

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

SEPTEMBER 11, 2017
OTHERS PRESENT

Tracey L. Kendrick
Gordon Powell
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, September 11, 2017 at 7:00pm in the Commissioners' meeting room in the Person County Office Building.

Vice Chairman Powell called the meeting to order at 7:05pm. Commissioner Clayton gave an invocation and Commissioner Puryear led the group in the Pledge of Allegiance. Chairman Kendrick was out of town assisting Duke Energy's response to restore power following recent hurricane weather, but attended the Board meeting via conference call. Vice Chairman Powell conducted the board meeting for Chairman Kendrick.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve the agenda.

RECOGNITION:

SEPTEMBER 11, 2001 PROCLAMATION:

Vice Chairman Powell read a September 11, 2001 Proclamation issued jointly by the City of Roxboro and Person County on September 9, 2017 at a Patriot Day Event held at the Person County Veterans Park memorializing the men, women and children who lost their lives on September 11, 2001. This event was sponsored by the Person Veteran's Council, Roxboro Police Department, Roxboro Fire Department and Person County Emergency Services.

September 11, 2017



SEPTEMBER 11, 2001
PROCLAMATION



WHEREAS, the unprovoked attacks of September 11, 2001 upon America by foreign terrorists have thrust the United States, and other countries, into a war it never envisioned, militarily or diplomatically; and

WHEREAS, the challenges facing all the civilized people of the world as they relate to the war on terrorism will not end until those fanatics responsible are eliminated or brought to justice; and

WHEREAS, America is fully committed to ensuring our freedoms remain unfettered and sovereign for all generations, now and forever; and

WHEREAS, world opinion needs to remain focused upon the eradication of these inhuman acts perpetrated around the globe; and

WHEREAS, on way to accomplish this is to NEVER FORGET that those innocent victims did not die in vain; and

WHEREAS, America can fight back by reminding the world that the deaths of these people will always be remembered and that they will be forever loved; and

WHEREAS, a noble and appropriate way to accomplish this is through the annual celebration of their living; and

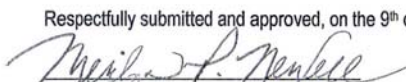
WHEREAS, this commemoration should be conducted each September 11th throughout the land to include:

- The promotion of global peace and goodwill;
- The demonstration of America's resolve and perseverance to win the war on terrorism;
- The advancement of responsible citizenship;
- The encouragement of patriotism and love of country;
- The poignant remembrance of those innocent victims who died September 11, 2001 as heroes, one and all.

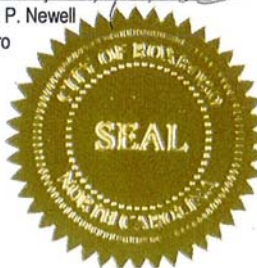
NOW THEREFORE BE IT RESOLVED, as the Mayor of the City of Roxboro and Chairman of the Person County Commissioners, are jointly issuing this proclamation to memorialize those men, women and children who lost their lives; and

BE IT FURTHER RESOLVED, that this proclamation be publicized for all to see and know that the citizens of Roxboro and Person County remember with eternal respect those whose lives were suddenly, without cause and pointlessly taken from them on September 11, 2001. May they forever rest in peace and abide in our memories.

Respectfully submitted and approved, on the 9th day of September, 2017.


Mayor Merilyn P. Newell
City of Roxboro


Chairman Tracey Kendrick
Person County Commissioners



September 11, 2017

RESOLUTION OF APPRECIATION:

Vice Chairman Powell read and presented a Resolution of Appreciation to Person County Retiree, Randy Long.

RESOLUTION OF APPRECIATION

- WHEREAS, Randy Long has served the people of Person County during his tenure working for Person County's Arts, Parks & Recreation Department as a Park Maintenance Technician; and
- WHEREAS, Randy Long has served the citizens of Person County with honor, integrity, sincerity and dedication, providing accurate, concise services for eight years, May, 2009 – August, 2017; and
- WHEREAS, Randy Long has earned the respect and admiration of all who have known him and worked with him throughout his career; and
- WHEREAS, the County of Person recognizes the many contributions Randy Long has made to the County and offers him sincere best wishes for his retirement.

NOW, THEREFORE, I, Tracey L. Kendrick, Chairman of the Person County Board of Commissioners, do hereby extend this Resolution of Appreciation to Randy Long for continually striving to make Roxboro and Person County a better place to live and work.

Adopted this, the 11th day of September, 2017.




Tracey L. Kendrick, Chairman
Person County Board of Commissioners

Attest:


Brenda B. Reaves
Clerk to the Board

September 11, 2017

INFORMAL COMMENTS:

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

Mr. Phillip Gillis of 125 Jack Brann Road, Roxboro, and a member of the Board of Education said he was coming before the Board as a member of the Allensville community with many questions should the Board consider re-opening the old landfill site as a transfer station. Mr. Gillis compared recent board action related to vacant, wooded lots to the nearly one-hundred homes that would be impacted noting the additional road noise and constant trash would be the biggest impacts. He told the Board that the Mt. Tirzah and Allensville communities have already had its turn, and done its duty having a landfill in its front yard.

Person County Sheriff Dewey Jones wanted to make the Board aware that reopening the old landfill site as a transfer station would impact law enforcement's use of that site for a firing range noting that both the City and County's officers use this site for mandated training and qualifying. Sheriff Jones noted consideration for safety should the site re-open to the public and was used for multiple purposes. He said if his personnel has to travel out of town for the needed training, his training budget line would be impacted as much as \$20,000.

DISCUSSION/ADJUSTMENT/APPROVAL OF CONSENT AGENDA:

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

- A. Approval of Minutes of August 7, 2017,
- B. Approval of Minutes of August 21, 2017,
- C. Budget Amendment #4,
- D. Budget Amendment #5 Carryforwards,
- E. Emergency Operation Plan Update, and
- F. A Resolution Amending the Person County Economic Development Commission for a change in Membership

September 11, 2017

NEW BUSINESS:

A RESOLUTION OF SUPPORT TO DEDICATE A SECTION OF NC HIGHWAY 57 IN PERSON COUNTY TO COMMEMORATE THE SERVICE OF WORLD WAR I VETERAN, FIRST LIEUTENANT GUY J. WINSTEAD:

Vice Chairman Powell presented a Resolution of Support to Dedicate a Section of NC Highway 57 in Person County to Commemorate the Service of World War I Veteran, First Lieutenant Guy J. Winstead for Board approval noting some of the requirements were to have unanimous support by the local board of commissioners along with an appropriation of the \$2,000 associated costs. Commissioner Jeffers recommended the \$2,000 be appropriated from the County's Undesignated Contingency Fund.

A **motion** was made by Commissioner Clayton and **carried 5-0** to adopt a Resolution of Support to Dedicate a Section of NC Highway 57 in Person County to Commemorate the Service of World War I Veteran, First Lieutenant Guy J. Winstead and to appropriate \$2,000 from the County's Undesignated Contingency Fund.

**A RESOLUTION OF SUPPORT TO DEDICATE A SECTION OF NC HIGHWAY 57
IN PERSON COUNTY TO COMMEMORATE THE SERVICE OF
WORLD WAR I VETERAN, FIRST LIEUTENANT GUY J. WINSTEAD**

WHEREAS, the Person County Board of County Commissioners hereby acknowledge and support a request to dedicate a section of NC Highway 57 in Person County to commemorate a World War I veteran, First Lieutenant Guy J. Winstead; and

WHEREAS, First Lieutenant Guy J. Winstead was born in the Olive Hill community on August 29, 1896 and he joined the United States Army and served with Company C, the 38th Infantry Regiment, 3rd Division, American Expeditionary Forces, near Chateau-Thierry, France, during June and July, 1918; and

WHEREAS, First Lieutenant Guy J. Winstead led four patrols across the Marne River while exposed to heavy enemy machine-gun fire. On the second of these patrols the boat was sunk and it was necessary to swim the river. While within the enemy lines he and five others raided a German outpost, killing five of the enemy, and, in spite of heavy enemy fire, returned with a prisoner; and

WHEREAS, First Lieutenant Guy J. Winstead on July 15, 1918, shortly after leading his platoon under gas and shell fire to a position on a hill, he was killed in action by enemy fire; and

WHEREAS, First Lieutenant Guy J. Winstead was awarded posthumously by the President of the United States, authorized by Act of Congress, the Distinguished Service Cross, the second highest award for heroism presented to a combat Army veteran;

WHEREAS, Criteria for this distinguished award states “the act or acts of heroism must have been so notable and have involved risk of life so extraordinary as to set the individual apart from their comrades.” Recipients of the Distinguished Service Cross are eligible to have a roadway dedicated that is five miles or less.

NOW, THEREFORE, BE IT RESOLVED that the Person County Board of County Commissioners, requests the NC Board of Transportation’s consideration to 1) exempt the requirement for whom a road named in honor be deceased less than 75 years as the First Lieutenant Guy J. Winstead made the ultimate sacrifice on the battle field and 2) to approve a section of NC Highway 57 (Semora Road) starting at Thomas Road (SR 1398) and ending in approximately five miles just before the Concord Church (SR 1300) and Concord Ceppo Road (SR 1340) intersection with Semora Road. **Be It Further Resolved** that the Person County Board of Commissioners expresses willingness to pay an administrative fee of \$2,000 to assist in the costs of this request.

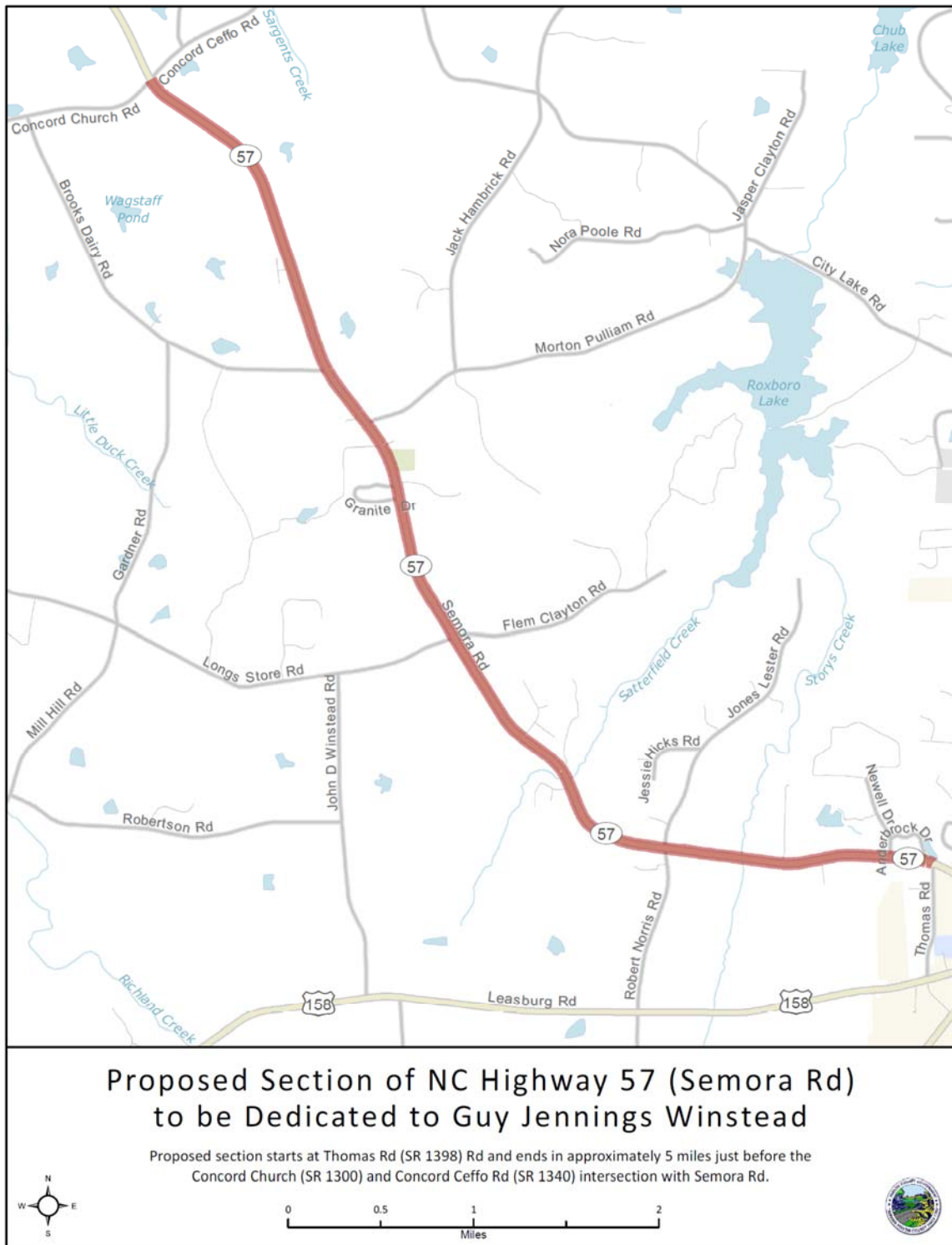
THIS RESOLUTION adopted this, the 11th day of September 2017.

Person County Board of County Commissioners

By: (Signed)
Tracey L. Kendrick, Chairman

Attest: (Signed)
Brenda B. Reaves, Clerk

September 11, 2017



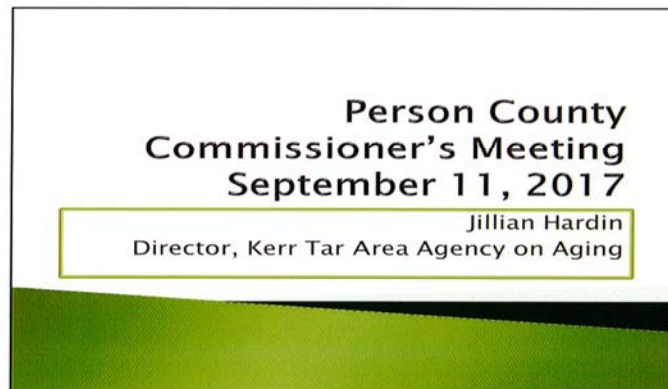
September 11, 2017

PERSON COUNTY AGING PLAN:

Person County Senior Center Aging Services Director, Maynell Harper introduced Ms. Jillian Hardin, Kerr Tar Council of Government Area Agency on Aging Director to present the Person County Aging Plan to the Board for approval. Ms. Harper noted about a year ago, the Kerr Tar Area Agency on Aging, along with the Person County Senior Center sought public input to begin the planning process to compile a county-wide aging plan. She added that two public forums were held and a committee of diverse community partners worked together to identify goals and plan strategies to enable Person County to expend and sustain services for older adults.

Ms. Hardin shared the following presentation with the group:

9/11/2017



1

September 11, 2017

Senior Center of Excellence!



Person County Senior Center • 87 Semora Road, Roxboro • 336-599-7484

Background

- ▶ The Area Agency on Aging (AAA) is part of the National Network set in place by the Older American's Act of 1965.
- ▶ AAA – housed in the Kerr-Tar Regional Council of Governments, a regional planning organization that serves 21 local governments in a five county area of Triangle North.
- ▶ AAA staff work with advisory committees in each county to study the needs of older adults and plan for services to meet those needs.
- ▶ Goal: enable adult's 60+ to live independently

Developing the Plan



Our Mission: The Person County Aging Leadership Planning Team will expand and sustain services for the aging population of Person County.

Person Aging Profile					
Ages	2014		2034		% Change (2014-2034)
	#	%	#	%	
Total	39,265		40,049		2.0%
0-17	8,512	22%	8,054	20%	-5.4%
18-44	12,482	32%	12,629	32%	1.2%
45-59	8,807	22%	7,176	18%	-18.5%
60+	9,464	24%	12,190	30%	28.8%
65+	6,766	17%	9,726	24%	43.7%
85+	754	2%	1,288	3%	70.8%

Identified Issues – Transportation

➤ **Goal:** Empower older adults and their families to make informed decisions and easily access transportation options and services.

➤ **Objective 1.1:** Reframe public transportation

◆ **Strategies:** Develop and distribute marketing material to community agencies

◇ **Measures:**

- Use database to track marketing materials
- Develop and utilize social media to promote transportation services. Identify staff who will serve as administrators for the Facebook page.

◆ **Strategies:** Develop and distribute marketing material to consumers

◇ **Measures:**

- Use database to track marketing materials
- Develop and utilize social media to promote transportation services. Identify staff who will serve as administrators for the Facebook page.

➤ **Objective 1.2:** Educate local leaders and staff from different agencies

◆ **Strategies:** Participate in community engagement events in Person County to share information about Transportation and other services for older adults

◇ **Measures:**

- Develop techniques and marketing materials for leaders and agency staff to distribute at community events.

◆ **Strategies:** Develop alternative methods for transportation when and where PATS cannot serve

◇ **Measures:**

- Staff will reach out to faith-based organizations.
- Staff will collaborate with agencies to provide education about various transit systems, including costs, eligibility, and drop off/pick up locations.
- Create a database and actively recruit volunteers to drive older adults to appointments, grocery shopping, and social and other events.

- **Objective 1.3: Maximize collaboration with service providers to expand existing transportation systems**
- ◆ **Strategies:** Work with Person Area Transit System (PATs) to add a new senior center route
- ◇ **Measures:**
 - Track number of riders through HCCBG Transportation funding




Identified Issues – Caregiving

- **Goal:** Educate and empower Caregivers to provide quality care for their care recipients.
- **Objective 2.1:** Provide outreach for existing caregiver programs in Person County, such as Family Caregiver Support and Consumer Directed Services
- ◆ **Strategies:** Coordinate a community forum
- ◇ **Measures:**
 - Utilize listservs and mailing lists to invite service providers, county leaders, and consumers
 - Develop and utilize social media to promote caregiving services. Identify staff who will serve as administrators for the Facebook page.
- ◆ **Strategies:** Utilize local media for outreach
- ◇ **Measures:**
 - Develop and publish PSAs to local newspapers, community publications, and television stations
 - Schedule radio interviews

➤ **Objective 2.2: Expand Virtual Dementia Tour (VDT) and Aging Sensitivity in Person County**

- ✦ **Strategies:** Train tour guides
- ✦ **Measures:**
 - Provide tours to various agencies, such as Emergency Management, Law Enforcement, Public Utilities.
- **Objective 2.3: Maximize collaboration with service providers through the use of technology, social media, and community events**
- ✦ **Strategies:** Coordinate and use listservs, social media, and web sharing to add information about caregiving services and programs
- ✦ **Measures:**
 - Meet quarterly to strengthen and add members to resource group
 - Reach out to faith-based organizations



➤ **Objective 2.4: Explore new programs and opportunities for caregivers in Person County**

- ✦ **Strategies:** Faith in Action grant provides start-up money to develop community programs – volunteer assistance – visiting with seniors, volunteers to run errands
- ✦ **Measures:**
 - Solicit group involvement from ministerial alliances
 - Provide materials for distribution at local churches
- ✦ **Strategies:** North Carolina Baptist Aging Ministries (NCBAM)
- ✦ **Measures:**
 - Solicit group involvement from ministerial alliances
 - Provide materials for distribution at local churches
- ✦ **Strategies:** Determine the need for *Grandparents Raising Grandchildren*
- ✦ **Measures:**
 - Collaborate with Person County DSS, Person County Schools, Head Start, and faith-based communities to determine how many grandparents raise grandchildren
 - Research grant funding to support *Grandparents Raising Grandchildren* program
- ✦ **Strategies:** Work with the North Carolina Division of Aging and Adult Services and other appropriate agencies about the feasibility of opening an Adult Day program.
- ✦ **Measures:**
 - Research and collaborate with Person County DSS and Kerr-Tar Area Agency on Aging to determine the need for an Adult Day program.

Aging Leadership Planning Team Members

- ▶ Robert Allen, Chairman, Regional Aging and Advisory Committee
 - ▶ Maynell Harper, Roxboro Senior Center
- ▶ Melinda Hudson, Person County Department of Social Services
 - ▶ Janet Clayton, Person County Health Department
- ▶ Carlton Paylor, Person County Department of Social Services
- ▶ Angela Jones, Person County Department of Social Services
- ▶ Kathy Adcock, Person County Area Transportation Services
 - ▶ Kelly Foti, Person County United Way
 - ▶ Valerie Bratton, Bayada Health Care
- ▶ Jennifer Grable, Person County Cooperative Extension
 - ▶ Jimmy Clayton, Person County Commissioner

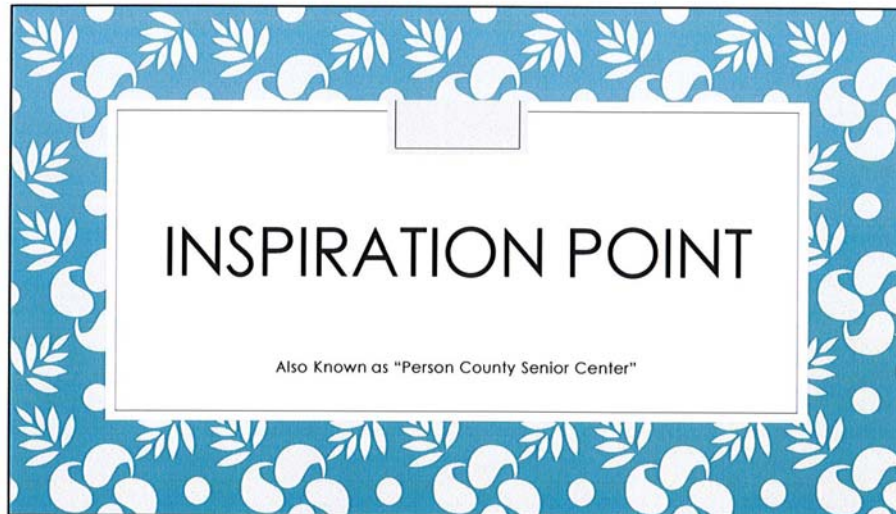
▶ *Kerr-Tar AAA Staff:*

- ▶ Jillian Hardin
- ▶ Suja Jacob
- ▶ Kimberly Hawkins
- ▶ Colleen Puceta
- ▶ Melissa Catlett



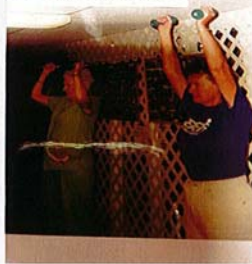
Ms. Harper shared the following presentation to illustrate the Senior Center's increased participation from 70 individuals to over 200 individuals including over 100 volunteers in the new facility:

September 11, 2017



To add some perspective!
121 Depot St. (cramped, not up to
code, but we made it work – sort of -
while we could!)

Carver/Polly Broach/Evelyn Duncan



309 Long Avenue –Packing to Move!



Seniors know how to make it work -

Selling stew for a computer lab!



Seniors donating to keep the food pantry full!



THE MISSION FOR THE PERSON COUNTY SENIOR CENTER IS TO RESPOND TO OLDER INDIVIDUALS DIVERSE NEEDS AND INTERESTS, ENHANCE THEIR DIGNITY, SUPPORT THEIR INDEPENDENCE, AND ENCOURAGE THEIR INVOLVEMENT WITH THE SENIOR CENTER AND THE COMMUNITY.

This is NOW!

The "Game Room": Billiards, Card Games, Wii teams



The "Large Group Room": 7 different group exercise classes, 4 different bridge groups and more!



So much activity equals healthy, happy, independent, community minded seniors!





Workout,
Volunteer,
Workout
Stay
healthy,
stay
strong,

Different passions and interests

Wednesday Ladies Bridge



Monthly basket weaving

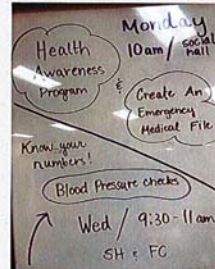


Playing and Learning

Staying healthy is important



Learning to stay healthy is important as well



Special celebrations

Monthly Music Monday



With our "own" band!





Celebrating birthdays together with new and long time friends, exercise buddies, tech class and arts class friends: There is no end (as of yet!) to the ways to make friends and grow at this senior center!

Opportunities for everyone!

Cards



Dancing with your sweetheart



Volunteering within our community

Long time meals on wheels volunteers



Families giving back to the community
with summer volunteering



A little help
goes a long
way in helping
seniors stay
independent
in their own
homes!



Commissioner Clayton thanked Ms. Hardin, Ms. Harper and Mr. Robert Allen, who was present in the audience, for the committee's effort putting together the County's Aging Plan.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to adopt the Person County Aging Plan as presented. The Person County Aging Plan, as presented, is herewith incorporated into the minutes by reference with a copy filed in the office of the Clerk to the Board.

SALE OF SURPLUS PROPERTY: RESOLUTIONS AUTHORIZING UPSET BID PROCESS FOR OLD SENIOR CENTER AND OLD HOTEL:

Assistant County Manager, Sybil Tate stated the Board solicited initial offers for the following two surplus properties:

1. “Old Senior Center building and green space”- .54 acres, record number 16471
2. “Old Hotel lot”- .49 acres, record number 10534

Ms. Tate noted that NC General Statute 160A allows for the sale of surplus property via the upset bid process. Ms. Tate further noted that this process begins with an initial offer. She said initial offers have been received for both the Old Senior Center and the Old Hotel in the following amounts:

1. Old Senior Center - \$500 from Chairman Tracey Kendrick
2. Old Hotel lot - \$22,500 from John Dixon

Ms. Tate stated the initial offer will be advertised and new bids that are not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder will be solicited for the 10 days following. All bids are to be submitted to the Clerk to the Board of County Commissioners along with a 5% deposit. The Clerk will determine the highest, eligible bid and then solicit further bids. This process will be followed until no further bids are received. The first advertisement will be published in the local paper on September 16, 2017 with bids due by 5:00pm on September 25, 2017.

Ms. Tate stated in order to begin the upset bid process, the Board must adopt the resolutions authorizing the upset bid process for the Old Senior Center and Old Hotel properties. Ms. Tate requested the Board to adopt the resolutions and begin the upset bid process.

Chairman Kendrick asked the Board to make a motion to recuse him from the discussion and action related to the Sale of Surplus properties.

A **motion** was made by Commissioner Puryear and **carried 4-0** to recuse Chairman Kendrick from the discussion and action related to the sale of surplus properties as he retained one of the bids discussed.

A **motion** was made by Commissioner Jeffers and **carried 4-0** to adopt Resolutions to Authorize the Upset Bid Process for both the Old Senior Center and the Old Hotel surplus properties.

September 11, 2017

**Resolution Authorizing Upset Bid Process
"Old Senior Center Surplus Property"**

WHEREAS, Person County owns a .54 acre tract located on Satterfield St. and known as the "Old Senior Center", Map and Parcel Number 1 47, Record Number 16471, Person County Tax Maps (Recombination of Lot 1 and 2, Plot Cabinet 16, page 870); and

WHEREAS, North Carolina General Statute § 160A-269 permits the county to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the county has received an offer to purchase the "Old Senior Center" property described above, in the amount of \$500, submitted by Tracey Kendrick of Roxboro; and

WHEREAS, Tracey Kendrick has paid the required deposit on his offer;

THEREFORE, THE PERSON COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:


1. The Board of Commissioners authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.
2. The clerk to the Board of County Commissioners shall cause a notice of the proposed sale to be published. The notice shall describe the properties and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset an offer that has been received shall submit a sealed bid with their offer to the office of the clerk to the Board of County Commissioners within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the clerk to the Board of County Commissioners shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
4. If a qualifying higher bid is received, the clerk to the Board of County Commissioners shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of Commissioners.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The county will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The county will return the deposit of the final high bidder at closing.

September 11, 2017


7. The terms of the final sale are that
 - a) the Board of Commissioners must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and
 - b) the buyer must pay with cash at the time of closing.
8. The county reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate county officials are authorized to execute the instruments necessary to convey the "Old Senior Center" property to Tracey Kendrick, pursuant to North Carolina law.

Adopted this, the September 11, 2017.




Gordon Powell, Vice Chairman
Person County Board of Commissioners

Attest:


Brenda B. Reaves, NCCCC, MMC
Clerk to the Board of Commissioners

September 11, 2017

**Resolution Authorizing Upset Bid Process
"Old Hotel Surplus Property"**

WHEREAS, Person County owns a .49 acre tract located on Depot Street and known as the "Old Hotel", Map and Parcel Number 1 33, Record Number 10534, Person County Tax Maps (Lot 3, Plot Cabinet 16, page 870); and

WHEREAS, North Carolina General Statute § 160A-269 permits the county to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the County has received an offer to purchase the "Old Hotel" property described above, in the amount of \$22,500, submitted by John Dixon of Roxboro, NC; and

WHEREAS, John Dixon has paid the required deposit on his offer;

THEREFORE, THE PERSON COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:


1. The Board of Commissioners authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.
2. The clerk to the Board of County Commissioners shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offers, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset an offer that has been received shall submit a sealed bid with their offer to the office of the clerk to the Board of County Commissioners within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the clerk to the Board of County Commissioners shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
4. If a qualifying higher bid is received, the clerk to the Board of County Commissioners shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of Commissioners.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The county will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The county will return the deposit of the final high bidder at closing.

September 11, 2017

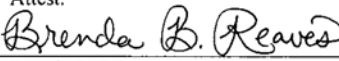
7. The terms of the final sale are that
 - a) the Board of Commissioners must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and
 - b) the buyer must pay with cash at the time of closing.
8. The county reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate county officials are authorized to execute the instruments necessary to convey the "Old Hotel" property to John Dixon.

Adopted this, the September 11, 2017.




Gordon Powell, Vice Chairman
Person County Board of Commissioners

Attest:


Brenda B. Reaves, NCCCC, MMC
Clerk to the Board of Commissioners

September 11, 2017

PERSON COUNTY FALSE ALARM ORDINANCE:

Emergency Services Director, Doug Young stated the False Alarm Ordinance had been developed as a result of Commissioner Jeffers' request on behalf of the Volunteer Fire Departments (VFDs) to reduce the number of false fire alarms, which burden county and VFDs' resources.

Mr. Young noted that the Inspections Director, Dale Tillman and the Fire Inspector, William Lingle, through research found that the County's current rules applied to commercial alarms only. Through the group's effort, the proposed Person County False Alarm Ordinance will apply to both commercial and residential false alarms.

Mr. Young highlighted the proposed False Alarm Ordinance as follows:

- Applies to both commercial and residential false fire alarms county-wide,
- Enforced by the Inspections Department, with cooperation from the VFDs,
- Assesses the following fines;
 - For false alarm 1 through 2- written warning,
 - For false alarm 3 through 5 a fine of \$50.00 each,
 - For false alarm 6 through 7 a fine of \$100.00 each,
 - For false alarm 8 through 9 a fine of \$250.00 each,
 - For false alarm 10 and up a fine of \$500.00 each,
- Uses the fiscal year as the period of time to determine the number of false alarms per year,
- Defines the appeal process; allows for a written appeal to the Inspections Director,
- Provides options for cost recovery – lien, debt set off, etc., and
- Effective upon date of adoption by the Board of Commissioners.

Commissioner Jeffers asked staff if the fees through the assessment of fines would be deposited into the County's General Fund with tracking for reimbursement to the VFDs that run the false alarms. County Manager, Heidi York stated the fines would be collected through the Inspections Department at the time of enforcement and deposited into the County's General Fund. She added that a tracking could be set up for the end of the fiscal year allocation to the VFDs, should that be the desire of the Board.

Commissioner Jeffers suggested staff track the fines with one-half of the fines collected retained in the General Fund and the other one-half of fines collected be distributed to the VFDs that run the false alarm calls.

The Person County False Alarm Ordinance may be adopted by the Board of Commissioners at its first reading by unanimous vote. If not, a second reading will take place at the Board's next meeting for adoption with two prevailing majority votes.

A motion was made by Commissioner Jeffers and **carried by unanimous vote 5-0 at its first reading** to adopt the Person County False Alarm Ordinance as presented.

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Person County False Alarm Ordinance

BE IT ORDAINED by the Person County Board of Commissioners as follows:

Section 1. Findings

The Board does hereby find that:

- (a) The Person County Board of Commissioners finds that excessive false alarms unduly burden the County's public safety resources.
- (b) The Person County Board of Commissioners desires to reduce the number of false alarms and enhance valuable public safety resources by establishing clear standards for the use of alarms, and clear disincentives for the negligent and inappropriate use of alarms.
- (c) GS 153A-121 and 123(c) provide the authority for local governments to adopt ordinances to protect the safety of its citizens and charge fees for the violation of an ordinance.

Section 2. Purpose

The purpose of this ordinance is to encourage residential and commercial fire alarm users to properly use and maintain the operational effectiveness and proper utilization of alarm systems and to reduce or eliminate false alarms which may unduly divert fire resources.

This ordinance governs systems intended to summon a fire public safety response, establishes fees, provides for penalties for violations, and establishes a system of administration.

Section 3. Applicability

This ordinance shall apply to all unincorporated portions of Person County pursuant to NCGS 153A-122.

Section 4. Definitions

- 1. **Alarm System** means sensors, controls and enunciators connected to detect and report a fire. This definition shall not include alarms which do not require a response from law enforcement or fire departments, such as self-contained residential smoke detectors and vehicle alarms.
- 2. **Alarm System User** (or "user") means any person, corporation, partnership, or governmental or educational entity that owns, leases, or occupies a property that utilizes an Alarm System.
- 3. **False Alarm** means activation of an Alarm System that elicits a response by fire or other emergency response units when no situation requiring such a response exists because the responding party finds no evidence of fire products or combustion. False Alarm includes accidental, avoidable, and unnecessary alarm activation due to user error, equipment malfunction, improper or unsuited equipment, but does not include alarm activation caused by violent conditions of nature or other extraordinary circumstances beyond the control of the Alarm System User.

Section 5. Prohibited Actions

- 1. It shall be unlawful for any person to activate an alarm for the purpose of summoning fire departments when no fire exists at the location or otherwise cause an alarm when there is no valid reason for activation of the alarm.
- 2. It shall be unlawful for a person to continue an action, process or maintain a situation which continues to create false alarms occurring at the same location.
- 3. It shall be unlawful for an alarm system user to fail to reimburse Person County in accordance with this ordinance's criteria, for alarm responses deemed false.

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Section 6. Civil penalties

1. Whenever a Person County Fire Department (paid or volunteer under contract with Person County), the Person County Fire Inspector, or other public safety department responds to a fire alarm and finds it to be a false alarm a record will be started for the location. Monitoring of the location over the twelve month fiscal year will begin and warning letters and fees will be sent to the alarm system user, based upon the following schedule:
 - i. For false alarm 1 through 2- written warning
 - ii. For false alarm 3 through 5 a fine of \$50.00 each
 - iii. For false alarm 6 through 7 a fine of \$100.00 each
 - iv. For false alarm 8 through 9 a fine of \$250.00 each
 - v. For false alarm 10 and up a fine of \$500.00 each

Payments must be received within 30 days or a twenty-five (\$25) dollar late fee will be added to the account.

Section 7. Exclusions

For the purpose of computing the number of alarm responses, a false alarm shall not include an alarm that is:

1. Determined to have been activated by adverse weather conditions reported by the Person County Emergency Services Director, Person County Fire Inspector, the National Weather Service, Director of Inspections or the responding agency.
2. Activated by an outside non-domesticated animal.
3. An alarm where there is physical evidence of a fire where the fire was ignited secondary to the alarm so as to not be charged for a false alarm.
4. An alarm where there is physical evidence of a fire at the premises where the alarm was activated.
5. A local alarm activated in the testing of the alarm system testing procedure shall not count toward alarm responses as long as the alarm user notifies Person County 911 Center of the alarm test prior to the testing.

Section 8. Notification

The Inspections Director shall have the alarm system user notified in writing after the first and each subsequent false alarm. The notification shall include:

- a. The amount of the civil penalties for each false alarm,
- b. The date by which the civil penalty must be paid (for false alarm 3 and above), and
- c. A description of the appeal procedure available to the alarm user.

Section 9. Appeals

1. Any determination by an alarm system user that the fire alarm activation was not one of the exclusions herein may be appealed to the Inspections Director within ten (10) days of notification in writing. The decision of the Inspections Director shall be final.

Section 10. Enforcement of Violations

1. Any person violating any of the provisions of this chapter shall be subject to the civil penalties set forth. Any violation of this chapter shall be deemed a non-criminal violation and shall not be a misdemeanor or infraction pursuant to G.S. 14-4.
2. If payment is not received or equitable settlement reached within one hundred eighty (180) days after demand for payment is made, the matter shall be referred to the County Attorney. If appropriate, the County Attorney may institute civil action in the name of the County in the

appropriate division of the general court of justice of Person County for recovery of the penalty, recommend application of the debt set off program, or any other recovery mechanism allowed under State law.

Section 11. Severability

1. All local ordinances in conflict herewith are hereby repealed to the extent of said conflict.
2. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.
3. This ordinance shall become effective September 11, 2017.

(Signed)

Tracey L. Kendrick, Chairman
Person County Board of Commissioners

(Signed)

Brenda B. Reaves
Clerk to the Board



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DRAFT OF TRANSFER STATION REQUEST FOR PROPOSALS:

Assistant County Manager, Sybil Tate said the Board, at its meeting on August 21, 2017, requested staff to draft a Request for Proposal (RFP) to manage the transfer station. Ms. Tate presented a draft of the RFP. Below are the highlights:

1. Services include the following:
 - a. Operations and Maintenance of the transfer station,
 - b. Hauling waste to the Granville County landfill and recycling to the MRF, and
 - c. Operating the scale house (requires board determination).
2. Cost is based on tons managed and adjusted annually by the CPI for the operations and maintenance services,
3. Cost is based on tons managed and adjusted quarterly by the diesel fuel index for the hauling services,
4. Cost is based on monthly operating costs and adjusted annually by CPI for the scale house services,
5. Date to begin operations is July 1, 2018,
6. Includes a commitment from the county to up-fit the old transfer station, which is estimated to cost \$500,000,
7. Contract will be for 7 years, with 3, 1-year renewal options by the County,
8. Does not guarantee the amount of waste to be managed at the transfer station,
9. Provides the following preliminary dates for the RFP process:

Task/ Activity	Event Date (and Time)
Issue RFP	September 12, 2017
Mandatory Pre-Proposal Conference	September 26, 2017
Final Day to Submit Requests for Information and Questions	October 10, 2017
Proposal Submittal Date	November 6, 2017, 3pm

10. Uses the same hours and holidays as the existing landfill,
11. Requires litter clean-up for three miles around the entrance of the landfill on Cedar Grove Church Road, and
12. Bids are valid for 180 days after the November 6, 2017 due date.

Ms. Tate requested the Board to provide staff with feedback for the draft RFP. She informed the Board that the state permitting process was complicated, expensive and time consuming and estimated the costs to be \$25,000 to \$35,000 for a new permit or \$20,000 for a modified permit. Ms. Tate noted the state was unwilling to set a timeframe because the information required for a permit was dependent upon information from other state agencies, i.e., a traffic study from the Dept. of Transportation as well as an erosion and sedimentation control study. In addition, the project would require local ordinance approval through a special use permit. The special use permit dictated a site plan, topography, buildings, buffers and other features to which would have to be created by an engineer. She further noted the most important piece would be an updated operations plan

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to outline the facility's daily operations; the companies responding to the RFP would use the operations plan to submit its proposal.

Commissioner Puryear asked Ms. Tate if any county personnel were proposed to run the transfer station to which she stated there were no county employees included in the RFP noting there would be a need for county staff to be a source of answers for questions. She indicated she wrote the draft RFP for an opportunity for a business to operate the daily business of the transfer station.

While Commissioner Jeffers stated he had no issue with the additional expense to determine if the old landfill was a viable site for a transfer station, Commissioner Puryear disagreed calling the proposed transfer station catastrophic and detrimental to the county's finances noting a tax increase would be inevitable with the cost of operating a transfer station would be passed on to the consumers. Commissioner Jeffers advocated for the Board to consider its options to handle Person County's trash only and not take in trash from 60 miles and beyond. Commissioner Puryear stated he has requested the Economic Development Director to conduct a solid waste survey for input from the County's corporate citizens.

Vice Chairman Powell stated his desire to have more information for an informed decision but noted his opposition to spending funds without any guaranteed results as it had not been determined that the Board would choose the transfer station option in the end.

Ms. York stated issuing a RFP was not the appropriate vehicle to gather further information noting other communities have employed a consultant to perform studies to gather needed information. Ms. Tate added the consultant used by Person County had completed a comprehensive study noting all the options available to Person County. Ms. York asked County Attorney, Ron Aycock to address a third option by the Board, in addition to the first option to continue the contract and keep the landfill open, and second option to solicit a company to operate a county transfer station at the old landfill site, which was to do nothing.

Mr. Aycock stated that legislation passed by the General Assembly, currently pending before the Governor shall prohibit counties or cities from directing the flow of waste. Mr. Aycock noted the current law allows counties to dictate that all waste in the county must be delivered to a set place. He noted he would have to research if this applied to cities as well. Mr. Aycock said the new proposed law does not allow counties to direct the flow of waste noting it could go to any licensed, permitted waste facility. He added that if the Governor vetoes, it could very well be overridden as most of his vetoes have been overridden.

Mr. Aycock referenced a law that a county ought to provide for a way to dispose of solid waste within its county; he emphasized the words "ought to" and not the word "shall" noting there were no sanctions in the current law. He added that counties ought to take

into consideration the health and environmental considerations in doing so. Mr. Aycock stated the Board has an option to do nothing, and to neither have a transfer station nor a landfill within the county, to in effect, give the City of Roxboro and the private haulers the opportunity to find a place to dispose of the waste they pick up. Mr. Aycock warned that the do nothing option may enable illegal dumping or even environmental problems.

A **motion** was made by Commissioner Clayton and **failed 2-3** to proceed with the permitting process. Commissioners Clayton and Jeffers voted in favor of the motion. Chairman Kendrick, Vice Chairman Powell and Commissioner Puryear voted in opposition to the motion.

CHAIRMAN'S REPORT:

Chairman Kendrick thanked the group for accommodating his needs to join the meeting via conference call as he was currently in Anderson, South Carolina helping with hurricane restorations. Chairman Kendrick left the meeting at 8:17pm following his report.

MANAGER'S REPORT:

County Manager, Heidi York reported a Substance Abuse Summit would be held on September 13, 2017 at the Kirby Upstairs from 11:00am to noon with lunch provided. She added that the Good Morning Coffee Hour would also be focusing on substance abuse held the same date at 8:00am at the Golden Corral, with an additional training being offered in between the two events.

COMMISSIONER REPORT/COMMENTS:

Commissioner Jeffers reported the Environmental Committee recently met. He added the Helena School Environmental Club, along with a group of volunteers was planning a Farm to Fork style dinner on September 25, 2017 to be held at Helena Elementary School at a cost of \$25 each, with the menu created by executive chef, Kyle Wilkerson of The Heirloom, a Poppa Paul Kitchen. Tickets can be purchased from Helena School or the Farm to Home Market at Hall's Way.

Commissioner Jeffers stated in May of this year, Helena was awarded a grant from the NC Green Power, a Raleigh based non-profit, focusing on improving NC's environment by supporting renewable energy. The grant requires matching funds from the school and will provide up to \$10,000 toward solar panel array that can produce enough energy to power at least five classrooms as well as be used for instructional purposes.

Commissioner Jeffers said that on September 14, 2017 at 2:00pm the Semora Fire Department will be holding a fire engine dedication.

Commissioner Clayton commented his desire of the Patriot Day event be continued each year. He also reported the Kerr Tar Council of Government (COG) will be holding its Awards Banquet on September 28, 2017 at the Vance Granville Community College to which he will be holding the office of Vice Chair. Commissioner Clayton stated the COG, as a regional organization, assists with work force development, housing rehabilitation, senior center and other programming.

Commissioner Puryear reported he attended the expansion ceremony for the work force development with the COG in Granville County. He added that the Person County Museum of History will be holding a 225th Anniversary celebration of Person County on September 29, 2017 and encouraged anyone interested to contact the museum for tickets.

Vice Chairman Powell stated the Patriot Day event was quite moving and was well spoken and well attended carrying on the history to never forget. He said he also attended the work force development meeting that Commissioner Puryear spoke of noting they are an organization that offers many resources to businesses and industries.

ADJOURNMENT:

A **motion** was made by Commissioner Puryear and **carried 5-0** to adjourn the meeting at 8:24pm.

Brenda B. Reaves
Clerk to the Board

Tracey L. Kendrick
Chairman

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