

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

**February 5, 2024**  
**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  
Michele Solomon, Clerk to the Board  
T.C. Morphis, Jr., County Attorney

The Board of Commissioners for the County of Person, North Carolina, met in regular session on Monday, February 5, 2024 at 7:00 p.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. Pastor Ben Francis, Troop Leader of Trail Life Troop NC-0200 and Pastor of Theresa Baptist Church offered an invocation and Trail Life Troop NC-0200 Navigators, Eli Francis, Dylan Kirby, Gary Robeson, and Colton Shipley led the group in the Pledge of Allegiance.

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

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

**PUBLIC HEARING #1:**

**REZONING/MAP AMENDMENT APPLICATION RZ-03-23 IS A REQUEST BY THE APPLICANT AND PROPERTY OWNER, CHRIS HICKS, TO AMEND THE ZONING DESIGNATION FOR A ±1.11-ACRE SITE LOCATED AT THE US 501/THAXTON RD. INTERSECTION (TAX MAP AND PARCEL NO. 72 48), FROM R (RESIDENTIAL) TO B-1 (HIGHWAY COMMERCIAL)**

A **motion** was made by Commissioner Sims and **carried 5-0** to open the duly advertised public hearing for Rezoning/Map Amendment Application RZ-03-23, a request by the Applicant and Property Owner, Chris Hicks, to amend the zoning designation for a ±1.11-acre site located at the US 501/Thaxton Rd. intersection (Tax Map and Parcel No. 72 48), from R (Residential) to B-1 (Highway Commercial).

Planning & Zoning Director Chris Bowley shared the following presentation for the Rezoning/Map Amendment Application RZ-03-23.

**February 5, 2024**



# Hicks Property

## REZONING/MAP AMENDMENT PETITION

RZ – 03 – 23

## Hicks Property (RZ-03-23) Introduction



- ☐ The Subject Property is ±1.11 acres; located at the US 501/Thaxton Rd. intersection (Tax Map & Parcel No. 72 48)
- ☐ Existing land use is vacant & is consistent with adjacent land uses
- ☐ US 501 roadway classification is a Boulevard (Arterial) & Thaxton Rd. is a Secondary Route (Collector)
- ☐ Can accommodate commercial land uses with access on Thaxton Rd. (limited-access ROW restricts direct access to US 501)
- ☐ Location at signalized intersection with US 501 frontage supports zoning amendment petition from R (Residential) to B-1 (Highway Commercial)
- ☐ B-1 zoned property opposite the Subject Property across US 501; signalized intersection warrants more commercial uses in the future
- ☐ Site has a Growth Area future land use designation
- ☐ Proposed rezoning is consistent with the County's Comprehensive Plan

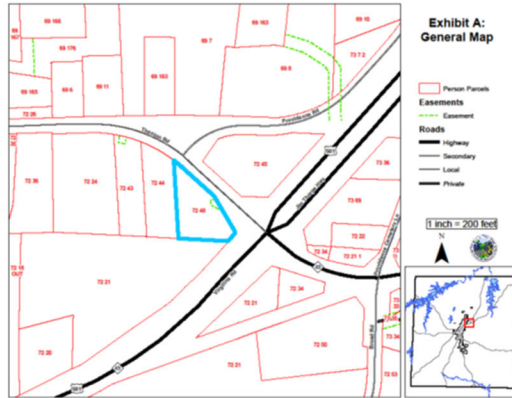
February 5, 2024

# Hicks Property (RZ-03-23)

## Exhibit A: General Map



Click to add text

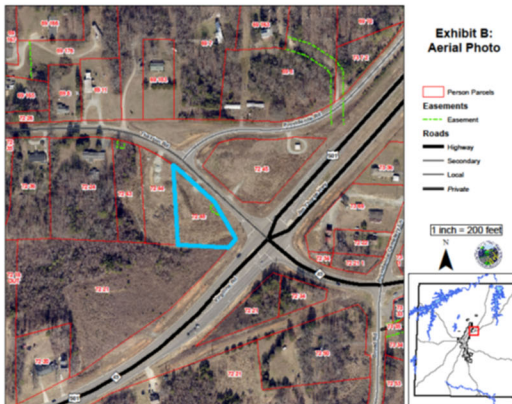


# Hicks Property (RZ-03-23)

## Exhibit B: Aerial Photo



Click to add text



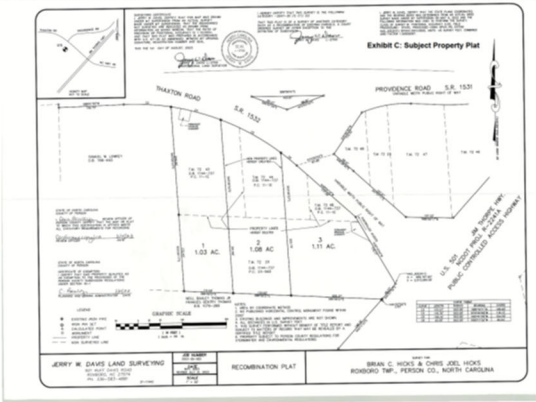
February 5, 2024

# Hicks Property (RZ-03-23)

## Exhibit C: Subject Property Plat



Click to add text



# Hicks Property (RZ-03-23)

## Exhibit D: Future Land Use Map



Click to add text



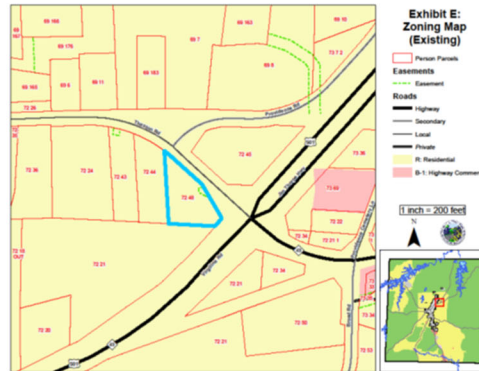


## Hicks Property (RZ-03-23)

### Exhibit E: Zoning Map (Existing)



Click to add text

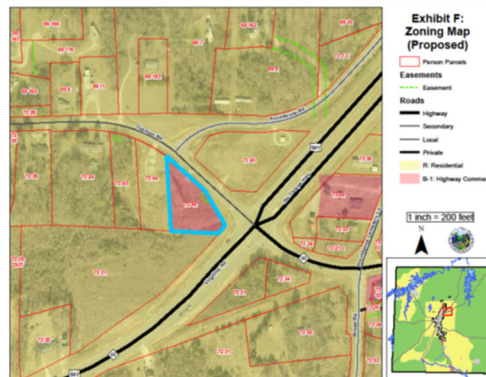


## Hicks Property (RZ-03-23)

### Exhibit F: Zoning Map (Proposed)



Click to add text





## Hicks Property (RZ-03-23) Comprehensive Plan Guiding Principles

The *Person County & City of Roxboro Joint Comprehensive Land Use Plan* (Comprehensive Plan) includes the following Guiding Principles, with relation to this rezoning request (listed in *italics*):

### **Guiding Principle No. 2 – Facilitating Sustainable Economic Growth**

Guiding Principle No. 2.1 – Reserve sufficient developable land and sites to support economic growth. *The proposed rezoning action allows for highway commercial-oriented land to accommodate commercially-oriented land uses.*

### **Guiding Principle No. 3 – Building a Strong & Vibrant Community**

Guiding Principle No. 3.1 – Implement growth management policies that direct new development to the City. *The proposed rezoning action allows for commercial land uses in close proximity to the City along a major highway and can be annexed in the future with City water and sewer service.*



## Hicks Property (RZ-03-23) Staff Recommendation & Potential Motion

Based on the above, Planning & Zoning Department staff recommends adoption of Rezoning/Zoning Map Application RZ-03-23 amendment. It is also recommended that the Board of Commissioners adopt a statement describing whether their action is consistent or inconsistent with the Comprehensive Plan and why that action is reasonable and in the public's interest, with a potential motion, as follows:

*"I hereby move to adopt Rezoning/Map Amendment Application RZ-03-23 from R (Residential) to B-1 (Highway Commercial), find it consistent with the *Person County & City of Roxboro Joint Comprehensive Land Use Plan*, primarily Guiding Principles 2.1 and 3.1, and provides commercial locations for economic development."*

February 5, 2024



Thank You

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There were no individuals appearing before the Board to speak in favor of or in opposition to the public hearing for Rezoning/Map Amendment Application RZ-03-23, a request by the Applicant and Property Owner, Chris Hicks, to amend the zoning designation for a  $\pm 1.11$ -acre site located at the US 501/Thaxton Rd. intersection (Tax Map and Parcel No. 72 48), from R (Residential) to B-1 (Highway Commercial).

A **motion** was made by Commissioner Puryear and **carried 5-0** to close the public hearing for Rezoning/Map Amendment Application RZ-03-23, a request by the Applicant and Property Owner, Chris Hicks, to amend the zoning designation for a  $\pm 1.11$ -acre site located at the US 501/Thaxton Rd. intersection (Tax Map and Parcel No. 72 48), from R (Residential) to B-1 (Highway Commercial).

**CONSIDERATION TO GRANT OR DENY REZONING/MAP AMENDMENT APPLICATION RZ-03-23 IS A REQUEST BY THE APPLICANT AND PROPERTY OWNER, CHRIS HICKS, TO AMEND THE ZONING DESIGNATION FOR A  $\pm 1.11$ -ACRE SITE LOCATED AT THE US 501/THAXTON RD. INTERSECTION (TAX MAP AND PARCEL NO. 72 48), FROM R (RESIDENTIAL) TO B-1 (HIGHWAY COMMERCIAL)**

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve Rezoning/Map Amendment Application RZ-03-23, a request by the Applicant and Property Owner, Chris Hicks, to amend the zoning designation for a  $\pm 1.11$ -acre site located at the US 501/Thaxton Rd. intersection (Tax Map and Parcel No. 72 48), from R (Residential) to B-1 (Highway Commercial).

**AN ORDINANCE AMENDING THE PERSON COUNTY OFFICIAL ZONING MAP  
FOR ZONING AMENDMENT APPLICATION RZ-03-23**

**WHEREAS**, Person County received a verified and complete Zoning/Map Amendment Application from the Applicant and Property Owner, Chris Hicks, to rezone ±1.11 acres of land, known as the Hicks Property, located at Tax Map and Parcel No. 72 48 with Parcel Identification No. 0916-00-39-1824.000, in Person County. The Applicant petitioned to change the zoning designation on the Subject Property from Residential ("R") to Highway Commercial ("B-1") (hereafter "Zoning Map Amendment RZ-03-23"); and

**WHEREAS**, the Person County Board of Commissioners, voted 5-0 to adopt Zoning Map Amendment RZ-03-23 amending and updating the Person County Official Zoning Map from Residential ("R") to Highway Commercial ("B-1"); and

**WHEREAS**, the Person County Board of Commissioners finds that the proposed zoning/text amendment is consistent with the *Person County & City of Roxboro Joint Comprehensive Land Use Plan*; and

**WHEREAS**, the Person County Board of Commissioners, of the State of North Carolina, finds that the proposed rezoning/text amendment is reasonable and in the public interest through Guiding Principle No. 2, Facilitating Sustainable Economic Growth and Guiding Principle No. 3, Building a Strong & Vibrant Community.

**NOW THEREFORE, BE IT ORDAINED BY THE PERSON COUNTY BOARD OF COMMISSIONERS THE FOLLOWING:**

**Section 1. Applicability.** Zoning Amendment Application RZ-03-23 is hereby adopted and approved Person County Board of Commissioners, of the State of North Carolina, and the Person County Official Zoning Map is amended accordingly.

**Section 2. Conflicts and Severability.** All provisions of any County Ordinance or Resolution that are in conflict with this Ordinance are hereby repealed.

**Section 3. Effective Date.** This Ordinance shall become immediately effective upon adoption. The foregoing Ordinance, having been submitted to a vote, and received the following vote, was duly adopted this 5<sup>th</sup> day of February 2024.

Ayes: 5

Noes: 0

Absent or Excused: 0

February 5, 2024  
Dated:

  
Gordon Powell, Chairman  
Person County Board of Commissioners



Attest:  
Michelle Solomon  
Michelle Solomon, Clerk to the Board

February 5, 2024

## **PUBLIC HEARING #2:**

### **CONSIDERATION OF APPROVAL OF PRIVATE ROADWAY SWALLOWTAIL DRIVE TO BE ADDED TO THE DATABASE FOR E-911 DISPATCHING**

A **motion** was made by Commissioner Palmer and **carried 5-0** to open the duly advertised public hearing for Consideration of Approval of Private Roadway Swallowtail Drive to be added to the Database for E-911 Dispatching.

GIS Director Sallie Vaughn presented. She stated that the GIS Department received an address request for a third address along a private driveway. She stated that the ordinance does require that once a third addressable structure is added along a private driveway, that the driveway be named. She stated that the GIS Department appropriately advertised in the newspaper and by placing a sign out at the area. She stated the GIS Department chose the road name, and it was agreed upon by all who responded.

There were no individuals appearing before the Board to speak in favor of or in opposition to the public hearing for Consideration of Approval of Private Roadway Swallowtail Drive to be added to the Database for E-911 Dispatching.

### **CONSIDERATION TO GRANT OR DENY CONSIDERATION OF APPROVAL OF PRIVATE ROADWAY SWALLOWTAIL DRIVE TO BE ADDED TO THE DATABASE FOR E-911 DISPATCHING**

A **motion** was made by Commissioner Palmer and **carried 5-0** to approve Private Roadway Swallowtail Drive to be added to the Database for E-911 Dispatching.

## **INFORMAL COMMENTS:**

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

Jimmie Whitfield of 699 Charlie Reade Road, Timberlake spoke on matters related to the possible \$7M purchase of the Carolina Pride Carwash Building to service PCC's southern campus. He stated that the property has a tax value of \$1.8M. He stated that the college owns plenty of land at its existing campus for future expansion. He stated that a few years ago, money was spent wisely to set up Person Early College. He stated that expansion was cost effective. He stated that if you go forward with this proposed new purchase, it would likely be thousands of dollars in expenditures to retrofit the building for use, as well as hundreds of thousands of dollars for maintenance and upkeep. He stated that this purchase is a bad idea for Person County and money would be better suited spent on updating the current PCC facility.

Chris Weaver of 342 Satterfield Farm Road, Timberlake spoke in reference to a project in Woodsdale that is being developed. He stated the public needs to know how all of this came about, and who is spending whose money. He stated that we do not need cronyism or nepotism in our county. He stated that we need to step out of the 19<sup>th</sup> century and move forward with honesty and integrity.

Jim Senter of 41 Potluck Farm Road, Rougemont stated that he was at the December 4, 2023 meeting, he is a tax -paying resident of Person County, and that he was not paid to be at the meeting. He read an excerpt from the *Courier-Times*, from his neighbor Vonda Frantz, who wrote a letter to the editor.

Patrick Riley of 256 Hicks Yarboro Road, Roxboro spoke on matters related to Dominion Energy's Moriah Energy Center. He stated that the location of the site is far enough away from his residence and his opinion is neither yay nor nay. He stated that all the relevant facts should be considered allowing the decision making process to be honest and fair. He stated facts obtained from the Encyclopedia Britannica in reference to liquefied natural gas and the effects it may cause.

Katie Moore of 411 North Lamar Street, Roxboro stated that she attended the December 4, 2023 meeting. She stated that she was not paid to be at the meeting, nor were the people around her. She stated that the only people in the room paid to be there, was Dominion Energy. She stated that she has spent over a decade working as a scientist and researcher supporting communities that live next to oil and gas facilities, mostly in Texas and Louisiana. She stated that she has seen communities destroyed by oil and gas. She had concerns about the safety and the effect that a liquefied natural gas facility would have on this community. She advised everyone to learn more about this topic and to reach out to members of the Person County Community Action Network.

Jill Hoffman of 260 BC Way, Rougemont stated that she is less than a mile from the proposed liquefied natural gas facility. She stated that she was at the December 4, 2023 meeting as a concerned citizen, and was not paid to be at the meeting. She stated that she has concerns about the effects of the liquefied natural gas, to include, health and pollution.

Andrea Childers of 270 Blackberry Lane, Rougemont stated that she has lived in Person County for 31 years. She asked the Board to reverse the rezoning decision made on December 4, 2023 of 480 acres from Rural Conservation to Industrial for the Moriah Energy Center. She stated that if the rezoning reversal request is denied, the residents of this community deserve to be informed of the details of construction of the Moriah Energy Center, and need more consistent communication from Dominion Energy and the Board of County Commissioners. She stated that the residents still have many unanswered questions; therefore, the residents would like the Board of County Commissioners and representatives from Dominion Energy to have a panel set up to answer one-on-one questions from residents.

Cutch Winstead of 82 Woodspryte Hollow Road, Timberlake stated that he has lived at his current residence for 25 years, and has been a resident of Person County for 70 years. He stated that he was at the December 4, 2023 meeting and was not paid to be there.

Jim Dykes of 548 Potluck Farm Road, Rougemont stated that he is a retired family physician and now a farmer. He stated that he owns a farm 1,000 feet from the proposed Moriah Energy Center. He stated that he was at the December 4, 2023 meeting, and spoke in opposition to the rezoning. He stated he was not paid to be there.

PJ Gentry of 541 Byrd Creek Lane, Hurdle Mills stated the issue with Moriah Energy Center was handled poorly, which is a concern to her. She stated another issue of concern is the amount of closed sessions the Board goes in to. She stated that is reason for concern. She discussed issues pertaining to PCBIC and the EDC.

#### **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 December 21, 2023,
- B. Approval of Minutes of December 26, 2023,
- C. Approval of Minutes of January 2, 2024,
- D. Approval of Minutes of January 16, 2024,
- E. Resolution Approving Review Officers,
- F. Written Order for SUP-05-23 - A request by the Applicant and Property Owner, Brandon Patrick/Patrick Properties Management, LLC, for Special Use Permit approval on a ±2.0-acre lot (Tax Map No. A3 158) located at the southwest corner of the Semora Rd. and Skylark Dr. intersection to allow for open storage within a B-2 (Neighborhood Shopping) zoning district, per Section 155 of the Planning Ordinance,
- G. Budget Amendment # 17,
- H. Report of Unpaid 2023 Taxes,
- I. Advertisement of Unpaid 2023 Real Estate Taxes, and
- J. Tax Adjustments for February 2024
  - a) Tax Releases
  - b) NC Vehicle Tax System Pending Refunds

## NEW BUSINESS:

### FY24 ISO FIRE RATING REDUCTION BONUSES

Presented by Division Chief Shawn Bradsher. He stated that the Board of Commissioners established a process to reward fire departments for their efforts to lower the ISO fire rating for the county's rural fire districts by awarding a recurring \$7,500 from the Fire Tax District Fund for each ISO fire rating point reduction achieved. He stated that reduced ISO fire ratings demonstrated an improvement in how well the fire departments can protect the community and result in savings to county residents on their homeowner's insurance. He stated that previously, the following volunteer fire departments in Person County have lowered their ISO ratings and received bonuses: Allensville VFD, Hurdle Mills VFD, Timberlake VFR and Semora VFD. He stated that the City of Roxboro Fire Department has also lowered their ISO rating, which greatly benefits Person County residents as they provide primary fire coverage to a significant section of County rural fire district area. He stated that effective January 1, 2024; the following three fire departments have lowered their ISO fire ratings:

Fire Department	Current ISO Rating	ISO Rating Effective 1/1/24	Bonus
Ceffo VFD	9E	4/9E	\$37,500
Moriah VFD	9E	4/9E	\$37,500
Triple Springs VFD	9E	5/9E	\$30,000

He stated that the contract addenda will be executed and the bonuses will be added to the departments' FY24 Fire Tax District Fund allocation. He stated that the FY24 Fire Tax District budget includes \$266,253 in the unallocated line item. He stated that a budget transfer will reduce the unallocated amount by \$105,000 to award funding for ISO fire rating reduction bonuses to the three departments identified above. He asked the Board to consider approving the Contract addenda and award bonuses to the three fire departments.

Commissioner Sims stated that this is not easy work for the Fire Department to do, it is a lot of hard work, and he commended them for their service and dedication. Chairman Powell expressed thanks to the members of the VFD's in attendance and thanked them for all their hard work.

A **motion** was made by Commissioner Sims and **carried 5-0** to approve Contract Addenda and Award Bonuses.



## First Addendum to Fire Protection Services Contract for Triple Springs Volunteer Fire Department

An Agreement was made by and between the County of Person, North Carolina, whose address is 304 S. Morgan Street, Room 212, Roxboro, NC 27573 and Triple Springs Volunteer Fire Department, whose address is 185 Olive Branch Road, Roxboro, NC 27574 on the 1<sup>st</sup> day of July, 2023 (hereinafter referred to as "original stated contract") sets out a modification as follows:

WHEREAS, the parties wish to modify the terms of the original stated contract as set forth herein;  
and

WHEREAS, the original stated contract outlines the annual county appropriation of \$142,800.00;  
and

WHEREAS, the Board of Commissioners desires to reward the Triple Springs Volunteer Fire Department for its efforts in lowering the ISO fire rating for its district by \$7,500 for each ISO fire rating point reduction achieved;

WHEREAS, the Triple Springs Volunteer Fire Department District's ISO fire rating was reduced from a 9E to a 5 effective January 1, 2024; and

WHEREAS, this fire rating ISO reduction supplemental local funding will be recurring as long as the District's ISO fire rating remains at a 5; any changes in the ISO fire rating will result in a change in the local funding.

NOW THEREFORE, in consideration of the mutual promises herein, the parties, intending to be legally bound, hereby agree that the following constitutes additional terms and conditions of the stated original stated contract.

Modification Item 1: The yearly disbursement of funds, as of January 1, 2024, has increased by \$30,000 from \$142,800 to \$172,800. This disbursement is approved on a year-to-year basis by the Person County Board of Commissioners. The Board of Commissioners has the authority to change the annual appropriation of fire services funding at any time.

The parties reaffirm no other terms or conditions of the above mentioned original contract not hereby otherwise modified or amended shall be negated or changed as a result of this here stated addendum.

**February 5, 2024**

In witness whereof, the parties have hereunto set their hands and seals, by authority duly given, on the day and year first above written.



**PERSON COUNTY**

Katherine M. Cathey  
Katherine Cathey, County Manager  
Date Signed: 2-6-24

Michelle Solomon  
Michelle Solomon,  
Clerk to the Board

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

Amy Wehberg  
Amy Wehberg, Finance Officer  
Date Signed: 2-5-24

**TRIPLE SPRINGS VOLUNTEER FIRE DEPARTMENT**

Dan Fuorke  
Triple Springs VFD Board President  
Date Signed: 2-9-24

Attest:

[Signature]  
Triple Springs VFD Board Secretary

**February 5, 2024**

## First Addendum to Fire Protection Services Contract for Moriah Volunteer Fire Department

An Agreement was made by and between the County of Person, North Carolina, whose address is 304 S. Morgan Street, Room 212, Roxboro, NC 27573 and Moriah Volunteer Fire Department, whose address is 6005 Mt. Harmony Church Road, Rougemont, NC 27572 on the 1<sup>st</sup> day of July, 2023 (hereinafter referred to as "original stated contract") sets out a modification as follows:

WHEREAS, the parties wish to modify the terms of the original stated contract as set forth herein;  
and

WHEREAS, the original stated contract outlines the annual county appropriation of \$141,380.16;  
and

WHEREAS, the Board of Commissioners desires to reward the Moriah Volunteer Fire Department for its efforts in lowering the ISO fire rating for its district by \$7,500 for each ISO fire rating point reduction achieved;

WHEREAS, the Moriah Volunteer Fire Department District's ISO fire rating was reduced from a 9E to a 4 effective January 1, 2024; and

WHEREAS, this fire rating ISO reduction supplemental local funding will be recurring as long as the District's ISO fire rating remains at a 4; any changes in the ISO fire rating will result in a change in the local funding.

NOW THEREFORE, in consideration of the mutual promises herein, the parties, intending to be legally bound, hereby agree that the following constitutes additional terms and conditions of the stated original stated contract.

Modification Item 1: The yearly disbursement of funds, as of January 1, 2024, has increased by \$37,500 from \$141,380.16 to \$178,880.16. This disbursement is approved on a year-to-year basis by the Person County Board of Commissioners. The Board of Commissioners has the authority to change the annual appropriation of fire services funding at any time.

The parties reaffirm no other terms or conditions of the above mentioned original contract not hereby otherwise modified or amended shall be negated or changed as a result of this here stated addendum.

**February 5, 2024**

In witness whereof, the parties have hereunto set their hands and seals, by authority duly given, on the day and year first above written.



Attest:

**PERSON COUNTY**

Katherine M. Cathey  
Katherine Cathey, County Manager  
Date Signed: 2-6-24

Michelle Solomon  
Michelle Solomon,  
Clerk to the Board

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

Amy Wehrenberg  
Amy Wehrenberg, Finance Officer  
Date Signed: 2-5-24

**MORIAH VOLUNTEER FIRE DEPARTMENT**

Isabelle M. Dahly  
Moriah VFD Board President  
Date Signed: 2/7/2024

Attest:

[Signature]  
Moriah VFD Board Secretary

**February 5, 2024**

## First Addendum to Fire Protection Services Contract for Ceffo Volunteer Fire Department

An Agreement was made by and between the County of Person, North Carolina, whose address is 304 S. Morgan Street, Room 212, Roxboro, NC 27573 and Ceffo Volunteer Fire Department, whose address is 1291 Concord-Ceffo Road, Roxboro, NC 27574 on the 1<sup>st</sup> day of July, 2023 (hereinafter referred to as "original stated contract") sets out a modification as follows:

WHEREAS, the parties wish to modify the terms of the original stated contract as set forth herein;  
and

WHEREAS, the original stated contract outlines the annual county appropriation of \$187,299.54  
; and

WHEREAS, the Board of Commissioners desires to reward the Ceffo Volunteer Fire Department for its efforts in lowering the ISO fire rating for its district by \$7,500 for each ISO fire rating point reduction achieved;

WHEREAS, the Ceffo Volunteer Fire Department District's ISO fire rating was reduced from a 9E to a 4 effective January 1, 2024; and

WHEREAS, this fire rating ISO reduction supplemental local funding will be recurring as long as the District's ISO fire rating remains at a 4; any changes in the ISO fire rating will result in a change in the local funding.

NOW THEREFORE, in consideration of the mutual promises herein, the parties, intending to be legally bound, hereby agree that the following constitutes additional terms and conditions of the stated original stated contract.

Modification Item 1: The yearly disbursement of funds, as of January 1, 2024, has increased by \$37,500 from \$187,299.54 to \$224,799.54. This disbursement is approved on a year-to-year basis by the Person County Board of Commissioners. The Board of Commissioners has the authority to change the annual appropriation of fire services funding at any time.

The parties reaffirm no other terms or conditions of the above mentioned original contract not hereby otherwise modified or amended shall be negated or changed as a result of this here stated addendum.

**February 5, 2024**

In witness whereof, the parties have hereunto set their hands and seals, by authority duly given, on the day and year first above written.



**PERSON COUNTY**

Katherine M. Cathey  
Katherine Cathey, County Manager  
Date Signed: 2-6-24

Michelle Solomon  
Michelle Solomon,  
Clerk to the Board

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

Amy Wehrenberg  
Amy Wehrenberg, Finance Officer  
Date Signed: 2-5-24

**CEFFO VOLUNTEER FIRE DEPARTMENT**

Edna Horrell  
Ceffo VFD Board President  
Date Signed: 2-7-2024

Attest:

Paul W. Powell  
Ceffo VFD Board Secretary

**February 5, 2024**

## **RESOLUTION IN SUPPORT OF DUKE ENERGY**

Chairman Powell read the Resolution in Support of Duke Energy.

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve a Resolution in Support of Duke Energy.

Chairman Powell presented the Resolution in Support of Duke Energy to Elizabeth Townsend, a representative from Duke Energy. Townsend thanked the Board for the Resolution and stated Duke Energy is very appreciative to Person County and looks forward to the continued partnership.



### **Resolution of Support for Duke Energy in Person County**

**WHEREAS**, Duke Energy is an important part of Person County, being a strong and consistent presence in our community since operations at the Roxboro Plant began in 1966 followed by the Mayo Plant in 1983, and

**WHEREAS**, Duke Energy contributes significantly to Person County as one of the largest employers and the largest taxpayer, Duke Energy employees and their families are active members of the community, and the Duke Energy Foundation supports many vital organizations through grants, and

**WHEREAS**, House Bill 951 requires Duke Energy to cut carbon emissions, and Person County is supportive of these goals, encouraging replacement generation at its retiring coal plants, and

**WHEREAS**, Person County supports Duke Energy's plans to construct and operate two combined cycle power plants, following its "replace-before-retire" strategy at the Roxboro Plant and to continue exploring options for small modular reactors (nuclear), long-term battery storage and other innovative solutions to make the most of the existing infrastructure in Person County, and

**WHEREAS**, it is critical to the future of Person County's economy to maintain Duke Energy's place in our community where it will be able to successfully generate clean, reliable and cost-effective power for North Carolina's growing population for decades to come.

**NOW, THEREFORE, BE IT RESOLVED** by the Person County Board of Commissioners that Person County supports Duke Energy's plans to site two combined cycle power plants at the Roxboro Plant and to continue exploring options for other innovative solutions for generating clean and reliable power in Person County.

**RESOLVED** this the 5<sup>th</sup> day of February, 2024.

  
Gordon Powell, Chairman

**ATTEST:**

  
Michele Solomon, Clerk to the Board



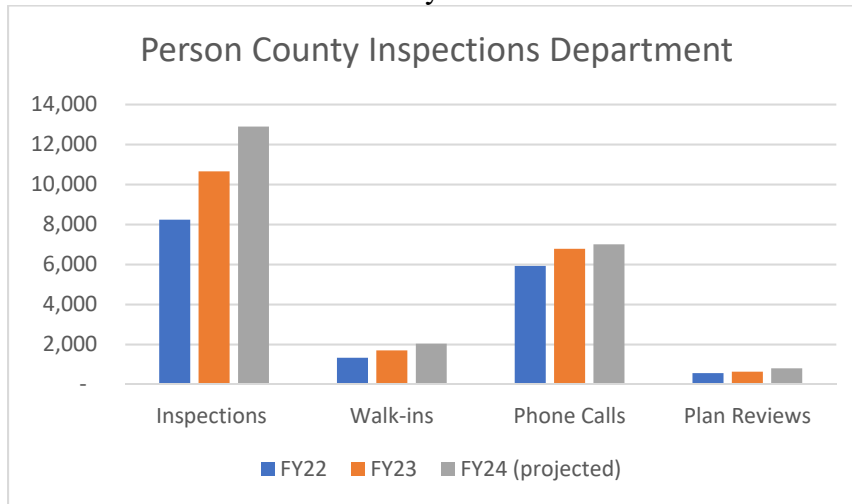
**February 5, 2024**



## ADDITION OF BUILDING CODE ENFORCEMENT OFFICER POSITION

Presented by Building Inspections Director Dale Tillman. He stated that the addition of a one full-time Building Code Enforcement Officer position is proposed due to the increasing volume of work and the projected growth in residential development within Person County, including the City of Roxboro. He stated, in FY23, the Inspections Department staff completed 10,657 inspections and permitted 205 new single-family dwellings. He stated that this was an increase of 2,410 inspections and 97 single-family dwellings from the year before.

The chart below shows the steady increase in workload over three fiscal years.



He stated, based on the ISO Building Code Effectiveness Grading Schedule report, the State of North Carolina recommends that one inspector conduct no more than an average of 15 inspections in one day and an estimated 2,333 inspections in a year. He stated that based on these recommendations and projected inspections for FY24, the Person County Inspections Department should have 5.5 full-time Code Enforcement Officer Positions. He stated that we currently have 4.0 positions responsible for inspections, to include, one Inspections Director, one Chief Code Enforcement Officer, and two Building Code Enforcement Officers. He stated that approximately 40% of the Inspections Director's time is devoted to overseeing the operations of the department and 60% to work in the field. He stated that the addition of another Code Enforcement Officer position would bring the total number of inspector positions closer to the recommendation. He stated that proposed projects have the potential to bring more than 1,700 new residential units to the City of Roxboro. He stated that the estimated salary and benefits costs for the new position are \$21,294 for the remainder of FY24, and additional operating costs, which include supplies, computer, furniture, vehicle, etc., total \$60,700. He stated that a fund balance appropriation would cover these costs.

Tillman stated at the end of each fiscal year, the County reports Inspections revenues and expenditures to the State, and the State expects expenditures to exceed revenues. He stated, for the past two years, the Inspections Department has had a revenue surplus, and a surplus is anticipated again this year. He stated the surplus for FY22 was \$120,743, and it was \$35,543 for FY23. He stated the projected surplus for FY24 is \$10,000. He stated that since these surplus revenues have already been accounted for in the General Fund balance, a fund balance appropriation would cover the cost of the new position in FY24, and reduce the cumulative surplus at yearend. He stated that he is asking the Board to approve the addition of one full-time Building Code Enforcement Officer position to be effective March 1, 2024, and a fund balance appropriation for \$81,994.

A **motion** was made by Commissioner Palmer and **carried 5-0** to approve the addition of one full time Building Code Enforcement Officer.

### **PUBLIC RECORDS REQUEST POLICY**

Assistant County Manager Brian Hart presented. He stated that the Public Records Request Policy provides the process by which Person County Government will receive, review, and respond to public records requests. He stated that the purpose of the Public Records Request Policy would aid in determining what is a public record, the protocol for updates and responses from requesters, a general protocol for determining which department(s) need to respond, and how the County Manager's office, County Attorney, and other relevant staff respond to public records requests. He stated that this policy became a necessity due to the overwhelming responses for requests received over the past 18 months. He stated that over that the County has received 208 public records requests since they began tracking them in May 2022. He stated that with this new policy, it would include the implementation and use of a public record liaison system, where designated staff member(s) would assist with responding to the requests. He stated that the policy stipulates a timeframe for which to acknowledge requests within two business days and then provide a full response within ten business days. He stated the policy adheres to NC General Statutes to allow a special service charge to be implemented for certain items and situations. He stated that the policy has been reviewed by the County Attorney and that he has received input from other County Staff.

A **motion** was made by Commissioner Sims and **carried 5-0** to adopt Public Records Request Policy.



## **PERSON COUNTY GOVERNMENT**

### **PUBLIC RECORDS REQUEST POLICY**

(Adopted February 5<sup>th</sup>, 2024)

BE IT RESOLVED by the Board of County Commissioners for Person County that the following policy and process applies to the receipt, review and processing of public records requests submitted to Person County Government.

#### **Table of Contents**

- I.** Purpose
- II.** Public Records
- III.** Responsibility for Records
- IV.** Retention and Disposition of Public Records
- V.** Records Request

## **PUBLIC RECORDS REQUESTS POLICY**

### **I. PURPOSE**

The purpose of this policy is to aid in determining what is a public record, protocol for updates and responses for requestors, general protocol for determining which departments need to respond, and protocol for how the County Manager's Office, County Attorney and other relevant staff are to be used in responding to public records requests, among other items listed below. It is the policy of Person County Government to comply with all requests for public records in accordance with the law. Public records are the property of the people.

### **II. PUBLIC RECORDS**

#### **1. Public Records Defined**

North Carolina General Statute (NCGS) 132-1(a) defines public records as "all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, regardless of physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions. Agency of North Carolina government or its subdivisions shall mean and include every public office, public officer or official (State or local, elected or appointed), institution, board, commission, bureau, council, department, authority or other unit of government of the State or of any county, unit, special district or other political subdivision of government."

According to NCGS 132-6.2(e), "Nothing in this section shall be construed to require a public agency to respond to a request for a copy of a public record by creating or compiling a record that does not exist." Requestors should be aware that the Public Records Policy does not require the County to do research, analyze data, or answer written questions. Public records requests shall not replace administrative processes for land due diligence review, such as zoning verification letters and environmental site assessments.

#### **2. Protected Records**

All records maintained by Person County Government are public unless they are exempt from disclosure under North Carolina Public Records Law. If a records request is denied, the County will cite the appropriate law that prohibits the disclosure.

Exempted records include, but are not limited to:

- Some confidential communications from the attorney to the client within the scope of the attorney-client relationship and as set forth in NCGS 132-1.1(a).
- Criminal investigation records and records of criminal intelligence information, as provided in NCGS 132-1.4 (active and closed investigations).
- Sensitive public security information, including specific details of public security plans and arrangements, detailed plans and drawings of public buildings and infrastructure facilities, and certain plans to prevent and respond to terrorist activity, as provided in NCGS 132-1.7, and technology security information, as provided in NCGS 132-6.1.
- Records of minors per NCGS 132-1.4, 132-1.12, and 7B-2901.

- All information contained in County employees' personnel files maintained by the County is confidential in accordance with NCGS 153A-98, except information deemed by NCGS 153A-98(b) to be a matter of public record. These rules apply to personnel information for applicants, current employees, and former employees.
- Tax information pertaining to a taxpayer's income or gross receipts may not be disclosed, as provided in NCGS 132-1.1(b).
- Social security numbers and other personal identifying information is confidential and unlawful to disclose to the public. In addition to social security numbers, "personal identifying information" includes: employer taxpayer identification numbers; drivers' license numbers, state identification card numbers, and passport numbers; checking, savings, credit, and debit account numbers; personal identification code (PIN) numbers used to access financial resources; digital signatures; any other numbers or information that can be used to access a person's financial resources; biometric data; fingerprints; and passwords, all as provided in NCGS 132-1.10, NCGS 75-61, and NCGS 14-113.20.
- Certain information collected by soil and water conservation districts from farm owners, animal owners, agricultural producers or owners of agricultural land that is confidential under federal or state law as set forth in NCGS 139-8.2.
- Trade secrets and electronic payment account numbers are protected as set forth in NCGS 132-1.2. (Note that to protect a "trade secret" detailed requirements must be met.)
- The seal of an architect, engineer, or land surveyor when that seal has been submitted for project approval under Part 5 of Article 19, Chapter 160A (Building Inspections) as set forth in NCGS 132-1.2.
- Certain "trial preparation materials" are protected as provided in NCGS 132-1.9. If records are created for or at the request of an attorney for the County when the County is engaged in litigation or litigation is anticipated, these records are likely protected "trial preparation materials." The County Attorney should be consulted if there is a request for such records.
- Names and addresses of complaining witnesses to crimes must be temporarily withheld if release of the information is reasonably likely to pose certain threats to the witnesses or materially compromise the investigation, as provided in NCGS 132-1.4.
- Certain economic development incentives and public records relating to the proposed expansion or location of specific business or industrial projects are temporarily protected, but the County must make certain prior disclosures to applicants, as provided in NCGS 132-1.11 and NCGS 132-6(d).
- Closed session meeting minutes that are deemed protected under NCGS 143-318.10(e).
- Public enterprise billing information, as provided in NCGS 132-1.1(c).
- Records protected by copyright. The County must permit inspection of records protected by copyright, but cannot make copies of copyrighted records, pursuant to 17 U.S.C. § 106(1).

### **III. RESPONSIBILITY FOR RECORDS**

The County department that is the custodian of the requested record will be assigned the public information request. Each County department will have a departmental liaison who assists with gathering information, preparing responses and communicating with management, IT, the County Attorney and requestors, as needed. The County Attorney will be involved in requests where they are the custodian of the records or where legal determinations need to be made.

Person County employees who assist in providing information to public records requests will be required to complete formal training in public information request protocol and public records law.



#### **IV. RETENTION AND DISPOSITION OF PUBLIC RECORDS**

North Carolina's Public Records law requires that public records in all formats be managed in a manner that protects their integrity and allows public inspection and copying. Except for public records that are retained in office permanently, such as the minutes of the Board of Commissioners, the County may destroy public records, both physical and digital, after the records are retained for the correct time periods in the records retention schedules published by the North Carolina Department of Natural and Cultural Resources and approved by the Person County Board of Commissioners.

#### **V. RECORDS REQUESTS**

##### **1. Responding to a Public Records Request**

According to NCGS 132-6(a), "Every custodian of public records shall permit any record in the custodian's custody to be inspected and examined at reasonable times and under reasonable supervision by any person, and shall, as promptly as possible, furnish copies thereof upon payment of any fees as may be prescribed by law."

A public records request can be placed with any County employee or department; however, for the best accountability and turnaround time, the County recommends submitting the Public Records Request Form directly to the County website at <https://www.personcountync.gov/government/public-records-information/public-records-request-form>. Please describe the information you are seeking, including as much detail as possible and the format in which you would like to receive copies of records.

The County will work on a timely, thorough, and transparent response to all records requests. In accordance with NCGS 132-6.2(d), however, County staff are not required "to respond to requests for copies of public records outside of its usual business hours". The requestor will, however, receive an email response acknowledging the request within two business days after submission of the Public Records Request Form that informs the requestor of next steps and advises them to take into account the volume of records requested. If additional information is required before beginning to process the request, the requestor will be contacted via email. Additionally, within ten (10) business days of receipt of the initial records request, the County will respond by:

- providing copies of the records in digital or physical format, or providing access to the records;
- if there are no responsive records, providing a written statement that a search was made, no responsive records were located, and/or providing the requestor with additional information or resources for how information related to their request may be obtained;
- if the responsive records are exempt from the Public Records law, either denying access to the entire records or providing the records with the exempt information redacted;
- informing the requestor that more time is needed and providing an estimated deadline for the response; or
- if records are exempt, the County will provide the legal justification for denial of access to the records.

If the County makes a follow-up inquiry to clarify the scope of the request and no response is provided within ten (10) business days, the County will proceed to provide the records that are clearly within the scope of the request. Failure to respond to a follow-up inquiry may result in a delay in the provision of records or in an incomplete response being provided by the County.

##### **2. Responding to Requests for Emails and Other Digital Communications**

Upon receipt of a public records request for emails, the County will work with the requestor and IT Department to determine the appropriate search keywords and date range for a search of the County's email and documents archive. County employees will review identified emails and other requested documents. As with other records that are exempt from disclosure under state or federal laws, County staff may consult with the County Attorney regarding denying access to protected emails and other documents. When necessary, the County will request communications or documents from Commissioners or other members of appointed boards that may not be maintained in the County's technology systems for appropriate requests.

### **3. Redacting Protected Information**

If the content of a record is partially public and responsive to the request and partially exempt, the exempt portion of the content will be redacted. Redaction is "the process of masking or removing sensitive information in a document before releasing it for public use" (ARMA International, Glossary of Records Management and Information Governance Terms, 5th ed., 2016).

### **4. Special Service Charge for Producing Records**

In most cases, public records are easily retrievable and provided electronically via email at no cost to the County or requestor. Pursuant to NCGS 132-6.2(b), a special service charge can be applied "if the request is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or if producing the record in the medium requested results in a greater use of information technology resources than that established by the agency for reproduction of the volume of information requested ..." The special service charge "shall be reasonable and shall be based on the actual cost incurred for such extensive use of information technology resources or the labor costs of the personnel providing the services, or for a greater use of information technology resources that is actually incurred by the agency or attributable to the agency" (NCGS 132-6.2(b)).

The special service charge will be applied when searching, retrieving, copying, and refiling records for a public records request or a group of requests submitted by a single requestor the same business day requires more than four (4) hours of an Information Technology Department employee's time or more than four (4) hours of clerical or supervisory assistance. The requestor will not be charged for time spent redacting confidential information. The special service charge will be the hourly rate in accordance with the lowest paid employee who would be conducting the work.

Copies of paper plan sets or oversized materials not stored electronically, may also incur a special service charge.

The County will provide the requestor with a written estimate and extend the option of the requestor to pay the charge or be granted the opportunity to narrow the scope of the request to reduce or avoid the service charge. The requestor is required to pay the County Finance Department in advance of fulfillment of the request. If the time taken exceeds the estimate, an additional payment will be required. Unused portions of the deposited funds will be refunded. Payment can be made in-person or by check made payable to "Person County Government" mailed to:

Person County Government  
Finance Department  
304 South Morgan Street  
Roxboro, North Carolina 27573

If the requestor wishes to dispute the special service charge, they may ask the County Manager to reduce or waive the fee, which the County Manager may do as they deem reasonable and/or appropriate.

#### **5. Disputing a Records Request and Appeals Process**

If a requestor has a concern or complaint regarding the initial response sent, the County asks that the requestor first contact the County Manager's Office to file a complaint within ten (10) business days of receiving the response to the public records request. The first appeal will be submitted to the Assistant County Manager or their designee, who will review the records request, the information provided, and the dispute, and make a determination based on the appeal request. If further actions are requested beyond the first step, the appeal can be presented to the County Manager or their designee for review and determination.



## **PURCHASE OF THE CAROLINA PRIDE CARWASH BUILDING**

County Manager Katherine Cathey stated that Piedmont Community College (PCC) has made a request to the Board of Commissioners to purchase the Carolina Pride Carwash Building, located at 225 Crown Blvd Timberlake. She stated that PCC would relocate several of their programs to the proposed building, as they have outgrown the current space at the PCC campus. She stated that the location of the proposed building is along the 501 corridor and it would provide easy access and visibility for perspective students. She stated the purchase price for the building is \$7M. She stated that PCC received a \$5M allocation from the State in this year's budget, to be used for capital as well as equipment needs for an Advanced Technology Center. She stated that the money PCC received would assist in the purchase of the building and for up fits and equipment. She stated that the County would contribute funds just over \$5M towards the purchase price after PCC contribution. She stated that she signed a non-binding Memorandum of Understanding (MOU) on January 19, 2024, following Board discussion on this topic in negotiating the purchase of the property. She stated that based on that MOU, the County received a draft Purchase and Sale Agreement from the property owner, and the agreement has been reviewed by the County Attorney. She advised the Board they each have a hard copy before them for consideration. She turned the presentation over to Dr. Pamela Senegal.

Piedmont Community College President Dr. Pamela Senegal presented the following.



## Opportunity

- Purchase 91,000 square feet at the Carolina Pride Carwash building located at 225 Crown Blvd. Timberlake, NC
  - PCC contributing \$1,835,000 (from a legislative allocation of \$5 million from the project)
  - Person County contributing \$5,165,000



## Benefits

- Prepare our region's workforce
- Convenient location
- Visibility from Hwy 501, with traffic counts of 15,000+ cars daily
- Estimated growth rate of **7%** in enrollments
- Enable us to respond to immediate emerging industry needs

## New Construction Costs

New Construction – High (2019)	New Construction – Low (2019)
\$30,725,000	\$18,365,000

New construction costs were estimated for a 40,000 square foot building.

## Current Facilities - Health

- During the 2022 NC Board of Nursing review, described our simulation and training spaces as "**inadequate.**"
- Unlikely to be reaffirmed without additional facility investments.
- Current class of **58 first year** Nursing students is our largest class.
- Received approval to add **LPN** program, additional **38** students Spring **2024**.



Dr. Senegal sheared that the Board of Nursing described faculty, quality of instruction and student outcomes as top notch, but they were not pleased with PCC's facilities. Current health programs are spread out across five different buildings and there are no spaces large enough for simulations and classroom instruction. PCC is using community meeting rooms for nursing instruction and paying for small lab instruction due to space constraints.

## Future Facilities - Health

- Associate Degree Nursing
- Licensed Practical Nursing
- Medical Assisting
- Nursing Assistant
- Paramedic/EMT

These programs will all have an opportunity to train in a world-class hospital simulation facility. There will be space for the addition of new health programs under consideration.

As of today, we have obtained over \$750K in grant funds for medical simulation equipment and staffing that can be used towards this facility.



## Current Facilities - Advanced Technology



PCC's advanced manufacturing and trades spaces have not been upgraded since the 1970's when the campus was originally built.

## Future Facilities - Advanced Technology



PCC's welding and advanced manufacturing spaces could be upgraded and modernized, increasing the number of students served in a safer setting.

## CHATT Programs

Health	Advanced Manufacturing	Trades
Associate Degree Nursing	Welding	Electrical
Licensed Practical Nursing	Mechatronics	Plumbing
Health Simulation Lab	Electrical Power Production	HVAC
Medical Assisting	Industrial Systems	CDL
Nursing Assistant	Information Technology	Forklift & OSHA

February 5, 2024



## CIP Proposal by the Numbers

- HH Architecture conducted an initial cost estimate for the renovation between \$16.6 million and \$19.6 million.
- PCC facility staff have reviewed the estimate and have instead recommended **\$13 million over five years to produce a world-class facility.**
- We will partner with the county, industry, our legislative delegation and grantors to secure these funds, but have noted the need for them in our CIP request to make clear the total project scope.

## Questions



PCC Board of Trustee Phillip Allen stated that he has been on the Board of Trustees for the past 12 years. He stated that PCC has been around for almost 55 years. He stated that in 1969, legislators introduced a local bill that created Person Technical Institute. He stated a bond was past after much public lobbying in the 1970's, to support and fund the building and construction of PCC at its current campus. He stated that the current campus is about 45 years old, and has a lot of wear and tear. He stated that the current campus is tucked away in a remote area and needs additional space to address our workforce development needs. He stated that in the 1980's 501 S was developed. He stated that once 501 S was constructed, an airport and industrial center were built. He stated that the southern part of the county is the ideal place for advancing PCC and increasing the county's workforce development. He asked the Board to please support this project.

Cathey advised the Board of provisions in the Purchase and Sale Agreement. She stated that the stipulated closing date is August 31, 2024. She stated that date is the timeframe identified to be able to work through the process of completing due diligence, and to make sure all studies and analysis are completed, to ensure that this is the purchase that the County wants to proceed with. She stated, in addition, the County will be going through a process to finance the purchase through the issuance of debt and that requires going before the Local Government Commission (LGC) for approval. She stated that the County's financial advisors have worked with the County to determine that this debt can be included within the County's debt model without an impact on the County tax rate, and that there would be no need to raise taxes for this purchase. She stated that the earliest that the County can go before the LGC for consideration of the County's application would be the LGC's June meeting. She stated based on that, the earliest the County could close on the purchase of the building would be July 10, 2024. She stated that the Purchase and Sales Agreement requires a \$100K deposit within three days of the agreement being finalized. She stated that the deposit is held during the due diligence period which is defined as through April 30, 2024. She stated during that timeframe the County would be conducting the studies and completing the necessary paperwork needed in order to go to the LGC. She stated the County anticipated everything would be completed by April 30, 2024. She stated that one provision within the Purchase and Sales Agreement, beginning May 1, 2024, if closing has not occurred, the County would be responsible for making lease payments to the owner of the building, Dale Reynolds. She stated that the current tenant had been responsible and would continue to make the lease payment through April 30, 2024. She stated that if the County enters in to agreement for purchase, this is affecting the current tenant from subletting the property to someone else, therefore ultimately making the County responsible for the lease payments, which come out of the \$100K deposit for the months of May, June, July, and up to August if the closing date occurs after August 31, 2024. She stated that if the Board approves the Purchase and Sales Agreement, a public hearing would be held on the financing.

Commissioner Sims stated that the Board has been talking about this for several meetings now, in closed session. He stated that he would like for the Board to table making any vote until the next meeting, as the public needs to have an opportunity to look at the Purchase and Sales Agreement, and they need to be heard. He thanked Dr. Senegal for her presentation. Commissioner Palmer and Puryear both expressed that the existing PCC campus is old and in need of repairs and updates.

Dale Reynolds owner of the Carolina Pride Carwash Building stated that he wanted to clarify since there has been some confusion, the \$100K deposit would be applied towards the purchase price if the LGC approves it, any time before August 31, 2024. He stated that if it does not get approved through the LGC, that is when the County becomes responsible for the lease payments, deducted from the \$100K deposit.

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve the Purchase and Sales Agreement with the partnership between Piedmont Community College and Person County Government for the Carolina Pride Carwash Building.

#### **UPDATE ON TRANSITION TO A CONSOLIDATED HUMAN SERVICES DEPARTMENT**

Presented by County Manager Katherine Cathey. She stated that at the direction of the Board, she was asked to provide an update on the transition to moving the Department of Social Services (DSS) and Veteran Services to the Consolidated Human Services Agency. She stated the effective date is April 15, 2024. She stated that there were five steps outlined in the resolution the Board approved on January 16, 2024. She stated that the DSS Board would continue to meet as scheduled. She stated that she has met with DSS supervisors for a question/answer session and for them to express any concerns they had in reference to the consolidation. She stated that one suggestion that came out of the meeting was an orientation to be held with the Board to include DSS management staff and others who are interested in participating. She stated that this would be open to the public, and prior to April 15, 2024. She stated that she has spoken with DSS Director Carlton Paylor about scheduling two meetings, which would be with all DSS employees and HR to address any questions or concerns that they may have. She stated that the Veteran Services Officer (VSO) transitioned to full-time on January 26, 2024. She stated that that the County is continuing to evaluate the space in the Human Services Building to accommodate both Medicaid expansion and Veteran Services. She stated that the Board of Commissioners will assume the role of the Consolidated Human Services Board effective April 15, 2024. She stated that the Board would need to discuss when they would be meeting as a Consolidated Human Services Board and adopt a schedule of meetings. She stated that the Board would need to provide advice and consent for appointment of the Consolidated Human Services Director. She stated the importance of keeping staffed informed, so the transition will go smoothly.



Chairman Powell stated that this is a good change, that it will now give the County better oversight in DSS day-to-day operations. He suggested the County Manager identify an outside agency to look into the DSS overall operations, a neutral party, apart from the State to better assist the Board with how operations work within DSS. He asked the County Manager to provide an update at the next Board meeting.

**CHAIRMAN'S REPORT:**

Chairman Powell reported that it is good news that Duke Energy announced that they are moving forward with the proposal to construct two plants rather than one plant in Person County and he looks forward to that happening.

**MANAGER'S REPORT:**

County Manager Katherine Cathey had no report.

**COMMISSIONER REPORT/COMMENTS:**

Vice Chairman Sims expressed thanks to all that came out and gave presentations. He stated that during public comments, he thinks there are always accusations that are made during those public comments, which are not always accurate. He stated that the Board does not comment when people make those comments or accusations. He stated that people classify all of the Country Commissioners as one, and they are individuals. He stated that this bothers him. He stated that the Board has had several people speaking during public comments about Dominion Energy and their gas facility. He stated that he toured the Dominion Energy facility in Cary. He stated that he asked many safety questions and looked at many of their safety protocols at that plant. He stated after asking questions and looking over their safety protocols, he felt good about it.

Commissioner Palmer reported that he attended the Chamber of Commerce Banquet at the Homestead, and it was well attended. He stated that the Charters of Freedom glass would be installed on February 6, 2024. He stated that one individual has accused him many times, that he made the comment that not everyone at the December 4, 2023 was from Person County. He stated that he did not say this. He stated that his comment was, the majority was not from Person County.

Commissioner Puryear had no report.

Commissioner Thomas expressed thanks to all in attendance. He expressed thanks to all the volunteer fire departments for their hard work. He reported that the PI groundbreaking ceremony is scheduled for March 4, 2024 at 10 a.m.

**February 5, 2024**

### **CLOSED SESSION #1**

A **motion** was made by Commissioner Palmer and **carried 5-0** to enter into Closed Session # 1 at 9:02 p.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 T.C. Morphis, Jr., General Services Director Ray Foushee, and Finance Director Amy Wehrenberg.

Chairman Powell called the Closed Session #1 to order at 9:03 p.m.

A **motion** was made by Commissioner Sims and **carried 5-0** to return to open session at 9:40 p.m.

### **CLOSED SESSION #2**

A **motion** was made by Commissioner Palmer and **carried 5-0** to enter into Closed Session #2 at 9:42 p.m. per General Statute 143-318.11(a)(6) for the purpose to discuss personnel with the following individuals permitted to attend: County Manager Katherine Cathey, Clerk to the Board Michele Solomon, and County Attorney T.C. Morphis, Jr.

Chairman Powell called the Closed Session # 2 to order at 9:42 p.m.

A **motion** was made by Commissioner Thomas and **carried 5-0** to return to open session at 9:45 p.m.

### **CLOSED SESSION #3**

A **motion** was made by Commissioner Palmer and **carried 5-0** to enter into Closed Session #3 at 9:48 p.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 Manager Katherine Cathey, Clerk to the Board Michele Solomon, County Attorney T.C. Morphis, Jr., and Economic Development Director Brandy Lynch.

Chairman Powell called the Closed Session # 3 to order at 9:48 p.m.

A **motion** was made by Commissioner Sims and **carried 5-0** to return to open session at 10:18 p.m.

A, **motion** was made by Commissioner Sims and **carried 5-0** to approve a contract with ECS for geo-tech work at the County's North Park site.

#### **CLOSED SESSION #4**

A **motion** was made by Commissioner Sims and **carried 5-0** to enter into Closed Session #4 at 10:25 p.m. per General Statute 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 county (economic development) and 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 Manager Katherine Cathey, Clerk to the Board Michele Solomon, County Attorney T.C. Morphis, Jr., Economic Development Director Brandy Lynch, and Economic Development Chairman Phillip Allen.

A **motion** was made by Commissioner Sims and **carried 5-0** to add Sherry Wilborn to the individuals permitted to attend Closed Session #4.

Chairman Powell called the Closed Session # 4 to order at 10:32 p.m.

A **motion** was made by Commissioner Sims and **carried 5-0** to return to open session at 12:06 a.m.

#### **ADJOURNMENT:**

A **motion** was made by Commissioner Sims and **carried 5-0** to adjourn the meeting at 12:07 a.m.

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Michele Solomon  
Clerk to the Board

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Gordon Powell  
Chairman

**February 5, 2024**