

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

MARCH 6, 2023
OTHERS PRESENT

Gordon Powell
C. Derrick Sims
Kyle W. Puryear
Charlie Palmer
Jason Thomas

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, March 6, 2023 at 7:00pm in the Commissioners' Boardroom 215 in the Person County Office Building located at 304 S. Morgan Street, Roxboro, NC.

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

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

Chairman Powell stated the County Attorney would like to add a Closed Session to the Agenda for attorney-client privilege.

A **motion** was made by Commissioner Puryear and **carried 5-0** to add a Closed Session to the Agenda for attorney-client privilege and to approve the agenda as adjusted.

PUBLIC HEARING:

REZONING/MAP AMENDMENT APPLICATION RZ-01-22, A REQUEST BY TIM GODWIN, TO REZONE A ±4.28-ACRE SITE (TAX MAP AND PARCEL NO. A63 409) WITH ONE UNIFIED ZONING DESIGNATION LOCATED APPROXIMATELY 700-FT. SOUTH-SOUTHWEST OF THE INTERSECTION OF ANTIOCH CHURCH RD. AND DINK ASHLEY RD AND DIRECTLY SOUTH OF/ADJACENT TO THE PROPERTY LOCATED AT 16 DINK ASHLEY RD:

A **motion** was made by Vice Chairman Sims and **carried 5-0** to open the duly advertised public hearing for a Rezoning/Map Amendment Application RZ-01-22, a request by Tim Godwin, to rezone a ±4.28-acre site (Tax Map and Parcel No. A63 409) with one unified zoning designation located approximately 700-ft. south-southwest of the intersection of Antioch Church Rd. and Dink Ashley Rd and directly south of/adjacent to the property located at 16 Dink Ashley Rd.

Planning & Zoning Director Chris Bowley shared the following presentation for the Rezoning/Map Amendment Application RZ-01-22.

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Godwin Property Rezoning Application

PROJECT # RZ - 01 - 22

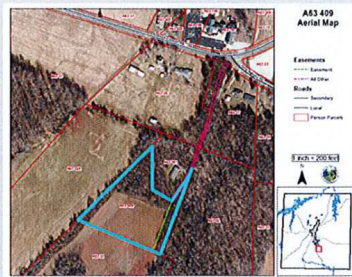
Godwin Property Rezoning (RZ-01-22)

Introduction

- Subject Property located near the intersection of Antioch Church Rd. & Dink Ashley Rd.
- Property is ±4.28-acres
- Has two zoning designations – R (Residential) & GI (General Industrial)
- Zoning amendment request is to rezone ±3.12-acres (GI) to match zoning on ±1.16-acres (R)
- Makes the R zoning boundary match the property boundary
- Allows lot to become legally conforming for residential development of a home
- Lot is not a flag lot, per Section 53-9 definition in the Subdivision Regulations
- Planning Board voted unanimously (7-0) recommending approval of RZ-01-22

Godwin Property Rezoning (RZ-01-22)

Location Map



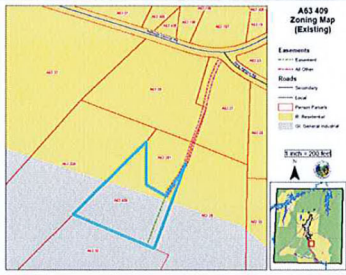
Godwin Property Rezoning (RZ-01-22)

Future Land Use Map



Godwin Property Rezoning (RZ-01-22)

Existing Zoning Map



Godwin Property Rezoning (RZ-01-22)

Proposed Zoning Map



Godwin Property Rezoning (RZ-01-22)

The *Person County & City of Roxboro Joint Comprehensive Land Use Plan (Comp Plan)* includes the following Guiding Principles, with reason provided that pertains to the proposed rezoning application:

- Guiding Principle 1.5 – Provide enhanced services for rural communities. Future low-density residential development of a home at this location is consistent with adjacent zoning designations and area land uses.
- Guiding Principle 2.6 – Provide an attractive and diverse housing stock to attract workers at all levels. A house in close proximity to farm land supports the potential for a rural residential character in the County.
- Guiding Principle 4.1 – Develop a coordinated approach to utility service extensions. The Subject Property is within one (1) mile of existing Roxboro utilities. If demand warrants the cost of service extension, a home at list location could benefit that demand. Otherwise, the home would be supported by well and septic.

Godwin Property Rezoning (RZ-01-22)

Based on the above, Planning & Zoning Department staff recommends approval of Rezoning/Zoning Map Application RZ-01-22 amendment. It is also recommended that the Board of Commissioners provide a written Statement of Reasonableness and Plan Consistency in a single statement potential motion, as follows:

"I hereby move to adopt Rezoning/Zoning Map Application RZ-01-22 and find that it is consistent with the adopted *Person County & City of Roxboro Joint Comprehensive Land Use Plan*; specifically, Guiding Principle 1.5 – to provide enhanced services for rural communities, Guiding Principle 2.6 – to provide an attractive and diverse housing stock to attract workers at all levels, and Guiding Principle 4.1 – to develop a coordinated approach to utility service extensions."

Speaking in favor of the Rezoning/Map Amendment Application RZ-01-22, a request by Tim Godwin, to rezone a ±4.28-acre site (Tax Map and Parcel No. A63 409) with one unified zoning designation located approximately 700-ft. south-southwest of the intersection of Antioch Church Rd. and Dink Ashley Rd and directly south of/adjacent to the property located at 16 Dink Ashley Rd was the following individual:

Mr. Tim Godwin of 229 Edgar Street, Roxboro, and the applicant of the Rezoning/Map Amendment Application RZ-01-22 stated he was available for questions. He noted his plans to build a home for his family on the parcel being discussed.

There were no individuals appearing before the Board to speak in opposition to the Rezoning/Map Amendment Application RZ-01-22, a request by Tim Godwin, to rezone a ±4.28-acre site (Tax Map and Parcel No. A63 409) with one unified zoning designation located approximately 700-ft. south-southwest of the intersection of Antioch Church Rd. and Dink Ashley Rd and directly south of/adjacent to the property located at 16 Dink Ashley Rd.

A **motion** was made by Vice Chairman Sims and **carried 5-0** to close the public hearing for a Rezoning/Map Amendment Application RZ-01-22, a request by Tim Godwin, to rezone a ±4.28-acre site (Tax Map and Parcel No. A63 409) with one unified zoning designation located approximately 700-ft. south-southwest of the intersection of Antioch Church Rd. and Dink Ashley Rd and directly south of/adjacent to the property located at 16 Dink Ashley Rd.

CONSIDERATION TO GRANT OR DENY REQUEST BY TIM GODWIN, TO REZONE A ±4.28-ACRE SITE (TAX MAP AND PARCEL NO. A63 409) WITH ONE UNIFIED ZONING DESIGNATION LOCATED APPROXIMATELY 700-FT. SOUTH-SOUTHWEST OF THE INTERSECTION OF ANTIOCH CHURCH RD. AND DINK ASHLEY RD AND DIRECTLY SOUTH OF/ADJACENT TO THE PROPERTY LOCATED AT 16 DINK ASHLEY RD:

A **motion** was made by Commissioner Puryear and **carried 5-0** to adopt Rezoning/Zoning Map Application RZ-01-22 and find that it is consistent with the adopted *Person County & City of Roxboro Joint Comprehensive Land Use Plan*; specifically, Guiding Principle 1.5 – to provide enhanced services for rural communities, Guiding Principle 2.6 – to provide an attractive and diverse housing stock to attract workers at all levels, and Guiding Principle 4.1 – to develop a coordinated approach to utility service extensions.

PUBLIC HEARING:

PETITION SUP-02-23, A REQUEST BY THE APPLICANT, ADAM RICHARD OSBORNE, PROPERTY OWNER OF ±3.33-ACRES, LOCATED AT TAX MAP AND PARCEL NO. A84A C1, C2, C3, C4, A27, AND A28, TO APPROVE SPECIAL USE PERMIT SUP-02-23 IN A B-2 (NEIGHBORHOOD SHOPPING) ZONING DISTRICT FOR A COMMERCIAL STORAGE FACILITY:

A **motion** was made by Commissioner Puryear and **carried 5-0** to open the duly advertised public hearing for Petition SUP-02-23, a request by the Applicant, Adam Richard Osborne, property owner of ±3.33-acres, located at Tax Map and Parcel No. A84A C1, C2, C3, C4, A27, and A28, to approve Special Use Permit SUP-02-23 in a B-2 (Neighborhood Shopping) zoning district for a commercial storage facility.

The public hearing set to hear a request by Adam Richard Osborne, property owner of ±3.33-acres, located at Tax Map and Parcel No. A84A C1, C2, C3, C4, A27, and A28, to approve Special Use Permit SUP-02-23 in a B-2 (Neighborhood Shopping) zoning district for a commercial storage facility required a quasi-judicial zoning decision whereby witnesses are to be sworn in and subject to cross examination, no ex parte communication and requires findings of fact.

County Attorney Ellis Hankins said this was a different sort of procedure noting the first item was a legislative action and this one was not; he said this item was a special use permit hearing and it was a quasi-judicial process where the Board acts more like a court, more judicial than a legislative decision. He said this means the Board already has made a legislative decision that commercial storage units in this zoning district are appropriate if and only if the evidence in this public hearing shows that the four criteria that are listed in the Planning Ordinance are satisfied. Mr. Hankins said testimony will be under oath and the Board's task is to consider the testimony and the other evidence and make those findings of facts and vote on the issuance of the permit.

Chairman Powell administered the Oath of Sworn Testimony to the following individuals who would offer testimony during the public hearing:

Chris Bowley and Adam Richard Osborne

Planning & Zoning Director Chris Bowley shared the following presentation for Petition SUP-02-23, a request by the Applicant, Adam Richard Osborne, property owner of ±3.33-acres, located at Tax Map and Parcel No. A84A C1, C2, C3, C4, A27, and A28, to approve Special Use Permit SUP-02-23 in a B-2 (Neighborhood Shopping) zoning district for a commercial storage facility.

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Osbourne Storage Unit Facility

SPECIAL USE PERMIT APPLICATION

SUP – 02 – 23



Osbourne Storage Unit Facility (SUP-02-23) Introduction

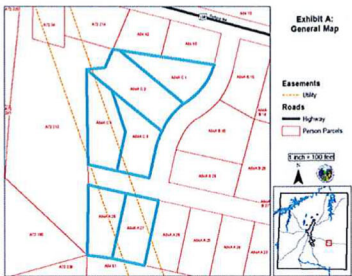
- ☐ The Subject Property is approximately 3.33-acres
- ☐ Proposed commercial storage facility
- ☐ Proposed commercial use inside of commercial-oriented zoning district (B-2)
- ☐ Storage units are mutually supportive for residential uses in proximity
- ☐ A low traffic generating land use

Mr. Bowley said this was at the intersection of Pixley Pritchard Road and Oxford Road on the south side of Oxford Road. Housing is considered very low density or very rural in nature, but nonetheless these demands for more urban uses would be similarly situated or properly located inside of a B-2 zoning district. These proposed storage units would serve the residential uses out there. He said as far as he knew this use was a low traffic generating land use noting the applicant could testify. Mr. Bowley said he did not believe there would be an office but they may with a few parking spaces.

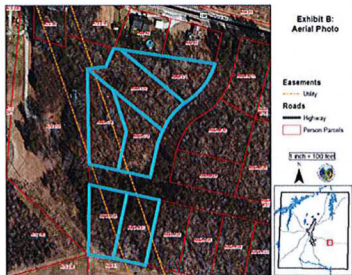
As illustrated on Exhibit A - General Map Pixley Pritchard Road is to the north; he pointed out the utility easement, which is bisecting the property for a gas line easement, which has existed for quite some time with lots of structures being built over the years. He asked the Board to note, especially on Exhibit A that outside of this application, there needs to be a recombination plat for this property that would remove the lot lines into a unified tract. At that time the applicant may vacate that portion of the internal roadways, which they have every right to do; he said the internal roadways shown here are public as platted originally.

Mr. Bowley illustrated Exhibit B, an aerial photo noting the property has since been cleared some time ago.

Osbourne Storage Unit Facility (SUP-02-23)
Exhibit A: General Map

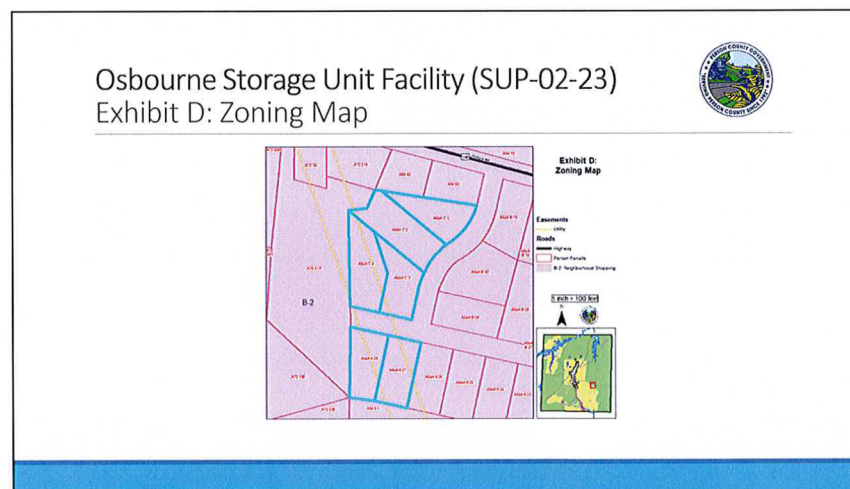
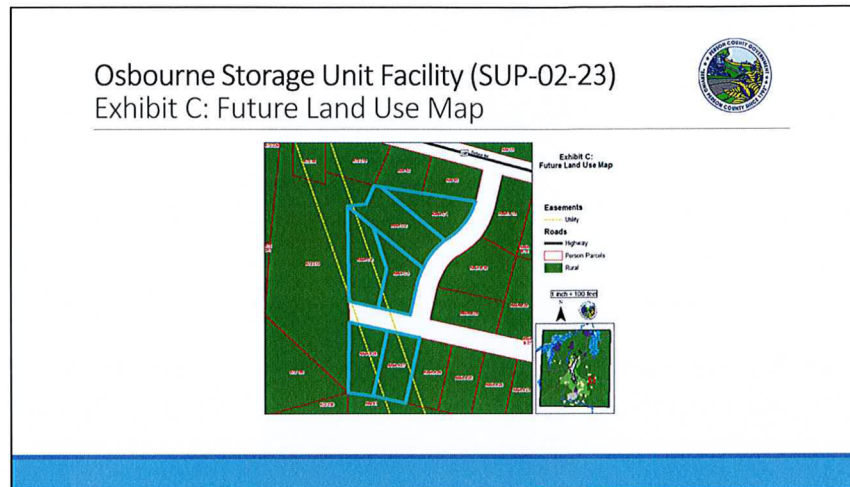


Osbourne Storage Unit Facility (SUP-02-23)
Exhibit B: Aerial Photo



Mr. Bowley described Exhibit C to show the Future Land Use designation for the property as rural.

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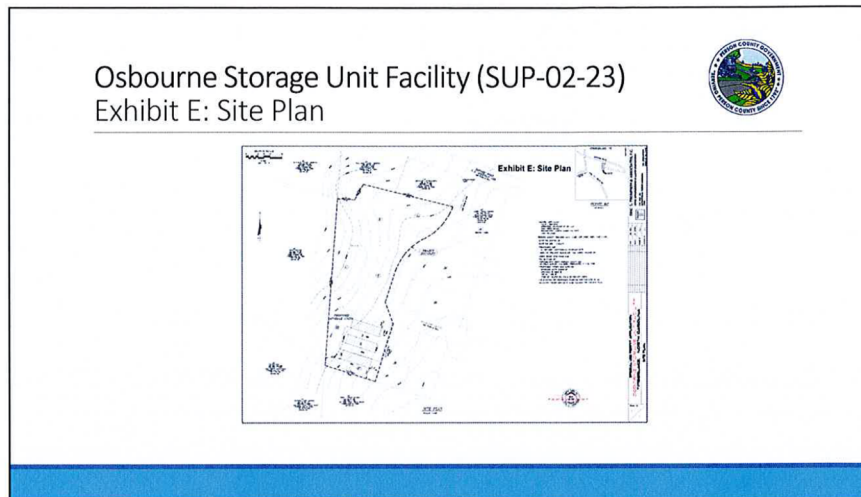
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Exhibit D shows the existing zoning map on both sides of the road, fairly symmetrical with good commercial depth.

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Exhibit E illustrated the current preliminary site plan included in the application, but subject to change obviously with a recombination for the lot and whether they petition to vacate the public rights of way, and whether they choose to add storm water, add access points and move the building. etc.

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Osbourne Storage Unit Facility (SUP-02-23)

Findings of Fact

Upon review, the Board of Commissioners shall address a "Findings of Fact" listed in Section 155 of the Person County Planning Ordinance to determine if this proposal is in keeping with the Person County Comprehensive Land Use Plan. An approval of Special Use Permit SUP-02-23 will support all four Findings of Fact listed below. The Findings of Fact in Section 155-3(b) are as follows:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved. – the proposed use of commercial storage units is considered a low traffic-generating land use and more passive than an active commercial use.
2. That the use meets all required conditions and specifications. – the proposed Exhibit E: Site Plan provides project details to determine conditions and specifications. An initial review indicates that the proposed project meets the B-2 zoning district's purpose and intent and dimensional criteria.
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity. – the proposed use will not substantially injure the value of adjoining or abutting property. This commercial development, as a more passive commercial use, should not diminish residual property values in the area. The proposed use is mutually supportive of area residential uses that do not have the storage capacity and serves a purpose near residential uses. The proposed use is not a public necessity.
4. That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the comprehensive plan. – the proposed use, as one-story buildings, will be in keeping with commercial uses, accessory buildings, workshops, and barns within the area. As previously addressed, the proposed use is also in conformance with the County's Comprehensive Plan.

Osbourne Storage Unit Facility (SUP-02-23) Staff Recommendation & Potential Motion



Based on the above, Planning & Zoning Department staff recommends that the Board of Commissioners vote to approve Special Use Permit (SUP-02-23) for the Osborne Storage Facility, with the following conditions and potential motion:

"I hereby move to approve Special Use Permit (SUP-02-23) for the Osborne Storage Unit Facility, with the following conditions:

- 1. The Applicant obtains all required permits from the County Environmental Health Department, Planning & Zoning Department, and Inspections Department.*
- 2. The Applicant obtains required permits from the North Carolina Department of Environmental Quality and any other agency to achieve construction, operations, and maintenance of the Subject Property.*
- 3. The Applicant submit a separate site plan for a future phase within the ±3.33-acre site, when future development is proposed."*

Osbourne Storage Unit Facility (SUP-02-23)



Thank You

Chairman Powell asked the Board if there were any questions of Mr. Bowley at this time to which there were none.

Speaking in favor of Petition SUP-02-23, a request by the Applicant, Adam Richard Osborne, property owner of ±3.33-acres, located at Tax Map and Parcel No. A84A C1, C2, C3, C4, A27, and A28, to approve Special Use Permit SUP-02-23 in a B-2 (Neighborhood Shopping) zoning district for a commercial storage facility was the following:

Mr. Adam Osborne of 2334 Peed Road, Rougemont said this was a fast developing area and stated this was a need for the future for the residents.

Vice Chairman Sims asked Mr. Osborne how many storage units and sizes he was considering putting out there. Mr. Osborne stated initially there would be three buildings with 9,000 sq. ft. total with varying sizes, from 5 x 5.5 to 10 x 20. Vice Chairman Sims said there was some development not far from this parcel and that people would need somewhere to store extra stuff that will not go in their house or garage or whatever; Vice Chairman Sims stated it was a good idea and an opportunity for business. Vice Chairman Sims asked about fencing in the area to which Mr. Osborne said that was the plan.

Chairman Powell asked if there was a requirement to fence the area to which Mr. Osborne said no.

There were no individuals appearing before the Board to speak in opposition to Petition SUP-02-23, a request by the Applicant, Adam Richard Osborne, property owner of ±3.33-acres, located at Tax Map and Parcel No. A84A C1, C2, C3, C4, A27, and A28, to approve Special Use Permit SUP-02-23 in a B-2 (Neighborhood Shopping) zoning district for a commercial storage facility.

A **motion** was made by Vice Chairman Sims and **carried 5-0** to close the public hearing for Petition SUP-02-23, a request by the Applicant, Adam Richard Osborne, property owner of ±3.33-acres, located at Tax Map and Parcel No. A84A C1, C2, C3, C4, A27, and A28, to approve Special Use Permit SUP-02-23 in a B-2 (Neighborhood Shopping) zoning district for a commercial storage facility.

CONSIDERATION TO GRANT OR DENY REQUEST BY ADAM RICHARD OSBORNE, PROPERTY OWNER OF ±3.33-ACRES, LOCATED AT TAX MAP AND PARCEL NO. A84A C1, C2, C3, C4, A27, AND A28, TO APPROVE SPECIAL USE PERMIT SUP-02-23 IN A B-2 (NEIGHBORHOOD SHOPPING) ZONING DISTRICT FOR A COMMERCIAL STORAGE FACILITY:

A **motion** was made by Commissioner Palmer and **carried 5-0** that the Board make the four findings of fact as recommended in the agenda abstract and grant the Special Use Permit (SUP-02-23) for the Osborne Storage Unit Facility, with the three recommended conditions:

1. The Applicant obtains all required permits from the County Environmental Health Department, Planning & Zoning Department, and Inspections Department.
2. The Applicant obtains required permits from the North Carolina Department of Environmental Quality and any other agency to achieve construction, operations, and maintenance of the Subject Property.
3. The Applicant submit a separate site plan for a future phase within the ±3.33-acre site, when future development is proposed.”

INFORMAL COMMENTS:

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

Mr. Roger Faulkner of 79 Flat River Circle, Timberlake said he had people shooting guns outside very close to his home. He asked the Board to consider adopting into law the same outdoor shooting rules as Wake County has in place. He said Wake County updated its ordinance to increase the minimum distance from a home, public building or livestock in which a person may discharge a firearm from 100 yards to 300 yards. Mr. Faulkner said that a stray bullet has not hit anyone however; he has neighbors that have had bullets hit their home.

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. Approval of Minutes of February 6, 2023,
- B. Approval of Minutes of February 15, 2023,
- C. Request to Authorize the Contract for the Clearing and Grading of the Person County owned North Park Site,
- D. Budget Amendment #15, and
- E. Resolution Authorizing Execution of Opioid Settlements and Approving the Supplement Agreement for Additional Funds Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation

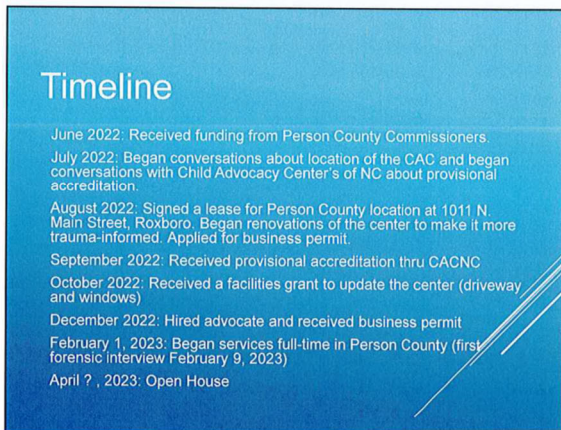
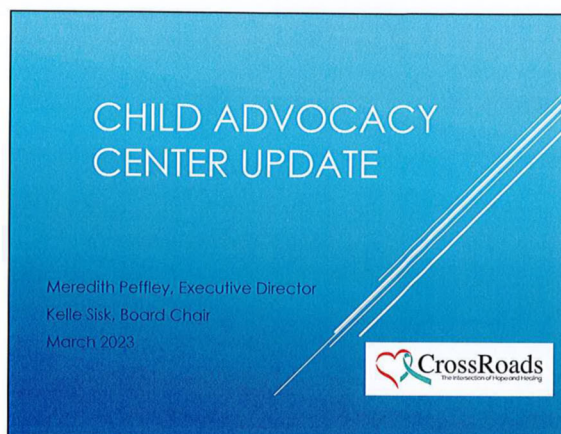
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NEW BUSINESS:

CHILD ADVOCACY CENTER UPDATE:

Meredith Peffley, Executive Director of CrossRoads: Sexual Assault Response & Resource Center in Burlington and CrossRoads Board Chair Kelle Sisk provided the following Child Advocacy Center Update as a follow up to the Board's \$100,000 appropriation to start a Child Advocacy Center in Person County. She noted Person County's funding was the largest county support known in the state to start a Child Advocacy Center.

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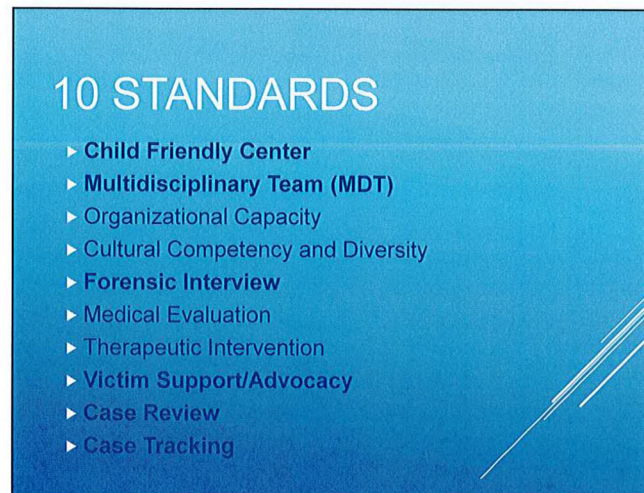
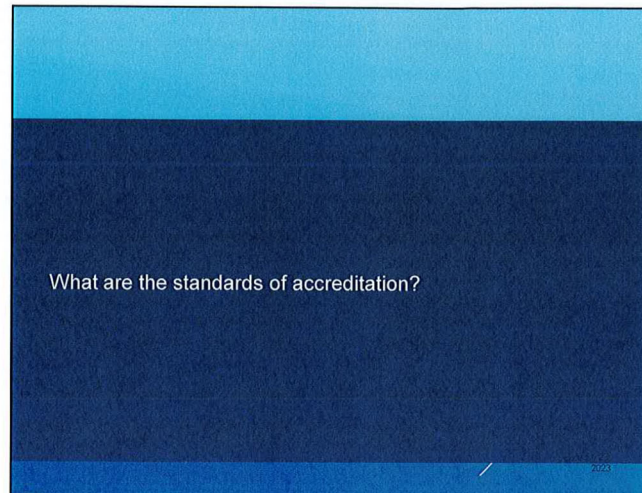


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Ms. Peffley said they have scheduled an open house for April 4 to which the Board was invited.

3/6/2023



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Ms. Peffley said they needed six standards for provisional accreditation, and in two years, when eligible, they will apply for national accreditation to which she was confident they would attain.

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Ms. Peffley noted the house at 1011 N. Main Street in Roxboro has 1,300 sq. ft., and she estimated it was built in the 1950s, which was indicative of the needed improvements.

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CURRENT FUNDING

Current (As of January 31, 2023)

- ▶ \$100,000 – Person County Commissioners
- ▶ \$6,000 – Rotary Club of Roxboro
- ▶ \$3,000 – Private Donation
- ▶ \$1,000 – Concord Christian Church

Total Funding: \$110,000

CURRENT EXPENSES

Current (As of January 31, 2023)

- ▶ \$13,813.87 – Salaries & Benefits
- ▶ \$5,100 – Rent
- ▶ \$828.33 – Utilities
- ▶ \$473.90 – Telephone
- ▶ \$14,804 – Equipment
- ▶ \$2,413.98 – Furnishings
- ▶ \$71.68 – Mileage
- ▶ \$1,940.73 – Supplies

Total Expenses: \$39,446.49

Ms. Peffley noted an additional \$10,000 grant was received from the Human Trafficking Commission.

FACILITIES GRANT

- \$10,132.52 – Total Funding
 - \$2,000 – Gravel
 - \$7,875 – Windows
 - \$257.52 – Window Treatments

FUTURE FUNDING

- ▶ Child Advocacy Center's of NC
 - ▶ July 1, 2023 – June 30, 2024
 - ▶ \$56,000
- ▶ NC Governor's Crime Commission
 - ▶ October 1, 2023 – September 30, 2025
 - ▶ \$70,000 (\$35,000 per year)

Ms. Peffley stated they have had their first forensic interview in Roxboro, which led to an SBI arrest in Monroe with additional individuals to be prosecuted for human trafficking.

Chairman Powell and Vice Chairman Sims both commented on the great job, great cause and excellent report following a county appropriation.

PERSON COUNTY SCHOOLS FUNDING REQUEST:

County Manager Katherine Cathey recalled that in Oct. 2022, the Board of Commissioners and Board of Education met to discuss PCS's long-range facility needs related to deferred maintenance, safety, and accessibility and projected growth associated with new development. To address the most pressing needs and construct additional classrooms, PCS's request for debt funding totals \$87 million through 2027. In Feb. 2023, the two boards had a joint meeting to continue the discussion, and at the annual budget retreat, the Board of Commissioners reviewed the school system's requests and options for funding. The following options for funding school facility improvements were developed by staff and DEC Associates, the County's financial consulting firm.

Option #	¢ Needed	2023 PHS Project	2024 New School and Other Sch Improvements	2025 Other Sch Improvements	2027 Other Sch Improvements	Total Projects	Comments
1	0.00	\$ 12,745,000				\$ 12,745,000	BOC to commit for PHS only
2	0.00	\$ 12,745,000		\$ 11,350,000	\$ 12,060,000	\$ 36,155,000	Partial request based on Oct 2021 estimates
3	0.25	\$ 12,745,000		\$ 11,715,000	\$ 13,795,000	\$ 38,255,000	Partial request based on Oct 2021 estimates
4	0.50	\$ 12,745,000		\$ 12,085,000	\$ 14,155,000	\$ 38,985,000	Based on Schools' Request Oct 2021
5	7.25	\$ 12,745,000	\$ 45,265,000	\$ 15,135,000	\$ 15,480,000	\$ 88,625,000	Based on Schools' Request Oct 2022

Ms. Cathey stated approval by the Board of Commissioners was needed to move forward with issuing debt to fund one of the options outlined above. The financing schedule indicates construction bids must be advertised in May in order to issue debt in Oct. 2023. PCS has worked with a design and engineering firm to prepare for the bond issuance for the PHS Project to address various ADA and safety concerns at Person High School. They will need to resume this work in the next few weeks to meet the May deadline for advertising construction bids.

Ms. Cathey noted the chart below summarizes the requests and next steps.

Person County Schools

Long Range Facility Needs

ORIGINAL REQUEST – \$39M

- Major improvements to address deferred maintenance, safety, and accessibility needs
- Requires a half-cent tax increase to issue debt
 - BOC action requested by March 6, 2023 to issue debt in Oct. 2023
- Debt issuance schedule:
 - 2023 - \$12.7M
 - 2025 - \$12.1M
 - 2027 - \$14.1M
- PHS Improvements (\$12.7M) – engineering and design work nearly complete

OCT. 2022 REQUEST – \$88.6M

- Original request plus new school construction
 - New elementary school
 - Stories Creek Elementary Addition
- Requires a 7.25 cent tax increase to issue debt
- May consider Special Bond Referendum for Nov. 2024 to include funding for new school construction
 - BOC action required by mid-2024

Ms. Cathey request the Board of Commissioners to discuss the requests and funding options and to decide whether to move forward with debt financing and if so, which option to fund at this time. Following a formal decision with a debt financing, a resolution for the issuance of debt would be on the Board’s March 20, 2023 meeting agenda.

Commissioner Puryear asked Ms. Cathey about the annual tax bill impact with a tax increase. Ms. Cathey described the impact on an annual tax bill based on the median home value of \$146,900 with the following chart.

Impact on Annual Tax Bill

Median value: \$146,900	Person County	Property	Fire	Total	Increase
Options 1 & 2 (no increase)	Tax Rate	0.7200	0.0500	0.7700	\$ 0.00
	Total Taxes	\$ 1,057.68	\$ 73.45	\$ 1,131.13	
Option 3 (+0.25¢)	Tax Rate	0.7225	0.0500	0.7725	\$ 3.67
	Total Taxes	\$ 1,061.35	\$ 73.45	\$ 1,134.80	
Option 4 (+0.50¢)	Tax Rate	0.7250	0.0500	0.7750	\$ 7.35
	Total Taxes	\$ 1,065.03	\$ 73.45	\$ 1,138.48	
Option 5 (+7.25¢)	Tax Rate	0.7925	0.0500	0.8425	\$ 106.50
	Total Taxes	\$ 1,164.18	\$ 73.45	\$ 1,237.63	

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Commissioner Puryear asked the Finance Director Amy Wehrenberg about the County's past debt capacity. Ms. Wehrenberg stated in both 1999 and 2000, the County financed \$10M each year to fund the new construction of Stories Creek Elementary School and Helena Elementary School respectively. More recently in 2016 and 2018, the County financed the public safety towers with school projects also bundled with the tower financing. Chairman Powell asked Ms. Wehrenberg if she was confident about the funding options provided to which she affirmed.

Commissioner Puryear asked Dr. Rodney Peterson, Superintendent for Person County Schools about funding options 1, 2 or 3 and not the full funding request to which he stated the schools would need to prioritize the ADA and security needs.

Vice Chairman Sims asked Dr. Peterson about ADA law in effect and compliance in school facilities to which he responded that a complaint could easily be filed noting they have patient and compassionate parents. Dr. Peterson said the facilities are old and when built, the ADA laws was not in effect; he added they have made some needed modifications to accommodate situations like installing ramps for accessibility.

Commissioner Thomas asked Dr. Peterson how many students have special needs to which he answered that over 100 students were served (17% of the student population) with cluster classrooms at Person High School, Southern Middle School, Stories Creek Elementary School and South Elementary School. He noted state funding for this population is 12.75% with local funding used for the remaining needs.

A **motion** was made by Commissioner Palmer to proceed with a debt financing for Option #4 with a 0.50-cent tax increase for \$38,985,000 in total projects with \$12,745,000 financed in 2023, \$12,085,000 financed in 2025 and \$14,155,000 financed in 2027.

Vice Chairman Sims and Commissioner Puryear voiced concerns of raising taxes early in the budget process and the unknown of what would be needed to set the new budget.

A **substitute motion** was made by Commissioner Puryear and **carried 4-1** to proceed with a debt financing for Option #3 with a 0.25-cent tax increase for \$38,255,000 in total projects with \$12,745,000 financed in 2023, \$11,715,000 financed in 2025 and \$13,795,000 financed in 2027. Commissioner Palmer cast the lone dissenting vote.

PERSON COUNTY MUSEUM OF HISTORY FY23 FUNDING REQUEST:

County Manager Katherine Cathey stated on Feb. 21, 2023, Carrie Currie, the executive director of the Person County Museum of History, made a presentation to the Board of Commissioners and requested a one-time appropriation of \$20,000 in FY23 to address several emergent and timely issues that impact the longevity of the organization. County funding would be used to support campus infrastructure updates and some operational expenses to enable proper staffing and additional fundraising to move toward the goal of self-sustainability.

Description	Amount
Long/Woody House Development Phase 1	\$7,000
Safety Measures & Campus Needs Phase 1	\$3,000
Campus Sign Updates Phase 1	\$1,250
Recurring Operational Expenses – Insurance, Security Monitoring, Phone & Internet, Support & Operations	\$8,750
TOTAL FY23	\$20,000

Ms. Cathey presented an Agreement reviewed by both the County Attorney and the executive director of the Museum noting a revised Agreement was placed at their seats with feedback from both. The Agreement outlines the expectations for the use of one-time funding if approved by the Board. Ms. Cathey recommended the funding from FY23 undesignated contingency (remaining balance: \$24,503) for this purpose.

In addition, the Museum made a request for financial support in the amount of \$40,000 in FY24 to be used to continue capital improvements and support some operational expenses. The request for FY24 funding will be considered during the annual budget process.

Ms. Cathey asked the Board to consider the Museum's request and the proposed agreement.

Commissioner Puryear asked the Board to recuse him from the vote(s) due to his wife's role as a board member for the museum to which the Board consented.

A **motion** was made by Vice Chairman Sims and **carried 4-0** to appropriate \$20,000 from the County's FY23 Undesignated Contingency to the Museum of History.

A **motion** was made by Vice Chairman Sims and **carried 4-0** to approve the revised Agreement as presented.

NORTH CAROLINA

PERSON COUNTY

MUSEUM OF HISTORY AGREEMENT

This Agreement is made and entered into this 6th day of March, 2023, by and between Person County, North Carolina, a political subdivision of the State of North Carolina, hereinafter called "County," and Person County Museum of History, a North Carolina nonprofit corporation, hereinafter called "Museum."

WHEREAS, the Museum executive director made a presentation to the Person County Board of Commissioners at its annual budget retreat on Feb. 21, 2023 and requested a one-time appropriation to address several emergent and timely issues that impact the longevity of the organization; and

WHEREAS, the mission of the Museum is to collect, preserve, and present the artifacts and history of Person County under the supervision of the Board of Directors and to use these collections for exhibitions, educational programs and related activities for the benefit of Person County citizens and visitors; and

WHEREAS, the Museum occupies multiple county-owned buildings on N. Main St. in Roxboro, the County maintains the exterior of all Museum buildings, and the Museum maintains the interiors of all buildings, in accordance with the Memorandum of Understanding between the Museum and the County, dated April 12, 2012; and

WHEREAS, the Museum has determined that the requested funds are needed to assist in achieving its desire for long-term financial stability; and

WHEREAS, numerous special projects can move the organization forward and toward the goal of self-sustainability but require seed funding to initiate; and

WHEREAS, in order to offer a safe and welcoming campus to Person County residents and visitors, updates are required to safety infrastructure; and

WHEREAS, a Museum budget was presented requesting additional county financial support, falling under the county budget umbrella of cultural services, to be used in the interim for campus infrastructure updates and some operational expenses, including Long/Woody House Development Phase 1, Safety Measures & Campus Needs Phase 1, Campus Sign Updates Phase 1, and Recurring Operational Expenses – Insurance, Security Monitoring, Phone & Internet, Support & Operations; and

March 6, 2023

WHEREAS, the Board of Commissioners approved a one-time appropriation of \$20,000 at its meeting on March 6, 2023.

NOW, THEREFORE, the County agrees to provide a one-time appropriation of \$20,000 to the Museum from FY23 budgeted funds, subject to the following provisions:

1. **PURPOSE.** The funds may be used only to support campus infrastructure updates and operational expenses, pursuant to the attached Appendix 1, that have been or will be paid by the Museum during its current fiscal year (ending June 30, 2023).
2. **REPORTING.** The Museum shall send a concise written report to the Person County Manager not later than August 15, 2023 including but not limited to the expenditure of county funds, number of patrons served, number of members, fundraising totals, and progress towards meeting the intent of this Agreement.
3. **TERM AND TERMINATION OF AGREEMENT, POTENTIAL RETURN OF FUNDS.** This Agreement is effective immediately upon execution, and will terminate on June 30, 2023, unless terminated sooner by mutual agreement in writing.
4. **INSURANCE AND INDEMNITY.** The Museum will maintain adequate liability, workers compensation and property insurance, and will provide certificates of insurance to the County if requested. The Museum agrees that it is acting as an independent contractor under this Agreement, and that its employees and contractors are not County employees. The Museum agrees that the County has no ownership interest in or operational responsibility for the Museum. The Museum will indemnify and hold harmless the County from any and all liabilities and costs arising out of the acts or omissions or negligence of the Museum.
5. **INSPECTION OF FINANCIAL RECORDS.** The Museum will allow access to its financial records if requested by the County, or the Museum will provide a report on payments made pursuant to this Agreement according to the format and level of detail specified by the County within 30 days following the execution of this Agreement.
6. **COMPLIANCE WITH LAWS.** The Museum agrees to comply with all applicable state and federal laws in its operations and to cooperate in a professional and productive manner with the partner agencies listed above.
7. **NO ASSIGNMENT.** The Museum agrees that this Agreement is not transferable or assignable, and that the appropriated funds may not be transferred to other entities, except for payments in accordance with sec. 1 above, without written consent of the County.
8. **APPLICABLE LAW AND FORUM.** This Agreement shall be construed under North Carolina law, and any action to enforce its provisions shall be filed in Person County in the General Court of Justice of North Carolina.

9. ENTIRE AGREEMENT. The Agreement constitutes the entire understanding of the parties. Any modification, amendment or rescission of this Agreement must be in writing signed by both parties.



PERSON COUNTY:


Gordon Powell
Chairman, Board of Commissioners

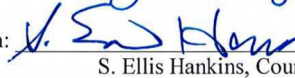
Date: 3/6/2023

Attest:


Brenda Reaves, Clerk to the Board

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

 3-6-23
Amy Wehrenberg, Finance Officer Date

Approved as to form:  3/6/2023
S. Ellis Hankins, County Attorney Date

Person County Museum of History

Carrie Currie, Executive Director
Date: _____

Attestation and Seal if applicable:

Appendix One: Breakdown of Expenses

It is acknowledged that the Museum will make all attempts to utilize county-owned businesses when possible and financially reasonable. This funding does not replace existing funding for ongoing basic maintenance of county owned buildings.

Below is an outline of typical expenses that would fall under the general categories referenced in the attached Agreement between the County and the Museum dated March 6, 2023.

Long/Woody House Development Phase 1

Expenses incurred that impact the safety, accessibility, and aesthetic value of this structure to further the plans of converting the building for site rentals which will be used to generate revenue and move toward self-sustainability. Includes but is not limited to:

- Door locks, alarm systems, cameras and other items related to building safety and security
- Lighting
- Paint, includes supplies and labor
- Construction
- Operational Expenses – items to equip the site for use as a rental venue; including but not limited to event supplies, event furniture, advertising, office equipment, miscellaneous expenses
- Building Maintenance Expenses – Cleaning, pest control
- Miscellaneous Expenses – All expenses related to the conversion of this building for revenue generation not listed above

Safety Measures & Campus Needs Phase 1

Expenses that impact the safety and accessibility of the museum campus as a whole for visitors, staff and volunteers. These expenses include but are not limited to:

- Updates to existing security systems
- Installation of new security systems including cameras, panic buttons, Knox boxes, etc
- Installation and system monitoring costs (if applicable) for video doorbells
- Purchase of any equipment required to enable staff and volunteers to monitor security systems and video doorbells
- Expenses related to campus alterations that impact safety

Campus Sign Updates Phase 1

Expenses that impact visitor safety and orientation as well as expand interpretive opportunities on the campus.

- Purchase and installation of additional sign frames and sign inserts to expand campus interpretation and visitor experience
- Purchase and installation of freestanding, permanent and temporary signs to impact visitor safety, orientation, and campus regulations

Recurring Operational Expenses

Expenses in this category relate to those needs that speak directly to operations impacting visitors and county residents generally explained as Security Monitoring, Phone & Internet, Support & Operations. More specifically, these include but are not limited to:

- Insurance
- Ongoing Security Monitoring Costs and Maintenance
- Phone and Internet expenses
- Support and Operations Expenses which include but are not limited to:
 - Pest Control Expenses
 - Cleaning Expenses
 - Technology Expenses
 - Printing Expenses
 - Office Equipment and Supplies
 - Advertising and Marketing expenses
 - Fundraising Expenses
 - Additional Maintenance Expenses not covered elsewhere
 - Miscellaneous expenses related to visitor services

CHARTERS OF FREEDOM:

County Manager Katherine Cathey noted that on July 18, 2022, David W. Streater, PhD, Education Director with Foundation Forward presented a proposal to the Board of Commissioners to build a replica of the Charters of Freedom in Person County. Foundation Forward's mission is to build replicas of the Charters of Freedom across the United States, synonymous with the originals, in the National Archives in Washington, DC. The founding documents include the Declaration of Independence, the United States Constitution, and the Bill of Rights.

The scope of the project is to design and build replicas that are central and open to the community 24/7, with high visibility, voluminous foot traffic, and easy access for schoolchildren, veterans and all others. The displays are engineered and built to last 300-500 years with all documents made to original size etched in bronze, each weighing 60 pounds and covered by engineered industrial viewing glass. The middle display measures 4'x16' and each side display measures 4'x4'. Also included with the displays is a vault with a time capsule sealed inside to be opened on Constitution Day, Sept. 17, 2087.

The Board voted to move forward with selecting a location and entering into a letter of agreement to begin the process. Representatives of the county and Foundation Forward toured and evaluated the following sites in Person County: 1) the Person County Courthouse, 2) Huck Sansbury Recreation Complex, 3) the Person County Veterans Memorial Park, and 4) the Person County Museum of History. Huck Sansbury was identified as the ideal location due to its location, accessibility, and visibility.

Foundation Forward considers the Charters of Freedom settings to be a gift to the county from Foundation Forward. There will be expenses incurred by the county. At a minimum, the county will be responsible for site preparation to include removal of existing sign, monument, shrubs, and sidewalk and ensuring the site is level and free of standing water. The county will then be responsible for ensuring the site is accessible by restoring the sidewalks. Adding electricity, landscaping, benches, etc. to enhance the area will be at the county's expense.

Ms. Cathey presented the following options with various approaches to completing this project utilizing contractors, employee and volunteer resources, along with purchased and donated materials.

Option 1

Project Components	Completed by	Estimated County Expenses
Site preparation (clearing, grading and relocation of existing features)	Contractor	\$5,000
Reconstruction of accessible approach and construction of apron around settings <ul style="list-style-type: none"> Concrete 35'X35': \$5,000 Labor for concrete: \$4,000 Grading: \$2,000 Gravel: \$1,000 	Contractor	\$12,000
Landscaping (optional, pavers, shrubs, benches, etc.) – \$10/sq. ft.	Contractor	\$12,000
Electricity (optional, to light display cases and/or flagpole)	Contractor	\$5,000
Flagpole and flag (optional) – New flagpole	Contractor	\$7,500
Total		\$41,500

Option 2

Project Components	Completed by	Estimated County Expenses
Site preparation (clearing, grading and relocation of existing features)	Staff and volunteers <i>Value of staff time: \$1,400 (4 employees, 16 hours each)</i>	\$0
Reconstruction of accessible approach and construction of apron around settings (labor, grading, construction, and materials) <ul style="list-style-type: none"> Concrete 35'X35': \$5,000 Labor for concrete: \$4,000 Grading: \$2,000 Gravel: \$1,000 	Contractor, staff and volunteers Donation Contractor Contractor Donation	\$6,000
Landscaping (optional, pavers, shrubs, benches, etc.) = \$5/sq. ft.	Contractor	\$6,000
Electricity (optional, to light display cases and/or flagpole)	Donation	\$0
Flagpole and flag (optional) – Flagpole built from reused light pole	Contractor	\$2,500
Total		\$14,500

March 6, 2023

Option 3

Project Components	Completed by	Estimated County Expenses
Site preparation (clearing, grading and relocation of existing features)	Staff and volunteers <i>Value of staff time: \$1,400 (4 employees, 16 hours each)</i>	\$0
Reconstruction of accessible approach and construction of apron around settings (labor, grading, construction, and materials) <ul style="list-style-type: none">• Concrete 35'X35': \$5,000• Labor for concrete: \$4,000• Grading: \$2,000• Gravel: \$1,000	Contractor, staff and volunteers Donation Donation Donation Donation	\$0
Landscaping (optional, pavers, shrubs, benches, etc.)	None	\$0
Electricity (optional, to light display cases and/or flagpole)	None	\$0
Flagpole and flag	None	\$0
Total		\$0

Ms. Cathey further noted that funding for this project was not included in the FY23 budget. To proceed with the project prior to July 1, the Board will need to appropriate funding from undesignated contingency (remaining balance: \$4,503) or fund balance.

The process of receiving a Charters of Freedom setting begins with signing the letter of intent and establishing a point of contact (POC) whom Foundation Forward will coordinate with throughout the process. Per the agreement, the POC must form a committee for promoting community involvement and planning the Dedication Ceremony, Time Capsule Ceremony, and any other related events. Foundation Forward's Resources and Communications team will work with the POC and committee.

Ms. Cathey asked the Board to further discuss interest in moving forward and timeline. Consider the following actions:

1. Approve location for Person County Charters of Freedom
2. Determine desired components (landscaping, electricity, flagpole, etc.)
3. Identify funding source for county expenses
4. Approve letter of intent
5. Designate a point of contact for the Charters of Freedom Project

A **motion** was made by Commissioner Palmer and **carried 5-0** to approve the Huck Sansbury Park as the designated location for the Charters of Freedom displays, to approve Option 3 as presented to be completed by staff, volunteers through donations, to appropriate the remaining FY23 Undesignated Contingency Funds of \$4,503 to this project, to approve the letter of intent and to designate Recreation, Arts and Parks Director John Hill as the point of contact for the Charters of Freedom Project.

March 6, 2023

December 12, 2022
Person County, Roxboro, NC
Chairman, Gordon Powell
Person County Administrative Office Bldg
304 South Morgan Street, Room 212
Roxboro, NC 27573
Re: Person County - Charters of Freedom

Letter of Intent

Whereby a presentation was made by Foundation Forward, Inc. to Person County on July 18, 2022, and The Board of Commissioners, having taken the matter under consideration, then voted to accept the terms outlined in this Letter of Intent and the attached Addendum, necessary for the placement of the Person County Charters of Freedom setting from Foundation Forward, Inc. in Roxboro, North Carolina.

By this letter, Foundation Forward, Inc. affirms its intent to place a four part setting with brick facade, which will consist of the Declaration of Independence, four pages of the United States Constitution, and the Bill of Rights, as displayed in The National Archives, in Washington, D.C., along with an additional display of the Civil Rights Amendments. This setting will also include Donors Recognition Pedestal(s), a Field of Honor consisting of engraving pavers, and a Time Capsule Vault.

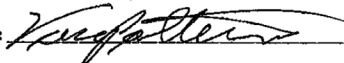
The selected and approved site will be at Chuck Sansbury Recreation Complex, located at 425 Long Avenue, Roxboro, NC 27573. This site was selected jointly by Foundation Forward, Inc. and Person County for its prominent location, providing high visibility, high foot traffic, and easy access by school children and veterans.

All funds for this project will be kept in a Truist bank account in Burke County, North Carolina under the account named "Foundation Forward, Inc." Foundation Forward, Inc. will make the County's account balance available to Chairman Powell, upon request.

Any and all site preparation, ADA compliance, AND/OR any new landscaping upon completion of the construction, that may be necessary or desired, will be the responsibility of the County of Person, as outlined in the attached Addendum. The targeted start date will be determined by the Foundation's current build schedule, and will be subject to a Pre Construction Conference and the completion of the Construction Checklist (provided during the aforementioned PCC). Planning for a dedication ceremony will begin when the construction process is approximately 75% completed (generally after the facade is constructed).

Time Capsule letter packets will be mailed out to Community Leaders, Educational Institutions, Law Enforcement, Veterans Groups, and Local Businesses and Organizations. These letters are to be returned via SASE envelope to be included in the time capsule that will be sealed during a Time Capsule and Donors Recognition ceremony to be conducted at least 5-6 months after the Dedication. Additional letters, pictures, flash drives, and some small memorabilia may also be included.


Foundation Forward, Inc.

By: 

Date: 12/13/2022

Title: Founder, Vance Patterson

Person County, North Carolina

By: 

Date: 3/6/2023

Title: Chairman Gordon Powell

Foundation Forward, Inc. is a 501(c)(3) nonprofit organization
www.chartersoffreedom.com • info@chartersoffreedom.com • Phone: 828-522-1400

March 6, 2023

FOUNDATION FORWARD LETTER OF INTENT - ADDENDUM
(Revised October 1, 2022)

POINT OF CONTACT - The process of receiving a Charters of Freedom setting begins with The County establishing a Point of Contact (POC) who Foundation Forward will coordinate with throughout the process. The POC must form a Committee for promoting community involvement and planning the Dedication Ceremony, Time Capsule Ceremony, and any other related events. Foundation Forward's Resources and Communications team will work with your POC and Committee to get this message out so your community can get the most out of this project, taking ownership as the process takes place.

FUNDING - If you have received a letter of intent from Foundation Forward then plans are in place to design, build, and dedicate your Charters of Freedom setting. We know that people like to participate in these projects by donating money, materials, labor, or other forms of support. Often, local governments or groups decide that they would like to add to the overall layout of the setting by including curb cuts, sidewalks, aprons, flagpoles, benches, landscaping, etc. These items are considered optional and are not covered by the overall scope of work that Foundation Forward provides.

SITE PREPARATION - Any utilities, trees, bushes, boulders, or concrete **MUST** be moved so Foundation Forward can proceed with the excavation of the site. The ground must be fairly level and free of standing water. Once the site is prepared Foundation Forward will begin excavation and construction of the setting. If a county backhoe is available and can assist, this is not required but would be greatly appreciated.

CONSTRUCTION - Unless otherwise agreed upon, Foundation Forward, Inc. will be responsible for all of the construction of the setting. Any assistance from the community via donated masonry, electrical, trade classes, etc. is appreciated, but not required.

ELECTRICAL - While it is not necessary to have power to the setting, having 110-volt outlets for speakers and teachers works very well for presentations, ceremonies, and celebrations at the site. If low voltage power is provided to the back of the setting, Foundation Forward will include an LED package to light the chambers so the setting will glow at night and the documents can be viewed.

ADA ACCESSIBLE - The setting itself is ADA Compliant, with the proper height and angle for viewing. Approach sidewalks and an apron in front of the setting may be ADA requisite and would be the responsibility of The County. Foundation Forward will incorporate the Field of Honor area of engravable pavers, measuring 6' x 12', in front of the US Constitution. This area does not require concrete, but these specifications must be met if The County includes an apron. Foundation Forward installs the pavers and will assist with the layout and design of the apron.

TIMELINE - Typically the timeline from the signing of the Letter of Intent to the Dedication Ceremony is around six months. Delays in weather and other unforeseen circumstances can lengthen this process, while other factors including donated labor and materials can shorten the process. A sample timeline can be provided.

DEDICATION - Foundation Forward has dedicated over 40 settings across the country, so our experience is thorough. We will provide you with a sample Dedication Program that can be modified, within the existing four-page layout, to showcase your community and culture. Typical dedications last 45 minutes complete with bands, choirs, color guards, speeches, and a presentation by Foundation Forward which includes a traditional cannon salute to The Articles of The United States Constitution. It is a life experience for all to attend.

ADDITIONAL SETTINGS - We have found there are sometimes requests for additional Charters of Freedom settings in a county. This requires special consideration and approval making sure they do not conflict with one another in attention or Community Support.

Foundation Forward, Inc. is a 501(c)(3) nonprofit organization
www.chartersoffreedom.com • info@chartersoffreedom.com • Phone: 828-522-1400

March 6, 2023

CHAIRMAN'S REPORT:

Chairman Powell reported a hearing for public comments on March 13, 2023 at 7:00pm in the Superior Courtroom at the Person County Courthouse related to an application of Duke Energy Progress for an electric service adjustment and increase in its rates.

Chairman Powell requested the Clerk to send along some proposed dates for the budget work sessions to get on their calendars.

Chairman Powell noted this was severe weather awareness week and urged citizens to get ready for such emergencies.

Chairman Powell recognized March being designated for Women's History Month and wanted to acknowledge the importance of women in our country and in Person County.

MANAGER'S REPORT:

County Manager Katherine Cathey had no report.

COMMISSIONER REPORT/COMMENTS:

Vice Chairman Sims thanked all the presenters and said he was looking forward to seeing the improvements at the Museum of History.

Commissioner Palmer stated appreciation to hear from the public of its concerns and interest in moving Person County forward.

Commissioner Puryear had no report.

Commissioner Thomas thanked Dr. Rodney Peterson, Superintendent for Person County Schools for his efforts noting Person County was lucky to have him. He said the Board made a good decision for the schools.

CLOSED SESSION #1

A **motion** was made by Commissioner Puryear and **carried 5-0** to enter into Closed Session #1 at 8:29pm per General Statute 143-318.11(a)(3) for the purpose to consult with the county attorney in order to preserve the attorney-client privilege with the following individuals permitted to attend: County Attorney Ellis Hankins, County Manager Katherine Cathey, Clerk to the Board Brenda Reaves and Planning & Zoning Director Chris Bowley.

Chairman Powell called the Closed Session #1 to order at 8:31pm.

A **motion** was made by Commissioner Puryear and **carried 5-0** to return to open session at 8:45pm.

ADJOURNMENT:

A **motion** was made by Vice Chairman Sims and **carried 5-0** to adjourn the meeting at 8:45pm.

Brenda B. Reaves
Clerk to the Board

Gordon Powell
Chairman

March 6, 2023