFORMATION

The County Manager, or designee, may conduct an investigation of any final candidate for a part time or full time position with Person County government. It shall be a precondition of employment that an applicant, upon request, provide necessary personal identification including social security number and drivers license and submit to fingerprinting so that the County Manager, or designee, may cause a thorough search to be made of local and state criminal records to determine whether the applicant has a history of criminal convictions for the offenses named above by use of the networks of the State Bureau of Investigation, Division of Criminal Information Network (DCI).

Section 3- FINDINGS

The Person County Sheriff, or designee, shall provide the findings made by the use of the DCI network to the Person County Manager, or designee, provided that all necessary agreements with the State Bureau of Investigation Division of Criminal Information (DCI) have been executed.

Section 4- EVALUATION OF FINDINGS

An evaluation of any offense for purposes of employment will take into account the nature and the circumstances of the offense and the time of the offense as they relate to the essential job functions for the position applied for.

Section 5- DIVISION OF CRIMINAL INFORMATION NETWORK NOT EXCLUSIVE

This ordinance shall not be construed to designate the Division of Criminal Information Network as the sole source of background investigation information for potential County employees. The County Manager may elect to contract with other providers of the desired services.

Section 6- VERIFICATION OF IDENTITY

No action to deny employment under this ordinance will be taken until the Person County Sheriff, or designee confirms the identity of the applicant by fingerprints through the State Bureau of Investigation or a certified copy of the public record is obtained; provided that the County Manager may make exceptions with respect to specific classes of potential employees.

Section 6- EFFECTIVE DATE AND REPEAL OF PREVIOUS ORDINANCE

The previous ordinance adopted by the Board of County Commissioners is repealed. This replacement ordinance shall become effective upon its adoption.

Adopted this, the 18th day of January 2022.



Person County Board of County Commissioners

By: Gordon Powell
Gordon Powell, Chairman

Attest: Brenda B. Reaves
Brenda B. Reaves, Clerk to the Board

January 18, 2022

CHAIRMAN’S REPORT:

Chairman Powell reported that Cardinal Innovations and Vaya Health have now merged effective January 1, 2022; he added the transition was going very well and applauded Cardinal Innovations’ recent donation of Chromebooks to area schools: Roxboro Community School (80 units), Roxboro Christian Academy (40 units) and Bethel Hill (75 units.)

Chairman Powell voiced ongoing concerns related to the lack of service by CenturyLink in Person County. County Manager, Heidi York and Assistant County Manager, Katherine Cathey shared in the Chairman’s frustration noting the County’s contact at CenturyLink was no longer valid and they would try to obtain new contact information to share. Commissioner Gentry shared her method to file an online complaint with the FCC and asked if the IT staff could provide a link on the County website for citizens.

MANAGER’S REPORT:

County Manager, Heidi York reported the Board would hear at its next meeting an update on the recent broadband study.

COMMISSIONER REPORT/COMMENTS:

Vice Chairman Sims reported positive news where Roxboro Savings Bank’s donation with the City of Roxboro would complete the Roxboro Pocket Park and that a ribbon cutting for the Palace Pointe new ownership was held on January 14, 2022. Chairman Powell added that was good economic news that Palace Pointe was sold to a private entity, which had opened up for business shortly thereafter.

Commissioner Gentry said she had recently obtained satellite internet which was working out great. She noted she would be attending an IAIA meeting soon with a report to the Board thereafter.

There were no reports from Commissioners Puryear and Palmer.

Clerk to the Board, Brenda Reaves announced the Roxboro Area Chamber of Commerce notified the County that they were rescheduling the Awards Banquet from January 20th to February 3rd due to the impending weather at the Tunnel Creek property.

ADJOURNMENT:

A **motion** was made by Commissioner Puryear and **carried 5-0** to adjourn the meeting at 11:19am.

Brenda B. Reaves
Clerk to the Board

Gordon Powell
Chairman