

PERSON COUNTY BOARD OF COMMISSIONERS

AUGUST 17, 2015

MEMBERS PRESENT

OTHERS PRESENT

Kyle W. Puryear
David Newell, Sr.
B. Ray Jeffers
Jimmy B. Clayton
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, August 17, 2015 at 9:00 am in the Commissioners' meeting room in the Person County Office Building.

Chairman Puryear called the meeting to order. Commissioner Kendrick gave an invocation and Vice Chairman Newell led the group in the Pledge of Allegiance.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

A **motion** was made by Commissioner Jeffers and **carried 5-0** to move item #8 up to item #4 on the agenda and to approve the agenda.

INFORMAL COMMENTS:

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

Ms. Frances Blalock of 1504 Surl Mt. Tirzah, Timberlake requested the Board to consider 1) seek input from PC PRIDE on the RFP for the Waste Study, and 2) establish a 3-minute minimum public comment period.

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. Approval of Minutes of August 3, 2015,
- B. Budget Amendment #2, and
- C. Tax Adjustments for the month of August 2015
 - a. Tax Releases
 - b. NC Vehicle Tax System pending refunds

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UNFINISHED BUSINESS:**APPOINTMENT TO LIBRARY ADVISORY BOARD:**

Clerk to the Board, Brenda Reaves stated at the Board's August 3, 2015 meeting, the Board held informal interviews and considered citizen applications (Margaret McMann, Robert Bridges, Riley Oakley, Jr., and Charles Harvey) for appointment to the Library Advisory Board for a 3-year term. Ms. Reaves noted there were two positions available to which the Board took action to appoint Riley Oakley, Jr. to one position. There were nominations for both Margaret McMann and Charles Harvey to which a majority vote was not reached; there were no nomination for Robert Bridges.

Ms. Reaves requested the Board to offer a new motion for nomination to fill the remaining position on the Library Advisory Board.

A **motion** was made by Commissioner Jeffers and **carried 4-1** to appoint Charles Harvey to the Library Advisory Board for a 3-year term. Chairman Puryear cast the lone dissenting vote.

NEW BUSINESS:**REQUEST FROM THE DISTRICT ATTORNEY FOR FUNDING OF A HEAD ADMINISTRATIVE LIAISON OFFICER POSITION:**

Wallace Bradsher, District Attorney requested the Board's consideration for funding a new full time Head Administrative Liaison Officer (HALO) position in his office. Mr. Bradsher stated his request was for the position to be a state employee paid with county funds. Mr. Bradsher asked the Board to consider funding an annual cost of \$60,000 with a two year commitment.

Mr. Bradsher noted in the last four years, through partnership with Sheriff Dewey Jones and Police Chief Todd Boycher, there has been a 23% reduction in crime. Mr. Bradsher proposed to the Board a greater efficiency in criminal cases through early assessment by establishing a dedicated position to digitally relay discovery in an expedited manner that will, in turn, shorten inmates' jail time from 90 to 150 days to 30 days. Mr. Bradsher stated the shortened jail term will result in significant savings in jail fees and associated costs. Mr. Bradsher told the Board he expected the county to realize a savings of \$100,000 in the first year and possibly double in the second year should the county support his plan to create a HALO position. Of the 10,000-11,000 district cases, Mr. Bradsher estimated only 200-300 cases are dependent upon state lab results. Mr. Bradsher stated the state lab results are out of his control however he has initiatives in place to have the results close to the same time as when the charges take place. Mr. Bradsher stated he would monitor the jail population and the status of discovery noting this process would be a top priority in his office.

Commissioner Kendrick noted his preference to tie the funding across fiscal years.

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Commissioner Jeffers asked the county attorney if the current Board could tie a new board of commissioners by committing two years of funding. County Attorney, Ron Aycock confirmed that the current Board of Commissioners could not legally bind a new board.

Sheriff Jones told the group the jail capacity is 136 and the average number of inmates per day is 120. Sheriff Jones stated the state reimbursed fee for the misdemeanor confinement program is \$45 for each inmate noting the current commitment is to house 15 inmates at a time. Each inmate's food and medical expenses cost the Sheriff's Office \$22 per day.

County Manager, Heidi York stated the jail budget for the current fiscal year is \$2.7M which reflected an increase of \$95,000 over the last budget.

A **motion** was made by Commissioner Kendrick and to fund the request from the District Attorney for a HALO position through June 30, 2017.

A **substitute motion** was made by Commissioner Clayton and **failed 2-3** to fund the request from the District Attorney for a HALO position through June 30, 2017 and reinstate the Environmental Health Specialist and the Building Inspector positions. Commissioners Clayton and Jeffers voted in favor of the substitute motion. Chairman Puryear, Vice Chairman Newell and Commissioner Kendrick voted in opposition to the substitute motion.

The **original motion carried 4-1** with Commissioner Jeffers casting the lone dissenting vote. Commissioner Jeffers stated his opposition was not against the DA's proposal but in lieu of the eight county positions being eliminated in the budget saving over \$300,000, he could not commit \$120,000.

County Manager, Heidi York stated the appropriation for the HALO position would be funded from the County Fund Balance.

FOLLOW-UP ON IMPACTS OF POSITION REDUCTIONS:

County Manager, Heidi York stated that during the Fiscal Year 2015-2016 budget process, eight full-time positions were eliminated, resulting in a cost reduction of \$356,629 in FY16. Two positions: Building Inspector and Environmental Health Specialist were discussed at length by the Board. The manager was asked to bring back data to demonstrate the impact that these vacancies were having on service delivery as well as contingency plans for continuing to provide services with less employees.

Ms. York stated the Environmental Health Specialist has been vacant since April. The overall impact to the Environmental Health Department has been an increased turnaround time for site evaluations and some other services. When fully staffed, site evaluations were conducted within one to two weeks. With the vacancy, the turnaround time is now two weeks, sometimes longer. Staff has prioritized services to respond to complaints and septic system repairs first, and has maintained a same day response turn around for these. Site evaluations are the lowest priority with the 2 week turnaround. Another impact is that staff has been unable to maintain the septic maintenance evaluations which generated approximately \$17,000 in revenue annually.

Ms. York noted the Building Inspector position has been vacant since March. In addition, the Fire Inspector position has been vacant since June. As a result, the turnaround time for scheduling inspections has dropped from 100% of inspections scheduled for the next day to 91% scheduled for the next day. Since May, 53 of the 613 inspection requests were unable to be scheduled for the next day. However, April through August is typically the busiest time for the inspections department, with inspections expected to decrease November through March. Additionally, inspectors have less time to respond to contractor and citizen phone calls and the Director conducts fewer quality control inspections.

Ms. York reminded the Board of the costs associated with the two positions:

- Environmental Health Specialist:
salary & benefits: \$57,922; associated costs: \$30,881; Total: \$88,803
- Building Inspector:
salary & benefits: \$50,453; associated costs: \$33,685; Total: \$84,138

The combined total for the above two positions is \$172,941.

Mr. Sam Hobgood, Director of Inspections reported the number of inspections per day has consistently exceeded the Department of Insurance's threshold of 12-15 per day with 15-20 requests per month being delayed from the usual 24-hour turnaround since May 2015. Mr. Hobgood noted the revenues over a period of 2011-2015 compared to 2005-2010 resulted in \$1,000 less. Mr. Hobgood stated he and his staff also review plans in addition to field inspections.

Ms. Janet Clayton, Public Health Director noted the environmental staff also review plans in addition to inspections. Ms. Clayton stated reprioritization of duties has been necessary with septic inspections at the lowest priority which will affect revenues and reaccreditation as this service is required by general statutes.

A **motion** was made by Commissioner Clayton and **failed 2-3** to reinstate the Environmental Health Specialist and the Building Inspector positions. Commissioners Clayton and Jeffers voted in favor of the motion. Chairman Puryear, Vice Chairman Newell and Commissioner Kendrick voted in opposition to the motion.

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PERSON VETERANS COUNCIL MEMORANDUM OF AGREEMENT UPDATE:

Mr. Richard Vining President of the Person Veterans Council noted that on August 8, 2014 Person County and the Persons Veterans Council (PVC) entered into a Memorandum of Agreement (MOA) regarding the property located adjacent to the Person County Office Building and the current site of the Person County Veteran's Park.

Since the approval of the MOA in August 2014, the PVC has decided to become a 501(c)(3) organization. In order to do so, the PVC must create a charter that describes the actions the PVC will take in the event of dissolution. The PVC has requested that all remaining assets be turned over to the Person County Government to be retained in an endowment fund to be utilized for perpetual maintenance of the Person County Veterans Park.

Mr. Vining presented an updated MOA that includes language stating that Person County will accept any remaining assets in the event of the PVC's dissolution. County Attorney, Ron Aycock added that the Internal Revenue Service requires nonprofits, as part of the certification process, to have a plan should dissolution take place to which a local government or another nonprofit would be eligible to take over any such assets.

A **motion** was made by Commissioner Kendrick and **carried 5-0** to approve the Person Veterans Council Memorandum of Agreement as presented.

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Memorandum of Agreement
Between
Person County Government and Person Veteran's Council

This Memorandum of Agreement (MOA) is made and entered into the 17th day of August, 2015, by and between the Person County Government (hereinafter called "County") and the Person Veteran's Council (hereinafter called "PVC") regarding the property located adjacent to the Person County Office Building (304 S. Morgan St.) that is the site of the Person County Veteran's Park.

The County agrees:

1. To allow the Veteran's Memorial Park to occupy the aforementioned location for an indefinite term.
2. To maintain property and liability insurance on all structures and property in the park and liability insurance for injury to third parties or damage to property of third parties that occurs in relation to County property.
3. To provide grounds maintenance including mowing, leaf collection, pruning shrubs, mulching, maintaining sidewalks, etc.
4. In the event of the PVC's dissolution, the County will retain all the PVC's remaining assets in an endowment fund to be utilized for perpetual maintenance of the Person County Veterans Park.

The PVC agrees:

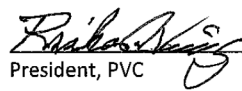
1. To pay for utility costs, if any, associated with the park.
2. To pay for any updates or replacements of sidewalks, signage, and other features that are beyond the scope of general maintenance.
3. To maintain all structures erected upon the park, including but not limited to monuments, flagpole, and flags.
4. To schedule events at the park.

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5. In the event of dissolution, the PVC will provide Person County Government with any remaining assets to be used for the perpetual maintenance of the Person County Veterans Park.

IN WITNESS WHEREOF, the parties have hereunto set their hand the day and year first written above.

 8/17/15
Person County Manager Date

 8-17-15
President, PVC Date

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TOURISM DEVELOPMENT AUTHORITY ANNUAL REPORT:

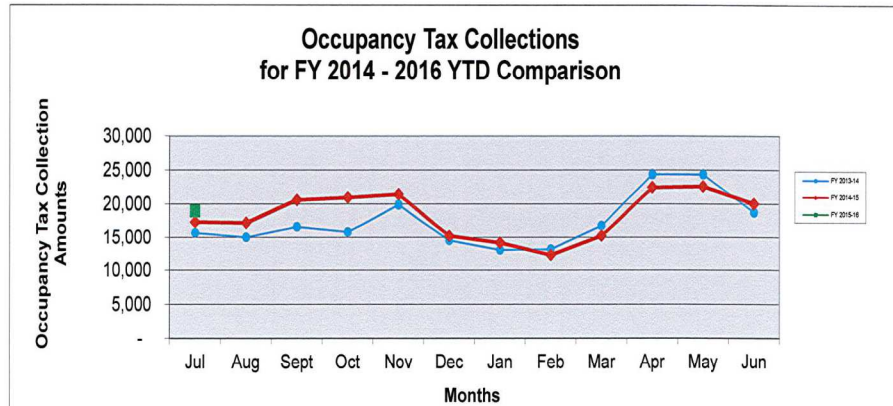
Tourism Development Authority (TDA) Director, Margaret McMann presented the 2014-2015 TDA Annual Report which included the following highlights:

Overview of Tourism for Person County:

Ms. McMann stated in 2014, domestic travelers spent a record \$21.3 billion across the state showing a 5.5% increase over 2013. In 2014, tourism expenditures directly supported more than 200,000 jobs. Person County showed a 4.67% increase in tourism revenue and the tourism industry directly employs more than 500 people in Person County. State tax revenue generated in Person County totaled \$1.9M through state sales and excise taxes, and taxes on personal and corporate income.

Tourism Impact for Person County:

| Month Occ Tax Collected | FY 2008-09 | FY 2009-10 | FY 2010-11 | FY 2011-12 | FY 2012-13 | FY 2013-14 | FY 2014-15 | FY 2015-16 |
|-------------------------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Jul | 11,168 | 17,011 | 12,430 | 12,190 | 14,908 | 15,714 | 17,372 | 19,021 |
| Aug | 14,007 | 16,713 | 11,945 | 11,923 | 16,465 | 15,018 | 17,238 | |
| Sept | 13,062 | 16,708 | 10,776 | 12,642 | 14,045 | 16,637 | 20,614 | |
| Oct | 11,483 | 11,947 | 10,656 | 11,321 | 13,102 | 15,818 | 20,973 | |
| Nov | 15,870 | 15,239 | 10,611 | 20,558 | 12,335 | 19,906 | 21,463 | |
| Dec | 12,838 | 10,539 | 13,533 | 14,670 | 12,382 | 14,539 | 15,237 | |
| Jan | 8,366 | 8,317 | 8,278 | 11,905 | 12,120 | 13,085 | 14,197 | |
| Feb | 9,796 | 8,954 | 9,091 | 13,045 | 10,051 | 13,163 | 12,312 | |
| Mar | 9,761 | 8,398 | 11,119 | 13,061 | 13,555 | 16,797 | 15,263 | |
| Apr | 18,536 | 14,200 | 14,471 | 19,603 | 22,680 | 24,373 | 22,485 | |
| May | 17,484 | 17,182 | 15,430 | 22,383 | 24,820 | 24,363 | 22,632 | |
| Jun | 13,279 | 12,171 | 14,768 | 16,718 | 18,350 | 18,779 | 20,041 | |
| | 155,650 | 157,379 | 143,108 | 180,019 | 184,813 | 208,192 | 219,826 | |



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Budget Allocation for Fiscal Year 2014-2015:

**BUDGET YEAR 2014 – 2015 passed 6/2014
& Revised Budget 5/2015**

| | | Revised |
|--------------------------|------------------|------------------|
| PROJECTED REVENUE | \$180,00 | \$220,00 |
| <i>Occupancy Tax</i> | <i>\$180,000</i> | <i>\$220,000</i> |

PROJECTED EXPENDITURES

| | | | |
|--|------------|------------------|-----------------|
| TOURISM RELATED | 1/3 | \$60,000 | \$72,600 |
| <i>PC Museum of History</i> | | <i>\$ 28,000</i> | <i>\$36,666</i> |
| <i>Mayo Lake</i> | | <i>\$ 13,050</i> | <i>\$13,050</i> |
| <i>Grants/Festivals that are tourism related</i> | | <i>\$ 10,000</i> | <i>\$13,000</i> |
| <i>Hyc0 Lake</i> | | <i>\$ 8,950</i> | <i>\$ 9,884</i> |

| | | | |
|---|------------|------------------|------------------|
| TOURISM PROMOTION | 2/3 | \$120,000 | \$147,400 |
| <i>Marketing</i> | | <i>\$15,500</i> | <i>\$30,000</i> |
| <i>Brochure/Rack Cards</i> | | <i>\$ 1,500</i> | <i>\$ 1,500</i> |
| <i>E-Marketing</i> | | <i>\$ 5,000</i> | <i>\$ 5,000</i> |
| <i>Grants/Tourism promotion related</i> | | <i>\$15,200</i> | <i>\$25,000</i> |
| <i>Administrative</i> | | <i>\$82,800</i> | <i>\$85,700</i> |

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Budget Allocation for Fiscal Year 2015-2016:

BUDGET YEAR 2015-2016

PROJECTED REVENUE \$190,000

Occupancy Tax \$190,000

PROJECTED EXPENDITURES

TOURISM RELATED 1/3 \$63,000

PC Museum of History \$ 20,000

Mayo Lake \$ 15,000

Grants/Festivals that are tourism related \$ 13,500

Hycos Lake \$ 14,500

TOURISM PROMOTION 2/3 \$127,000

Marketing \$20,000

Brochure/Rack Cards \$ 1,500

E-Marketing \$ 5,100

Grants/Tourism promotion related \$15,000

Administrative \$85,400

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Highlights of 2014-2015 and upcoming projects for 2015-2016:

SOME FUNDING ACCOMPLISHMENTS FOR THE YEAR 2014-2015

- TDA funded Grants totaling over \$38,000 to organizations/events such as: Directors' Roundtable Fireworks Fund and Jingle on Main; Flem Whitt Beach Music Festival; Sappony 5K Run/Walk; Willow Oak Blue Grass Festival; Willow Oak Beach Music Festival; Personality Festival; PC Arts Council; Pickin By the Lake; disc golf course at Hyco Lake; Person County Quilt Trail; FSS Triathlon Series at Mayo Lake; Mayo Lake Cyclism; The Kirby Movie Series; RDG's ROX N' ROLL.
- Completed the \$20,000 pledge to the Kirby Re-birth project with the final \$10,000.
- Paid the first \$10,000 of our \$25,000 pledge to the RAISE THE ROOF project, securing naming rights for the multi-purpose room.
- TDA appropriated \$13,050 to Mayo Lake Park for the promotion and development of programs at the Lake. Mayo had a traffic count at the Education Center of 58,120; Boat Landing – 76,466; front gate – 17,837 which was a 13,000 plus car increase over 2013. Total campsite and cabin participants – 3,843; total cabin rentals for residents – 692; non-residents – 483
- TDA appropriated \$9,884 to Person-Caswell Lake Authority (Hyco Lake) for use in promoting and developing events and programs at the Lake. Paddle boats/boards were bought as well as system to be able to show outdoor movies. A partnership with PC Parks & Recreation was formed in order that we can take advantage of the additional lake space for county-wide programs and events. This was the first year we have appropriated funds to Hyco Lake even though we have funded a few grants for them over the past few years. We do get revenue from them on their cabin rental and this year they have added additional cabins; they now have 9 cabins for rent.
- TDA funded the Person County Museum of History \$35,538. They told us they had 478 visitors from out of the area.

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Ms. McMann explained the TDA board's grant application process noting they have a form to complete and submit for consideration. Should the request be in excess of \$10,000, Ms. McMann stated a presentation was recommended.

Commissioner Clayton asked Ms. McMann and the TDA board to access the County Attorney or the UNC School of Government for legal advice noting the Smith Law Firm that recently gave advice to the TDA is a lobbyist firm. Commissioner Clayton stated the desire of the Board of Commissioners when the additional 1% occupancy tax was levied was for TDA to appropriate those additional funds to support the Museum. Ms. McMann stated the legislation could not designate funding to specific entities noting she had obtained legal rulings related to the disbursement of funding from former county attorney, Jamie Long and Alan Hicks, attorney at law.

Chairman Puryear encouraged interested entities to submit an application to TDA for consideration of grant funding.

SOLID WASTE STUDY CONTRACT:

Assistant County Manager, Sybil Tate stated the Solid Waste Study Selection Committee, which included Vice Chairman Newell, reviewed three proposals received in response to the RFP and recommended to the Board the firm of Smith & Gardner.

Ms. Tate presented Smith & Gardner's draft of the contract and scope to the Board. The total cost of the contract is \$77,680 and the estimated completion date is March 31, 2016.

Ms. Tate stated the scope included the following:

1. Data collection; includes meeting with citizen stakeholders
2. Kick-off meeting
3. Initial screening of 7 solid waste management options
4. Site analysis for selected options
5. Cost-benefit analysis of up to three options
6. Waste stream audit and recommendations for improving recycling
7. Recommendations for improving the Recycling Facility layout
8. Final report and presentation to the Board

Optional items that could be added to the scope include:

1. Contract renewal negotiations - \$10,600
2. RFP for transfer station - \$6,230

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Ms. Tate asked the Board to review the scope of the study and make any necessary changes as well as to approve the contract, if desired. Ms. Tate stated Ms. Joan Smyth, Senior Hydrogeologist and Mr. Mike Brinchek, Senior Project Manager, with Smith & Gardner, were available for questions.

Commissioner Kendrick asked about Smith & Gardner's experience in contract negotiation. Ms. Smyth stated Smith & Gardner has experience of evaluating contracts, optimization with negotiation of contracts with haulers as well as disposal firms as they assist their clients in reaching the most appropriate, effective contract. Ms. Smyth added that the contract and scope has had reiterations of different tasks and the option for contract renewal will be dependent upon the direction of the Board.

County Manager, Heidi York reminded the Board that \$100,000 was budgeted for the Solid Waste Study and the quoted contract including the options are within the budgeted amount.

Commissioner Jeffers asked if the Solid Waste Chair could be included in the kick-off meeting to which staff agreed.

Commissioner Kendrick asked if Ms. Frances Blalock's request for PC PRIDE to have input is included in the plan. Ms. Tate stated the contractor will be asked to attend a PC PRIDE meeting.

Commissioner Jeffers asked if the option of transferring trash to Granville County was one of the 7 solid waste management options included in the scope to which Ms. Tate confirmed affirmatively.

Vice Chairman Newell asked Smith & Gardner to elaborate on the scope related to data collection. Ms. Smyth stated Smith & Gardner would review Person County's current solid waste operations, fiscal analysis, management and transfer of solid waste and would make a recommendation for improved efficiency whether it would be transfer within the county, transfer by the county to a county-owned facility, transfer by direct haul to another county or another option. Ms. Smyth confirmed the analysis does not include any environmental assessment.

A **motion** was made by Commissioner Kendrick and **carried 4-1** to approve the Solid Waste Contract and Scope of Work with Smith & Gardner as presented. Commissioner Clayton cast the lone dissenting vote.

Ms. Tate requested two members of the Board to attend the kick-off meeting to which she asked for the County Manager to assist with coordinating with two board members as well as setting the date for the kick-off meeting.

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NORTH CAROLINA

AGREEMENT FOR SERVICES

PERSON COUNTY

THIS AGREEMENT FOR SERVICES (this "Agreement"), made and entered into this 17th day of August 2015 by and between Person County, a body politic and corporate of the State of North Carolina, (hereinafter referred to as the "County"), and Smith & Gardner (hereinafter referred to as "Contractor").

WHEREAS, Contractor, has agreed to provide services in a professional manner in accordance with the standards of Contractor's industry and as hereinafter set forth; and

WHEREAS, the County wishes to enter into an Agreement with Contractor to provide the services specified in Appendix 1, Scope of Work, attached hereto and incorporated herein by reference.

NOW THEREFORE, in consideration of the mutual agreements described below, the parties agree as follows:

1. Term of Agreement: The initial term of this Agreement shall commence on **August 17, 2015** and end on **March 31, 2016**.
2. Scope of Service: The Contractor shall provide to the County the Services (the "Services") set forth in the "Scope of Work" attached hereto as Appendix 1, which is incorporated herein and made an integral part of the Agreement.
3. Compensation: As compensation for the services to be provided by Contractor, the County shall pay the Contractor an amount not to exceed **\$77,680**. Payments will be made upon completion of each task and within thirty (30) days from receipt of invoice, or as otherwise set forth in Appendix 1.
4. Insurance: Contractor shall maintain insurance policies at all times with minimum limits as follows:

Coverage

Worker's Compensation
Statutory Limits

General Liability

\$1,000,000 per occurrence / \$2,000,000 aggregate

Professional Liability

\$1,000,000 each claim / \$2,000,000 aggregate

Automobile Liability

\$1,000,000 each accident

All insurance policies shall be issued by companies authorized to do business under the laws of the State of North Carolina and shall be rated not less than "A" by A.M. Best and Company. Contractor shall furnish Certificates of Insurance to the County, naming the County as an additional insured for General Liability and Automobile Liability coverages, prior to the commencement of operations. The certificates shall clearly indicate that Contractor has obtained insurance of the type, amount, and classification as required for strict compliance with this paragraph and that no material change or cancellation of the insurance shall be effective without thirty (30) days prior written notice to the County. Compliance with the foregoing requirements shall not relieve Contractor from any liability or obligations under this Agreement.

5. Confidentiality: All proprietary data and information, if any, furnished to Contractor by the County shall be regarded as confidential, shall remain the sole property of the County and shall be held in confidence and safekeeping by Contractor for the sole use of the County and Contractor and Contractor's Subconsultants

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under the terms of this Agreement. Contractor agrees that its officers, employees and agents will not disclose to any person, firm or entity other than the County or its designated legal counsel, accountants or practice management consultants any information about the County. Contractor agrees to carry out its obligations to the County in compliance with all privacy and security regulations required by law.

6. Status of Parties: Nothing contained in this Agreement shall be construed as establishing a partnership or joint venture relationship between Contractor and the County. Contractor and its employees and representatives are independent contractors, solely responsible for its or their performance under this Agreement and shall have no legal authority to bind the County.

7. Assignment and Subcontracting: Neither this Agreement nor any rights or obligations hereunder shall be subcontracted, assigned, or delegated by Contractor without prior written consent of the County, which consent may be withheld in the County's sole discretion.

8. Binding Effect: This Agreement shall be binding upon the parties hereto, their heirs, administrators, executors, successors and assigns, if such assignment has been approved by the County.

9. Notices: Any notice or other communication required or permitted under this Agreement shall be in writing and shall be deemed to have been given on the date delivered personally or deposited in the United States Postal Service, certified mail, return receipt requested, with adequate postage affixed, addressed as follows:

Person County
Attn: Sybil Tate
304 S. Morgan Street
Roxboro, NC 27573

Smith & Gardner
Attn: Mike Brinchek
14 N. Boylan Avenue
Raleigh, NC 27603

Either party may change its address for notices under this Agreement by giving written notice of such change to the other party in accordance with the terms of this paragraph.

10. Governing Law: This Agreement and the rights and obligations to the parties hereunder shall be construed and governed by the laws of the State of North Carolina and venue for any proceedings arising hereunder shall be in the state court of appropriate jurisdiction located in Person County, North Carolina.

11. Modifications: This Agreement may be amended or modified by the mutual written consent of the parties. A modification is not enforceable against the County unless it is signed by the County Manager or other duly authorized official.

12. Entire Agreement: This Agreement contains the entire agreement between the parties pertaining to the subject matter of this Agreement. With respect to that subject matter, there are no promises, agreements, conditions, inducements, warranties or understandings, written or oral, expressed or implied, between the parties, other than as set forth or referenced in this Agreement.

13. Waiver: A waiver of any provision of this Agreement must be in writing, designated as such, and signed by the party against whom enforcement of the waiver is sought. The waiver of a breach of any provision of this Agreement shall not operate or be construed as a waiver of any subsequent or other breach thereof.

14. Termination: This Agreement may be terminated as follows:

- (i) Cause: If the services provided by the Contractor under this Agreement are determined to be unsatisfactory or unacceptable, as determined by the County Manager, this Agreement may be terminated by the County for default. Grounds for termination for default shall include, but not be limited to:

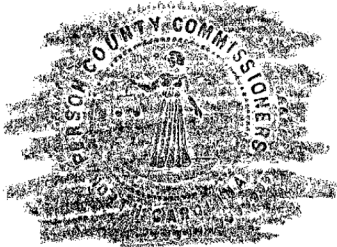
- (a) Failure to respond to all reasonable requests from the County to provide services covered by this Agreement.
 - (b) Failure to maintain equipment in accordance with the requirements of the this Agreement and with all laws.
 - (c) Lack of proper insurance as required under this Agreement.
 - (d) Charging rates or fees in excess of those provided in this Agreement.
 - (e) Inefficient, or unsafe practices in providing services.
 - (f) Other actions which impact unfavorably on the faithful performance of this Agreement.
- (ii) Convenience: The County reserves the right to terminate this Agreement upon thirty (30) days written notice to Contractor for any reason deemed by the County to serve the public interest. This termination for convenience will not be made when termination is authorized under any other provisions of this Agreement. In the event of such termination the County shall pay the Contractor those costs directly attributable to services received by the County in compliance with the Agreement prior to termination. The County is not liable for loss of any profits anticipated to be made hereunder, nor for any special, consequential or similar damage.

15. Annual Appropriations and Funding. This Agreement is subject to the annual appropriation of funds by the Person County Commissioners. Notwithstanding any provision herein to the contrary, in the event that funds are not appropriated for this Agreement, the County shall be entitled to immediately terminate this Agreement, without penalty or liability, except the payment for all service satisfactorily provided under this Agreement up to and through the Contractor's receipt of notice of termination.

16. Hold Harmless: Contractor agrees to indemnify and hold harmless the County, its agents, servants and employees from any and all claims, actions, lawsuits, damages, judgments or liabilities of any kind whatsoever to the extent caused by Contractor's negligent provision of Services under this Agreement.

17. County Policy: The County opposes discrimination on the basis of race and sex and requires all of its contractors to provide a fair opportunity for minorities and women to participate in their work force and as subcontractors and vendors under County contracts.

IN WITNESS WHEREOF, the parties have executed this Agreement in their official capacities with legal authority to do so.



This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Amy Wehrenberg
Amy Wehrenberg, Finance Director

Person County:

By: Kyle Puryear
Kyle Puryear, Chairman
Person County Board of Commissioners

Contractor

By: Stacy Smith
Contractor signature
Contractor SMITH GARDNER, INC.
Address 14 N. BOYLAN AVENUE
City, State, Zip code RALEIGH, NC 27603
Phone: FAX 919-823-0577
Email: STACEY@SMITHGARDNER, INC.

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August 11, 2015

Ms. Sybil Tate
Person County - Assistant County Manager
304 S. Morgan Street
Roxboro, North Carolina 27573

**RE: Person County, North Carolina
Solid Waste Management Study
Scope of Work**

Dear Ms. Tate:

Smith Gardner, Inc. (S+G) is pleased to submit the following Scope of Work to Person County (County) to review and evaluate the current solid waste program; identify long-term solid waste management options; develop a cost-benefit analysis of feasible options and identify a long-term option that provides the County with a high level of service that is cost competitive and minimizes the impact on the City of Roxboro.

SCOPE OF WORK

The scope of work includes the following tasks, which are further described below:

- Task 1 – Data Acquisition and Research
- Task 2 – Project Kick-Off Meeting
- Task 3 – Options Analysis
- Task 4 – Waste Stream and Recycling Analysis
- Task 5 – Final Report
- Task 6 – Board Presentation
- Task 7 – Franchise Agreement Development and Negotiations **(Optional)**
- Task 8 – Request for Proposal for Waste Disposal and/or Transfer **(Optional)**

Optional tasks are included under this contract for an additional fee with written authorization from the County.

Task 1 – Data Acquisition and Research

At the outset of the project, S+G will identify, acquire and review available data provided by the County and the City of Roxboro to develop an understanding of the County and City solid waste system, including previous reviews conducted by the County for solid waste management system options. S+G will also obtain and review the County GIS database files, which will be necessary during the initial site screenings. This task includes one (1) meeting with the County and community stakeholders.

Task 2 – Project Kick-Off Meeting

S+G will conduct a half-day project kick-off meeting with County staff, City of Roxboro staff and key project team members at the County's facilities. Prior to the meeting, S+G will

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submit to the County a draft agenda along with data needs as a result of Task 1. The anticipated outcome of the project kick-off meeting is to:

- Achieve consensus on the options to be evaluated;
- Develop qualitative and quantitative evaluation criteria that represent Person County's goals and objectives;
- Develop siting criteria for new facilities beyond prescribed NCDENR Division of Waste Management, Solid Waste Section rules and regulations; and
- Develop goals and identify desired outcomes for the waste stream and recycling analysis.

The project kick-off meeting will also be used to define:

- Communication between the County and S+G;
- Project schedule; and
- Project Stakeholders.

Task 3.1 – Options Analysis – Initial Screening

Building upon the work already completed by the County, S+G will qualitatively review the County's solid waste options based on criteria developed during Task 1 and 2 to determine the most favorable options for conducting a cost-benefit analysis. It is anticipated that the following options would be included in this analysis:

- Renegotiate the current franchise agreement with Republic Services;
- County owned, County operated transfer station to transfer waste to an out-of-county facility ;
- County owned, private operated transfer station to transfer waste to an out-of-county facility;
- Private owned and operated transfer station to transfer waste to an out-of-county facility;
- Direct haul to Granville County without developing a transfer station;
- County owned, County operated landfill for County only waste; and
- County owned, private operated landfill for County only waste.

At the completion of the task S+G will provide the County with a technical memorandum summarizing the qualitative review of the options and meet with the County to review and develop a consensus of the options for further investigation.

Task 3.2 – Options Analysis – Site Screening

S+G will conduct a preliminary desktop site screening using GIS for options identified in Task 3.1. The preliminary desktop screening will review regulatory, industry and County requirements to locate regions of the County appropriately suited for the option(s). Identifying regions where facilities are most reasonable will allow the project team to consider development and transportation costs, which may be significant to the long-term viability of these options.

In addition, S+G will develop facility layouts for options requiring construction, to determine the approximate parcel size needed to construct and operate the option(s). The layouts will be conceptual, but will provide sufficient detail to develop budgetary costs expected for a facility handling the County's solid waste.

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Task 3.3 – Options Analysis – Cost-Benefit Evaluation of Final Options

Working with the County and City of Roxboro, S+G will develop baseline costs for the current operations of each entity, which will be used as the baseline costs for comparing up to three (3) options identified in Task 3.1 and 3.2.

S+G will develop a preliminary estimate of the capital and operating costs for each option. This will include estimates of land acquisition costs, permitting/design costs, construction costs, disposal operations equipment and labor costs and transportation costs (from transfer station only).

S+G will develop a spreadsheet analysis for each option that accounts for the initial development costs, initial capital equipment costs plus replacement costs, construction costs and operation costs based upon assumed daily tonnages. The analysis will evaluate each option for 30 years and compare each option to the baseline costs of the County's current system, which will include the City of Roxboro.

Upon completion of the draft cost-benefit evaluation of the final options, S+G will meet with the County to review the evaluation. Following the meeting S+G will incorporate the County's comments into the final evaluation, which will be included within the Final Report. This task assumes one (1) meeting with the County and community stakeholders at the completion of the task.

Task 4.1 – Waste Stream and Recycling Analysis – Recommendation for Increasing Recycling

S+G will partner with RRS and work with Person County and the City of Roxboro to review current collection, processing, education and policy to identify program gaps and key best practice recommendations the County and City should evaluate for increasing the recovery within their waste management system.

Task 4.2 – Waste Stream and Recycling Analysis – Recommendations for Improving the Recycling Center

Person Industries is in the process of moving all recycling operations to the Person County Recycling Center. As a result, Person County is looking to update the Recycling Center with additional process equipment to increase recycling, while maintaining a safe work environment for Person Industries staff. S+G will partner with MetalTech Solutions, which specializes in recycling process design, to develop a conceptual design that will efficiently use the Recycling Center's warehouse space to process recyclables meeting Person Industries' requirements for staffing. This task will yield the following:

- Proposed system layout;
- Building upgrades;
- Material flow; and
- Material storage requirements.

Task 4.3 – Waste Stream and Recycling Analysis - Waste Stream and Recycling Assessment

S+G and RRS will conduct a pre-waste sort meeting with Person County and City of Roxboro staff to outline the goals of the waste stream and recycling assessment and review the methodology for completion of the assessment. Our Team will review the sample size and sampling technique to ensure adequate samples are made available prior to the assessment. We will also finalize the material needs while onsite for the assessment. Lastly, our Team will review the data analysis and reporting mechanisms we intend to use as we collect, analyze and report our findings. Our Team will provide the County with the plan and it is assumed that the County will meet with private haulers and City of Roxboro to arrange the logistics for delivery of waste materials to be sorted and to convey the general sort plan.

At the conclusion of the pre-waste sort meeting, our Team will review the site locations where the sorts will take place with Person County staff. It is assumed that assessment will take place at the Upper Piedmont Environmental Landfill or at Person Industries. The County will work with Republic Services and/or Person Industries to provide a covered site at the sorting location.

After our Team reviews the County's data and has an understanding of the total waste generated, a sample size will be developed to be collected from each of the sample areas (Person County commercial waste and City of Roxboro waste). Materials will be collected in advance (and placed in a sheltered location) from selected routes and areas.

Our Team will provide all personal protective equipment (PPE) and the following materials for the sort:

- Heavy-duty puncture resistant gloves and reflective safety vests;
- Protective coveralls, ear plugs and air-filter safety masks;
- Leak-proof containers for sorting and weighing materials;
- First-aid kit;
- Platform scale capable of measuring up to 300 pounds (with 0.1 resolution);
- Sort table with screen for fine material; and
- Other items necessary to complete the sort (e.g. tarps, broom, dustpan, etc.).

Our Team intends to conduct the material assessment over two days. It is assumed that the County will be responsible for set-up. Our Team will provide a team leader and one staff member to assist in directing the sort and the County will provide labor for sorting the material. The team leader and staff member will verify and record each of the sample weights and photograph each of the samples as the sort is completed. Currently we plan to sort to the following categories: news, mixed paper, OCC, AL cans, steel cans, PET bottles, NHDPE, CHDPE, mixed plastics (#3 - #7), bulky mixed rigid plastics, glass, organics (food, wood, yard wastes, etc.), construction and demolition (C&D), bulky waste and residue. Modification of this planned material characterization can be discussed. Our Team will complete data analysis to determine the composition of all sorted materials.

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At the completion of the assessment, S+G will provide Person County a technical memorandum summarizing the study including material sort and assessment methodology, findings and conclusions, along with the complete data results.

Task 5 – Final Report

S+G will prepare two (2) final reports. One report will present the results of Tasks 1-3 along with our recommendation for long-term solid waste management service for Person County and the City of Roxboro. The second report will summarize our evaluation of the County's current recycling system and the Person County Recycling Center along with recommendations and cost estimates for incorporating identified recommendations. Drafts of each report will be submitted to the County electronically for review and comment. Upon receipt of comments, S+G will finalize the reports and provide the County with an electronic copy and up to five (5) hard copies of the final report.

Task 6– Board Presentation

Concurrent with drafting the final report, S+G will develop a PowerPoint® presentation summarizing the results of the project for the Board of Commissioners and other project stakeholders. Prior to the presentation, S+G will meet with the County's project team to review the presentation and address the County's comments.

The following tasks are considered optional and will be provided under this contract following written authorization from the County.

Task 7 – Contract Renewal Development and Negotiations (Optional)

S+G will review the County's current agreement and in a meeting with the County will review the success of the current agreement and operation. S+G will also review and compare the County's current contract with up to three (3) other publically available waste disposal contract documents for host Counties across North Carolina. During our review, S+G will conduct interviews with management overseeing the agreements to discuss limitations and successes of the programs.

Following our review of publically available agreements, S+G will meet with the County to discuss our findings; review the existing agreement; discuss potential agreement revisions based the County's current and future solid waste and recycling program needs; and discuss and prioritize agreement conditions understanding that each added provision may affect the contract and fee.

Based on the initial tasks S+G will assist the County Attorney in preparing a draft agreement, which will serve as the base agreement to begin negotiations with Republic Services. S+G has included additional time within the fee to include up to two meetings between the County and Republic Services and time to make general revisions to the agreement following final negotiations. It is anticipated that the final agreement will be reviewed by the County attorney prior to being fully accepted.

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Task 8 – Request for Proposal for Waste Disposal and/or Transfer (Optional)

Person County will provide S+G with a draft Request for Proposal (RFP) for waste collection, disposal and/or transfer. S+G will review the draft RFP for the County and provide recommended revisions. It is expected that Person County will finalize the RFP, advertise and be the primary contact during the solicitation process. S+G will assist the County with questions that may arise during the RFP and in evaluating the proposals received.

BUDGET

For tasks 1 through 6, S+G recommends a not-to-exceed budget of **\$77,680** to be billed on a time and materials basis in accordance with the current standard fee schedule as agreed to between Person County and S+G. The not-to-exceed budgets for the project tasks along with optional tasks as defined herein are as follows:

| <u>Tasks</u> | <u>Budget</u> |
|---|---------------|
| TASK 1. Data Acquisition and Research | \$2,760 |
| TASK 2. Project Kick-Off Meeting | \$3,810 |
| TASK 3.1 Options Analysis – Initial Screening | \$6,500 |
| TASK 3.2 Options Analysis – Site Screening | \$9,620 |
| TASK 3.3 Options Analysis – Cost Benefit Analysis | \$9,400 |
| TASK 4.1 Recycling Analysis – Optimization Review | \$6,200 |
| TASK 4.2 Recycling Analysis – Recycling Center Design | \$8,760 |
| TASK 4.3. Waste Stream and Recycling Assessment | \$11,500 |
| TASK 5 Final Report | \$12,020 |
| TASK 6 BOCC Presentation | \$7,110 |

| <u>Optional Tasks</u> | <u>Budget</u> |
|---|---------------|
| TASK 7. Contract Agreement Development and Negotiations | \$10,600 |
| TASK 8. Request for Proposal for Waste Disposal and/or Transfer | \$6,230 |

SCHEDULE

S+G is prepared to implement this scope of work upon authorization by Person County. A schedule for the optional tasks will be provided upon County's approval to complete the tasks. Should additional optional tasks be added, the schedule may be modified to accommodate them.

| <u>Task</u> | <u>Start Date</u> | <u>Completion Date</u> |
|---|-------------------|------------------------|
| TASK 1. Data Acquisition and Research | Aug 10, 2015 | Aug 31, 2015 |
| TASK 2. Project Kick-Off Meeting | Sep 1, 2015 | |
| TASK 3. Options Analysis | Sep 1, 2015 | Nov 30, 2015 |
| TASK 4. Waste Stream and Recycling Analysis | Sep 1, 2015 | Nov 30, 2015 |
| TASK 5. Final Report | Dec 1, 2015 | Dec 31, 2015 |
| TASK 6. Board Presentation | TBD | |

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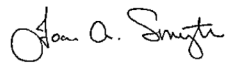
AUTHORIZATION

S+G is prepared to perform the above referenced scope of work upon your authorization and execution of a contract. Please contact us at 919-828-0577 or by e-mail (below) if you have any questions or require any additional information.

Sincerely,
Smith Gardner, Inc.



W. Michael Brinchek, P.E.
Senior Project Manager, ext. 128
mike@smithgardnerinc.com



Joan A. Smyth, P.G.
Senior Hydrogeologist, ext. 221
joan@smithgardnerinc.com

TRANSPORTATION PLANNING AND FUNDING UPDATE:

Planning Director, Mike Ciriello stated the Person County Planning Department is currently working with NCDOT, the Airport Commission, Kerr-Tar Regional Transportation Planning Organization (KTRPO) and others over the next several months as the state and KTRPO work to distribute funding for transportation projects.

Mr. Ciriello told the group that Person County is located in NCDOT's Division 5 and the Kerr-Tar Regional Transportation Planning area. Mr. Ciriello stated he serves as Chair on the KTRPO with other Person County representatives which include Commissioner Clayton, Leigh Woodall, Kathy Adcock, and Stuart Gilbert. Mr. Ciriello noted the KTRPO is currently working with the state on Prioritization 4.0 which will establish the criteria for ranking and scoring projects.

Mr. Ciriello noted that Granville and Franklin counties each have planning staff and time dedicated to pursuing and planning for transportation and the results have been impressive. Granville County alone has secured over \$10 million in transportation improvement project funding in just the last 5 years and Franklin County's planning department provides staff support to the County's US401 Commission that has successfully kept the project on the front page of the infrastructure funding agenda.

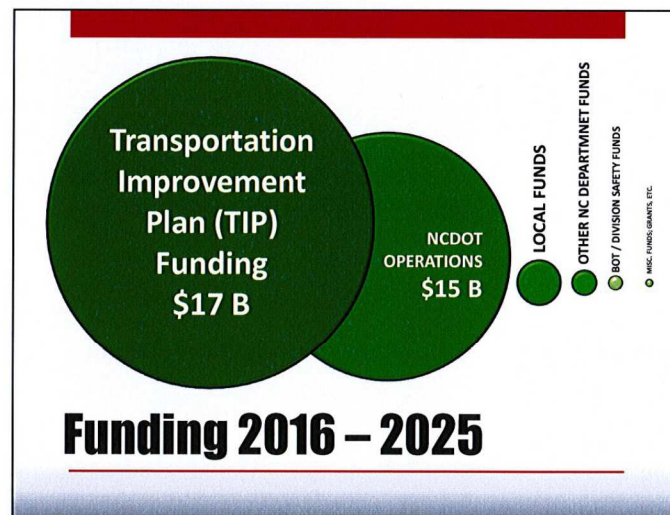
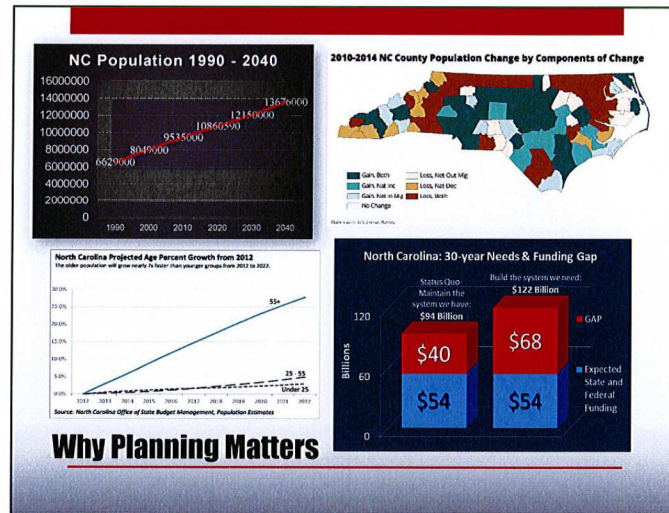
Mr. Ciriello shared the following presentation to update the Board of Commissioners on the factors impacting local and regional transportation funding and planning, the current funding landscape, and mechanisms and methodology for the distribution of funding. The presentation included a review of transportation projects that are eligible for funding and the strategies being considered to secure funding; among these, dedicated funding for our region from the Congestion Mitigation Air Quality (CMAQ) fund.

PLANNING

Transportation Planning and Funding

Michael Ciriello, AICP
Person County Director of Planning





State transportation revenues come from user fees in the form of the Motor Fuel Tax, driver and vehicles fees collected by the North Carolina Division of Motor Vehicles and a Highway Use Tax on vehicle title transfers.

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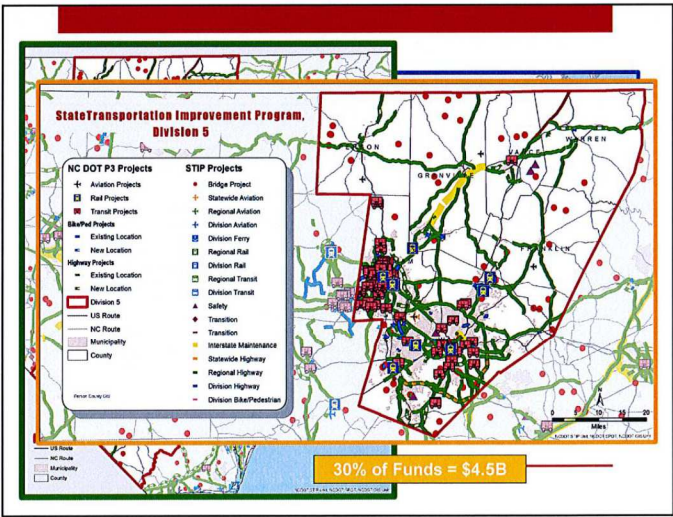
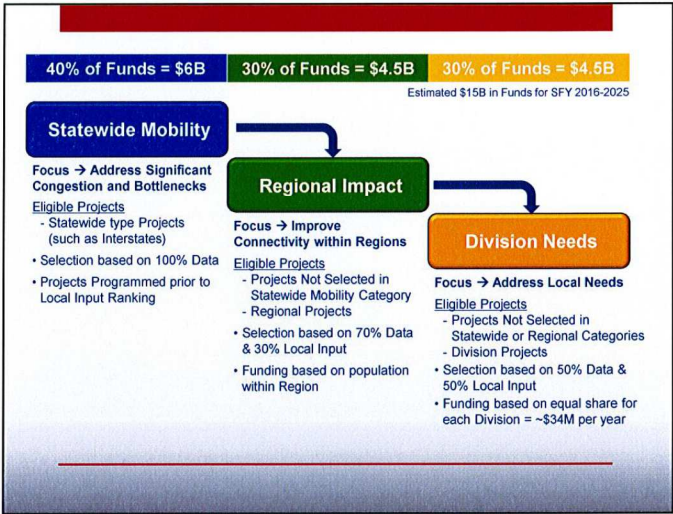
Mr. Ciriello told the group that federal transportation revenues come from a federal motor vehicle tax and vehicle fees. North Carolina's transportation funding comprises approximately 75% state revenues and 25% federal.

Mr. Ciriello explained the spending total was approximately \$36 billion over 9 years from 5 public sources. The biggest funding source is the State Transportation Improvement Plan (STIP). Mr. Ciriello noted \$19 billion for new construction and maintenance projects including bridge replacement, highways, roads, airports, freight rail, public transportation, ferries, bicycle and pedestrian facilities is anticipated for FY2016-FY2025.

Mr. Ciriello further noted the Transportation Improvement Plan (TIP) includes funding for Congestion Mitigation Air Quality (CMAQ) projects in air quality non-attainment counties (just 24 counties in NC). The Kerr-Tar eligible counties are Franklin, Granville, and Person. Mr. Ciriello stated approximately \$500,000 is available per fiscal year to these eligible counties. In the past five years, almost all of it has been appropriated to Granville County and its towns.

Other pots of money include:

1. NCDOT Operations Funding: Aviation; Bike-Pedestrian; Ferry; Rail; and, Transit (including JARC); regular maintenance (pothole patching, roadside environmental, etc.) - \$15B: \$1 billion in administrative expenses) – these are funds over which there is local input – for example, asking NCDOT to stripe crosswalks when they repave Madison Boulevard.
2. LOCAL FUNDS (in the past five years, Granville County has contributed approximately \$1.7 million toward securing funding.
3. OTHER STATE DEPARTMENT FUNDS (i.e. COMMERCE, CULTURAL RESOURCES, DENR). Clean Fields Advanced Technology (CFAT) funding for the purchase for more fuel-efficient vehicles.
4. MISC. FUNDING SOURCES AND GRANTS FROM PRIVATE AND NON-PROFIT SOURCES.
5. BOARD OF TRANSPORTATION / DIVISION SAFETY FUNDS (About \$100,000 a year each division).



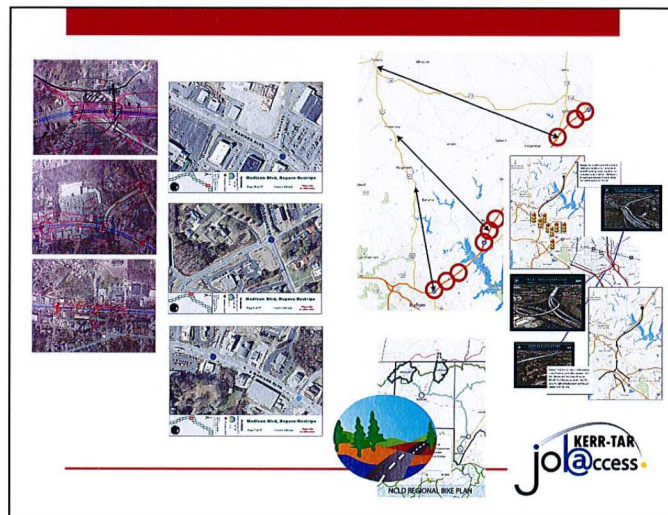
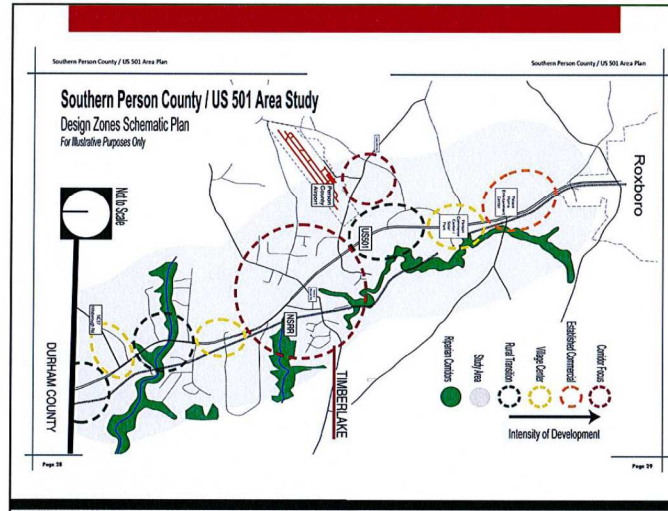
Mr. Ciriello stated projects emerge from state and locally-approved long-range plans, including planning documents like the Person County Comprehensive Transportation Plan, local and regional pedestrian and bike plans, airport master plans, freight rail and trucking plans and public transportation plans, etc. The maps illustrate the projects – more than 1,780 projects statewide – competing for funding at the state, regional and division levels. The projects include:

- 824 Highway Projects
- 251 Bridge Replacements,
- 138 Interstate Maintenance projects,
- 418 Roadway Capacity Improvement,
- 17 road Safety projects
- 70 Bike/Pedestrian Projects
- 55 Aviation Projects
- 10 Public Transit Projects
- 5 statewide Rail Projects
- 1 Ferry Boat Replacement

Mr. Ciriello addressed the Person County State Transportation Improvement Plan (STIP) projects:

- US 501 North: Completing the project to the VA border has a very low chance of completion without major contribution of local funds.
- US 158: This project is slated to be removed from the STIP because it didn't score high enough for local points. Mr. Ciriello indicated the project can be resubmitted if the Board desires. Mr. Ciriello stated Person County is working with Granville County's Planning Department to look at smaller, less costly, segments that could be improved. For example, straightening out the horizontal and vertical curves at the Tar River crossing could increase speeds to 55 MPH and improve safety.
- Younger Road extension (>1 mile) from Chub Lake Road to Carver Drive: This project is slated to be removed from the STIP because it didn't score high enough for local points. Mr. Ciriello indicated the project can be resubmitted if the Board desires.
- Airport: STIP ranking was good; needs minor tweaking. Airport Commission will also pursue funding directly from DOA in addition to STIP funds.
- Madison Boulevard: The strongest (highest scoring) project in the County for funding: highest congestion, most accidents, most cost efficient to enhance and eligible for CMAQ
- Person County has no bike, pedestrian or public transit infrastructure requests in the STIP.

8/17/2015



Mr. Ciriello stated that Planning staff will continue to work locally with the Airport Commission, PATS, Parks and Recreation, Person County Transportation Advisory Board and at the regional level with KTRPO, DCHC MPO, Granville, Caswell, southern VA and NCDOT to refine existing STIP projects to make them more competitive. Mr. Ciriello noted the following are projects that are in consideration:

- Working with Granville and Durham counties to improve access to I-85 and the new East End Connector from southern Person County, i.e. realigning intersections, straightening curves, repairing bridges to carry heavier trucks.
- Working with PATS to ensure that residents can access employment, education, and training opportunities and its strategic planning goals are being met by the resources at the RPO and NCDOT.
- Working with Parks and Recreation to ensure that road maintenance projects, when possible, can incorporate bike / pedestrian recreation goals.
- Working with Parks and Recreation to pursue an NCDOT grant that the county could use to create a bike and/or pedestrian plan when deemed appropriate.
- Working with the Airport Commission to ensure that airport funding requests are completed and that land use and development around the airport enhances the economic development potential of the facility without distracting from the quality of life of homeowners.
- Meeting with NCDOT to discuss how to ensure Person County projects are more competitive. The KTRPO has dedicated no-match required funding to help us complete a plan for Madison Boulevard which had to be postponed because of constraints on both city and county staff time.
- Pursue submitting an application for funding through the CMAQ program for improvements to Madison Boulevard.

Mr. Ciriello further discussed Person County as eligible for CMAQ funding. There is approximately \$500,000 in CMAQ funding available annually for the Kerr Tar eligible counties. Mr. Ciriello noted it is not enough funding to finish 501 to VA, but it's enough to make incremental improvement in some critical locations. CMAQ directs funding to projects that contribute to meeting national air quality standards. CMAQ funds generally may not be used for projects that result in the construction of new capacity available to single occupancy vehicles.

Mr. Ciriello further noted that CMAQ funding may be used in NC for: bike and pedestrian improvements, transit shelters and enhancements for vans, traffic signalization.


Mr. Ciriello proposed that Person County coordinates some improvements to Madison Boulevard that will improve safety, job access and enhance PATS' service. In addition to improving job access; pedestrian improvements would also help to reconnect the West Side of Roxboro with Uptown. Mr. Ciriello recommended that Person County and the City of Roxboro partner for both project management and for the 20% matching funds required.

Mr. Ciriello stated the funding available would be about \$630,720 including the 20% match. Mr. Ciriello requested Board approval to submit an application for CMAQ funding. The application deadline for FY 2016 is October 8, 2015.


8/17/2015

Congestion Mitigation Air Quality (CMAQ) Funds

North Carolina CMAQ Eligible Counties



Legend
Yellow: Charlotte, Mecklenburg, and parts of surrounding counties
Green: Raleigh, Wake, and parts of surrounding counties
Blue: Durham, Orange, and parts of surrounding counties
Red: Other eligible counties



KTRPO CMAQ Funding allocation for FFY 2017 is
 $\$525,406 + 20\% = \$630,720$



Person County Planning Department
Michael Ciriello, AICP
mciriello@personcounty.net
336.597.7423

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Commissioner Jeffers asked Mr. Ciriello about any funding to assist with the lack of sidewalks near Southern Middle School. Mr. Ciriello stated the CMAQ funds could be used for a project for sidewalks.

A **motion** was made by Commissioner Clayton and **carried 5-0** to approve staff pursuing Congestion Mitigation Air Quality funds as well as the County's 20% matching funds required.

ROXPLEX PROPERTY, VARIOUS BUILDING AND EQUIPMENT IMPROVEMENTS CAPITAL PROJECT ORDINANCE:

Finance Director, Amy Wehrenberg presented to the Board for approval the Roxplex Property, Various Building and Equipment Improvements Capital Project Ordinance. Ms. Wehrenberg stated the Capital Project Ordinance sets out the purchase and renovation of new property, currently known as Roxplex, re-roofing construction for Huck Sansbury, South Elementary, Woodland Elementary, and Oak Lane Elementary, window replacements at North End Elementary, and the replacement of a chiller unit at Southern Middle School. The approval of the Capital Project Ordinance allows for the creation of this Project on the County's books and lists the revenues and expenditures that would be part of this project. Ms. Wehrenberg noted the Board has given direction as part of their adopted Capital Improvement Plan in April 2015 to fund the expenditures associated with this project with debt proceeds.

Ms. Wehrenberg explained Contingency funds in the amount of \$30,000 from the General Fund is part of the request in the Capital Project Ordinance to cover possible project bid overages and any other unforeseen costs. It is anticipated that advanced funds will be transferred to cover related payments as they become due, such as engineering costs and the acquisition expense for Roxplex. As stated in Section 6 of the ordinance, "Any such advances made prior to the securing of adequate financing is intended to be reimbursed from the financing proceeds." The total loan financing for this Project is estimated to be \$2,164,000. Construction bids are anticipated by December 2, 2015.

Ms. Wehrenberg referenced a financing calendar included in the materials for the Board's review. Ms. Wehrenberg stated this financing was not USDA eligible and the rates when last reviewed were under 4%.

A **motion** was made by Commissioner Jeffers and **carried 4-1** to approve the Roxplex Property, Various Building and Equipment Improvements Capital Project Ordinance as presented. Commissioner Kendrick cast the lone dissenting vote noting his opposition for the County to purchase the Roxplex property.

**ROXPLEX PROPERTY,
VARIOUS BUILDING AND EQUIPMENT IMPROVEMENTS
CAPITAL PROJECT ORDINANCE**



BE IT ORDAINED by the Board of Commissioners of Person County, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1 The project authorized is the purchase and improvements of new property ("Roxplex"), re-roofing and window replacement construction for various county and school buildings, and equipment improvements (the "Project"). The Project is proposed to be financed by an installment financing under G. S. 160A-20 in addition to funds provided by Person County, the state and any other revenues that may become available, with the exception of \$30,000 for contingency from the General Fund for possible project bid overages and any other unforeseen costs.

Section 2 The officers of this unit are hereby directed to proceed with the capital project within the terms of the financing resolution and the budget contained herein.

Section 3 The following amounts are appropriated for the project:

| | |
|--|---------------------|
| Roxplex Property: | |
| Acquisition cost | \$ 320,000 |
| Property improvements..... | 238,489 |
| Settlement fees..... | 5,000 |
| Re-Roofing: | |
| Huck Sansbury..... | 285,189 |
| South Elementary..... | 268,991 |
| Woodland Elementary | 149,156 |
| Oak Lane Elementary | 207,532 |
| Window Replacements: | |
| North End Elementary | 329,643 |
| Equipment Improvement: | |
| Southern Middle School: Chiller Replacement..... | 300,000 |
| Issuance Costs..... | 60,000 |
| Contingency | 30,000 |
| Total | <u>\$ 2,194,000</u> |

Section 4 The following revenues are anticipated to be available to complete this project:

| | |
|----------------------------------|---------------------|
| Debt Financing Proceeds | \$ 2,164,000 |
| Transfer from General Fund | 30,000 |
| Total | <u>\$ 2,194,000</u> |

Section 5 The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of any and all applicable requirements of North Carolina General Statutes. The terms of the financing resolution also shall be met.

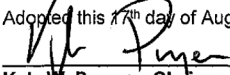
Section 6 The Finance Director may advance funds from the General Fund for the purpose of making payments as due. Any such advances made prior to the securing of adequate financing is intended to be reimbursed from the proceeds from the financing. Reimbursement requests should be made to the financing institution in an orderly and timely manner.

Section 7 The Finance Director is directed to report periodically on the financial status of each project element in Section 3 and on the total revenues received or claimed.

Section 8 The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project periodically to the Board.

Section 9 Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Director for direction in carrying out this project.

Adopted this 17th day of August 2015


Kyle W. Puryear, Chairman
 Person County Board of Commissioners


Brenda B. Reaves
 Clerk to the Board

August 17, 2015

RESOLUTION TO CALL FOR PUBLIC HEARING - CONSIDERATION OF EXTENDING ORDER FOR RECREATION FACILITIES BONDS FROM SEVEN (7) TO TEN (10) YEARS:

Finance Director, Amy Wehrenberg requested Board consideration to approve a resolution to call for a public hearing for September 8, 2015 on whether the maximum time period for issuing bonds under an order adopted by said Board of Commissioners on September 12, 2008 for \$6,000,000 Recreational Facilities Bonds that took effect on November 4, 2008, should be extended from seven (7) to ten (10) years.

Ms. Wehrenberg noted the Resolution sets forth the following:

Preamble

Call for a public hearing for consideration of extending order for \$6,000,000 Recreation Facilities Bonds from seven (7) to ten (10) years

1. The call for a public hearing to facilitate receiving public input on extending the bond order from seven (7) to ten (10) years as required by North Carolina General Statutes,
2. Directions to the Clerk of the Board to publish the notice of the public hearing, and
3. The Resolution is effective upon its passage by the Board.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to call for a public hearing upon the question of whether the maximum time period for issuing bonds under an order adopted by said Board of Commissioners on September 12, 2008 and entitled: "ORDER AUTHORIZING \$6,000,000 RECREATIONAL FACILITIES BONDS", which order took effect on November 4, 2008, should be extended from seven (7) years to ten (10) years from November 4, 2008 and directed the Clerk to said Board of Commissioners to publish said order, together with the appended statement as required by The Local Government Bond Act, as amended, once in The Courier-Times not later than the sixth day before the date of said public hearing.

CHAIRMAN'S REPORT:

Chairman Puryear reported the following upcoming meetings:

- Homeowners Association August 18, 2015 at 6:30pm at the Roxboro Country Club
- Economic Development Commission August 20, 2015 at 8:00am

MANAGER'S REPORT:

County Manager, Heidi York reported she would follow up with each Board member for feedback related to holding two half-day retreats, one each in the fall and spring.

COMMISSIONER REPORT/COMMENTS:

Commissioner Jeffers commented that the National Night Out event was very well attended.

Commissioner Kendrick thanked the Courier Times for providing data in a recent editorial.

There was no report from Vice Chairman Newell or Commissioner Clayton.

ADJOURNMENT:

A **motion** was made by Commissioner Kendrick and **carried 5-0** to adjourn the meeting at 11:10am.

Brenda B. Reaves
Clerk to the Board

Kyle W. Puryear
Chairman

August 17, 2015