

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

AUGUST 1, 2016
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 recessed session on Monday, August 1, 2016 at 6:00pm in the Commissioners' meeting room in the Person County Office Building for the purpose to hold the informal interviews with applicants of selected boards.

Chairman Newell called the recessed meeting to order.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to enter Closed Session #1 for the purpose of considering appointment of individuals through an informal interview process with applicants of boards and committees per General Statutes 143-318.11(a)(6) at 6:00pm for the following boards:

- A. ABC Board
- B. Piedmont Community College Board of Trustees
- C. Social Services Board

Summer Intern, Ellis Johnson and the Clerk to the Board, Brenda Reaves, also attended the Closed Session in addition to the applicants that were interviewed individually.

Chairman Newell called the Closed Session to order at 6:00pm.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to return to open session at 6:51pm.

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APPOINTMENT TO BOARDS AND COMMITTEES:

Clerk to the Board Brenda Reaves presented citizen applications for consideration for nomination to be appointed by the Board of Commissioners, as deemed appropriate.

ABC Board

3-Year Term: 1 position available

- 1) Garland Graves, Jr. requested appointment
- 2) Michael Laws requested reappointment
- 3) Norman Carden requested appointment

A **motion** was made by Commissioner Puryear and **carried 5-0** to reappoint Michael Laws to the ABC Board for a 3-year term.

Piedmont Community College Board of Trustees

4-Year Term: 1 position available

- 1) Bayard Crumpton requested reappointment
- 2) Jason Torian requested appointment

A **motion** was made by Commissioner Puryear and **carried 5-0** to reappoint Bayard Crumpton to the Piedmont Community College Board of Trustees for a 4-year term.

Social Services Board

3-Year Term: 1 position available

- 1) Treco Lea-Jeffers requested appointment
- 2) Elbert Franklin Dickens requested appointment

Commissioner Jeffers requested Board consideration to recuse him from the Social Services Board appointment vote due to one of the applicants being his spouse.

A **motion** was made by Commissioner Puryear and **carried 5-0** to recuse Commissioner Jeffers from the Social Services Board appointment vote.

A **motion** was made by Vice Chairman Kendrick and **carried 4-0** to appoint Elbert Franklin Dickens to the Social Services Board for a 3-year term.

Environmental Issues Advisory Committee

3-Year Term: 1 position each representing the following townships:

Bushy Fork, Cunningham, and Flat River

1) Al Stehle requested appointment to represent the Cunningham Township

A **motion** was made by Vice Chairman Kendrick and **carried 5-0** to appoint Al Stehle as the Cunningham Township representative on the Environmental Issues Advisory Committee for a 3-year term.

Juvenile Crime Prevention Council

1-Year Initial Term: 2-Year Reappointment

1 position for a substance abuse professional,

1) Bruce Walsh requested appointment

1 position for a person under the age of 21,

2-Year Term:

1 position for a Juvenile Defense Attorney,

1) Melinda Fife requested appointment

1 position for a representative or person affiliated with Mental Health,

1) Martha Pickett requested appointment

A **motion** was made by Commissioner Clayton and **carried 5-0** to appoint Bruce Walsh (substance abuse professional) for a 1-year term, Melina Fife (Juvenile Defense Attorney) for a 2-year term and Martha Pickett (Mental Health representative) for a 2-year term on the Juvenile Crime Prevention Council.

Chairman Newell called for a brief recess at 6:54pm until the regularly scheduled meeting at 7:00pm.

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Chairman Newell called the 7:00pm regular scheduled meeting to order. Vice Chairman Kendrick 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 approve the agenda.

INFORMAL COMMENTS:

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

Mr. Ralph Watson of 78 Landmark North, Roxboro voiced his disapproval of the Board of Commissioners related to their action and lack of progress for a new Senior Center site and establishing a committee to review potential sites. Mr. Watson noted there were no senior centers located outside of city limits in the state of NC.

Ms. Pecolia Beatty of 610 S. Main Street, Roxboro addressed the many stumbling blocks associated with the progress of the Senior Center site noting enough is enough. Ms. Beatty suggested the county owned property next to Roxboro Christian Academy be considered as a possible site. Ms. Beatty opined that the soil testing should have been completed prior to investing money into the project design.

Ms. Virgie Watson of 78 Landmark North, Roxboro spoke of the current facility housing the Senior Center noting the many issues with the floor, inadequate space for activities providing that many classes are held at off-site locations.

Ms. Louise Oliver, PO Box 1921, Roxboro said that the action on June 20, 2016 to form a site selection committee for the Senior Center left an impression to make progress however upon learning that no committee or meetings had been organized, she urged the Board to provide a clean, safe, multi-purpose space appropriate for the senior population.

Ms. Angelica Harris of 251 Derwin Drive, Timberlake asked the Board when the facility would be built and to give the senior citizens of Person County the best facility possible as these citizens pay taxes and vote.

DISCUSSION/ADJUSTMENT/APPROVAL OF CONSENT AGENDA:

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

- A. Duke Energy Electric Vehicle Charging Station Grant

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NEW BUSINESS:

BROADBAND REQUEST FOR PROPOSALS:

Assistant County Manager, Sybil Tate reminded the Board that at its April 18, 2016 meet, staff was instructed to engage with a consultant to develop a Request for Proposals (RFP) to improve broadband wireless and fiber options for access within Person County.

Ms. Tate introduced the consultant, Mr. Joe Freddoso of Mighty River, LLC, to discuss the broadband RFP specifications and requested Board input on which option of the options to be presented that the Board desires before the RFP can be completed. Ms. Tate noted that the RFP would be on the Board's next meeting agenda for August 15, 2016.

Mr. Freddoso, former non-profit president of MCNC, the provider that implemented fiber installation across 90 of NC's 100 counties at a project cost of \$140M, shared the following presentation with the group.

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Person County Board of Commissioners

Broadband Vision
August 1, 2016

OUTLINE

- Vision and Outcomes
- Existing conditions - unserved/underserved
- Is there demand for broadband?
- Existing laws
- What are other counties doing?
- What are our options?
- Next steps

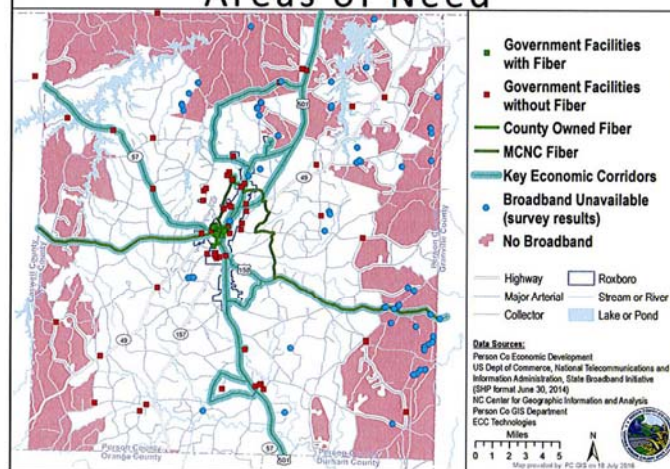
VISION and OUTCOMES

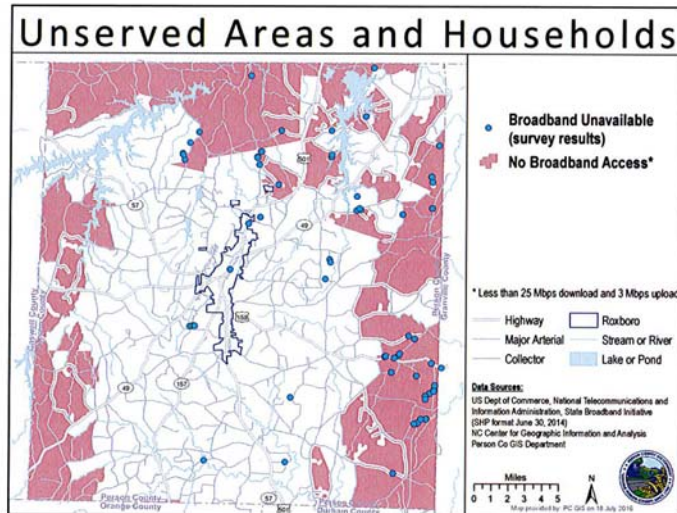
VISION: Provide access to high speed internet for Person County residents and businesses.

- **Residential**
 - Improve education opportunities/close education gaps
 - Allow opportunity to work from home
 - Encourage small business development
- **Commercial/Business**
 - Retain existing businesses
 - Attract new businesses
 - Create opportunities for small business to grow
- **Government**
 - Improves reliability of communication
 - Public safety communication system upgrade
 - Decreases lifetime costs of Internet service

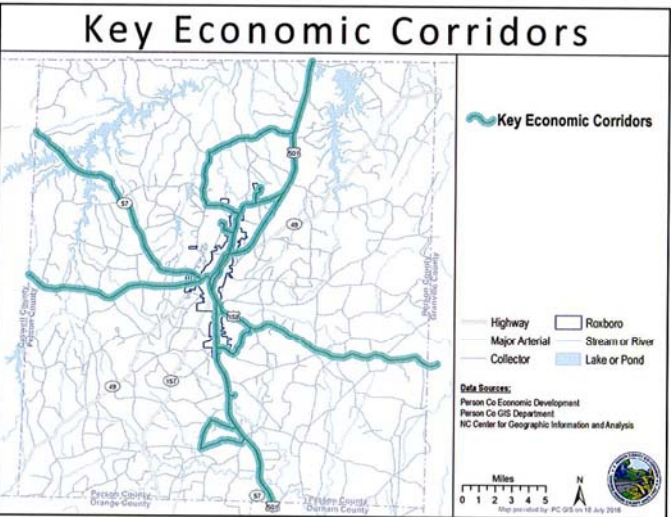
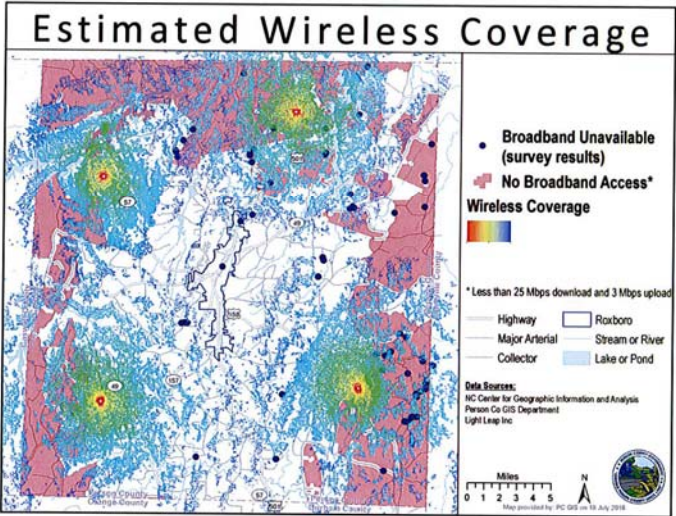


Areas of Need





- “Not only do we have school age kids, but my husband and I both have jobs that could be done from home quite often....We have struggled with this since we moved in four years ago and I know the rest of our community struggles with the same.”
- “When we purchased the property, we did not realize that basic utility services were not provided. We would not have made the property purchase nor built the home here. Now all we want to do is put it all up for sale.”
- “We are planning on moving to our house at Mayo Lake but we have been waiting for high speed internet for years.”



- "Internet has gone down for extended periods of time over the past year. Service has improved over past 6 months but was subpar the 6 months before that. We rely entirely on internet--this is a physicians office and we have an electronic medical record. Continual service and prompt restoration of service are paramount."
- "CenturyLink will not upgrade our speed. We are currently at the lowest speed available which makes running a successful business very hard. We have called over and over again but they refused to make any upgrades."

100% of respondents stated that they would be interested in faster internet service at prices that are competitive with their current costs.

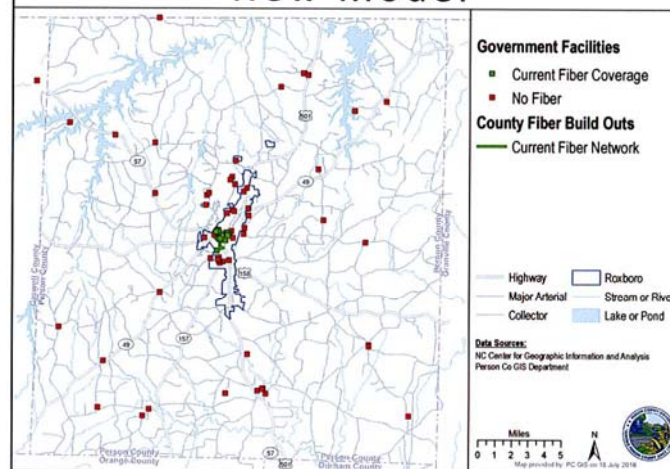
Existing Legislation

- No public broadband systems allowed -City of Wilson built their system prior to this law (SL 2011-84; HB 129)
- Authorized to build-out broadband to county facilities
- Allowed to provide a grant to incent build-out to unserved areas for economic development purposes (SL 2012-86; SB 572)
- Cities have the ability to construct infrastructure and lease it within the City limits; no such legislation exists for counties

What are other counties doing?

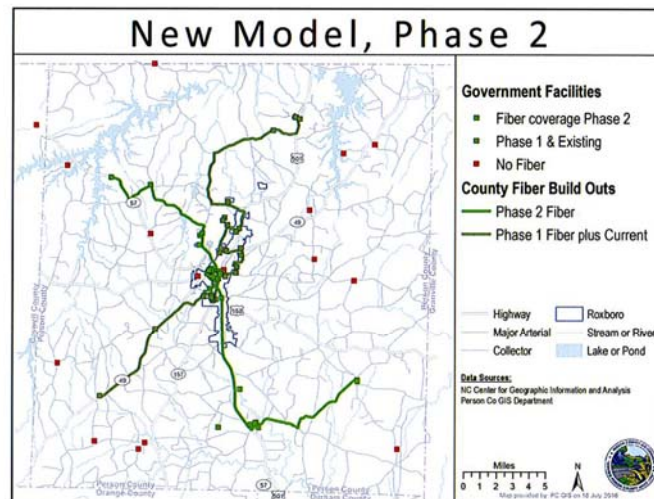
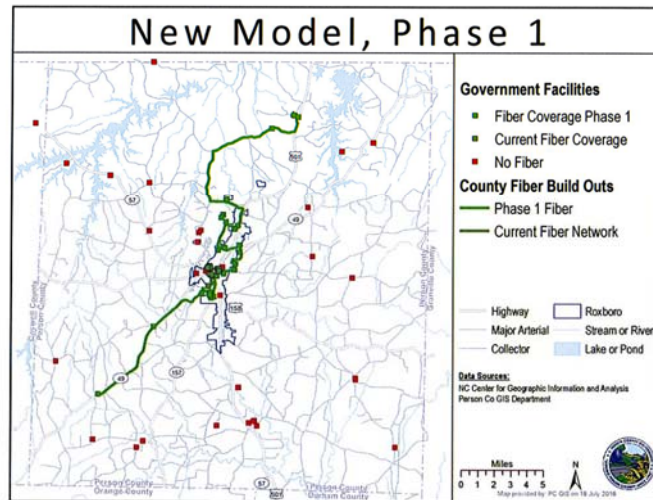
1. ~~Yadkin County model – local provider~~
2. Stokes County model – incent build-out
3. ~~Urban areas model – aggregate demand~~
4. Do nothing – wait for legislation to change
5. Develop a new model

New Model



Phase 1 covers approximately 22 miles from Bushy Fork to Bethel Hill. The cost per mile was estimated at \$40,000 with the total Phase 1 cost projected at \$1M.

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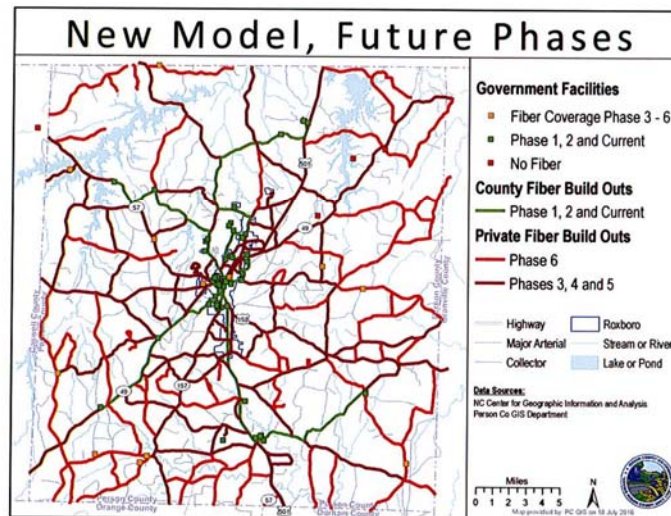
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Phase 2 covers about 22 miles from Woodland to Mt. Tirzah with a projected cost of \$1M. The routes were based on main corridors and a potential economic development project.

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The concept, once the infrastructure is complete is to offer private providers to build off the core network. The slide below illustrates potential coverage in 10-15 years.

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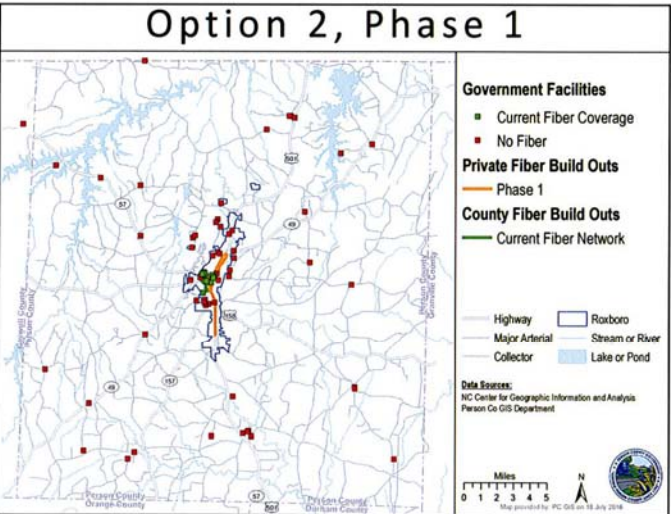
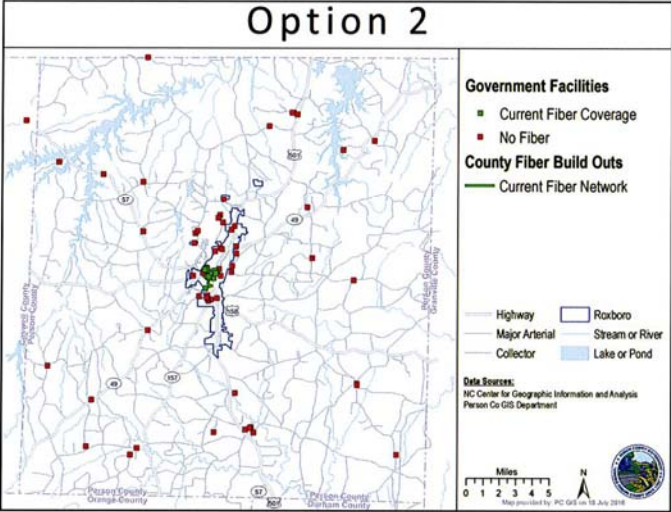
OPTION #1 – New model

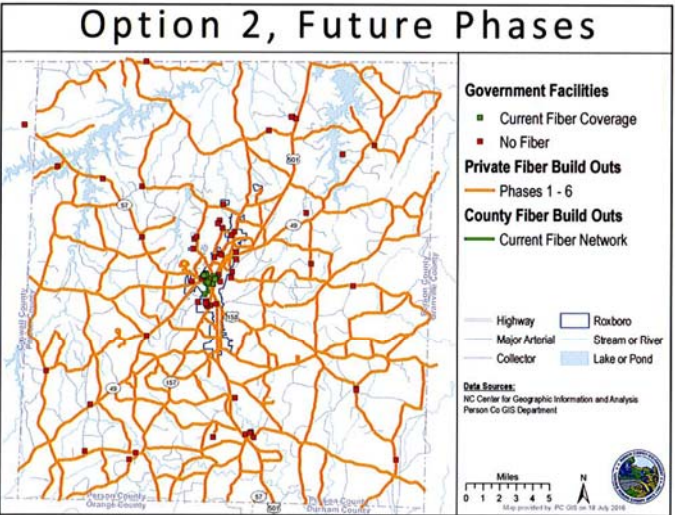
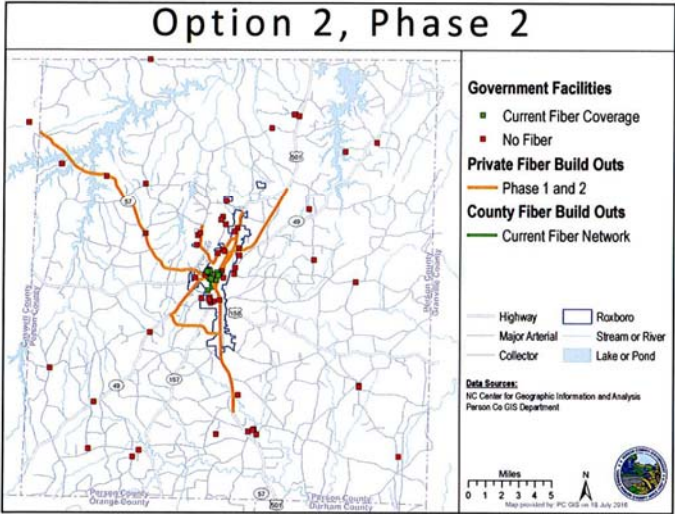
Pros

- Long term fixed cost for county government
- Provides a real asset owned by the County
- Asset to close economic development deals
- May improve financial viability of RFP
- Control over timeline of Phase 1 build-out
- Potential for grant funds to pay for build-out
- Work with wireless providers to build where they need – replaces county revenue stream for provider
- Likely reduces amount of grant funds needed by private provider

Cons

- Estimated county capital cost = **\$2.15M** (52.26 miles x \$40,000 per mile + 60K equipment) +
- **\$27,600** in annual operating +
- grant funds for additional privately-owned phases (**\$300K/yr?** for 10-15 yrs)
- County assets have undetermined value in current state law framework
- Risk of using a new model





OPTION #2 – Stokes County model

Pros	Cons
<ul style="list-style-type: none"> Estimated cost = grant funds only (\$600K/year for 10-15 years?) Private provider assumes all the costs of construction, operation and maintenance 	<ul style="list-style-type: none"> No input into rate structure for <ul style="list-style-type: none"> County Wireless backhaul Companies and residents Less control over time of build out to county facilities County does not own any asset after investment

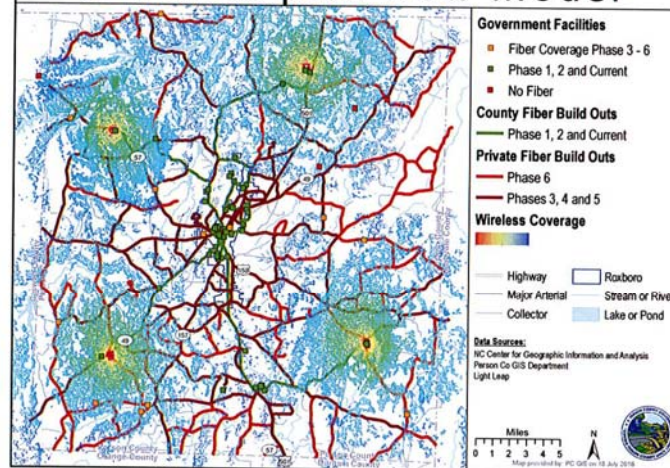
OPTION #3 – Do Nothing

Pros	Cons
<ul style="list-style-type: none"> Cheapest option from a cash flow perspective Legislation may change, making the system easier (not necessarily cheaper) to build out No risk 	<ul style="list-style-type: none"> Loss of economic development advantage Continue to pay a private provider for internet for county facilities Citizens continue to be dissatisfied Threat in not protecting base of economic activity

What is the desire of the Board?

Options	10 year cost	Key Outcomes
OPTION #1 New model	\$2.09M -build out (one-time) \$60K -equipment (one-time) \$276K-operating (\$27.6K/year) \$3M -grant funds(\$300K/year) \$5.43M TOTAL	<ul style="list-style-type: none"> • Own asset • Reduced cost of county internet service • Some control over service
OPTION #2 Stokes Cnty. model	\$6M (\$600K/yr); build out could take up to 15 yrs	<ul style="list-style-type: none"> • Lower annual costs • No maintenance costs
OPTION #3 Do nothing	\$0	<ul style="list-style-type: none"> • No cost • No risk • Laws may change in county's favor

Wireless plus New Model



What's next?

Date	Action
Aug.15, 2016	Approve RFP – BOC meeting
Oct 4, 2016	Vendor applications due
Oct 17, 2016	Vendor selection – BOC meeting
Nov 21, 2016	Contract approval – BOC meeting

*\$100,000 in FY17 CIP for this project

**If a fiber option is chosen, funds would need to be allocated in FY18-22 CIP (presented to BOC in April; \$ available July 2017)

Questions?

Ms. Tate reminded the Board that the cost estimates in the presentation were projections and that until the proposals were received, staff would not know the real costs. Mr. Freddoso stated the RFP would be compiled to route along the main corridors for core business and to provide access to unserved areas.

Board members stated support for improving access to Person County's citizens, improving services to county public facilities and to set apart the county by using this approach.

A **motion** was made by Commissioner Clayton and **carried 5-0** to proceed with writing the Request for Proposals based on Option 1, as presented.

BETHEL HILL TOWER EASEMENT:

As part of the upgrades to the public safety communication system, the county will construct a tower located on Bethel Hill Charter School property.

General Services Director, Ray Foushee stated access to the tower site was planned via Bethel Hill Charter School property (150 yards); however, this access requires crossing a stream, which triggers State regulations and approvals. Therefore, staff approached an adjacent property owner, Mr. Joe Weaver, to discuss allowing access of 100 yards via his property. At first Mr. Weaver declined access across his driveway but more recently, agreed in exchange for \$10,000 upfront, repair of the driveway upon completion of the tower, and new gravel every four years. The new gravel costs was estimated at \$500 every four years.

Mr. Foushee noted the total cost of accessing the site via Bethel Hill Charter School's property was estimated at \$105,000 and the cost of accessing the site via the adjacent property owner, Mr. Joe Weaver's land was estimated at \$43,250.

The Board was asked to take action to determine the access easement rights and to authorize the Chairman to sign an access easement.

Chairman Newell inquired about relocating the tower to another site to which staff noted the county does not own property in that area and that the location selected was of optimal choice due to being at the highest elevation and noted much of the groundwork was already completed.

A **motion** was made by Commissioner Clayton and **carried 5-0** to approve the access to the Bethel Hill Tower site with an easement for rights with adjacent property owner, Mr. Joe Weaver, to appropriate \$10,000 upfront to Mr. Joe Weaver, repair of the Weaver driveway upon completion of the tower construction, and provide new gravel on the 100 yards every four years.

STORMWATER PROFESSIONAL SERVICES OPTIONS:

When a stormwater plan was required for a project, citizens must work with the county's contracted engineer to ensure that the plan meets the requirements of the county's stormwater ordinance. The citizen must also work with the county's contracted attorney to ensure that access is available for annual inspection of the best management practices (BMP) and that maintenance will be conducted in accordance with the ordinance.

Assistant County Manager, Sybil Tate stated Person County's current engineering and legal stormwater services are managed by Jim Wrenn, an attorney in Oxford, NC and Henrietta Locklear, a consultant with Raftelis located in Winston-Salem, NC noting the county has the authority to choose to contract with professionals located closer to Person County.

Ms. Tate noted staff have researched hiring local professionals to manage both the legal and engineering services for stormwater agreements and have identified one legal firm located in Roxboro and two engineering firms with the credentials located in Durham.

Ms. Tate explained the estimated additional costs for transitioning to new legal and engineering services are \$14,400 which includes a 4-hour training session and an estimated 20-hours of transition time. During the training session and the transition time, the existing and new legal and engineering professionals would charge the county for their time. Once the transition is complete, the county would realize a savings for legal services and approximately the same costs or slightly higher costs for engineering services. Ms. Tate stated the estimated cost increase can be covered by the existing budget and the Stormwater Fund's fund balance.

Commissioner Puryear asked for the rates given by the engineering firms to which Ms. Tate stated 1) Horvath \$170 per hour, and 2) McAdams \$110 per hour.

A **motion** was made by Commissioner Puryear and **carried 5-0** to proceed to terminate contract with the current attorney and engineer providing stormwater services and to move forward with securing stormwater legal services with the identified one legal firm located in Roxboro and engineering services with McAdams of Durham.

CHAIRMAN'S REPORT:

Chairman Newell had no report.

MANAGER'S REPORT:

County Manager, Heidi York asked the commissioners to complete the audit questionnaire and return it to staff to mail to the county's auditors.

Ms. York reported that the community event, National Night Out will be held on August 2, 2016 at Huck Sansbury Park starting at 5:00pm.

COMMISSIONER REPORT/COMMENTS:

Commissioner Jeffers reported the Human Services Networking Event will take place on August 2, 2016 at the Kirby Upstairs starting at 11:00am. On that topic, he noted that other commissioners speak of a 211 approach for accessing services.

Commissioner Clayton told the group of new solid waste technology he recently learned about at the NACo conference and urged the Board to consider a no bind clause for new technologies related to the Solid Waste contract. Mr. Clayton noted the Lunsford family wanting to name a road honoring Jessie Lunsford, a WWI veteran, which will be forthcoming to the Board.

Commissioner Puryear had no report.

Vice Chairman Kendrick had no report.

CLOSED SESSION #2

A **motion** was made by Commissioner Jeffers and **carried 5-0** to enter Closed Session per General Statute 143-318.11(a)(5) for the purpose to consider the acquisition or lease of real property at 8:38pm with the following individuals permitted to attend: County Manager, Heidi York, Clerk to the Board, Brenda Reaves, County Attorney, Ron Aycok, and Summer Intern, Ellis Johnson.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to include Planning Director, Mike Ciriello in the Closed Session #2.

Chairman Newell called the Closed Session to order at 8:40pm.

A **motion** was made by Commissioner Puryear and **carried 5-0** to return to open session at 9:02pm.

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A **motion** was made by Commissioner Puryear and **carried 5-0** to appoint the following individuals to the Senior Center Committee to review possible alternative sites for the new facility: Chairman Newell, Commissioner Jeffers, City Councilman Byrd Blackwell, City Councilman Sandy Stigall, and Senior Center Director, Maynell Harper.

CLOSED SESSION #3

A **motion** was made by Vice Chairman Kendrick and **carried 5-0** to enter Closed Session per General Statute 143-318.11(a) (3) to consult with an attorney and General Statute 143-18.11(a) (5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract at 9:04pm with the following individuals permitted to attend: County Manager, Heidi York, Clerk to the Board, Brenda Reaves, County Attorney, Ron Aycock, Assistant County Manager, Sybil Tate, and Summer Intern, Ellis Johnson.

Chairman Newell called the Closed Session #3 to order at 9:04pm.

A **motion** was made by Commissioner Puryear and **carried 5-0** to return to open session at 9:56pm.

ADJOURNMENT:

A **motion** was made by Commissioner Jeffers and **carried 5-0** to adjourn the meeting at 9:56pm.

Brenda B. Reaves
Clerk to the Board

David Newell, Sr.
Chairman

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