

PERSON COUNTY BOARD OF COMMISSIONERS

FEBRUARY 29, 2016

MEMBERS PRESENT

OTHERS PRESENT

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

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, February 29, 2016 at 9:00am in the Commissioners' meeting room in the Person County Office Building.

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

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

A **motion** was made by Commissioner Puryear and **carried 5-0** to add an item to the agenda for consideration to adopt a Resolution Appointing Review Officers, to move the request from the ABC Board to increase compensation for its board members to be the first item on the agenda and to approve the agenda as adjusted.

REQUEST FROM THE ABC BOARD TO INCREASE COMPENSATION FOR ITS BOARD MEMBERS:

Michael Laws, ABC Board Chair on behalf of the ABC Board requested approval from the Board of Commissioners for an increase in per diem compensation to \$100 for ABC Board members and \$150 for the ABC Board Chairman. Currently the Chairman receives \$100 and the members receive \$50 per diem noting the last increase was in May 1997.

The ABC Board meets monthly and operates totally self-sufficient required no County funding noting that in the last fiscal year, the ABC Board contributed \$218,480 to the County General Fund, \$28,000 to law enforcement fund and \$18,000 toward alcohol education and rehabilitation.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to approve the request from the ABC Board to increase per diem compensation to \$100 for ABC board members and \$150 for the ABC Board Chairman.

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PUBLIC HEARING:

REQUEST BY PERKINS SOLAR LLC FOR A SPECIAL USE PERMIT FOR A SOLAR FARM (ELECTRICAL GENERATING FACILITY) ON THE SOUTH SIDE OF CAVEL CHUB LAKE ROAD, ROXBORO TOWNSHIP, TAX MAP 141 PARCEL 1:

A **motion** was made by Commissioner Puryear and **carried 5-0** to open the duly advertised public hearing for a request by Perkins Solar LLC for a Special Use Permit for a solar farm (electrical generating facility) on the south side of Cavel Chub Lake Road, Roxboro Township, Tax Map 141 Parcel 1.

The public hearing set to hear a request by Perkins Solar LLC for a Special Use Permit for a solar farm (electrical generating facility) on the south side of Cavel Chub Lake Road, Roxboro Township, Tax Map 141 Parcel 1 required a quasi-judicial zoning decision whereby witnesses are to be sworn in and subject to cross examination, no ex parte communication and requires findings of fact. Chairman Newell administered the Oath of Sworn Testimony to the following individuals who would offer testimony during the public hearing:

Michael Ciriello, Beth Trahos, Rich Kirkland, Rich Moretz

Planning Director, Michael Ciriello stated the County has received a Special Use Permit request from Perkins Solar LLC for a solar energy generator on Cavel Chub Lake Road, Tax Map 141, Parcel 1. Mr. Ciriello noted electrical generating facilities are allowed with a Special Use Permit in the Rural Conservation District. The site plan shows the proposed solar panel, three inverters and access to the site. The solar farm will contain rows of Photovoltaic (PV) cell panels mounted on posts set in the ground individually. The plans show approximately 9,324 solar panels manufactured by Canadian Solar (model: 6X-300P) 1954 x 9, 82 x 40 mm (7693 x 38.7 x 1.57 in) 22 kg (48.5 lbs). Each panel has a 300 watt capacity. The power is then sold through a Power Purchase Agreement to Duke Energy Progress. This site is not equipped to store power and does not involve known hazardous materials. This site will not require a well or septic system. The use will be unmanned and only visited periodically for routine maintenance. Due to the construction of the solar panels, water is able to flow through them.

Mr. Ciriello stated the plan shows a thirty foot access to the site off of Cavel Chub Lake Road. The zoning ordinance requires a twenty foot access to the site. The Ordinance also requires that travelways and driveways to be paved which includes a turnaround for emergency vehicles. A driveway permit will have to be obtained from NCDOT. A six foot chain link fence with barbed wire will enclose the facility.

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Mr. Ciriello said the area is primarily single family dwellings along with an old industrial facility which has been vacant for over twenty years. The single family dwellings are a mixture of stick built homes and doublewides. The Roxboro City limits are located nearby and the uses found are residential properties, used car lots and an old industrial facility (C & A) on US 501. The City's wastewater treatment facility is located on Cavel Chub Lake Road near this site.

On receiving the recommendation of the Planning Board, the County Commissioners shall consider the application and said recommendation and may grant or deny the Special Use Permit requested. The Special Use Permit, if granted, shall include such approved plans as may be required. In granting the permit, the County Commissioners shall find:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.
2. That the use meets all required conditions and specifications.
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity, and
4. That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the comprehensive plan.

The Person County Land Use Plan's "Future Land Use Map" shows this area as Suburban Residential. It is defined as Residential land uses including subdivisions and manufactured home parks at densities of 1-3 dwelling units per acre; commercial, office, industrial, public/institutional uses meeting locational criteria. Locational criteria for non-residential uses within this land use category would include frontage and access to a major State highway or secondary road, proximity to similar uses and spatial separation from non-compatible uses such as existing residential development. Land uses within this category could develop with or without public sewer.

Mr. Ciriello stated should the Board of Commissioners grant approval of the Special Use Permit, the following conditions should be included:

1. Applicant to obtain a driveway permit from NCDOT. A copy of the permit to be given to Planning and Zoning prior to issuance of a zoning permit.
2. Applicant to obtain Erosion and Sedimentation Control Plan. A copy of the approved plan and approval letter to be given to Planning and Zoning prior to issuance of Zoning Permit.
3. A final "as built" to be submitted to Planning and Zoning prior to issuance of a Certificate of Occupancy.
4. Access to the site to be minimum of 20 feet in width, parking to accommodate two vehicles (each 9' x 18") and turnaround minimum of seventy feet (driving surface) for emergency vehicles.
5. Applicant to obtain all Federal, State and Local permits that are required.
6. Applicant to meet all conditions of the Person County Zoning Ordinance.
7. Applicant will need to obtain a Zoning Permit and Building Permit from Person County prior to any construction.

Mr. Ciriello stated the Planning Board, at their January 14, 2016 meeting, voted 6 to 1 to recommend approval of the special use permit request, to include the seven conditions listed by staff, that it met the findings of fact and was in keeping with the comprehensive plan.

Commissioner Jeffers asked Mr. Ciriello to explain the Planning Board's dissenting vote to which Mr. Ciriello did not know the reason.

Speaking in favor of the request, Ms. Beth Trahos, an attorney with Smith Moore Leatherwood of 434 Fayetteville Street, Suite 2800, Raleigh, NC representing Cypress Creek Renewables, the interest owner of Perkins Solar, LLC related to the Special Use Permit Application for a solar farm on the south side of Cavel Chub Lake Road, Roxboro Township, Tax Map 141, Parcel 1. Ms. Trahos submitted a packet to the Clerk to the Board and all Commissioners containing a copy of the Special Use Application as well as Affidavits for experts, Richard C. Kirkland, Jr., MAI related to Property Impact Analysis and Richard Moretz related to the Site Plan. Ms. Trahos stated that both Mr. Richard Kirkland and Mr. Richard Moretz were present in the audience and available for questions.

There was no one appearing before the Board to offer testimony in opposition to the request by Perkins Solar LLC for a Special Use Permit for a solar farm (electrical generating facility) on the south side of Cavel Chub Lake Road, Roxboro Township, Tax Map 141 Parcel 1.

A **motion** was made by Commissioner Puryear and **carried 5-0** to close the public hearing for a request by Perkins Solar LLC for a Special Use Permit for a solar farm (electrical generating facility) on the south side of Cavel Chub Lake Road, Roxboro Township, Tax Map 141 Parcel 1.

CONSIDERATION TO GRANT OR DENY A REQUEST BY PERKINS SOLAR LLC FOR A SPECIAL USE PERMIT FOR A SOLAR FARM (ELECTRICAL GENERATING FACILITY) ON THE SOUTH SIDE OF CAVEL CHUB LAKE ROAD, ROXBORO TOWNSHIP, TAX MAP 141 PARCEL 1:

A **motion** was made by Vice Chairman Kendrick and **carried 5-0** to grant approval of request by Perkins Solar LLC for a Special Use Permit for a solar farm (electrical generating facility) on the south side of Cavel Chub Lake Road, Roxboro Township, Tax Map 141 Parcel 1, including the following conditions as recommended by the Planning Board as the request met the findings of fact and the use was in keeping with the County's comprehensive plan:

1. Applicant to obtain a driveway permit from NCDOT. A copy of the permit to be given to Planning and Zoning prior to issuance of a zoning permit.
2. Applicant to obtain Erosion and Sedimentation Control Plan. A copy of the approved plan and approval letter to be given to Planning and Zoning prior to issuance of Zoning Permit.
3. A final "as built" to be submitted to Planning and Zoning prior to issuance of a Certificate of Occupancy.
4. Access to the site to be minimum of 20 feet in width, parking to accommodate two vehicles (each 9' x 18") and turnaround minimum of seventy feet (driving surface) for emergency vehicles.
5. Applicant to obtain all Federal, State and Local permits that are required.
6. Applicant to meet all conditions of the Person County Zoning Ordinance.
7. Applicant will need to obtain a Zoning Permit and Building Permit from Person County prior to any construction.

PUBLIC HEARING:

REQUEST BY RANDY AND TANYA EAKES TO REZONE 43.4 ACRES ON WHITT TOWN ROAD (TAX MAP 104 PARCEL 4) ROXBORO TOWNSHIP, FROM RESIDENTIAL TO RURAL CONSERVATION:

A **motion** was made by Commissioner Puryear and **carried 5-0** to open the duly advertised public hearing for a request by Randy and Tanya Eakes to rezone 43.4 acres on Whitt Town Road (Tax Map 104 Parcel 4) Roxboro Township, from Residential to Rural Conservation.

Planning Director, Michael Ciriello stated the County has received an application from Randy and Tanya Eakes to amend the official zoning map to rezone a 43.4 acre parcel, Tax Map 104 Parcel 4 on Whitt Town Road from Residential to Rural Conservation (RC). If rezoned, all land uses permitted in the RC District will be allowed. The general intent of the RC District is to provide for limited land use controls in area with limited non-agricultural development. The area along Whitt Town Road is primarily zoned Residential. There is one parcel that is zoned B-1 (Highway Commercial) that was rezoned in 1991 so

that the property owner could operate a used car lot, which is no longer on the property; it is used as single family residential. The area is mainly single family residential structures and large farm parcels. A map showing the area and the zoning of all of the parcels was included in the Board packet materials. Typical uses permitted by right in the RC District are as follows: ABC store, retail sales, banks, bowling alley, carwash, convenience store, dry cleaners, single family dwelling, multi-family dwelling, fire station/law enforcement center, funeral home, golf course, nursery (plants), professional office, reception center for recycling, mini-storage facility, etc. There are many other uses allowed with a Special Use Permit such as asphalt and asphalt production, automobile repair, camper/recreational park, electrical generating facility, Industrial operations, Mobile Home Park, private recreation for profit, etc. There are other uses allowed with a Conditional Use Permit: flammable storage, school, private or public and storage of coal by products.

Mr. Ciriello stated the Planning Board held a Public Hearing on January 14, 2016 and voted unanimously to recommend approval of the rezoning request based on the Land Use Plan considering this area as suburban residential and the Land Use Plan which promotes continued economic investment through retention and expansion of existing industrial concerns and the recruitment of new industrial and commercial businesses and that it was in keeping with the comprehensive plan.

Mr. Randy Eakes, one of the property owners who made the request to rezone the 43.4 acre parcel on Whitt Town Road from Residential to Rural Conservation requested the Board of Commissioners to approve the request.

There were no other individuals to appear before the Board to speak in favor of or in opposition to the request by Randy and Tanya Eakes to rezone 43.4 acres on Whitt Town Road (Tax Map 104 Parcel 4) Roxboro Township, from Residential to Rural Conservation.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to close the public hearing for a request by Randy and Tanya Eakes to rezone 43.4 acres on Whitt Town Road (Tax Map 104 Parcel 4) Roxboro Township, from Residential to Rural Conservation.

CONSIDERATION TO GRANT OR DENY REQUEST BY RANDY AND TANYA EAKES TO REZONE 43.4 ACRES ON WHITT TOWN ROAD (TAX MAP 104 PARCEL 4) ROXBORO TOWNSHIP, FROM RESIDENTIAL TO RURAL CONSERVATION:

A **motion** was made by Commissioner Jeffers and **carried 5-0** to approve of the rezoning request by Randy and Tanya Eakes to rezone 43.4 acres on Whitt Town Road, Tax Map 104, Parcel 4, Roxboro Township, from Residential to Rural Conservation noting that it was in keeping with the county's comprehensive plan.

INFORMAL COMMENTS:

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

Ms. Margaret McMann of 304 Windsor Drive, Roxboro and Director of Tourism Development Authority (TDA), informed the Board that new welcome to Person County signs have been installed at all the state road entrances into Person County and funded by the TDA. Ms. McMann thanked the County's General Services Director, Ray Foushee and staff for installation of the signs. Ms. McMann announced that a TDA app will soon be available for smartphones. In her capacity serving as President of the Friends of the Library, Ms. McMann extended an invitation for the Library's Open House to be held from 1:00pm – 5:30pm on this date.

Ms. Frances Blalock of 1504 Surl Mt. Tirzah Road, Timberlake, requested the Board of Commissioners to attend the NC Department of Environmental Quality's meeting focusing on proposed classification of coal ash on March 16, 2016 at 6:00pm in the County Office Building Auditorium in which there will be an opportunity for public comments. Ms. Blalock urged the members of the Board to meet with residents adjacent to the landfill prior to discussion of a new franchise agreement with Republic.

Ms. Betty Blalock of 144 Tirzah Ridge, Rougemont and property owner adjacent to the landfill asked the Board to review the current Special Use Permit held by Republic as it relates to the daily tonnage as well as the list of individuals that live within one and one-half miles to the landfill that have suffered with health conditions resulting from environmental impacts from the landfill. Ms. Blalock stated the five testing wells at the landfill are not currently in working order.

Chairman Newell asked for a copy of the Special Use Permit and the list of individuals that Ms. Betty Blalock referred to in her informal comments.

DISCUSSION/ADJUSTMENT/APPROVAL OF CONSENT AGENDA:

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

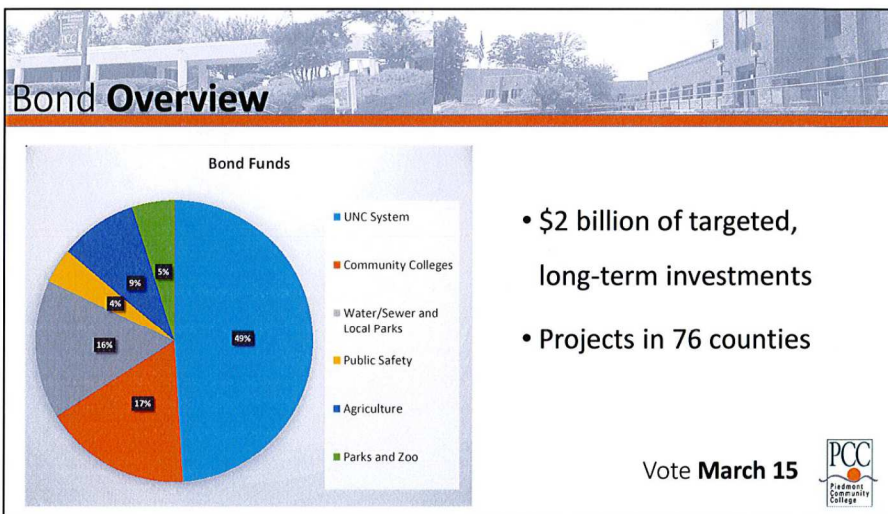
- A. Approval of Minutes of January 19, 2016,
- B. Approval of Minutes of February 1, 2016,
- C. Budget Amendment #15,
- D. Resolution of Support for the US501 Relocation from Virgilina Road to SR1329,
- E. Telamon Corporation's Application for FY2016-2017 Community Services Block Grant for Caswell, Person, and Rockingham Counties,
- F. Amended 3-year renewal of Audit Contract for Fiscal Years 2015-2017,
- G. Tax Adjustments for the month of February 2016,
 - a. Tax Releases
 - b. NC Vehicle Tax System pending refunds

February 29, 2016

CONNECT NC BOND INFORMATION:

Ms. Beth Townsend, Piedmont Community College Director, Public Information and Marketing shared the following information related to the Connect NC Bond:

Feb-16





Bond Overview

- With NC's strong financial position **NO TAX INCREASE** is required to support Connect NC Bond
- Most Connect NC Bond projects cannot be financed from annual operating budgets on either the state or county levels
- Connect NC Bond allows state to pay over 20 to 25 years for assets that will last at least 50 years and benefit our state much longer

Vote **March 15**

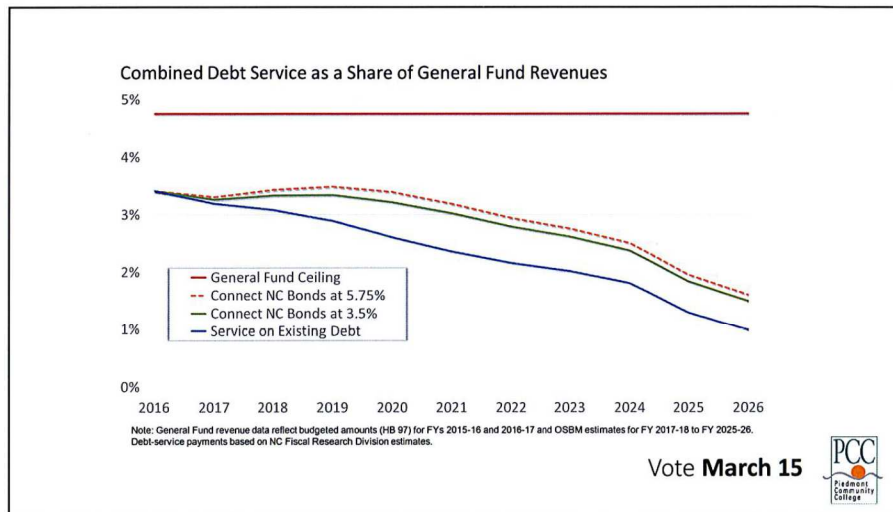
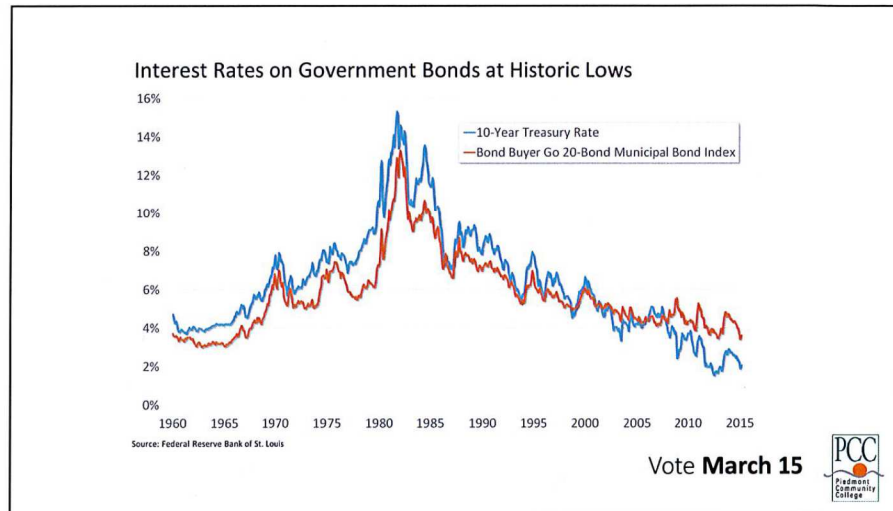


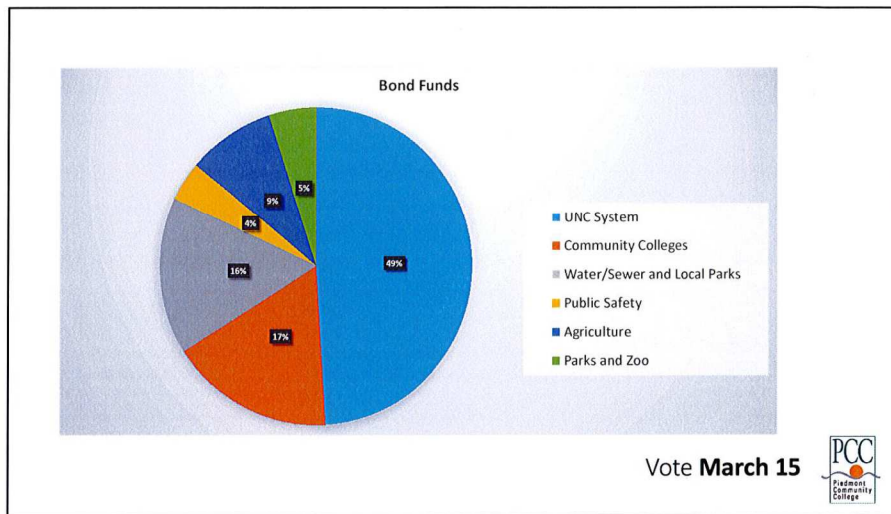
Bond Overview

- NC has grown by **2 million** people since last statewide bond in 2000
- Bond has **broad, bipartisan support** from NC business and government leaders
- With the state's strong economic position and our AAA bond rating – **NO TAX INCREASES** will be required to complete the Connect NC Bond projects

Vote **March 15**








For UNC System

***Will help North Carolina workers
compete for jobs of the future***

- \$980 million in new construction and repairs
- Focus on Science, Technology, Engineering and Math (STEM) buildings
- \$150 million for repairs and renovation

Vote **March 15**





For Community Colleges

***Will help meet the demands of a
21st Century workforce***

- \$350 million in new construction, repairs, and renovations
- 58 campuses across the state

Vote **March 15**



For Public Works

***Will ensure economic competitiveness and
improve water quality***

- \$300 million investment across the state
- Water and sewer improvements
- Investment in local parks

Vote **March 15**





For Public Safety

***Will help with emergency preparedness
and training for future deployments***

- \$78.5 million investment across the state
- 3 National Guard Readiness Centers
- Public Safety Training Academy

Vote **March 15**



For State Parks and Zoo

Will improve quality of life in our state

State Parks - \$75 million investment

New facilities, hiking trails, campgrounds and funding for environmental education

Zoo- \$25 million investment

Will make the zoo a premier family-friendly and tourist destination and create new jobs/facilities

Vote **March 15**



About NC Community Colleges

- NC's 58 Community Colleges have trained and educated **40%** of the state's workforce over the last 10 years.
- Our Alumni account for **46%**, or \$19.6 billion, of the \$42.2 billion economic impact of higher education alumni in the state.
- Bond funds will ensure **technology** and **infrastructure remain competitive**.

Vote **March 15**



About Piedmont Community College

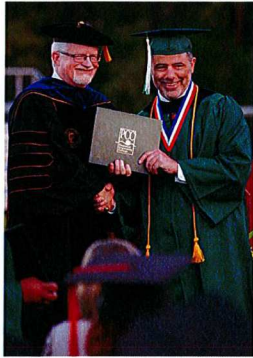
- PCC works with **local business** and **industry partners** to meet a variety of workforce training needs.
- PCC works with local school systems to ensure opportunities for **Career and College Promise** and **Early College success** (coming in Fall 2016).
- PCC provides numerous stepping stones for students through **internships, co-ops, articulation agreements, job & college fairs**, and more!



Vote **March 15**



For Our Community



Piedmont Community College will receive **\$4.85 million** for new construction, repairs, and renovation in both Person and Caswell counties.

These funds will allow for renovation, repair, and expansion.

Vote **March 15**

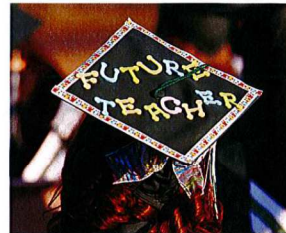


For Our Community

Piedmont Community College Initiatives

A Focus on:

- Student Experience
- Increased Enrollment
- New programs to serve community
- Workforce Development
- Future Expansion



Vote **March 15**



For Our Community



Person County

In preparation of the inevitable economic prosperity that Person County will see within the next few years, it is **imperative that we prepare a campus that was built in the late 1970's for the modern day needs of a global workforce.**

Vote **March 15**



For Our Community

Person County

Renovations, Repairs, and Expansion:

- Student Services & Student Union Renovation
- Barnette Auditorium Renovation
- Covered Walkways
- Campus-wide HVAC
- Business Development & Entrepreneurship Center Renovation
- Roadway and Utility Expansion

Vote **March 15**

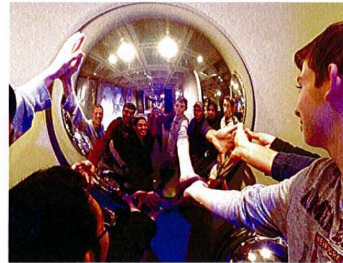


For Our Community

Caswell County

Campus Expansion:

- New programming opportunities, such as Simulation Game Development
- Lab space healthcare and other science programs
- Student Union



Vote **March 15**

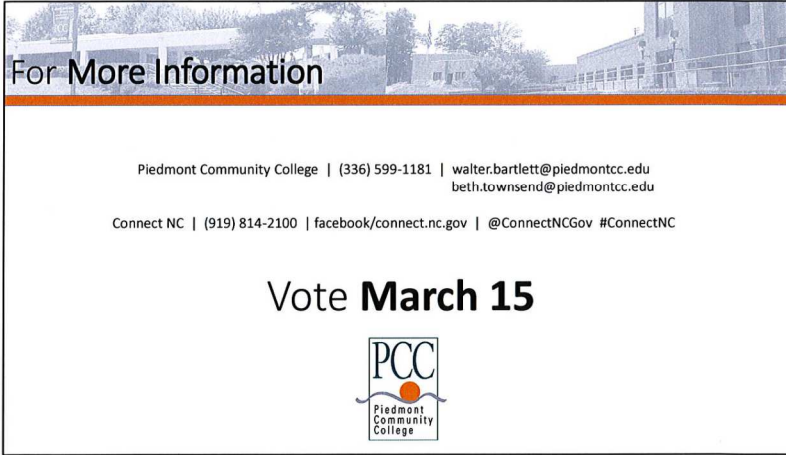


VOTE March 15

- Early voting March 3-12
- The Connect NC bond will fall under the Referendum header on ballots and be labeled:
"Connect NC Public Improvement Bond."



GENERAL	REFERENDUM	
	QUESTION	DESCRIPTION
1	Connect NC Public Improvement Bond	The issuance of two billion dollars (\$2,000,000,000) State of North Carolina Public Improvement Bonds constituting general obligation bonds of the State secured by a pledge of the faith and credit and taxing power of the State for the purpose of providing funds, with any other available funds, to fund capital improvements and new facilities for the State, including, without limitation, the construction and furnishing of new facilities and the renovation and rehabilitation of existing facilities for, without limitation, the University of North Carolina System, the North Carolina Community College System, water and sewer systems, the State's National Guard, the Department of Agriculture and Consumer Services, attractions and parks, and the Department of Public Safety.
		<input type="radio"/> For <input type="radio"/> Against




For More Information

Piedmont Community College | (336) 599-1181 | walter.bartlett@piedmontcc.edu
beth.townsend@piedmontcc.edu

Connect NC | (919) 814-2100 | facebook/connect.nc.gov | @ConnectNCGov #ConnectNC

Vote March 15



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Ms. Townsend handed out a brochure distributed by the Connect NC Committee to the Board that highlighted the Bond's key facts and a listing of the Bond's proceeds by project category and by county. She said the distribution for Piedmont Community College would be shared with Caswell County's campus. Ms. Townsend noted Person County's campus would receive \$3.4M and Caswell County's campus would receive \$1.45M.

Vice Chairman Kendrick stated opposition to the disclaimer for no tax increases noting the last Bond passed in 2000 resulted in state taxes increasing in 2001.

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Vice Chairman Kendrick announced that a retraction to his recent editorial in the newspaper would be published in March 3, 2016's edition noting his information he used for the editorial was based on the original bill and not the final bill, and for that, he apologized.

Commissioner Jeffers stated the NC Association of County Commissioners' Board of Directors have adopted a resolution of support noting it would be prudent for the Board of Commissioners to do so as well.

A **motion** was made by Commissioner Jeffers and **carried 3-2** to adopt a resolution of support for the Governor's proposal for NC Bond. Chairman Newell and Commissioners Clayton and Jeffers voted in support of the motion. Vice Chairman Kendrick and Commissioner Puryear cast the dissenting votes.

Vice Chairman Kendrick and Commissioners noted their opposition to adopting a resolution of support for NC Bond stating their desire for the Board of Commissioners not to influence voters but to educate the voter.

A Resolution of the Person County Board of Commissioners

Supporting NC Governor Pat McCrory's Connect NC Public Improvement Bond

WHEREAS, Governor Pat McCrory has proposed a \$2.85 billion bond initiative intended to connect North Carolina cities and towns in the 21st century by building roads, upgrading technology, constructing and improving educational facilities, enhancing medical services, supporting our military installations, improving parks and recreational facilities, and building and improving port and rail infrastructure; and

WHEREAS, these strategic investments, as proposed, are designed to benefit every community across this great State and will create jobs and improve the quality of life and environment for every North Carolinian; and

WHEREAS, because of North Carolina's fiscal strength and strong balance sheet, no tax increase will be required to fund these bonds, and in addition, the State's Triple A bond rating will be preserved; and

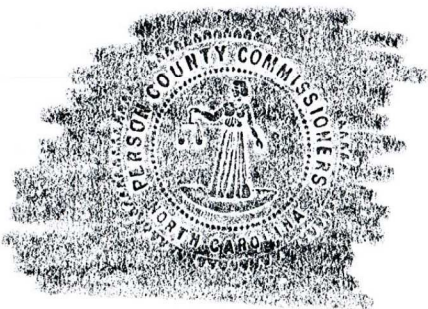
WHEREAS, by not addressing our serious infrastructure deficiencies now, our State will lose its ability to compete in the future, interest rates will go up, costs to taxpayers will increase, congestion will worsen and jobs will not expand at the rate needed to sustain a healthy and vibrant North Carolina; and


WHEREAS, the citizens of North Carolina must be allowed to make the important decision of investing in the opportunities provided to our future generations through the Connect NC bond initiative; and

WHEREAS, Piedmont Community College will receive over \$4.85 million which can be used for new construction, repairs and renovations on campuses in both Person and Caswell counties.

NOW, THEREFORE BE IT RESOLVED that the Person County Board of Commissioners supports Governor McCrory's Connect NC Bond initiative and encourages the General Assembly to allow North Carolina's citizens to vote on this critical bond proposal to ensure North Carolina's future on the global stage.

ADOPTED, this the 29th day of February 2016.




David Newell, Sr., Chairman
Person County Board of Commissioners

Attest:

Brenda B. Reaves, Clerk to the Board

February 29, 2016

SOLID WASTE MANAGEMENT OPTIONS:

Assistant County Manager, Sybil Tate presented the Board with the following recommended three options, based on economic analysis by Smith & Gardner including pertinent background information, next steps, and the permitting process needed for moving forward with each option are outlined below.

OPTION #1: Renegotiate current franchise agreement

Next steps: Should the Board decide to renegotiate, the Board must determine whether it wants to 1) hire a negotiating firm to help with the negotiation or 2) negotiate on its own. Smith & Gardner included an estimate of \$10,600 to provide technical expertise during negotiations. Staff has also investigated hiring an attorney who specializes in solid waste issues. The estimated cost for such an attorney is \$30,000 to \$65,000 (\$365/hr). The terms of the contract must be in place before the permitting process can begin.

Permitting Process: If the footprint of the landfill does not change, then there are no local permitting requirements. The County will need to approve the franchise agreement, which requires a public hearing. The franchise agreement will be made part of Republic's permit submittal to NC Department of Environmental Quality (DEQ) for continued landfill operations.

If there is a change in the project area included in the original permit, Republic will go through the local planning process, which requires a Special Use Permit. The Special Use Permit requires a Planning Board review and public hearing and approval from the Board of Commissioners, which also includes a public hearing. The Board of Commissioners must also approve the franchise agreement, which includes a public hearing. Once the local permitting process is complete, Republic would be responsible for submitting a Substantial Amendment to the Permit to the State DEQ. DEQ would review engineering and technical parts of the permit application and the franchise would be made part of the application.

OPTION #2: Direct Haul to Granville County

Background: Staff met with the Granville County Manager to discuss the possibility of Person County residents hauling waste to the Granville County landfill. Due to the low amount of tonnage that Person County could guarantee, Granville County would most likely only offer Person County residents the regular tipping fee, which is currently \$42/ton (currently, the City of Roxboro pays \$40.14/ ton at Upper Piedmont). Hauling to the Granville County landfill will add 34 miles to each trip the City of Roxboro makes to the landfill. Staff also investigated hauling waste to the City of Durham and they may be able to accept our waste at \$44.50/ton. Hauling to the City of Durham's transfer station could add up to 64 miles per trip.

Next steps: If the Board decides to direct haul to Granville County, Granville County recommends beginning the discussion with a meeting between two Person County commissioners and two Granville County commissioners.

Permitting Process: If the Board decides to construct convenience centers (drop-off sites) in the county, then each location will require a Special Use Permit. The Special Use Permit process requires Planning Board approval, which includes a public hearing at the Planning Board meeting and Board of Commissioners approval, which also includes a public hearing.

OPTION #3: County-owned, private-operated transfer station

Background: Per the consultant, the cheapest transfer station option would be to re-open the old transfer station and haul waste to Granville County. Granville County has offered a tipping fee of \$42/ton. Staff has also discussed with the First Piedmont landfill in Ringgold, VA; however, their facility only accepts commercial waste.

Next steps: The Board will likely need to exercise some of the one-year extensions, in order to allow for time to site, permit, and construct a transfer station. This will require renewing the Franchise Agreement and may require negotiation, which means the Board would need to determine how to begin negotiations.

Permitting Process: The process for re-opening the old transfer station on Cedar Grove Church Road would require a Special Use Permit, which involves Planning Board review and a public hearing, as well as Board of Commissioners review and a public hearing. A transfer station would also require a permit from the State.

Ms. Tate requested the Board to further discuss and direct staff on how to proceed. Mr. Mike Brincheck with Smith & Gardner was available, in the audience, to answer any questions.

Chairman Newell asked about the state's proposal for a permit to become valid for the life of the landfill to which Mr. Brincheck and County Attorney, Ron Aycock noted that it is unknown at this time and was hopeful that by the end of the General Assembly's short session, an answer to his question would be known.

Chairman Newell asked Mr. Aycock if a Closed Session would be permissible to address terms of the negotiation. Mr. Aycock stated the Board was authorized for a Closed Session to consider and instruct its agents with conditions for the negotiations on behalf of the County following Board action to renegotiate the current franchise agreement and upon notification to Republic of that decision.

A **motion** was made by Vice Chairman Kendrick and **carried 3-2** to renegotiate the current franchise agreement with no change to the footprint (no expansion) utilizing Smith & Gardner to provide technical expertise during negotiations. Chairman Newell, Vice Chairman Kendrick and Commissioner Puryear voted in support of the motion. Commissioners Clayton and Jeffers voted in opposition to the motion noting their preference would have been to re-open the old transfer station and haul waste to Granville County.

Commissioner Jeffers asked the County Manager to update Granville County of the Board's action this date.

PROPOSAL TO LEASE TO THE STATE OF NORTH CAROLINA FOR THE PROPOSED PUBLIC SAFETY COMMUNICATIONS TOWER TO BE LOCATED AT MT. TIRZAH:

Assistant County Manager, Sybil Tate told the group that the State will install public safety communication equipment for their VIPER system and allow the county to hang VHF and broadband equipment on the tower proposed to be constructed at Mt. Tirzah. Before the State can begin construction, a lease is required. Ms. Tate requested the Board to approve and sign the proposal to lease to the State of NC for submission in order to begin the leasing process. Ms. Tate noted that upon submission, the Attorney General's office will draft a lease document for the Board to review and approve. The drafting process can take a year or more; once complete representatives from the State will present the draft lease to the Board for approval.

A **motion** was made by Commissioner Puryear and **carried 5-0** to submit the proposal to lease to the State of NC for the drafting process to begin.

COUNTY HEALTH INSURANCE RENEWAL:

Commissioner Clayton noted the County moved to a self-funded insurance and as the Board of Commissioners desires to receive options related to choosing a plan of benefits for county employees, often times it is considered too late in the budgeting process, he requested that the Board set a meeting in August 2016 to have presentations for the Fiscal Year 2018 health insurance renewal process.

Chairman Newell recommended the process be opened up for a bid. Vice Chairman Kendrick agreed and inquired also about the county considering hiring an agent to oversee the renewal process as well as have staff dispense medications from the Health Department along with enhanced wellness programs.

Commissioner Clayton suggested staff review other counties' insurance programs, i.e. Cumberland County and Durham County.

It was the consensus of the Board to have an insurance renewal presentation in August 2016 for the next fiscal year renewal budgeting process.

REQUEST TO PURCHASE A DE-ICING TRUCK FOR THE PERSON COUNTY AIRPORT:

General Services Director, Ray Foushee stated Person County staff, along with Red Mountain Aviation (the County's Fixed Based Operator at the Airport), requested the Board's consideration for the purchase of a capital asset. Mr. Foushee said the Person County Airport was in need of a de-icing truck noting it is in the operation manual for all 135 class aircraft (charter) that they are not supposed to land at an airport that does not have de-icing equipment, whether or not the equipment was actually needed or used. Relatively frequently, aircraft are diverted to Raleigh or Greensboro because Person County does not have de-icing equipment.

Mr. Foushee noted that the Federal Surplus located in Raleigh had a de-icing truck available for purchase. The de-icing International Truck has 278 miles and 359 hours. It's a 2001 International diesel 4700 model and it was driven from Ft. Bragg to Raleigh. Mr. Foushee noted the only thing known it needs was a battery. Mr. Foushee further noted the Federal Government paid \$378,985.00 for this de-icer truck but the cost to the county will be only \$15,500.00. County Manager, Heidi York recommended that the Board appropriate Fund Balance for the \$15,500 if purchase if desired.

Vice Chairman Kendrick asked about the responsibility of the maintenance, supplies, training for the de-icer truck to which Mr. Tougas confirmed Red Mountain Aviation would be responsible related to the operations, supplies and use of the de-icer truck. As a county asset, county staff would be responsible for the vehicle maintenance.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to proceed with the purchase of the De-Icing Truck for the Person County Airport and appropriate \$15,500 from the County's Fund Balance.

As an option to Person County, Mr. Foushee stated Mr. Bill Tougas of Red Mountain Aviation has offered to purchase the De-Icing Truck from Person County at the end of the required 18-month period of maintenance and use, should the County not wish to keep as an asset.

APPOINTMENTS TO BOARDS AND COMMITTEES:

The Person County Board of Commissioners solicited volunteers to fill positions on the following boards, commissions, authorities, and committees through advertisement in the *Courier-Times* edition dated January 20, 2016 with notice to submit applications by the deadline of February 16, 2016.

The highlighted board denotes a competitive board which may be eligible for the informal interview process should the Board desire this process to aid them in making appointments. Should the Board be interested in holding the informal interview process please direct the Clerk to organize and inform the applicant of the informal interview date as set by the Board.

Clerk to the Board, Brenda Reaves presented the following interested citizen applications for consideration for appointment.

- A. Adult Care Home Community Advisory Committee
One unexpired term to 12/31/17 available
1) Cathy Bailey requested appointment
- B. Airport Commission
One unexpired term to 12/31/16 available
1) John Dustin Wall requested appointment
- C. Nursing Home Advisory Committee
One unexpired term to 12/31/17 available
One unexpired term to 12/31/18 available
1) Mary Jane Bradsher requested appointment
- D. Voluntary Agriculture District
One unexpired term to 6/30/16 available representing Allensville Township
1) Kenny Griffin requested appointment

A **motion** was made by Commissioner Jeffers and **carried 5-0** to appoint Cathy Bailey to the Adult Care Home Community Advisory Committee to fulfill the unexpired term to December 31, 2017, to appoint John Dustin Wall to the Airport Commission to fulfill the unexpired term to December 31, 2016, to appoint Mary Jane Bradsher to the Nursing Home Advising Committee to fulfill the unexpired term to December 31, 2017, and to appoint Kenny Griffin as the Allensville Township representative to the Voluntary Agriculture District board to fulfill an unexpired term to June 30, 2016.

RESOLUTION APPOINTING REVIEW OFFICERS:

Amanda W. Garrett, Register of Deeds requested the Board to adopt a Resolution Appointing Review Officers noting with the hiring of the City of Roxboro's Planner, Sharon Richmond, a resolution appointing her to serve as a Review Officer was required by the Board of Commissioners to meet statutory requirements for recording.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to adopt a Resolution Appointing Review Officers as presented.

RESOLUTION APPOINTING REVIEW OFFICERS

WHEREAS, S.L. 1997-309 (S875) made a number of significant changes in the procedures for recording maps and plats; and

WHEREAS, the main purpose of the law is to transfer the responsibility for reviewing plats to determine whether they meet recording requirements from the Register of Deeds to a Review Officer; and

WHEREAS, G.S. 47-30.2 requires the Board of County Commissioners in each County, by resolution, to appoint a person (persons) to serve as a Review officer to review each plat before it is recorded and certify that it meets the statutory requirements for recording;

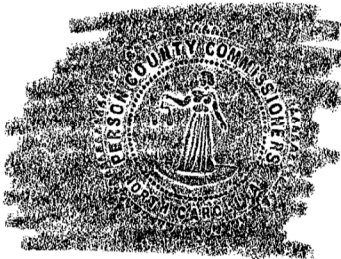
WHEREAS, since the last Resolution recorded in 2014, there have been changes in personnel which creates erroneous information as to the serving Review Officers; and

WHEREAS, the desire of the Person County Board of Commissioners is to insure the expeditious review of all maps and plats, as required by G.S. 47-30.2, prior to being presented and recorded by the Register of Deeds.

NOW THEREFORE, BE IT RESOLVED, that Paula P. Murphy, Sharon Richmond, Thomas S. Warren, Jr. and Michael Ciriello are hereby appointed to perform all responsibility as required of a Review Officer under the appropriate North Carolina General Statutes.

BE IT FURTHER RESOLUTED, that a copy of this Resolution designating the Review Officers be recorded in the Person County Register of Deeds Office and indexed in the names of the Review Officers.

Adopted, this, the 29th day of February, 2016.



Person County Board of Commissioners

David Newell Sr.
David Newell, Sr., Chairman

Attest:

Brenda B. Reaves
Brenda B. Reaves, Clerk to the Board

February 29, 2016

CHAIRMAN'S REPORT:

Chairman Newell had no report.

MANAGER'S REPORT:

County Manager, Heidi York reminded the Board of their joint meeting later this date with Roxboro City Council starting at 6:00pm to hear a closed session report from Person County Business Industrial Center's consultant and at 6:30pm an open session meeting with City Council, both meetings to be held in the Human Services FEMA room.

Ms. York advised that the Board's only March meeting will be on March 14, 2016 in the County Office Building Auditorium to accommodate Local Government Day. Ms. York stated Chairman Newell mentioned having a Closed Session at this meeting and she wanted to make them aware that the County Attorney would not be present at this meeting.

COMMISSIONER REPORT/COMMENTS:

Commissioner Jeffers reported the following:

- Person County Partnership for Children mid-year report indicated meeting all goals,
- Recognized the local NC Department of Transportation office and Mr. Anthony Talley for assistance related to citizen's road questions,
- Commended the Planning Director, Mike Ciriello for assisting citizen's zoning questions,
- Recreation Board sat as an appeals committee for two youth suspended for disciplinary action review, and
- The Department of Social Services has 30 more children in foster care than this time last year.

Commissioner Clayton reported the following:

- Transportation Advisory Committee meets quarterly noting the new roadway at Route 501 under construction will soon be completed, and
- Orange Person Chatham Advisory Committee for Cardinal Innovations involved in community medication give-way to eligible residents on February 26, 2016.

February 29, 2016

Commissioner Puryear commended the Register of Deeds and staff as well as Ms. Sandy Mangum at the Health Department for good customer service. Commissioner Puryear inquired about the naming process for the new Route 501 advocating for the roadway to be named in honor of Leigh Woodall.

Vice Chairman Kendrick reminded the group of the Library's Open House that was announced earlier in the meeting urging the citizens to attend and enjoy the many resources available.

RECESS:

A **motion** was made by Commissioner Jeffers and **carried 5-0** to recess the meeting at 10:38am until 6:00pm at the Human Services FEMA room for the purpose of a Joint Meeting with Roxboro City Council and Person County Business Industrial Center.

Chairman Newell called the recessed meeting to order at 6:00pm. The purpose of the 6:00pm joint session with the Person County Board of Commissioners, Roxboro City Council and Person County Business Industrial Center was for a closed session discussion related to a site evaluation.

Board of Commissioners and Clerk to the Board Attendees:

Chairman Newell, Vice Chairman Kendrick, Commissioners Clayton, Puryear, Jeffers, and Clerk to the Board, Brenda Reaves

Roxboro City Council and Clerk to the Council Attendees:

Mayor Marilyn Newell, Mayor Pro-Tem William Davis, Council Members Henry Daniel, Sandy Stigall, Mark Phillips and Byrd Blackwell, and City Clerk Trevie Adams

PCBIC Board Attendees:

Kenneth Perry, Phillip Allen, and Derrick Sims were present. Dr. Walter Bartlett, Ernie Wood, Jr., William Carver, III, and Jeff Fitzgerald were absent.

Ex-Officio PCBIC Board Attendees:

County Manager, Heidi York and City Manager, Brooks Lockhart

Person County Attendees:

County Attorney, Ron Aycock, Assistant County Manager, Sybil Tate, Economic Development Director, Finance Director, Amy Wehrenberg, IT Specialist, Charles Lunsford, Stuart Gilbert, and Economic Development Senior Administrative Support, Sherry Wilborn

City of Roxboro Attendee: City Attorney, Nick Herman

Duke-Energy Attendee: John Nelms

Timmons Group Attendee: Michael Solomon and Blake Hall

State Official Attendee: Representative Larry Yarborough

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve the agenda for the joint session as presented.

CLOSED SESSION:

A **motion** was made by Vice Chairman Kendrick and **carried 5-0** to enter into Closed Session per General Statute 143-318.11(a)(4) at 6:00pm for the purpose of discussion of matters relating to the location or expansion of industries/businesses in the county jointly with Roxboro City Council and Person County Business Industrial Center, Inc. (PCBIC) and other project attendees (all individuals as named above as attendees are included in the Closed Session).

A **motion** was made by Commissioner Puryear and **carried 5-0** to return to open session at 6:32pm.

A brief recess ensued for the transition of the meeting to an open session meeting between the Person County Board of Commissioners and Roxboro City Council.

WASTEWATER TREATMENT FACILITY UPGRADE:

Mayor Merilyn Newell asked the Assistant City Manager Tommy Warren to update the group on the status of the Wastewater Treatment Facility upgrade. Mr. Warren stated the state mandated an ammonia limit for Roxboro's wastewater treatment plan in 2013 which requires the city to update its facilities in order to comply by the fall 2019. In 2015 a study was conducted in which the process to reduce ammonia will also include a process to reduce phosphorous. The project is estimated to cost between \$15M - \$17M; more accurate estimates will be reviewed at the time the design is 90% completed. Mr. Warren estimated the bidding process to begin in January 2017.

Mr. Warren noted City of Roxboro is working with Garney Construction Company on its wastewater treatment plant improvements. Mr. Warren further noted the City of Roxboro will use of the Construction Manager at Risk process for completing the improvements along the engineering firm, LaBella Associates. Mr. Warren noted the design phase was currently 60% completed.

When asked by the Board of Commissioners if the County was being asked to help in the wastewater treatment facility upgrade expenses, City Council representatives said all funding sources would be reviewed noting it was not their initial intent to ask the County for any assistance.

Vice Chairman Kendrick noted his proposal for the City and County governing bodies to merge into one entity to realize savings for combined services. Vice Chairman Kendrick envisioned the current 5-member board of commissioners expanded to a 7-member board with the two additional member representatives from within the city. Vice Chairman Kendrick reasoned that by combining resources, costs would be reduced. Mayor Newell stated that option has been proposed before and it would be a mammoth task.

When asked about sharing of revenues should the County partner with the wastewater treatment plant upgrade expenses, Mr. Warren indicated the City and County currently have an agreement that the County receives 25% of revenues for services run in the county.

The Board of Commissioners requested City Council to keep them informed on this project.

SOLID WASTE IMPACTS:

Mayor Newell requested an update from the County related to the future of Solid Waste. Chairman Newell told the group that the Board of Commissioners voted 3-2 earlier this date to renegotiate the current franchise agreement with Republic.

Vice Chairman Kendrick noted the County would be utilizing Smith & Gardner to provide technical expertise during negotiations and would have the ability to establish a negotiation team in which a representative(s) from the City would be suggested. Vice Chairman Kendrick said that the team would review all options, i.e., more recycling, what products would be allowed in the landfill, a more favorable tipping fee, etc.

Chairman Newell stated the current franchise agreement expires in 2017; the life of the landfill at the existing level of tonnage permitted is estimated to be approximately 30 years. Chairman Newell said that County staff are seeking to review current contracts held by New Hanover and Guilford counties. Vice Chairman Kendrick added his motion earlier in the day called for no expansion of the landfill.

Mayor Pro Tem William Davis asked as to the reasoning for the dissenting votes on the motion. Commissioners Clayton and Jeffers stated their preference would have been to re-open the old transfer station and haul waste to Granville County. Commissioner Clayton added that the citizens living near the current landfill were told that the landfill would only be open for 20 years.

Chairman Newell said that he planned to meet with David Forsythe, Director of Person County Group Homes to brainstorm on other business ideas for Person Industries in addition to recycling.

GENERAL DISCUSSION/OTHER ITEMS:

The floor was open for any items for general discussion.

Council member Mark Phillips asked about the additional sales tax. Chairman Newell said that the county was not budgeting any new revenue until more was known.

Commissioner Puryear asked the Assistant County Manager, Sybil Tate to update the group on the broadband project. Ms. Tate stated the four public safety communication tower project was progressing well. Ms. Tate noted that the state has offered to construct two of the four towers (Woodland and Mt. Tirzah location) for their VIPER equipment which would save the County \$1.2M. Ms. Tate noted the Woodland tower was close to completion. Ms. Tate further noted that the project and timeline would be updated in April as a part of the Capital Improvement Plan.

ADJOURNMENT:

A **motion** was made by Commissioner Jeffers and **carried 5-0** to adjourn the meeting at 7:12pm.

Brenda B. Reaves
Clerk to the Board

David Newell, Sr.
Chairman

February 29, 2016