

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

DECEMBER 2, 2013
OTHERS PRESENT

Jimmy B. Clayton
Kyle W. Puryear
B. Ray Jeffers
Frances P. Blalock
David Newell, Sr.

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, December 2, 2013 at 7:00 pm in the Commissioners' meeting room in the Person County Office Building.

Chairman Clayton called the meeting to order and led invocation. Chairman Clayton asked Aaron Frisbee, Boy Scout of Troop 200 of Westwood Baptist Church to lead the Pledge of Allegiance. Chairman Clayton turned the gavel over to the County Attorney to preside over the meeting for the Organization of the Board.

ORGANIZATION OF BOARD:

County Attorney, Ron Aycock presided over the meeting and explained the rules of procedure for the election of Chairman and Vice-Chairman noting reorganization of the board of commissioners is held at the first meeting in December for a term of the ensuing year.

Mr. Aycock presided over the election of the Chairman of the Board of Commissioners and opened the floor for nominations.

Commissioner Jeffers nominated Commissioner Clayton as Chairman.
Commissioner Newell nominated Commissioner Puryear as Chairman.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to close nominations for Chairman. Mr. Aycock asked the Board members to cast their votes for Chairman by raising hands.

Commissioners Newell and Puryear voted for Commissioner Puryear as Chairman.

Commissioners Jeffers, Blalock and Clayton voted for Commissioner Clayton as Chairman.

Mr. Aycock declared Commissioner Clayton the Board's Chairman by majority vote and passed the gavel to the newly elected Chairman Clayton to preside over the meeting.

Chairman Clayton opened the floor for nominations for Vice Chairman of the Board.

December 2, 2013

Commissioner Blalock nominated Commissioner Jeffers as Vice Chairman.
Commissioner Puryear nominated Commissioner Newell as Vice Chairman.

A **motion** was made by Commissioner Puryear and **carried 5-0** to close the nominations for Vice Chairman. Chairman Clayton asked the Board members to cast their votes for Vice Chairman by raising hands.

Commissioners Newell and Puryear voted for Commissioner Newell as Vice Chairman.

Chairman Clayton and Commissioners Blalock and Jeffers, voted for Commissioner Jeffers as Vice Chairman.

Chairman Clayton declared Commissioner Jeffers the Board's Vice Chairman by majority vote.

APPROVAL OF BONDS FOR THE REGISTER OF DEEDS, TAX ADMINISTRATOR, AND FINANCE DIRECTOR:

County Attorney, Ron Aycock stated Chapter 161(Register of Deeds) and 162 (Sheriff) of the North Carolina General Statutes requires the Board of County Commissioners to approve the official bonds at the first meeting in December. The Bonds are a continuation of existing bonds amounts and were secured for those elected officials by the County Human Resources Director, who also serves as Insurance Liaison. Mr. Aycock noted the Human Resources Director provided information that the Sheriff's bond is for the length of his term, currently to December, 2014.

Mr. Aycock requested the Board to approve the annual Bonds of the Register of Deeds in the amount of \$50,000 and \$100,000 each for the Tax Administrator and Finance Director and to reaffirm the Bond of the Sheriff. Mr. Aycock confirmed the amount of each Bond is dictated by legislature.

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to approve the Bonds of the Register of Deeds, Tax Administrator, Finance Director and to reaffirm the Bond of the Sheriff as presented by the County Attorney.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

A **motion** was made by Commissioner Blalock and **carried 5-0** to approve the agenda with the following adjustments:

- To add to the agenda an item for CDBG MONTHLY REPORTING as Item #12
- To reverse the order of the Closed Sessions on the agenda

INFORMAL COMMENTS:

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

Ms. Christy Bondy of 7 Arrowwood Court, Durham, and Person County Library Director, expressed her concerns to the Board related to an incident within the Library when an individual was open carrying a gun on her side. When approached by staff to ask the woman to lock the weapon in her vehicle noting there were families with children in the library, Ms. Bondy stated the woman complied with the request and challenged staff that the sign posted listed no concealed weapons. Ms. Bondy stated the library averages 500 people per day and her concerns relate to the safety of the visitors as well as the library staff.

Mr. Russell Thomas of 180 Fairway Drive, Roxboro, a retired special agent with military and law enforcement background and currently a licensed private investigator and an instructor for concealed carry requested the Board to consider tabling the enactment of the Ordinance prohibiting the Open Carrying or displaying of weapons on county property and directing the posting of Notices to that effect until he could provide a further presentation why the proposed ordinance was not appropriate or within the law. Mr. Thomas encouraged the Board to take additional time for further examination before taking action.

APPROVAL OF MINUTES:

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to approve the minutes of November 15, 2013.

TAX ADJUSTMENTS FOR NOVEMBER 2013:

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to approve the Tax Releases for the month of November 2013 and the November 2013 NC Vehicle Tax System pending refunds.

OLD BUSINESS:

AN ORDINANCE PROHIBITING THE "OPEN CARRYING" OR DISPLAYING OF WEAPONS ON COUNTY PROPERTY AND DIRECTING THE POSTING OF NOTICES TO THAT EFFECT:

County Attorney, Ron Aycock stated that following discussion at the Board's November 18, 2013 meeting, the proposed Ordinance prohibiting the Open Carrying or displaying of weapons on county property and directing the Posting of Notices to that effect had been revised to clarify several issues. Mr. Aycock outlined the revised ordinance:

1-Reference to “permittee” has been omitted and now references the owner or anyone else permitted by the owner to have possession of the weapon.

2-It is made expressly clear that a rifle or shotgun may, at the designated parking area of a facility, be secured by locking it in the passenger compartment of a motor vehicle.

3-“pocket knife” definition has been omitted and replaced by a general prohibition on openly carrying any knife with a blade length exceeding 4 inches. Mr. Aycock added the Board may want to omit reference to a knife or further consideration a longer blade length for general prohibition.

Mr. Aycock stated since the ordinance was introduced and discussed at the November 18, 2013 meeting it may be adopted by a simple majority vote.

Mr. Aycock noted NC law during the General Assembly’s last session did not have any effect on the authority by local governments related to open carry and in fact, the same bill that restricted the conceal carry authority reiterated the authority to regulate open carry.

Vice Chairman Jeffers stated support for further research and offered the following motion:

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to table action related to the proposed Ordinance Prohibiting the “Open Carrying” or Displaying of Weapons on County Property and directing the Posting of Notices to that effect.

NEW BUSINESS:

PUBLIC SAFETY COMMUNICATION/BROADBAND UPDATE:

Assistant County Manager, Sybil Tate reminded the Board that at its October 21, 2013 meeting, staff was directed to fix the existing public safety equipment and provide coverage maps for the public safety communication system.

Ms. Tate presented coverage maps for both the public safety and the broadband project noting in order to achieve the coverage illustrated in the maps, the county will need to build four towers at 250 ft. For comparison purposes, staff also created a map with towers at 200 ft. Ms. Tate stated the four towers are recommended to be constructed at 1) Bushy Fork Park, 2) Mt. Tirzah Park, 3) Bethel Hill Charter School and 4) Woodland Elementary School (referred to as the Hyco Lake tower).

Ms. Tate recognized Mr. Glenn L. Knox, Senior Technical Assistance Director with the North Carolina Department of Commerce working with the NC Broadband Initiative, present in the audience, for any questions related to the coverage maps. When asked about increasing coverage with a 300 ft. tower, Mr. Knox responded that a 300 ft.

tower would cost almost double at construction which is why 250 ft. towers are recommended with use of repeaters to lower the costs. Mr. Knox stated the life of a tower is at minimum 25 years.

Ms. Tate added that of the remaining five percent of broadband coverage unserved in Person County, the 250 ft. towers would address the majority of the five percent.

Ms. Tate presented the following Cost Options and Annual Operating Costs for Board input and consideration:

OPTION #1 – Build four 250 ft. towers

Capital Costs

Tower Location*	FY14-15	FY15-16	
Bethel Hill	\$430,000		
Bushy Fork	\$430,000		
Mt. Tirzah	\$600,000		
Hyco Lake		\$600,000	
TOTAL	\$1,460,000	\$600,000	\$2,060,000.00

*Tower locations are not confirmed, but staff has discussed these options with Parks and Rec staff, Bethel Hill Charter and Person County Schools.

Annual Operating Costs

Tower Location	FY14-15	FY15-16	
Bethel Hill	\$5399.00		
Bushy Fork	\$10,499.00		
Mt. Tirzah	\$10,499.00		
Hyco Lake		\$10,499.00	
TOTAL	\$26,397.00	\$10,499.00	\$36,896.00

Ms. Tate spoke of the possibility of revenues with the proposed towers noting staff has spoken with Verizon, Sprint and AT&T about leasing space on our towers. AT&T has expressed interest in Bushy Fork and Mt. Tirzah for Fiscal Year 2015. Verizon has expressed interest in the Bethel Hill location, but has not provided a date. Sprint has not responded yet. Commissioner Blalock requested staff to bring back to the Board an estimate of possible revenues when it is brought back to the Board.

OPTION #2 – Lease space on existing towers

Capital Costs

Tower Location*	FY14-15
Bethel Hill	\$180,000
Bushy Fork	\$180,000
Mt. Tirzah	\$180,000
Hyco Lake	\$180,000
TOTAL	\$720,000

*each tower requires an estimated \$180,000 for equipment

Annual Operating Costs

Tower Location	FY14-15
Bethel Hill	\$24,000.00
Bushy Fork*	\$24,000.00
Mt. Tirzah*	\$24,000.00
Hyco Lake	\$24,000.00
TOTAL	\$96,000.00

*Staff has not heard back from private towers located in the Bushy Fork and Mt. Tirzah areas. American Tower owns a tower in Bethel Hill and near Hyco Lake and they have stated that there is space available and they would lease space to the county for \$2,000/month.

Ms. Tate stated this option would mean that the broadband provider would pay \$650-700/month per tower to lease space. It is likely that this additional cost will increase the provider's grant request as the grant is based on a 50/50 basis.

Ms. Tate recommended releasing the RFP to get a more accurate estimate for the costs of constructing four 250 ft. towers as well as recommended further investigation into OPTION#2 to determine coverage, get feedback from the public safety focus group and obtain more accurate costs noting it is possible that the final solution may include some publicly owned towers and some privately owned towers.

Commissioner Newell requested staff to bring back a coverage map using a 300 ft. tower for public safety and broadband noting the county may want to build for possible extension to 300 ft. at a later date. Vice Chairman Jeffers requested staff to complete a coverage map illustrating coverage for public safety and not broadband.

A **motion** was made by Commissioner Puryear and **carried 5-0** to direct staff to release the RFP as presented.

STATE OF EMERGENCY ORDINANCE:

Emergency Services Director, Wes Lail stated NC statutes establish emergency management authorities for state and local governments in Article 1 of G.S. Chapter 166A (North Carolina Emergency Management Act of 1977) and Article 36A of G.S. Chapter 14 (Riots and Civil Disorders). Article 1 of Chapter 166A defines responsibilities within State government for direction and control of the state's emergency management program, and authorizes cities and counties to establish local emergency management programs. Article 36A authorizes cities and counties to enact ordinances imposing various restrictions and prohibitions during a locally declared state of emergency.

Mr. Lail noted the NC General Assembly enacted significant legislation that consolidated, reorganized, and updated the state's emergency management statutes. S.L. 2012-12 (HB843), "Modernize NC Emergency Management Act," provided the most extensive overhaul of North Carolina's emergency management statutes since they were established over thirty years ago. Mr. Lail further noted changes in the updated North Carolina Emergency Management Act included items such as new (and more modern/relevant) terminology and definitions, prohibitions (e.g. gun laws, curfew, etc.), and clearer lines of authority concerning emergency management functions within specified jurisdictions. As a result of these legislative changes, previously-adopted city and county emergency management ordinances need updating to reflect modifications made during the General Assembly's consolidation and reorganization of the NC Emergency Management Act. Mr. Lail stated accurate and specific emergency management ordinances are especially critical during times of disaster—at which time both emergency and disaster declarations are needed and proclaimed as well as to identify federal, state and local funding sources.

The Board may adopt the proposed ordinance as presented at the First Reading by unanimous vote or by simple majority vote at the Second Reading.

A **motion** was made by Commissioner Puryear and **carried 5-0** to adopt the State of Emergency Ordinance as presented.

County Attorney, Ron Aycock added there is a provision within the State of Emergency Ordinance that is required by a recent appellate court decision for a person who has a weapon permit may not be restricted by such emergency and disaster declaration.

Chairman Clayton stated the State of Emergency Ordinance does not apply to the City of Roxboro who would have the same authority as Person County related to issuing emergency and disaster declarations.

PERSON COUNTY STATE OF EMERGENCY ORDINANCE

AN ORDINANCE AUTHORIZING THE DECLARATION OF A STATE OF EMERGENCY
AND THE IMPOSITION OF PROHIBITIONS AND RESTRICTIONS DURING
A STATE OF EMERGENCY

WHEREAS, the North Carolina General Assembly has enacted amendments to the law authorizing Counties to adopt ordinances relating to dealing with emergencies; and,

WHEREAS those new state enactments set the framework and authority for County ordinances; and,

WHEREAS the Ordinance below is based on the new state enactment.

NOW THEREFORE under the authority of Chapter 166A, and Chapter 153A of the North Carolina General Statutes, the Person County Board of Commissioners does hereby ordain as follows:

Section 1. State of Emergency; Restrictions Authorized

- (a) A State of Emergency shall be deemed to exist whenever the Chairman of the Person County Board of Commissioners makes a finding and declaration that an Emergency exists. "Emergency" is defined to mean an occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made accidental, military, paramilitary, weather-related, or riot-related cause.
- (b) In the event of an existing or threatened State of Emergency endangering the lives, safety, health and welfare of the people within Person County or any part thereof, or threatening damages to or destruction of property, the Chairman of the Person County Board of Commissioners is hereby authorized and empowered under General Statutes 166A-19.22 and 166A-19.31 to make a finding of an Emergency and to issue a public Declaration declaring to all persons the existence of such a State of Emergency, and, in order to more effectively protect the lives and property of people within the County, to place in effect any or all of the restrictions hereinafter authorized.
- (c) The Chairman is hereby authorized and empowered to limit by the Declaration the application of all or any part of such restrictions to any area specifically designated or described with in the county and to specific hours of the day or night; and to exempt from all or any part of such restrictions, while acting in the line of and within the scope of their respective duties, law enforcement officers, firefighters and other public employees, rescue squad members, doctors, nurses, employees of hospitals and other medical facilities; on-duty military personnel, whether state or federal; on-duty

employees of public utilities, public transportation companies and newspaper, magazine, radio broadcasting, and television broadcasting corporations operated for profit; and such other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health, and welfare needs of people within the county.

Section 2. Declaration Imposing Prohibitions and Restrictions

- (a) The chairman of the Person County Board of Commissioners by Declaration may impose the prohibitions and restrictions specified in sections 3 through 8 of this ordinance in the manner described in those sections. The Chairman may impose as many of those specified prohibitions and restrictions as he finds are necessary or suitable, because of an emergency, to maintain an acceptable level of public order and services, and to protect lives, safety, and property. The Chairman shall recite his findings in the Declaration.
- (b) The Declaration shall be in writing. The Chairman shall take reasonable steps to give notice of the terms of the Declaration to those affected by it and shall post a copy of it in the County Courthouse. The Chairman shall send reports of the substance of the Declaration to the mass communications media which serves the affected area. The Chairman shall retain a text of the Declaration and furnish upon request certified copies of it.

Section 3. Evacuation

The Chairman may direct and compel the voluntary or mandatory evacuation of all or part of the population of Person County; prescribe routes, modes of transportation, and destination in connection with evacuation; and control ingress and egress of an emergency area, the movement of persons within the area, and the occupancy of premises therein. Details of the evacuation may be set forth or amended in a subsequent Declaration which shall be well publicized.

Section 4. Curfew.

- (a) The Declaration may impose a curfew prohibiting in certain areas and during certain periods the appearance in public of anyone who is not a member of an exempted class. The Declaration shall specify the geographical area or areas and the period during each 24-hour day to which the curfew applies. The Chairman may exempt from some or all of the curfew restrictions classes of people whose exemption the Chairman finds necessary for the preservation of the public health, safety, and welfare. The Declaration shall state the exempted classes and the restrictions from which each is exempted.
- (b) Unless otherwise specified in the Declaration, the curfew shall apply during the specified period each day until the Chairman by Declaration removes the curfew.

Section 5. Restrictions on Possession, Consumption, or Transfer of Alcoholic Beverages

The Declaration may prohibit the possession or consumption of any alcoholic beverage; including beer, wine, and spirituous liquor other than on one's own premises, and may prohibit the transfer, transportation, sale or purchase of any alcoholic beverage within the area of the county described in the Declaration. The prohibition, if imposed, may apply to transfers of alcoholic beverages by employees of Alcoholic Beverage Control stores as well as by anyone else within the geographical area described.

Section 6. Restriction on Possession, Transportation, and Transfer of Dangerous Weapons and Substances

(a) The Declaration may prohibit the transportation or possession off one's own premises, or the sale or purchase of any dangerous weapon or substance. The Chairman may exempt from some or all of the restrictions classes of people whose possession, transfer, or transportation of certain dangerous weapons or substances is necessary to the preservation of the public health, safety, or welfare. The Declaration shall state the exempted classes and the restrictions from which each is exempted.

(b) Except as stated in subsection (c) below, "dangerous weapon or substance" means:

(1) Any deadly weapon, ammunition, explosive, incendiary device, radioactive material or device as defined in General Statute 14-288.8(c)(5), gasoline, or other instrument or substance designed for a use that carries a threat of serious bodily injury or destruction of property.

(2) Any other instrument or substance that is capable of being used to inflict serious bodily injury or destruction of property, when the circumstances indicate that there is some probability that such instrument or substance will be so used.

(3) Any part or ingredient in any instrument or substance included above when the circumstances indicate a probability that such a part or ingredient will be so used.

(c) Notwithstanding anything in this ordinance to the contrary, "dangerous weapon or substance" shall not be deemed to include "lawfully possessed firearms or ammunition." The term "firearm" shall have the same meaning as that term is used in General Statute 14-409.39(2): a handgun, a shotgun, or rifle which expels a projectile by action of an explosion. The term "handgun" shall have the same meaning as that term is used in General Statute 14-409.39(3): a pistol, revolver, or other gun that has a short stock and is designed to be held and fired by the use of a single hand.

(d) If imposed, the restrictions shall apply throughout the jurisdiction of the county or such part thereof as designated in the Declaration.

Section 7. Restrictions on Access to Areas

- (a) The Declaration may prohibit obtaining access or attempting to obtain access to any area, designated in the manner described in this section, in violation of any order, clearly posted notice, or barricade indicating that access is denied or restricted.
- (b) Areas to which access is denied or restricted shall be designated by the Sheriff and his subordinates or other law enforcement officer when directed in the Declaration to do so by the Chairman. When acting under this authority, the Sheriff and his subordinates may restrict or deny access to any area, street, highway or location within the county if that restriction or denial of access or use is reasonably necessary to promote efforts being made to overcome the emergency or to prevent further aggravation of the emergency.

Section 8. The Declaration may prohibit or restrict:

- (a) Movements of people in public places;
- (b) The operation of offices, business establishments, and other places to or from which people may travel or at which they may congregate; and
- (c) Other activities or conditions the control of which may be reasonably necessary to maintain order and protect lives or property during the state of emergency, within the area designated in the Declaration.

Section 9. Removal of Prohibitions and Restrictions

The Chairman shall by Declaration terminate the entire declaration of emergency or remove any of the prohibitions and restrictions when the emergency no longer requires them, or when directed to do so by the Board of Commissioners.

Section 10. Superseding and Amendatory Declaration

The Chairman in his discretion may invoke the restrictions authorized by this ordinance in separate Declaration, and may amend any Declaration by means of a superseding Declaration in accordance with the procedures set forth in Section 2.

Section 11. Termination of Declaration

Any Declaration of a State of Emergency issued under this ordinance shall expire when it is terminated by the Chairman. Prohibitions and restrictions imposed pursuant to the authority granted by this ordinance shall expire upon the earliest occurrence of either of the following: (1) The prohibition or restriction is terminated by the Chairman; (2) The State of Emergency is terminated.

Section 12. In Case of Absence or Disability of Chairman

In case of the absence or disability of the Chairman, the Vice-chairman of the Board of Commissioners, or such other person as may be designated by the Board of Commissioners, shall have and exercise all of the powers herein given the Chairman.

Section 13. Penalty for Violation

Any person violating any prohibition or restriction imposed by a Declaration authorized by this ordinance shall be guilty of a Class 2 misdemeanor, as provided by General Statute 166A-19.31 and General Statute 14-288.20A.

Section 14. Conflict with Other Ordinances

Whenever the provisions of this Ordinance conflict with other Ordinances of Person County, this Ordinance shall govern to the extent permitted by law.

Section 15. Territorial Applicability

This ordinance shall not apply within the corporate limits of any municipality, or within any area of the county over which the municipality has jurisdiction to enact general police-power ordinances, unless the municipality's governing body or mayor consents to or requests its application. Such consent or request may be with respect to one or more of the prohibitions and restrictions imposed by the Declaration, and need not be with respect to all prohibitions and restrictions imposed by the Declaration. The application of this ordinance and any declaration adopted thereto to the corporate limits of any municipality or any area of the county over which the municipality has jurisdiction to enact general police-power ordinances shall be limited in scope to that consented to or requested by the municipality's governing body or mayor.

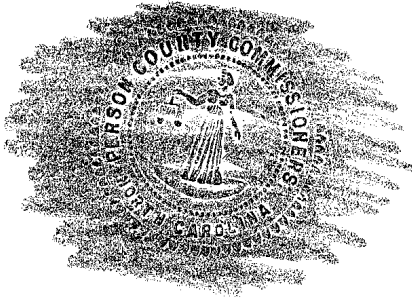
Section 16. Validity

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Commissioners hereby declares that it would have passed this ordinance and each section, subsection, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

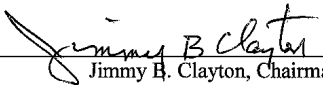
Section 17. Effective Date of Ordinance

This Ordinance shall become effective upon adoption by the Board of Commissioners.

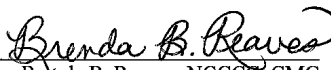
Adopted, this, the 2nd day of December, 2013.



PERSON COUNTY
BOARD OF COMMISSIONERS


Jimmy B. Clayton, Chairman

Attest:


Brenda B. Reaves, NCCCC, CMC
Clerk to the Person County
Board of County Commissioners

BOARD OF COMMISSIONERS 2014 SCHEDULE OF MEETINGS:

Clerk to the Board, Brenda Reaves told the Board that North Carolina General Statute 153A-40 requires boards of commissioners to hold a regular meeting at least once a month. Ms. Reaves presented to the Board a proposed schedule of meeting dates for 2014 for consideration and action to set the 2014 Person County Board of Commissioners Schedule of Meetings so to cause copy of such to be distributed and posted on the bulletin board and county website.

Ms. Reaves stated the Board will hold its regular scheduled meetings in its usual Boardroom, Room 215 in the County Office Building unless otherwise posted. As recommended on the Schedule of Meetings, to accommodate attendance, Local Government Day Board meetings will be scheduled to be held in the County Auditorium as the same done for the Budget Public Hearing.

Ms. Reaves noted the proposed Schedule of Meetings for 2014 does not include any scheduled Community Conversations meetings and staff requested the Board to set those as deemed appropriate during the year to match the community's topic of interest as needed.

Ms. Reaves further noted that the Board has historically approved holding one Board meeting in the months of March, July and December.

Ms. Reaves stated no proposed 2014 meeting dates conflict with the NACo Legislative Conference held in March or the NACo Annual Conference scheduled in July.

Commissioner Puryear requested Board consideration for the proposed February 17, 2014 meeting to be changed to February 24, 2014 as well as the proposed September 2, 2014 meeting to be changed to September 8, 2014 and the proposed September 15, 2014 meeting be changed to September 22, 2014. It was the consensus of the Board to agree with the changes requested by Commissioner Puryear.

A **motion** was made by Commissioner Puryear, and **carried 5-0** to adopt the Person County Board of Commissioners 2014 Schedule of Meetings as listed below.



Person County Board of Commissioners 2014 Schedule of Meetings

To be held in Room 215 at the Person County Office Building unless otherwise noted

January 6, 2014	7:00 p.m.
January 21, 2014 (Annual Board Retreat)	9:00 a.m. Mayo Park EECC
February 3, 2014	7:00 p.m.
February 24, 2014	9:00 a.m.
March 17, 2014 (Local Gov't. Day)	9:00 a.m. Co. Auditorium
April 7, 2014	7:00 p.m.
April 21, 2014	9:00 a.m.
May 5, 2014	7:00 p.m.
May 19, 2014	9:00 a.m.
June 2, 2014	7:00 p.m. Co. Auditorium
June 16, 2014	9:00 a.m.
July 21, 2014	9:00 a.m.
August 4, 2014	7:00 p.m.
August 18, 2014	9:00 a.m.
September 8, 2014	7:00 p.m.
September 22, 2014	9:00 a.m.
October 6, 2014	7:00 p.m.
October 20, 2014	9:00 a.m.
November 3, 2014	7:00 p.m.
November 17, 2014	9:00 a.m. Co. Auditorium
December 1, 2014 (Organizational Meeting)	6:30 p.m.
(Regular Meeting)	7:00 p.m.

ADOPTED BY THE BOARD OF COMMISSIONERS ON DECEMBER 2, 2013

December 2, 2013

ADOPTION OF THE FISCAL YEAR 2014-2015 BUDGET CALENDAR:

County Manager, Heidi York presented to the Board the Fiscal Year 2014-2015 Budget Calendar outlining a schedule for the timing of the budget process. Ms. York stated the annual Board Retreat has been scheduled in place of the Board's second January meeting. Ms. York highlighted the other scheduled dates, all subject to change if needed, to facilitate an organized budget process for staff and elected officials. Ms. York requested the Board to adopt the budget calendar for Fiscal Year 2014-2015.

A **motion** was made by Commissioner Puryear, and **carried 5-0** to adopt the Fiscal Year 2014-2015 Budget Calendar as presented.



PERSON COUNTY GOVERNMENT FISCAL YEAR 2014-2015 BUDGET CALENDAR

Date	Task
Monday/January 6, 2014	Distribution of CIP Requests to Departments
Tuesday/January 21, 2014	CIP Requests due to Asst. County Manager
Tuesday/January 21, 2014*	Board of County Commissioners Annual Retreat
Friday/January 31, 2014	Distribution of Budget Materials for new Personnel
Friday/February 14, 2014	Distribution of Budget Materials for Operating & Capital to Departments
Friday/ February 14, 2014	Departmental Budget Requests for Personnel Due to HR
Friday/February 28, 2014	Departmental Budget Requests for Operating & Capital Due to Finance
Mon-Fri/March 17-28, 2014	Departmental Budget Presentations with County Manager
Monday/April 7, 2014*	FY14-15 CIP presented to Board of Commissioners Receive public comments on FY14-15 budget
Monday/April 21, 2014*	Adoption of FY14-15 CIP
Monday/ May 19, 2014*	County Manager presents Recommended Budget to Board of County Commissioners
Tues-Fri/May 20-June 6, 2014	Potential BOCC Budget work sessions (specific dates to be scheduled)
Monday/June 2, 2014*	Board of Commissioners holds Public Hearing on Recommended Budget
Monday/June 16, 2014*	Adoption of FY14-15 Annual Budget Ordinance
Tuesday July 1, 2014	Adopted budget document finalized and available online
Tuesday/July 1, 2014	FY14-15 Budget available in Accounting System

*Adopted by the Board of County Commissioners on **December 2, 2013**.*

** denotes a Board of Commissioners meeting date.*

December 2, 2013

RULES OF PROCEDURE FOR PERSON COUNTY BOARD OF COMMISSIONERS:

County Manager, Heidi York informed the Board that over the last year, staff has been tracking changes and updates that need to be made to the Board's Rules of Procedure. Ms. York presented to the Board for consideration the proposed Rules of Procedure noting the major revisions include the addition of a consent agenda as a regular part of the Board's meeting agendas (Rule 9 (b) and Rule 11); the removal of the requirement of a second on a motion (Rule 15); and incorporating the process of releasing closed session minutes (Rule 31).

Ms. York stated at the request of the Board, staff also looked into the possibility of conducting background checks on applicants to Board appointed boards and commissions noting due to the financial burden of background checks (\$25 per individual) this addition was not included.

A **motion** was made by Commissioner Puryear and **carried 5-0** to adopt the Rules of Procedure for the Person County Board of Commissioners as presented. By reference, the Person County Board of Commissioners' Rules of Procedure as adopted December 2, 2014 is incorporated into the minutes.

SMART GROWTH WORKSHOP GRANT:

Assistant County Manager, Sybil Tate presented for Board consideration an opportunity for Person County to apply for a Smart Growth community workshop grant. Ms. Tate stated the workshops are free noting an application must be completed by December 6, 2013 as well as a signed letter of support from the Chair of the Board of Commissioners must accompany the grant application. Ms. Tate outlined the two relevant one-day workshops that are offered: Implementing Smart Growth 101 and Planning for Economic and Fiscal Health noting the application limits only one workshop per grant.

Implementing Smart Growth 101

Implementing Smart Growth 101 is an introductory overview of smart growth development strategies. This one-day workshop will introduce participants to the ten principles of smart growth development, and includes a hands-on session to explore how those principles could be applied in the host community.

Planning for Economic and Fiscal Health

This workshop teaches participants how to save money now, reduce fiscal liabilities for the future and spur local economic development, and provides examples of public and private projects that have successfully achieved these goals in the past. The workshop then shows how to apply these lessons in your community using an interactive and hands-on method.

Ms. Tate confirmed no local match is required for application of the Smart Growth workshop grant.

A **motion** was made by Commissioner Puryear and **carried 5-0** to direct staff to apply for a Smart Growth community workshop grant.

BUDGET AMENDMENT:

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

Upon a motion by Vice Chairman Jeffers, 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 2nd day of December 2013, as follows:

	<u>Department Name</u>	<u>Amount</u> Incr / (Decr)
<u>EXPENDITURES</u>	<i><u>General Fund</u></i>	
	Public Safety	(1,000)
	Transportation	1,663
	Economic and Physical Development	1,000
<u>REVENUES</u>	<i><u>General Fund</u></i>	
	Intergovernmental Revenues	(1,000)
	Other Revenues	7,463
	Fund Balance Appropriation	(4,800)
<u>EXPENDITURES</u>	<i><u>Library Development Trust Fund</u></i>	5,370
<u>REVENUES</u>	<i><u>Library Development Trust Fund</u></i>	
	Fund Balance Appropriation	5,370

Explanation:

Reduction of VIP grant revenue and expenditures to reflect contract adjustments (-\$1,000); receipt of insurance claim proceeds for damage to a PATS vehicle (\$1,663); receipt of Weight Loss Challenge grant (\$1,000); reduction of fund balance appropriation (-\$4,800) in Public Health Department due to receipt of rental payments from Duke Health for space leased in Human Services Building (\$4,800); appropriation of Library Development Trust funds for installation of security equipment (\$5,370).

CDBG MONTHLY REPORTING:

County Manager, Heidi York presented to the Board the CDBG monthly activities report and a Monthly Performance Status Report for November 2013 that is due to be submitted to the Division of Community Assistance.

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to accept the monthly report as presented.

CHAIRMAN'S REPORT:

Chairman Clayton welcomed Commissioner Newell to his first Board meeting following his surgery.

MANAGER'S REPORT:

County Manager, Heidi York had no report.

COMMISSIONER REPORT/COMMENTS:

Vice Chairman Jeffers and Commissioner Newell had no report.

Commissioner Blalock stated the survey slated for citizens' input related to the old Helena School site is in process.

Commissioner Puryear reported he would be attending the Sun Rock luncheon in Butner.

County Attorney, Ron Aycock reported to the Board that the state's tax appeal process has begun noting there have been five valuations upheld noting Mr. Glei's lake property was one of those. Mr. Aycock noted several tax appeals have been settled prior to going to the Property Tax Commission. Currently there are sixteen remaining tax appeals that include thirty parcels.

CLOSED SESSION #1

A **motion** was made by Commissioner Blalock, and **carried 5-0** to enter into Closed Session per General Statute 143-318.11(a)(6) to review personnel performance related to a contractor at 8:17 pm with the following individuals permitted to attend: County Manager, Heidi York, Clerk to the Board, Brenda Reaves, County Attorney, Ron Aycock, and Assistance County Manager, Sybil Tate. Chairman Clayton announced a brief recess. Closed Session #1 was called to order at 8:23 pm.

A **motion** was made by Vice Chairman Jeffers, and **carried 5-0** to return to open session at 8:39 pm.

A **motion** was made by Chairman Clayton, and **carried 3-2** to give notice by January 1, 2014 to terminate the Interlocal Agreement known as the Granville – Person Stormwater Services for joint operation of a stormwater management program as of July 1, 2014 with the County Manager outlining suggested amended portions of the agreement for continued participation, i.e., Upper Neuse River Basin Association and legal representation. Chairman Clayton, Vice Chairman Jeffers and Commissioner Blalock voted in favor of the motion. Commissioners Puryear and Newell voted in opposition to the motion.

Commissioner Puryear asked the County Manager by action to approve the motion above, if termination of the Interlocal Agreement for stormwater services is a violation of the current partnership between the City of Roxboro and Person County for planning administration. Ms. York stated it would be a violation whereby the Interlocal Agreement for planning administration calls for a shared technician position, if the Board's intention is for the stormwater duties to come in-house.

A **motion** was made by Chairman Clayton, and **carried 3-2** to give notice of the County's intent to terminate the existing Interlocal Agreement for planning administration with the City of Roxboro by January 1, 2014 to be effective July 1, 2014. Chairman Clayton added consideration that both parties could negotiate some aspects of such agreement and instructed the County Manager to expressly state Person County's intent not to participate in the Unified Development Ordinance. Chairman Clayton, Vice Chairman Jeffers and Commissioner Blalock voted in favor of the motion. Commissioners Puryear and Newell voted in opposition to the motion.

Commissioner Puryear stated communication could have been better between the City of Roxboro and Person County and that the wrong message is being perceived that the two local governments are incapable of working together. Chairman Clayton disagreed with Commissioner Puryear's statement due to the City of Roxboro having its own stormwater program as well as Person County's efforts to combine stormwater into the County's planning department to improve efficiency. Vice Chairman Jeffers added that having an in-house staff responsible for stormwater duties will be customer- friendly as well as more efficient. Commissioner Puryear stated his personal conversations with City Council members that have expressed interest in pursuing a joint stormwater official if formally approached. Ms. York pointed out the estimated savings of \$30,000 to bring the stormwater duties in-house by terminating the stormwater agreement. Vice Chairman Jeffers confirmed with staff that the residents living in the city are regulated by the City of Roxboro's stormwater ordinance.

Following the Board's first Closed Session #1 related personnel performance and prior to the Closed Session #2 for economic development, Commissioner Newell requested Board consideration to recuse him from Closed Session #2 due to the fact it involves a piece of property he owns part interest as well as excuse him from the remainder of the meeting.

A **motion** was made by Commissioner Puryear, and **carried 4-0** to accept Commissioner Newell's request to recuse himself from Closed Session #2 and to excuse him from the remainder of the meeting. Commissioner Newell left the meeting at 8:47 pm.

CLOSED SESSION #2

A **motion** was made by Vice Chairman Jeffers, and **carried 4-0** to enter into Closed Session per General Statute 143-318.11(a)(4) for the purpose of discussion of matters relating to the location or expansion of industries or other businesses in the county (economic development) at 8:48 pm with the following individuals permitted to attend: County Manager, Heidi York, Clerk to the Board, Brenda Reaves, County Attorney, Ron Aycock and Economic Development Director, Stuart Gilbert.

A **motion** was made by Commissioner Puryear, and **carried 4-0** to return to open session at 9:38 pm.

ADJOURNMENT:

A **motion** was made by Vice Chairman Jeffers, and **carried 4-0** to adjourn the meeting at 9:38 pm.

Brenda B. Reaves
Clerk to the Board

Jimmy B. Clayton
Chairman