

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

JULY 2, 2012
OTHERS PRESENT

Jimmy B. Clayton
Kyle W. Puryear
B. Ray Jeffers
Samuel R. Kennington
Frances P. Blalock

Heidi York, County Manager
Brenda B. Reaves, Clerk to the Board

The Board of Commissioners for the County of Person, North Carolina, met in recessed session on Monday, July 2, 2012 at 6:00 p.m. in the Commissioners' meeting room in the Person County Office Building for the purpose to enter Closed Session for consideration of appointment of individuals through an informal interview process with applicants of competitive committee, boards, and commissions per General Statutes 143-318.11(a)(6).

Chairman Clayton called the meeting to order. Vice Chairman Puryear arrived at 6:10 pm. Commissioner Jeffers arrived at 6:50 pm.

A **motion** was made by Commissioner Blalock, **seconded** by Commissioner Kennington and **carried 3-0** to enter Closed Session at 6:00 pm for the purpose outlined above.

A **motion** was made by Commissioner Blalock, **seconded** by Commissioner Kennington and **carried 5-0** to return to open session at 7:00 pm.

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Blalock and **carried 5-0** for a brief recess prior to the regular scheduled meeting.

Chairman Clayton called the regular scheduled meeting to order, led invocation and asked Commissioner Kennington to lead the Pledge of Allegiance.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Jeffers and **carried 5-0** to add to the agenda a Closed Session for consideration of appointment of individuals to boards and commissions prior to the Boards and Committees Appointments.

A **motion** was made by Commissioner Kennington, **seconded** by Vice Chairman Puryear and **carried 5-0** to add to the agenda a Closed Session regarding economic development.

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers and **carried 5-0** to approve the agenda as adjusted.

July 2, 2012

RESOLUTION OF APPRECIATION:

Chairman Clayton read and presented a Resolution of Appreciation to county retiree, Davie Phillips.

RESOLUTION OF APPRECIATION

WHEREAS, Davie Phillips has served the people of Person County during his tenure working for Person County as a Division Supervisor at the Person County Sheriff's Department; and

WHEREAS, Davie Phillips has served the citizens of Person County with honor, integrity, sincerity and dedication, providing accurate, concise services for twenty-five (25) years, September, 1987 – June, 2012; and

WHEREAS, Davie Phillips has earned the respect and admiration of all who have known him and worked with him throughout his career; and

WHEREAS, the County of Person recognizes the many contributions Davie Phillips has made to the County and offers him sincere best wishes for his retirement.

NOW, THEREFORE, I, Jimmy B. Clayton, Chairman of the Person County Board of Commissioners, do hereby extend this Resolution of Appreciation to Davie Phillips for continually striving to make Roxboro and Person County a better place to live and work.

Adopted this the 2nd day of July, 2012.



Jimmy B. Clayton

Jimmy B. Clayton, Chairman
Person County Board of Commissioners

Attest:
Brenda B. Reaves

Brenda B. Reaves
Clerk to the Board

**PUBLIC HEARING:
REQUEST FOR A SPECIAL USE PERMIT BY STARLITE TECHNOLOGIES,
INC. FOR A PRIVATE RECREATION FOR PROFIT (INTERNET
SWEEPSTAKES BUSINESS) ON US 501, BOSTON ROAD:**

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers and **carried 5-0** to open the duly advertised Public Hearing for a request for a Special Use Permit by Starlite Technologies, Inc., for a private recreation for profit (internet sweepstakes business) on US 501, Boston Road.

The public hearing set to hear a request for a Special Use Permit by Starlite Technologies, Inc., for a private recreation for profit (internet sweepstakes business) on US 501, Boston Road required a quasi-judicial zoning decision whereby witnesses are to be sworn in and subject to cross examination, no ex parte communication and requires findings of fact. Chairman Clayton administered the Oath of Sworn Testimony to the following individuals who would offer testimony during the public hearing:

Ms. Paula Murphy

Mr. Norman Praet

Mr. Marty Raynor

Planning Director, Paula Murphy stated Person County has received a Special Use Permit request from Starlite Technologies, Inc. for a private recreation for profit (internet sweepstakes business) on US 501 North, Boston Road. The property is zoned RC (Rural Conservation) and requires a Special Use Permit. Ms. Murphy noted a site plan provided to the Board which shows the proposed buildings, drives and parking areas. The proposal is to convert an existing building into an internet sweepstakes business and restaurant. The building is 50' x 60' (3,000 square feet) and located on a 6.14 acre parcel. It is served by individual well and septic. Environmental Health has approved the septic system to accommodate 40 terminals, an 18 seat restaurant and two employees. The applicant (who will be leasing the structure) is asking for 35 terminals, 8 seats in the restaurant and 2 employees. There is also an existing single family dwelling on the property that is presently vacant. Ms. Murphy stated the owners of the property, Samuel and Lynda Clayton, have indicated they may rent this dwelling in the future. Ms. Murphy told the Board that access to the site will be off of US 501. The plans show 39 parking spaces (one per terminal, one per employee and two for the restaurant portion). The plans show that there are 35 sweepstake machines and 8 seats within the restaurant portion. There are two means of ingress/egress to the property. A driveway permit will be required from NCDOT. Ms. Murphy noted that NCDOT has made the following comments that will need to be addressed:

1. Driveway access points shall be constructed to achieve a 20' minimum to a 30' maximum width. They shall have 20' minimum to 50' maximum radius. Pavement schedule shall be 8" CABC and 2" S9.5B asphalt or 6" of concrete @ 3000 PSI.

2. 16" RCP pipe minimum within driveway.

3. Re-grade area in front of building to achieve a ditch segment and achieve positive drainage and to stop parking on the DOT right of way.

July 2, 2012

4. This site shall require a new driveway permit and the drawings revised before approval of the site access points. The District Office needs a Driveway permit, 6 sets of construction drawings and two environmental forms (National Pollutant Elimination System and Verification of Compliance with Environmental Regulations).

Since the proposed is a change of use, Ms. Murphy stated it will require approval from the Building Inspections Department.

PHYSICAL CHARACTERISTICS:

Watershed: This property is not located within a designated watershed. The plans show an impervious calculation of 18,835 square feet or 7 percent.

Flood Hazard: There are no hundred flood areas on the property.

CHARACTER OF THE SURROUNDING AREA:

The property in question consists of 6.14 acres. The surrounding area consists of large parcels of land. Progress Energy and Louisiana Pacific are nearby. There are some single family dwellings in the area.

ORDINANCE PROVISIONS:

Article VII, Section 74-4;

Ms. Murphy stated on receiving the recommendation of the Planning Board the County Commissioners shall consider the application and said recommendation and may grant or deny the Special Use Permit requested. The Special Use Permit, if granted, shall include such approved plans as may be required. In granting the permit, the County Commissioners shall find:

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.
2. that the use meets all required conditions and specifications.
3. that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity, and
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.

Section 160-5(B) of the Zoning Ordinance states: “The Planning Board shall provide a written recommendation to the Board of County Commissioners that addresses that the proposed amendment is consistent with the comprehensive plan, but a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the Board of County Commissioners. Prior to adopting or rejecting any zoning amendment, the Board of County Commissioners shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and why such action is reasonable and in

the public interest. The Land Use Plan has this area listed as Rural Residential which states “Low density residential (single site built and manufactured homes); agriculture, forestry, churches; very limited commercial, office, or public/institutional uses meeting locational criteria. Locational criteria for non-residential uses within this land use category would include frontage and access to a major State Highway or secondary road. Ms. Murphy stated that since this is an existing commercial development along US 501, there were no goals or objectives within the Land Use Plan that applied.

Ms. Murphy suggested the Board request the following items to be addressed in order to form a better decision on granting or denying the Special Use Permit:

1. What type of games?
2. Who will be the operator of the establishment?
3. Will this establishment have an age limit?
4. Will this establishment serve alcohol?
5. There is a schematic drawing of the interior showing each station and the area. Can limit the number of machines per square footage.
6. What are the proposed hours of operation?
7. Will there be surveillance cameras?

Ms. Murphy stated if the Board should decide to grant approval of the Special Use Permit, the following conditions should be included:

1. Applicant to obtain a zoning permit and a building permit from Person County
2. Applicant to follow the site plan approved by the Board.
3. Operation hours to be from 8:00 am and 12:00 midnight.
4. No one under the age of 18.
5. Video cameras in working order for surveillance.
6. No check cashing or loans.
7. Applicant must meet all conditions set forth by NCDOT. An approved NCDOT driveway permit must be submitted to the Planning Department prior to a Certificate of Occupancy.
8. Business to be in keeping with all local, state and federal laws.
9. The property shall be subject to periodic inspections by the Fire Marshal, Law Enforcement, Building Inspections or the Planning Department.

Ms. Murphy stated the Board also needs to address the findings of fact in Section 74-4 and how this proposal is in keeping with the Land Use Plan.

Ms. Murphy told the Board of Commissioners that the Planning Board held a Public Hearing on June 14, 2012 and voted 3 to 1 to recommend approval of the Special Use Permit with staff comments and to include that the existing single family dwelling can only be used for residential purposes. The Planning Board noted the request was in keeping with the findings of fact in Section 74-4 and not inconsistent with the Land Use Plan.

Commissioner Kennington asked Ms. Murphy if the Planning Board had asked the seven questions at their meeting. Ms. Murphy replied affirmatively. Commissioner Kennington asked Ms. Murphy about the one dissenting vote. Ms. Murphy stated the one dissenting vote was not in favor of the type of business.

Commissioner Jeffers asked Ms. Murphy if the current driveway was not approved by NCDOT. Ms. Murphy stated the driveway had not been approved by NCDOT, as required due to the change of use of the site which will have different traffic, noting NCDOT has conditions that must be met to get approval. Ms. Murphy stated she did not know the status and the applicant may be able to speak to that question.

Commissioner Jeffers asked Ms. Murphy if the site plan with 35 machines was as submitted by the applicant. Ms. Murphy confirmed affirmatively.

Commissioner Kennington asked Ms. Murphy of the maximum occupancy of the building. Ms. Murphy stated 144 per the Inspections Director.

Commissioner Jeffers asked Ms. Murphy on what basis did Environmental Health approve for 40 machines. Ms. Murphy stated it was probably based on occupancy. Commissioner Jeffers asked Ms. Murphy if the number of machines was increased by five, would the applicant need to resubmit a new site plan and request. Ms. Murphy confirmed the applicant would need to submit a new request and new site plan as the Board's consideration to grant or deny is based on what the applicant has requested unless a change is made by the Board.

Commissioner Blalock asked Ms. Murphy if the General Assembly changed the laws and regulations for this type of business, would the applicant be grandfathered. Ms. Murphy stated that is a legal question. County Manager, Heidi York added some research had been done and that particular bill to allow counties to regulate internet cafes much like cities do through a privilege license had died in committee. Ms. York commented if the bill resurfaced and survived a vote, a privilege license occurs annually which means the applicant would not be grandfathered noting that opportunity is not likely within reach.

Commissioner Blalock noted the county would only receive tax benefit. Ms. Murphy agreed the taxes on the building. Commissioner Blalock stated the City has privileging licenses. Ms. York stated the City is allowed to regulate those businesses within the City limits. Commissioner Blalock stated the City receives \$1,000 location fee and \$500 per machine.

Commissioner Kennington asked Ms. Murphy what type of alcohol would be served, if any. Ms. Murphy stated she was told that no alcohol is allowed to be served in an internet sweepstakes business.

Commissioner Kennington asked Ms. Murphy what type of games. Ms. Murphy indicated the Board would need to ask the applicant to explain the games.

Vice Chairman Puryear asked Ms. Murphy if alcohol is allowed on the premises. Ms. Murphy stated she was told that no alcohol was allowed in the facility, and not sure about outside the facility deferring to Mr. Raynor to address that question.

Commissioner Blalock asked Ms. Murphy if no one under the age of 18 could play a game or come into the facility. Commissioner Jeffers asked if the condition of no one under 18 was a staff recommendation. Ms. Murphy stated it was staff recommended noting the applicant told them no one under the age of 18 could be inside the facility.

Commissioner Blalock asked Ms. Murphy if there would only be two employees for the restaurant and the internet sweepstakes. Ms. Murphy confirmed that is what is on the site plan noting it is a small restaurant with only 8 seats. Vice Chairman Puryear added it is more like a grill. Ms. Murphy confirmed.

The following individuals spoke in favor of the request for a Special Use Permit by Starlite Technologies, Inc., for a private recreation for profit (internet sweepstakes business) on US 501, Boston Road:

Mr. Norman Praet of 4819 Emperor Blvd, Suite 400, Durham, and attorney for Starlite Technologies, Inc., stated 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. Mr. Praet stated there will not be any alcohol on the premises; no one allowed under the age of 18, there will be surveillance cameras at all times and security there as well. Mr. Praet stated the use is a lesser dangerous use than when it was a bar. Mr. Praet stated the applicant has met all required conditions and specifications including the DOT with substantial time and money in re-doing the driveway putting mounds so no one can park on the shoulder according to DOT, the septic was redone and properly increased with everything up to code and inspected due to the change of use, parking was paved and increased. Mr. Praet told the Board that the use will not substantially injure the value of adjoining or abutting property with the use being a calmer and quieter use than before which involved bands in the bar until 1:00 am. Mr. Praet noted the character use according to the plan submitted will be in harmony with the area in which it is to be located and in general conformity with the comprehensive plan. Mr. Praet noted it is a light commercial use in the area very close to the Virginia border and across from, down the road from the Progress plant that is open 24 hours. Mr. Praet noted there is one additional sweepstakes within the county that was before the Board last October or November that existed and four others in town of Roxboro. Mr. Praet stated most, if not all four of the sweepstakes in the town of Roxboro operate 24 hours or don't really have set hours. Mr. Praet requested that the applicant be approved with the staff recommendations except for the hours to be extended to be open until 2:00 am on Thursday, Friday and Saturday so not to hamper business with other local sweepstakes being open much later. Mr. Praet explained the games are closed systems, not games of

chance compared to the game of Monopoly at McDonalds when you buy something you get a token to win or lose and there is nothing that any owner, operator or any one can do to alter the odds in any way, shape or form, similarly to opening a Pepsi cap with all being pre-determined. Mr. Praet noted an individual sits at a terminal and can see the results of the sweepstakes all at once or one at a time.

Commissioner Jeffers asked Mr. Praet if the applicant was fine with all the staff comments with exception to the hours. Mr. Praet confirmed that other than the hours, the applicant has fully complied and agreed to the staff comments and fully intended to operate in that manner even without the staff comments.

Mr. Marty Raynor of 66 Lily McCoy Lane, Pittsboro, the applicant, and a sweepstakes owner of 20 stores throughout the state and in SC for the last 4 years since sweepstakes started, noting he was a veteran in the business and has worked with the lottery. Mr. Raynor stated he and Sam Hobgood has been working together for 7-8 months noting the many renovations he has done to the site. Mr. Raynor stated the site had not been permitted previously and the Special Use Permit triggered the permit and the driveway being redone by DOT guidelines and asphalted. Mr. Raynor stated the Health Department regulated the number of machines and the entirely new septic system. Mr. Raynor stated the small grill is there for the patrons on the machines with some orders called in from LP or Progress. Mr. Raynor noted the site interested him because of the restaurant further noting there are not currently any sweepstakes with a restaurant in the same site. Mr. Raynor spoke to the machines and equipment as being Gateway / Frontier from SC that has been around a long time and one of the largest companies in the state. Mr. Raynor explained to the Board that when a patron comes into the internet sweepstakes, he or she would be purchasing internet time as well as entitled to receive a free dollar to play the games or surf the internet as mandated by the state. The patron can purchase more internet time to continue to surf the internet, play more games or cash out. Mr. Raynor stated the sweepstakes are all regulated by the state and owners like himself and Governor Perdue are in support of regulations and paying a reasonable tax. Mr. Raynor stated he pays hefty fines in the City limits while not in the county. Mr. Raynor stated his one issue with the staff comments was the hours noting of all his stores, only one in the City of Reidsville closes at 12:00 am with the others having no time limit. Mr. Raynor requested Thursday, Friday and Saturday to close at 2:00 am as he will have to compete with other businesses. Mr. Raynor confirmed he would have surveillance cameras and paid security guards for his peace of mind as he does in all his locations.

Commissioner Blalock asked Mr. Raynor what she could gain by going into his establishment. Mr. Raynor replied that she could get on the internet, surf the internet or win money on the games. Commissioner Blalock asked what kind of games she could win money. Mr. Raynor suggested to go to netsweeps.com to see the type of games and described the 18 to 20 games as spinning reels. Commissioner Blalock stated the games were skill-based. Mr. Raynor disagreed noting skilled games are illegal and noted under the gaming statutes a game of skill is gambling. Commissioner Blalock read the

following: police and sheriff deputies statewide have been enforcing only part of the law upheld by trial judges and close down only casino style games and those not dependent upon skill or dexterity of a player. Mr. Raynor stated the games in the internet sweepstakes are predetermined and legal. Commissioner Blalock stated slots and pot-of-gold games are replaced with cartoon style games. Mr. Raynor stated Commissioner Blalock was reading an older version from a year and a half ago when laws were rewritten of what it was noting a pot-of-gold game was a stand up and no longer legal further noting the sweepstakes are not pot-of-gold. Commissioner Blalock asked Mr. Raynor if the only skill she needed was to push a button. Mr. Raynor agreed and added to click a mouse just as a regular desk top computer. Commissioner Jeffers commented it was almost like expanding broadband coverage.

Commissioner Kennington asked Mr. Raynor where he lived. Mr. Raynor stated he lives in Pittsboro, NC. Commissioner Kennington asked if the two employees would be on-site here. Mr. Raynor stated he has one locally, the Manager named Mike, lives in South Boston and another employee for the sweepstakes plus the restaurant people. Mr. Raynor noted the security guard is contracted through Allegiance Security Company and is not an employee. Commissioner Kennington asked Mr. Raynor to confirm the hours the employees would work. Mr. Raynor stated the site would open at 11:00 am and they both would work until closing - at midnight and he again requested to close at 2:00 am on Thursday, Friday and Saturday noting they would not open up on Sundays until 1:00 pm. Commissioner Kennington asked Mr. Raynor if he knew the hours of the other sweepstakes in Person County. Mr. Raynor noted one location is open 10:00 am to 5:30 am and another is open 24 hours. When corrected for the hours of the Person County location, Mr. Raynor noted the only other county location is the small one on 501 just opened and it closes at 10:00 pm. Commissioner Jeffers added the one in the City of Roxboro he visited near the Budget Inn is open as long as he has someone playing – Mr. Raynor added that location near the Budget Inn is open to 5:00 am.

Commissioner Blalock asked Mr. Raynor if smoking would be allowed. Mr. Raynor stated there would be no smoking allowed due to the restaurant as mandated by the state. Commissioner Kennington asked if there would be any live bands. Mr. Raynor stated no but he did have Direct TV on two big screen TVs.

Commissioner Kennington asked Mr. Raynor and the County Manager if counties can charge a fee or just the City can charge a fee. Ms. York stated the county had no authority to charge a fee. Commissioner Jeffers added that is bill that counties were trying to get passed to have the same right as cities.

There were no individuals appearing before the Board to speak in opposition of the request for a Special Use Permit by Starlite Technologies, Inc., for a private recreation for profit (internet sweepstakes business) on US 501, Boston Road.

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Kennington and **carried 5-0** to close the Public Hearing for a request for a Special Use Permit by Starlite Technologies, Inc., for a private recreation for profit (internet sweepstakes business) on US 501, Boston Road.

CONSIDERATION TO GRANT OR DENY A SPECIAL USE PERMIT TO STARLITE TECHNOLOGIES, INC. FOR A PRIVATE RECREATION FOR PROFIT (INTERNET SWEEPSTAKES BUSINESS) ON US 501, BOSTON ROAD:

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear and **carried 3-2** to approve a Special Use Permit by Starlite Technologies, Inc., for a private recreation for profit (internet sweepstakes business) on US 501, Boston Road noting the request was in keeping with the findings of fact in Section 74-4 and not inconsistent with the Land Use Plan and contingent upon the following conditions:

- Applicant to obtain a zoning permit and a building permit from Person County
- Applicant to follow the site plan approved by the Board.
- Operation hours to be from 8:00 am to 2:00 am.
- No one under the age of 18.
- Video cameras in working order for surveillance.
- No check cashing or loans.
- Applicant must meet all conditions set forth by NCDOT. An approved NCDOT driveway permit must be submitted to the Planning Department prior to a Certificate of Occupancy.
- Business to be in keeping with all local, state and federal laws.
- The property shall be subject to periodic inspections by the Fire Marshal, Law Enforcement, Building Inspections or the Planning Department.

Commissioners Blalock and Kennington cast the dissenting votes.

Commissioner Blalock requested Board consideration to place a moratorium on future Special Use Permits for internet sweepstakes within the county until such time the General Assembly sets rules and regulations for oversight of this industry.

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Kennington and **carried 4-1** to add to the agenda an item for Board consideration to place a moratorium on future Special Use Permits for internet sweepstakes within the county. Commissioner Jeffers cast the lone dissenting vote.

INFORMAL COMMENTS:

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

Mr. Kerry Craft of 283 Allensville Road, Roxboro addressed the Board about a shooting range located at 215 Allensville Road that is owned and operated by Marvin Eanes of The Arsenal which is located at 435 Old Durham Road, Roxboro. Mr. Craft provided a map of Roxboro for the Board to visually illustrate the location of the shooting range and its proximity to Roxboro Community School, the City of Roxboro, churches, etc., as well as information related to the distance range of a handgun bullet, environmental laws as they apply to shooting ranges along with photos to show the backstop used to stop the ammunition. Mr. Craft noted his inquiries made over the past 2 years about the shooting range have been about the issue of safety. Mr. Craft indicated the range is being used for profit to charge for conceal carry permit classes noting the variety of guns used with the backstop height to stop the bullets well below the NRA standard of 25 feet. Mr. Craft warned the Board of the chance of a stray bullet injuring or killing an individual.

Ms. Cindy Willaford Oakley of 316 Allensville Road, Roxboro stated her concerns for the shooting range located at 215 Allensville Road not being operated safely and according to NRA regulations and requested the Board to shut it down before someone gets hurt.

Commissioner Blalock asked the Board if the above issue should be placed on the Board's agenda in August. Chairman Clayton stated there was not currently an ordinance in place to regulate shooting ranges noting his support that any such facility should be required to meet the safety rules according to NRA regulations. It was the consensus of the Board to direct staff to bring information to the Board related to other counties model ordinances related to a for-profit shooting range that meet NRA rules at the Board's August meeting.

APPROVAL OF MINUTES:

A **motion** was made by Commissioner Blalock, **seconded** by Vice Chairman Puryear, and **carried 5-0** to approve the minutes of June 14, 2012 and June 18, 2012.

TAX ADMINISTRATIVE REPORT:

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Blalock, and **carried 5-0** to approve the Tax Administrative Report noting the Releases for the month of May, 2012.

July 2, 2012

HOME & COMMUNITY CARE BLOCK GRANT FUNDING FY2012-2013:

Aging Services Director, Kelly Foti presented to the Board the Home & Community Care Block Grant (HCCBG) Committee's funding recommendations for Fiscal Year 2012-2013. Ms. Foti outlined the allocations for the \$342,554 total county funding plan noting the summary included Person County Senior Center receiving a total of \$303,333 allocated between Congregate & Home Delivered Nutrition, Transportation, In-Home Aide, Home Care CDS, and Operations or 88.5% of the total funding; Person County Department of Social Services with a total of \$31,788 allocated for In-Home Aide services or 9.3% of the total funding; and Generations Adult Day Care with a total of \$7,433 allocated for Adult Day Care and 2.2% of the total funding. Ms. Foti confirmed no changes were made from the previous year's formulary as HCCBG funding remains the same as Fiscal Year 2010-2011 with the exception of an additional \$630.00 which is included in the totals presented above.

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to approve to Person County Home & Community Care Block Grant Funding for Fiscal Year 2012-2013 as presented.

Home and Community Care Block Grant for Older Adults																		
County Services Summary																		
DOA-731 (Rev. 3/11)																		
County Person																		
July 1, 2012 through June 30, 2013																		
Revision, Date:																		
Services	A		B		C		D		E		F		G		H		I	
	Access	In-Home	Block Grant Funding	Other	Total	Required Local Match	Net Service Cost	USDA Subsidy	Total Funding	Projected HCCBG Units	Projected Reimbursement Rate	Projected HCCBG Clients	Projected Total Units					
Transportation	40000				4444	4444	4444		4444	3565	12.466	35	5329					
Congregate Nutrition			35094		3969	3969	4223	4223	49216	6474	6.023	45	7470					
HDM Nutrition		57630			6403	6403	5137	5137	69170	8652	7.4009	45	9799					
IHA I (041)		4018			446	446	4464		4464	300	14.88	2	300					
IHA II (042)		27770			3086	3086	30856		30856	2073	14.885	5	2073					
IHA II (042)		64532			7170	7170	71702		71702	4794	14.966	14	4794					
Adult Day			7433		826	826	8259		8259	206	40	1	206					
Operations			78547		8727	8727	87274		87274									
Home Care CDS 500		300			33	33	333		333									
Home Care CDS 501		24530			2726	2726	27256		27256	2814	10.87	3	1800					
Home Care CDS 503		2700			300	300	3000		3000									
					0	0	0		0									
					0	0	0		0									
					0	0	0		0									
Total	40000	181480	121074	342554	38062	380616	9360	389974	28878	150			31771					



 Signature, Chairman, Board of Commissioners

Date 7-3-12

Home and Community Care Block Grant for Older Adults

NAME AND ADDRESS
COMMUNITY SERVICE PROVIDER
 Region K Community Assistance Corp
 Person County Senior Center
 121 A Depot Street Roxboro, NC 27573

DOA-732 (Rev. 2/10)
 County Person
 July 1, 2012 through June 30, 2013
 REVISION # , DATE :

County Funding Plan
Provider Services Summary

Services	Ser. Delivery (Check One) Direct Purch.	Access	Block Grant Funding		Required Local Match	Net* Serv Cost	NSIP Subsidy	Total Funding	Projected HCCBG Units	Projected HCCBG Rate	Projected HCCBG Clients	Projected Total Units
			In-Home	Other								
Transportation	X	40000		40000	4444	44444		44444	3565	12.466	35	5329
Congregate Nutrition	X		35094	35094	38993	38993	4223	43216	6474	6.023	45	7470
HDM Nutrition	X		57603		6400	64003	5137	69140	8652	7.4009	45	9799
IHA II (042)	X		64532		7170	71702		71702	4794	14.956	14	4794
Operations	X			78547	8727	87274		87274				
Home Care CDS 500	X		300		33	333		333				
Home Care CDS 501	X		24530		2726	27256		27256	2814	10.87	3	1800
Home Care CDS 503	X		2700		300	3000		3000				
					0	0		0				
					0	0		0				
					0	0		0				
					0	0		0				
					0	0		0				
					0	0		0				
					0	0		0				
					0	0		0				
Total		40000	149665	113641	303306	33699	9360	346365	26299		142	29192

* Adult Day Care & Adult Day Health Care Net Service Cost

ADC _____
 ADHC _____

Daily Care _____
 Transportation _____
 Administrative _____
 Net Ser. Cost Total _____

Certification of required minimum local match availability.
 Required local match will be expended simultaneously
 with Block Grant Funding.
 _____ Date 7-3-12
 County Finance Officer
 _____ Date 7-3-12
 Chairman, Board of Commissioners

NAME AND ADDRESS COMMUNITY SERVICE PROVIDER Person County Dept. of Social Services PO Box 770 Roxboro, NC 27573	Home and Community Care Block Grant for Older Adults County Funding Plan Provider Services Summary										DOA-732 (Rev. 2/12) County Person July 1, 2012 through June 30, 2013 REVISION # , DATE :		
Services	Ser. Delivery (Check One) Direct <input type="checkbox"/> Parat. <input checked="" type="checkbox"/>	Block Grant Funding			Total	B Required Local Match	C Net* Serv Cost	D NSIP Subsidy	E Total Funding	F Projected HCCBG Units	G Projected Reimburse Rate	H Projected HCCBG Clients	I Projected Total Units
		In-Home	Access	Other									
In-home Level I	X	4018			4464	4464		4464	300	14.88	1		
In-home Level II	X	27770			30856	30856		30856	2073	14.885	6		
Total		31788	0		31788	3532		35320	2373		7	0	
*Adult Day Care & Adult Day Health Care Net Service Cost													
Daily Care													
Transportation													
Administrative													
Net Ser. Cost Total													
ADC													
ADHC													
Certification of required minimum local match availability. Required local match will be expended simultaneously with Block Grant Funding.													
											<i>Angela Blalock</i>	Date	
											Community Service Provider	Date	
											<i>Ray W. Johnson</i>	Date	
											Signature, Chairman/Board of Commissioners	Date	

Home and Community Care Block Grant for Older Adults
County Funding Plan
Provider Services Summary

NAME AND ADDRESS: COMMUNITY SERVICE PROVIDER
Generations Adult Day Services
PO Box 721
Roxboro, NC 27573

DOA-732 (Rev. 3/12)
County, Kern
July 1, 2012 through June 30, 2013
REVISION # , DATE :

Services	Ser. Delivery (Check One) Direct Purch.	Access	Block Grant Funding			Required Local Match	Net* Serv Cost	NSIP Subsidy	Total Funding	Projected HCCBG Units	Projected Reimburse Rate	Projected HCCBG Clients	Projected Total Units
			In-Home	Other	Total								
Adult Day Services	X		7433	7433	7433	826	8259	8259	206	40.0922	206	1	
Total			0	7433	7433	826	8259	8259	206			1	0
*Adult Day Care & Adult Day Health Care Net Service Cost													
Daily Care	ADC												
Transportation	ADHC												
Administrative													
Net Ser. Cost Total													

Certification of required minimum local match availability.
Required local match will be expended simultaneously with Block Grant Funding.

Amy Wehler 7-3-12
Signature, County Finance Officer Date

Authorized Signature, Title
Community Service Provider
Summy B Clayton 7-3-12
Signature, Chairman, Board of Commissioners Date

PRELIMINARY RESOLUTION AND CALL FOR PUBLIC HARING RELATED TO FINANCING OF RE-ROOFING FOR SOUTHERN MIDDLE SCHOOL AND A PORTION OF PERSON HIGH SCHOOL:

Finance Director, Amy Wehrenberg requested Board action to approve a Resolution titled “RESOLUTION CALLING A PUBLIC HEARING ON WHETHER THE BOARD OF COMMISSIONERS FOR THE COUNTY OF PERSON, NORTH CAROLINA SHOULD APPROVE A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE A PORTION OF THE COST OF CERTAIN IMPROVEMENTS TO SCHOOL FACILITIES AND WHETHER SAID COUNTY SHOULD ACQUIRE CERTAIN PROPERTY INCLUDED IN SUCH PROJECT AND PROVIDING FOR CERTAIN RELATED MATTERS.”

Ms. Wehrenberg explained the Resolution presents a stated intent by the County of Person to finance the re-roofing construction of Southern Middle School and a portion of Person High School beginning with the conveyance of Southern Middle School to Person County by the Board of Education as required collateral for the Project.

Ms. Wehrenberg stated the Resolution sets forth sections in the following:

Preamble: The plan to finance the Project with the conveyance of Southern Middle School to the County as collateral.

1. The call for a public hearing to facilitate receiving public input on the proposed financing as required by North Carolina General Statutes.
2. Directions to the Clerk of the Board to publish the notice of the public hearing.
3. Sets forth certain findings and determinations regarding the proposed financing that it is necessary and expedient to provide funding by debt; that this particular type of financing is preferable; the amount of the proceeds of the proposed debt is sufficient; the county’s debt policies are in good order; an increase in taxes to fund repayment of the debt is not anticipated; and that the County is not in default on any of its debt.
4. Designates and authorizes certain County officials to represent the County in filing an application with and requesting approval from the Local Government Commission (LGC) for the proposed financing agreement.
5. Requests that the LGC approve the proposed financing agreement.
6. Designates the special counsel to represent the County’s interests.
7. The resolution is effective upon its passage by the Board.

Chairman Clayton introduced the above mentioned Resolution for Board consideration.

Ms. Wehrenberg confirmed that the County of Person would be responsible for all legal fees for the deed transfer with no costs to be incurred by the Board of Education. Ms. Wehrenberg noted the Board of Education passed a Preliminary Resolution in June to convey the property to Person County until the same stipulations as noted above. Ms. Wehrenberg estimated Person County to save over \$1.2 million in interest over the term of the loan (assuming a 15 year term) due to the interest-free financing.

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Blalock, and **carried 5-0** to approve the Resolution titled "RESOLUTION CALLING A PUBLIC HEARING ON WHETHER THE BOARD OF COMMISSIONERS FOR THE COUNTY OF PERSON, NORTH CAROLINA SHOULD APPROVE A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE A PORTION OF THE COST OF CERTAIN IMPROVEMENTS TO SCHOOL FACILITIES AND WHETHER SAID COUNTY SHOULD ACQUIRE CERTAIN PROPERTY INCLUDED IN SUCH PROJECT AND PROVIDING FOR CERTAIN RELATED MATTERS" as presented.

REIMBURSEMENT RESOLUTION RELATED TO FINANCING OF RE-ROOFING FOR SOUTHERN MIDDLE SCHOOL AND A PORTION OF PERSON HIGH SCHOOL:

Finance Director, Amy Wehrenberg requested Board action to approve a Resolution titled "RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE COUNTY OF PERSON, NORTH CAROLINA, DECLARING ITS INTENTION TO REIMBURSE SAID COUNTY FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES IN CONNECTION WITH CERTAIN IMPROVEMENTS TO SCHOOL FACILITIES."

Ms. Wehrenberg stated the Resolution sets forth sections in the following:

Preamble: The County plans to expend funds for repair or replacement of roofs at Southern Middle School and Person High School.

1. States the Board's intention to advance funds as necessary from County funds for these expenditures until installment financing proceeds become available for reimbursement.
2. Lists the types of costs that are eligible under the Project, including issuance costs and provisions for these expenditures to be capital-related and non-recurring.
3. Establishes the maximum principal expected to be borrowed.
4. Describes the process of how the County requests a reimbursement from the proceeds, and the time parameters in which the expenditures can be reimbursed.

Chairman Clayton introduced the above mentioned Resolution for Board consideration.

Ms. Wehrenberg stated Person County was approved by the Department of Public Instruction for \$3,132,537.50 Qualified School Construction Bonds.

A **motion** was made by Commissioner Kennington, **seconded** by Vice Chairman Puryear, and **carried 5-0** to approve the Resolution titled "RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE COUNTY OF PERSON, NORTH CAROLINA, DECLARING ITS INTENTION TO REIMBURSE SAID COUNTY FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES IN CONNECTION WITH CERTAIN IMPROVEMENTS TO SCHOOL FACILITIES" as presented.

A regular meeting of the Board of Commissioners for the County of Person, North Carolina, was held in the Commissioners' Meeting Room in the Person County Office Building, in Roxboro, North Carolina, the regular place of meeting, on July 2, 2012, at 7:00 P.M.

Present: Chairman Jimmy B. Clayton, presiding, and Commissioners Kyle W. Puryear, B. Ray Jeffers, Frances P. Blalock and Samuel R. Kennington.

Absent: None.

* * * * *

Chairman Jimmy B. Clayton introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by its title:

RESOLUTION CALLING A PUBLIC HEARING ON WHETHER THE BOARD OF COMMISSIONERS FOR THE COUNTY OF PERSON, NORTH CAROLINA SHOULD APPROVE A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE A PORTION OF THE COST OF CERTAIN IMPROVEMENTS TO SCHOOL FACILITIES AND WHETHER SAID COUNTY SHOULD ACQUIRE CERTAIN PROPERTY INCLUDED IN SUCH PROJECT AND PROVIDING FOR CERTAIN RELATED MATTERS.

WHEREAS, the County of Person, North Carolina (the "County") and The Person County Board of Education, which has general control and supervision of all matters pertaining to the public schools in the Person County Schools, its respective school administrative unit (the "Board of Education"), have determined to cooperate in a plan to finance a portion of the cost of a project which each has found to be necessary and desirable to provide for improved public school facilities and improved public education in such school administrative unit; and

WHEREAS, such project consists of the repair or replacement of roofs at Southern Middle School and Person High School (the "Project"); and

WHEREAS, the County is considering entering into an installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of

3123823v1 14038.00021

providing funds in an amount not to exceed \$3,132,537.50, with other available funds, for the construction and other accomplishment of the Project, and the County is authorized to do so only after a public hearing on such proposed agreement; and

WHEREAS, such plan to finance a portion of the cost of the Project includes the sale by the Board of Education to the County of the fee or any lesser interest in the real and personal property included in the Project, including specifically the site of Southern Middle School and the improvements thereon, for use by the Person County Schools; and

WHEREAS, the County is authorized to acquire the fee or any lesser interest in the real and personal property included in the Project for use by the Person County Schools only upon the request of the Board of Education and after a public hearing; and

WHEREAS, the Board of Education has made such request of the County; and

WHEREAS, it is necessary to call a public hearing on such proposed agreement and such acquisition of property and to provide for certain related matters at this time;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County as follows:

Section 1. A public hearing shall be held at 7:00 P.M. on August 6, 2012 in the Commissioners' Meeting Room in the Person County Office Building, in Roxboro, North Carolina for the purpose of (a) considering whether the Board of Commissioners for the County (the "Board") should approve such proposed agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$3,132,537.50, with other available funds, for the construction and other accomplishment of the Project and (b) considering whether the County should acquire the fee or any lesser interest in the real and personal property included in the Project, including specifically the site of Southern

Middle School and the improvements thereon, for use by the Person County Schools in order to proceed with the plan to finance a portion of the cost of the Project as described above. The County would secure the repayment by it of moneys advanced pursuant to such proposed agreement by granting a security interest in a portion of the Project and certain related property.

Section 2. The Clerk to the Board shall cause a notice of such public hearing to be published in The Courier - Times once at least 10 days before August 6, 2012, such notice to read substantially as follows:

NOTICE OF PUBLIC HEARING ON WHETHER THE BOARD OF COMMISSIONERS FOR THE COUNTY OF PERSON, NORTH CAROLINA SHOULD APPROVE A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE A PORTION OF THE COST OF CERTAIN IMPROVEMENTS TO SCHOOL FACILITIES AND WHETHER SAID COUNTY SHOULD ACQUIRE CERTAIN PROPERTY INCLUDED IN SUCH PROJECT.

NOTICE IS HEREBY GIVEN of a public hearing to be held at 7:00 P.M. on August 6, 2012 in the Commissioners' Meeting Room in the Person County Office Building, in Roxboro, North Carolina for the purpose of (a) considering whether the Board of Commissioners for the County of Person, North Carolina (the "County") should approve a proposed installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$3,132,537.50, with other available funds, for the construction and other accomplishment of the Project hereinafter described and (b) considering whether the County should acquire the fee or any lesser interest in the real and personal property included in the Project, including specifically the site of Southern Middle School and the improvements thereon, for use by the Person County Schools in order to proceed with a plan by the County and The Person County Board of Education (the "Board of Education") to finance a portion of the cost of the Project. The County would secure the repayment by it of

moneys advanced pursuant to such proposed agreement by granting a security interest in a portion of the Project and certain related property.

The Project consists of the repair or replacement of roofs at Southern Middle School and Person High School.

Brenda B. Reaves
Clerk to the Board of Commissioners
for the County of Person, North Carolina

Section 3. The Board hereby finds and determines in connection with such proposed agreement that (a) the proceeds of such proposed agreement will be used to finance a portion of the cost of the Project to meet an urgent need for improved public school facilities constituting the Project to serve the residents of the County and, accordingly, such proposed agreement is necessary or expedient for the County, (b) such proposed agreement, under current circumstances, is preferable to a bond issue of the County for financing the same purpose because there is not sufficient time to authorize and issue bonds of the County prior to the time when funds will be needed for such purpose, (c) the sums estimated to fall due under such proposed agreement are adequate and not excessive for its proposed purpose because they are based upon the County's best estimate of the cost of the Project, (d) the County's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed agreement will not be excessive because the County expects that it will not be necessary to increase taxes for such purpose and (f) the County is not in default regarding any of its debt service obligations.

Section 4. The County Manager, the Finance Director and the County Attorney of the County are each hereby designated as a representative of the County to file an application for approval of such proposed agreement with the Local Government Commission of North Carolina

and are authorized to take such other actions as may be advisable in connection with the negotiation of such proposed agreement and the development of the related financing; and all actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 5. The Board hereby requests the Local Government Commission of North Carolina to approve such proposed agreement under Article 8 of Chapter 159 of the General Statutes of North Carolina, as amended.

Section 6. The law firm of Robinson, Bradshaw and Hinson, P.A., Charlotte, North Carolina, is hereby confirmed as special counsel to the County in connection with such proposed agreement.

Section 7. This resolution shall take effect immediately upon its passage.

Upon motion duly made and seconded, the foregoing resolution was passed by the following vote:

Ayes: Chairman Jimmy B. Clayton, and Commissioners Kyle W. Puryear, B. Ray Jeffers, Frances P. Blalock and Samuel R. Kennington.

Noes: None.

Thereupon, Chairman Jimmy B. Clayton introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by its title:

RESOLUTION OF THE BOARD OF COMMISSIONERS FOR
THE COUNTY OF PERSON, NORTH CAROLINA,
DECLARING ITS INTENTION TO REIMBURSE SAID
COUNTY FROM THE PROCEEDS OF ONE OR MORE TAX-
EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES IN
CONNECTION WITH CERTAIN IMPROVEMENTS TO
SCHOOL FACILITIES.

WHEREAS, the County of Person, North Carolina (the "County"), is a political subdivision organized and existing under the laws of the State of North Carolina; and

WHEREAS, the County or The Person County Board of Education (the "Board of Education") will pay, on and after the date hereof, certain expenditures in connection with the repair or replacement of roofs at Southern Middle School and Person High School (the "Project"); and

WHEREAS, the Board of Commissioners for the County (the "Board") has determined that certain moneys to be advanced on and after the date hereof by the County or the Board of Education to pay such expenditures (the "Expenditures") are available only for a temporary period and it will be necessary to reimburse the County for the Expenditures from the proceeds of one or more qualified school construction bonds of the County in the form of one or more installment financings that are expected to be authorized by the Board (collectively, the "Financings") in accordance with Section 54A(d)(2)(D) of the Internal Revenue Code of 1986, as amended;

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

Section 1. The Board hereby declares the County's intent to reimburse the County with the proceeds of the Financings for the Expenditures made on and after the date hereof. The County reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Financings.

Section 2. Each Expenditure will be (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the

Expenditure), (b) a cost of issuance with respect to the Financings, (c) a nonrecurring item that is not customarily payable from current revenues or (d) a grant to a portion that is not related to or an agent of the County or the Board of Education so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the County or the Board of Education.

Section 3. The maximum principal amount of the Financings expected to be entered into with respect to the Project is \$3,132,537.50.

Section 4. The County will make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Financings to reimburse an Expenditure, no later than 18 months after the date on which the Expenditure is paid.

Section 5. This resolution shall take effect immediately upon its passage.

Thereupon, upon motion duly made and seconded, the foregoing resolution was passed by the following vote:

Ayes: Chairman Jimmy B. Clayton, and Commissioners Kyle W. Puryear, B. Ray Jeffers, Frances P. Blalock and Samuel R. Kennington.

Noes: None.

* * * * *

I, Brenda B. Reaves, Clerk to the Board of Commissioners for the County of Person, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a regular meeting held on July 2, 2012 as relates in any way to the matters described therein.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said Board, stating that regular meetings of said Board are held in the Commissioners' Meeting Room in the Person County Office Building, in Roxboro, North Carolina, on the first and third Mondays of each month at 7:00 P.M. and 9:00 A.M., respectively, has been on file in my office as of a date not less than seven days before the date of said meeting in accordance with G.S. §143-318.12.

WITNESS my hand and the corporate seal of said County, this 2nd day of July, 2012.



Brenda B. Reaves
Brenda B. Reaves
Clerk to the Board of Commissioners

TAX COLLECTOR ANNUAL SETTLEMENT:

Tax Administrator, Russell Jones presented the Board with the Tax Collector Annual Settlement for 2011 noting as required by General Statute 105-373(a)(3), an annual settlement for taxes for the current fiscal year and all previous years must be made with the governing body of the taxing unit during the month of July.

Mr. Jones provided the following presentation:

2011 Tax Collector Settlement

2011 Tax Base

- Budget tax base for 2011-\$3.865 billion
- Actual tax base for 2011- \$3.882 billion
- Tax base was higher than budget by .44%
- Tax base for 2010- \$3.865 billion
- Increase in base was \$17 million

2011 tax year collections

- Budgeted collection rate for 2011– 96.5%
- Actual collection rate for 2011– 97.63%
- Collection rate was over by 1.13%
- Collections was \$470,035 more than anticipated on current year collections
- Average collection rate for Person County for last 10 years is 97.3%

2011 Tax Year Uncollected Balances

- County 2011 uncollected taxes-all
– \$645,111
- County 2011 uncollected real only-
– \$378,638
- County 2011 uncollected vehicle only-
– \$234,450
- County 2011 uncollected other-
– \$32,023

Collection activities

- Total payments for all years, including City of Roxboro-
– \$31,199,727
- Total payments for all years, Person County-
– \$27,192,772
- Processed 85,908 payments
- 2011 Prepayments were \$ 60,897

Prior year tax collections

- This includes 2001-2010 tax years
- County Unpaid balances on July 1, 2011-
– \$1,150,923
- County Unpaid balances on June 30, 2012-
– \$614,661
- County Collections on Prior Years-
– \$536,262

Forced Collections

- Attachments- 634 payments
 - \$176,579 County
 - \$ 31,577 City
 - \$208,156 Total
- Garnishments- 6,049 payments
 - \$458,732 County
 - \$ 60,838 City
 - \$519,570 Total

Forced Collections County and City

- Escheats- Also known as NC Cash
 - Approximately \$ 4,000
- Debt Setoff- 691 accounts collected
 - \$71,064 for Tax Office
 - \$16,681 for EMS
 - \$ 4,400 for Health Department
 - \$ 14,357 for Library
 - \$ 167 for Person Industries
 - \$106,669 Total Collected

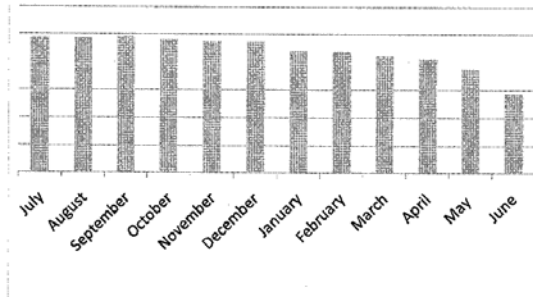
July 2, 2012

Forced Collections County and City

- Foreclosures
 - Maintain 100 pieces in active foreclosure
 - Collected from payment plans- \$58,642

Current Year RMV

Collection rate for July 2011-97.36%
Collection rate for June 2012-56.65%



Uncollected Balances

- All years uncollected- \$1,182,373
- 15,145 Total bills left uncollected
- Uncollected 11,562 vehicle bills
– \$356,036
- Uncollected 2,713 real estate bills
– \$743,693
- Uncollected 870 other tax bills
– \$82,644

2001-11th Year Taxes

- 2001 Original Levy- \$19,746,044
- Total bills uncollected- 389- \$12,732
- Uncollected Real Estate bills-34- \$ 2,603
- Uncollected Vehicle bills- 328- \$ 7,706
- Uncollected Other bills- 27- \$ 2,423
- .064% Uncollected after 10 years
- or 6/100 of 1%

Mr. Jones told the Board that the legislation proposing to suspend the contingency audits for real property would not directly affect Person County due to the county's current fee base contract with an auditor. Mr. Jones stated he supported counties to have the option to choose between fee based and contingency audits.

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Blalock, and **carried 5-0** to accept the report as presented by the Tax Administrator.

ORDER TO COLLECT TAXES:

Tax Administrator, Russell Jones stated as required by General Statute 105-321, the governing board of the taxing unit must issue an order of collection to tax collectors. This gives the tax collector legal authority to collect taxes.

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers, and **carried 5-0** to direct the Tax Collection to collect taxes for 2012 and any delinquent taxes from prior years.



PERSON COUNTY

**OFFICE OF THE TAX
ADMINISTRATOR**

Person County Tax Office
P.O. Box 1116
13 Abbitt St
Roxboro, North Carolina 27573-1116
(336) 597-1721 Fax No. (336) 322-8619

ATTACHMENT II

County of Person

To the Tax Collector of the County of Person:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of Person County Tax Office and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Person, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this 2nd day of July, 2012.



Jimmy B. Clayton

Jimmy B. Clayton
Chairman, Board of Commissioners of Person County

Attest:

Brenda B. Reaves

Brenda B. Reaves, Clerk to the Board

July 2, 2012

PROPOSED POLICY FOR MILEAGE REIMBURSEMENT OF APPOINTED BOARD AND COMMITTEE MEMBERS:

County Manager, Heidi York stated she was directed by the Board at their June 14, 2012 Budget work session to develop a policy that would allow for appointed members of official county boards and committees to receive a mileage reimbursement for their travel to and from respective board meetings. Ms. York presented to the Board the following addendum to the County's Travel Policy has been drafted to address mileage reimbursement of appointed members noting that due to the set amount of funding available, this addendum is applicable to Fiscal Year 2012-2013 only and will require modification in the future.

PERSON COUNTY TRAVEL POLICY ADDENDUM

5.1.a Appointed Board and Committee Member Travel

During FY2013, appointed board members may receive mileage reimbursement for travel expenses incurred while using their personal vehicle to travel to and from their respective, official board meetings. Reimbursement will be paid for round-trip mileage at the current IRS allowable rate. Appointed board members are not eligible for hotel, meal, registration, membership or other reimbursement expenses.

The Person County Board of Commissioners has allocated \$11,508 for appointed board members' mileage reimbursement. These funds will be allocated on a first-come, first-serve basis. This reimbursement policy will become void when the funds are depleted.

Appointed board and committee members should complete the Person County Travel Expense Reimbursement form and submit it to their staff liaison. In addition, appointed board members should attach a third-party document that verifies the distance between the start point and final destination. Online mapping programs, such as Mapquest, are the preferred means of proof of distance.

Requests for reimbursement must be accounted for within 60 days after costs are incurred. Person County will not process requests for reimbursements submitted after the 60th day.

This addendum is only effective through June 30, 2013. Funding for mileage reimbursement to appointed board and committee members after this period is dependent upon availability of funding within the County's budget and the discretion of the County Manager's recommendations and Board's approval.

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Blalock, to approve the Appointed Board and Committee Member Travel Policy for those committee members that do not receive a monthly stipend for attending meeting(s).

The Board discussed the start point and the final destination.

July 2, 2012

Commissioner Jeffers stated his opposition of the proposed travel policy for appointed board and committee members.

Ms. York noted the Board of Elections was the only board that receives county funding as a stipend for required training, further noting the ABC Board and Person-Caswell Lake Authority does not receive county funding for the stipends but uses funding collected through fees collected. The ABC Board Chair received \$100 per meeting and the other two members receive \$50 per meeting. The Person-Caswell Lake Authority members receive a \$300 for the first meeting and \$200 per additional meeting in a month.

Commissioner Kennington **amended his motion** for his intent to have the start point and final destination as the home of the member. Commissioner Blalock stated a preference to place a limit on the amount of miles and **did not agree with the amended motion as the second.**

Commissioner Kennington and Commissioner Blalock **withdrew the motion** on the floor. It was the consensus of the Board to not have a policy for mileage reimbursement for appointed members of boards and committees.

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, to move \$11,553 allocated for appointed board members' mileage reimbursement to Fund Balance.

A **amended motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to move \$11,508 allocated for appointed board members' mileage reimbursement to Fund Balance.

CONSIDERATION OF PLACING A MORATORIUM ON FUTURE SPECIAL USE PERMITS FOR INTERNET SWEEPSTAKES WITHIN THE COUNTY:

A **motion** was made by Commissioner Blalock, **seconded** by Commissioner Kennington to place a moratorium on future Special Use Permits for internet sweepstakes within the county until such time the General Assembly sets rules and regulations for oversight of this industry.

County Manager, Heidi York stated the County Attorney has researched the issue noting the county has no authority to regulate internet sweepstakes.

Commissioner Blalock **withdrew the motion** on the floor and requested any options the county has to regulate internet sweepstakes. Commissioner Kennington withdrew his second on the motion on the floor as well. Ms. York stated she would request the County Attorney to outline the process of placing a moratorium on future special use permits for internet sweepstakes within the county.

CLOSED SESSION:

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Blalock, and **carried 5-0** to enter Closed Session at 9:00 pm pursuant to General Statute 143-318.11(a)(4) for the purpose to discuss matters relating to the location or expansion of industries within the county including economic development incentives within the county with the County Manager, Heidi York, Clerk to the Board, Brenda Reaves, Assistant County Manager, Sybil Tate, Tax Administrator and Interim Economic Development Director, Russell Jones, Economic Development Commission Chairman, Phillip Allen, and Alan Hicks permitted to attend.

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers, and **carried 5-0** to return to open session at 9:12 pm.

CLOSED SESSION:

A **motion** was made by Commissioner Blalock, **seconded** by Commissioner Jeffers, and **carried 5-0** to enter Closed Session at 9:12 for consideration of appointment of individuals through an informal interview process with applicants of competitive committee, boards, and commissions per General Statutes 143-318.11(a)(6) with the County Manager, Heidi York, Clerk to the Board, Brenda Reaves, and Assistant County Manager, Sybil Tate permitted to attend.

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Blalock, and **carried 5-0** to return to open session at 9:23 pm.

BOARDS AND COMMITTEES APPOINTMENTS:

Clerk to the Board, Brenda Reaves presented the Board with citizen applications for consideration for appointment in response to Person County's ad soliciting volunteers published in the *Courier Times* on May 16, 2012 with a deadline to submit application by noon on June 5, 2012.

Ms. Reaves noted the highlighted boards denote a competitive board further noting the Board, at its June 14 work session, waived all the competitive boards from the informal interview process except for the Person-Caswell Lake Authority and the PCC Board of Trustees which took place at 6:00 pm July 2, 2012 prior to the regular scheduled meeting. Ms. Reaves requested Board nomination for appointment as deemed appropriate.

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers, and **carried 5-0** to approve the following uncontested applicants for appointment that was received by the deadline as follows:

- ABC Board
3-Year Term: 1 position available
1) Dr. John Bradsher requested reappointment

- Adult Care Home Advisory Committee
1 Unexpired Term to 12/31/14 (Resignation of Faye McGhee)
1) Charlene Wilkins requested appointment

- Board of Adjustment
3-Year Term: 1 position available
1) Lindsay T. Wagstaff, Jr. requested reappointment

- Board of Health
3-Year Term: 1 position each representing:
 - a veterinarian,
1) Claudia Berryhill, DVM requested reappointment

 - a physician,
1) Dr. Kimberly Yarborough requested reappointment

 - a nurse, and
1) Doris Pillow requested reappointment

 - 2 positions representing the general public
1) Jack Hester requested reappointment
2) Benjamin Tillett, Jr. requested reappointment

- Juvenile Crime Prevention Council
1-Year Initial Term; 2-Year Reappointment
1 position each representing:
 - Mental Health (unexpired term to 12/31/13),
1) No applications received.

 - a member of the Faith Community,
1) No applications received.

 - a member of the business community, and
1) No applications received.

 - three citizen-at-large positions
1) Margaret Bradsher requested reappointment
2) No application received.
3) No application received.

- OPC Community Operations Center Advisory Board
2 positions for citizens
 - 1) Amanda Blanks requested appointment
 - 2) Bill Gentry requested appointment

- Person Area Transportation System Board
3-Year Term; 5 positions available
Seeking citizens that can represent or are affiliated with:
the school system
 - 1) Treco Lea-Jeffers requested appointment

- Planning Board
3-Year Term: 4 positions available
 - 1) Derrick Smith requested reappointment
 - 2) Sandra Majors requested appointment

- Recreation Advisory Board
3-Year Term: 1 position available
 - 1) Kirk W. Redman requested reappointment

- Research Triangle Regional Partnership (RTRP) Board
Phillip Allen, Chairman, Person County Economic Development Commission on
the RTRP Board. The term would be effective 7/1/2012 – 6/30/2014

- Voluntary Agricultural District Board
3-Year Term

Cunningham Township
 - 1) Johnny Rogers requested reappointment
Holloway Township:
 - 1) Cal Berryhill requested reappointment
Woodsdale Township:
 - 1) Paul Bailey requested reappointment

- Work Force Development Board
1-Year Initial Term; 2-Year Reappointment:

2 Private Industry Representatives
 - 1) Derrick Sims requested reappointment
 - 2) No application received.

Organized Labor Representative:

- 1) David Haynes requested appointment

Healthcare Representative:

- 1) Eva McDougal requested reappointment

Education Representative for Community College President:

- 1) Dr. Walter Bartlett requested reappointment

It was the consensus of the Board that the late application from Michael Brandon for the Planning Board be held and considered at a later date upon re-advertisement for the vacancies as well as the Planning Board members that have terms expiring June 30, 2012 that did not re-apply for appointment not be permitted to continue serving until such time that the positions are filled by a new appointment.

A **motion** was made by Chairman Clayton, **seconded** by Commissioner Jeffers, and **carried 5-0** to appoint John Hill to the Person Area Transportation System Board for a 3-year term to represent Parks and Recreation.

The Board took action as follows on boards and committees that were contested:

- Nursing Home Advisory Committee
1-Year Initial Term; 3-Year Reappointment; 1 position
1 Unexpired Term to 12/31/14 (Resignation of Faye McGhee)
 - 1) Charlene Wilkins requested appointment
 - 2) Treco-Lea Jeffers requested appointment
 - 3) Geraldine Yancey requested reappointment

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to reappoint Geraldine Yancey for a 3-year term to the Nursing Home Advisory Committee.

A **motion** was made by Vice Chairman Puryear, **seconded** by Chairman Clayton, and **carried 5-0** to appoint Treco-Lea Jeffers to the Nursing Home Advisory Committee to fill the unexpired term to 12/31/14.

- Economic Development Commission
3-Year Term: 3 positions available
 - 1) Robert Allen requested appointment
 - 2) Chad Brown requested appointment
 - 3) Ray Wilkins requested reappointment
 - 4) Kenneth Perry requested reappointment
 - 5) Sandra Majors requested appointment

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Jeffers, and **carried 5-0** to hold the Economic Development Commission appointments until such time as the Economic Development Coordinator has been employed.

- Person-Caswell Lake Authority
3-Year Term: 1 position available
 - 1) Gil Stovall requested reappointment
 - 2) Henry Pleasant requested appointment

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers, and **carried 5-0** to reappoint Gil Stovall to the Person-Caswell Lake Authority for a 3-year term.

- Piedmont Community College Board of Trustees
4-Year Term; 1 position available
 - 1) Bayard Crumpton requested reappointment
 - 2) Robert Allen requested appointment

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers, and **carried 5-0** to reappoint Bayard Crumpton to the Piedmont Community College Board of Trustees for a 4-year term.

All board and committees not receiving applications to fill any or all positions will be re-advertised.

CHAIRMAN'S REPORT:

Chairman Clayton told the group that the Division of Water Quality (DWQ) letter that was at their seats is a letter of support of Durham County's position to disagree with DWQ revised standards to effectively exempt its own permitted systems from the reductions that DWQ is requiring of governments in the Falls Watershed. Commissioner Kennington asked if Representative Winkie Wilkins has provided any update on this issue. Chairman Clayton stated there had not been an update. Commissioner Kennington asked the County Manager to request Representative Wilkins to provide a monthly update on this issue.

Chairman Clayton stated Harold Kelly of Environmental Health has gathered an inventory that is required to be submitted along with a survey to be completed by January indicating what percentage of systems are failing that are located within the watershed. Chairman Clayton explained NC State University has obtained permission from DWQ to perform a sampling (200 of 6,800 systems) and prepare the statistical sample information at a cost. Chairman Clayton requested the Board's approval to allow up to \$50,000 be dedicated in the Stormwater Fund to perform the survey by NC State University. Chairman Clayton noted notice would be mailed to property owners that are randomly selected for the sampling as well as information sent to the media.

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Jeffers, and **carried 5-0** to allow up to \$50,000 be dedicated in the Stormwater Fund to perform the survey by NC State University sampling 200 of 6,800 systems within the watershed.

MANAGER'S REPORT:

County Manager, Heidi York announced the county would hold two stormwater educational meetings for the public (developers and landowners to be invited) related to the ordinance regulations which will be held on:

Thursday, July 12, 10:00 am-11:00 am and Tuesday, July 17, 5:30 pm-6:30 pm
FEMA room
355 South Madison Boulevard, Roxboro, NC 27573

Ms. York noted a press release would be sent to the media as well as information has been posted on the county web site.

Ms. York told the Board that staff would be distributing a computerized tablet (ipad) to each commissioner at the end of the meeting noting she would facilitate one-on-one training for each commissioner with IT staff so to move the agenda process to an automated, electronic process in an effort to reduce paper costs. A group training would be planned following the August 20, 2012 Board meeting.

COMMISSIONER REPORT/COMMENTS:

Commissioner Kennington had no report or comments.

Commissioner Blalock noted the issue related to the shooting range would be on the agenda in August. Commissioner Blalock inquired about smoking in Parks & Recreation facilities. County Manager, Heidi York stated staff has been working on a policy for Board consideration related to smoking on county property. Commissioner Jeffers stated the Recreation Board has also been discussing this issue. Ms. York asked the Board to let her know when they would like to have it on the agenda. Commissioner Blalock commented on the letter to the editor related to the septic tank inspection by Environmental Health that costs the property owner \$125 without their knowledge of the visit and the fee. Commissioner Blalock suggested county departments work toward informing citizens of such visits and fees.

Commissioner Jeffers stated the NC Association of County Commissioners Board of Directors voted to reduce county dues. Commissioner Jeffers noted his recent meeting with the Friends of the Senior Center with discussions around the new Senior Center noting that Mayor Marilyn Newell announced a new roof would be constructed on the existing Senior Center facility. Commissioner Jeffers mentioned the Human Services bill passed to provide counties with options to combine human services to achieve efficiencies. Ms. York added that the School of Government has offered counties an opportunity to give Board's options related to the newly passed human services bill. Commissioner Jeffers announced the bill that was passed for counties to have the same option as was enacted for Nash County to authorize to offer broadband through partnership or direct service, provide grants to unaffiliated, qualified, private providers of high-speed internet broadband. Ms. York noted staff would research the newly passed bill related to broadband.

Vice Chairman Puryear asked the County Manager to begin reviewing options to the bill related to expanding broadband and to get the process started for citizens waiting for high-speed internet. Vice Chairman Puryear asked the County Manager for a storm assessment. Ms. York noted a storm assessment email was sent to the Board just prior to the Board meeting further noting the county opened a shelter that was utilized by two people until their power was restored. Ms. York stated all power was to be restored by noon on July 2, 2012. Ms. York noted county vehicles received extensive hail damage by the storm.

Ms. York stated she had met with Durham County representatives and the consultants related to the potential joint business park to receive the preliminary feasibility study noting a suggestion to convene both county boards for a site selection meeting during September or October, 2012.

Ms. York told the Board will be presented the Recreation/Senior Center Feasibility Study at its August meeting related to the Huck Sansbury site which also included a study of athletic fields being located on Critcher-Wilkerson property.

ADJOURNMENT:

A **motion** was made by Commissioner Kennington, **seconded** by Vice Chairman Puryear, and **carried 5-0** to adjourn the meeting at 9:57 pm.

Brenda B. Reaves
Clerk to the Board

Jimmy B. Clayton
Chairman