

**PERSON COUNTY BOARD OF COMMISSIONERS**

**NOVEMBER 17, 2014**

**MEMBERS PRESENT**

**OTHERS PRESENT**

Jimmy B. Clayton

Heidi York, County Manager

Kyle W. Puryear

C. Ronald Aycock, County Attorney

B. Ray Jeffers

Brenda B. Reaves, Clerk to the Board

Frances P. Blalock

David Newell, Sr.

The Board of Commissioners for the County of Person, North Carolina, met in regular session on Monday, November 17, 2014 at 9:00 am pm in the Person County Office Building Auditorium.

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

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

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to approve the agenda.

**RECOGNITION OF LOCAL GOVERNMENT DAY:**

Chairman Clayton welcomed the Person High School students enrolled in civics and economics participating in Local Government Day to observe the Board of County Commissioners in session. Chairman Clayton, Vice Chairman Jeffers and Commissioners Puryear, Newell and Blalock proceeded to introduce themselves; County Attorney, Ron Aycock, County Manager, Heidi York, Clerk to the Board, Brenda Reaves also introduced themselves.

**RESOLUTION OF APPRECIATION FOR RETIREE:**

Chairman Clayton read and presented a Resolution of Appreciation to Person County retiree, Linda Clay-Bailey.

**November 17, 2014**

## RESOLUTION OF APPRECIATION

**WHEREAS,** Linda Clay-Bailley has served the people of Person County during her tenure as a Community Social Service Assistant at the Department of Social Services; and

**WHEREAS,** Linda Clay-Bailley has served the citizens of Person County with honor, integrity, sincerity and dedication, providing accurate, concise services for twenty-one years, October 1993 – October 2014; and

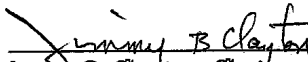
**WHEREAS,** Linda Clay-Bailley has earned the respect and admiration of all who have known her and worked with her throughout her career; and

**WHEREAS,** the County of Person recognizes the many contributions Linda Clay-Bailley has made to the County and offers her sincere best wishes for her retirement.

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

Adopted this, the 17th day of November 2014.



  
Jimmy B. Clayton, Chairman  
Person County Board of Commissioners

Attest:

  
Brenda B. Reaves  
Clerk to the Board of Commissioners

November 17, 2014

## **PERSON COUNTY GOVERNMENT QUARTERLY SAFETY AWARD:**




County Manager, Heidi York reminded the group that the Person County Safety Committee implemented a safety recognition program whereby each quarter, a county department will be awarded a Certificate of Safety and Health Achievement for exemplifying dedication to the health and safety of employees at the work site. The recipient of the award is selected by the Person County Safety Committee, whose recommendations are based on established criteria such as attendance at county wide safety trainings, reporting hazards and accidents in a timely manner and investigation and following up with each accident. The selection committee also looks at how well the department performs on facility inspections, emergency procedures testing and other safety acts.

Ms. York stated the Person County Safety Committee has selected the next quarterly county department safety winner for the quarter ending in September 2014. Ms. York recognized the Emergency Medical Services (EMS) as Person County's safety award winner for July –September 2014. For earning the safety award, EMS will receive a certificate of achievement and have their name inscribed on the Person County Government Quarterly Safety Department Plaque that is located outside the Commissioners' meeting room. EMS has joined five other departments that, according to the words on the plaque, are recognized for "exemplary work and dedication to Person County Government, providing outstanding contributions to safety with an emphasis on providing their employees a safe and healthy work environment".

EMS was chosen for their exceptional safety practices and trainings over the last year. As evidence of this, the division has increased responsiveness and participation with safety drills and trained to be an administrator for fit testing. EMS has been working diligently to get the SMAT (State Medical Disaster Team) up and running. Their staff also hosted and attended the "Fit Responder" class sponsored by the North Carolina Association of County Commissioners. It has been proven that implementing techniques from this class reduces the risk of back injuries by almost 60%. Although training has always been a hallmark of EMS, the department has boosted the training curriculum by making the following a part of their training regimen - Distractive Decision Making, Defensive Driving, Hazardous Communication, and headed up a "No texting and Driving Campaign".

Emergency Medical Services is one division of the Person County Emergency Services. The department is dedicated to safety and has been constantly working to improve safety awareness and prevention among their staff. They are committed to preserving quality of life for citizens and visitors of Person County through interaction with our community. They strive to be a leader for the region in regards to responsive, effective, and efficient delivery of protective services for the citizens and visitors of Person County. EMS runs approximately 5100 calls a year and operates with four shifts working 24 hours on 72 hours off.

Ms. York presented the award to Greg White, EMS Manager, Brook Price, EMS Compliance Officer and Wes Lail, Emergency Management Director. Mr. Lail commended Person County's Safety Officer, Rebecca Morrow for her efforts for safety awareness.

<b>Person County Government</b>	
<b>Quarterly Departmental Safety Award</b>	
<b>presented to</b>	<b>Certificate of Safety &amp; Health Achievement</b>
<b>Emergency Medical Services</b>	In recognition of the exemplary work and dedication to Person County Government, providing outstanding contributions to safety with an emphasis on providing your employees a safe and healthy work environment.
<b>on</b>	
<b>November 17, 2014</b>	
<b>for the Quarter of</b>	
<b>July—September 2014</b>	
<b>SAFETY IS NO ACCIDENT</b>	 Heidi York, Person County Manager
	 Jimmy Clayton, Chairman of Person County Board of County Commissioners

November 17, 2014

**PUBLIC HEARING:  
FISCAL YEAR 2016 COMMUNITY TRANSPORTATION PROGRAM  
APPLICATION:**

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to open the duly advertised public hearing on the proposed FY2016 Community Transportation Program Application to be submitted to the North Carolina Department of Transportation no later than November 21, 2014.

Kathy Adcock, Person Area Transportation Manager stated the Community Transportation Program (5311 Grant) provides assistance to coordinate existing transportation programs operating in Person County as well as provides transportation options and services for the communities within this service area. This grant enhances the public's cost per trip to shopping, health care, education, employment and many other services. It encourages public transit due to a lower cost for fares. This grant is also used to assist with Administration and Capital cost for vehicles and technical assistance. These services are currently provided using demand response, subscription and trip referrals. Services are rendered by utilizing ADA vans and Light Transit Vehicles. The total estimated amount requested for the period July 1, 2015 through June 30, 2016.

<u>Project</u>	<u>Total Amount</u>	<u>Local Share</u>	
Administrative	<b>\$ 193,737</b>	<b>\$ 29,062</b>	<b>(15%)</b>
Capital (Vehicles & Other)	<b>\$ 176,760</b>	<b>\$ 17,676</b>	<b>(10%)</b>
Operating (Small fixed-route, regional, and consolidated urban- rural systems only)	<b>\$ 0</b>	<b>\$ 0</b>	<b>*(50%) or more</b> *Note: Small Fixed Route systems must contribute more than 50%
<b>TOTAL PROJECT</b>	<b>\$ 370,497</b>	<b>\$ 46,738</b>	
<b>Total Funding Request</b>		<b>Total Local Share</b>	

Ms. Adcock requested Board approval for the total funding requested as presented.

**November 17, 2014**

There were no individuals appearing before the Board to speak in support or in opposition to the proposed FY2016 Community Transportation Program Application to be submitted to the North Carolina Department of Transportation no later than November 21, 2014.

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to close the public hearing on the proposed FY2016 Community Transportation Program Application to be submitted to the North Carolina Department of Transportation no later than November 21, 2014.

**CONSIDERATION TO GRANT OR DENY REQUEST REGARDING FISCAL YEAR 2016 COMMUNITY TRANSPORTATION PROGRAM APPLICATION:**

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to approve the FY2016 Community Transportation Program Application to be submitted to the North Carolina Department of Transportation no later than November 21, 2014.

## **COMMUNITY TRANSPORTATION PROGRAM RESOLUTION**

### **Section 5311 FY 2016 RESOLUTION**

Applicant seeking permission to apply for Community Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

A motion was made by (Board Member's Name) Commissioner B. Ray Jeffers and seconded by (Board Member's Name or N/A, if not required) N/A for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, Person County hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project, prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

NOW, THEREFORE, be it resolved that the County Manager of Person County Board of Commissioners is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

I (Certifying Official's Name)\* Brenda B. Reaves (Certifying Official's Title) Clerk to the Board do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the (Name of Applicant's Governing Board) Person County Board of Commissioners duly held on the 17th day of November, 2014.

Brenda B. Reaves  
Signature of Certifying Official

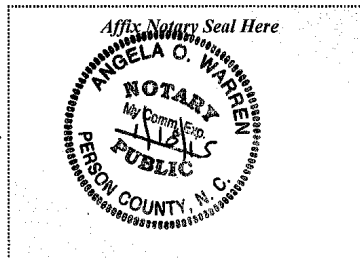
\*Note that the authorized official, certifying official, and notary public should be three separate individuals.

Seal Subscribed and sworn to me (date) 11/17/14

Angela O. Warren  
Notary Public

Angela O. Warren  
2469 Flat River Ch. Rd. Roxboro NC 27574  
Printed Name and Address

My commission expires (date) 11/18/15



**November 17, 2014**

## LOCAL SHARE CERTIFICATION FOR FUNDING

**Person County**  
(Legal Name of Applicant)

### Requested Funding Amounts

<u>Project</u>	<u>Total Amount</u>	<u>Local Share</u>
Administrative	\$ <u>193,737</u>	\$ <u>29,062</u> (15%)
Capital (Vehicles & Other)	\$ <u>176,760</u>	\$ <u>17,676</u> (10%)
Operating (Small fixed route, regional, and consolidated urban-rural systems)	\$ _____	\$ _____ *(50% or more)
*Note: Small fixed route systems contribute more than 50%		
<b>TOTAL</b>	<b>\$ <u>370,497</u></b>	<b>\$ <u>46,738</u></b>
	<b>Total Funding Requests</b>	<b>Total Local Share</b>

### The Local Share is available from the following sources:

<u>Source of Funds</u>	<u>Amount</u>
<b>Local</b>	\$ <u>46,738</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL</b>	<b>\$ <u>46,738</u></b>

I, the undersigned representing **Person County** do hereby certify to the North Carolina Department of Transportation, that the required local funds for the FY2016 Community Transportation Program will be available as of **July 1, 2015**, which has a period of performance of July 1, 2015 – June 30, 2016.

Heidi York  
Signature of Authorized Official

Heidi York, County Manager  
Type Name and Title of Authorized Official

11/17/14  
Date

November 17, 2014



**INFORMAL COMMENTS:**

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

Ms. Betty Blalock of 144 Tirzah Ridge, Rougemont addressed the Board related to the responsibility of commissioners elected to represent all citizens and serve as role models to the youth. Ms. Blalock referred to the landfill as a dump that has a stench smell, with hazardous materials being accepted noting arsenic has been detected in nearby surrounding wells. Ms. Blalock questioned the fact that the landfill is considered a farm.

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

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

- A. Approval of Minutes of October 20, 2014
- B. Budget Amendment #10 including Block Grant Agreements and Resolutions
- C. Budget Transfer/Amendment
- D. CDBG Monthly Reporting for the months of October and November 2014
- E. Tax Adjustments for October 2014
  - a. October 2014 Tax Releases
  - b. October 2014 NC Vehicle Tax System pending refunds

**NEW BUSINESS:****UPTOWN SHUTTLE PROJECT:**

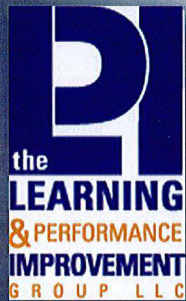
Person Area Transportation Manager, Kathy Adcock noted last year, Roxboro was selected as one of only four communities in the Nation to participate in a program to promote economic development through improved public transportation. There was a perception in the community that the mobility needs of Roxboro had evolved, and that a fixed route transit system was needed which would complement the existing Person Area Transportation System (PATs). The assistance was provided to PATs through the Region K Community Assistance Corporation by the Community Transportation Association of America (CTAA). Over the past several months, PATs and CTAA assessed the transportation needs of the Roxboro, closely examining where residents wanted to go, where they were coming from, at what times of the day and what days of the week. There is consensus that the travel needs for shopping, work, education, health care and recreation justify a transit service with a fixed route and schedule in Roxboro.

Ms. Adcock introduced Mr. Joe Seitz, President of the LPI Group, LLC to present the Executive Summary for the Uptown Shuttle Project.

# Roxboro North Carolina Uptown Shuttle Project



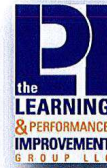
November, 2014



*This project is supported through the  
U.S. Department of Agriculture – Rural  
Development, which is an Equal  
Opportunity Program.*

**Prepared by Joe Seitz  
President, the LPI Group, LLC**

**November 17, 2014**



## SUMMARY

Since the Fall of 2012 an effort has been underway to bring a public transit shuttle to Uptown Roxboro. The Person Area Transit System (PATS), the Kerr-Tarr Regional Council of Governments, the Roxboro City Planning Department, and the Community Transportation Association of America (CTAA) have been researching and planning to develop a model that can succeed in Roxboro, North Carolina.

Based on our efforts we have learned that a very promising and unique opportunity exists in the Town of Roxboro to have a shuttle service that based on industry standards and census and demographic data can be very successful.

### ***Reasons the Uptown Shuttle Can Be Successful.***

Transit systems operating throughout the country in rural and small urban areas with a high percentage population base living at or below the poverty level and not owning a personal vehicle, tend to be very successful.

- Based on U.S. Census Data Roxboro has 3,087 residents, nearly 39% of its population, living at or below the poverty level.
  - This factor becomes more significant in Roxboro considering that
- Of the 7,700 residents nearly 1,100 do not own a personal vehicle.

Industry research has shown that these two factors are the most critical in determining transportation need. Although there may be some overlap between these two factors, what they tell us is that at least half of the population in Roxboro is in need of transportation services.

Additionally the average Median Household and Per Capita Incomes are significantly lower than the rest of the County, the State of North Carolina, and the Nation. Industry research also shows that lower income households tend to be heavier transit users.

Another typically transit dependent group are those individuals 60 years of age and older. Of the 7,700 residents in Roxboro, 2018 of them fall within that category. Another demographic of Roxboro shows that the significant spending patterns in 2013, other than shelter, included:

- |                |                       |
|----------------|-----------------------|
| • Retail Goods | • Entertainment       |
| • Health Care  | • Food Away from Home |





The potential customers surveyed as part the 2012 Job Access Mobility Institute confirmed that access to shopping, health care, entertainment, and jobs was of high importance when deciding if they would use a public transit system.

### ***Why is this a Unique Opportunity?***

Most transit system start-ups require a significant initial financial outlay. This project can be started without any additional resources. The Person Area Transit System (PATS) has designated a driver and a vehicle from its existing resources that it can dedicate to operating this new service.

Transit systems usually are expected to have immediate success to offset the startup costs. Typically that doesn't happen as it takes time to increase awareness of a new service and change the transportation habits of potential customers. In Roxboro we have the opportunity to evaluate, and grow this new service into a successful program before making any additional investments.

### ***What kind of Ridership Should We Expect?***

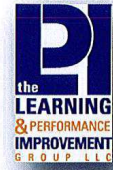
A number of formulas created by the National Transit Cooperative Research Program (TCRP) were used to predict potential ridership. Additionally, two similar transit programs, KARTS in Henderson, NC, and Transportation Lincoln County (TLC) Lincolnton Shuttle in Lincolnton NC, were chosen for comparison.

The comparison of these three systems showed that although Roxboro has fewer residents, 2,000 fewer than Lincolnton and 7,000 fewer than Henderson, the population base is more transit dependent. The Mobility Gap and residents who do not own a personal vehicle is three times higher in Roxboro than in Lincolnton and slightly less than half of that in Henderson. Roxboro also has the same number of residents over the age of 60 as Lincolnton and more than half the number of that age group in Henderson.

The annual one-way trips for the in-town shuttles of Henderson and Lincolnton are 19,000 and 30,000 respectively. Considering the higher percentage of transit dependent population living in Roxboro it is reasonable to expect the annual one-way trips to be in the range of 22,000 to 28,000.

### ***What will the Roxboro Uptown Shuttle Look Like?***

Initially the Roxboro Uptown Shuttle will operate Monday through Friday from 6:00am to 6:00pm. The service will start and end at the PATS offices. The trip from start to finish



will take approximately 45 to 50 minutes depending upon traffic and the number of customers boarding and alighting.

The scheduled stops are as follows:

- 1) Cleveland Lane (playground)
- 2) Brookstone/Shale Cir. (mailboxes)
- 3) Walmart
- 4) Weeks Dr. (across from Golden Corral)
- 5) Madison Square Center (DSS/FEMA)
- 6) Person Memorial Hospital
- 7) Piedmont Community College
- 8) Oaks Apartments (Office/Mailboxes)
- 9) Pine Ridge Apartments (Office/Playground)
- 10) Roses/Food Lion
- 11) Person Plaza (Peebles/Just Save)
- 12) Long Memorial Church Lot (Help Center)
- 13) Courthouse (Main St.)
- 14) Library

***Anticipated Start-Up.***

Based upon Board and Council approval the official start date for this service will be December 13<sup>th</sup> to coincide with the holiday parade. Although regular service will not be provided on Saturdays the holiday parade presents a great opportunity to reach out to the public to see, touch, and ride the service. The first regularly scheduled trip will begin on December 15<sup>th</sup> at 6:00am.

County Manager, Heidi York summarized the fixed route service would circulate in Roxboro, operating from 6:00 am to 6:00 pm Monday - Friday. The route would extend from Wal-Mart to the Community College, serving most all businesses and major destinations. Buses would alternate travelling the route in a clockwise, and then counterclockwise direction.

Mr. Seitz stated it is important to note that PATS already has the resources to launch this new route; PATS current funding and fleet will support the new service without any financial contributions from the City or County.

Ms. Adcock explained how the new program would be marketed to citizens of the county with funding from the COG with a fare charged to each rider in the amount of \$1.00.

Vice Chairman Jeffers asked about signage at each stop. Ms. Adcock stated as the program progressed, signs would be added over time. When asked about adding or removing scheduled stops, Ms. Adcock noted the proposed route is a starting point and any changes to the route would be communicated and discussed with the PATS board and the Board of Commissioners.

Ms. Adcock requested Board approval to start the Uptown Shuttle Route as presented.

A **motion** was made by Commissioner Blalock and **carried 5-0** to approve the implementation of the Uptown Shuttle Route as presented.

## **PUBLIC NUISANCE PROPOSAL:**

Mike Ciriello, Planning Director reminded the Board that at the September 8, 2014 Board of Commissioners meeting, staff was directed to provide a proposal regarding the county's options for removing abandoned homes, litter and abating public nuisances. Mr. Ciriello stated staff has researched surrounding/similar counties to determine which beautification/public nuisance regulations are common elsewhere. Abandoned Structures and Littering ordinances are the most common in the counties that were surveyed.

<b>County</b>	<b>Minimum Housing</b>	<b>Abandoned Structures</b>	<b>Littering</b>	<b>Appearance Commission<sup>1</sup></b>
<b>Person</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Granville</b>	<b>No</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
<b>Caswell</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Orange</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>
<b>Durham</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>
<b>Halifax, VA</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>
<b>Vance</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>
<b>Warren</b>	<b>No</b>	<b>Yes<sup>2</sup></b>	<b>No</b>	<b>No</b>
<b>Franklin</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>Yes</b>
<b>Chatham</b>	<b>No</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>

<sup>1</sup> – Includes landscape, architecture regulations

<sup>2</sup> – Abandoned Mobile Home Ordinance

Mr. Ciriello asked if the Board was interested in pursuing public nuisance/beautification regulations noting before reviewing the regulation options in detail, the Board should consider whether it would like to proceed with enacting additional regulations.

<b>Pros</b>	<b>Cons</b>
<ul style="list-style-type: none"><li>• Improve public health and safety</li><li>• Improve the landscape and image of Person County</li><li>• Increase neighboring property values</li><li>• Address recent citizen concerns</li><li>• Collectively, these changes may have a positive influence on economic development.</li></ul>	<ul style="list-style-type: none"><li>• Implementing these regulations may impact private property rights</li><li>• Cost – staffing and operating costs will be incurred</li></ul>

Mr. Ciriello presented the Board with the following options:

**November 17, 2014**

**OPTION #1: Adopt Abandoned Structures Regulations (153A-365 – 153A-372.1)**

- a) **Process:** Craft and adopt ordinance. Expect an exemption to be included for farm buildings. Pursue State grant funds to subsidize the clean-up of abandoned mobile homes.

i. **Definitions:** Abandoned (or Unusable) Structures Ordinance

**DEFINITIONS: DANGEROUS AND ABANDONED BUILDINGS**

As used in this ordinance, the following words and terms shall have the meanings prescribed herein:

Abandoned Building or Structure

- Any vacant building which is frequented by persons who are not lawful occupants of such structure.
- Any vacant building which, by reason of lack of maintenance, or by reason of the boarding up of its doors and windows, or other reasons, has a substantial adverse effect on the value of the property in the immediate neighborhood.
- A building or structure, the principal use of which has been abandoned, and that no longer has any function or use.
- Any vacant building which has had its doors or windows boarded up for emergency reasons for a period of in excess of eight (8) weeks.

Building or Structure

Includes anything constructed or erected, the use of which requires permanent or temporary location on or in the ground including, but not limited to, buildings of all types and use groups, advertising signs, billboards, swimming pools, sheds, garages, fences or any other manmade structure. Farm structures are exempt.

Dangerous Building or Structure

- Any building or structure which is dangerous to the public health or safety because of its construction or condition, or which may cause or aid in the spread of disease or which may become a harborage for rodents or other animals, or which may cause injury to the occupants thereof or of a neighboring building or structure.
- Any building or structure which, because of faulty construction, age, lack of proper repair or any other cause constitutes or creates a fire hazard.
- A Building or structure, the principal use of which has been abandoned, and that no longer has any function or use.
- Any vacant building which has had its doors or windows boarded up for emergency reasons for a period of in excess of eight (8) weeks.

b) **Cost estimates: \$15,000-\$51,000**

- i. FTE: .5 FTE, \$31,000–The State has limited grant funds for county programs that remove abandoned mobile homes from property. Implementing the grant program will require .5 FTE.
- ii. Operating: \$15,000 - \$20,000 – Some operating funds would be needed to pay for clean-up of abandoned structures.



- c) **Enforcement:** The Inspections Department will manage the initial visit, investigation, and appeals process. The Planning Department would manage the abandoned mobile home removal grant program. The court system must provide an order of abatement and in the event that the court directs the county to front the cost of abatement, those costs could be collected when the property is sold.  
**NOTE:** The cost of removal of abandoned structures could be collected via the property tax bill, if the BOC adopted a minimum housing code.

**OPTION #2: Adopt Littering Regulations (GS 153A-121, 153A-140.2)**

- a) **Process:** Create a “Public Nuisance” Ordinance

- i) Below is sample language from the City of Roxboro:

*CONDITIONS DEEMED PUBLIC NUISANCE.*

*The existence of any of the following conditions on any vacant lot or other parcel of land within the corporate limits is declared to be dangerous and prejudicial to the public health or safety and to constitute a public nuisance:*

*(A) Any accumulation of rubbish, trash, junk, debris, wood or brush causing or threatening to cause the accumulation of stagnant water, or causing or threatening to cause the inhabitation therein of rats, mice, snakes or vermin of any kind which is or may be dangerous or prejudicial to the public health.*

*(B) Any condition detrimental to the public health which violates the rules and regulations of the County Health Department.*

- b) **Cost estimate:** \$31,000- \$62,000

(A) FTE: .5 - 1FTE (\$26,000-\$52,000)- the amount of staff time needed depends on whether the BOC wants this position to coordinate public clean-up events

(B) Operating cost: \$5,000 - \$10,000

- c) **Enforcement:** The Sheriff’s Office will manage the initial visit and investigation. The Planning Department will handle the notification, hearing and appeal requirements. In the event that a resident is cited three times in one year (chronic offender), the county could contract to have the litter cleaned up and then collect the cost of abatement via the property tax bill.
- d) **Other Considerations:** If the Board of Commissioners decides to adopt litter regulations, staff recommends appointing a joint Appearance Commission with the City of Roxboro to help craft the ordinance language, organize clean-up activities and develop future appearance-related concepts, such as landscaping and architectural requirements. The City Council has discussed creating an Appearance Commission and may be interested in creating a joint commission.

### **OPTION #3: Do nothing**

Mr. Ciriello and Assistant County Manager, Sybil Tate requested the Board to provide staff with feedback about whether to move forward or not with the abandoned structure and/or littering regulations and the Appearance Commission.

Commissioner Newell noted the City's code provided for a stricter, faster remedy for public nuisance.

It was the consensus of the Board to strengthen the current ordinance on the books rather than create a new ordinance.

A **motion** was made by Commissioner Newell and **carried 5-0** to instruct Mike Ciriello to confer with the City of Roxboro of potentially working jointly with public nuisance complaints and bring back to the Board of Commissioners recommendations of text amendments reinforcing/strengthening the county's existing ordinance as well as to pursue establishing a joint Appearance Commission with the City of Roxboro.

Mr. Ciriello stated he would bring back recommendations to the existing county ordinances to include the language and procedures to strengthen and speed up the process from a citizen complaint to remedy.

Commissioner Newell added that citizens with liability insurance may have a remedy within their insurance policy for removal and cleanup of burned structures.

### **PUBLIC SAFETY COMMUNICATION TOWERS UPDATE:**

Assistant County Manager, Sybil Tate reminded the Board had funded \$100,000 in the FY15 budget to complete environmental studies for four tower locations. Ms. Tate stated the four 300 ft. towers will improve Person County's public safety communications system at a total cost of the construction estimated at \$4M.

Ms. Tate updated the Board that the State has offered to pay for the construction of the Woodland tower; Person County will construct three towers – Bethel Hill, Mt. Tirzah and Bushy Fork. Below are map images of the four tower locations:

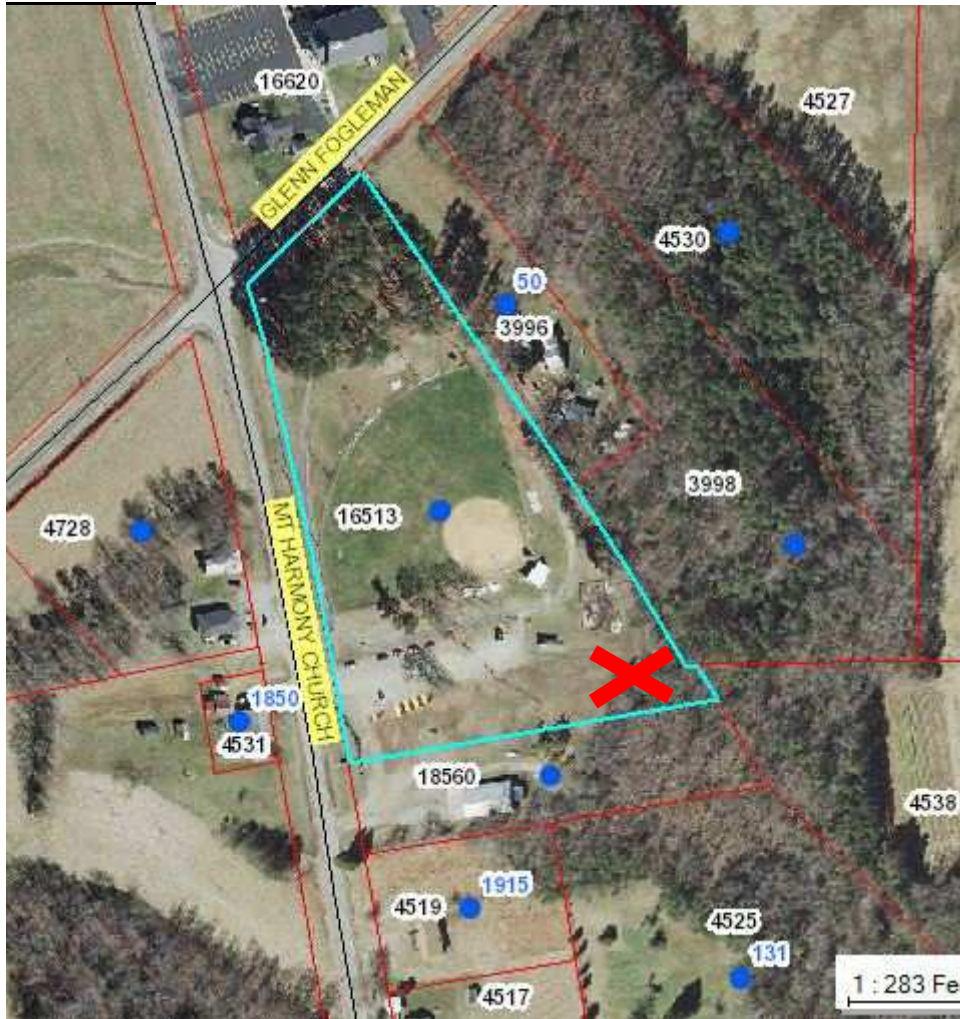
#### **Bethel Hill**



Ms. Tate stated Bethel Hill Charter School has requested the fall zone be reduced from 300 ft. to 150 ft. so they have more use of their land. Ms. Tate indicated the 20 ft. access road will need to be improved with a drain solution determined by the Department of Water Quality.

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## **Mt. Tirzah**

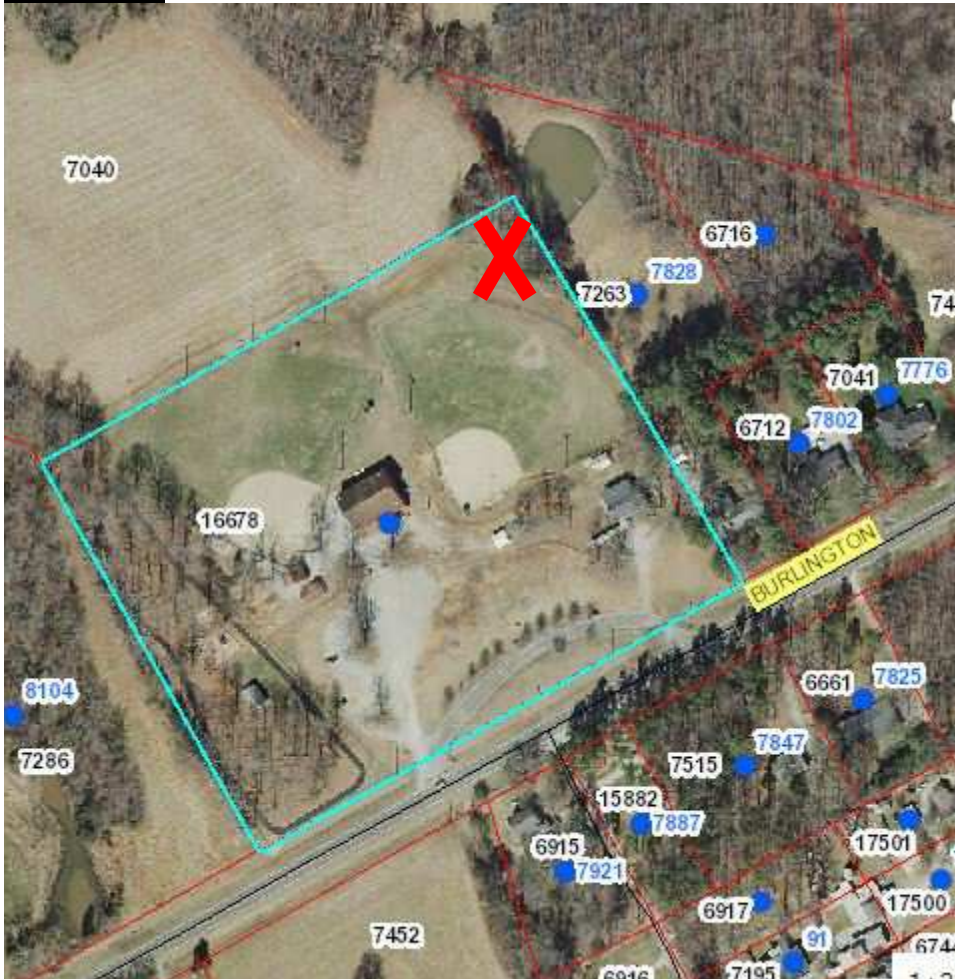


Ms. Tate stated the Mt. Tirzah tower fall zone will need to be reduced from 300 ft. to 50 ft.

**November 17, 2014**



## **Bushy Fork**



Ms. Tate stated the Bushy Fork tower location will require an access road and improved drainage.

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**Woodland (constructed by the State)**



Ms. Tate noted the Woodland tower will be reduced to 100 ft.

Ms. Tate stated the status of the environmental studies will survey and finalize the tower locations. Ms. Tate described one challenge with both the Bushy Fork and Woodland locations are due to nearby historic properties to which balloon testing for sight recognition has been performed as well as reducing the fall zone; the county is working with the State Historic Preservation Office to ensure compliance. Another challenge has been the height limitations by the County's Telecommunications Ordinance.

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Ms. Tate indicated one of the next steps would be to complete leases with the Board of Education and Bethel Hill Charter School. The Superintendent has asked that the county lease the tower land from the Board of Education for the Woodland tower location and then the county will sublease it to the State. The cost of the lease is \$1.00 and will need to be approved by both the Board of Education and the Board of Commissioners. Ms. Tate requested Board approval for the General Services Director, Ray Foushee, to begin negotiations of the terms of the lease with the State.

Ms. Tate stated Bethel Hill Charter School has asked for revenue sharing, in the event that a cell phone provider leases space on the tower. County Manager, Heidi York recommended that any such revenue sharing convene after the county recoups the costs of construction.

A **motion** was made by Commissioner Newell that was **withdrawn** for the county to review alternate sites for the Bethel Hill tower location.

It was the consensus of the Board to offer any potential revenue sharing at 25% to Bethel Hill Charter School and 75% Person County.

Ms. Tate addressed the County's Wireless Telecommunications Facilities Ordinance challenge related to the setback rule. Ms. Tate stated the County's current ordinance requires that towers be setback from the property line the height of the tower or the height of the engineered break point. For example, the proposed towers are 300 ft. tall and would require a 300 ft. fall zone and setback. However, staff recommended a reduced fall zone for all of the towers due to space constraints which is costly. For example, the Mt. Tirzah tower will be engineered to have a 50 ft. setback, to increase the distance between the playground area and the tower. Engineering the tower to have a reduced fall zone increases the cost of the tower. Ms. Tate noted staff has begun to investigate alternatives for reducing the fall zone requirements, which could reduce the total project cost.

It was the consensus of the Board to review the Wireless Telecommunications Facilities Ordinance.

**CHAIRMAN'S REPORT:**

Chairman Clayton had no report.

**MANAGER'S REPORT:**

County Manager, Heidi York announced the Board of Commissioners will meet jointly with the Fire Chiefs of Person County on December 8, 2014 at 6:30 pm.

Chairman Clayton recognized County Attorney, Ron Aycock for a report to the Board related to two lawsuits. Mr. Aycock updated the Board on the following:

1. Person County has a legal obligation to recover state and/or federal grant funding when the terms have not been fulfilled. Such a pending case exists with a now deceased, past participant in the Community Development Block Grant program for low-income homeowners to apply and accept funds for urgent repairs and/or rehabilitation. Mr. Aycock stated the Tuck family and the estate of the deceased has refused adamantly to repay \$100,000 in grant funding as a result of noncompliance with the terms set forth, and
2. Person County was left property in the form of a house by a citizen some years ago that benefits the County Library. The house is located on Burlington Road and has been used as a rental for a number of years. Due to the need for repairs, etc., the lawsuit is requesting Substitute Trustees to sell the house via judicial sale with an upset bid provision with all funds devoted to the Library.

**COMMISSIONER REPORT/COMMENTS:**

Vice Chairman Jeffers and Commissioners Newell and Puryear had no report or comments.

Commissioner Blalock gave her farewell speech as follows:

*I want to thank God first and the citizens of Person County next for allowing me to be your commissioner for the last four years. It was never one of my life goals. So why should I do this? It is important that I tell you why.*

*I saw a great need among many needs here in Person County. This situation was created by our own government who forgot to protect the citizens in one area of our county. That commissioner board made these people sacrificial lambs for the rest of the city and county and 42 other counties in NC and VA. Person County could have built its own landfill giving us control over what was put there, and*



*the landfill fees would have paid for the construction as well as bring in revenue after the construction debt was paid. That would have saved all these years of conflicts, long public hearings and angry citizens. But Commissioners took the lazy way out. They chose to allow a private company to come in and sell them a bill of goods. The county relinquished all control over the amount and the kinds of toxic substances that would be buried here for eternity for a mere \$2 a ton. That commissioner board could have provided a safe and healthy environment for everyone. They chose not to.*

*And now there are some uninformed members of this very board who want to continue this practice rather than reduce our waste stream by recycling. You think it will be economic development to sell more garbage space. You need to do your homework. I hope you know how hard I have worked since 2006 to expand recycling so we could take care of our own trash and not need a mega landfill.*

*The citizens in the east will have served their 20 year sentence in 2017. Their sentence should end and another option for our waste should be chosen. If you don't change directions for this county, mark my words, you will not believe what Upper Piedmont has in store for us. Between trash, coal ash and fracking waste we could become another Perry County, Alabama.*

*Granville County wisely built their own landfill recently. When I asked Jason Falls why they did he said quote "even though it is expensive, I still feel we will have the upper hand with respect to having our own landfill under our control. That was the biggest selling point for us." We need to talk with those folks.*

*Now I just want to remind you not to forget the 30 thousand plus county citizens whose only voice is this board. While the city is part of the county, they have the city council as an advocate. The county only has you. You are now their protector.*

*There are four facts of finding in the planning ordinance that you must apply to many of the decisions that you will make.*

- 1. Will it endanger the health and safety of the public? Any of the public.*
- 2. Does it meet all requirements whatever they are?*
- 3. Will it injure adjacent property value?*
- 4. Is it in Harmony with the area?*

*You may think you have the power to do whatever you wish. But there are checks and balances you may not know about even for this board. When people care enough they will find a way to stop you.*

*An expensive legal challenge was brought by PCPRIDE in 2007 signed in 2008 to stop a decision by a former board on which two of you were commissioners. They*

*proved three of the four facts of finding were being violated. The planning board had even voted with PCPRIDE. Yet, that board voted to expand the landfill.*

*I have that settlement document in my hand. It has my signature on it. I am going to send it to each of you along with the original challenge to help you do your homework before this issue comes roaring back at us.*

*This document is still valid. I asked the lawyer who drew up this challenge. It does not have an expiration date. It was used against me in two election campaigns. But It can still be used to stop this board.*

*My final statement is that each of you should read and reread the Person County Code of ethics and then make sure you live those rules going forward. You owe it to the voters to be an example and a role model for our young people. If you can't follow those rules, you should resign. You should not bring disgrace to this office. People want to trust the people they elect. And it is my hope we will be able to trust you.*

*Now don't just take the easy way out. Be the best board this county has ever had by doing the right thing. Take us forward even if it is the most difficult thing you ever do. Put solving our solid waste problems before providing a place for a few people to play.*

*Don't give in to those who hide their true intentions with flowery words telling you the easy and lazy way out. The landfill's mantra has always been, "You can't afford it." "But, commissioners, we can't afford not to." Please, don't begin another civil war in our county. Find a better way.*

*Just know that I will continue to have a watchful eye while it will be a relief to be out of the public eye.*

*Once again, thank you. And may God bless you.*

Chairman Clayton announced a recess at 10:42 am to relocate the meeting to the Board of Commissioners' usual meeting room 215 to hold the two Closed Sessions.

Chairman Clayton reconvened the meeting at 10:50 am.

### **CLOSED SESSION #1:**

A **motion** was made by Commissioner Newell and **carried 5-0** to enter Closed Session per General Statute 143-318.11(a)(5) to consider the acquisition or lease of real property at 10:52 am with the following individuals permitted to attend: County Manager, Heidi York, Clerk to the Board, Brenda Reaves, County Attorney, Ron Aycock, Assistant County Manager, Sybil Tate, Recreation Director, John Hill and Commissioner Elect Tracey Kendrick.

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to return to open session at 12:02 pm.

### **CLOSED SESSION #2:**

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to enter Closed Session per General Statute 143-318.11(a)(6) for the purpose to discuss personnel at 12:02 pm with the following individuals permitted to attend: County Manager, Heidi York, County Attorney, Ron Aycock, Commissioner Elect Tracey Kendrick and Clerk to the Board, Brenda Reaves.

A **motion** was made by Commissioner Blalock and **carried 5-0** to return to open session at 12:36 pm.

It was consensus of the Board to award County Manager, Heidi York a 3% merit pay based on her annual performance evaluation. The Board requested Ms. York to bring back to the Board samples of the evaluation tool as well as information related to the number of the county workforce receiving merit pay at the achieves and exceeds standards.

**ADJOURNMENT:**

A **motion** was made by Commissioner Newell, and **carried 5-0** to adjourn the meeting at 12:38 pm.

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Brenda B. Reaves  
Clerk to the Board

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Jimmy B. Clayton  
Chairman