PERSON COUNTY BOARD OF COMMISSIONERS MEMBERS PRESENT

AUGUST 15, 2011 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 15, 2011 at 9:00 a.m. 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. Commissioner Kennington asked the Boy Scout in attendance, Adam Moore to lead the Pledge of Allegiance.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

Chairman Clayton asked for Board consideration to move the Informal Comments to the beginning of the agenda.

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Blalock and **carried 5-0** to move the Informal Comments to the beginning of the agenda.

Commissioner Kennington stated he would like to include a discussion on personnel in Closed Session. County Manager, Heidi York informed the Board the first bulleted point under Closed Session on the agenda relating to the location or expansion of industries or other business in the county would not be taking place this date.

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

INFORMAL COMMENTS:

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

Mr. Patrick Riley of 256 Hicks Yarboro Road, Roxboro requested the Board to order the contact to the Property Tax Commission of his revocations to be reinstated and his money returned. Mr. Riley stated the Soil and Water Conservation District has agreed to come to his property to lay out rows for horticulture within the next few days. Mr. Riley also stated the three year income from an approved program should qualify as income for the transition to horticulture. Mr. Riley told the Board the Machinery Act produced by the legislature is the law and he read the following: subject of taxation is regulated entirely by statute and the revenues of this state are collected under the operation of what is known as the Machinery Act.

Mr. Johnny M. Lunsford of 179 Carrington Lane, Roxboro stated his concern about the cell tower being built on the Critcher –Wilkerson site destroying the use of the total property as well as the impact on the community in that area.

PUBLIC HEARING:

PROPOSED SECONDARY ROAD CONSTRUCTION PROGRAM FOR PERSON COUNTY (2011-2012):

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear and **carried 5-0** to open the duly advertised public hearing for the proposed 2011-2012 Secondary Road Construction Program for Person County.

Ms. Michelle Gray, Acting District Engineer for the North Carolina Department of Transportation (NCDOT), Division 5, District 2, the office that oversees maintenance for Durham, Granville, Person counties presented the Board with the Annual Secondary Road Construction Program for Person County (2011- 2012) in accordance with General Statute 136-44.8. Division Engineer Wally Bowman, P.E., Division Maintenance Engineer, Brandon Jones, P.E., Person County Maintenance Engineer, Anthony Talley and Assistant District Engineer Mike Goodwin were also present. Ms. Gray noted the NCDOT's system that prioritizes unpaved secondary road is based on points determined by the number of homes, schools and bus routes, churches, businesses, industrial facilities, recreational facilities, thoroughfare routes and the average daily traffic. Ms. Gray highlighted the fiscal year 2011-2012 secondary roads construction program allocations, the construction schedule of previously funded roads as well as the roads with unavailable right-of-way as outlined below:

North Carolina Department of Transportation Secondary Roads Construction Program

Person County

FY 2011-20	012 Alloc	ations	Highway Fund GS 136-44.5b Trust Fund GS 136-182	Total	\$482,240.44 \$391,061.58 \$873,302.02
I. Paving l	Jnpaved	Roads	Programmed Paving Goal:	0.00	Miles
A. Rural P	aving Pr	iority			
*See attached schedule of previously funded Secondary Roads. We will continue to survey, draft plans and acquire right of way on additional unpaved secondary roads in priority order. Construction funding will be requested once all needed right of way has been acquired and the road is ready to build.					
II. General	Second	ary Road Improvemen	ts		
A. Paved F	Road Imp	provements			
Various		Countywide Maintena Stabilization, Safety I	ance to include Widening, Stre Projects, etc.	ngthening, Spot	\$873,302.02
				Subtotal	\$873,302.02
III. Trust Fund Safety Improvements (GS 136-182)					
SR No.	Length (Miles)		ect Description	Est. Cost	
L	<u> </u>				
				Subtotal ₋	\$0.00
IV. Funds reserved for surveying, right of way acquisition, road additions, contingencies, overdrafts, and paving entrances certified fire departments, rescue squads, etc.					
ceruneu II	ic acpair	anomo, rescue squau		Subtotal _	\$0.00
				GRAND TOTAL	\$873.302.02

NCDOT

Construction schedule of previously funded Secondary Roads

Secondary Roads Improvements during the 2011-2012 Calendar Year

SR#	FROM	то	LENGT H	DESCRIPTION	STATUS	SCHEDULE
SR 1758 (Roy Rogers Rd.)	US 501	Dead End	0.40 mi	Grade, Drain, Base, Pave	Built	Pave Fall 2011
SR 1558 (Faulkner-Long Rd.)	SR 1542	Dead end	0.80 mi	Grade, Drain, Base, Pave	Built	Pave Fall 2011
SR 1183 (Hall Rd.)	SR 1176	Dead End	0.60 mi	Grade, Drain, Base, Pave	Build Spring/Summer 2012	Pave Fall 2012
SR 1114 (Etzold Painter Rd.)	SR 1001	Dead End	0,30 mi	Grade, Drain, Base, Pave	Build Spring/Summer 2012	Pave Fall 2012
SR 1566 (McFarland Rd.)	SR 1536	Granville Co. Line	0.80 mi	Grade, Drain, Base, Pave	Acquiring Right of Way	-
SR 1126 (Charlie Cash Rd.)	US 501 North	NC 57	0.70 mi	Grade, Drain, Base, Pave	Plans under revision	-
SR 1199 (Vance Wrenn Rd.)	NC 49	Dead End	0.30 mi	Grade, Drain, Base, Pave	Designing Plans, Acquiring Right of Way	-
SR 1569 (John Moore Rd.)	US 158	SR 1567	0.80 mi	Grade, Drain, Base, Pave	Designing Plans, Acquiring Right of Way	-

ROADS WITH UNAVAILABLE RIGHT OF WAY 2011-2012

Person County

RURAL ROADS

SR Number	<u>Name</u>	Length (mi.)
1140	Jones Store Road	0.80
1124	John Oaks Road	0.35
1101	Ragland Road	0.90
1162	Wilson Road	1.20
1161	Van Hook Road	0.64

SUBDIVISION ROADS

SR Number	Name	Length (mi.)
1600	Service Road	0.10
1537	Sloan Road	0.15
1413	Service Road	0.15

SUMMARY

Number of roads on list		8
Total length of roads		4.29
Total length of roads with 50 or more ADT		4.29

Commissioner Kennington asked the NCDOT representatives for the criteria by which right-of-way is obtained from the majority of landowners with one or few refusing to prevent a private road to become a state maintained road. Mr. Brandon Jones, Division Maintenance Engineer stated established right-of-way would have to be obtained noting the property owners and/or developer would take the lead.

Commissioner Kennington requested the NCDOT representatives to update the Board on 501 North plans. Commissioner Blalock stated she would like to know if 158 would be resurfaced.

Ms. Gray confirmed a Person County resident that has a gravel road that is interested in meeting the criteria to be put on the future list for paving should contact the District Office at 919-220-4750.

There were no individuals appearing before the Board to speak in favor or in opposition to the proposed 2011-2012 Secondary Road Construction Program for Person County.

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear and **carried 5-0** to close the public hearing for the proposed 2011-2012 Secondary Road Construction Program for Person County.

A **motion** was made by Commissioner Blalock, **seconded** by Commissioner Jeffers and **carried 5-0** to accept the 2011-2012 Secondary Road Construction Program for Person County.

NDOT Division Engineer Wally Bowman explained the Strategic Planning Office for Transportation (SPOT) process whereby all projects statewide are evaluated to move forward with funding, reiterating there are more projects than funds. Mr. Bowman stated the 501 project is divided into three segments A, B and C noting the A project is funded with right-of-way currently being obtained with a 2013 construction date, with Projects B and C not funded currently due to not being ranked in priority against other projects statewide. Mr. Bowman stated the Transportation Improvement Plan 10-year plan is updated every two years (currently underway this year) with top rankings recommended (4-100 points per project) by Rural Planning Organization (RPO), the Division (DOT) and Metropolitan Planning Organization (MPO).

Mr. Bowman stated 158 is not scheduled for paving and the project is currently seeking funding.

PUBLIC HEARING:

CONSIDERATION TO AMEND THE PERSON COUNTY WIRELESS TELECOMMUNICATIONS FACILITIES ORDINANCE AND PLANNING ORDINANCE:

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers and **carried 5-0** to open the duly advertised public hearing for consideration to amend the Person County Wireless Telecommunications Facilities Ordinance and Planning Ordinance.

County Attorney, Ron Aycock stated the text amendment to the Person County Wireless Telecommunications Facilities Ordinance is to exempt any wireless telecommunications facility which is located on land owned or operated by the State of North Carolina or any other public entity. Mr. Aycock noted the county cannot regulate state agencies and the authority is questioned to do so.

There were no individuals appearing before the Board to speak in favor amending the Person County Wireless Telecommunications Facilities Ordinance and Planning Ordinance.

The following individuals appeared before the Board to speak in opposition to amending the Person County Wireless Telecommunications Facilities Ordinance and Planning Ordinance.

Mr. Barry Walker of 1575 Charlie Tapp Road, Roxboro, and Chairman of the Planning Board told the Board he was neither in favor nor against the text amendment but clarified the proper channel according to the Planning Board Ordinance was for the Board to receive a recommendation from the Planning Board on a text amendment. Mr. Walker stated his support for the Board to consider a bond, insurance and the fall zone prior to a decision.

Mr. Larry Yarborough of 87 Duck Pointe Drive, Roxboro stated his issues of the property that was purchased for \$165,000 without due diligence, opposing the tower and the impacts associated to the property and area, noted the little value the tower would benefit the county unless rent was paid to the county or if the county realized savings. Mr. Yarborough suggested the county work with the City of Roxboro to put the tower on Hill Street.

Chairman Clayton asked Mr. Marty Randall, VIPER Construction Manager with the NC State Highway Patrol to address the fall zone. Mr. Randall stated the tower could be designed to fall within itself, i.e. a 480 foot tower to fall within a 240 foot zone. Mr. Randall noted the proposal is for the tower to be located on the back side of the property to minimize the impact on the property, further noting the county/city would be able to use rent free.

Commissioner Jeffers stated the county currently pays \$391 per month rent on the tower on Hill Street which is roughly \$4,800 savings for the county, per year, once connected to the proposed tower. County Manager, Heidi York added there would be connectivity costs to the proposed tower. Mr. Randall stated if the costs of the project were lower than the grant proceeds, funds would be offered to assist the county in the connectivity costs however he did not know if that would be the case at this point.

Mr. Randall stated he did not want to invest \$15,000 to \$20,000 in the site plan/survey until he had an idea that the county would like to proceed forward on the project. The site plan could be done within 60 days. Mr. Randall stated the site plan for the Hill Street site was done at a cost of approximately \$14,000. Mr. Randall told the Board the proposed alternate site is the preferred property for the tower.

Mr. Aycock confirmed for the Board that action approving the text amendment would not approve the tower on any specific location noting the amendment is primarily intended to amend the Wireless Telecommunications Facilities Ordinance with the Zoning Ordinance amending by implication. Mr. Aycock also confirmed the Board may take action without recommendation from the Planning Board. Mr. Aycock reminded the Board, at its last meeting, authorization by the Board was given to the County Manager to submit a statement of intent to proceed and noted the essential legal next step would be a lease of the property between Person County and the State which would follow the site plan study noting the exact location on the proposed site.

Mr. Walker asked for clarification regarding the 480 foot tower falling within a 280 foot zone. Mr. Randall confirmed this statement. Mr. Walker challenged the 100 x 100 foot fenced area does not take into account the fall zone area.

Mr. Yarborough stated there is a county ordinance that states nothing can be built within the height of the tower thereby preventing more of the property to be developed.

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear and **carried 5-0** to close the public hearing for consideration to amend the Person County Wireless Telecommunications Facilities Ordinance and Planning Ordinance.

AMENDMENT TO THE PERSON COUNTY WIRELESS TELECOMMUNICATIONS FACILITIES ORDINANCE:

Mr. Aycock set out the proposed amendment to exempt the state of NC and other public entities from the provisions of the Person County Wireless Telecommunication Facilities Ordinance. The amendment is in the nature of a clarifying amendment to make the ordinance comply with state law. It would not be possible to apply this ordinance to the state. The ordinance amendment acknowledges that fact.

Mr. Aycock stated the amendment would absolutely assure that the state could build a "VIPER" emergency communications tower on property owned by the county.

Amendment to the Person County Wireless Telecommunication Facilities Ordinance:

Mr. Aycock proposed the following text amendment for the Person County Board of County Commissioners pursuant to and in compliance with NCGS 153A-323 to amend the Person County Wireless Telecommunication Facilities Ordinance as follows:

There is hereby created a new Article XII to read as follows:

XII- Non Applicability to publicly owned or operated facilities—This ordinance or any other provision of the Person County Planning ordinances shall not apply to wireless telecommunications towers or facilities owned or operated by the state of North Carolina or any other public entity. This amendment shall become effective upon adoption.

A **motion** was made by Commissioner Kennington, **seconded** by Vice Chairman Puryear, and **carried 3-2** to refer the proposed text amendment to the Person County Wireless Telecommunications Facilities Ordinance to the Planning Board and to ask the Planning Board to meet immediately, hold a public hearing and return to the Board a recommendation at the Board's next meeting on September 6, 2011. Chairman Clayton and Commissioner Jeffers cast the dissenting votes.

Commissioner Kennington asked the County Manager if her conversation with the City Manager indicated a final decision not to have the VIPER tower on Hill Street. Ms. York stated her conversation with Tommy Warren indicated the City never said no and were trying to figure out the impacts. Mr. Randall stated they had been talking to the City Manager for about 18 months and spent \$14,000 for the site plan. Mr. Randall stated the deadline date for the grant is September, 2012.

Commissioner Kennington stated his preference for the Board to review the site plan upon completion with public discussion of the lease agreement prior to approval. Mr. Randall stated they would proceed with the site plan requesting access to the site location.

APPROVAL OF MINUTES:

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to approve the minutes of August 1, 2011.

ADMINISTRATIVE REPORTS:

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Blalock, and **carried 5-0** to approve the Administrative Reports for the Airport, Inspection Department and Public Library.

Commissioner Blalock asked who authorizes the expenditures at the Airport. County Manager, Heidi York stated she authorizes such.

NEW BUSINESS:

ERECT A KOREAN WAR MONUMENT ON THE COURTHOUSE SQUARE:

General Services Director, Ray Foushee told the Board the county had received a request to erect a Korean War Monument on the Courthouse Square to honor the veterans of the Korean War. Mr. Foushee stated Boy Scout Adam Moore has requested he be allowed to do this project as a part of his Eagle Scout Leadership Service Project. Boy Scout Adam Moore is the son of Beverly and Herbert Moore Jr. and grandson of Joann Howerton and the late Charlie Frank Howerton and Mary Sue Moore and the late Herbert Moore, Sr. Mr. Foushee stated he has reviewed the request with the Clerk of Court, Debbie Barker and she is 100 in support of the proposal. Mr. Foushee noted there is ample room for placement around the Courthouse Square.

Boy Scout Adam Moore passed out copies of a representative photo of the proposed monument) and told the group he desired to do this project so that Korean War veterans will have a monument in Person County that recognizes them and he would like the "forgotten war" to be the "remembered war" noting both his grandfathers were veterans of the Korean War.

Boy Scout Adam Moore's core support committee includes Mary Sue Moore, Dan Whitfield Jr., and Howard Jones.

Commissioner Blalock noted she had a brother that served in the Korean War and stated her appreciation.

Boy Scout Adam Moore also told the group about 15 art stands that he will build and provide to the Roxboro Development Group to display school art work in the vacant windows of Roxboro Uptown noting these will help cut down on vandalism by 50%.

Commissioner Kennington asked Mr. Foushee to review one look for future monuments as well as to work with the Clerk of Court for location of such.

Commissioners Kennington and Jeffers noted their support and appreciation for the project.

A **motion** was made by Commissioner Blalock, **seconded** by Vice Chairman Puryear and **carried 5-0** to allow the Korean War Monument to be erected on the Courthouse Square.

CONSIDERATION FOR APPOINTMENTS TO BOARDS AND COMMITTEES:

Clerk to the Board, Brenda Reaves requested Board consideration for the following:

Home & Community Care Block Grant Committee:

The Home & Community Care Block Grant Committee requested the Board to make the following changes to committee membership due to position changes:

- Remove Barbara Martin and Appoint Melissa Sheets (representing as Person County Group Home Director of Generations Adult Day Program) for an unspecified term.
- Remove Sandra Hicks and Appoint Kelly Foti (representing as Director of Aging Services at the Person County Senior Center) for an unspecified term.
- Remove Ed Donnell as he has relocated out of the county and advertise for a person representing the faith community.

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to remove Barbara Martin, Sandra Hicks and Ed Donnell from the Home & Community Care Block Grant Committee and appoint Melissa Sheets and Kelly Foti, both for an unspecified term.

Work Force Development Board:

Vincent Gilreath, Workforce Development Director requested the Board to appoint Dr. Walter Bartlett, President of Piedmont Community College to fill the vacancy created by the resignation of Dr. Randy Parker, President of Vance-Granville Community College to the Kerr-Tar regional board served by both community colleges. The term requested by Mr. Gilreath is September 1, 2011 to June 30, 2012.

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Blalock, and **carried 5-0** to appoint Dr. Walter Bartlett, President of Piedmont Community College to fill the vacancy created by the resignation of Dr. Randy Parker, President of Vance-Granville Community College to the Kerr-Tar regional Work Force Development Board served by both community colleges for a term effective September 1, 2011 to June 30, 2012.

Commissioner Kennington reminded the Board of a pending appointment for the Tourism Development Authority (TDA). Ms. Reaves told the group that in January, 2011, three informal interviews were held including Mr. Herman Gentry (currently a member of TDA), Ms. Julie Maybee and Ms. Bonnie Meeler. It was the Board's desire at that time to defer appointment and request legislation to possibly increase the TDA membership. Ms. Reaves noted the Board could make an appointment at any time or choose to re-advertise to start the process over or direct staff to contact the three applicants to confirm their interest at this time. It was the consensus of the Board to contact the three applicants to confirm their interest and bring back to the Board at its next meeting.

UPDATE ON PERSON COUNTY WEBSITE REDESIGN:

On behalf of the Website Committee, Assistant County Manager, Gene Hodges updated the Board on Person County's Website Redesign seeking feedback and direction. Mr. Hodges stated Person County Government's website is due for an overhaul. After some time, websites tend to look dated and need to be rejuvenated. Mr. Hodges stated Person County has piggybacked onto Greensboro's RFP and contracted with Vision Internet, a national leader in local government websites, to facilitate a redesign and redeployment of our web presence. The scope of work from the contract (labeled Attachment A in the Board packet) was provided to detail what the company will be responsible for delivering. Mr. Hodges noted the Website Committee has been formed to oversee this process and work with the vendor to ensure that our needs are met and that the website is attractive and provides the utility to the County that a website can provide. The update provided the Board a chance to view the process, next steps, and to discuss the "branding" of the website. Mr. Hodges presented the following presentation to the group.





1







Why Now?



- · Current website is not friendly for public interaction
- New website to be more social media friendly (Twitter, Facebook, etc.)
- · New CMS allows for site to be more dynamic
- We are now able to have a cohesive branding between sites
- Money coming from IT carry-forward money (prioritizing projects; realizing efficiencies)

Person County Government

Where are we in process?



- The entire Person Futures document has been sent to Vision to be used as the outline of how we want the site designed.
- · A website committee has been formed.
- Surveys have been distributed to get a feel of what is important to Person County.
- The results of the surveys have been provided to Vision to begin their design work.

Person County Government

What do we still need?



- Photos—We need images that people feel capture the essence of Person County. If requested photo credits can be provided on the website.
- Branding/Slogans/Logos—This will be something (different than the County Seal) that unifies the site and ties things together. Something that is catchy and clever.

Person County Government

4

Slogan Idea (sample only)



...in Person.

Your Government in Person
Doing Business in Person
Recreate in Person
Healthy Living in Person
Staying in Person
Things Are Better in Person

Person County Government

What's next?



- Vision will take the surveys and begin layout and graphic design work.
- They will come on site to meet and discuss what the survey data and what that translates to in website design.
- Initial designs will be rendered and ultimately approved. Content will be developed.
- Testing, training, documentation, and content migration will occur.
- A soft launch followed by live deployment.
- We are still approximately 6 months from a new website being live and deployed.

Person County Government

Commissioner Kennington stated his preference for every department to participate in the development of the website and work cooperatively with other agencies, i.e. TDA and Chamber of Commerce.

It was the consensus of the Board for the website redesign to move forward.

BUDGET AMENDMENT:

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

Upon a motion by Commissioner Jeffers, 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 15th day of August 2011, as follows:

Dept./Acct No.	Department Name	Amount
		Incr / (Decr)
<u>EXPENDITURES</u>	General Fund Public Safety	16,947
REVENUES	General Fund Intergovernmental Revenues Other Revenues	13,122 3,825
	Other Revenues	3,023

Explanation:

Appropriating the recommended distribution by the JCPC of grant funding received from the N.C. Department of Juvenile Justice and Delinquency Prevention that was approved by the Board of Commissioners in the meeting on August 1, 2011 (\$13,122); received donation for the Spay and Neuter Program at Animal Control (\$1,000); and budgeting insurance proceeds for damage to a vehicle in the Sheriff's Department (\$2,825).

CHAIRMAN'S REPORT:

Chairman Clayton stated he recently attended a Board of Education meeting whereby the Board of Education tabled decision on the Board of Commissioner's request for a specified amount of lottery funds to be appropriated to pay school debt.

MANAGER'S REPORT:

County Manager, Heidi York told the Board the June 2011 sales tax disbursements reflected \$27,000 less than June 2010 with \$216,000 total less sales tax collections received in fiscal year 2011 than fiscal year 2010 with \$587,000 short of the projected budgeted amount.

COMMISSIONER REPORT/COMMENTS:

There was no report or comments from Commissioners Kennington, Blalock nor Vice Chairman Puryear.

Commissioner Jeffers stated he had received complaints that the Courthouse counter space in the Clerk's Office was reduced from what they had originally. General Services Director, Ray Foushee noted the Clerk did not have input in the initial phase of design and they were looking for ways to adding space, i.e. larger window facings or additional tables.

CLOSED SESSION:

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Blalock, and **carried 5-0** to go into Closed Session per General Statute 143-318.11(a)(6) for the purpose of the Evaluation of the County Manager, Heidi York as well as to discuss personnel at 10:37 a.m.

Chairman Clayton announced a break prior to entering Closed Session.

Chairman Clayton called Closed Session to order at 10:45 a.m.

A **motion** was made by Commissioner Blalock, **seconded** by Commissioner Kennington, and **carried** to return to open session at 11:49 a.m.

ADJOURNMENT: A motion was made by Commission	oner Kennington, seconded by Commissioner
Blalock, and carried 5-0 to adjourn the mee	•
Brenda B. Reaves Clerk to the Board	Jimmy B. Clayton Chairman