

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

April 1, 2024
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
G. Nicholas Herman, County Attorney

The Board of Commissioners for the County of Person, North Carolina, met in regular session on Monday, April 1, 2024 at 6:00 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. Commissioner Sims offered an invocation and Commissioner Palmer led the group in the Pledge of Allegiance.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA

A **motion** was made by Commissioner Palmer and **carried 5-0** to approve the agenda with the addition of Closed Session #1 per General Statute 143-318.11(a)(3) for the purpose to consult with the County Attorney to preserve attorney-client privilege.

PROCLAMATION RECOGNIZING APRIL AS CHILD ABUSE PREVENTION MONTH

Social Services Director Carlton Paylor read a Proclamation recognizing April as Child Abuse Prevention Month.

A **motion** was made by Commissioner Sims and **carried 5-0** to adopt a Proclamation recognizing April as Child Abuse Prevention Month.

April 1, 2024



Proclamation
Child Abuse Prevention Month
April 2024

WHEREAS, children are our state's most vulnerable members and most valuable resources, helping to shape the future of North Carolina; and

WHEREAS, positive childhood experiences (PCES)—like loving caregivers and safe, stable, and nurturing relationships—can help mitigate trauma and the negative impact of adverse childhood experiences (ACES) to promote the social, emotional, and developmental well-being of children; and

WHEREAS, childhood trauma, can have long-term psychological, emotional, and physical effects throughout an individual's lifetime and impact future generations of their family; and is a serious problem affecting every community, and finding solutions requires input and action from everyone; and

WHEREAS, children who live in families with access to concrete economic and social supports are less likely to experience abuse and neglect; and

WHEREAS, preventing child maltreatment is possible because of the partnerships created between families, advocates, child welfare professionals, education, health, community, and faith-based organizations, businesses, law enforcement agencies, and local, state, and national governments; and

WHEREAS, we acknowledge that in order to solve the public health issue of abuse and neglect we must work together to change hearts and mindsets through storytelling and sharing, center the needs of families, break down bias and barriers, and inspire action from partners; and

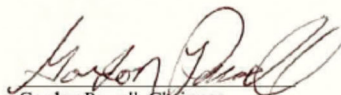
WHEREAS, we are committed to advancing equitable, responsive, and effective systems that ensure all children and families are healthy and thriving; and

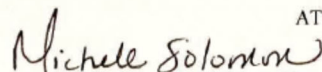
WHEREAS, we recognize the need to prioritize kids and invest in more prevention initiatives like home visiting and family-strengthening policies, economic supports, and community-based child abuse prevention programs at the national, state, and local levels; and

NOW, THEREFORE, in recognition of Child Abuse Prevention, the Person County Board of Commissioners do hereby proclaim April as Child Abuse Prevention Month and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

Adopted, this, the 1st day of April 2024.




Gordon Powell, Chairman
Person County Board of Commissioners


Michele Solomon
Clerk to the Board

ATTEST:

April 1, 2024

PROCLAMATION DESIGNATING APRIL 7, 2024 - APRIL 13, 2024 AS NATIONAL LIBRARY WEEK

Library Director Kayli Reyna read a Proclamation designating April 7-13, 2024 as National Library Week in Person County.

A **motion** was made by Commissioner Palmer and **carried 5-0** to adopt a Proclamation designating April 7-13, 2024 as National Library Week in Person County.



April 1, 2024

PUBLIC HEARING:

CONSIDERATION OF APPROVAL OF PRIVATE ROADWAY HIGH SLOPE TRAIL TO BE ADDED TO THE DATABASE FOR E-911 DISPATCHING

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

GIS Director Sallie Vaughn presented. She stated that this location is just down the road from the one she brought before the Board a month ago. She stated that the developer is the owner of five parcels of land along an existing subdivision and has decided to develop that property. She stated that this right of way will serve at least three homes and possibly as many as five. She stated that based on the ordinance requiring addresses and road naming in Person County, naming is required. She stated that public notice was made in the newspaper and signage was placed at the location of the road to be named. She stated that the name of the road, High Slope Trail was chosen by the developer. She stated that the road name is compliant with all naming regulations in the ordinance.

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

A **motion** was made by Commissioner Thomas and **carried 5-0** to close the public hearing for Consideration of Approval of Private Roadway High Slope Trail to be added to the Database for E-911 Dispatching.

CONSIDERATION TO GRANT OR DENY CONSIDERATION OF APPROVAL OF PRIVATE ROADWAY HIGH SLOPE TRAIL TO BE ADDED TO THE DATABASE FOR E-911 DISPATCHING

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve Private Roadway High Slope Trail to be added to the Database for E-911 Dispatching.

QUASI-JUDICIAL HEARING:

SUP-02-24 – A REQUEST BY THE APPLICANT, THE TOWERS, LLC, AND PROPERTY OWNER, JAMES SWAYZE FOR SPECIAL USE PERMIT APPROVAL ON AN ±18.63-ACRE LOT (TAX MAP NO. A80 111), LOCATED AT 2094 LAWSON CHAPEL CHURCH RD, TO ALLOW THE LAWSON CHAPEL CHURCH RD TOWER (A TELEPHONE TRANSMITTING TOWER) IN AN RC (RURAL CONSERVATION) ZONING DISTRICT, PER SECTION 155 OF THE PERSON COUNTY PLANNING ORDINANCE

April 1, 2024

A **motion** was made by Commissioner Puryear and **carried 5-0** to open the duly advertised quasi-judicial hearing for SUP-02-24 – A request by the Applicant, the Towers, LLC, and Property Owner, James Swayze, for Special Use Permit approval on an ±18.63-acre lot (Tax Map No. A80 111), located at 2094 Lawson Chapel Church Rd., to allow the Lawson Chapel Church Rd. Tower (a telephone transmitting tower) in an RC (Rural Conservation) zoning district, per Section 155 of the Planning Ordinance.

Clerk to the Board, Michele Solomon administered the Oath of Sworn Testimony to the following individuals who offered testimony during the quasi-judicial hearing:

Chris Bowley, Ralph Wyngarden, Jeremy Holt, and Michael Berkowitz

Planning & Zoning Director Chris Bowley shared the following presentation for SUP-02-24 – A request by the Applicant, the Towers, LLC, and Property Owner, James Swayze, for Special Use Permit approval on an ±18.63-acre lot (Tax Map No. A80 111), located at 2094 Lawson Chapel Church Rd., to allow the Lawson Chapel Church Rd. Tower (a telephone transmitting tower) in an RC (Rural Conservation) zoning district, per Section 155 of the Planning Ordinance.



Lawson Chapel Church Rd. Tower

SPECIAL USE PERMIT APPLICATION

SUP – 02 – 24

April 1, 2024

Lawson Chapel Church Rd. Tower (SUP-02-24) Introduction



- ☐ The Subject Property is ±18.63-acres
- ☐ Located at 2094 Lawson Chapel Church Rd. (Tax Map No. A80 111 & Parcel ID No. 0948-03-10-8206.000)
- ☐ Located at the SE corner of Lawson Chapel Church Rd. & Saint Paul Church Rd.
- ☐ Site has a Rural future land use designation; with RC zoning designation
- ☐ Proposed telephone transmitting tower use needs Special Use Permit (SUP) approval in an RC zoning district
- ☐ Applicant followed Planning Ordinance criteria for SUP application & Site Plan
- ☐ The proposed use is consistent with the Comp Plan & County Ordinances

Lawson Chapel Church Rd. Tower (SUP-02-24) Exhibit A: Aerial Photo



Mr. Bowley presented Exhibit A: Aerial Photo showing the proposed property and location where the tower will be placed.

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Lawson Chapel Church Rd. Tower (SUP-02-24) Exhibit B: Future Land Use Map



Mr. Bowley presented Exhibit B: Future Land Use Map showing rural designation for the subject property and all surrounding properties.

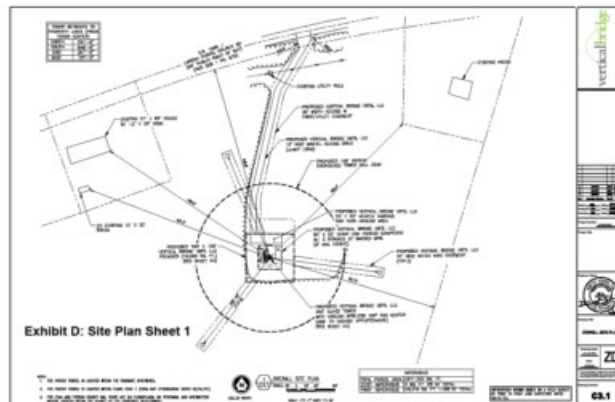
Lawson Chapel Church Rd. Tower (SUP-02-24) Exhibit C: Zoning Map



Mr. Bowley presented Exhibit C: Zoning Map and advised the property is in the Rural Conservation (RC) Zoning District.

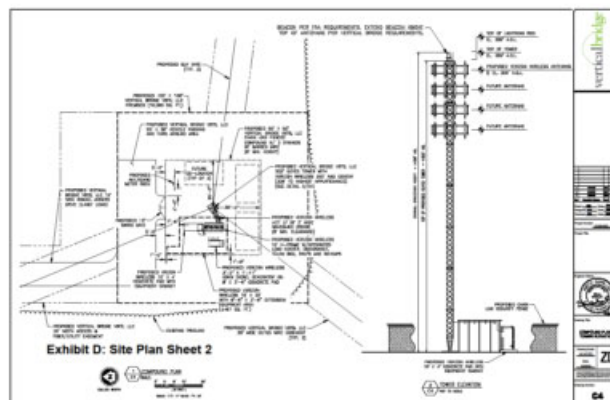
April 1, 2024

Lawson Chapel Church Rd. Tower (SUP-02-24) Exhibit D: Site Plan



Mr. Bowley presented Exhibit D: Site Plan showing the tower straight down as a guy-wire tower that is 305 feet with a 4 feet tall lightning rod for a total of 309 feet.

Lawson Chapel Church Rd. Tower (SUP-02-24) Exhibit D: Site Plan



Mr. Bowley stated that this page of the site plan shows the tower.

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Lawson Chapel Church Rd. Tower (SUP-02-24) Findings of Fact



Per the Person County Planning Ordinance, the Board of Commissioners shall also address "Findings of Fact" as listed in Section 155, to determine if the proposed use supports the Comprehensive Plan. From the Findings of Fact criteria listed in Section 155-3(b), approval of Special Use Permit Application SUP-02-24 supports the four Findings of Fact listed below (greater detail is provided in the application):

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved. – this project is located on a vacant ±18.63-acre parcel and poses no physical danger to the public. The tower is ±438.8-ft. from the property line along Lawson Chapel Church Road. The closest adjacent parcel is ±261.6-ft. northwest. A signed and stamped fall zone letter from professional engineer David Franklin of Kimley-Horn certifying a ±155-ft. engineered fall zone is provided. This fall zone is also shown on pages C3 and C3.1 of the Zoning Drawings provided. This project will actually promote public health and safety by supporting e911 calls in the event of accident, health crisis, fire, natural disaster or other emergency. NC General Statutes Section 160D-930(a) indicates it is the goal of the state "to ensure the ready availability of reliable wireless service to the public, government agencies, and first responders with the intention of furthering the public safety and general welfare."

2. That the use meets all required conditions and specifications. – the Table of Permitted Uses in Appendix C of the Planning Ordinance allows a "Radio, Telephone and TV Transmitting Tower" in the RC District with approval of a Special Use Permit by the Board of Commissioners. This proposed use will meet all required conditions and specifications as shown by the application and supporting documents provided, including a statement detailing compliance with the requirements for special uses and the tower specific requirements in Note 9.

Lawson Chapel Church Rd. Tower (SUP-02-24) Findings of Fact



Per the Person County Planning Ordinance, the Board of Commissioners shall also address "Findings of Fact" as listed in Section 155, to determine if the proposed use supports the Comprehensive Plan. From the Findings of Fact criteria listed in Section 155-3(b), approval of Special Use Permit Application SUP-02-24 supports the four Findings of Fact listed below (greater detail is provided in the application):

3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity. – this project is a public necessity. NC General Statutes Section 160D-930(a) indicates it is the goal of the state "to ensure the ready availability of reliable wireless service to the public, government agencies, and first responders with the intention of furthering the public safety and general welfare." In addition to the improved public safety, the data and communications service provided from this facility will support personal, business, remote learning and other activities in the vicinity. This will directly benefit adjoining or abutting property and consequently maintain/enhance property value. It will also benefit the community as a whole.

4. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Plan. – the project will be in harmony with the area in which it is located. It takes advantage of the screening provided by an existing mature wooded area to provide natural buffering. This site will be a passive, unstaffed low impact use which does not create any significant noise, odor, traffic or other adverse impact on adjoining properties or the neighborhood. Periodic maintenance visits will be a couple of times a month.

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Lawson Chapel Church Rd. Tower (SUP-02-24) Staff Recommendation



Based on the above, the Planning & Zoning Department staff recommends that the Board of Commissioners approve Special Use Permit SUP-02-24 for the Lawson Chapel Church Rd. Tower within RC-zoned property, with the following conditions:

1. The Applicant continues to obtain all required permits from Person County, the State of North Carolina, and any other agency to achieve construction, operations, and maintenance of the Subject Property;
2. The Applicant or tenant records the ± 30 -ft. wide access easement from Lawson Chapel Church Rd. and the three ± 20 -ft. wide guy wire easements, prior to construction;
3. The existing mature vegetation outside of the tower lease area remains that provides buffering and screening from adjacent land uses; and
4. The Applicant or tenant shall provide continual property maintenance that does not impact adjacent properties, to include maintenance of the perimeter security fence, fire safety access, and any directional-downward security lighting.

Lawson Chapel Church Rd. Tower (SUP-02-24) Potential Motion



"I hereby move to approve Special Use Permit SUP-02-24 for the Lawson Chapel Church Rd. Tower within RC-zoned property, with the following conditions:

1. The Applicant continues to obtain all required permits from Person County, the State of North Carolina, and any other agency to achieve construction, operations, and maintenance of the Subject Property;
2. The Applicant or tenant records the ± 30 -ft. wide access easement from Lawson Chapel Church Rd. and the three ± 20 -ft. wide guy wire easements, prior to construction;
3. The existing mature vegetation outside of the tower lease area remains that provides buffering and screening from adjacent land uses; and
4. The Applicant or tenant shall provide continual property maintenance that does not impact adjacent properties, to include maintenance of the perimeter security fence, fire safety access, and any directional-downward security lighting."

April 1, 2024

Lawson Chapel Church Rd. Tower (SUP-02-24)



Thank You

Mr. Bowley turned the presentation over to Ralph Wyngarden, who is here on behalf of the Applicant, the Towers, LLC. Mr. Wyngarden presented the following.



The Towers, LLC

Special Use Permit

**305' Guyed Tower with 4' Lightning Rod
Verizon Wireless plus 3 future providers**

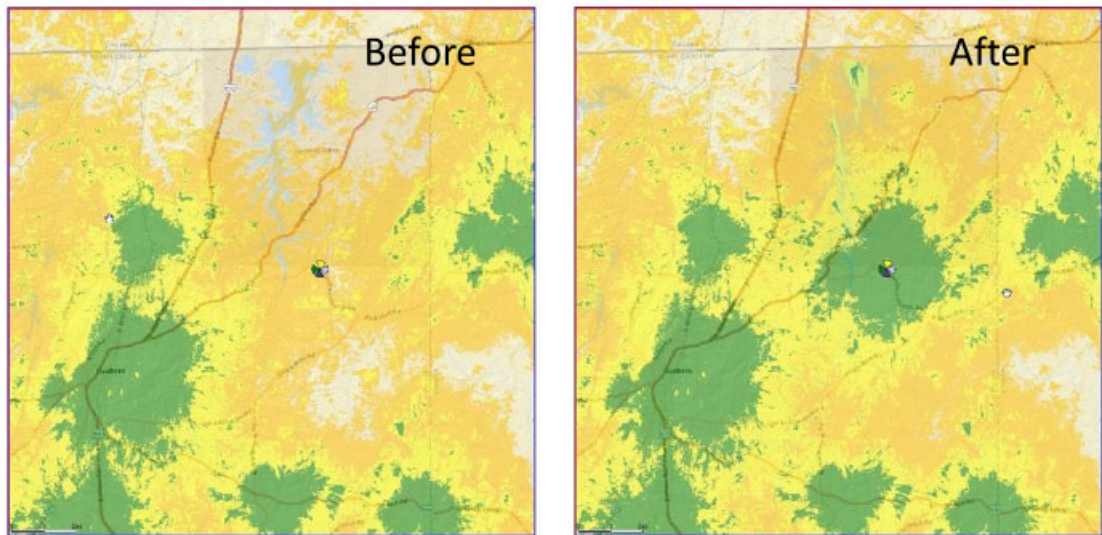
April 1, 2024

Introduction

Applicant The Towers, LLC is a subsidiary of Vertical Bridge which is a build to suit company that constructs infrastructure for wireless providers around the country.

In this case, Verizon Wireless will be the initial occupant of the tower and the design anticipates at least 3 additional future providers locating at this site.

Need



No Existing Towers in Vicinity

5 km Radius FCC Antenna Structure Registration Search

3/23/24, 6:48 PM

FCC Federal Communications Commission

Antenna Structure Registration

FCC > [NAB](#) > [ASR](#) > [Online Systems](#) > ASR Search

ASR Registration Search

Registration Search Results

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Displaying Results

No matches found

To try again, you can perform a [new search](#) or [refine your existing search](#).

Specified Search

Latitude="36-26-35 N", Longitude="78-51-28 W", Radius="5 Kilometers"

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Federal Communications Commission
45 L Street NE
Washington, DC 20554

[Web](#) | [Tech Support](#)

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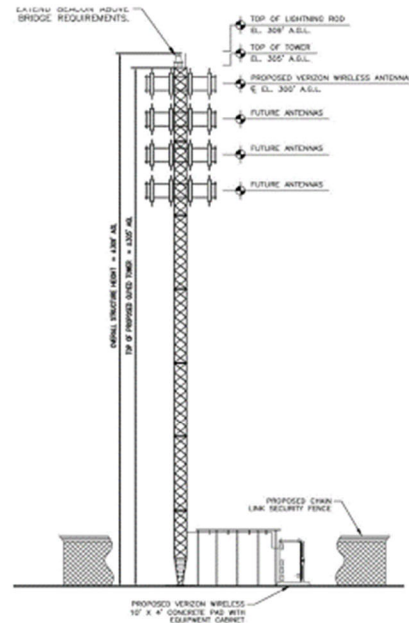
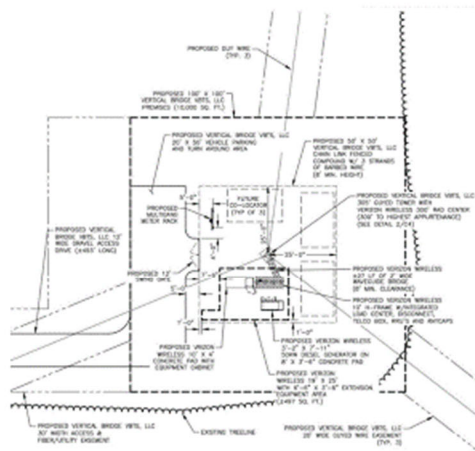
[FCC Site Map](#)

[ADVANCED SEARCH](#) [HELP](#)

[Pending Application\(s\)](#)

[https://www.fcc.gov/efiling/asr/search/results.jsp?searchType=176](#)

Co-Location Design



April 1, 2024
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FAA Approval

No Hazard to Air Navigation



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2023-ASO-26107-OE

Issued Date: 09/18/2023

Julie Heffernan
The Towers, LLC
7500 Park of Commerce Dr
Suite 200
Boca Raton, FL 33487

** DETERMINATION OF NO HAZARD TO AIR NAVIGATION **

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower US-NC-5226 Lawson Chapel Rd
Location:	Rosboro, NC
Latitude:	36-26-55.06N NAD 83
Longitude:	78-51-28.06W
Height:	550 feet site elevation (SL) 309 feet above ground level (AGL) 859 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is/are met:

Emissions from this site must be in compliance with the parameters set by collaboration between the FAA and telecommunications companies and reflected in the FAA 5G C band compatibility evaluation process (such as power, frequency, and tilt angle). Operational use of this frequency band is not objectionable provided the Wireless Providers (WP) obtain and adhere to the parameters established by the FAA 5G C band compatibility evaluation process. **Failure to comply with this condition will void this determination of no hazard.**

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, a dual dual system (Chapters 4, 8, 10, 11, 12, 13, 14, 15).

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6567 as a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- X Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

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Kimley Horn

January 10, 2024

Victoria Farmer
The Towers, LLC
7500 Park of Commerce Drive, Suite 200
Boca Raton, FL 33487

Re: Engineers Opinion of Tower Fall Zone - US-NC-5226 Lawson Chapel Road
2064 Lawson Chapel Church Rd
Rosboro, NC 27574

Dear Mr. Grogan,

As part of the proposed telecommunications site listed above, we are designing the site with a 155' Engineering Fall Zone. When the tower structure is procured and awarded to a tower manufacturer, the tower manufacturer will have considered and by design, controlled the characteristics of a tower collapse in the unlikely event of a greater than code-prescribed load event.

The industry standard, TIA-222-H, provides the applicable loads and strength design requirements for towers, foundations and the surrounding soils. It is based on a load and resistance factored design (LRFD) and ultimate strength design (USD) approach. These approaches apply larger than anticipated loads, including weights, wind, wind with ice and earthquakes, as applicable to the site and structure. For instance, the wind loading used in the standard is based on a 30-year storm with a 2 percent probability of occurrence. An overload factor of 1.5 is applied to design wind load.

These loads are then compared with the reduced calculated resistances of the steel tower, concrete foundation and surrounding soils. Steel and concrete components are designed by reducing their calculated strength one tenth to one quarter. Foundation (soil) components are designed by reducing their calculated strength by one quarter.

This results in a factor of safety between 1.75 and 2.13. Therefore, towers are not designed to fail. Rather, we design them to sustain little to no damage during a design event. In our industry, this usually involves winds resulting from a hurricane.

Open towers are vertical truss structures, the top of the tower moves the most. (We can design (or alter) the structural system such that the component with the lowest factor of safety is a certain distance from the top of the tower. This distance could be referred to as the "fall-zone radius", since the tower would most likely fail at this point first).

If failure were to occur, the mode would likely include localized buckling of bracing or vertical pipe columns, bending over and contacting the tower below or collapsing to ground. In either instance, the profile exposed to the wind would greatly reduce, thus would the loading on the remaining portion of tower.

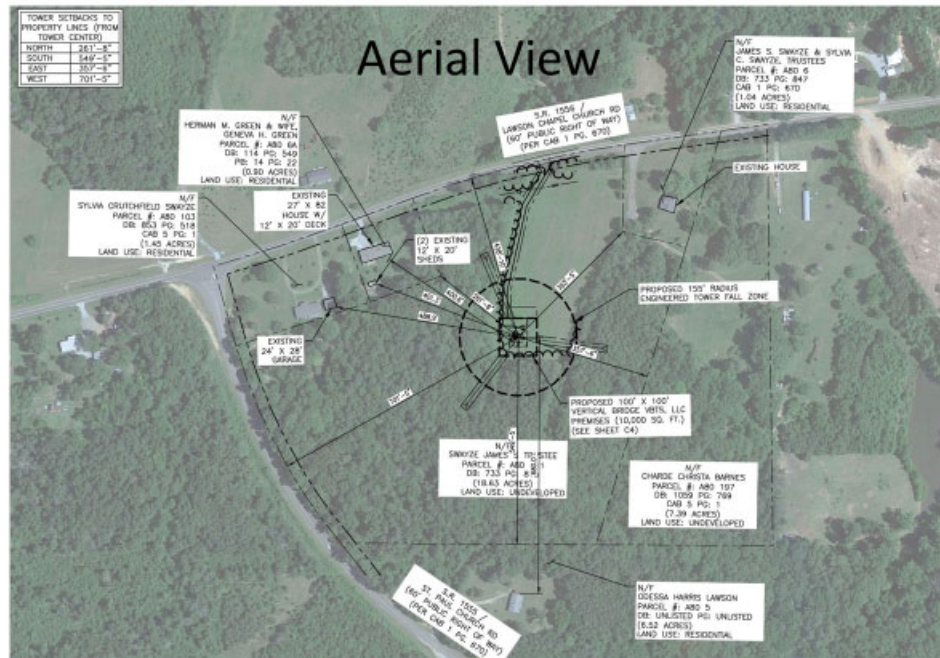
The structural tower design dictated by our site design drawings will utilize the principles above to locate a change in factor of safety at approximately 155' from the top of tower. This will result in the intended 155' Engineering Fall Zone.

Kimley-Horn 11720 Amber Park Drive, Suite 800, Alpharetta, GA 30005 770.693.4000

Engineer Letter

155' Engineered Fall Zone

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Impact Study

Certified Appraiser Michael Berkowitz – Impact Study page 25:

“It is my opinion that the proposed development will not substantially detract from the aesthetics or character of the neighborhood because of its location, existing vegetative buffer, and current zoning. The proposed development will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use of development of adjacent properties or other neighborhood uses.”

April 1, 2024

Findings of Fact

1. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.
2. The use meets all required conditions and specifications.
3. The use will not substantially injure the value of adjoining or abutting property and is a public necessity.
4. The location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with comprehensive plan

Thank You

Applicant, The Towers, LLC, agrees with the Planning & Zoning Department Staff Report and with the conditions it proposes and respectfully requests your approval of the requested Special Use Permit.

Thank you for your time and consideration of this project and how it will serve and ensure the safety of this part of the Person County.

April 1, 2024

The following individuals appeared before the Board to speak in favor of during the quasi-judicial hearing for SUP-02-24 – A request by the Applicant, the Towers, LLC, and Property Owner, James Swayze, for Special Use Permit approval on an ±18.63-acre lot (Tax Map No. A80 111), located at 2094 Lawson Chapel Church Rd., to allow the Lawson Chapel Church Rd. Tower (a telephone transmitting tower) in an RC (Rural Conservation) zoning district, per Section 155 of the Planning Ordinance.

Jeremy Holt of 13808 Sunrise View Drive, Charlotte testified that he did the site acquisition and that the property owner Sylvia Crutchfield Swayze resides in Greensboro and could not be here today. He advised that he is here on her behalf and read a letter that she wrote to be presented to the Board. The letter read as follows:

“I regret to inform you that I am unable to attend the meeting. I am asking these historical facts be stated prior to the Board’s decision. I, Sylvia Crutchfield Swayze, am a third-generation landowner in Roxboro. As a child, I spent my summers on my grandparent’s tobacco farm on Lawson Chapel Church Road. As a property owner, I wanted to be a good neighbor. Although I reside in Greensboro, I have always wanted this property to somehow benefit the greater community at large. About a year ago, we were approached by a cellular representative and ultimately our land was selected for a potential site that would provide cellular connectivity in the area that has poor to no service. This agreement provides cell service for residents and visitors to Roxboro and the greater Person County.”

A **motion** was made by Commissioner Sims and **carried 5-0** to close the quasi-judicial hearing for SUP-02-24 – A request by the Applicant, the Towers, LLC, and Property Owner, James Swayze, for Special Use Permit approval on an ±18.63-acre lot (Tax Map No. A80 111), located at 2094 Lawson Chapel Church Rd., to allow the Lawson Chapel Church Rd. Tower (a telephone transmitting tower) in an RC (Rural Conservation) zoning district, per Section 155 of the Planning Ordinance.

CONSIDERATION TO GRANT OR DENY SUP-02-24 – A REQUEST BY THE APPLICANT, THE TOWERS, LLC, AND PROPERTY OWNER, JAMES SWAYZE FOR SPECIAL USE PERMIT APPROVAL ON AN ±18.63-ACRE LOT (TAX MAP NO. A80 111), LOCATED AT 2094 LAWSON CHAPEL CHURCH RD, TO ALLOW THE LAWSON CHAPEL CHURCH RD TOWER (A TELEPHONE TRANSMITTING TOWER) IN AN RC (RURAL CONSERVATION) ZONING DISTRICT, PER SECTION 155 OF THE PERSON COUNTY PLANNING ORDINANCE

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve SUP-02-24 – A request by the Applicant, the Towers, LLC, and Property Owner, James Swayze, for Special Use Permit approval on an ±18.63-acre lot (Tax Map No. A80 111), located at 2094 Lawson Chapel Church Rd., to allow the Lawson Chapel Church Rd. Tower (a telephone transmitting tower) in an RC (Rural Conservation) zoning district, per Section 155 of the Planning Ordinance.

INFORMAL COMMENTS:

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

Alan Booker of Rougemont stated that he is deeply disturbed by the lack of communication and complete disregard and inability by the Board to demonstrate respect for those they represent. He stated that although the Board may have moved on from the Dominion Energy gas project, residents have not.

Rhonda Currier of 106 Shannon Court, Timberlake stated that the decision on December 4, 2023 to approve the rezoning of 485 acres from rural conservation to heavy industrial to allow Dominion Energy to build Moriah Energy Center, has been, and continues to be, a nightmare for residents of this community. She stated to add insult to injury, at the January 2, 2024 meeting, people were accused of not being Person County residents, and being paid. She stated that she was at that meeting, and the people there were Person County residents and not paid to be there. She stated that it was also stated that the people were not civil. She stated the people were civil until the Board delivered a gut punch by voting unanimously to pass the rezoning proposal without showing any concern for what they heard from Person County residents. She stated that at the March 18, 2024 meeting that the Board approved a 25.6 -acre salvage yard operation and had more questions and concerns over oil spillage than they had over the Dominion Energy facility.

Liz Bradsher of 976 Estate Road, Semora thanked the Board for pursuing the DSS issue. She spoke on matters related to Project Log located on Woodsdale Road. She stated, from Phillip Allen to Sherry Wilborn, you hear that this project will be good for the County.

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Bradsher stated that she hopes this is the case, as the process demonstrates a lack of vetting on the project developer, Mason Day, and his partner and consultant Sherry Wilborn. She stated that she believes that the Person County Business and Industrial Center (PCBIC) and the Person County Board of Commissioners do not understand the scale and scope of this project, because if they did, she would not be here today. She stated that engineers employed by Norfolk Southern rail stated the site is not optimal for a rail laydown yard due to the topography of the land. She stated that cost estimates are between \$12M and \$14M, which suggests a private partner. She stated that Wilborn's timeline of business decisions to include the development of her LLC, her resignation from the County, and the purchase of a warehouse used by Day, and Day's NC LLC registration, suggests that Wilborn used insider knowledge to gain personal benefit from this project. She stated that this has been a plan for some time. She stated, according to the conveyance signed in September 2023, the PCBIC conveyed 35 acres at a price of \$1K per acre. She stated that fair market value for each acre is \$5K to \$7K, which means a loss of \$140K for the PCBIC. She stated that we know that the PCBIC lost proceeds from the timber, that the site plans were not submitted to the County, that there were State Environmental and DOT concerns, and a noncompliance letter from the County was sent to Day, Wilborn, and Allen in February. She stated that Project Log has been obstructed from public view, and eventually will belong to Day and Wilborn, and they will decide who can use the site and how it will affect Person County business. She stated that PCBIC is a broken entity and separation from the County must take place.

Andrea Childers of 270 Blackberry Lane, Rougemont stated that she has been a resident of Person County for 31 years. She asked the Board to consider reversing the zoning decision that was made on December 4, 2023. She urged the Board to conduct an Environmental Impact Study. She stated that the residents are still awaiting answers to their questions that were submitted to Dominion Energy.

Katie Moore of 411 N. Lamar Street, Roxboro asked the Board to reverse the zoning decision made on December 4, 2023 to permit the Moriah Energy Center. She requested that the Board request an Environmental Impact Study and stated that the Board and Dominion Energy are the only two entities that can request it to be done. She stated that residents have yet to receive answers to the questions that were submitted to Dominion Energy. She stated that she has heard no convincing information that this facility would have any benefit to Person County.

Jill Hoffman of 260 BC Way, Rougemont stated that she had family over for Easter and all had a good time and enjoyed the beautiful weather. She stated that she feels that may have been the last time that she will be able to have an experience like this, breathing fresh air, and enjoying the woods, hunting Easter eggs, based on the Boards' decision on December 4, 2023 to allow this storage facility for natural gas to be put in her backyard, less than 1,700 feet from the site. She stated that she would be able to see the towers from her house, and they will look awful against the blue sky. She asked the Board to reverse the rezoning decision.

PJ Gentry of 541 Byrd Creek Lane, Hurdle Mills stated that the biggest issue with the Board is transparency and openness. She stated that the people in this County are not stupid; they are educated and smart. She stated that the lack of trust and accountability will be the legacy of this Board.

DISCUSSION/ADJUSTMENT/APPROVAL OF CONSENT AGENDA:

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

- A. Approval of Minutes of March 18, 2024,
- B. Budget Amendment # 20,
- C. Written Order for SUP-06-23 – A request by the Applicant and Property Owner, Conner Perkins, for Special Use Permit approval on a ±5.8-acre lot (Tax Map No. 68 135) located at 1351 Jim Thorpe Highway, approximately 800 LF southwest of the Jim Thorpe Highway/Allie Clay Rd. intersection, to allow for a camper/recreational vehicle park within an R (Residential) zoning district, per Section 155 of the Planning Ordinance, and
- D. Written Order for SUP-01-24 – A request by the Applicant and Property Owner, Matthew Brandon, Brandon's Wrecker Service, Inc., for Special Use Permit approval on a ±25.6-acre lot (Tax Map No. A58 192) located at 5022 Boston Rd. to allow for a salvage operation/junkyard-commercial use in an RC (Rural Conservation) zoning district, per Section 155 of the Planning Ordinance

NEW BUSINESS:

PERSON COUNTY BUSINESS AND INDUSTRIAL CENTER (PCBIC) FUNDING REQUEST

Presented by PCBIC Vice President Scott McKinney. He advised that at the February 20, 2024 Board meeting, Vice Chairman Sims stated that he had requested PCBIC financial reports, and stated that PCBIC has upcoming bills, and that they would be coming to the Board to request funding. McKinney stated that the PCBIC is requesting \$10K from the County to cover PCBIC's expected costs through June 30, 2024. He stated that \$8K would be for incurred and expected legal expenses for projects, and \$2K would be used to clean up the entrance of the Industrial Park on Crown Boulevard. He stated that the County's contingency funds may be the most appropriate source for obtaining the money, or as another option, funding through the County's Economic Catalyst Fund. He asked the Board not to take funding from the County's Economic Development Department. He stated that PCBIC has formed a subcommittee to develop a detailed request for a year's worth of funding and would present to the Board at the next scheduled meeting.

County Manager Katherine Cathey stated that she did not have a recommendation on where to source the funding. She stated that there would need to be a written agreement between the County and PCBIC that details the expectations for the use of the funds and for PCBIC to give a report to the County when the money is spent.

Commission Puryear stated it is his recommendation that the Board table this item until the April 15, 2024 Board meeting to obtain a full recommendation on the funding source and a written agreement prepared by the County Manager.

A **motion** was made by Commissioner Puryear and **carried 5-0** to table this item until April 15, 2024 in order to obtain a full recommendation on the funding source and a written agreement prepared by the County Manager.

PRESENTATION OF FY2025-2029 RECOMMENDED CAPITAL IMPROVEMENT PLAN (CIP)

Presented by County Manager Katherine Cathey. She stated that the CIP is an important planning tool for our county to use. She stated that it reflects the Board of Commissioners priorities for large capital projects that cost \$50K or more per project for Person County Government, Piedmont Community College, Person County Schools, Person County Museum of History, and the Person County Senior Center. She stated that there are many competing demands and priorities for County funds. She stated that in the CIP, staff has worked hard to create a balanced plan with needs and priorities considered within our logistical and financial constraints. She stated that the projects in this plan span the next five years; however, the fiscal impacts will extend far beyond that. She stated that projects that are financed incur debt service payments typically over a 15- to 20-year period; therefore, the full array of funding sources needed to support the projects as well as potential impacts to future operating budgets are also presented. She stated that the Board of Commissioners reviews the five-year CIP every year, but only funds the projects on an annual fiscal year basis. She stated that the CIP is presented as information only at this meeting, and that staff proposes adoption of the CIP at the April 15, 2024 Board of Commissioners meeting.

Chairman Powell stated that the report is good; however, he had a few questions. He asked was there a need for all the Emergency Services Radio Systems to be replaced at the same time, and questioned if they could be staggered. Cathey advised that the radio systems have reached end of life and no longer supported. Finance Director Amy Wehrenberg stated that all would need to be replaced at the same time, as the newer radios would not be compatible with the current radio system. Powell stated that he would like to see the addition of a new maintenance building for Person County Schools. He stated that the current maintenance building at the corner of Leasburg Road and Winhaven Street was constructed in 1940 or 1941 and used to house the school bus garage. He stated that the portion of the building where surplus equipment to be sold is stored, is falling apart and in total disrepair. He stated that he has checked into the cost for a new building, and it would be \$3M. Cathey stated that she would like a written request from the school system before adding the project to the CIP. Powell advised he would discuss the request with the school system.

CHAIRMAN'S REPORT:

Chairman Powell reported that he attended the EDC/PCBIC meeting and there was lots of discussion about what is going on economically in Person County. He stated that he attended a ribbon cutting ceremony at Hall's Way for NC Department of Health and Human Services Employment Services for People with Disabilities. He reported that he met with Ryan Combs, Research Triangle Regional Partnership (RTRP) Director, and a good discussion was had about how Person County is being promoted in the RTRP Group, which consists of about 12 counties. He reported that he attended the Tourism Development Authority (TDA) Tourism Summit. He stated it was well presented and well attended.

MANAGER'S REPORT:

County Manager Katherine Cathey advised the Board of the need to schedule an orientation for the board acting as the Consolidated Human Services (CHS) Board. She stated that the Board will assume the responsibilities of the CHS Board on April 15, 2024. She advised the Board of two options for orientation, April 16 or April 17, 2024. She stated the orientation would be from 9:00 a.m.-11:00 a.m. with CCR Consultants. She stated that light breakfast would be served at 8:30 a.m. She stated the location would be in the FEMA room and would be open to the public. It was the consensus of the Board to schedule the orientation for April 16, 2024.

COMMISSIONER REPORT/COMMENTS:

Vice Chairman Sims thanked those in attendance that came and expressed concerns regarding issues within the county. He stated that he understands the sensitivity, especially with the No MEC. He pointed out an individual in the audience holding a sign that read, 'No Harm to Our Farms'. He stated that as a County Commissioner, he as well as the rest of the Board, are not here to do any harm to the farms.

Commissioner Palmer reported that a bicyclist, a non-Person County resident who rides Person County roads, was bitten by a dog on February 28, 2024 on Poindexter Road, and that the bicyclist also encountered dogs on Berry Pearce Road. He stated that the same bicyclist on March 14, 2024 was traveling on Ned Moore Road, and was chased and cornered by two dogs. He stated a fourth occurrence happened on March 30, 2024 on Clay Long Road, and the bicyclist was chased by two German Shephard dogs that tried to jump on her bicycle. He stated that the bicyclist advised she may not return to Person County because of the incidents that occurred. He stated that the County needs a stricter ordinance for vicious dogs with increased fines and fees associated with it. He stated that it is an absolute shame that people do not take responsibility for their animals.

Commissioner Puryear and Commissioner Thomas had no report.

A **motion** was made by Commissioner Thomas and **carried 5-0** to enter into Closed Session #1 at 7:25 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, and County Attorney Nick Herman.

Chairman Powell called the closed session to order at 7:26 p.m.

A motion was made by Commissioner Puryear and **carried 5-0** to return to open session at 7:49 p.m.

ADJOURNMENT:

A **motion** was made by Commissioner Puryear and **carried 5-0** to adjourn the meeting at 7:50 p.m.

Michele Solomon
Clerk to the Board

Gordon Powell
Chairman