

**PERSON COUNTY BOARD OF COMMISSIONERS**

**MAY 7, 2012**

**MEMBERS PRESENT**

**OTHERS PRESENT**

Jimmy B. Clayton

Heidi York, County Manager

Kyle W. Puryear

C. Ronald Aycock, County Attorney

B. Ray Jeffers

Brenda B. Reaves, Clerk to the Board

Samuel R. Kennington

Frances P. Blalock

The Board of Commissioners for the County of Person, North Carolina, met in regular session on Monday, May 7, 2012 at 7:00 p.m. in the Commissioners' meeting room in the Person County Office Building.

Chairman Clayton called the meeting to order, led invocation and asked Commissioner Kennington to lead the Pledge of Allegiance.

**DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:**

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers and **carried 5-0** to add the following item to the agenda and to approve the agenda as adjusted.:

- Renewal of the Amendment to the Lease and Fixed Base Operator Agreement at The Person County Airport

**INFORMAL COMMENTS:**

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

Mr. Phillip Puryear, PO Box 924, Roxboro spoke to the county ordinance requirement that prohibits a building to be located closer to the road than a house as well as a violation to use a mobile home for storage. Mr. Puryear told the Board he was unaware he was not compliant with the rules until he received a letter. Mr. Puryear noted there are many violations just like his within the county. Mr. Puryear further noted he received an order to stop work on his shop until he is in compliance with the rules. Mr. Puryear noted he has been unable to talk to the approving authority due to their unavailability to get an answer on how to resolve his violation.

**APPROVAL OF MINUTES:**

A **motion** was made by Commissioner Blalock, **seconded** by Vice Chairman Puryear, and **carried 5-0** to approve the regular session minutes of April 16, 2012 and the special called session minutes of April 16, 2012 for a Joint Meeting with the Board of Education.

**TAX ADMINISTRATIVE REPORT:**

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers, and **carried 5-0** to approve the Tax Administrative Report noting the Releases for the months of February, 2012 and March, 2012.

**RESOLUTION REQUESTING HAVA FUNDS TO BE INCLUDED IN THE GOVERNOR'S BUDGET:**

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Blalock, and **carried 5-0** to adopt a Resolution of the Person County Board of Commissioners to the Honorable Governor Beverly Perdue and Members of the North Carolina General Assembly requesting HAVA funds to be included in the Governor's Budget.

**May 7, 2012**

**A RESOLUTION OF THE  
PERSON COUNTY BOARD OF COMMISSIONERS  
TO THE  
HONORABLE GOVERNOR BEVERLY PERDUE  
AND  
MEMBERS OF THE NORTH CAROLINA GENERAL ASSEMBLY**

**WHEREAS**, the members of the Person County Board of Commissioners met on May 7, 2012 and request that an appropriation be included in the Governor's budget and in the General Assembly's budget to meet the "maintenance of effort" requirement for the release of HAVA funds; and


**WHEREAS:**

- A. the HAVA funds are vital to county budgets to administer elections; and
- B. the HAVA funds are needed to maintain voting equipment; and
- C. the HAVA funds are needed to be used as operational funds to operate absentee voting.

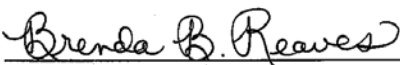
**NOW, THEREFORE, BE IT RESOLVED**, that the Person County Board of Commissioners request that the HAVA funds be included in Fiscal Year 2012-2013 and that said funds be provided to the State Board of Elections for the counties to improve the elections process.

**ADOPTED** the 7<sup>th</sup> day of May, 2012.



  
Jimmy B. Clayton, Chairman  
Person County Board of Commissioners

ATTEST

  
Brenda B. Reaves, NCCCC, EMC  
Clerk to the Board

May 7, 2012

## EMERGENCY MEDICAL SERVICES WEEK PROCLAMATION:

It was the consensus of the Board that Chairman Clayton read and present a Proclamation designating May 20-26, 2012 as Emergency Medical Services Week in Person County to the EMS Director, Wes Lail and his staff present. All Board members extended their gratitude for the important service offered to the community.

### EMERGENCY MEDICAL SERVICES WEEK

#### PROCLAMATION

*WHEREAS*, North Carolina's Emergency Medical Services (EMS) system is a vital public service; and

*WHEREAS*, the members of the Emergency Medical Services team in Person County are ready to provide lifesaving care to those in need twenty-four hours a day, seven days a week; and

*WHEREAS*, during the past thirty-five years, the quality of emergency care has dramatically improved in Person County which has improved the survival and recovery rate of those who experience sudden illness or injury; and

*WHEREAS*, North Carolinians benefit daily from the dedicated efforts, knowledge and skills of the Emergency Medical Services team of career and volunteer emergency medical technicians, paramedics, emergency nurses, emergency physicians, rescue squad workers, firefighters, educators, administrators, and others; and

*WHEREAS*, the members of the Emergency Medical Services team, whether career or volunteer engage in specialized training and continuing education to enhance their lifesavings skills; and

*WHEREAS*, injury prevention and the appropriate use of the EMS system will help reduce health care costs; and

*WHEREAS*, by designating an Emergency Medical Services Week recognizes the value and accomplishments of the Emergency Medical Services team and providers in Person County.

*NOW, THEREFORE, I, Jimmy B. Clayton*, Chairman of the Person County Board of Commissioners, do hereby proclaim May 20 - 26, 2012, as "Emergency Medical Services Week" in Person County and call upon all citizens to observe this period with celebration of Person County Emergency Medical Services' 35<sup>th</sup> anniversary with appropriate programs and activities.



*Jimmy B. Clayton*  
Jimmy B. Clayton, Chairman  
Person County Board of Commissioners

Attest:

*Brenda B. Reaves*  
Brenda B. Reaves, NCCCC, CMC  
Clerk to the Board

May 7, 2012

### **FIRE INSURANCE DISTRICT MAPS:**

County Manager, Heidi York and Fire Inspector, Mark Jones requested the Board to approve the Resolution for Approval of Insurance District Boundaries and GIS maps illustrating the boundary lines of the following Person County Fire Districts:

Allensville 6 Mile Fire Insurance District  
Ceffo 6 Mile Fire Insurance District  
Hurdle Mills 6 Mile Fire Insurance District  
Moriah 6 Mile Fire Insurance District  
Person County FD1 -6 Mile Fire Insurance District  
Semora 6 Mile Fire Insurance District  
Timberlake 6 Mile Fire Insurance District  
Triple Springs 6 Mile Fire Insurance District  
Woodsdale 6 Mile Fire Insurance District

Ms. York noted that recently, the North Carolina Department of Insurance/Office of State Fire Marshal (NCDOI/OSFM) conducted inspections of all county fire departments. As part of the preparation package, fire insurance district maps for each fire department were requested and reviewed. While compiling these maps for the inspection, a note was made that the existing maps were designed as response districts rather than the required fire insurance districts. One of the minimum requirements for fire departments to meet the 9S classification is to have on file and available fire insurance district maps per NC General Statute 153A-233. Insurance districts are defined as areas outside of corporate limits with boundaries approved by the County Board of Commissioners for fire insurance grading purposes. These boundaries cannot overlap and shall not extend more than 6 miles from the rated fire station. Any changes in these maps require the approval of both the county commissioners and NCDOI/OSFM.

Ms. York stated new fire insurance district maps were developed and sent to NCDOI/OSFM for approval. Once received back from NCDOI/OSFM with approval, the fire chiefs in the county met and approved the maps.

Ms. York told the group that the maps include both 5 and 6 mile districts for all departments. All property located in the 6-mile districts cannot receive a more favorable fire insurance rating than a class 9. Fire departments can work in the future to lower their ratings in the 5-mile districts.

Mr. Jones explained the ISO 10 area on the maps represent unprotected area outside the 6 mile districts that would have a higher insurance rating.

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to approve the Resolution for Approval of Insurance District Boundaries and GIS maps illustrating the boundary lines of the Allensville 6 Mile Fire Insurance District, the Ceffo 6 Mile Fire Insurance District, the Hurdle Mills 6 Mile Fire Insurance District, the Moriah 6 Mile Fire Insurance District, the Person County FD1 -6 Mile Fire Insurance District, the Semora 6 Mile Fire Insurance District, the Timberlake 6 Mile Fire Insurance District, the Triple Springs 6 Mile Fire Insurance District and the Woodsdale 6 Mile Fire Insurance District.

## RESOLUTION

### For Approval of Insurance District Boundaries

NORTH CAROLINA  
PERSON COUNTY

Upon motion by Commissioner Jeffers, seconded by Commissioner Puryear,  
RESOLVED THAT THE Board of Commissioners of the County of Person approve the  
boundary lines of the Allensville Fire Department 6-Mile Fire Insurance District in  
accordance with the GIS maps filed this date with the Board of County Commissioners  
and recorded in the minutes of the meeting.

NORTH CAROLINA  
PERSON COUNTY

This is to certify that the foregoing is a true and accurate copy of excerpt from the  
Minutes of the Board of County Commissioners of Person County, adopted this the 7<sup>th</sup>  
day of May, 2012.



*Brenda B. Reaves*  
Brenda B. Reaves, NCCCC CMC  
Clerk to the Board

May 7, 2012

The map illustrates the Gentry Mine area in the 1930s, showing various land parcels, roads, and landmarks. The map is color-coded: blue for water bodies (like the Gentry River and Lake), green for agricultural land, yellow for residential or developed areas, and pink for other land types. Key locations include Gentry Mine, Gentry Church, Gentry Store, and Gentry School. The map also shows surrounding areas like the Gentry River, Gentry Lake, and Gentry Hill. A legend in the bottom right corner identifies the colors and symbols used.



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## RESOLUTION

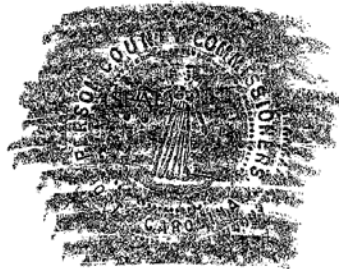
### For Approval of Insurance District Boundaries

NORTH CAROLINA  
PERSON COUNTY

Upon motion by Commissioner Jeffers, seconded by Commissioner Puryear,  
RESOLVED THAT THE Board of Commissioners of the County of Person approve the  
boundary lines of the Ceppo Fire Department 6-Mile Fire Insurance District in accordance  
with the GIS maps filed this date with the Board of County Commissioners and recorded  
in the minutes of the meeting.

NORTH CAROLINA  
PERSON COUNTY

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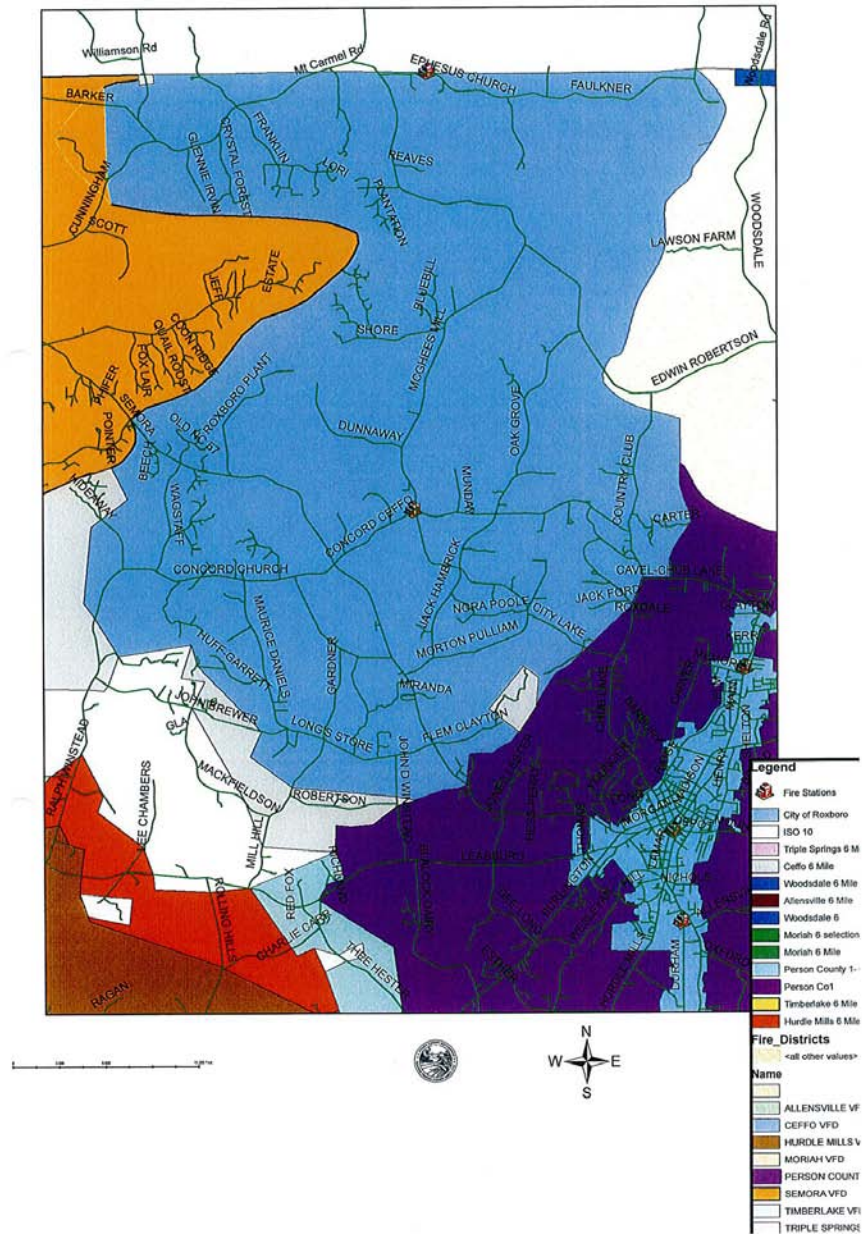


*Brenda B. Reaves*  
Brenda B. Reaves, NCCCC, CMC  
Clerk to the Board

May 7, 2012



# Ceffo 6 Mile Fire Insurance District



May 7, 2012



## RESOLUTION

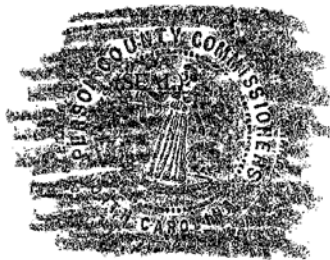
### For Approval of Insurance District Boundaries


NORTH CAROLINA  
PERSON COUNTY

Upon motion by Commissioner Jeffers, seconded by Commissioner Puryear,  
RESOLVED THAT THE Board of Commissioners of the County of Person approve the  
boundary lines of the Hurdle Mills Fire Department 6-Mile Fire Insurance District in  
accordance with the GIS maps filed this date with the Board of County Commissioners  
and recorded in the minutes of the meeting.

NORTH CAROLINA  
PERSON COUNTY

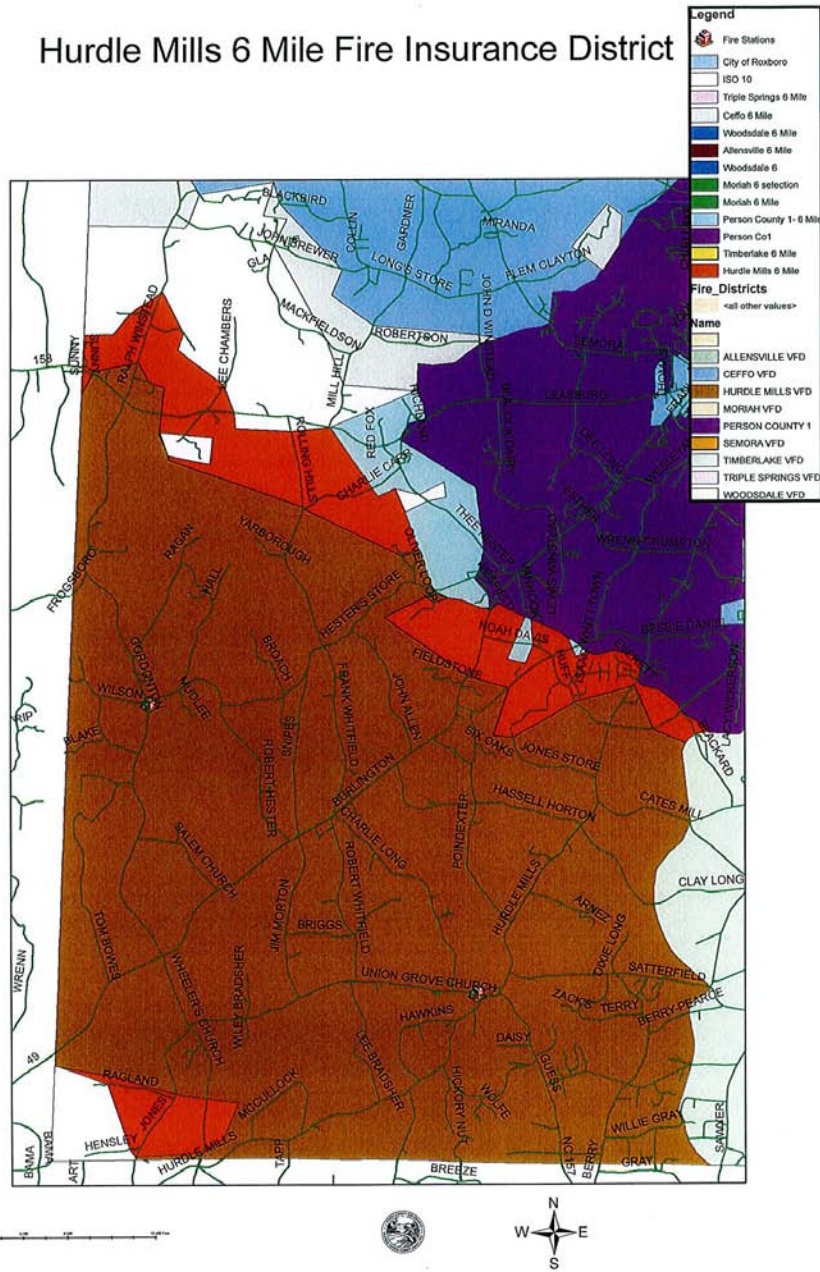
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Brenda B. Reaves, NCCCC, CMC  
Clerk to the Board

May 7, 2012

# Hurdle Mills 6 Mile Fire Insurance District



May 7, 2012

## RESOLUTION

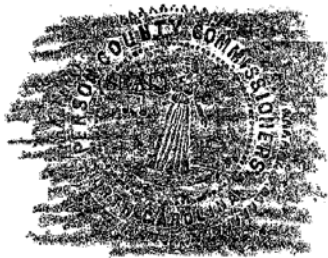
### For Approval of Insurance District Boundaries

NORTH CAROLINA  
PERSON COUNTY

Upon motion by Commissioner Jeffers, seconded by Commissioner Puryear,  
RESOLVED THAT THE Board of Commissioners of the County of Person approve the  
boundary lines of the Moriah Fire Department 6-Mile Fire Insurance District in  
accordance with the GIS maps filed this date with the Board of County Commissioners  
and recorded in the minutes of the meeting.

NORTH CAROLINA  
PERSON COUNTY

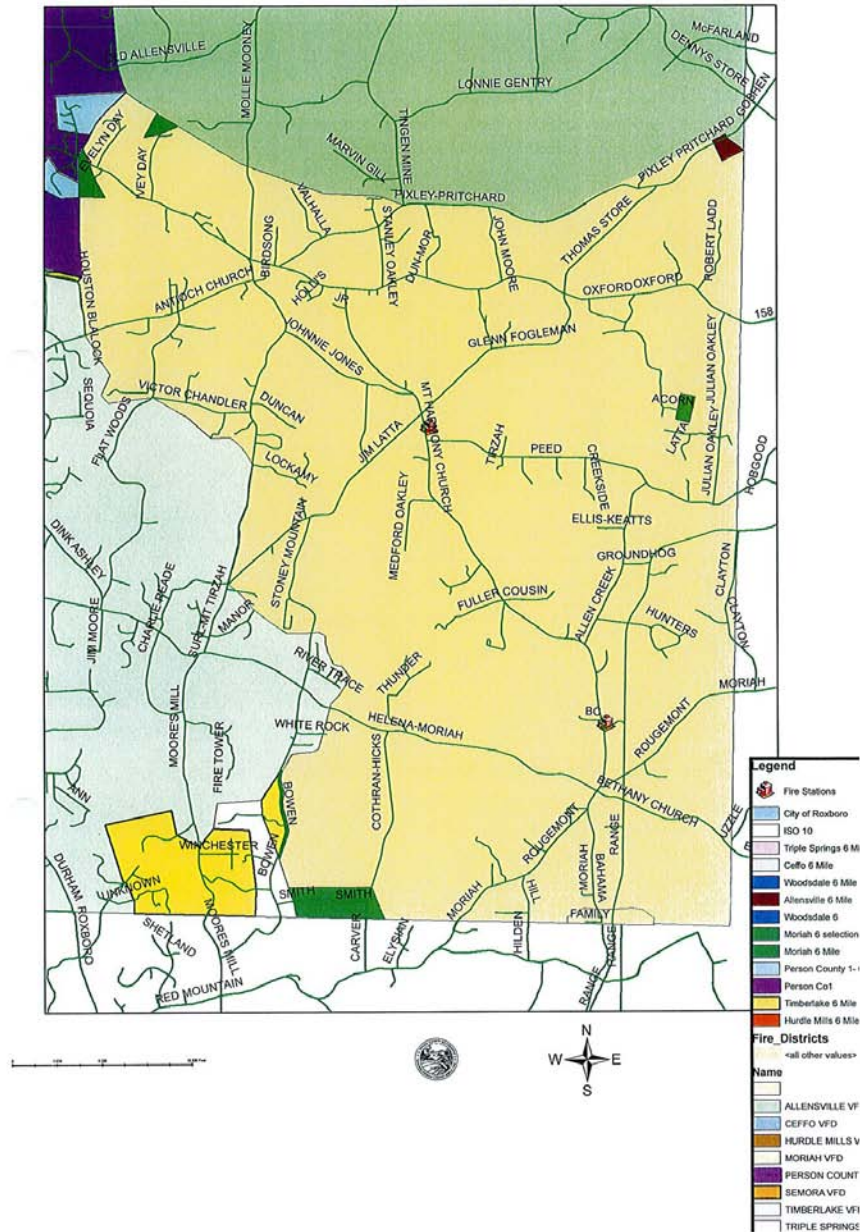
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*Brenda B. Reaves*  
Brenda B. Reaves, NCCCC, CMC  
Clerk to the Board

May 7, 2012

# Moriah 6 Mile Fire Insurance District



May 7, 2012

## RESOLUTION

### For Approval of Insurance District Boundaries


NORTH CAROLINA  
PERSON COUNTY

Upon motion by Commissioner Jeffers, seconded by Commissioner Puryear,  
RESOLVED THAT THE Board of Commissioners of the County of Person approve the  
boundary lines of the Person County Fire Department 1 6-Mile Fire Insurance District in  
accordance with the GIS maps filed this date with the Board of County Commissioners  
and recorded in the minutes of the meeting.

NORTH CAROLINA  
PERSON COUNTY

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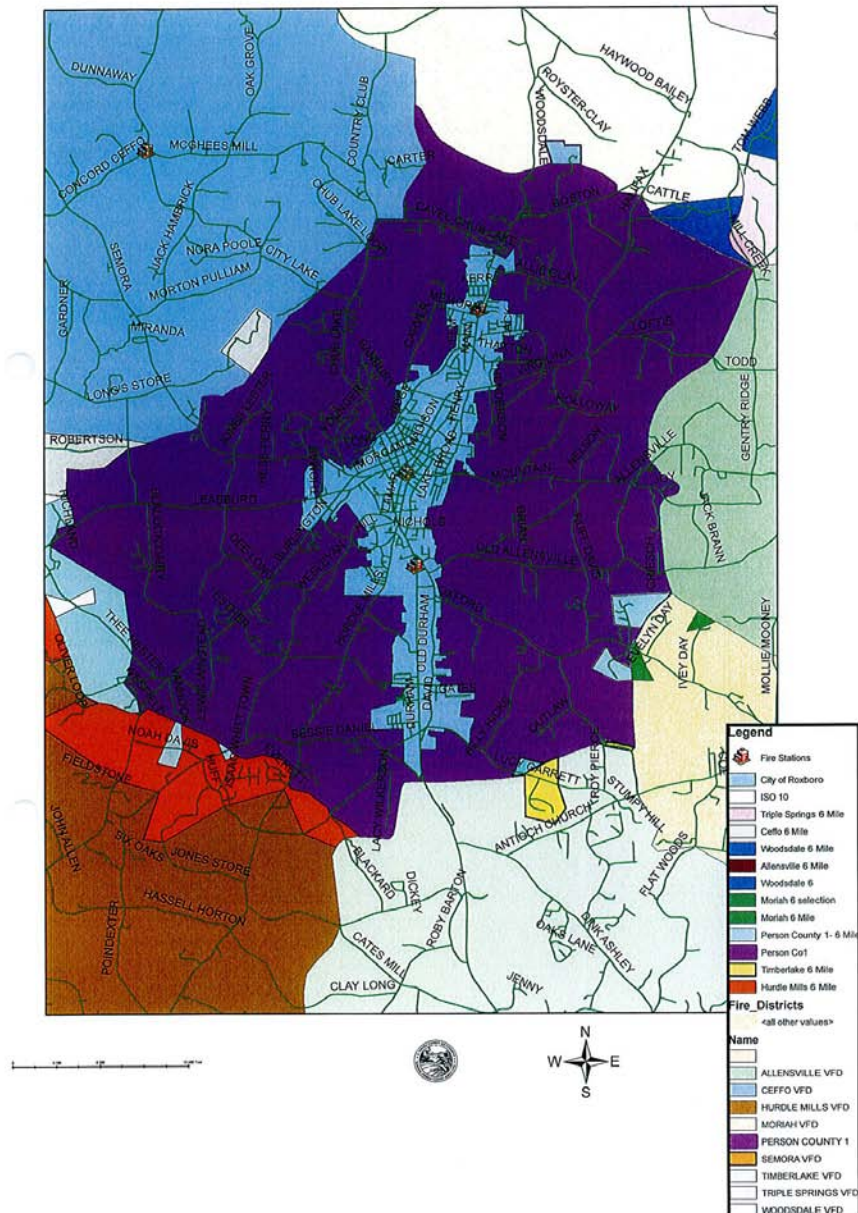


  
Brenda B. Reaves, NCCCG, CMC  
Clerk to the Board

May 7, 2012



# Person County FD1- 6 Mile Fire Insurance District



May 7, 2012

## RESOLUTION

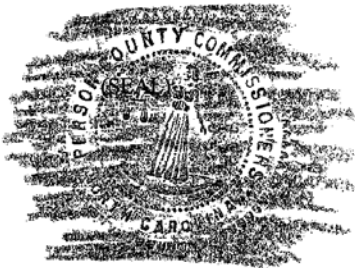
### For Approval of Insurance District Boundaries


NORTH CAROLINA  
PERSON COUNTY

Upon motion by Commissioner Jeffers, seconded by Commissioner Puryear,  
RESOLVED THAT THE Board of Commissioners of the County of Person approve the  
boundary lines of the Semora Fire Department 6-Mile Fire Insurance District in  
accordance with the GIS maps filed this date with the Board of County Commissioners  
and recorded in the minutes of the meeting.

NORTH CAROLINA  
PERSON COUNTY

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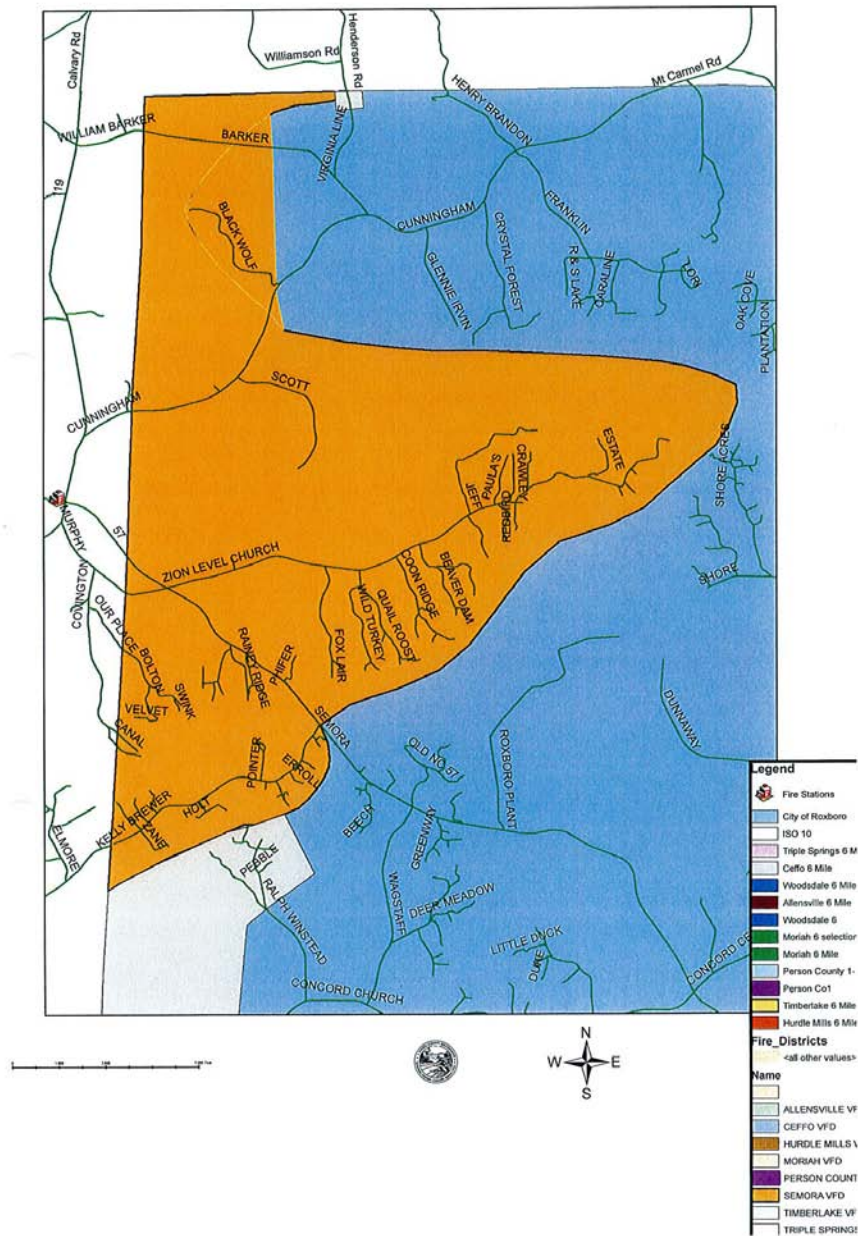


  
Brenda B. Reaves, NCCCS, OMC  
Clerk to the Board

May 7, 2012



# Semora 6 Mile Fire Insurance District



May 7, 2012

## RESOLUTION

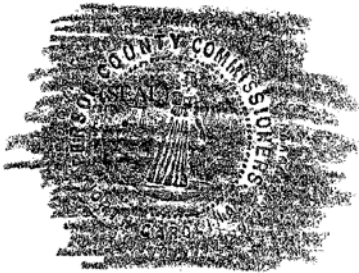
### For Approval of Insurance District Boundaries

NORTH CAROLINA  
PERSON COUNTY

Upon motion by Commissioner Jeffers, seconded by Commissioner Puryear,  
RESOLVED THAT THE Board of Commissioners of the County of Person approve the  
boundary lines of the Timberlake Fire Department 6-Mile Fire Insurance District in  
accordance with the GIS maps filed this date with the Board of County Commissioners  
and recorded in the minutes of the meeting.

NORTH CAROLINA  
PERSON COUNTY

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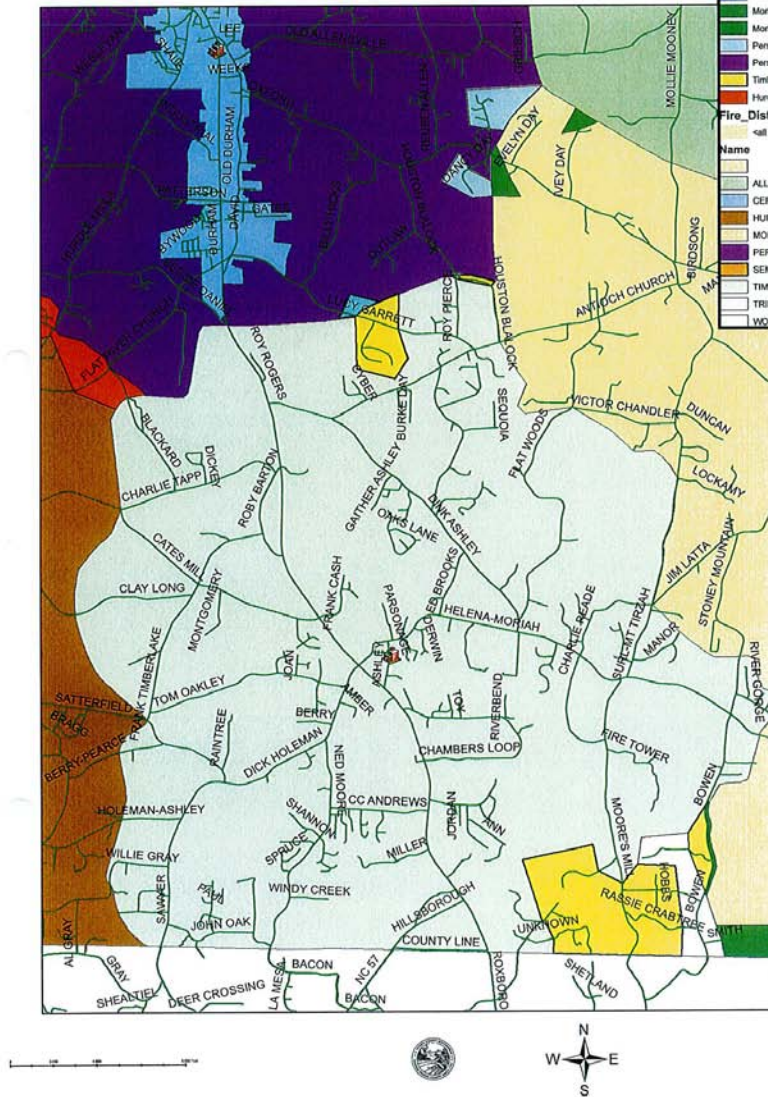
*Brenda B. Reaves*  
Brenda B. Reaves, NCCCC, CMC  
Clerk to the Board

May 7, 2012

**Legend**

- Fire Stations
- City of Robinson
- ISO 10
- Triple Springs 6 Mile
- Cello 6 Mile
- Wooddale 6 Mile
- Attentive 6 Mile
- Wooddale 6 Mile
- Morian 6 Mile selection
- Morian 6 Mile
- Person County 1-6 Mile
- Person Co1
- Timberlake 6 Mile
- Hurdle Mills 6 Mile
- Hurdle Mills 6 Mile
- Fire Districts
- call other values

Name
ALLENSVILLE VFD
CEFFO VFD
HURDLE MILLS VFD
MORIAN VFD
PERSON COUNTY 1
SEMOIRA VFD
TEMPERLE VFD
TRIPLE SPRINGS VFD
WOODDALE VFD



## RESOLUTION

### For Approval of Insurance District Boundaries

NORTH CAROLINA  
PERSON COUNTY

Upon motion by Commissioner Jeffers, seconded by Commissioner Puryear,  
RESOLVED THAT THE Board of Commissioners of the County of Person approve the  
boundary lines of the Triple Springs Fire Department 6-Mile Fire Insurance District in  
accordance with the GIS maps filed this date with the Board of County Commissioners  
and recorded in the minutes of the meeting.

NORTH CAROLINA  
PERSON COUNTY

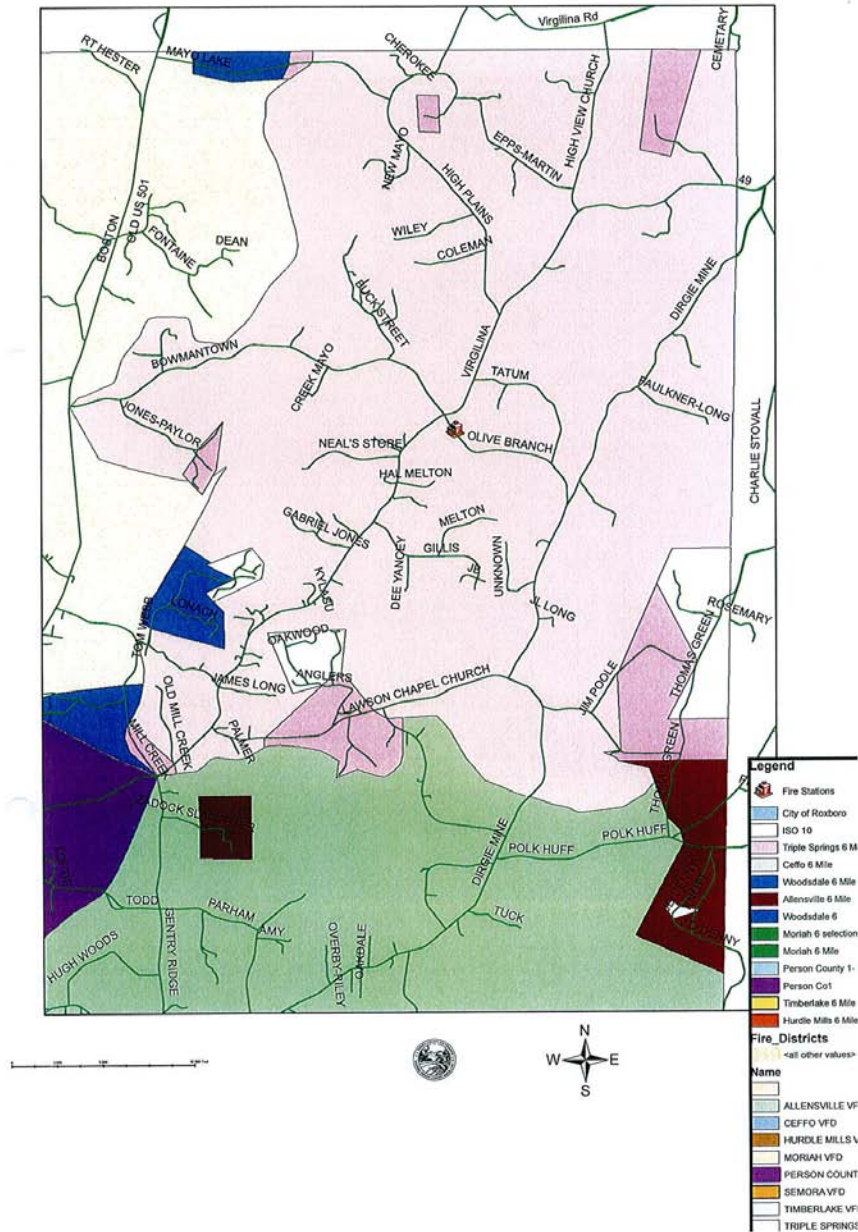
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*Brenda B. Reaves*  
Brenda B. Reaves, NCCCC, CMC  
Clerk to the Board

May 7, 2012

# Triple Springs 6 Mile Fire Insurance District





## RESOLUTION

### For Approval of Insurance District Boundaries


NORTH CAROLINA  
PERSON COUNTY

Upon motion by Commissioner Jeffers, seconded by Commissioner Puryear,  
RESOLVED THAT THE Board of Commissioners of the County of Person approve the  
boundary lines of the Woodsdale Fire Department 6-Mile Fire Insurance District in  
accordance with the GIS maps filed this date with the Board of County Commissioners  
and recorded in the minutes of the meeting.

NORTH CAROLINA  
PERSON COUNTY

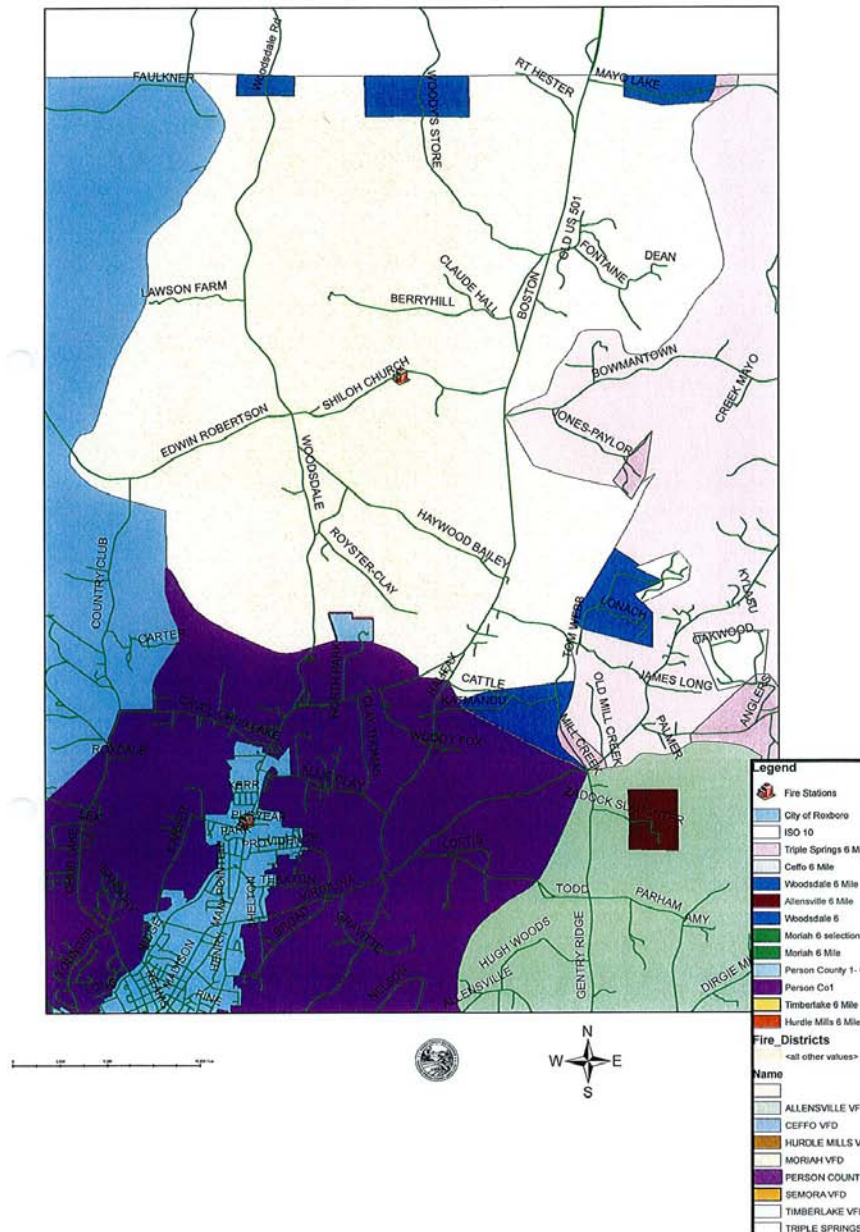
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Brenda B. Reaves, NCCCC, CMC  
Clerk to the Board

May 7, 2012

# Woodsdale 6 Mile Fire Insurance District





## **CONSIDERATION OF A REVIEW OF THE PLANNING ORDINANCE:**

Vice Chairman Puryear stated he and Commissioner Jeffers have responded to citizen complaints related to ordinance regulations by visiting citizen's property. Vice Chairman Puryear noted a handout titled Article VI, Section 60 – General Regulations was placed at each board member's seat prior to the meeting. Vice Chairman Puryear described a property with a house and a separate carport that is over 5 feet in front of the house is in violation. Another example is a citizen with a nice shed in front of his home (complaint issued which caused investigation with a result of a violation) that would have to be torn down in order to be in compliance emphasizing that without a complaint no one would have even known it was not in compliance. As a result, this citizen decided to split his lot or add an access easement at his cost of \$1,300 to get around the violation so not to have to move or tear down the shed. Vice Chairman Puryear stated his desire for the Board of Commissioners and the Planning Board to have dialogue and review the Planning Ordinance and suggested May 23, 2012 following the joint Public Hearing already scheduled. Commissioners Blalock and Jeffers agreed that a review of the Planning Ordinance is warranted.

Planning Director, Paula Murphy told the Board that zoning is either common sense or for public health and safety. Ms. Murphy stated that one of the main reasons that an accessory building is not allowed in the front yard set-back (especially on a small lot: 1-2 acres) is to enable emergency vehicles access. Ms. Murphy noted the City of Roxboro does not allow accessory building in the front or the side yards. Ms. Murphy stressed this is normal zoning practice so not to interfere with well, septic or to destroy a drain field. Generally issues arise with citizens that have not obtained zoning or building permits according to Ms. Murphy. Ms. Murphy stated historically permits have an expiration date however, under the State of NC moratorium to encourage development there is currently no expiration date.

Ms. Murphy told the group an accessory building is any structure not attached to the house (excludes a well house), i.e., a shed, garage, carport structure, storage building as sold at Lowe's, all requiring a zoning permit, not always requiring a building permit. Ms. Murphy reiterated that a City lot, small lots or a subdivision, there should not be accessory buildings in the front yards. Ms. Murphy stated she could entertain a larger lot, such as 10 acres possibly having enough room for emergency vehicles to maneuver around accessory buildings.

Ms. Murphy confirmed that the limit is three accessory buildings allowed on property up to three acres with an additional accessory building allowed per additional acre noting there is no size requirements for the accessory building but it must meet the required set backs from the house.

Commissioner Kennington stated the ordinance may not be the problem but the issue lies with educating the public and with the enforcement of the ordinance. Commissioner Kennington noted any changes must be well considered to preserve public safety and recommended a Code Enforcement Officer.

Commissioner Blalock suggested the Board members review the Planning Ordinance to choose the areas within the ordinance that need further discussion.

Commissioner Jeffers asked about the possibility of waiving the time period for those citizens with current violations until the Board can meet with the Planning Board. Ms. Murphy stated the county would work with those people and assured the Board it would not be an issue.

Vice Chairman Puryear asked Ms. Murphy about using a trailer for storage on a citizen's property. Ms. Murphy stated a trailer cannot be used for storage per a HUD requirement.

The Board discussed possible dates/times to request the Planning Board to meet jointly. Chairman Clayton stated a meeting at 4:00 pm prior to the 6:00 pm Public Hearing on May 23, 2012 is being requested so that the Board of Commissioners may be briefed by the consultants related to the stormwater utility.

It was the consensus of the Board to request the Planning Board to consider meeting jointly with the Board of Commissioners on May 21, 2012 at approximately 11:00 am immediately following the conclusion of the Board's regular scheduled meeting.

#### **APPOINTMENT TO HOME, HEALTH & HOSPICE ADVISORY COMMITTEE:**

Clerk to the Board, Brenda Reaves told the Board that the Home, Health & Hospice Advisory Committee had not had physician representation since 2009. Staff has recruited Dr. Taineisha Bolden, a local attending physician at Roxboro Family Medicine for the advisory committee. Ms. Reaves requested the Board to consider appointment for a three-year term as well as to consider the issue of non-resident voting authority.

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Blalock, and **carried 4-1** to appoint Dr. Taineisha Bolden as a physician representative on the Home, Health & Hospice Advisory Committee with voting authority for a three-year term. Commissioner Jeffers cast the lone dissenting vote based on his principle as he was against the amendment to the Resolution related to the Appointment Process for Authorities, Board, Commissions and Committees causing a non-resident to be struck of voting authority.

#### **CONSIDERATION FOR DSS STAFF TO HAVE VOTING AUTHORITY ON SPECIFIC BOARDS AND COMMITTEES:**

Clerk to the Board, Brenda Reaves asked the Board to refer to letter dated April 11, 2012 from the Interim Director of Person County Department of Social Services (DSS), Carlton Paylor requesting the following non-resident DSS staff be exempt from the Board approved Resolution related to the Appointment Process for Authorities, Boards, Commissions, and Committees:

- Adult Services and Service Intake Social Work Supervisor Melinda Hudson is on the following boards and committee: Home and Community Block Grant Board, Regional Aging Advisory Council and Person Area Transportation System (PATs).
- Child Protective Services Social Worker Melanie Puryear is on the Juvenile Crime Prevention Council.

Commissioner Kennington stated his support that a non resident should not have voting rights when there are citizens in Person County available.

Commissioner Jeffers noted his support for any county employee or agency representative whether resident or non-resident to have the authority to cast a vote representing such department or agency's best interest when appointed by the Board of Commissioners. Commissioner Jeffers clarified his vote against the action was not directed to the staff or non-

residents but directed against the amendment to the Resolution related to the Appointment Process for Authorities, Board, Commissions and Committees as the Board is taking exception to the policy by granting voting authority yet there is one that the policy was set up to deny voting rights.

Commissioner Blalock stated the one excluded from voting authority is not a county employee but working for a private business that will profit by decisions made by committee. Commissioner Jeffers countered that Dr. Taineisha Bolden who was just appointed works for a private business.

Commissioners Blalock and Kennington stated their support for the policy in place with consideration to review individually as presented.

A **motion** was made by Commissioner Blalock, **seconded** by Commissioner Kennington, and **carried 3-2** to grant voting authority to the non-resident DSS staffs, Melinda Hudson and Melanie Puryear representing the agency's interest on their respective boards/councils. Commissioner Jeffers and Vice Chairman Puryear cast the dissenting votes.

**BUDGET AMENDMENT:**

Finance Director, Amy Wehrenberg presented and explained the following Budget Amendment.

Upon a motion by Commissioner Jeffers, and a second by Vice Chairman Puryear and majority vote (5-0), the Board of Commissioners of Person County does hereby amend the Budget of the Fund(s) listed below on this, the 7th day of May 2012, as follows:

<u>Dept./Acct No.</u>	<u>Department Name</u>	<u>Amount</u> Incr / (Decr)
<u>EXPENDITURES</u>	<u>General Fund</u>	
	General Government	(107,952)
	Public Safety	92,256
	Transportation	34,249
	Human Services	(16,616)
	Culture & Recreation	34,242
	Contingency	(50,000)
<u>REVENUES</u>	<u>General Fund</u>	
	Intergovernmental Revenues	(60,971)
	Charges for Services	7,468
	Other Revenues	39,682

**Explanation:**

**May 7, 2012**

Appropriate revenue proceeds received from the sale of a transportation van for fuel needs in the PATS department (\$34,249); transfer fuel contingency funds (-\$50,000) for fuel needs in various departments (\$50,000); distribute fleet purchases (-\$139,817) according to Fleet Replacement Program to departments where vehicle replacements were scheduled (\$139,817); appropriate revenue proceeds received from the sale of County vehicles for fleet preparation and repair costs (\$5,000); received miscellaneous and additional fines & fee revenues in the Library fund for support of various operating expenditures (\$7,901); recording 2011 Bulletproof Vest Grant in Sheriff's Restricted Fund (\$9,660); appropriate net reduction in program revenues received in DSS for In-Home Aid, Smart Start Services, Child Care Development and the Low Income Energy Assistance Program (-\$60,971).

County Manager, Heidi York reported to the Board a transfer of funds in excess of \$10,000, as required by the Budget Ordinance, that the distribution of the Cost of Living Adjustment funding approved on December 5, 2011 and effective January 1, 2012 has been transferred from the Contingency fund to county departments for a total of \$100,081. Ms. York stated that the total amount was less than projected with a savings due to lapse salaries.

#### **RENEWAL OF THE AMENDMENT TO THE LEASE AND FIXED BASE OPERATOR AGREEMENT AT THE PERSON COUNTY AIRPORT:**

County Manager, Heidi York stated in May of 2011, Person County amended the Lease and Fixed Base Operator Agreement with Red Mountain Aviation to provide financial assistance during the struggling economy noting Red Mountain Aviation has served as the Fixed Base Operator for Person County Airport since March 1, 2009. The Board of County Commissioners, working through the recommendation from the Person County Airport Commission, granted a one-year amendment to the Lease and Fixed Base Operator Agreement. The amendment provided the following changes:

- Person County assumed responsibility for all utilities (approximately \$18,000 annually)
- Person County assumed the Airport's general liability insurance (approximately \$6,000 annually)
- Restructured the fuel flowage fee to a flat 6 cents per gallon rather than a tiered fee structure
- Person County waived one month's rental payment (\$7,719)

Ms. York estimated the value of the amendment at approximately \$32,000 noting the amendment expired on April 30, 2012. Ms. York requested the amendment be extended for an additional one year as the aviation business climate continues to struggle for an effective date of May 1, 2012 and valid through April 30, 2013.

Ms. York stated the Airport Commission meet the week prior and voted to recommend renewal of the amendment to the Board of Commissioners.

A **motion** was made by Commissioner Kennington, **seconded** by Vice Chairman Puryear, and **carried 5-0** to approve renewal of the Amendment to the Lease and Fixed Base Operator Agreement at the Person County Airport for one year effective May 1, 2012 through April 30, 2013.

## **Amendment to Lease and Fixed Base Operator Agreement**

**This amendment to the lease and fixed base operator agreement, dated May 1, 2012 by and between PERSON COUNTY, a body politic and corporate hereinafter referred to as "County", THE PERSON COUNTY AIRPORT COMMISSION hereinafter referred to as the "Commission" and RED MOUNTAIN AVIATION, a North Carolina Corporation hereinafter referred to as the "Red Mountain"**

Whereas the Parties entered into a lease and fixed base operator agreement dated March 1, 2009, and

Whereas the present economic climate threatens the continuation of the airport operations, and

Whereas the Parties have determined that the operation of the Person County Airport is essential to the economic viability of Person County, and

Whereas The Person County Board of Commissioners finds and determines that operation of the airport provides employment opportunities to the citizens of the County, and

Whereas the Person County Board of Commissioners finds and determines that operation of the airport provides for and promotes property tax base expansion, and

Whereas the Parties hereto desire to amend the lease and agreement dated March 1, 2009.

### **Now therefore the parties agree to amend the lease and agreement as follows:**

- 1) County shall assume the responsibility to pay for all the cost of utilities.
- 2) County shall assume the responsibility to pay for all the cost of general liability insurance.
- 3) Red Mountain shall pay a fuel flowage fee of \$.06 per gallon for all the gasoline dispensed in each month regardless of the total amount dispensed.
- 4) County and Commission shall waive one month's rent during the term of this agreement, such month to be determined by Red Mountain.
- 5) All other provisions of the lease and agreement shall remain in full force and effect as provided for in the original lease and agreement.

- 6) The term of this lease amendment is one year from May 1, 2012 and shall expire on April 30, 2013 unless extended by the parties.

**IN TESTIMONY WHEREOF**, the parties to this Agreement have executed the same in triplicate originals, one of which is retained by each.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2012. **RED MOUNTAIN AVIATION, INC.**

\_\_\_\_\_  
**William E. Tougas, President**

**Attest:** \_\_\_\_\_

**PERSON COUNTY AIRPORT COMMISSION**

This the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**John Rimmington, Chairman**

**Witness:** \_\_\_\_\_

This the 8<sup>th</sup> day of May, 2012.

**PERSON COUNTY, NORTH CAROLINA**

\_\_\_\_\_  
**Jimmy B. Clayton, Chairman**  
**Person County Board of Commissioners**

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

NORTH CAROLINA  
PERSON COUNTY

I, \_\_\_\_\_, a Notary Public for said State and County, certify that William E. Tougas personally appeared before me this date and acknowledged that he is President of Red Mountain Aviation and attested by \_\_\_\_\_ on this the \_\_\_\_ day of \_\_\_\_\_, 2012.

WITNESS my hand and official seal this the \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

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NORTH CAROLINA  
PERSON COUNTY

I, \_\_\_\_\_, a Notary Public for said State and County, certify that John Rimmington personally appeared before me this date and acknowledged the due execution of the document in his capacity as Chairman of the Person County Airport Commission.

WITNESS my hand and official seal this the \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

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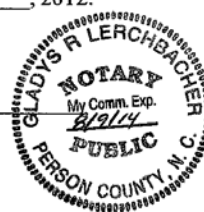
NORTH CAROLINA  
PERSON COUNTY

I, Glady's R Lerchbacher, a Notary Public for said State and County certify that Brenda B. Reaves personally appeared before me this day and acknowledged that she is Clerk of the Board of Commissioners of Person County, North Carolina and that by authority duly given and as the act of the County, the foregoing instrument was signed in its name by Jimmy B. Clayton, Chairman of the Board of Commissioners, sealed with its seal, and attested by her as Clerk to the Board of Commissioners.

WITNESS my hand and official seal this the 8th day of May, 2012.

Glady's R Lerchbacher  
Notary Public

My Commission Expires: 8/9/14





**CHAIRMAN'S REPORT:**

Chairman Clayton recognized and presented the Finance Director, Amy Wehrenberg a Certificate of Safety Achievement for the thirteenth consecutive year awarded by the NC Department of Labor Commissioner of Labor, Cherie Berry to the County of Person, Department of Finance and Taxation for outstanding safety and health efforts resulted in a substantial reduction of injuries and illnesses and promotion of safer working conditions in 2011.

Chairman Clayton confirmed with the Board the 4:00 pm meeting scheduled on May 23, 2012 at the FEMA Room for an overview from the consultants related to the stormwater ordinance and the utility fee structure prior to the 6:00 pm joint meeting with the Planning Board for the purpose of holding a public hearing. It was the consensus of the Board to stream both meetings on May 23, 2012.

**MANAGER'S REPORT:**

County Manager, Heidi York reminded the Board of the joint meeting scheduled for June 7, 2012 with the City of Roxboro for a dinner at 5:30 pm and meeting to start at 6:00 pm for further discussions related to the upcoming budget. The joint meeting with the City of Roxboro will be held in the Auditorium. It was the consensus of the Board to consult with the City of Roxboro related to not having a meal.

Ms. York stated the Recommended Budget would be presented at the Board's next meeting on May 21, 2012 and requested Board input related to scheduling budget work session meeting dates. It was the consensus of the Board to schedule work session meetings on:

- May 29, 2012 at 8:30 am
- June 5, 2012 at 8:30 am

## **COMMISSIONER REPORT/COMMENTS:**

Commissioner Kennington had no report.

Commissioner Blalock stated the Community Conversations meeting was a good session asked the County Manager about the committee related to the old Helena School property. Ms. York stated a new committee would be created after the budgeting process.

Commissioner Jeffers commented on the following:

- the public meeting for the proposed Recreation/Senior Center was well attended last week with the next opportunity on May 9, 2012 at 10:00 am at the Senior Center
- told the group that 17 county representatives were present at the recent Cooperative Extension ECA event noting he led a break out session on Leadership and Advocacy
- noted the recent ribbon cutting at Person County Group Homes' new facility on Chub Lake Road
- hosted first ever NC Association of County Commissioners District Meeting at Piedmont Community College with 40 attendees
- announced the NC Association of County Commissioners Board of Directors voted to lower the county dues this year

Vice Chairman Puryear announced the local Distinguished Service Award winners were submitted for state competition and one of the local nominees, Dr. Dan Phillips won State Boss of the Year. Vice Chairman Puryear congratulated Dr. Phillips and wished good luck to the candidates in the primary election on Tuesday, May 8, 2012.

Chairman Clayton added that a ribbon cutting would be taking place at the Karma Restaurant on May 17, 2012 at 10:00 am.

**ADJOURNMENT:**

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers, and **carried 5-0** to adjourn the meeting at 8:15 pm.

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Brenda B. Reaves  
Clerk to the Board

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Jimmy B. Clayton  
Chairman