

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

SEPTEMBER 18, 2023
OTHERS PRESENT

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

Katherine M. Cathey, County Manager
Michele Solomon, 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, September 18, 2023 at 9:00 a.m. 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. Chairman Powell offered an invocation and Commissioner Sims led the group in the Pledge of Allegiance.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

Chairman Powell stated the need to add an additional Closed Session to the agenda for the purpose of consulting with the county attorney in order to preserve the attorney-client privilege as Closed Session #2.

A **motion** was made by Commissioner Sims and **carried 5-0** to approve the agenda as adjusted with the additional Closed Session.

PUBLIC HEARING # 1:

A **motion** was made by Commissioner Sims and **carried 5-0** to open the duly advertised public hearing for Consideration of Approval to Finance a Portion of the Cost of Certain Improvements to Public School Facilities. Finance Director Amy Wehrenberg presented. She stated that the purpose of the hearing was to receive feedback from the public on the County's plans to finance improvements to Person High School for an amount not to exceed \$13M. She stated that the improvements include, but are not limited to, safety and accessibility improvements to meet ADA requirements, security improvements to the interior and exterior of the school, and removal of parking areas on the north and east sides of the school. She stated that other considerations under this public hearing are whether to execute and deliver a deed of trust, which pledges the high school property as collateral for the project, a security agreement, and a fixture filing related to the County's interest in the property on which the school is located along with the improvements that would be authorized.

September 18, 2023

There were no individuals appearing before the Board to speak in favor of or in opposition to the public hearing for Consideration of Approval to Finance a Portion of the Cost of Certain Improvements to Public School Facilities.

A **motion** was made by Commissioner Sims and **carried 5-0** to close the public hearing for Consideration of Approval to Finance a Portion of the Cost of Certain Improvements to Public School Facilities.

No action was required by the Board on Public Hearing #1. The Board will consider a final resolution regarding financing a portion of the cost of certain improvements to Person High School at the next Board Meeting.

PUBLIC HEARING #2

A **motion** was made by Commissioner Palmer and **carried 5-0** to open the duly advertised public hearing for Consideration of Approval to Submit the FY25 Community Transportation Program Application. Transportation Director Mitch Fleig presented. He stated that the PATS Department has 9 Full-Time Drivers, 13 Part-Time Transit Specialists, and 4 Full-Time Administrative Staff who serve the residents of Person County. In FY23, PATS accommodated over 57,000 trips, and drove over 420,000 miles amongst the 14 vans and buses. He stated that the mission of PATS is to provide safe, friendly, and reliable transportation to the citizens of Person County utilizing the most efficient manner possible to increase mobility and support a livable community. He stated the purpose of the hearing was to bring before the Board for approval the FY25 Community Transportation Program Application and local share amount of \$72,375. He stated the application is divided in to two categories. The Administration Project, which is \$208,260 and reflects a 5% increase from last year and a 15% local match, would be required of \$31,239. The Capital Grant which is used for the purchase of three light transit buses and an update to the on board camera security system for 12 of the 14 vehicles, is what PATS is requesting for a total cost of \$411,355, and a 10% local match would be required of \$41,136. The two grants would be \$619,615 with the local share being \$72,375. He is asking the Board's recommendation for approval of the grant submittal and use of the local funds noted for the FY25 Community Transportation Program Application.

There were no individuals appearing before the Board to speak in favor of or in opposition to the public hearing for Consideration of Approval to Submit the FY25 Community Transportation Program Application.

A **motion** was made by Commissioner Sims and **carried 5-0** to close the public hearing for Consideration of Approval to Submit the FY25 Community Transportation Program Application

CONSIDERATION TO GRANT OR DENY REQUEST

A **motion** was made by Commissioner Sims and **carried 5-0** to approve the local share in the amount of \$72,375 for FY25.

INFORMAL COMMENTS:

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

Mr. Bob Brauer of 1 Bobwhite Rd, Roxboro and Chairperson of the Environmental Issues Advisory Committee of Person County spoke on the fall litter sweep that occurred in Person County. He stated that one of the committee's primary focus areas is roadside litter. He stated that in coordination with the NCDOT and the City of Roxboro they do two annual litter sweeps, one in the spring, and the other in the fall. He stated that they just completed the fall litter sweep on September 16 and he was very happy to report that 50 individuals participated and cleaned up litter off city and county roads. He stated that there was a great representation from students from RCS. He stated that pictures from the event are on the Person County Environmental Issues Advisory Committee's Facebook page. He provided bumper stickers to the Board that promoted keeping Person County clean by disposing of litter.

Jimmy Clayton of 717 Berman Clayton Rd, Timberlake spoke on concerns related to the Person County Mega Park. He stated the following information about the property: It has two power plants with electricity going across it, it has the possibility of getting water from the Dan River, fiber run by the county is going across the property, it is located where other industries would not interfere with it, it has railroad access, and it is near major highways such as 501, and 360 & 58 in Virginia. He stated that the Corps of Engineers has issued many permits for the property. He urged the Board to consider renewing the lease option, or to buy the property, as it is the future of Person County.

Penny DeYoung of 1392 Mill Creek Rd, Roxboro spoke to the Board to express concerns on the matters of the Department of Social Services (DSS) and to represent her family as well as other foster care families that share similar experiences. She stated that she is not here to speak on the legal matters surrounding the case and understands that is an issue for an attorney. She stated she is requesting that the Board conduct an investigation and audit into the mismanagement of DSS of Person County, and provide follow up once completed. She provided the Board with a chronological timeline of events that took place over the course of 4 years. She stated that DSS removed her two nephews from the biological mother's home in 2019. The children were placed in her home. She stated that DSS informed her in 2020 that they would be filing a termination of parental rights order and discussed adoption of the children with her. She stated that the hearing for terminating parental rights was continued 18 times spanning over the course of 3 years. She stated that the Guardian ad Litem also indicated multiple complaints due to lack of communication from DSS and testified that she did not agree with DSS social worker's testimony.

September 18, 2023

She stated that in March 2023, the DSS social worker made her last home visit and reported that the goal is adoption and to proceed with termination of parental rights. She stated that on August 31, 2023, the DSS report listed the following goals, #1- adoption, and #2-reunification. She stated that the DSS social worker testified under oath and advised that she saw no reason as to why the children could not be returned to the biological mother. She stated that based on DSS recommendation, the judge ordered the children to be returned to the mother and for the DeYoung family to return the children to DSS on September 4, 2023. She stated that the DSS social workers conducted themselves in ways in which is contrary to the department's policy, which is supposed to be in the best interest of the children. She stated that the social workers were unprofessional, unsympathetic, and acted in a manner of showing anger and hostility, while being under the supervision of the DSS Director, Mr. Paylor. She stated that DSS abused her family emotionally and was supposed to save the children from abuse. She stated that she had a petition signed by 2,500 people who are requesting the Board to take action on this injustice, and mismanagement in the appearance of cover-ups that are taking place daily by the individuals employed by the Department of Social Services.

PJ Gentry of 541 Byrd Creek Ln, Hurdle Mills voiced she had multiple concerns. She stated that the Board has known about DSS for years and has done nothing. She stated that she has tried to help. She stated that former Commissioner Jimmy Clayton was spot on and that she advocated two years ago to get control of the property. She stated that the Board has not, and they have the capacity, but needed the will to do so. She stated that the Board needed to be proactive not reactive if you want to have progress in the County. She stated that she sits on the Board of Realtors in Durham County and was invited to a presentation by Cypress Creek Solar on a 731-acre Solar Park proposed for Person County. She stated that there was an article in The Courier Times, a write up by an electrical engineer supporting the proposed 731-acre Solar Farm in Person County. She indicated that she is aware of the current Person County Ordinance that limits Solar Farms to 100 acres. She stated that she is concerned that Duke Energy will increase solar. She urged the Board to consider not increasing the size of solar farms.

DISCUSSION/ADJUSTMENT/APPROVAL OF CONSENT AGENDA:

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

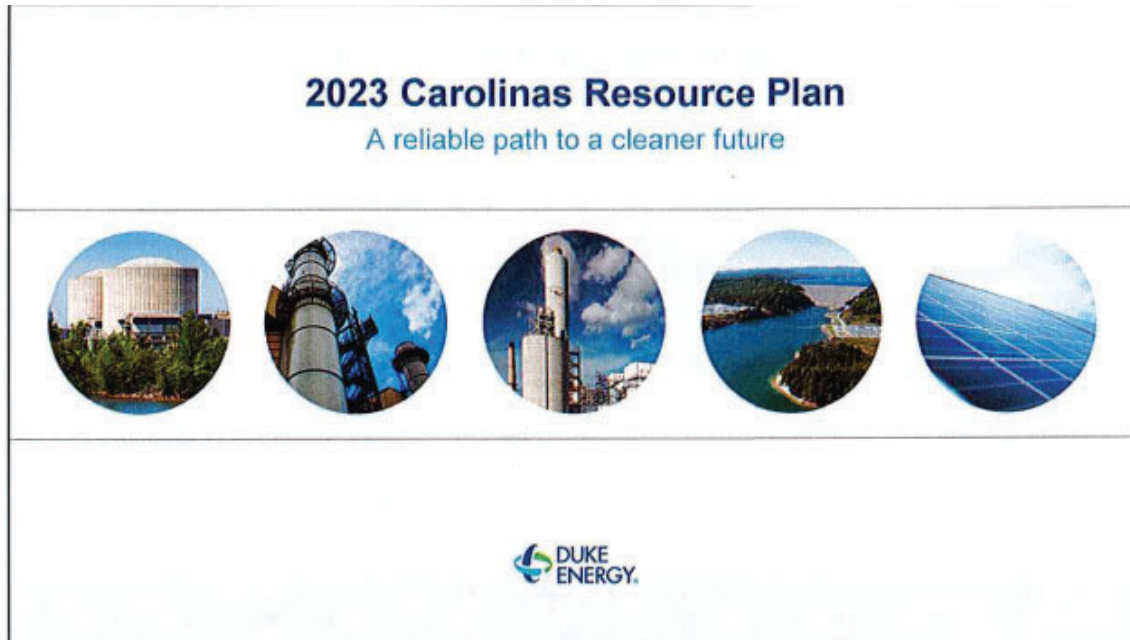
- A. Approval of Minutes of September 5, 2023,
- B. Budget Amendment # 6,
- C. Budget Amendment # 7,
- D. Person County Health Department Fee Request,
- E. Contract for School Nursing Services between Person County and Person County School System,
- F. FY2024 ROAP Distribution Authorization, and
- G. Letter of Support for Durham County and City of Durham's Reconnecting Communities and Neighborhoods Grant Application

September 18, 2023

NEW BUSINESS:

DUKE ENERGY UPDATE

Duke Energy Update by Elizabeth Townsend Duke Energy's Local Government and Community Relations Manager presented the following slide show presentation.



Resource planning for a dual-state system

Carolinas Service Territory

The map shows the Carolinas divided into counties. A legend indicates three regions: Duke Energy Progress (light blue), Duke Energy Carolinas (green), and Overlapping Territory (dark blue). A note at the bottom of the legend states: "Overlapping Territory may be served by other utilities".

- Duke Energy owns more than 33 GW of power generating capacity across our 53,200 square mile service territory serving 4.5 million retail customers in the Carolinas
- Energy needs are growing across the Carolinas, placing new demands on the system even as we transition to cleaner energy sources.
- As we make our transition, we must protect reliability and affordability for customers.
- Planning must meet the energy and policy needs of both North Carolina and South Carolina.

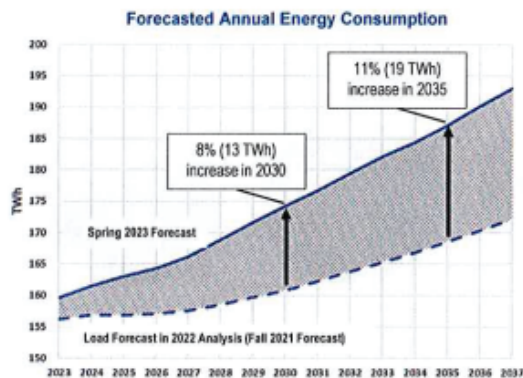
DUKE ENERGY.

DUKE ENERGY.

| 2

September 18, 2023

A growing state. A growing demand for electricity.



Drivers for demand growth

- Economic development successes
- Population growth
- Electric vehicle infrastructure needs

Duke Energy's load growth is projected to surge by around 35,000 gigawatt-hours in the next 15 years – more than the annual electric generation of Delaware, Maine and New Hampshire combined.



13

New resources proposed by Jan. 1, 2035

Core Portfolios	Grid Edge	Coal Retirements	Solar	Battery	GT	CC	Onshore Wind	Pumped Storage Hydro	Advanced Nuclear	Offshore Wind
P1 Base	EE at least 1% of eligible retail sales	(-8.4 GW)	14.9 GW	6.1 GW	2.6 GW	2.7 GW	2.3 GW			2.4 GW
P2 Base	IVVC growing to 96% (DEC) & 97% (DEP) circuits	(-6.2 GW)	11.8 GW	6.7 GW			1.7 GW	1.7 GW	0.6 GW	1.6 GW
P3 Base	Winter DR & CPP		11.9 GW	4.3 GW	2.1 GW	4.1 GW	2.1 GW			0-1.6 GW*









EE-energy efficiency IVVC-Integrated Volt VAR Control DR-Demand Response CPP-critical peak pricing

*Offshore wind is not included in P3 base planning period, but we will continue to monitor market developments and opportunities.

4

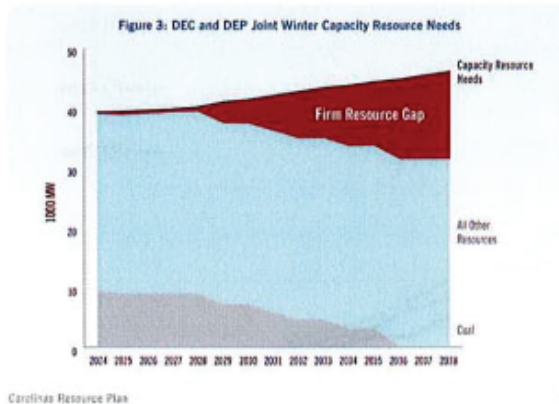
September 18, 2023

Near-Term Action Plan

New Resources	Planned Addition (Gigawatts)	System Benefits
 Solar	6 GW by 2031	Reduces fuel costs for customers; increasingly important for attracting new businesses; cleaner air for communities; improves system diversity.
 Battery Storage	2.7 GW by 2031	Flexible resource that can help support weather-dependent renewables and shift output to high-demand periods; typically limited to four-hour duration.
 Combined Cycle (CC)	4.1 GW by 2031 three CCs	Available 24/7; compared to coal, CCs have 60% lower carbon emissions (carbon-free once converted to 100% hydrogen), faster start-ups/ramp rates and higher reliability.
 Combustion Turbine (CT)	1.7 GW by 2032 four CTs	Quick-response power, ensuring reliability when solar/wind have limited or no availability; unlike batteries, can run for days/weeks to maintain reliability during extreme weather.
 Onshore Wind	1.2 GW by 2033	Same benefits as solar; output is typically highest when solar output is low.
 Pumped Storage Hydro	1.7 GW by 2034 Bad Creek II	Safe and reliable energy storage with 12-hour capacity; supports weather-dependent renewables; can store low-cost energy to offset higher-cost energy at peak demand.
 Advanced Nuclear	0.6 GW by 2035 two SMRs	Nuclear is the only emissions-free generation available 24/7; Small Modular Reactors (SMRs) are less expensive and more flexible than traditional nuclear.
 Offshore Wind	Retain option for up to 1.6 GW by 2035	Same benefits as solar; output is typically highest when solar output is low.

5

Keeping the clean energy transition reliable



- Transitioning out of coal by 2035, even as energy needs grow
- Taking a "replace-before-retire" approach to reliably transition
- Natural gas will play an important role, especially in the near term

7

Coal Retirement Assumptions (Beginning-of-year basis)

		Capacity (MW)	Pathway 1	Pathway 2	Pathway 3
DEC	Allen 1 & 5 ¹	426	2025	2025	2025
	Cliffside 5	546	2029	2031	2031
	Cliffside 6 ²	849	2049	2049	2049
	Marshall 1 & 2	760	2029	2029	2029
	Marshall 3 & 4	1,318	2034	2032	2032
	Belews Creek 1 & 2	2,220	2030	2036	2036
DEP	Mayo	713	2029	2031	2031
	Roxboro 1 & 2	1,053	2029	2029	2029
	Roxboro 3 & 4	1,409	2030	2033	2034

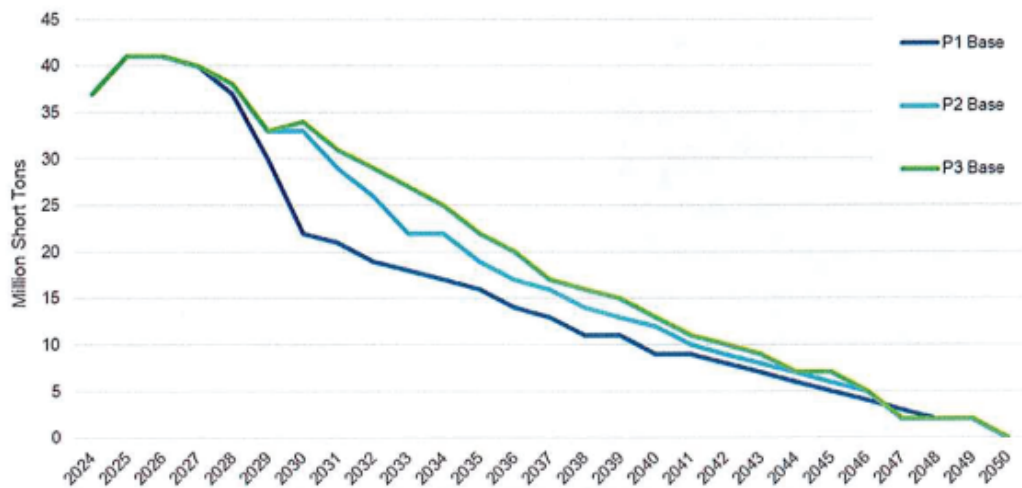
¹Allen 1 & 5 retirements are planned for 3/31/2024. Retirements were not included in the Coal Retirement Analysis due to near term planned retirement dates.

²Cliffside 6 is assumed to cease coal operations by the beginning of 2036. Retirement was not included in the Retirement Analysis based on natural gas coking capability.



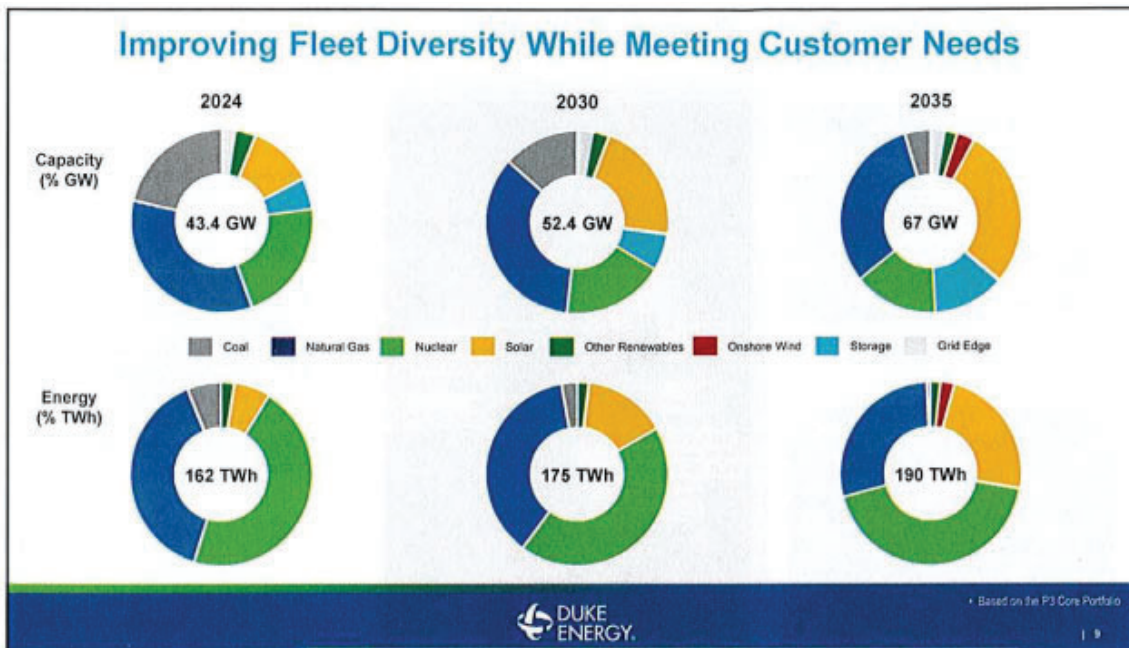
17

Annual CO₂ Emissions by Core Portfolio, Combined Carolinas System



8

September 18, 2023



What does this mean for Person County?

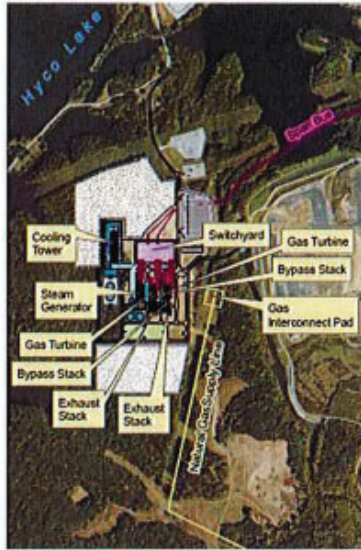
DUKE ENERGY

September 18, 2023

Proposed generation – Person County Energy Complex (Person County, NC)



The Asheville combined cycle plant is similar technology as the proposed natural gas plant in Person County.



Proposed new generation at Roxboro Plant

Type: Hydrogen-capable natural gas combined cycle

Size: 1,360 MW

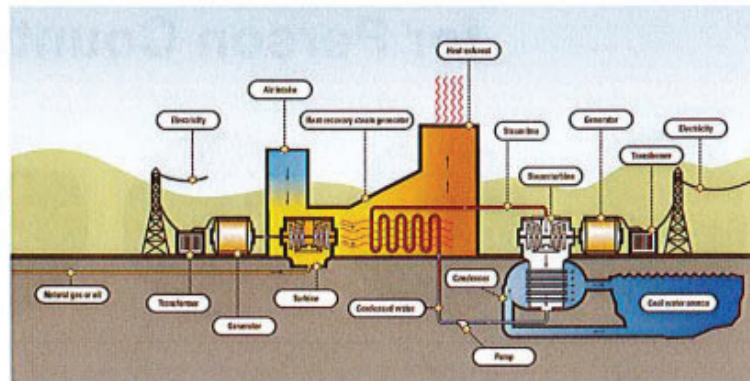
Employment: Natural gas plants typically employ between 35-70 people, depending on size.

A similar project in Asheville supported around 1,300 construction jobs and more than \$120 million in supplier goods and services. That same project generated more than \$1.5 million in new county property taxes in 2019.

11

Natural Gas Combined Cycle generation

The new plant proposed for Roxboro will be hydrogen-capable, allowing for carbon-free generation once integration of that fuel source is commercially and technologically viable by 2050.



Natural gas-generated energy emits **half** the carbon emissions of coal.

12

September 18, 2023

Key Takeaways

- The Carolinas Resource Plan delivers a **path to cleaner energy without compromising grid reliability, affordability or the energy demands** of a growing region.
- We remain committed to thoughtfully **transitioning out coal by 2035, using a “replace-before-retire” approach that ensures reliable, dispatchable capacity** is in place and operational before an equivalent amount of generating capacity is retired.
- Our proposed near-term plans include a **diverse mix** of solar, wind, advanced nuclear, hydrogen-capable natural gas, as well as battery and pumped hydroelectric storage.
- A **diverse energy mix is essential to retiring coal plants** and delivering increasing amounts of renewable energy and storage on the grid.
- The carbon plan regulatory process before the NCUC is a public process includes public hearings, customer input, and thousands of pages of data that be reviewed by regulators.
- A final order on the plan is expected by the end of 2024.



| 13



14

Commissioner Palmer asked about the rolling blackouts that occurred in the State of NC in December 2022. Townsend stated that technology caused concerns, and that there was an expected blackout, that lingered longer, and was greater than expected. She stated that Duke Energy is addressing concerns, moving forward with the Utilities Commission. Townsend stated that Duke Energy would be adding natural gas plants to Person County to stay sustainable in this community.

September 18, 2023

Vice Chairman Sims expressed concerns about solar farms in Person County, especially when talking about 750 acres. He stated that there is a future need for small nuclear reactors. He stated that he is appreciative of Duke Energy for considering keeping the Person County Plants operational.

Commissioner Puryear thanked Townsend for the update and presentation she provided and is appreciative of the cooperation and partnership that Person County has with Duke Energy.

Chairman Powell expressed appreciation to Duke Energy for being a central part of Person County's economic development and growth for over six decades. He stated that Person County wants to continue to remain in that category and be involved in the new technology that emerges and for continued growth and development. He had concerns about solar panels on plants in Person County. Townsend stated no current plans for solar for Person County Plants at this time. Powell had concerns about the tax advantage during the transition period of changing over from coal to natural gas and the impact it will have on Person County. Townsend stated there would be some tax benefits that would be above what the coal plants currently generate. Townsend stated that it would increase job opportunities, therefore increasing the tax base. Townsend stated that the natural gas plant should be open and operational by 2029.

PERSON INDUSTRIES/MATERIALS RECOVERY FACILITY MERGER AND RENOVATIONS BID SUMMARY AND CONTRACT AWARD

Person Industries/Materials Recovery Facility Merger and Renovations Bid Summary and Contract Award was presented by Person Industries Director Amanda Everett. She is requesting the Board to award the contract to Legacy Building Company. She stated that the lease expires on the current PI building on May 25, 2025. She stated that the potential purchase price for the building significantly exceeds the tax value and the building condition needs major repairs and upgrades. She stated that an application for an EPA grant is pending, and we should know something by the end of September. She is hopeful that the County will receive the grant funding of \$1M. She stated that the FY24-28 CIP includes \$2.1M in costs for this project. She provided a bid summary to the Board that included information received during the official bid process for the building expansion, rehab and strengthening of interior space, and reconfiguration of the parking lot. She stated that she received three bid responses with Legacy Building Company in at the lowest bid at \$2.1M.

A **motion** was made by Commissioner Puryear and **carried 5-0** to award the contract to Legacy Building Company for the Person Industries/Materials Recovery Facility Merger and Renovations.

CHAIRMAN'S REPORT:

Chairman Powell reported that he attended Relay for Life on September 15, and a large number of participants showed up and supported the cause for the event. He reported that he attended the Planning Board Meeting on September 14, and it was very informative, and a second meeting has been scheduled. He shared that he had concerns related to the DSS issue, and that it is disturbing and needs investigated. He stated that unfortunately the County has very little control of DSS, and has no authority over it. He stated that there was a discussion in the past about consolidating DSS under the jurisdiction of the County, and the State advised they would require that the Health Department be included as well. Based on the information received from the State, it was determined not to consolidate. He stated that he is on the children's side.

MANAGER'S REPORT:

County Manager Katherine Cathey shared October 19 is the next Planning Board Meeting to go over the proposed UDO and to look at possible revisions. She reported that the members of public who were at the last meeting, which occurred on September 14, made a few comments. She shared that a new Emergency Notification System will be implemented to employees and the public very soon. She spoke on the DSS situation.

COMMISSIONER REPORT/COMMENTS:

Vice Chairman Sims reported that he attended the Planning Board Meeting on September 14 in reference to the proposed UDO, and urged the public to attend the next Planning Board Meeting scheduled for October 19. He shared that he is very appreciative to all who showed up and helped with the Litter Sweep on September 16. He stated that he has concerns, and is very disturbed by the recent events with DSS and feels it needed investigated.

Commissioner Palmer shared that he attended Relay for Life on September 15 and that it was a great event with a huge turnout from the public. He indicated that he is glad they moved the event from Person High School to Huck Sansbury. He expressed concerns about DSS and stated that it was very disturbing about what happened to this family.

Commissioner Thomas thanked everyone for coming to the meeting today. He shared that he attended and spoke at the Patriot Day event on September 9, and attended Relay for Life on September 15. He expressed concerns about DSS and that an investigation is needed.

Commissioner Puryear shared that he had concerns in reference to the issue with DSS. He stated that the issue is very disturbing, troubling, and that an investigation needed to be done.

CLOSED SESSION #1

A **motion** was made by Commissioner Palmer and carried **5-0** to enter into Closed Session #1 at 10:20 a.m. per General Statute 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 (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract with the following individuals permitted to attend: County Manager Katherine Cathey, Clerk to the Board Michele Solomon, County Attorney Ellis Hankins, and Finance Director Amy Wehrenberg.

Chairman Powell called the Closed Session #1 to order at 10:23 a.m.

A **motion** was made by Commissioner Puryear and carried **5-0** to return to open session at 11:08 a.m.

CLOSED SESSION #2

A **motion** was made by Vice Chairman Sims and carried **5-0** to enter into Closed Session #2 at 11:08 a.m. 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, and Clerk to the Board Michele Solomon.

Chairman Powell called the Closed Session #2 to order at 11:08 a.m.

A **motion** was made by Commissioner Puryear and carried **5-0** to return to open session at 11:41 a.m.

ADJOURNMENT:

A **motion** was made by Commissioner Puryear and carried **5-0** to adjourn the meeting at 11:43 a.m.

Michele Solomon
Clerk to the Board

Gordon Powell
Chairman

September 18, 2023