

**PERSON COUNTY BOARD OF COMMISSIONERS**  
**MEMBERS PRESENT**

**JANUARY 17, 2023**  
**OTHERS PRESENT**

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Gordon Powell  
C. Derrick Sims  
Kyle W. Puryear  
Charlie Palmer  
Jason Thomas  
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Katherine M. Cathey, 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 Monday, January 17, 2023 at 9:00am in the Person County Office Building Auditorium located at 304 S. Morgan Street, Roxboro, NC.

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:**

Chairman Powell advised due to illness of the presenter that item #2, Vaya Health Update and Dashboard Presentation should be removed from the agenda.

A **motion** was made by Vice Chairman Sims and **carried 5-0** to remove the Vaya Health Update and Dashboard Presentation from the agenda and to approve the agenda as adjusted.

**INFORMAL COMMENTS:**

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

Mr. Frank Stoltmann of 131 Rosewood Drive, Roxboro and a local residential builder asked the Board the status of the permitting software, Energov, noting Person County was the only county in this area that did not have online submission of permits. Mr. Stoltmann stated his concerns related to the future of business in the County with his opinion of a decline in residential homes being built or planned; he asked the Board what is being done to bring new business to the county, and in particular, to the Mega Park.

**January 17, 2023**

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

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

- A. Budget Amendment #13, and
- B. Written Decision Approving Special Use Permit Application SUP-01-23 Approving a Passive Recreational Park on ±281.5-acres located at Tax Map and Parcel No. A76 owned by Person County

**NEW BUSINESS:**

**TELAMON/TRC NOTICE OF INTENT TO RE-APPLY FOR COMMUNITY SERVICES BLOCK GRANT PROGRAM FISCAL YEAR 2023-24 APPLICATION FOR FUNDING:**

Jodi Springer, Career Advisor for the Community Service Block Grant (CSBG) with Telamon Corporation provided an overview of the mission of the program was to increase self-sufficiency among from program participants (age 18 years old and above) with the goal of participants rising above poverty level. Ms. Springer said program funds were primarily used for basic educational attainment, employment supported related expenses such as books, day care, uniform costs as well as emergency assistance.

Latorya Carter, Program Manager for the CSBG program provided notice of intent to re-apply for CSBG funding from the NC Office of Economic Opportunity for program year 2023-2024. This funding will allow 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. The CSBG program application for funding (planning process narrative) was included in the board agenda. Ms. Carter said the CSBG funds requested was \$304,725.

The Board extended its gratitude for what the CSBG was doing to assist individuals in Person County.

**AMENDMENTS TO THE ANIMAL SERVICES ORDINANCE:**

Kelli Oakley, Animal Services Director presented to the Board amendments to the Animal Services Ordinance. Ms. Oakley stated Person County Animal Services (PCAS) Board and staff proposed to discontinue the Spay and Neuter Voucher Program. The voucher system began as a way to offer low-cost spay and neuter services for adopted animals. Until recently, when an animal was adopted through PCAS, they were issued a voucher for the spay/neuter services that covered the costs of the surgery and either Feline Leukemia/FIV testing or Canine Heartworm Testing. Ms. Oakley said the department primarily worked with two local veterinary clinics to offer this service for adopters.

Currently, the department works with four animal hospitals (two in Person County and two outside of the county). Adoption fees are \$150 (\$50 of the fee covers the vaccinations and services provided at the shelter and \$100 is paid to the participating veterinary clinics for the spay/neuter services).

Ms. Oakley stated due to ownership changes, the rising costs of supplies, medications and the increasing veterinary staffing shortage nationwide, it has become difficult for the veterinary practices to maintain this service and only receive \$100 as payment. All the hospitals recently requested that PCAS allow the voucher to still pay \$100, but that it only pays towards the costs of surgery, not the costs in full, requiring the adopters to pay the remaining balance. The department agreed to this temporarily and communicated that PCAS would revisit the voucher system. With this new process in place, PCAS have only had one pet returned for inability to afford surgery, and this was still after providing more resources to assist.

Along with the requests from the hospitals, PCAS received lots of feedback on the adoption fees. PCAS adoption fees are much higher than most shelters in surrounding counties, and it has begun to affect the number of adoptions. PCAS tested lower adoption fees over the past 2-3 months and have seen a significant positive response from the public and increased adoptions as a result.

Ms. Oakley proposed that PCAS discontinue the voucher system, and to permanently reduce adoption fees (\$50 or less). The adopters will still be required to have the pets spayed or neutered within a specific time frame (currently three months due to scheduling backups with veterinary practices), and PCAS will provide information on low-cost options available in the area, if needed.

Ms. Oakley requested the Board to approve the proposed Animal Services Ordinance amendment to discontinue the program and require adopters to complete spay/neuter at a vet of their choice.

For the Animal Services Ordinance to be adopted at the meeting at which it is first introduced, this ordinance must receive unanimous approval of the Board. If the ordinance does not receive the unanimous approval, it shall be considered at the next regular meeting of the Board at which time a majority of the votes cast will determine if the ordinance is amended, as presented.

A **motion** was made by Vice Chairman Sims and **carried 5-0** to approve the amendments to the Animal Services Ordinance, as presented.

## PERSON COUNTY ANIMAL SERVICES ORDINANCE

The Person County Board of Commissioners is authorized under the provisions of G.S. 153A-121, 153A-153 and 153A-442 to adopt ordinances.

### SECTION 1: DEFINITIONS

As used in this ordinance the following terms mean:

- A. **Animal Services Officer:** A county employee designated as Person County Animal Services Officer, Person County Animal Services official or other designations that may be used whose responsibility includes Person County Animal Services.
- B. **Owner:** Any person, group of persons, firm, partnership or corporation owning, keeping, having charge of, sheltering, feeding, harboring or taking care of any animal. The owner is responsible for the care, actions, and behavior of his/her animals.
- C. **Kennel, Dealer, Breeder, or Pet Shop:** Any person, group of persons, partnership, or corporation engaged in buying, selling, breeding or boarding pet animals.
- D. **At Large:** Any animal shall be deemed at large when it is off the property of its owner and not under control of a competent person.
- E. **Restraint:** An animal is under restraint within the meaning of this ordinance if it is controlled by means of a chain, leash or other like device; or, is secured within a vehicle being driven or parked; or, is within a secure enclosure.
- F. **Spayed Female:** Any female which has been operated upon to prevent conception.
- G. **Neutered Male:** Any male which has been operated upon to prevent reproduction.
- H. **Animal Shelter:** Any premises designated by the County for the purpose of impounding and caring for animals found running at large or otherwise subject to impoundment in accordance with the provisions of this ordinance.
- I. **Exposed to Rabies:** An animal has been exposed to rabies within the meaning of this ordinance, if it has been bitten by, or been exposed to any animal known or suspected to have been infected with rabies.
- J. **Potentially Dangerous Dog:** A dog that:
  - 1. Inflicted a bite on a person either upon public or private real property
  - 2. Killed or inflicted severe injury upon a domestic animal or livestock when not on the owner's real property.



3. Approached a person when not on the owner's property in a vicious or terrorizing manner, or an apparent attitude of attack.
- K. **Dangerous Dog:** A dog that:
1. Without provocation has killed or inflicted severe injury on a person; or animal.
  2. Is declared vicious by the Director of Person County Animal Services pursuant to N.C.G.S. 130A-200.
  3. Is determined by the Director of Person County Animal Services to be dangerous and, after this determination, engages in one or more of the behaviors listed in subsection J of this section.
- L. **Stray Dog or Cat:** Any dog or cat, within the County wandering at large or lost, or any dog or cat that does not have an owner, or any dog or cat, within the County, whose owner fails to list animal for license purposes, or fails to have said dog or cat vaccinated against rabies by a veterinarian or certified rabies vaccinator, or any dog or cat not wearing a collar and/or evidence of an owner (e.g. current rabies tag.)
- M. **Acts Deemed Public Nuisance:** An act of public nuisance is defined as any animal that repeatedly chases, snaps at, or attacks pedestrians, bicyclists or vehicles and also includes animals that turn over garbage pails, or damages gardens, flowers or vegetables. Public nuisance includes the owner permitting a female animal to run at large during the estrous stage of reproduction.
- N. **Rabies Vaccination:** the administration of rabies vaccine by a licensed veterinarian or by a certified rabies vaccinator. Rabies vaccines given by a certified rabies vaccinator are only valid for one year. Rabies vaccines given by a veterinarian are valid for one year to three years as determined by State Law.
- O. **Animal:** refers primarily to domestic cats and dogs unless provided for by state law. Domestic livestock is part of the jurisdiction of Person County Animal Services as set out by state law. Ferrets are included for the purpose of rabies vaccines.
- P. **Proof of Ownership:** Can include but is not limited to veterinary records, photos, registration papers, bill of sale, microchip or adoption contract.

## **SECTION 2: DUTIES OF PERSON COUNTY ANIMAL SERVICES DEPARTMENT:**

The State laws regarding the care of animals will be enforced by the Person County Animal Services Department.

The Person County Animal Services Department shall be further charged with the responsibility of:

- A. Enforcing all State or County laws, ordinances and resolutions relating to dogs and cats, and the care, custody and control of animals.

- B. Aiding the Health Director to insure public safety and assisting in the enforcement of the laws of the State of North Carolina with regard to animals and especially with regard to vaccination of animals against rabies and the confinement or leashing of dangerous and potentially dangerous animals.
- C. Investigating animal cruelty, neglect or abuse.
- D. Making such canvasses of the county, including the homes in the county, as it deems necessary for the purpose of ascertaining that all dogs, cats and ferrets are vaccinated against rabies.
- E. Operating, pursuant to policies of the Board of County Commissioners;
- F. Maintaining a reference file of rabies vaccination in accordance with the provisions of this ordinance and the policies of the Board of County Commissioners.

### **SECTION 3: DOGS, CATS AND FERRETS MUST WEAR COLLAR AND RABIES TAG**

- A. It shall be unlawful for any dog, cat or ferret owner to fail to comply with the State laws relating to the control of rabies. It shall be unlawful for any dog, cat or ferret owner to fail to provide any dog, cat or ferret he or she owns with a suitable collar or harness for the wearing of the rabies tag to be issued upon vaccination.
- B. The rabies tag is to be worn by said dog or cat at all times except as otherwise provided by State Law. Exceptions include but are not limited to performing at shows, obedience trials, tracking tests, field trials, training schools or other events sanctioned and supervised by a recognized organization and a hunting dog owned by a person who has a valid license to hunt in Person County or in the State of North Carolina and the dog is engaged on a hunt or training for a hunt and the dog has been vaccinated against rabies. Proof of rabies must be presented upon request of the Person County Animal Services Officer as required by the NC G.S. 130A-192.
- C. Unless proof of rabies vaccination is available, it shall be the duty of the Person County Animal Services staff to insure that any redeemed animal over the age of four months is vaccinated against rabies at the owner's expense before release and that a record be maintained of the vaccination.
- D. A dog, cat or ferret is subject to impoundment in accordance with the provisions of this ordinance if it is not wearing a current rabies tag or if the owner cannot furnish evidence of vaccination.
- E. It shall be unlawful for any person to use for any animal a rabies vaccination tag not issued for that animal.
- F. It is recommended that animals be micro-chipped in the event that the collar and tags are lost for identification purposes.

- G. It is the purpose of this ordinance to supplement the State law by providing a procedure for the enforcement of State laws relating to rabies control.

#### **SECTION 4: POSSESSION OF DOGS OR CATS**

It shall be unlawful for any person knowingly to harbor, feed, or keep in his or her possession, by confinement or otherwise, any dog or cat that does not belong to him or her unless he or she has:

- A. The consent of the owner or custodian of the dog or cat.
- B. If a dog or cat is not wearing tags, or other mode of identification indicating its owner, and is delivered to an animal shelter by;
  - 1. A person who has found and captured the dog or cat.
  - 2. By an approved rescue organization that received the dog or cat from a person who found and captured the dog or cat.
  - 3. The Person County Animal Services may, in writing, appoint the finder or approved rescue organization to be the agent of the Person County Animal Services.
  - 4. For purposes of this subsection, the term “approved rescue organization” means a nonprofit corporation or association that cares for stray animals that has been favorably assessed by the Director of Person County Animal Services through the application of written standards.
    - a. The finder or approved rescue organization shall hold the dog or cat for the 72-hour holding period.
    - b. After the expiration of the applicable holding period, the shelter may:
      - 1) Transfer the dog or cat to the person or organization that has held it as agent.
      - 2) Extend the period of time the finder or rescue organization holds the dog or cat as agent of the shelter.
    - c. The privilege to act as an agent for the shelter may be revoked during the holding period at any time by directing the finder or rescue organization to deliver the animal to the shelter.
    - d. The city, county, or organization operating the animal shelter, as principal in the agency relationship, shall not be liable to reimburse the agent for the costs of care of the animal and shall not be liable to the owner of the animal for harm to the animal caused by the agent.
    - e. During the 72-hour or longer holding period established, an animal shelter may place an animal it is holding in foster care.

- f. If the Person County Animal Services transfers physical possession of an animal under subsections of this section, a photograph which depicts the head and face of the animal shall be displayed at the shelter in a conspicuous location that is available to the general public during hours of operation. This will remain posted for the 72-hour or longer holding period.

*Comments: Humane traps may be obtained from Person County Animal Services on a first come first serve basis for domestic dogs or cats only. There will be a deposit fee as established in the Adopted Fee Schedule.*

#### **SECTION 5: POSSESSION OF LIVESTOCK/POULTRY/DOMESTIC FOWL**

The Person County Animal Services Department shall enforce the applicable State Laws in reference to the care and possession of livestock, poultry and domestic fowls.

#### **SECTION 6: POST RABIES EXPOSURE MANAGEMENT**

- A. The Person County Animal Services Department shall enforce the applicable state laws related to post rabies exposure management. As of October 1, 2017, The General Assembly enacted General Statute 130A-197 which reads as rewritten:

§ 130A-197. Management of dogs, cats, and ferrets exposed to rabies.

When the local health director reasonably suspects that an animal required to be vaccinated under this Part has been exposed to the saliva or nervous tissue of a proven rabid animal or animal reasonably suspected of having rabies that is not available for laboratory diagnosis, the animal shall be considered to have been exposed to rabies. The recommendations and guidelines for rabies post-exposure management specified by the National Association of State Public Health Veterinarians in the most current edition of the Compendium of Animal Rabies Prevention and Control shall be the required control measures.

- B. The current compendium of animal rabies prevention and control can be found at the National Association of Public Health Veterinarians website [www.nasphv.org](http://www.nasphv.org) and posted at the Animal Services Department offices.

#### **SECTION 7: POTENTIALLY DANGEROUS OR DANGEROUS ANIMALS**

The behaviors that can result in a dog being considered potentially dangerous or dangerous are listed in the definitions.

- A. The provisions of this Section do not apply to a dog being used by a law enforcement officer to carry out the law enforcement officer's official duties. A working dog will be handled in accordance with state law. A dog shall not be considered a dangerous dog under this Article if the injury inflicted by the dog was sustained by a person who, at the time of the injury, was committing a willful trespass or other tort, was tormenting, abusing, or assaulting the dog, had been observed or reported to have tormented, abused, or assaulted the dog, or was committing or attempting to commit a crime.

- B. The Director of Person County Animal Services must notify the owner of a potentially dangerous dog in writing giving the reasons for his or her determination that the animal is dangerous under this Section. The owner may appeal the determination of the Person County Animal Services Director by giving written notice of the appeal within five (5) days of receiving this notification. Written notice of appeal should be sent to the Director of Person County Animal Services. The dog will be considered potentially dangerous pending the appeal. The appeal will be reviewed by the Person County Animal Services Advisory Committee within two (2) weeks. The owner will be notified of the Committee's decision within ten (10) days. The committee's decision can be appealed to Superior Court within ten (10) days pursuant to NC G.S. 67-4.1 Chapter 10.
- C. It is unlawful for an owner to:
1. Leave a dangerous dog unattended on the owner's real property unless the dog is confined indoors, in a securely enclosed and locked pen, or in another structure designed to restrain the dog in accordance with General Statute 67-4.2.
  2. Permit a dangerous dog to go beyond the owner's real property unless the dog is leashed and muzzled or is otherwise securely restrained and muzzled.
- D. If the owner of a dangerous dog or a potentially dangerous dog transfers ownership or possession of the dog to another person, the owner shall provide written notice to the Director of Person County Animal Services, stating the name and address of the new owner of the dog and to the person taking possession of the dog; specifying the dog's dangerous behavior and the Director of Person County Animal Services' determination.
- E. A dog that has been determined to be dangerous or potentially dangerous may be humanely destroyed in the following instances:
1. If the Director of Person County Animal Services determines that a dog that was previously determined to be dangerous or potentially dangerous either bit a person so as to cause a break in the skin or was at large on two or more separate occasions after such determination, the Director of Person County Animal Services may seek a court order that the dog to be humanely destroyed.
  2. If the Director of Person County Animal Services in determining that a dog is dangerous or potentially dangerous also determines that the dog, without provocation, has killed or inflicted severe injury on a person, animal, livestock, or domestic fowl, the Director of Person County Animal Services may seek a Court Order that the dog be humanely destroyed.
- F. A dog that has been determined to be dangerous or potentially dangerous may not be released from the animal shelter except to original owner.
- G. The owner or custodian of any dog that has been determined to be dangerous or potentially dangerous, shall report immediately to the Person County Animal Services Officer if the dog gets loose or is otherwise unconfined or it attacks a person or another animal.

- H. A Person County Animal Services Officer shall inspect the premises where a dog determined to be dangerous is kept to insure it conforms to the requirements of this ordinance.
- I. If an animal is observed engaged in any of the acts identified as a public nuisance as defined in the definition section of this ordinance, and an official complaint is filed and the owner, if known, is notified the owner is required to keep said animal contained. Each day said animal is not contained constitutes a separate violation of this ordinance, and the owner shall be so charged with violation of this ordinance.

#### **SECTION 8: NOISY DOGS**

It shall be unlawful for the owner or custodian of any dog to allow it to bark, whine, howl, or make any other noise for a protracted period so as to result in a serious annoyance or interference with the reasonable use and enjoyment of neighboring premises.

#### **SECTION 9: PUBLIC NUISANCE**

It shall be unlawful for the owner or custodian to allow an owned animal to repeatedly chase, snap at, or attack pedestrians or vehicles or to turn over garbage pails, damage garden flowers or vegetables, or conduct itself to be a nuisance. It shall also be unlawful for the owner or custodian to permit a female animal to run at large during the estrous stage of reproduction.

#### **SECTION 10: INJURING ANIMALS, NOTICE REQUIRED**

It shall be unlawful for any person to injure a domestic animal by running over, into, or coming into contact with animal, by automobile, motorcycle, bicycle, or other vehicle and fail to notify immediately, the owner of the animal or Emergency Communications for the appropriate response.

#### **SECTION 11: CRUEL TREATMENT**

It shall be unlawful for any person to tease, bait, molest, torture, deprive of necessary sustenance, or cruelly beat, mutilate or kill, wound, injure, poison, abandon or subject to conditions detrimental to its health or general welfare any animal or to cause or procure such action. The words "torture, or cruelly" shall be held to include every act omission or neglect whereby unjustifiable physical pain, suffering or death is caused or permitted; but such terms shall not be construed to prohibit lawful shooting of birds, deer and other game for human food nor to prohibit the lawful trapping of game pursuant to the provisions of the NC General Statutes and the regulations of the Wildlife Resources Commission; nor to prohibit the Person County Animal Services Department or their agents or veterinarians from destroying dangerous, unwanted or injured animals in a humane manner.

#### **SECTION 12: MANNER OF KEEPING AND TREATING ANIMALS GENERALLY**

In accordance with State Laws, any person must provide domesticated animals with adequate shelter, proper food, adequate water and space in accordance with the standards set out in subsections A-C below. In addition, the provisions of subsections D and E shall apply to dogs and cats and sick or injured animals.

- A. Adequate shelter means provision of and access to shelter that is suitable for the species, age, condition, size, and type of each animal; provides adequate space for each animal; is safe and protects each animal from injury, rain, sleet, snow, hail, direct sunlight, the adverse effects of heat or cold, physical suffering, and impairment of health; is properly lighted; is properly cleaned; enables each animal to be clean and dry, except when detrimental to the species; and for dogs and cats, provides a solid surface, resting platform, pad, floor mat, or similar device that is large enough for the animal to lie on in a normal manner and can be maintained in a sanitary manner. Under this chapter, shelters whose wire, grid, or slat floors: (i) permit the animals feet to pass through the openings; (ii) sag under the animals' weight; or (iii) otherwise do not protect the animals' feet or toes from injury are not adequate shelter.
- B. Provide proper food and adequate water means provision of and access to clean, fresh potable water of a drinkable temperature that is provided in a suitable manner, in sufficient volume, and at suitable intervals appropriate for the weather and temperature, to maintain normal hydration for the age, species, condition, size and type of each animal, except as prescribed by a veterinarian or as dictated by naturally occurring states of hibernation or fasting normal for the species; and is provided in clean, durable receptacles that are accessible to each animal and are placed so as to minimize contamination of the water by excrement and pests or an alternative source of hydration consistent with generally accepted husbandry practices.
- C. Adequate space means sufficient space to allow each animal to: (i) easily stand, sit, lie, turn about, and make all other animal body movements in a comfortable, normal position for the animal; and (ii) interact safely with other animals in the enclosure. When an animal is tethered "adequate space" means a tether that permits the above actions and is appropriate to the age and size of the animal; is attached to the animal by a properly applied collar, halter, or harness configured so as to protect the animal from injury and prevent the animal or tether from becoming entangled with other objects or animals, or from extending over an object or edge that could result in the strangulation or injury of the animal; and is at least three times the length of the animal, as measured from the tip of its nose to the base of its tail, except when the animal is being walked on a leash or is attached by a tether to a lead line. When freedom of movement would endanger the animal, temporarily and appropriately restricting movement of the animal according to professionally accepted standards for the species is considered provision of adequate space.
- D. Dogs and cats must not be in extended contact with wet surroundings.
- E. Sick or injured animals:
  - 1. Where an illness has affected the quality of life or is life threatening, the animal shall be taken to a licensed veterinarian and treatment administered or humanely euthanized within a 24-hour period.
  - 2. Diseased animals that are contagious to other animals or humans should be quarantined in an area that can be properly disinfected. They shall be treated until determined to no longer be contagious or humanely euthanized.
  - 3. Diseased animals that are contagious to humans shall be reported to the state veterinarian and treated as directed by the state and local veterinarians.
  - 4. Animals infested with parasites shall be treated along with the environment as to avoid re-infestation.

5. Injured animal with an open wound that exposes deeper tissue, fractured bones, or persistent pain caused by soft tissue damage, should be treated by a veterinarian, or humanely euthanized.

The provisions above are in accordance with State Laws for each type of animal under the jurisdiction of Person County Animal Services. It is recommended that animals have adequate vaccination against disease, according to the species of the animal. See Standard Operating Procedures Handbook. Animals are required to be on the owner's property and under control at all times. The City of Roxboro requires animals to be on a leash or physically restrained.

### **SECTION 13: IMPOUNDING ANIMALS**

Any animal which appears to be lost, stray or unwanted, or which is found not wearing a current valid rabies vaccination tag as required by State law, shall be confined in the Animal Shelter in a humane manner for a minimum of three (3) business days, for redemption by the owner and a maximum of 15 business days for adoption. Animals may be redeemed once it is established to the satisfaction of the Person County Animal Services Director that it has been vaccinated against rabies. If the animal has not been vaccinated against rabies, the animal will be vaccinated before release at the owner's expense. The owner will be given a date by which the vaccine must be given to any animal under four months. (Refer to section on Rabies control.)

- A. **Sale or Destruction:** If an impounded animal is not redeemed by the owner within three (3) business days, it becomes the property of the county. As such, it may be offered for adoption, placed with a rescue group or humanely euthanized by the Person County Animal Services Department. Animals that are sick, injured, from a quarantine area, being held for legal reasons or a danger to the public will not be available unless provided for elsewhere in this ordinance. Animals may be humanely euthanized in order to comply with regulations governing space requirements when there is insufficient space and that situation will be noted on the records.
- B. **Adoption:** The animal can be adopted by any responsible adult who is willing to comply with the Person County Animal Services Ordinance and the conditions of the adoption contract. Identification will be required. The adoption fee must be paid at the time of adoption. The spay/neuter is solely the responsibility of the adopter and must be completed within the time frame stated in the contract. Adoption personnel have discretion to approve/deny adoption requests.
- C. **Notifying Owner:** Immediately upon impounding an animal, the Person County Animal Services Department will make reasonable efforts to notify the owner, and inform such owner of the conditions under which the animal may be reclaimed.
- D. **Animal Rescue Organizations:** It is the county's policy to make animals available to organizations in order to attempt to find homes for as many animals as possible, reduce euthanasia rates and for all organizations that care for homeless animals to work together to provide the greatest opportunity for adoption without prejudice towards organizations that are forced to euthanize animals. It is further the County's policy to foster a community cooperative approach to reducing pet overpopulation with all shelters and rescue groups working together to place all healthy, adoptable animals with families in their community. Animal protection and rescue organizations that possess an IRS Code section 501 designation that meet the requirements of the Rescue Group Procedures as defined in the Standard Operating Procedures Handbook shall



have the right to obtain possession of any animal in the possession of the County set out in this ordinance except for animals which are rabid or suspected to be so, necessary for criminal or civil judicial purposes, necessary for the disposition of law enforcement investigations, required to be held or disposed of to protect the public health or safety of the citizens of the county or ordered to be held or disposed of by a court of competent jurisdiction. In making animals available to organization as provided for in this subsection, the County does not warrant the physical condition or disposition of any animal. The organization obtaining animals hereunder shall be responsible for any and all damages and injuries sustained by any person or animal on account of such animals and shall hold the County harmless for any claims of damages and injuries sustained by any person or animal on account of such animals.

(Refer to the Rescue Group Procedures for guidelines and information for animal rescue organizations who want to take possession of an animal at the shelter.)

- E. **Intact Dogs and Cats:** The Person County Animal Services Department shall require that at the appropriate age all dogs and cats adopted from the Animal Shelter be spayed or neutered. The owner must provide proof from the veterinarian that surgery has been completed.
- F. **Suspected Rabies:** Animals impounded which have been bitten by a rabid animal or which the Person County Animal Services Officer has reasonable grounds to suspect has been exposed to a suspect rabid animal, or appear to be suffering from rabies shall not be redeemed or adopted, but shall be dealt with as provided in Section 6 entitled "Post Rabies Exposure Management" of this ordinance. Unvaccinated animal from a rabies quarantine area cannot be released.

*Comments: When quarantine for County has been activated, no animals will be released from the shelter, unless it has a current rabies vaccination.*

- G. **Unwanted Animals:** If an animal is officially surrendered by the owner to the Person County Animal Services Department, it may be offered for adoption, placed with a rescue or humanely euthanized without waiting three (3) days if the owner provides proof of ownership. If animal is sick or injured, the animal will be euthanized humanely without a waiting period.
- H. **Diseased or Injured Animals:** Any animal impounded which is badly wounded or diseased (not a rabies suspect) and has no identification shall be humanely euthanized immediately. If the animal has identification, the Person County Animal Services Department will attempt to notify the owner before the animal is euthanized, but if the owner cannot be reached, and the animal is suffering, the Person County Animal Services Department may euthanize the animal at its discretion, in a humane manner.
- I. **Feral Animals:** The Person County Animal Services Director is primarily responsible for public health including the employees of the Person County Animal Services Department. If it is determined that there is a danger to people to hold an animal for three (3) days, the animal may be humanely euthanized without a waiting period.

#### **SECTION 14: RECLAIM AND ADOPTION PROCEDURE FOR IMPOUNDED ANIMALS**

Every person must provide proof of rabies vaccination at the time of reclaim or the animal will be vaccinated by a certified rabies vaccinator at the owner's expense. If not four months of age at the time of reclaim, owner must provide proof of rabies vaccination when animal reaches four months of age.

**A. Reclaim Procedure**

1. The owner shall be entitled to reclaim his or her animal, except as provided for in this ordinance, upon compliance with the provisions of this ordinance and the payment of shelter fees incurred. In addition to the reclaim fee, a holding fee per day must be paid before animals may be reclaimed. A rabies vaccine shall be administered at the shelter before the animal can be reclaimed unless the owner provides proof of a current rabies vaccine. Owner will be charged for this rabies vaccine in accordance with the Adopted Fee Schedule.
2. If the dog or cat is under four months, the owner will be given a proof of rabies vaccination card at the time of the reclaim. This will include the date stating the time limit allowed to have the dog or cat vaccinated for rabies. The owner must provide proof of the rabies vaccine and submit a copy to Person County Animal Services. If this is not returned to Person County Animal Services within the time limit, a Person County Animal Services' officer will be dispatched to retrieve the dog or cat and the owner can be cited for violation of state law.

**B. Adoption Procedure**

1. All animals will be vaccinated against rabies before leaving the shelter unless they are under four months of age. Rabies vaccines that are given by a certified rabies vaccinator are for one year only.
2. Adoption fee covers age appropriate vaccinations and will be paid at the time of adoption.
3. The spay/neuter for all animals adopted from the shelter will be the sole responsibility of the adopter. All animals adopted will have an allotted amount of time to have that completed depending on age, and health of the animal.
4. Documentation from a veterinarian will be required for proof of spay/neuter completion by the date listed in the adoption contract.

*Comments: For a list of these fees, see the Adopted Fee Schedule.*

**SECTION 15: EXEMPTIONS**

Hospitals, clinics and other premises operated by licensed veterinarians for the care and treatment of animals are exempt from the provisions of this ordinance except for the sections on cruel treatment and the manner of keeping animals as per state law.

**SECTION 16: INTERFERENCE**

It shall be unlawful for any person to interfere with a member of the Person County Animal Services Department or Person County Animal Services Officers or Veterinarians in the performance of any duty authorized by this ordinance, or to seek to release any animal in the custody of said agents.

#### **SECTION 17: RECORDS**

It shall be the duty of the Person County Animal Services Department to keep accurate and detailed records of:

- A. Impoundment and disposition of all animals coming into the Person County Animal Services;
- B. Bite cases, violations, and complaint investigations;
- C. All monies belonging to County which were derived from impoundment fees, penalties and adoption of animals;
- D. All other records deemed necessary by the County Manager and/or State law.

#### **SECTION 18: FEES**

Fees shall be charged in accordance with the Fee Schedule adopted by the Person County Board of Commissioners in the Budget Ordinance.

#### **SECTION 19: PENALTIES**

This ordinance may be enforced by any and all of the procedures set out below:

- A. Under authority of NC G.S. 153A. 123 (b) violation of this ordinance is a misdemeanor punishable by a fine and/or imprisonment for not more than thirty days.
- B. The Animal Services Officer may institute an action for injunctive relief and an order of abatement as provided for in NC G.S. 153 A-123 (e) for any condition found unlawful in this ordinance.
- C. The Animal Services Officer may also enforce this Ordinance by issuing a Notice of Civil Penalty pursuant to NC GS 153A-123(c).

1. The Civil penalties provided for herein shall be as set forth in the Fee Schedule adopted by the Person County Board of County Commissioners. Such Civil Penalties shall be in addition to, and not in lieu of, the Criminal penalties and other remedies provided by this Ordinance or by State law. The animal services officer shall be authorized to issue a citation to the person(s), violating this ordinance and shall give notice of the violation in the manner prescribed below. Citations so issued may be delivered in person or mailed by registered or certified mail, return receipt requested, to the person charged. The civil penalty or penalties set forth in the citation must be paid within seventy-two (72) hours of the receipt of the citation and shall be paid to the Animal Services Department. The Animal Services Department shall forward all such penalties collected to the Finance Office for the County of Person for application as by law provided.

2. If the person charged fails to pay the civil penalty within seventy-two (72) hours from the time the citation was issued an additional civil penalty as provided for in the Fee Schedule shall be assessed.

3. Such civil penalties may be recovered by Person County in a civil action in the nature of debt or may be collected in such other manner as prescribed herein.

4. Such notice shall, among other things:

a) State upon its face the amount of the penalty, and

b) Provide that such offender may answer the said notice by mailing said notice, and paying the stated penalty to the Person County Animal Services Department at its mailing address stated in the notice or by making payment to the Person County Animal Services Department directly and that upon payment, such case or claim and right of action by Person County will be deemed compromised and settled, and

c) State that such penalties must be paid within seventy-two (72) hours from issuance of such notice, and

d) State that if such notice of violation is not paid within said seventy-two (72) hour period, civil action to recover the debt may be instituted to include but not be limited to the debt collection procedures of NC GS Chapter 105A Setoff Debt Collection Act, (interception of state income tax refunds), and

e) State that the Person County Animal Services Department is authorized to accept such payments in full and final settlement of the claim or claims, right or rights of action which Person County may have. Acceptance of such penalty shall be deemed a full and final release of any and all such claims, or rights of action arising out of such contended violation or violations, and

f) Each day of continued violation of this ordinance is a separate and distinct offense as provided for in NC G.S.153A-123(g).

#### **SECTION 20: PERSON COUNTY ANIMAL SERVICES DEPARTMENT**

The Person County Animal Services Department, as created the 21<sup>st</sup> day of April, 1981, shall be composed of such positions as shall be determined by the Board of County Commissioners. The said employees shall be hired and compensated in accordance with the Person County Personnel Policy.

#### **SECTION 21: ADVISORY COMMITTEE**

An Advisory Committee shall advise the Board of County Commissioners and the County Manager with respect to Person County Animal Services matters. The Advisory Committee is composed of members appointed by the Board of County Commissioners to serve at the pleasure of said Board.

**SECTION 22: SEVERABILITY**

If any section or part of this ordinance should be held invalid for any reason, such determination shall not affect the remaining sections or parts, and to that end the provisions of this ordinance are severable.

**SECTION 23: EFFECTIVE DATE**

This ordinance shall become effective the 17th day of January 2023 and supersedes any previous versions of the ordinance.

Adopted, this, the 17th day of January 2023.

  
\_\_\_\_\_  
Gordon Powell, Chairman  
Person County Board of Commissioners

1/17/2023  
\_\_\_\_\_  
Date



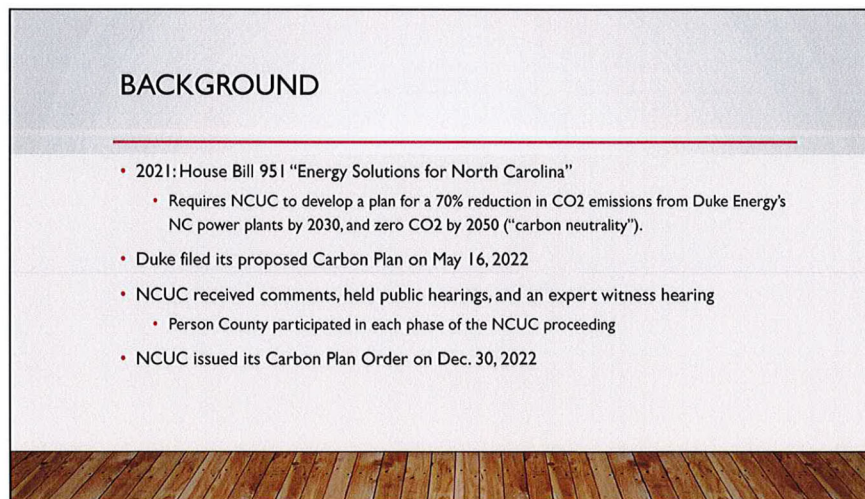
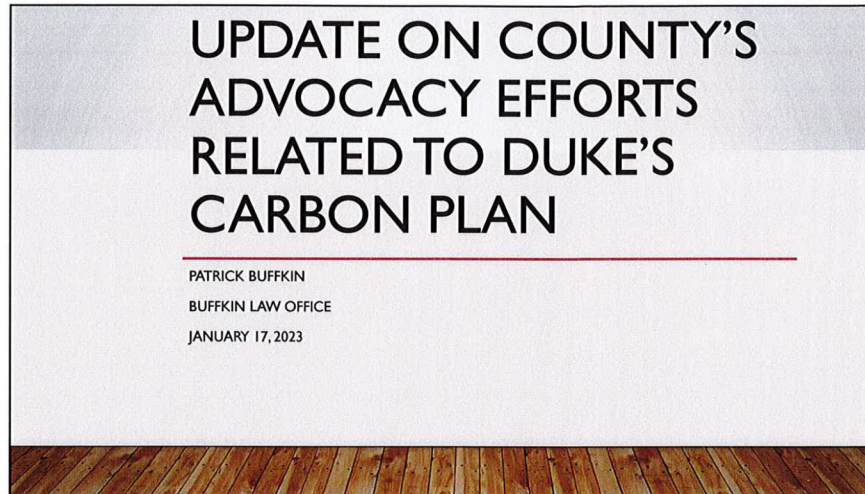
Attested by:

  
\_\_\_\_\_  
Brenda B. Reaves, Clerk to the Person County Board of Commissioners

## REPORT ON THE NC UTILITIES COMMISSION CARBON PLAN ORDER:

Patrick Buffkin, Person County's retained outside counsel was present to provide a concise briefing about the NC Utilities Commission (NCUC) Carbon Plan Order and the implication and options for Person County. Mr. Buffkin shared the following presentation titled "Update on County's Advocacy Efforts related to Duke's Carbon Plan."

1/17/2023



1

January 17, 2023



## PERSON COUNTY GENERATING PLANTS

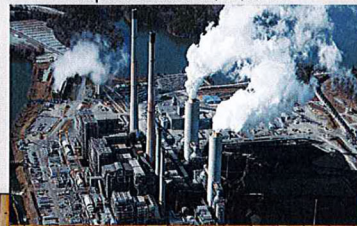
- Mayo Plant

- 727 MW coal-fired plant
- Began operation in 1983
- Proposed closure: 2029



- Roxboro Plant

- 2,422 MW coal-fired plant
- Began operation in 1966
- Proposed closure: '29, '32, or '34



## IMPACTS TO PERSON COUNTY & DUKE ENERGY

- Mayo and Roxboro represent significant investments, tax value, employment, and ancillary economic development.
  - What does the closure of Mayo and Roxboro Plants mean for Person County?
- Mayo and Roxboro are key generation assets for Duke Energy, producing reliable and economical power for its customers.
  - What does the closure of Mayo and Roxboro mean for Duke Energy and its customers?

## NCUC'S CARBON PLAN ORDER

- Person County's requests: i) extend retirement dates for Roxboro and Mayo; 2) require replacement generation plants in Person County; 3) provide for community support to assist Person County through the transition
- NCUC's Carbon Plan Order issues 39 points of direction to Duke Energy, including approval of "near term actions" but did not grant Person County's requests.
  - Roxboro and Mayo scheduled for retirement before or around 2030.
  - No direction to site replacement generation at sites of retiring coal plants, but Duke is required to assess these sites for future generation depending on available infrastructure
  - No community support, but required continued stakeholder engagement

## REACTION FROM PARTIES TO CARBON PLAN

- Duke Energy: "a constructive outcome"
- Environmental Advocates: "order risks missing carbon reduction goal"
- Renewable Energy: "without more solar, the carbon reduction goal can't be achieved"
- Industrial customers: concerned with costs and reliability
- Gov. Cooper: "a balanced approach to increase renewables and make sure there is a more reliable grid"
- Big questions:
  - What will A.G. Stein do?
  - Will parties appeal or re-group for the next review?



## WHAT HAPPENS NEXT?

- Parties have rights to appeal or seek reconsideration – it seems that some are considering it...
  - Time for appeal is Jan. 30 (subject to 30-day extension), requires identification of some error of law
  - Reconsideration can be sought anytime, requires "new evidence" or "changed circumstances"
- Others may seek legislative action
- Carbon Plan update in September '23 with ongoing review every two years
- Duke Energy will begin taking actions approved by NCUC to implement the Carbon Plan

## DUKE IMPLEMENTATION OF CARBON PLAN

- How does Duke maintain adequacy, reliability, and affordability while retiring coal plants and modernizing the grid?
- Will replacement generation be located in Person County?
  - Land and major transmission assets available; trained, skilled workforce at the ready; ancillary service providers established
  - Duke is now required to assess sites of retiring coal plants for replacement generation
- What kind of generation assets replace Mayo and Roxboro?
  - Fuel source? Size? Tax base and employment?
  - Duke now authorized to pursue 1,200 MW of large gas plants and 800 MW of smaller gas plants, plus small modular nuclear and lots of solar energy with battery storage
- Are there ways to mitigate impacts from closing Mayo and Roxboro?
  - Job retraining? Employee retention? Community development support?

## THE CHALLENGES FACING PERSON COUNTY COME INTO FOCUS

- Board of Commissioners' priorities:
  - Protect Person County's future prosperity: jobs, tax base, & economic development.
  - Maintain Person County's role in keeping the lights on for North Carolina
  - Preserve the rural character of Person County
  - Keep electricity affordable for community members
  - Keep electricity reliable for families and businesses
- Closed session briefing today to receive legal advice and give direction to legal counsel

## THANK YOU

Patrick Buffkin  
Buffkin Law Office  
Raleigh, NC

Mr. Buffkin stated this Board recognized the potential impacts to Person County and has worked six to eight months to protect the County's interest in recognizing these generating plants represent significant investments, tax value, employment and ancillary economic development features of the local economy noting that both Mayo and Roxboro plants are key generation assets for Duke Energy providing reliable and economical power for its customers.

As Mr. Buffkin summarized, the County intervened and pursued three items: 1) to extend the proposed closure dates for the Mayo and Roxboro coal-fired plants, 2) require replacement generation assets to be located in Person County, and 3) provide community support for those affected by the pending closures. Mr. Buffkin said the County's requests were not granted and the NCUC did not change the plants' retirement dates nor provided direction on the replacement generation other than requiring Duke Energy to assess retiring plant sites for future generation. The NCUC did not require any community support but directed Duke Energy to continue engagement.

Mr. Buffkin explained all parties to the proceeding have the option to appeal the decision to the state Court of Appeals, which requires identifying an error of the law. Parties also have the option to ask for reconsideration, which would require new evidence or a changed circumstance.

Vice Chairman Sims asked Mr. Buffkin, if an appeal was filed, could that appeal possibly extend the closure deadline for Person County's coal plants. Mr. Buffkin said the varying closure dates are based upon developing technology, i.e., small modular nuclear and battery storage. Mr. Buffkin told the group that the General Assembly has given the NCUC, should they recognize an opportunity for emerging technology and it takes longer than expected, the ability to extend the carbon reduction deadline beyond 2030 however, the NCUC declined to do that.

Was there sufficient evidence to support the Utilities Commission decision and/or does the Order comply with policy and intent of the General Assembly are two other angles for an appeal. County Attorney Ellis Hankins said the County may participate in any proceedings should any other party appeals, however it is unlikely that any environmental group that appeals would push for keeping the coal plants open longer than the proposed closure dates. Mr. Hankins surmised that the coal fired plants will likely close sometime around those dates as stated in the NCUC Order.

Mr. Hankins stated that he, Chairman Powell, Vice Chairman Sims and County Manager Katherine Cathey have met with Duke Energy representatives and had a cordial and productive discussion noting Duke Energy leadership has agreed to a follow-up meeting.

Commissioner Palmer asked Mr. Buffkin for the timeframe for taking down the plants to which Mr. Buffkin responded it was a long process, and estimated three to five years. Mr. Hankins added that Duke Energy has tied up costs in the local power plants and transmission infrastructure in the County and the Order contemplates the possibility of converting some plants to natural gas power.

Mr. Buffkin noted that the Order requires Duke Energy to file a new proposal with the UC by September 1, 2023 with a bi-annual review thereafter.

Mr. Buffkin stated this public presentation was to inform the citizens on the current status of the proceeding as Person County has very significant interests with Duke Energy being a major employer and taxpayer.

The Board thanked Mr. Buffkin for his informative presentation.

**CONSIDERATION TO SET THE LOCATION OF THE FEBRUARY 21, 2023 BOARD MEETING FOR THE ANNUAL RETREAT:**

County Manager Katherine Cathey stated when adopting the Board's 2023 Schedule of Meetings, a location was to be determined for the Board's February 21, 2023 meeting that was set for the annual retreat. Ms. Cathey requested Board action to announce the location of the Board's February 21, 2023 annual retreat to be held in either the County Office Building Auditorium or the Kirby Cultural Arts Main Hall (Upstairs area). The start time of the meeting remains unchanged at 9:00am with a half-day agenda planned focusing on the upcoming fiscal year budget and associated goals.

A motion was made by Commissioner Puryear and carried 5-0 to set the location for the Board's February 21, 2023 annual retreat to be held in the Kirby Cultural Arts facility in the Upstairs Main Hall.

**RETAINING LEGISLATIVE LOBBYING FIRM TO REPRESENT PERSON COUNTY:**

The NC General Assembly enacted HB 951 – Energy Solutions for North Carolina in the 2021 session, and the Governor signed it into law (S.L. 2021-165). The act ordered the NC Utilities Commission (NCUC) to hold hearings and issue a Carbon Reduction Plan to retire Duke Energy coal fired plants in the near future to reduce carbon dioxide emissions by target dates, with provisions for replacement generation and alternate energy sources. County Attorney Ellis Hankins said the Board of Commissioners recognized the serious implications and potential opportunities for Person County, and retained outside counsel to represent the County's interests actively in the NCUC proceeding. The NCUC issued its Order on December 30, 2022.

Mr. Hankins noted there continues to be intense public interest in these issues, and the legislative discussion is likely to continue in some form during the 2023 session of the General Assembly. He further noted the Board previously directed staff to seek proposals from legislative lobbying firms to represent Person County on issues directly and indirectly related to the NCUC Order, including coordinating continued productive discussions with representatives of Duke Energy and seeking legislative guidance about siting of replacement generation in Person County and transition financial assistance. The Commissioners understand that Person County needs to have a seat at the table in every discussion about these issues that affect the future of the community.

Mr. Hankins stated that 11 proposals were received; he along with the County Manager Katherine Cathey and outside counsel Patrick Buffkin interviewed several firms on January 11, 2023 to make best efforts to determine which firm is best able to work productively with Duke Energy representatives on mutual interests, keep County officials well informed about legislative developments and potential opportunities and threats, and represent Person County effectively, acting ethically and in compliance with ethical principles and applicable laws, without conflicts. Mr. Hankins presented to the Board for consideration to authorize engagement of the recommended legislative lobbying firm, EQV Strategic, and introduced Mr. Chris Wall, one of EQV Strategic's Principals, present in the audience.

Mr. Hankins said he sent to the Board a proposed agreement outlining the scope of lobbying services from EQV Strategic.

A **motion** was made by Vice Chairman Sims and **carried 5-0** to approve the agreement to authorize engagement of the recommended legislative lobbying firm, EQV Strategic, with Chris Wall as the firm representative for Person County.

Mr. Wall said he has gotten up to speed on the challenges facing Person County and understands the needs going forward and appreciative of being a part of the team to help address those challenges.

# EQV STRATEGIC

**Letter of Engagement: Person County, North Carolina**

**January 17, 2023**

This Consulting Services Agreement (this "Agreement") is entered into as of January 17, 2023 (the "Effective Date") by and between Person County, North Carolina, herein known as "The County" and EQV Strategic, LLC, a limited liability company organized and existing under the laws of the state of North Carolina. EQV will serve as the contractor and the provider of state lobbying services.

## **Scope of Services**

**EQV will actively engage and directly lobby the General Assembly, Governor's Office and certain Administrative Agencies. Those issues/initiatives shall include:**

- Act as the representative on behalf of the County to the state government
- Confer with the County Manager and County staff on planning and program activity that has a bearing on the County to make the best use of state programs
- Establish and maintain working relationships with the executive and legislative branches of state government that will enhance the County's position with respect to financial assistance applications, regulatory procedures, legislation, budget authorizations and appropriations, and other area of interest to the County
- Identify and notify the County in advance of opportunities for grants and funding for the key areas listed above
- Counsel the County regarding appearances by local personnel before State committees and administrative agencies
- Secure and furnish detailed information as may be available on state issues in which the County indicates an interest
- Assist in establishing and implementing the County's state legislative agendas
- Establish and work with coalitions and partners that share the County's legislative goals
- Assist the County in crafting legislation needed to achieve the County's economic development needs
- Address any unforeseen efforts before the Administration or the General Assembly that impact the County

**January 17, 2023**

# EQV STRATEGIC

## Communication Plan

EQV will provide weekly updates in the form of email communication, as well as suggest appropriate strategies regarding any issues that may have direct impact on the County. EQV will also provide real time updates to relevant County staff as needed.

## Compensation

EQV Strategic will provide the services outlined herein for a monthly retainer fee of FIVE THOUSAND DOLLARS (\$5,000). The County will reimburse EQV for all fees associated with the North Carolina Secretary of State's lobbying registration process.

## Term

This agreement will be effective January 17, 2023, and will expire December 31, 2023. Either EQV or the County may terminate this agreement with 30 days written notice.

## Conflict of Interest and Confidentiality

EQV Strategic knows of no conflict in its representation of the County. To ensure the candor and trust in the relationship that forms the basis of effective representation, it is the policy of EQV Strategic to keep confidential all information about the business interest and strategies of the County.

EQV Strategic, LLC, and Person County, NC, do hereby enter into a contractual agreement for the term and services stated above:



Chris Wall  
Principal  
EQV Strategic, LLC

1-26-2023

Date

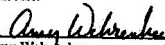


Gordon Powell  
Chairman, Person County Board of Commissioners  
Person County, North Carolina

1/18/2023

Date

"This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act."

By:  1/18/23  
Amy Weisenberg  
Finance Officer, Person County

January 17, 2023

### **CHAIRMAN'S REPORT:**

Chairman Powell reported he recently attended a VAYA Region 4 meeting in Burlington as well as joined Commissioner Thomas and County Manager Katherine Cathey in a training session and a Martin Luther King, Jr. event.

### **MANAGER'S REPORT:**

County Manager, Katherine Cathey reported that the state's Great Grant project was moving forward with expanding broadband by sending the agreement templates to ZiTel and Person County in the next week or so.

Ms. Cathey said she was working with staff in the development services departments to evaluate the progress made since the Board had an update as well as identify improvements needed for those processes to provide a high-level of customer service with another update for the Board in the next month or so including an update on the Energov software system.

Ms. Cathey stated the Inspections Director Dale Tillman and Recreation, Arts and Parks Director John Hill are working with the contractor of the cargo lift at the Kirby to evaluate and determine any issues with the installation resulting in any restrictions.

### **COMMISSIONER REPORT/COMMENTS:**

Vice Chairman Sims requested a report on the permitting process as well as the online system by the Board's next meeting. He commented that the EDC was working diligently to get someone at the Mega Park site noting it just takes time.

Commissioner Palmer had no report.

Commissioner Thomas thanked County Manager Katherine Cathey and Chairman Powell for going with him to the training at the UNC School of Government.

Commissioner Puryear asked for a presentation on the status of the permitting software, Energov, for implementation.

### **CLOSED SESSION #1**

A **motion** was made by Vice Chairman Sims and **carried 5-0** to enter into Closed Session #1 at 9:58am per General Statute 143-318.11(a)(3) for the purpose to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; the following individuals are permitted to attend: County Manager Katherine Cathey, Clerk to the Board Brenda Reaves, County Attorney Ellis Hankins, Retained Attorney Patrick Buffkin and Retained Lobbyist Chris Wall.

**January 17, 2023**



Chairman Powell called Closed Session #1 to order at 10:10am.

A **motion** was made by Vice Chairman Sims and **carried 5-0** to return to open session at 10:34am.

A **motion** was made by Vice Chairman Sims and **carried 5-0** to recess the meeting at 10:36am.

Chairman called the meeting back to order at 10:47am for the joint session with the Economic Development Commission.

**JOINT SESSION WITH ECONOMIC DEVELOPMENT COMMISSION:**

The purpose of the joint session with the Economic Development Commission (EDC) will be for a motion to enter Closed Session #2 discussion of matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations per General Statutes 143-318.11(a)(4) with the following individuals permitted to attend: County Manager Katherine Cathey, Clerk to the Board Brenda Reaves, County Attorney Ellis Hankins, Interim Economic Development Director Brandy Lynch, and members of the EDC: Merilyn Newell, Phillip Allen, Jody Blackwell, Donald Long, Jay Poindexter, Sherry Clayton, Scott McKinney, Kenneth Perry as well as ex-officios, Brooks Lockhart, Dr. Claudia Berryhill, Dr. Pamela Senegal, Dr. Rodney Peterson and representatives of an industry or business prospect.

**CLOSED SESSION #2**

A **motion** was made by Vice Chairman Sims and **carried 5-0** to enter Closed Session #2 at 10:49am for discussion of matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations per General Statutes 143-318.11(a)(4) with the following individuals permitted to attend: County Manager Katherine Cathey, Clerk to the Board Brenda Reaves, County Attorney Ellis Hankins, Interim Economic Development Director Brandy Lynch, and members of the EDC: Mayor Merilyn Newell, Phillip Allen, Donald Long, Jay Poindexter, Sherry Clayton, Scott McKinney, Kenneth Perry and representatives of an industry or business prospect.

Chairman Powell called the Closed Session #2 to order at 10:49am.

A **motion** was made by Commissioner Puryear and **carried 5-0** to return to open session at 11:52am.

### **CLOSED SESSION #3**

A **motion** was made by Vice Chairman Sims and **carried 5-0** to enter into Closed Session #3 at 12:04pm per General Statutes 143-318.11(a)(4) for the purpose of discussion of matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations and 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease with the following individuals permitted to attend: County Attorney Ellis Hankins, County Manager Katherine Cathey, Clerk to the Board Brenda Reaves, Interim Economic Development Director Brandy Lynch and Tax Administrator Russell Jones.

Chairman Powell called Closed Session #3 to order at 12:04pm.

A **motion** was made by Vice Chairman Sims and **carried 5-0** to return to open session at 12:38pm.

### **ADJOURNMENT:**

A **motion** was made by Vice Chairman Sims and **carried 5-0** to adjourn the meeting at 12:39pm.

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Brenda B. Reaves  
Clerk to the Board

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Gordon Powell  
Chairman

**January 17, 2023**