

**PERSON COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 1, 2014**

**MEMBERS PRESENT**

**OTHERS PRESENT**

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

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 1, 2014 at 6:30 pm in the Commissioners' meeting room in the Person County Office Building to conduct the Board's Organizational Meeting prior to the 7:00 pm regular meeting.

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

**APPROVAL OF MINUTES:**

A **motion** was made by Commissioner Blalock and **carried 5-0** to approve the minutes of November 13, 2014 and November 17, 2014.

**RECOGNITION OF FRANCES P. BLALOCK:**

Chairman Clayton presented to Commissioner Frances P. Blalock a plaque in appreciation of the four (4) years of service (December 6, 2010 – December 1, 2014) and dedication to the citizens of Person County. Commissioner Blalock commented that her experience had been both educational and difficult at times. Commissioner Blalock thanked the county for allowing her to serve and asked the new Board of Commissioners to do their due diligence on behalf of all citizens of Person County.

Chairman Clayton passed the gavel to County Attorney, Ron Aycock to preside over the Swearing-In Ceremony and the Organization of the Board.

**SWEARING-IN CEREMONY:**

The Honorable Deborah L. Barker, Clerk of Superior Court administered the Oath of Office to the newly elected Commissioners Tracey L. Kendrick and Kyle W. Puryear. She also administered the Oath of Office to Soil and Water Conservation District Supervisors Eugene Cal Berryhill and Russell G. Horton.

**December 1, 2014**

## **ORGANIZATION OF BOARD:**

County Attorney, Ron Aycock presided over the meeting and explained the rules of procedure for nomination and election of the Board's Chairman and Vice Chairman.

County Attorney, Ron Aycock presided and called for nominations for Chairman of the Board of Commissioners.

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

Nominations completed, a **motion** was made by Commissioner Puryear and **carried 5-0**, to close the nominations for Chairman.

Mr. Aycock stated the vote for Chairman would take place by show of hands in the reverse order.

By show of hands, Commissioners Kendrick, Newell and Puryear voted to elect Commissioner Puryear as Chairman.

By show of hands, Commissioners Jeffers and Clayton voted to elect Commissioner Clayton as Chairman.

Commissioner Puryear was elected Chairman by a **majority vote 3-2**.

County Attorney Aycock opened the floor for nominations for Vice Chairman of the Board of Commissioners.

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

Nominations completed, a **motion** was made by Commissioner Kendrick and **carried 5-0**, to close the nominations for Vice Chairman.

Mr. Aycock stated the vote for Vice Chairman would take place by show of hands in the reverse order.

By show of hands, Chairman Puryear and Commissioners Kendrick and Newell voted to elect Commissioner Newell as Vice Chairman.

By show of hands, Commissioners Clayton and Jeffers voted to elect Commissioner Jeffers as Vice Chairman.

Commissioner Newell was elected Vice Chairman by a **majority vote 3-2**.

**December 1, 2014**

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

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 and were secured by the County Human Resources Director, who also serves as Insurance Liaison. The Human Resources Director provided information that the Sheriff's bond, in the amount of \$25,000, is for the length of his term. The Bonds of the Register of Deeds in the amount of \$50,000 and \$100,000 each for the Tax Administrator and Finance Director (amount of each Bond is dictated by legislature).

Mr. Aycock requested Board approval of the Bonds of the Finance Director, the Register of Deeds, the Sheriff and the Tax Administrator as presented.

A **motion** was made by Commissioner Clayton and **carried 5-0** to approve the Bonds of the Register of Deeds in the amount of \$50,000 and \$100,000 each for the Tax Administrator and Finance Director as well as \$25,000 for the Sheriff.

County Attorney, Ron Aycock announced a brief recess at 6:45 pm until 7:00 pm at which time the Board of Commissioners would hold its regular scheduled meeting.

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Chairman Puryear called the regular meeting of the Board of Commissioners to order at 7:00 pm.

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

A **motion** was made by Commissioner Clayton and **carried 5-0** to add an item for a Voting Delegate Designation for the NC Association of County Commissioners Legislative Goals Conference and to approve the agenda as adjusted.

**RECOGNITION:**

**RESOLUTION OF APPRECIATION FOR RETIREE:**

Chairman Puryear read and presented a Resolution of Appreciation to Person County retiree, Dorothy Chandler.

## RESOLUTION OF APPRECIATION

WHEREAS, Dorothy Chandler has served the people of Person County during her tenure working for Person County as a Transit Specialist with the Person Area Transportation System (PATs); and

WHEREAS, Dorothy Chandler has served the citizens of Person County with honor, integrity, sincerity and dedication, providing accurate, concise services for five years, December 2009 – November 2014; and


WHEREAS, Dorothy Chandler 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 Dorothy Chandler has made to the County and offers her sincere best wishes for her retirement.

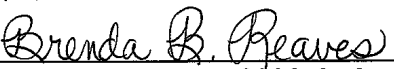
NOW, THEREFORE, I, Kyle W. Purgear, Chairman of the Person County Board of Commissioners, do hereby extend this Resolution of Appreciation to Dorothy Chandler for continually striving to make Roxboro and Person County a better place to live and work.

Adopted this, the 1st day of December, 2014.



  
\_\_\_\_\_  
Kyle W. Purgear, Chairman  
Person County Board of Commissioners

Attest:

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

December 1, 2014

**PUBLIC HEARING:**

**CLOSE-OUT OF COMMUNITY DEVELOPMENT BLOCK GRANT  
SCATTERED SITE GRANT #11-C-2322:**

A **motion** was made by Vice Chairman Newell and **carried 5-0** to open the duly advertised public hearing for the Close-out of the Community Development Block Grant Program (CDBG) Scattered Site Grant #11-C-2322.

Ms. Karen Foster, Contractor with Kerr-Tar Regional Council of Governments stated the purpose of the public hearing was to receive citizen's comments regarding the close-out of the CDBG Program, Project No. 11-C-2322. Ms. Foster stated that the program administrators are currently preparing to close-out the 2011 housing rehabilitation program for Person County noting the close-out requires a public hearing and a vote by the Board of Commissioners to proceed with the close-out.

The CDBG project provided housing rehabilitation, reconstruction, demolition and urgent repairs for low-moderate income homeowners. Ms. Foster outlined the Person County CDBG Scattered Site project completing a total of eight site projects as follows:

Clearance and Reconstruction	1
Rehabilitations (L-1)	3
Urgent Repairs	4
Total Beneficiaries	12

Ms. Foster requested Board approval to proceed with the close-out of CDBG Scattered Site Grant #11-C-2322.

There were no individuals appearing before the Board to make comments in support or in opposition to the close-out of CDBG Scattered Site Grant #11-C-2322.

A **motion** was made by Vice Chairman Newell and **carried 5-0** to close the public hearing for the Close-out of the CDBG Scattered Site Grant #11-C-2322.

**CONSIDERATION TO GRANT OR DENY REQUEST:**

A **motion** was made by Commissioner Kendrick and **carried 5-0** to approve proceeding with the close-out of the CDBG Scattered Site Grant #11-C-2322.

### **INFORMAL COMMENTS:**

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

Ms. Susan Naylor of 481 Valhalla Drive, Timberlake addressed the Board about the current site of the Senior Center not being safe and it was not fair to the seniors of the county to have as many as four locations for its programming. Ms. Naylor reminded the Board of the citizen's vote to approve construction of a new recreation and senior center. Ms. Naylor stated statistics that projected in the year 2025, there will be more residents in Person County over 60 years old than under 18 years old. Ms. Naylor requested the Board to consider a permanent space for the senior center.

Ms. Barbara Tuck of 35 Victoria Lane, Roxboro addressed the Board about the need for a senior center facility that seniors can utilize to enhance mental and physical health. Ms. Tuck noted the current site has an uneven floor in its congregate area that presents a hazard and the acoustics in the gym are not best for senior activities. Ms. Tuck urged the Board to actively, constructively and quickly work toward solving the senior center issues.

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

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

- A. Tax Adjustments for November 2014
  - a. Tax Releases
  - b. NC Vehicle Tax System pending refunds
  - c. A written request for refund in the amount of \$890.34

## **NEW BUSINESS:**

### **ANNUAL REPORT FROM REGION K COMMUNITY ASSISTANCE CORPORATION AND PERSON COUNTY SENIOR CENTER STATUS AND UPDATES:**

Diane Cox, Executive Director of Kerr Tar Council of Governments and Maynell J. Harper, Interim Director and In-Home Services and Caregiver Coordinator for the Person County Senior Center updated the Board on the center's client participation.

Ms. Harper told the group that funding has been saved due to the invaluable volunteers, most of whom are senior citizens. Ms. Harper stated the center is looking to improve the community and advocates for a safe, adequate place to accommodate current needs as well as allow for growth with the rising senior population.

Ms. Cox noted her gratitude to Person County and Roxboro City Council for funding the rent at the current location, the Perfect Venue, noting the current location has created some challenges. Ms. Cox stated if the floor repairs are not made at the Perfect Venue site soon, the Senior Center will have to vacate the building when the current lease expires at the end of March. Ms. Cox said a 4,000 sq. ft. space is a minimum space needed in order to secure funding for the senior center programming. The former site (City-owned facility on Depot St.) had 12,000 sq. ft.

Ms. Harper presented the following service reports:

PERSON COUNTY SENIOR CENTER  
SERVICE REPORT  
Through First Quarter 2014-2015

Services	Clients Served	Meals/Rides/Hours Served	New Clients	Terminated	Waiting for Service	Unit Rate	Expenses	Contributions
Congregate**	86	2,123	0	2	6	6.023/meal	13,252.00	1,355.23
Home Delivered***	42	1,751	2	6	36	7.4009/meal	13,542.00	946.01
Liquid Supplement*	118	195	2	0	0	0 fee for service	-----	-----
Transportation**	28	1,300	1	1	5	12.4666/ride	16,206.00	298.75
In-Home Aide	10	958	0	0	27	14.956/hour	14,328.00	0.00
Caregiver	7	239	1	5	0	8.00/hour	1,908.00	0.00
CDS Personal Assistant	3	0	0	0	0	10.87/hour	0.00	0.00
<b>Total</b>	<b>294</b>	<b>6,566</b>	<b>6</b>	<b>14</b>	<b>74</b>	-----	<b>59,236.00</b>	<b>2,599.99</b>

\* Liquid Supplement is a fee based service. Client pays at the rate of four expenses.

\*\*Congregate & Transportation causes total client numbers to be duplicated due to ability to utilize both services simultaneously. Congregate clients on waiting list are due to limited transportation funding.

\*\*\* Home Delivered Meals count includes United Way funded clients

PERSON COUNTY SENIOR CENTER  
IN-KIND VOLUNTEER REPORT  
First Quarter 2014-2015

<b>Wages*</b>	HDM	230.75	*reflects savings if an employee were paid to perform these duties at rate of \$11.75/hour
	Nutrition	2,726.00	
	Fitness Center	3,598.25	
	Activity	3,328.25	
	<b>Total</b>	<b>\$9,883.25</b>	
<b>Mileage**</b>			**reflects current mileage rate savings if an employee were paid for these duties
		4,126.75	
	<b>Total</b>	<b>\$1,036.50</b>	
	<b>Total In-Kind</b>	<b>\$10,919.75</b>	Avg. daily fitness center attendance 30 w/ 370 reg. users
	<b>Total Volunteer Hours</b>	<b>841.00</b>	Avg daily activity attendances 74 w/ app. 385 users.

December 1, 2014



**PERSON COUNTY SENIOR CENTER  
SERVICE REPORT  
Through Fourth Quarter 2013-2014**

Services	Clients Served	Meals/Rides/Hours Served	New Clients	Terminated	Waiting for Service	Unit Rate	Expenses	Contributions
Congregate**	88	6,237	17	12	3	16.023/meal	34,099.00	4,501.16
Home Delivered***	46	7,309	10	3	38	7.4009/meal	57,831.00	3,031.41
Liquid Supplement*	116	642	32	25	0	fee for service		
Transportation**	28	5,682	1	1	3	12.4666/ride	70,835.22	930.32
In-Home Aide	10	4,364	0	5	24	14.956/hour	64,979.00	100.00
Caregiver	11	1,074	7	0	0	18.00/hour	10,000.00	0.00
CDS Personal Assistant	3	2,607	0	0	0	10.87/hour	28,338.09	0.00
<b>Total</b>	<b>302</b>	<b>27,915</b>	<b>67</b>	<b>53</b>	<b>68</b>		<b>266,082.31</b>	<b>8,562.89</b>

\* Liquid Supplement is a fee based service. Client pays at the rate of our expenses.

\*\*Congregate & Transportation causes total client numbers to be duplicated due to ability to utilize both services simultaneously. Congregate clients on waiting list are due to limited transportation funding.

\*\*\* Home Delivered Meals count includes United Way funded clients

**PERSON COUNTY SENIOR CENTER  
IN-KIND VOLUNTEER REPORT  
Fourth Quarter 2013-2014**

<b>Wages*</b>	HDM	9,226.69				*reflects savings if an employee were paid to perform these duties at rate of \$11.75/hour
	Nutrition	10,904.00				
	Fitness Center	14,393.75				
	Activity	13,312.75				
	<b>Total</b>	<b>\$47,837.19</b>				
<b>Mileage**</b>						**reflects current mileage rate savings if an employee were paid for these duties
	<b>Total</b>	<b>4,126.75</b>				
	<b>Total In-Kind</b>	<b>\$51,963.94</b>				Avg. daily fitness center attendance 30 w/ 370 reg. users
	<b>Total Volunteer Hours</b>	<b>4,071.25</b>				Avg daily activity attendances 74 w/ app. 385 users.

December 1, 2014

## **PERSON COUNTY EMERGENCY MANAGEMENT ORDINANCE:**

Emergency Services Director, Wes Lail stated the governing body of each county is responsible for emergency management activities within the geographical limits of such county. These activities include prevention of, preparation for, response to, and recovery from natural or man-made emergencies or hostile military or paramilitary action and to do the following:

- (1) Reduce vulnerability of people and property to damage, injury, and loss of life and property,
- (2) Prepare for prompt and efficient rescue, care, and treatment of threatened or affected persons,
- (3) Provide for the rapid and orderly rehabilitation of persons and restoration of property, and
- (4) Provide for cooperation and coordination of activities relating to emergency mitigation, preparedness, response, and recovery among agencies and officials of this county and with similar agencies and officials of other local, state and federal governments, and with other private and quasi-official organizations.

The governing body of each county is hereby authorized to establish and maintain an emergency management agency for the purposes contained in G.S. 166A-19.1. The County Manager shall appoint a coordinator who will have a direct responsibility for the organization, administration, and operation of the county program and will be subject to the direction and guidance of such governing body through the County Manager. In the event that any county fails to establish an emergency management agency, and the Governor, in the Governor's discretion, determines that a need exists for such an emergency management agency, then the Governor is hereby empowered to establish an emergency management agency within that county.

Mr. Lail requested the Board to adopt the Emergency Management Ordinance as recommended by staff. County Attorney, Ron Aycock made the group aware of two words in Section 10 of the proposed ordinance that were inadvertently misspelled. Mr. Aycock noted in Section 10, the title Severity should read as Separability. Also, the word severe should read as the word separate in the text listed in Section 10.

Mr. Aycock stated the Emergency Management Ordinance did not require a public hearing; adoption at the first reading must be by unanimous vote or by majority vote at its second reading.

Vice Chairman Newell asked Mr. Lail if he had jurisdiction over the hazardous waste within the landfill. Mr. Lail stated he did not have jurisdiction over the landfill noting the landfill operation is permitted and monitored by the state.

Commissioner Jeffers clarified the definition of volunteer with the group noting the Emergency Management Director's authority to designate such volunteers during any such disaster. Commissioner Jeffers made the group aware of a recent incident whereby volunteer fire department personnel assisted with their time, equipment, etc. without reimbursement. Mr. Lail commented the Emergency Management Plan adopted in 2008 has a section addressing volunteer fire department's assistance. County Manager, Heidi York stated staff is considering an amendment to all volunteer fire department's contracts with specific language to outline such situations that could be considered for funding by state agencies, i.e. FEMA.

A **motion** was made by Commissioner Clayton, and **carried 5-0** to adopt Person County Emergency Management Ordinance with the text amendment corrections as presented by the County Attorney.

## **Person County Emergency Management Ordinance**

### **The County of Person ordains:**

#### **Person County Emergency Management Ordinance**

#### **Section 1. Authority and Short Title**

This ordinance is adopted pursuant to delegating emergency management responsibilities to certain county staff in order to perform statutory requirements as prescribed by NCGS 166A-19.15 and the NCAC in Title 14B and pursuant to the provisions of Chapter 153A Article 6 of the NC General Statutes and shall be known and referred to as the "Emergency Management Ordinance for the County of Person."

#### **Section 2. Intent and Purpose**

1. It is the intent and purpose of this ordinance to establish an emergency management agency that will ensure the efficient utilization of all Person County resources to combat emergencies resulting from enemy actions or other emergencies as defined herein. The purposes of the emergency management agency shall be to reduce vulnerability of people and property of Person County to damage, injury, and loss of life and property; to prepare for prompt and efficient rescue, care and treatment of threatened or affected persons; to provide for the rapid and orderly rehabilitation of persons and restoration of property; and to provide for cooperation and coordination of activities relating to emergency and disaster mitigation, preparedness, response and recovery among agencies and officials of Person County and with similar agencies and officials of other counties and municipalities and with other private and quasi-official organizations.

2. The Person County Office of Emergency Management will be the coordination agency for all activity in connection with emergency management. It will be the instrument through which the Person County Board of Commissioners may exercise the authority and discharge the responsibilities vested in them during emergencies.

3. This ordinance will not abrogate the authority or responsibilities of the Chairman of the Person County Board of Commissioners or any county department given to them in the county charter, local ordinances or any applicable law, nor will it adversely affect the work of any volunteer agency organized for relief in emergencies.

#### **Section 3. Definitions**

1. The following definitions shall apply in the interpretation of this Article:

(a) "Emergency Management" shall be defined as those measures taken by the populace and government of Person County to minimize the adverse effect of any type of emergency, which include the never-ending preparedness cycle of prevention, mitigation, warning, movement, shelter, emergency assistance and recovery. Emergency management shall include the basic government functions of maintaining the public peace, health and safety during an emergency. This term shall include plans and

preparations for protection and relief, recovery and rehabilitation from effects of an attack by the forces of an enemy nation or the agents thereof, or an emergency as defined herein; it shall not, however, include any activity that is the primary responsibility of the military forces of the United States.

(b) "Man-made" shall include any man-made situation causing harm to Person County, its government, or its environs. This can include bombing, conventional, nuclear, chemical, or biological weapons through terrorism or sabotage. It includes local disasters from spills, accidental/purposeful chemical releases, explosions, and any local man-made incident.

(c) "Disaster" includes but is not limited to actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic, accident, chemical spill, air or other discharge into ground water, or other impending or actual calamity endangering or threatening health, life, environment, or property of constituted government.

(d) "Emergency Management Forces" shall mean the employees, equipment, and facilities of all county departments, boards, councils, institutions, and commissions; and in addition, it shall include all volunteer personnel, equipment, and facilities contributed by, or obtained from, volunteer persons or agencies.

(e) "Volunteer" shall mean contributing a service, equipment, and facilities to the Emergency Management Agency without remuneration.

(f) "Emergency Management Volunteer" shall mean any person duly registered, identified, and appointed by the Coordinator of the Person County Emergency Agency and assigned to participate in the emergency management activity.

(g) "Coordinator" shall mean the Coordinator of the Person County Emergency Agency, appointed as prescribed in this ordinance.

(h) "Regulations" shall include plans, programs, and other emergency procedures deemed essential to emergency management.

(i) "Attack" shall mean direct or indirect assault against Person County, its government, environs, or of the nation, by the forces of a hostile nation or the agents thereof, including assault by bombing, conventional or nuclear, chemical or biological warfare, terrorism or sabotage.

(j) "Emergency" shall be defined as 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. It shall include but not be limited to actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic, accident, chemical spill or other impending or actual calamity endangering or threatening to endanger health, life or property of constituted government.

(k) Hazardous materials incident or hazardous materials emergency. – An uncontrolled release or threatened release of a hazardous substance requiring assistance by any or all

of the following: Person County Emergency Management Agency, local fire department, hazardous materials team, law enforcement, spill companies, etc. to contain, control and clean up the release.

(l) Hazardous materials. – Any material defined as a hazardous substance in 29 Code of Federal Regulations, 1910.120.

(m) Hazardous materials emergency response team or hazmat team. – An organized group of persons specially trained and equipped to respond to and control actual or potential leaks or spills of hazardous materials.

(n) Responsible party. – A person or entity who causes directly or indirectly the release of a hazardous material creating a hazardous materials incident shall be liable for all reasonable costs incurred in responding to and mitigating the incident. In the event that the responsible party cannot be determined or is unable to pay, the owner of or person in possession of hazardous materials at the time of the incident is liable for the costs.

#### **Section 4. Organization and Appointments**

1. The organization shall consist of the following:

(a) An agency of emergency management within the executive department of the Person County government under the direction of the Person County Board of Commissioners, through the County Manager. The agency head of the emergency management agency shall be known as the Coordinator and such assistants and other employees as are deemed necessary for the proper functioning of the agency will be appointed.

(b) The employees and resources of all Person County departments, boards, institutions, and councils shall participate in the emergency management activities. Duties assigned to the county departments shall be the same as or similar to the normal duties of the departments, where possible.

(c) Volunteer personnel and agencies offering service to and accepted by the county.

2. The Person County Manager shall appoint a Coordinator of the Person County Emergency Management Agency who shall be a person well versed and trained in planning operations involving the activities of many different agencies which will operate to protect the public health, safety and welfare in the event of danger from disasters either man-made or natural disasters as defined in this ordinance.

3. The coordinator shall designate and appoint assistant coordinators to assume the emergency duties of the coordinator in the event of his/her absence or inability to act.

#### **Section 5. Day-to-Day Duties and Responsibilities of the Coordinator.**

1. The coordinator shall be responsible to the Person County Board of Commissioners in regard to all phases of emergency management activity. The coordinator shall be responsible for

planning, coordinating, and operation of the emergency management activities in Person County. The coordinator shall maintain liaison with the state and federal authorities and the authorities of nearby political subdivisions so as to ensure the most effective operations of the emergency management plans. The coordinator's duties shall include, but are not limited to the following:

- (a) Coordinating the recruitment of volunteer personnel and agencies to augment the personnel and facilities of Person County for emergency management purposes.
- (b) Development and coordination of plans for the immediate use of all facilities, equipment, manpower, and other resources of the county for the purpose of minimizing or preventing damage to persons, property, environment, protection, and restoring to usefulness governmental services and public utilities necessary for the public health, safety, and welfare.
- (c) Negotiating and concluding agreements with owners or persons in control of buildings or other properties for the use of such buildings or other properties for the emergency management purposes and designation suitable buildings as public shelters.
- (d) Through public informational programs, educating the populace as to actions necessary and required for the protection of their persons and property in case of emergency, either impending or present.
- (e) Coordinating the activities of all other public and private agencies engaged in any emergency management activities.
- (f) Conducting public practice alerts to ensure the efficient operation of the emergency management forces and to familiarize residents with emergency management regulations, procedures and operations.

#### **Section 6. Emergency Management Plans**

1. Comprehensive emergency management plans shall be prepared by the coordinator and adopted and maintained by resolution of the Person County Board of Commissioners. In the preparation of these plans as it pertains to county organizations, it is intended that the services, equipment, facilities, and personnel of all existing departments and agencies shall be utilized to the fullest extent. When approved, it shall be the duty of all departments and agencies to perform the functions assigned by these plans and to maintain their portions of the plans in a current state or readiness at all times. These plans shall have the effect of the law whenever a State of Emergency has been declared.
2. The coordinator shall prescribe in the emergency plans those positions within the emergency organization (in addition to his/her position) for which lines of succession are necessary. In each instance, the responsible person will designate and keep on file with the coordinator a current list of three (3) persons as successors to his/her position. The list will be in order of succession and will, nearly as possible, designate persons best capable of carrying out all assigned duties and functions.

3. Each service chief and department head assigned responsibility in the plans shall be responsible for carrying out all duties and functions assigned therein. Duties will include the organization and training of assigned employees and where needed volunteers. Each chief shall formulate a standing operations procedure to implement the plans for his/her service.
4. Amendments to these plans shall be submitted to the coordinator. If approved, the coordinator will then submit the amendments to the Person County Board of Commissioners with his/her recommendation for their approval.
5. When a required competency, skill, or emergency function is not available within the government, the coordinator is authorized to seek assistance from persons outside of government. The assignment of duties, when of a supervisory nature shall also include the granting authority for the persons so assigned to carry out such duties prior to, during, and after the occurrence of an emergency. Local government on a voluntary basis may accept such services from persons outside of government. Such citizens shall be enrolled as emergency management volunteers.

#### **Section 7. Hazardous Materials**

1. The intent and purpose of this section is to establish the duties of the emergency management agency as it relates to hazardous materials emergencies. Such incidents include, but are not limited to spills, accidents, illegal dumping and other releases or threatened releases of hazardous materials requiring control. The emergency management agency shall have the authority to summarily remove, abate, or remedy hazardous material emergencies within the jurisdiction of the Person County that are, or potentially are, a threat to public safety.
2. In the event Person County forms a Hazardous Materials Team, the coordinator has the authority to designate another person to coordinate the operations of the team.
3. When responding to a release or threatened release of hazardous materials, the emergency management agency, along with any agencies it calls in to provide assistance, may enter onto private or public property or any adjacent or surrounding property where the release or threatened release occurred.
4. Liability for a hazardous material incident lies with the responsible party who shall be responsible for all reasonable costs incurred in responding to and mitigating the incident.

#### **Section 8. No Municipal or Private Liability**

1. This ordinance is an exercise by Person County as its governmental functions for the protection of the public peace, health, environment, safety, and neither Person County nor agents and representatives, if some, or any individual receiver, firm, partnership, corporation, association, trustee, or any other agents thereof in good faith carrying out, complying with, or attempting to comply with any order, rule, or regulation promulgated pursuant to the provisions of this ordinance, shall be liable for any damage sustained to person, property, environment, as a result of said activity.



**Section 9. Violations.**

Pursuant to Article 6 of Chapter 153A of the NC general Statutes it shall be a misdemeanor for any person to violate any of the provisions of this ordinance or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder, or delay any member of the emergency management organization as herein defined in the enforcement of the provisions of this ordinance or any plan issued thereunder.

**Section 10. Separability.**

Should any provision of this ordinance be declared invalid for any reason, such declaration shall affect the validity of the other provisions or of this ordinance as a whole, it being the legislative intent that the provisions of this ordinance shall be separate and remain valid notwithstanding such declaration.

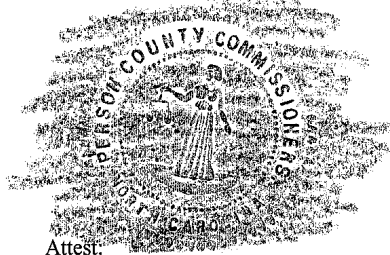
**Section 11. Conflicting Ordinances, Orders, Rules, and Regulations Suspended.**

At all times when the orders, rules, and regulations made promulgated pursuant to this Ordinance shall be in effect, they shall supersede all existing ordinances, rules, and regulations insofar as the latter may be inconsistent therewith and to the extent permitted by applicable law.

**Section 12. Effective Date**

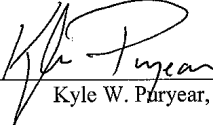
This Ordinance shall take effect upon final adoption by the Person County Board of Commissioners.

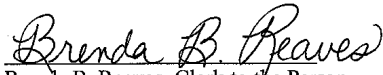
Adopted, this the 1<sup>st</sup> day of December 2014.



Attest:

PERSON COUNTY  
BOARD OF COMMISSIONERS

  
Kyle W. Puryear, Chairman

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

## **BOARD OF COMMISSIONERS 2015 SCHEDULE OF MEETINGS:**

Clerk to the Board, Brenda Reaves stated that North Carolina General Statute 153A-40 requires the Board of Commissioners to hold a regular meeting at least once a month. Ms. Reaves presented to the Board for consideration a proposed schedule of 2015 meetings dates.

Ms. Reaves noted 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 is done for the Budget Public Hearing.

Ms. Reaves informed the Board that the proposed schedule posed no conflicts related to the following conferences:

- NACo Legislative Conference February 20-24 in Washington DC
- NACo Annual Conference July 10-13 in Charlotte, NC
- NCACC Conference August 19-23 in Greenville, NC

Ms. Reaves requested the Board to consider the proposed dates and take action to set the 2015 Schedule of Meetings so to cause copy of such to be distributed and posted on the bulletin board and county website.

A **motion** was made by Commissioner Kendrick and **carried 5-0** to adopt the Board of Commissioners 2015 Schedule of Meetings as presented and by action to cause copy of such to be distributed and posted on the bulletin board and county website.



**Person County Board of Commissioners  
2015 Schedule of Meetings**

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

January 5, 2015	7:00 p.m.
January 20, 2015 (Annual Board Retreat)	9:00 a.m. Kirby Rebirth
February 2, 2015	7:00 p.m.
February 16, 2015	9:00 a.m.
March 2, 2015	7:00 p.m.
March 16, 2015 (Local Gov't. Day)	9:00 a.m. Co. Auditorium
April 6, 2015	7:00 p.m.
April 20, 2015	9:00 a.m.
May 4, 2015	7:00 p.m.
May 18, 2015	9:00 a.m.
June 1, 2015	7:00 p.m. Co. Auditorium
June 15, 2015	9:00 a.m.
July 20, 2015	9:00 a.m.
August 3, 2015	7:00 p.m.
August 17, 2015	9:00 a.m.
September 8, 2015 (Tuesday)	7:00 p.m.
September 21, 2015	9:00 a.m.
October 5, 2015	7:00 p.m.
October 19, 2015	9:00 a.m.
November 2, 2015	7:00 p.m.
November 16, 2015	9:00 a.m. Co. Auditorium
December 7, 2015	7:00 p.m.

Adopted December 1, 2014

**December 1, 2014**

**ADOPTION OF THE FISCAL YEAR 2015-2016 BUDGET CALENDAR:**

County Manager, Heidi York stated a budget calendar has been developed for the Board's adoption outlining the budget process. Ms. York made the Board aware that the annual board retreat is scheduled in place of the Board's second January Board Meeting. Ms. York told the Board that a new item added to the budget calendar was the deadline for the final insurance costs. Ms. York confirmed the budget calendar dates outlined are subject to change if needed, but would facilitate an organized budget process for staff and elected officials.

Ms. York requested consideration for the Board to adopt the budget calendar for Fiscal Year 2015-2016 and provide feedback and changes to staff as needed.

A **motion** was made by Vice Chairman Newell and **carried 5-0** to adopt Fiscal Year 2015-2016 Budget Calendar.



## PERSON COUNTY GOVERNMENT FISCAL YEAR 2015-2016 BUDGET CALENDAR

Date	Task
Monday/January 5, 2015	Distribution of CIP Requests to departments
Wednesday/Jan. 14, 2015	All personnel requests/changes due from departments to HR
Tuesday/January 20, 2015	CIP Requests due
Tuesday/January 20, 2015*	Board of County Commissioners annual retreat
Monday/February 9, 2015	Distribution of budget materials for Operating & Capital to departments
Wednesday/Feb 25, 2015	Departmental budget requests for Operating & Capital due, Fee Schedule requests due
Mon-Fri/March 16-27, 2015	Departmental Budget Reviews with County Manager
Mon/March 30, 2015	Final insurance costs due
Monday/April 6, 2015*	FY15-16 Capital Improvement Plan (CIP) presented to Board of Commissioners at regular BOCC Meeting at 7:00 p.m.
Monday/April 20, 2015*	Adoption of FY15-16 Capital Improvement Plan
Monday/ May 18, 2015*	County Manager presents Recommended Budget to Board of County Commissioners
Tues-Fri/May 19-June 5, 2015	Potential BOCC Budget work sessions (specific dates to be scheduled)
Monday/June 1, 2015*	Board of Commissioners holds public hearing on Recommended Budget
Monday/June 15, 2015*	Adoption of FY15-16 Annual Budget Ordinance
Tuesday/July 1, 2015	FY15-16 Budget available in accounting system
Monday/July 20, 2015	Adopted budget document finalized and available online

*\* denotes a Board of Commissioners meeting date.*

**December 1, 2014**

**VOTING DELEGATE DESIGNATION FOR THE NC ASSOCIATION OF COUNTY COMMISSIONERS LEGISLATIVE GOALS CONFERENCE:**

Commissioner Clayton stated voting credentials for the January 15-16, 2015 NC Association of County Commissioners Legislative Goals Conference must be submitted by January 2, 2015.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to designate Commissioner Clayton to attend the NCACC Legislative Goals Conference as Person County's voting delegate.

**CHAIRMAN'S REPORT:**

Chairman Puryear expressed his gratitude to the people of Person County that elected him for a third term on the Board of Commissioners. Chairman Puryear told the commissioners to expect regular calls from him for greater communication to reach more 5-0 votes.

**MANAGER'S REPORT:**

County Manager, Heidi York reported the following meetings for the Board of Commissioners:

- December 2, 2014 Smart Growth Workshop at Piedmont Community College's S-100 room from 6:00 pm – 7:30 pm.
- December 3, 2014 Smart Growth Workshop at Piedmont Community College's S-100 room from 8:30 am – 3:00 pm.
- December 8, 2014 Special Joint Meeting to meet with the Fire Chief's Association in the County Office Building Auditorium at 6:30 pm.

### **COMMISSIONER REPORT/COMMENTS:**

Commissioner Jeffers updated the Board related to the Person County Partnership for Children initiatives.

Commissioner Kendrick thanked the people that voted for him noting he hopes to make them proud.

Commissioner Clayton congratulated Chairman Puryear on his added responsibilities as the Chair noting the Smart Growth meeting focusing on economic development held on December 3, 2014 was to be targeted to elected officials and would be a good event for both the Chairman and the Vice Chairman to attend. Commissioner Clayton also passed along information to Chairman Puryear related to an event recognizing fallen veterans that is scheduled to be held on December 13, 2014 at 11:30 am at Person Memorial Cemetery.

Vice Chairman Newell had no report.

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

A **motion** was made by Commissioner Jeffers 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 7:41 pm 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, General Services Director, Ray Foushee, Finance Director, Amy Wehrenberg and Interim Senior Center Director, Maynell Harper.

Chairman Puryear announced a brief recess prior to Closed Session #1.

Chairman Puryear called Closed Session #1 to order at 7:51 pm.

A **motion** was made by Commissioner Kendrick and **carried 5-0** to return to open session at 8:55 pm.

**CLOSED SESSION #2:**

A **motion** was made by Vice Chairman Newell and **carried 5-0** to enter Closed Session per General Statute 143-318.11(a)(6) for the purpose to discuss personnel at 8:55 pm with the following individuals permitted to attend: County Manager, Heidi York, County Attorney, Ron Aycock and Clerk to the Board, Brenda Reaves.

A **motion** was made by Commissioner Kendrick and **carried 5-0** to return to open session at 9:07 pm.

**ADJOURNMENT:**

A **motion** was made by Vice Chairman Newell and **carried 5-0** to recess the meeting at 9:07 pm until December 8, 2014 at 6:30 pm in the County Office Building Auditorium.

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Brenda B. Reaves  
Clerk to the Board

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Kyle W. Puryear  
Chairman