

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

**AUGUST 20, 2012**  
**OTHERS PRESENT**

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

Heidi York, County Manager  
C. Ronald Aycock, County Attorney  
Brenda B. Reaves, Clerk to the Board

The Board of Commissioners for the County of Person, North Carolina, met in regular session on Monday, August 20, 2012 at 9:00 am in the Commissioners' meeting room in the Person County Office Building.

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

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

Chairman Clayton asked the Board to consider adding the following two items to the agenda:

- 1) Recognition of Sheriff Department Staff to follow the approval of the agenda, and
- 2) Item #4, add discussion of reorganization of the EDC Board

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear and **carried 5-0** to add to the agenda Recognition of Sheriff Department Staff to follow the approval of the agenda.

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Blalock and **carried 5-0** to add discussion to item #4, Board and Committee Appointments, related to reorganization of the Economic Development Board and to approve the agenda as adjusted.

**RECOGNITION OF SHERIFF DEPARTMENT STAFF:**

Chairman Clayton and Board members recognized Sheriff Dewey Jones, Chief Deputy Al Rhew, Captain AJ (Joe) Weaver, Sergeant John Walker, Investigator Mark Massey, and Deputy Mickey Rodgers who were present at the meeting. Deputy Dustin Harris and Investigator Jamie Harris were not present but were included in the recognition. Chairman Clayton extended each a Certificate of Appreciation from the US Department of Justice Federal Bureau of Investigation for outstanding assistance in a joint investigative effort. Sheriff Jones stated it was a privilege and an honor for him and his staff to be recognized noting they were happy to be a part of a high profile case that eradicated an individual that was considered armed and dangerous out of Person County.

Commissioner Kennington asked for a moment of silence in memory of former Person County Commissioner, Stony Stonbraker.

**August 20, 2012**

**INFORMAL COMMENTS:**

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

Ms. Mikel (Blossom) Gardner of 1001 Gardner Road, Roxboro represented the Museum of History noting the dependence upon the Tourism Development Authority's (TDA) 1% of occupancy tax receipts for its budget as well as the consideration and support of TDA for other grant funds for specific programs. Ms. Gardner described the upcoming Farm Day program scheduled for the second week of September.

**APPROVAL OF MINUTES:**

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Blalock, and **carried 5-0** to approve the minutes of August 6, 2012.

**NEW BUSINESS:**

**2011 CDBG SCATTERED SITE REHABILITATION PROGRAM:**

Julie Reid, Grants Administrator with the Kerr-Tar Regional Council of Governments stated documents are required to be approved, executed and submitted to the Department of Commerce, Community Investment and Development to obtain a release of funds and to begin the project. Ms. Reid requested Board approval for authorization to execute said documents which included:

- A. A resolution authorizing the execution of a Funding/Grant Agreement and other required documents to allow the acceptance of a \$400,000 grant for the 2011 Person County Scattered Site Housing Rehabilitation Program.
- B. Resolution identifying personnel given the authority to execute requisitions.
- C. Project Ordinance – specifying the budget for the grant.
- D. Contract for Administrative Service
- E. Use of Experienced Administrator form
- F. Performance Based Contract

A **motion** was made by Commissioner Blalock, **seconded** by Commissioner Jeffers, and **carried 5-0** to approve and authorize execution of the required documents to allow the acceptance of a \$400,000 grant for the 2011 Person County Scattered Site Housing Rehabilitation Program as presented.

**RESOLUTION OF THE PERSON COUNTY  
BOARD OF COMMISSIONERS  
ACCEPTANCE AND EXECUTION OF GRANT AGREEMENT  
AND FUNDING APPROVAL FOR SCATTERED SITE REHABILITATION COMMUNITY  
DEVELOPMENT BLOCK GRANT PROGRAM**

**WHEREAS,** the County of Person applied to the North Carolina Department of Commerce, Division of Community Investment and Assistance for a Community Development Block Grant for Scattered Site Housing Rehabilitation ;

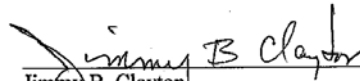
**WHEREAS,** upon approval by the North Carolina Department of Commerce of said application for Community Development Block Grant Funds in the amount of \$400,000; and,

**WHEREAS,** the North Carolina Department of Commerce will submit a Funding Approval and Grant Agreement outlining the conditions imposed upon said Community Development Block Grant Funds.


**NOW, THEREFORE, BE IT RESOLVED,** by the Person County Board of Commissioners that the Funding Approval and Grant Agreement with the County of Person and the North Carolina Department of Commerce in the amount of \$400,000 for CDBG Project 11-C-2322 is hereby accepted and that the Chairman of the Person County Board of Commissioners, and successors so titled were authorized to execute said Funding Approval and Grant Agreement and related documents upon receipt.

ADOPTED this the 20th day of August, 2012.



  
Jimmy B. Clayton  
Chairman of Person County

ATTEST:

  
Brenda B. Reaves, Clerk to the Board

August 20, 2012

**RESOLUTION OF THE PERSON COUNTY  
BOARD OF COMMISSIONERS  
AUTHORIZATION OF PERSONS TO SIGN REQUISITION FOR  
FUNDS FORMS**

**WHEREAS**, the County of Person applied to the North Carolina Department of Commerce, Division of Community Investment and Assistance for a Community Development Block Grant Scattered Site Grant;

**WHEREAS**, upon approval by the North Carolina Department of Commerce of said application for Community Development Block Grant Funds in the amount of \$400,000; and

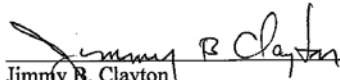
**NOW, THEREFORE, BE IT RESOLVED**, by the Person County Board of Commissioners that the three individuals listed on the Signatory Form and Certification is authorized to act as signatories for the CDBG SSR Grant No. 11-C-2322. The names that are listed on the Signatory Form and Certification:

Heidi York, County Manager  
Amy Wehrenberg, Finance Director  
Beth Farabaugh, Finance  
Jimmy B. Clayton, Chairman

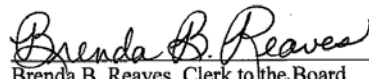
In addition, the Clerk to the governing body who knows all of the persons authorized to sign requisitions will sign the Signatory Form and Certification as the certifying official.

ADOPTED this 20<sup>th</sup> day of August, 2012.



  
\_\_\_\_\_  
Jimmy B. Clayton  
Chairman of Person County Commissioners

ATTEST:

  
\_\_\_\_\_  
Brenda B. Reaves, Clerk to the Board

August 20, 2012

**COUNTY OF PERSON  
PROJECT ORDINANCE**

BE IT ORDAINED by the County Commissioners of the County of Person, that pursuant to Section 12.3 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted.

**Section 1.** The project authorized is a Community Development – Scattered Site Rehabilitation. The project consists of housing rehabilitation, and general administration. Said project shall be in accordance with the County’s Community Development Block Grant Application as approved by the North Carolina Department of Commerce, Division of Community Investment and Assistance.

**Section 2.** The project director is hereby directed to proceed with the project within the terms of the Grant Agreement executed with the North Carolina Department of Commerce and within the funds appropriated herein including any Amendments as approved and executed by N.C. Department of Commerce, Division of Community Investment and Assistance.

**Section 3.** The following revenues are anticipated to be available to complete the project:

State of North Carolina, Department of Commerce	
Community Development Block Grant	\$400,000
<b>TOTAL FUNDS AVAILABLE</b>	<b>\$400,000</b>

**Section 4.** The following revised amounts are appropriated for the project:

<b>Rehabilitation of privately owned structures – C-1</b>	<b>\$237,929</b>
<b>Rehabilitation of privately owned structures – L-1</b>	<b>\$ 25,000</b>
<b>Reconstruction</b>	<b>\$ 85,571</b>
<b>Demolition</b>	<b>\$ 8,500</b>
<b>Temporary Relocation Expense</b>	<b>\$ 3,000</b>
<b>Planning</b>	<b>\$ 7,000</b>
<b>Administration:</b>	<b>\$ 33,000</b>
<b>TOTAL PROJECT COSTS.....</b>	<b>\$400,000</b>

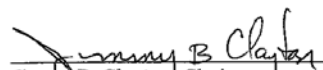
**Section 5.** The Finance Officer is directed to report quarterly on the financial status of this project. The Finance Officer shall also keep the governing body informed at each regular meeting of any unusual occurrences.

**Section 6.** The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient detailed accounting records to provide the accounting to the grantor agency required by the Grant Agreement and Federal and State Regulations.

**Section 7.** Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement request should be made to the grantor agency in an orderly and timely manner. Reimbursements to the General Fund should be made in a timely manner.

**Section 8.** Copies of this project ordinance shall be made available to the Budget Officer, the Finance Officer, the Grants Administrator and the Clerk to the Board, for direction in carrying out this project.

Adopted this the 20th day of August, 2012.

  
 Jimmy B. Clayton, Chairman  
 Person County Board of Commissioners

  
 Brenda B. Reaves, Clerk to the Board

August 20, 2012

**CONTRACT FOR CDBG COMMUNITY DEVELOPMENT  
ADMINISTRATIVE SERVICES**

**By and Between  
THE COUNTY OF PERSON, NORTH CAROLINA  
AND  
KERR-TAR REGIONAL COUNCIL OF GOVERNMENTS**

THIS AGREEMENT entered into as of the 20th day of August, 2012 by and between the County of Person, North Carolina (herein called the "County") and the Kerr-Tar Regional Council of Governments (herein called the "COG").

WITNESSETH THAT:

WHEREAS, the County is to receive Community Development Block Grant (CDBG) Scattered Site Housing Rehabilitation (CDBG-SSR) funds from the North Carolina Department of Commerce, Community Investment and Assistance, and

WHEREAS, the County desires to engage the COG to provide program administrative services in administering the Community Development Block Grant Scattered Site Housing Rehabilitation Project;

NOW THEREFORE, the parties hereto do mutually agree as follows:

I. SCOPE OF SERVICES

Services to be provided the County by the COG include, but are not necessarily limited to, the following:

A. General Administration:

1. Preparation of required certifications, Environmental Review, and CI correspondence pursuant to Release of Funds from CI;
2. Prepare a Citizen Participation Plan and facilitate meetings of the Citizen Advisory Committee;
3. Develop and maintain project files;
4. Provide general oversight of procurement procedures;
5. Provide second person review of all invoices and requests for payment and prepare requisitions for grant reimbursements;
6. Assist the County in the development of Request for Proposals and documentation of the selection process for professional services;

**August 20, 2012**

7. Provide the Board of Commissioners with quarterly status report on expenditures and accomplishments;
8. Assist in resolving citizen and contractor disputes;
9. Assist the County in complying with requirements of Fair Housing and Equal Opportunity Programs;
10. Prepare necessary program amendments, in accordance with applicable CDBG requirements;
11. Assist in monitoring visits conducted by Department of Commerce;
12. Prepare Annual Performance Reports and submit to CI;
13. Assist in close-out procedures for the CDBG Program; and
14. Other general administrative functions necessary to complete the tasks outlined in the Community Development Block grant application and guidelines.

B. Rehabilitation of Privately Owned Dwellings:

1. Prepare rehabilitation policies and guidelines for the County including eligibility requirements for grants and/or loans, Property Rehabilitation Standards, application procedures, and Basic Specifications for housing rehabilitation;
2. Verify applications for rehabilitation assistance in concurrence with Citizen Advisory Selection Committee;
3. Prepare work write-ups, floor plans and cost estimates;
4. Prepare and distribute bid packages including publication of invitation to bid;
5. Review bids, prepare bid tabulation and recommendation for award;
6. Prepare contract documents between property owner and contractor;
7. Conduct preconstruction conference and record minutes;
8. Inspection of active rehabilitation work at a minimum of two (2) times per week;
9. Process partial and final payment requests;
10. Conduct final inspection of each rehabilitated structure;
11. Process contractor call-back request from homeowners;

12. Assist the County in the proper notification and treatment procedures for lead-based paint hazards for houses that have a child under six (6) years of age; and
13. Assist the County in having wells and septic tanks installed in CDBG project houses where no wells or septic systems currently exist.

C. The County will be responsible for the following financial management activities:

1. Adoption of and amendments to budget ordinance;
2. Maintaining accounting records;
3. Check-writing;
4. Internal and external auditing;
5. Advertising costs for public notices; and
6. Provide the Division of Community Investment and Assistance a copy of the annual audit report each year that the grant is active.

II. TIME OF PERFORMANCE

The services of the COG are to commence upon the date of this Contract and shall be undertaken and completed in such sequence as to assure their expeditious completion, but in any event, all of the services shall be completed within thirty (30) months from the date of this Contract, unless events occur in project implementation that prevents the compliance with the above designated time of performance.

III. METHOD OF PAYMENT

Fees for services performed under this Contract shall be paid to the COG by the COUNTY on an hourly basis for persons that perform work under this contract per the salary approved by the COG Executive Committee. Hourly rates shall include salary, overhead and fringe benefits. In addition, travel cost including mileage, meals and lodging shall be paid the COG by the County. The maximum amount to be paid to the COG shall not exceed \$62,000, without the approval by the County. The actual work completed shall be at all times subject to inspection by the County. Statements for payment shall not be submitted more than once a month.



IV. CHANGES

The County may, from time to time, request changes in the scope of services of the COG to be performed hereunder. Such changes, including any increase or decrease in the amount of the COG's compensation, which are mutually agreed upon by and between the County and the COG, shall be incorporated in written amendments to this Contract.

- A. Key Personnel: The Contractor shall not substitute key personnel assigned to the performance of this contract without prior written approval by the Agency's Contract Administrator (City or County) and the grantor agency, the North Carolina Department of Commerce, Division of Community Investment and Assistance (CI). Individuals designated as key personnel for purposes of this contract are those specified in the Contractor's proposal.
- B. Subcontracting: Work proposed to be performed under this contract by the Contractor or its employees shall not be subcontracted without prior written approval by the Agency's Contract Administrator and the grantor agency, the North Carolina Department of Commerce, Division of Community Investment and Assistance (CI). Acceptance of an offeror's proposal shall include any subcontractor(s) specified herein.

V. CONFLICT OF INTEREST

Interest of Members, Officers, or Employees of the County, Members of Local Governing Body, or Other Public Officials. No members, officer, or employee of the County or its agents, no member of the governing body of the County in which the program is situated, and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his tenure or for one year thereafter, shall have any financial interest, either direct or indirect, in any contract or subcontract, or the process thereof, for work to be performed in connection with the program assisted under this agreement. Immediate family members of said members, officers, employees, and officials are similarly barred from having any financial interest in the program. The County shall incorporate, or cause to be incorporated, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this section.

VI. TERMINATION OF CONTRACT FOR CAUSE

If through any cause, the COG shall fail to fulfill in timely and proper manner their obligations under this Contract, or if the COG shall violate any of the covenants, agreements, or stipulations of this Contract, the County shall thereupon have the right to terminate this Contract by giving written notice to the COG of such termination and specifying the effective date thereof, at least five (5) days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports prepared by the COG under this Contract shall, at the option of the County become its property and the COG shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder.

Notwithstanding the above, the COG shall not be relieved of liability to the County for damages sustained by the County by virtue of any breach of the Contract by the COG, and the County may withhold any payments to the COG for the purpose of set-off until such time as the exact amount of the damages due the County from the COG is determined.

VII. TERMINATION OF CONTRACT FOR CONVENIENCE

The County or COG may terminate this Contract at any time by giving at least thirty (30) days notice in writing to the other party. If the Contract is terminated by either party as provided herein, the COG will be paid for the time provided and expenses incurred up to the termination date. If this Contract is terminated due to the fault of the COG, Paragraph VI hereof relative to termination shall apply.

VIII. NONDISCRIMINATION CLAUSE – Section 109, Housing and Community Development Act of 1974

In performing its duties under this Contract, the COG will comply with the requirements of the Nondiscrimination Clause of Section 109, Housing and Community Development Act of 1974, which requires ...“That no person in the United States shall on the ground of race, color, national origin or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds available under this title”.

IX. AGE DISCRIMINATION ACT OF 1975, AS AMENDED – Nondiscrimination on the Basis of Age

In performing its duties under this Contract, the COG will comply with the requirements of the Age Discrimination Act of 1975, as amended, Nondiscrimination on the Basis of Age, which requires that... “No qualified person shall on the basis of age be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal Financial assistance”.

X. SECTION 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED - Nondiscrimination on the Basis of Handicap

In performing its duties under this Contract, the COG will comply with the requirements of Section 504 of the Rehabilitation Act of 1973, as amended, Nondiscrimination on the Basis of Handicap, which requires that... “No qualified handicapped person shall, on the basis of handicap be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal Financial assistance”.

### SECTION 3 CLAUSE

#### "Section 3" Compliance in the Provision of Training, Employment and Business Opportunities

- A. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- B. The parties to this contract agree to comply with HUD's regulations in 24 CFR Part 135, which implement section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.
- C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D. The contractor agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR Part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 135.
- E. The contractor will certify that any vacant employment position including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR Part 135.
- F. Noncompliance with HUD's regulations in 24 CFR Part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.
- G. With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b)

requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

XI. ACCESS TO RECORDS AND RECORD RETAINAGE CLAUSE

In general, all official project records and documents must be maintained during the operation of this project and for a period of five years following close out in compliance with 15 NCAC 13L Rule .0911, Recordkeeping.

The North Carolina Department of Commerce, the North Carolina Department of the Treasurer, U.S. Department of Housing and Urban Development, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers and records of the COG which are pertinent to the execution of this Agreement, for the purpose of making audits, examinations, excerpts and transcriptions in compliance with the above Rule.

XII. LOBBYING CLAUSES

Required by Section 1352, Title 31, U.S. Code

- A. No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with awarding of any Federal Contract, the making of any Federal Grant, the making of any Federal Loan, the entering into of any cooperative, agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

This is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

XIII. Executive Order 11246 Clause

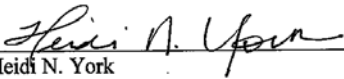
During the performance of this Contract, the COG agrees as follows:

- A. The COG will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The COG will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The COG agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
- B. The COG will, in all solicitations or advertisements for employees placed by or on behalf of the COG, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.
- C. The COG will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the COG's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- D. The COG will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
- E. The COG will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to their books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.
- F. In the event of the COG's noncompliance with the Nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the COG may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies involved as provided in Executive Order No. 11246 of September 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- G. The COG will include the provisions of paragraphs A through F in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon such subcontractor or vendor. The

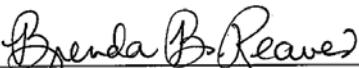
COG will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that in the event the contract becomes involved in, or threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the COG may request the United States to enter into such litigation to protect the interests of the United States.

IN WITNESS THEREOF, the County and the COG mutually agree to abide by the terms and conditions enumerated herein and hereby execute this Contract.

COUNTY OF PERSON

  
Heidi N. York  
County Manager

ATTEST:

  
Brenda B. Reaves, Clerk to the Board

KERR-TAR REGIONAL COUNCIL OF GOVERNMENTS

\_\_\_\_\_  
Patricia S. Cox, Interim Executive Director

ATTEST:

\_\_\_\_\_  
Gina A. Parham, Senior Administrative Support Specialist

This instrument has been preaudited as required by the Local Government Budget and Fiscal Control Act.

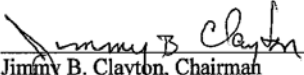
  
Amy Wehrenberg, Person County Finance Officer

### Use of Experienced Grant Administrator

Person County will use the services of Kerr-Tar Regional Council of Governments to administer the CDBG Scattered Site Grant (No. 11-C-2322). Kerr-Tar Regional Council of Governments has over 20 years of experience in administering CDBG Grants.

Ms. Julie Reid, Grants Administrator with Kerr-Tar Regional Council of Governments will be in overall charge of the Grant. The following staff persons will be assisting Ms. Reid with the administration of this Grant: Ms. Gwen Wright, formerly with the City of Henderson as Grants Administrator; Mr. Mike Inscoc, also formerly with the City of Henderson Grants Department will serve as the Rehabilitation Specialist and Ms. Karen Foster, Community Development Planner. All these persons will work under the direction of Interim Director Diane Cox, Kerr-Tar Regional Council of Governments' and Person County Manager, Heidi York.

Dated this 20<sup>th</sup> day of August, 2012.

  
Jimmy B. Clayton, Chairman  
Person County Board of Commissioners

**Performance Based Contract**

Performance Based Contract: Name of Grantee: Person County Grant Number: 11-C-2322

First Quarter begins on the date of CI Director's signature on the Grant Agreement and Funding Approval. List goals to be accomplished each Calendar Quarter.

Date Calendar Quarter Begins: Above each quarter, reflect the Calendar Quarter and Year in which that quarter represents. For example, Jan-Mar 2012, Apr-Jun	Apr-June 2012	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	5th Quarter	6th Quarter	7th Quarter	8th Quarter	9th Quarter	10th Quarter	11th Quarter	12th Quarter
	% Process Completed Description												
1. Administrative Activities Grant Agreement and Funding Approval	6/22/2012												
b. Environmental Condition			90%	10									
c. Citizen Participation Condition			100%										
d. Flood Plain Compliance Condition			100%										
e. Other Conditions 1.													
2. Administration			20%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%



Performance Based Contract: **Name of Grantee: Person County Grant Number: 11-C-2322**

First Quarter begins on the date of CI Director's signature on the Grant Agreement and Funding Approval. List goals to be accomplished each Calendar Quarter. Activities should correspond to those on the Budget and Benefit: Low and Moderate Income forms in the application approved for funding.

Date Calendar Quarter Begins: Above each quarter, reflect the Calendar Quarter and Year in which that quarter represents. For example: Jan-Mar 2012, Apr-Jun 2012	apr-jun 2012	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	5th Quarter	6th Quarter	7th Quarter	8th Quarter	9th Quarter	10th Quarter	11th Quarter	12th Quarter
% Units													
<b>2. Housing Activities</b>													
a. Acquisition													
b. Disposition													
c. Clearance (Relocation)													
d. Relocation													
e. Rehabilitation of Privately Owned Dwellings ( includes any on-site installations: e.g., septic tanks, wells)					20%	20%	20%	20%	20%	20%	20%	20%	20%
f. Reconstruction					10	20	20	20	20	20	10		
g. Clearance (For Reconstruction and Relocation)					25	25	25	25	25				
h. Units Constructed													
i. Units Occupied													

Grant Number: 11-C-2322

Name of Grantee: Person County

Performance Based Contract:

First Quarter begins on the date of CJ Director's signature on the Grant Agreement and Funding Approval. List goals to be accomplished each Calendar Quarter. Activities should correspond to those on the Budget and Benefit: Low and Moderate Income forms in the application approved for funding.

Date Calendar Quarter Begins: Above each quarter, reflect the Calendar Quarter and Year in which that quarter represents. For example, Jan-Mar 2012, Apr-Jun	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	5th Quarter	6th Quarter	7th Quarter	8th Quarter	9th Quarter	10th Quarter	11th Quarter	12th Quarter
	% Process Completed Description											
<b>3. Water Improvements</b> Engineering Bidding Process Contract Awarding Construction/Installation Work Completed												
<b>4. Sewer Improvements</b> Engineering Bidding Process Contract Awarding Work Construction Work Completed												
<b>5. Street Improvements</b> Engineering Bidding Process Contract Awarding Construction/Installation Work Completed												
<b>6. Drainage Improvements</b> Engineering Bidding Process Contract Awarding Construction/Installation Work Completed												
<b>6A. Other Activities</b> Work Completed Removal of Architectural Barriers Project Closeout												

Grant Number: 11-C-2322

Name of Grantee: Person County

Performance Based Contract:

Date Calendar Quarter Begins: Above each quarter, reflect the Calendar Quarter and Year in which that quarter represents. For example, Jan-Mar 2012, Apr-Jun	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	5th Quarter	6th Quarter	7th Quarter	8th Quarter	9th Quarter	10th Quarter	11th Quarter	12th Quarter
	% Process Completed Description											
<b>6B. Other Activities</b> Work Completed Playground Facilities Public Services CDC												
<b>6C. Other Activities</b> Work Completed MicroEnterprise Program Job Training Program Neighborhood Clean up (public services)												
<b>6D. Other Activities</b> Work Completed												
<b>6E. Other Activities</b> Work Completed												
<b>6F. Other Activities</b> Work Completed												

Performance Based Contract:

8. Signature of Authorized Local Official

Heidi York  
Name

*Heidi York*  
Signature

Person County Manager  
Title

8/20/12  
Date

9. Signature of Authorized CI Official

Name

Vickie L. Miller

Director, Community Investment and Assistance  
Title

Date

**ANNUAL REPORT FROM PC TOURISM DEVELOPMENT AUTHORITY:**

Tourism Development Authority (TDA) Director, Margaret McMann presented the Board with the 2011-2012 Annual Report that included historical and statistical data, projects supported and outcomes, occupancy tax data and future directives.

Ms. McMann stated the tourism impact on Person County increased 6.84% over 2010 totals noting the state and local tax revenues from travel to Person County amounted to \$2.5 million representing a \$63.07 tax savings to each resident.

Ms. McMann noted the lakes (Hyco and Mayo) are the biggest draws for Person County highlighting a traffic count at Mayo being 63,000 with 52% being out of town guests as well as 3,132 people using the Mayo camp site during a seven month period.

Ms. McMann announced a new venture with UNC-Greensboro's Tourism Management class for Person County to have an intern to complete a comprehensive inventory of tourism and hospitality resources so to create a strategic tourism development plan and create drafts of promotional, informational materials.

Ms. McMann told the Board hotel occupancy rates continue to be good due to the plant outages, new plant start ups, family reunions, and weddings.

Ms. Mann invited the group to visit the TDA office located at 29 Reams Avenue.

Commissioner Blalock asked about the Eat, Shop and Enjoy program. Ms. McMann noted TDA's support of the program through promotion, further noting the program has not done as well due primarily to RDG not having a full time Main Street Director.

Commissioner Jeffers asked Ms. McMann to confirm the occupancy totals for the last two years. Ms. McMann reported the 2011-12 occupancy tax was at \$170,000 comparable to \$155,000 the year before noting the tax rate increased from 5% to 6% in October, 2011 with that 1% increase actual revenues allocated to the Person County Museum.

Commissioner Kennington inquired about the 210 jobs that were listed in the Annual Report. Ms. McMann stated the state considers the hospitality industry noting a percentage of jobs related to the hotels, restaurant workers, attractions, events, trucking companies, etc., are counted. Commissioner Kennington asked about the wine industry. Ms. McMann stated the Rock of Ages Winery is not listed on the Haw River Trail but on the Triangle Trail. Commissioner Kennington requested TDA's assistance to help promote and persuade the Rock of Ages Winery to get on the Haw River Trail. Ms. McMann noted her willingness to meet with the owner to assist with the required qualifications to get on the Haw River Trail noting TDA's advertising/promotion for the winery in the past.

Commissioner Kennington asked Ms. McMann about working with the Hyco Lake Authority. Ms. McMann noted brochures have been printed as well as a grant awarded to update their website for online reservations which she understands is in process.

Ms. McMann told the group that the Chamber is considering revamping the Personality event to a major concert venue plus other separate events.

### **REORGANIZATION OF THE EDC BOARD AND BOARD/COMMITTEE APPOINTMENTS:**

Chairman Clayton stated the Economic Development Commission appointments have been on hold for awhile and presented the Board for discussion and consideration a Resolution Reconstructing the Membership of the Person County Economic Development Board.

Commissioner Kennington stated his support for reconstructing the membership of the Economic Development Board designating specific positions versus personalities including all major stakeholders.

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Blalock, to adopt the Resolution Reconstructing the Membership of the Person County Economic Development Board.

Commissioner Jeffers stated his concerns related to taking action while there were board appointments on hold as well as consideration for minority representation.

Vice Chairman Puryear asked Chairman Clayton if the current Economic Development Commission (EDC) Chairman had knowledge of the proposed resolution. Chairman Clayton stated the resolution before the board had not been brought to anyone's attention other than the County Attorney. Chairman Clayton noted reorganization has been discussed for quite some time noting it has been suggested by the former EDC Chairman as well as recommended in the Strategic Plan. Chairman Clayton added that if the resolution passed favorably, he would be requesting the County Manager to set a meeting on Thursday (August 23, 2012) and to have regular monthly meetings.

County Attorney, Ron Aycock clarified that the Board could amend the resolution before them to add a term limit to the member at-large appointed seat noting that was the only appointed position with all others being position-based.

Commissioner Blalock noted the Economic Development Director was not listed and inquired as to that individual's role with the proposed restructure of EDC. Mr. Aycock assumed that the Economic Development Director would be the principle staff to the EDC (non-voting capacity).

An **amended motion** was made by Commissioner Kennington, **seconded** by Commissioner Blalock, to adopt the Resolution Reconstructing the Membership of the Person County Economic Development Board with #2, item b-9 of the resolution to reflect the member at-large to be elected by the Board of County Commissioners for a two-year term.

A **substitute motion** was made by Vice Chairman Puryear to entertain the Resolution at the Board's next meeting in September to allow the EDC members to be present to thank personally for their contributions to the community and to give them time to know this is a proposal being considered by the Board of Commissioners and to not to do this without notification. Vice Chairman Puryear stated his support of the idea to restructure as proposed by the former Chairman of EDC but opposed dissolution of the EDC without prior notification. Chairman Clayton stated the **substitute motion died for lack of a second**.

The **amended motion carried 4-1** with Vice Chairman Puryear casting the lone dissenting vote.

A **motion** was made by Chairman Clayton, **seconded** by Commissioner Jeffers, and **carried 5-0** to appoint Kenneth Perry as the at-large individual to the Economic Development Board.

## **RESOLUTION**

### **RECONSTRUCTING THE MEMBERSHIP OF THE PERSON COUNTY ECONOMIC DEVELOPMENT BOARD**

*WHEREAS, North Carolina law provides in GS 158-8 that Counties may establish County Economic Development Commissions with a governing board of from 3 to 9 members; and*

*WHEREAS, on February 9, 1981 the Person County Board of Commissioners adopted a resolution creating the Person County Economic Development Commission and providing for a governing board of 7 members; and*

*WHEREAS, the Person County Economic Development Commission and its board have served Person County well over the years; and*

*WHEREAS, in 2010 Person County embarked on a comprehensive strategic planning effort; and*

*WHEREAS, the adopted strategic plan stressed the need to have a coordinated and comprehensive approach to economic development in the County; and*

*WHEREAS, in order to accomplish this plan it is essential to have all the major economic development invested positions participate fully and interact cooperatively; and*

*WHEREAS, in order to insure that all the economic development invested positions do guide the county effort it is necessary to restructure the membership on the Person County Economic Development Board.*

*NOW THEREFORE, it is resolved by the Person County Board of County Commissioners that:*

- 1- The present members on the Board of Directors of the Person County Economic Development Commission are hereby relieved from the board with the heartfelt thanks of the County.*
- 2- The resolution of the Person County Board of Commissioners adopted on February 9, 1981 creating the Person County Economic Development Commission is amended in the appropriate sections to:
  - a) Change the total number of members of the board of directors to 9 and to eliminate any staggering of terms.**

**August 20, 2012**



b) *Provide that the membership of the Board of Directors of the Person County Economic Development Commission shall be as follows:*

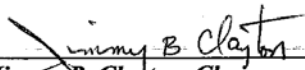
1. *Person County Board of County Commissioner's Chairman*
2. *Person County's County Manager*
3. *City of Roxboro's Mayor*
4. *City of Roxboro's City Manager*
5. *President, Piedmont Community College*
6. *Elected Chairman of the Board of Directors for the Roxboro Chamber of Commerce*
7. *Elected Chairman of the Board of Directors for the Roxboro Development Group*
8. *Director, Piedmont Community College Small Business Center*
9. *Member At-Large – Elected by the Board of County Commissioners for a two year term.*

*3- That the Persons presently holding the positions listed in 2 above are hereby appointed as members of the Board of Directors of the Person County Economic Development Commission.*

*4-That the County Attorney and Clerk to the Board of County Commissioners are directed to make the necessary wording changes to the Economic Development Commission documents to carry out the intent of this resolution.*

***Adopted this 20th day of August 2012***



  
\_\_\_\_\_  
**Jimmy B. Clayton, Chairman**  
**Person County Board of Commissioners**

**August 20, 2012**

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 July 18, 2012 with a deadline to submit application by noon on August 14, 2012. Ms. Reaves noted the highlighted boards denote a competitive board and are eligible for the informal interview process requesting direction be given to the Clerk to organize and inform the applicants of the informal interviews or consider waiving the process and Board nominate the applicants for appointment.

- Board of Adjustment

Unexpired Term to June 30, 2013: 1 position available due to resignation

- 1) Herb Harris served on the Board Adjustment as a voting member July 1, 1996 to June 30, 2008 at which time he was appointed to serve and is still the current non-voting alternate for an unspecified term. Mr. Harris requested Board consideration to fill the unexpired term due to the recent resignation.
- 2) William Gold Brooks requested appointment

A **motion** was made by Commissioner Jeffers, **seconded** by Chairman Clayton, and **carried 5-0** to appoint Herb Harris to fill the unexpired term to June 30, 2013 as well as appoint William Gold Brooks to fill the alternate position on the Board of Adjustment.

- Tourism Development Board

Unexpired Term to December 31, 2012: 1 position available due to resignation

Options:

- 1) Accommodate Ms. McMann's requested to appoint Ms. Ellen Baer as outlined in the attached correspondence to complete term to 12/31/12
- 2) Advertise, solicit applications, hold informal interviews, if desired to fill the unexpired vacancy to 12/31/12
- 3) Consider the short term appointment candidate(s) as well as for the new 3 year appointment that will be due at end of year will you choose to advertise the vacancy
- 4) Consider the impact of not filling the vacancy at this time and wait to appoint when the 12/31/12 term expirations are advertised, etc.

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Blalock, and **carried 5-0** to appoint Ms. Ellen Baer to fill the unexpired term to December 31, 2012 on the Tourism Development Board.

- Planning Board

3-Year Term: 2 positions available

- 1) Michael Brandon requested appointment

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Blalock, and **carried 5-0** to appoint Michael Brandon to the Planning Board for a 3-year term.

There were no applications received for the vacant positions advertised for the Juvenile Crime Prevention Council, Person Area Transportation System Board, Roxboro/Person County Human Relations Commission, and Work Force Development Board. These board and committee vacancies will be re-advertised at a later date.

#### **DSS ATTORNEY CONTRACTS:**

Interim Director for the Department of Social Services (DSS), Carlton Paylor, requested approval for the DSS Attorney Contracts for legal services to be paid at an hourly rate to the agency's primary attorney, Tom Fitzgerald, and secondary attorneys, Walter Cates, Julie Ramsey and Joe Weinberger noting there are separate contracts for Child Support services so there are two contracts per attorney. Mr. Paylor told the Board the attorneys represent DSS for child protective services, foster care, child support, adult protective services and guardianship cases for adults. Mr. Paylor noted that due to the increasing amount of cases the total hours was increased from 500 to 600 for this fiscal year. Mr. Paylor confirmed the hourly rate also increased from \$125 to \$135 per hour.

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to approve the Department of Social Services Contracts for legal services to be paid at an hourly rate to the agency's primary attorney, Tom Fitzgerald, and secondary attorneys, Walter Cates, Julie Ramsey and Joe Weinberger as presented.

#### **UTILITY EASEMENT FOR PERSON COUNTY SCHOOLS' NEW LEARNING ACADEMY:**

General Services Director, Ray Foushee recommended to the Board of Commissioners for Person County to grant Progress Energy a utility easement. Mr. Foushee stated Progress Energy is requesting a utility easement, which will consist of an underground power line that originates at a pad mounted transformer located in front of the Person County owned School Bus Garage, and goes underground across County property to serve power to the new Person County Schools' Learning Academy located on NC Highway 49 North. The Progress Energy easement will be 10 foot wide, with the County receiving \$1.00 for this consideration.

A **motion** was made by Commissioner Blalock, **seconded** by Vice Chairman Puryear, and **carried 5-0** to approve the utility easement requested by Progress Energy to serve power to the new Person County Schools' Learning Academy.

## **RECYCLING GRANTS FOR PERSON COUNTY SCHOOLS:**

Commissioner Blalock stated it is a responsibility of the Board of Commissioners to identify and maximize the use of all assets and resources. Commissioner Blalock stated NC General Statute 130A-309.09A notes a local government solid waste responsibility and she read “each local government shall develop a 10-year comprehensive solid waste management plan to make a good faith effort to achieve the state’s goal of 40% of municipal solid waste reduction. Each unit of the local government shall implement programs and take other actions determined necessary to address deficiencies and service or capacity required to meet local needs and to protect human health and the environment. A unit of local government may adopt ordinances governing the disposal in facilities that it operates”. Commissioner Blalock stated Person County is at the 3-year evaluation period of its Solid Waste Plan. Commissioner Blalock stated Person County reduced its waste stream about 1,000 tons the first year the MRF was opened with 1,400 tons the following year and 1,600 tons this year noting the total waste stream in Person County is approximately 40,000 tons. 16,000 tons of waste would need to be reduced in Person County to reach the state’s 40% goal. Commissioner Blalock stated at the current rate, it will take 70 years to reach that goal noting the potential revenue to be earned (16,000 tons at \$115 per ton = \$1.8 million).

Commissioner Blalock stated the purpose of the recycling grants is to encourage public and private schools to provide public outreach and education to students, parents and staff about recycling.

The amount of funds available for the grant program will be 50% of the average annual revenue generated per ton for each ton over the previous year’s collection. Funds will come from the County’s General Fund. The amounts used in the formula will be determined in August after the end of the fiscal year. Allocations will be made once annually and the total amount available is \$25,000.

### Formula

$$(\text{tons recycled}_{\text{FY}-1} - \text{tons recycled}_{\text{FY}-2}) * \text{average \$ per ton}_{\text{FY}-1} * .50 = \$ \text{annual recycling allocation}$$

For example, if funds had been allocated in FY13 budget process using this formula, then the county would have allocated \$14,490 to the school recycling grant program. Any k-12 school located in Person County could apply for the funds. Funds that are not allocated during the grant process would go back into the General Fund.

### Sample Calculation for FY2013

FY-1 = FY12

FY-2 = FY11

FY12 tons recycled=1658

FY11 tons recycled=1406

FY12 average \$ per ton = \$115

$(1658-1406) * \$115 * .50 = \$14,490$

Commissioner Blalock stated the grant funds must be used to promote recycling and the schools will be required to report annually to Person Industries and the Person County Solid Waste Advisory Committee (SWAC) about how the money was used and what programs were implemented to promote recycling.

Commissioner Blalock requested the Board to provide input related to including the recycling grants program in the FY2014 budget process noting the schools have an avenue to inform and educate parents to increase recycling efforts.

Commissioner Jeffers suggested Board consideration that if committed to the proposal that commitment also will be needed to Person Industries (PI) to have the means to handle the increase in recycling.

Wanda Rogers, PI Director, thanked Person High School Special Education classes for complimenting PI's efforts by teaching students the vocation to work beyond high school in the recycling center.

Chairman Clayton thanked all schools for their recycling efforts.

A **motion** was made by Commissioner Blalock, **seconded** by Commissioner Kennington, and **carried 5-0** to pursue the recycling grants program process for next fiscal year.

#### **BROADBAND GRANTING AUTHORITY:**

Assistant County Manager, Sybil Tate told the Board that on June 28, 2012, the General Assembly ratified an act that gives counties the authority to provide grants to promote high-speed internet access service in un-served areas for economic development. The act stipulates that grant money can be provided to qualified private providers, awarded on a technology neutral basis and may require matching funds from the private provider. Only unrestricted general fund revenue may be used for grants.

The act requires counties to use the procedures outlined in § 160A-340.6 to solicit proposals. Proposals must include information about the vendor's experience and qualifications, ability to secure financing, ability to carry out the necessary work tasks and a cost estimate. The county will be required to contact vendors by mail, advertise in the newspaper and on the county web page 30 days in advance of the due date.

Ms. Tate stated minutes from the February 12, 2009 Person County High Speed Committee included an estimate of \$500,000 to provide wireless service to un-served areas of the county which would pay for approximately 15 towers and the equipment needed at the provider's office and in the home. Ms. Tate noted an updated estimate is needed.

Ms. Tate presented the Board with a draft Request for Proposal (RFP) for broadband public-private partnership and requested input related for further research to proceed with an RFP and what requirements should be included, such as matching funds, total amount of grant award, etc., for funding for a broadband grant program to be allocated through the FY2014 budget process.

Vice Chairman Puryear stated his support to proceed with the RFP.

Commissioner Blalock advocated for the county to retrieve some of the funds allocated through the public-private partnership once the un-served areas have the service.

Chairman Clayton asked the County Attorney to clarify the law related to the granting authority. County Attorney, Ron Aycock confirmed General Assembly gave the counties the authority to exercise cooperation with private entities to the extent of giving grants to private entities for the purpose of providing internet access to un-served areas noting the RFP process will explore the possibilities with the private sector, i.e., an agreement that a company voluntarily reimburse the county could be an option. Mr. Aycock stated the county has no taxing authority.

Commissioner Jeffers told the group that Rockingham County has started the process noting a RFP has to be done in order to award grants. Chairman Clayton commented a potential opportunity would be to collect revenue when private entities located equipment on county property. Commissioner Jeffers advocated for the service, once expanded, to remain affordable.

Ms. Tate stated CenturyLink was awarded a grant by the federal government to expand broadband however; CenturyLink does not plan to expand further in Person County.

Chairman Clayton stated the local activity around the county, he believes, is due to fiber being buried for the federal/state partnership for a digital loop that serves all community colleges and schools throughout the state.

Commissioner Kennington advocated for 100% coverage for internet access and requested further study for providing such coverage to the un-served areas.

County Manager, Heidi York stated the RFP process will indicate the needs in the community and costs.

Vice Chairman Puryear requested for staff to proceed as quickly as possible. Ms. York and Ms. Tate noted there is a 30-day notice in the RFP process.

It was the consensus of the Board for staff to move forward with the RFP process.

**BUDGET AMENDMENT:**

Finance Director, Amy Wehrenberg presented and explained the following Budget Amendment.

Upon a motion by Commissioner Kennington, and a second by Vice Chairman Puryear and majority vote (5-0), the Board of Commissioners of Person County does hereby amend the Budget of the General Fund(s) on this, the 20th day of August 2012, as follows:

<u>Dept./Acct No.</u>	<u>Department Name</u>	<u>Amount</u> Incr / (Decr)
<u>EXPENDITURES</u>	<u>General Fund</u>	
	Public Safety	60,000
	Human Services	757,784
	<u>Community Development Block Grant</u>	(400,000)
	<u>Waterline Extension Construction Project-ARRA</u>	(1,512,000)
<u>REVENUES</u>	<u>General Fund</u>	
	Intergovernmental Funds	757,784
	Fund Balance Appropriation	60,000
	<u>Community Development Block Grant</u>	
	Intergovernmental Funds	(400,000)
	<u>Waterline Extension Construction Project-ARRA</u>	
	Intergovernmental Funds	(1,512,000)

**Explanation:**

Appropriating fund balance in Law Enforcement Restricted Fund for the purchase of eligible equipment under the federal seizure and forfeiture guidelines (\$60,000); recording the Community Transformations Grant received from the Center for Disease Control (CDC) in the Health Department for smoke-free strategies and healthy living incentives (\$757,784); closing out Community Development Block Grant (-\$400,000) that was completed in FY 2011; and closing out the ARRA Waterline Extension Construction Project (-\$1,512,000) which was completed in FY 2012.

### **CHAIRMAN'S REPORT:**

Chairman Clayton reported on the following:

- NC Association of County Commissioners (NCACC) Legislative Goals due by September 17, 2012. County Manager, Heidi York stated she would facilitate the process for the Board and asked the Board members to send any legislative goals to her by the second week of September noting each submitted goal will require a letter from the Board Chairman on behalf of the Board. Commissioner Jeffers added that over half of the goals that were adopted two years ago by the NCACC were passed into legislation.
- Recognized and congratulated Commissioner Jeffers as President Elect of NCACC
- Announced the Kerr-Tar COG Annual Awards Banquet which is scheduled to be held on Thursday, September 27, 2012 at the Warren County Armory & Civic Center noting he will be moving into the Vice Chairman position. Chairman Clayton updated the group that the search committee is presently working to fill the COG Executive Director position.

### **MANAGER'S REPORT:**

County Manager, Heidi York requested Board consensus for the joint meeting with the City of Roxboro on Tuesday, September 25, 2012 at 6:00 pm at the Police Department training room. Ms. York noted on that same date (September 25), CertainTeed has invited Board members to an Open House tour scheduled from 9:00 am – 3:00 pm, further noting the COG Banquet is that same week on Thursday evening, September 27, 2012. It was the consensus of the Board to confirm the joint meeting with the City of Roxboro on September 25, 2012 at 6:00 pm. Ms. York asked the Board about pursuing a joint meeting with the Board of Education before or after the election. It was the consensus of the Board to schedule the meeting following the election and once the new board is in place.

Ms. York stated the Board, at its next meeting, would be hearing the proposal from the feasibility study related to the Durham and Person counties joint venture. Ms. York noted Durham County preferred to have a joint meeting after the site selection step of the process.

Chairman Clayton asked Ms. York to schedule an Economic Development Board meeting for Thursday, August 23, 2012. It was the consensus of the Board to direct Ms. York to notify the previous Economic Development Commission members of the action taken by the Board of Commissioners to restructure the Economic Development Board at the conclusion of the Board of Commissioners' meeting. Ms. York added that an announcement related to an Economic Development Director is forthcoming.



## **COMMISSIONER REPORT/COMMENTS:**

Commissioner Kennington inquired as to the status of the Tolling Agreement. County Attorney, Ron Aycock stated the Tolling Agreement which extended the statute of limitations related to the Force Protection project whereby the county is exploring the return of some of the incentives due to the failure to meet the requirements for the number of jobs. Mr. Aycock noted there are ongoing negotiations at this time with a meeting scheduled this week with the attorneys, further noting, the county is within the 1-2 week deadline for the agreement to expire. County Manager, Heidi York noted she would be on a conference call this date with the attorneys and representatives of Force Protection/General Dynamics to further discuss and would have an update after that time.

Commissioner Blalock commented on the following:

- Recently visited Mr. Leonard Grant on McGhee's Mill Road who once had an issue related to a non-conforming lot and now has a beautiful room.
- Talked with Anthony Talley and Ron Garrett related to complaints on Roby Barton Road due to the additional traffic related to the GKN expansion and they will be reducing the speed limit from 55 to 45 mph.
- Announced contractors can take shingles to the Oxford landfill (\$24.00 per ton charge) to be recycled into a paving product
- Hope Taylor of Clean Water will be at the Senior Center on Thursday evening, August 23, 2012 at 7:00 pm related to fracking.

Commissioner Jeffers commented on the following:

- Thanked the Board for their support as he was seeking office with the NCACC.
- Noted the NACo president was present at the recent NCACC conference to which he received an appointment for the Vice Chairman of the Rural Action Caucus for the Rural Affairs Subcommittee, further noting North Carolina received many appointments this year.
- Recommended web site related to social studies/civics for educational purposes – [icivics.org](http://icivics.org)
- Reported savings related to the NACo prescription card noting 360 Person County citizens have used for 10,270 prescriptions with a total savings at \$154,000 which is an average savings of 26.5% above the national average of 24% - the card can be used for pet products as well.
- Announced the Democratic party has an office at 212 N. Madison Blvd with an Open House scheduled from 5:00 – 7:30 pm.

Vice Chairman Puryear had no report.

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Kennington, and **carried 5-0** to recess briefly at 11:01 am prior to the orientation training.

The Board reconvened its meeting at 11:10 am.

**BOARD ORIENTATION TRAINING USING IPADS:**

The Board received group and individual orientation training using iPads with Gary Latta and Chris Puryear from the Person County IT Department.

Vice Chairman left the meeting at 11:21 am.

Chairman Clayton announced an EDC meeting will be held on Thursday morning, August 23, 2012 at 9:30 am in the conference room located in the Tax/Register of Deeds Office.

**ADJOURNMENT:**

A **motion** was made by Commissioner Blalock, **seconded** by Commissioner Jeffers, and **carried 5-0** to adjourn the meeting at 11:23 am.

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Brenda B. Reaves  
Clerk to the Board

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Jimmy B. Clayton  
Chairman

**August 20, 2012**