PERSON COUNTY BOARD OF COMMISSIONERS <u>MEMBERS PRESENT</u>

DECEMBER 4, 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, December 4, 2017 at 7:00pm in the Commissioners' meeting room in the Person County Office Building.

Chairman Kendrick called the meeting to order. Vice Chairman Powell gave an invocation. Chairman Kendrick asked boy scouts present in the audience to come forward to lead the group in the Pledge of Allegiance.

RECOGNITION RESOLUTIONS OF APPRECIATION:

Chairman Kendrick read and presented a Resolution of Appreciation to two individuals retiring their service with Person County: Pamela Wood and Edwin Outlaw.

RESOLUTION OF APPRECIATION WHEREAS, Pamela Wood has served the people of Person County during her tenure as a Social Work Supervisor II with the Department of Social Services; and WHEREAS, Pamela Wood has served the citizens of Person County with honor, integrity, sincerity and dedication, providing accurate, concise services for seventeen years, July 2000 -November 2017; and WHEREAS, Pamela Wood has earned the respect and admiration of all who have known her and worked with her throughout her career; and WHEREAS, the County of Person recognizes the many contributions Pamela Wood has made to the County and offers her sincere best wishes for her retirement. NOW, THEREFORE, I, Tracey L. Kendrick, Chairman of the Person County Board of Commissioners, do hereby extend this Resolution of Appreciation to Pamela Wood for continually striving to make Roxboro and Person County a better place to live and work. Adopted this, the 4th day of December, 2017. Tracey L. Kendrick, Chairman Person County Board of Commissioners Attest: Brenda B. Reaves Clerk to the Board of Commissioners

RESOLUTION OF APPRECIATION WHEREAS, Edwin Outlaw has served the people of Person County during his tenure working for Person County as a Transit Specialist with the Person Area Transportation System (PATS); and WHEREAS, Edwin Outlaw has served the citizens of Person County with honor, integrity, sincerity and dedication, providing accurate, concise services for seven years, November 2010 November 2017; and WHEREAS, Edwin Outlaw has garned the respect and admiration of all who have known him and worked with him throughout his carger; and WHEREAS, the County of Person recognizes the many contributions Edwin Outlaw 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 Edwin Outlaw for continually striving to make Roxboro and Person County a better place to live and work. Adopted this, the 4th day of December, 2017. Tracey L. Kendrick, Chairman Person County Board of Commissioners Attest: Brenda B. Reaves, Clerk to the Board

Chairman Kendrick turned the gavel over to the County Attorney to preside over the meeting for the Organization of the Board.

ORGANIZATION OF BOARD:

County Attorney, Ron Aycock presided over the meeting and explained the rules of procedure for the election of Chairman and Vice-Chairman noting reorganization of the board of commissioners is held at the first meeting in December for a term of the ensuing year.

Mr. Aycock presided over the election of the Chairman of the Board of Commissioners and opened the floor for nominations.

Commissioner Puryear nominated Commissioner Kendrick as Chairman. There were no further nominations.

A **motion** was made by Commissioner Powell and **carried 5-0** to close nominations for Chairman.

By acclamation Commissioner Kendrick was named the Chairman of the Board of Commissioners for the ensuing year.

Chairman Kendrick opened the floor for nominations for Vice Chairman of the Board of Commissioners.

Commissioner Puryear nominated Commissioner Powell as Vice Chairman.

Commissioner Clayton nominated Commissioner Jeffers as Vice Chairman.

It was the consensus of the Board to close the nominations for Vice Chairman.

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

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

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

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

County Attorney, Ron Aycock stated Chapter 161(Register of Deeds) and 162 (Sheriff) of the North Carolina General Statutes requires the Board of County Commissioners to approve the official bonds at the first meeting in December. The Bonds are a continuation of existing bonds and were secured by the County Human Resources Director, who also serves as Insurance Liaison. The Human Resources Director provided information that the Sheriff's bond, in the amount of \$25,000, is for the length of his term. The Bonds of the Register of Deeds in the amount of \$50,000 and \$100,000 each for the Tax Administrator and Finance Director (amount of each Bond is dictated by legislature).

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

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

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

Chairman Kendrick stated Commissioner Jeffers has requested to defer the item on the agenda for the Woodsdale Community complaints about blasting to the first meeting in January 2018. Commissioner Clayton asked for an item to be added to the agenda for a request by DHHS for a Cardinal nomination for a commissioner representative.

A **motion** was made by Commissioner Puryear and **carried 5-0** to remove the item on the agenda related to the Woodsdale Community complaints about blasting and to add an item for a request by DHHS for a Cardinal nomination for a commissioner representative and to approve the agenda as adjusted.

PUBLIC HEARING:

REQUEST FOR THE ADDITION OF CANTER CREEK TRL, A PRIVATE ROADWAY TO THE DATABASE OF ROADWAY NAMES:

A **motion** was made by Vice Chairman Powell and **carried 5-0** to open the duly advertised public hearing for the request for the addition of Canter Creek Trl, a private roadway to the roadway database.

GIS Manager, Sallie Vaughn presented a request to the Board for the addition of Canter Creek Trl, a private roadway to the database of roadway names used for E-911 dispatching. Ms. Vaughn stated the proposed private roadway will be located to the north of Leasburg Rd between Hamlin Dr and the Jones Lester Rd/Robert Norris Rd intersection in Roxboro Township. Ms. Vaughn explained that two private residences were located on a private driveway off Leasburg Rd and with the addition of the third private residence on this driveway, Article IV, Section 402 H of the "Ordinance Regulating Addresses and Road Naming in Person County required any private roadway serving three or more homes to be officially named. Ms. Vaughn said that the addition of the proposed roadway will require occupants of the two existing residences to change their addresses to reflect the new roadway name. Ms. Vaughn noted the adjacent property owners were contacted via certified mail at the time permits were obtained for the new residence. At a meeting on November 2, 2017 all involved parties agreed upon a single road name, Canter Creek Trl, which is in compliance with all naming regulations in the Ordinance.

North Carolina General Statute 153A-239.1(A) requires a public hearing be held on the matter and public notice be provided at least 10 days prior in the newspaper. The required public notice was published in the November 22, 2017 edition of the Courier-Times. A sign advertising the public hearing was placed at the proposed roadway location on the same date.

There were no individuals appearing before the Board to speak in favor of or in opposition to the request for the addition of Canter Creek Trl, a private roadway to the roadway database.

A **motion** was made by Commissioner Puryear and **carried 5-0** to close the public hearing for the request for the addition of Canter Creek Trl, a private roadway to the roadway database.

CONSIDERATION TO GRANT OR DENY REQUEST FOR THE ADDITION OF CANTER CREEK TRL, A PRIVATE ROADWAY TO THE ROADWAY DATABASE:

A **motion** was made by Commissioner Clayton and **carried 5-0** to approve the request for the addition of Canter Creek Trl, a private roadway to the roadway database.

INFORMAL COMMENTS:

There were no comments from the public.

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 items:

- A. Budget Amendment #9,
- B. Tax Adjustments for December 2017,
 - a. Tax Releases, and
 - b. NC Vehicle Tax System pending refunds

UNFINISHED BUSINESS:

FIRE TAX CONSIDERATIONS:

Tax Administrator, Russell Jones stated he was providing more information as a follow up to the Board's November 20, 2017 meeting whereby representatives from the volunteer fire departments presented a proposal for the creation of a fire tax beginning in Fiscal Year 2018-2019.

Mr. Jones said the creation of fire/rescue service tax district offers a mechanism for isolating a specific area of residents for fire service taxation purposes. According to G.S. 153A-301, a county is "authorized to define one or more areas within the county to establish a service district to finance, provide, or maintain" services (including fire protection). There are no statutory restrictions to including a consenting municipality within a fire service district. The City of Roxboro, by resolution from the City, could be included, and those citizens would also be charged the fire/rescue service district tax.

Mr. Jones stated that a fire/rescue service tax district is not a separate legal entity from the County. As such, all control is maintained directly under the Board of County Commissioners. A fire commission, for example, could serve only in an advisory role, with the decision of funding remaining with the Board of County Commissioners.

Additionally, there is no statutory cap on taxes that may be levied from a fire service tax district, as long as combined property and special district taxes do not exceed the general property tax limit of \$1.50 per \$100 valuation. The county could adopt a resolution limiting the tax rate within a fire service district.

Mr. Jones said that upon creation of a fire/rescue service tax district, the Board of County Commissioners would set an annual tax rate for the district which would be applied to all property subject to property tax. Generated revenue would be earmarked for fire/rescue services.

As the Board of County Commissioners adopts an annual budget/tax rate, a fire/rescue service district does not guarantee continued level of funding. Like the general county tax rate, the fire/rescue service district tax rate can be changed each year. This is no different than the Board of County Commissioners allocating funding from the General Fund, except that the revenues would be earmarked for the service district.

Mr. Jones described the process as outlined below:

Creating a fire/rescue service district:

The County Board of Commissioners must justify the creation of fire service tax districts by demonstrating:

- 1. There is a need for one or more of the authorized services,
- 2. The proposed services cannot practically be provided to the district on a countywide basis,
- 3. The proposed services can be provided without unreasonable or burdensome tax levies, and
- 4. There is a demonstrable demand for the proposed services by those who live in the district.

Necessary steps to create a fire/rescue service district:

- 1. County must prepare a report that includes maps of the proposed districts, a statement that the proposed district meets required standards, and a plan for providing fire services to the district.
- 2. Any NEW district that is created must be submitted to NCDOR by November 1 for state appraised properties. (This would not apply to a single fire district, since this district is already defined).
- 3. The Board of County Commissioners must hold a public hearing on the creation of the special tax districts no sooner than four weeks after the report has been published.
- 4. Once a resolution establishing fire service tax districts has been passed, it may take effect only at the beginning of the next fiscal year.

Distribution of funds:

- 1. The funding provided to each fire department still remains an issue. Funds cannot be disbursed based on Dispatch Lines, as such lines are simply an administrative boundary.
- 2. The Dispatch Lines may be used in order to develop a formula for distribution, however this formula may not provide a fair distribution over time as needs change per station.
- 3. A decision on how funds will be distributed, i.e., monthly, as collected.

Timing:

Mr. Jones stated that if a single fire/rescue service district was established, the tax office would need to have a couple of months (guidance from the Board of Commissioners by May 1) in order to update situs charts and billing records to include the new district.

Mr. Jones noted the time frame for establishing separate fire/rescue districts (different rates for each district) would take approximately 12 months' notice (this option was not proposed by the Volunteer Fire Departments). Mr. Jones stated a fire commission could be established for each new district and could have as many or as less as the Board desired to participate. He added to have separate fire districts would be an administrative hardship.

Commissioner Jeffers asked what was one cent on the tax rate worth to which Mr. Jones stated \$438,931. Mr. Jones noted to raise the tax rate by one center the affect for a house valued at \$135,000 would be an increase of \$13.50.

Commissioner Jeffers asked staff what was the amount generated by one cent on sales tax to which staff noted they would have to find out for the Board.

Commissioner Jeffers asked if the Board of Commissioners took over the Tourism Board and directed the use of the occupancy tax funding, could it be used for fire services to which staff noted legislation dictated that occupancy tax be used for tourism efforts.

Commissioner Jeffers asked questions related to ISO rating affecting property owners insurance if there were no contract for fire services in place as well as the affect for response time without VFDs and rescue. County Attorney, Ron Aycock stated there was no legal mandate to provide fire services and noted for VFDS that are a non-profit status, its assets must be transferred to another non-profit entity noting each non-profit has its own Articles of Incorporation that dictate what happens upon dissolution.

Commissioner Jeffers inquired at the millions of costs for a county entity to provide its own fire services.

Chairman Kendrick stated his support that the County cut from the un-mandated services that the General Fund currently has funded to assist in helping its citizens by having the needed fire and police services.

A **motion** was made by Chairman Kendrick to cut 10% from all un-mandated services and utilize the approximately \$1.65M in funding for the protection of the citizens for fire services.

Both Commissioners Jeffers and Puryear agreed it was premature to vote to cut unmandated services across the board without knowing the ramifications of such vote. Commissioner Puryear hinted to another project that may bring a funding resource for the VFDs request for additional funding and suggested having a referendum for additional sales tax on an upcoming ballot as a more fair option to property owners.

A **substitute motion** was made by Commissioner Clayton and **carried 5-0** to table Chairman Kendrick's motion to the budget discussions.

NEW BUSINESS:

CHANGES TO THE PERSON COUNTY ANIMAL SERVICES ADOPTION FEE:

Animal Services Director, Ron Shaw requested the Board of Commissioner to approve changes to the adoption fee schedule and to update the Appendix A of the Animal Services Ordinance with such changes.

Mr. Shaw stated Person County Animal Services would like to increase adoption fees so to cover the County's current expenses per animal. The increase would also provide additional care and vetting to the adoptable animals.

Commissioner Jeffers asked questions related to the voucher offered for spay/neutering of adoptive pets.

Mr. Shaw asked Ms. Kelly Oakley, Animal Services Shelter Manager to address the question raised about the voucher program. Ms. Oakley said that currently Woodsdale was the only veterinarian participating in the voucher program noting others had dropped out of the program. Ms. Oakley further noted the Shelter was working toward having all adoptable pets spayed or neutered prior to adoption.

Mr. Shaw told the group that Appendix A reflected the increased rabies fee from \$8 to \$10 as adopted as a fee increase change in the budget process and the only other change was the proposed adoption fee from \$100 increased to \$150 to cover all the County's expenses for adoption included all appropriate vaccinations as outlined below:

Adoption Fees

Current fees:

Dog Adoption \$100

Rabies Vaccine

Parvo Distemper

Pyrantel Pamoate Wormer (round worms)

(\$75 voucher for spay/neuter)

Cat Adoption \$100

Rabies Vaccine

Feline Distemper

Pyrantel Pamoate Wormer

(\$75 Voucher for spay/neuter)

Proposed Fees:

Dog Adoption \$150

Rabies Vaccine

Parvo Distemper

Drontal Plus Wormer (tapes, hooks and whip worms)

Para/Defense Flea and Tick Preventative

HW test

Already Altered

Cat Adoption \$150

Rabies Vaccine

Feline Distemper

Pyrantel Pamoate Wormer

Para/Defense Flea and Tick Preventative

Rapid Combo test

Already Altered

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve changes to the adoption fee schedule and to update the Appendix A of the Animal Services Ordinance with such changes as recommended by the Animal Services Director.

BOARD OF COMMISSIONERS 2018 SCHEDULE OF MEETINGS:

County Manager, Heidi York presented to the Board of Commissioners a proposed 2018 Schedule of Meetings for review, input and adoption.

NC General Statute 153A-40 requires the Board of Commissioners to hold a regular meeting at least once a month.

The Board of Commissioners will hold its regular scheduled meetings in its usual Boardroom, Room 215 in the County Office Building unless otherwise posted. As recommended on the Schedule of Meetings, to accommodate attendance, Local Government Day Board meetings will be scheduled to be held in the County Office Building Auditorium as the same is done for the Budget Public Hearing.

The proposed Schedule of Meetings presents no conflict with the following conferences:

- NACo Legislative Conference March 3-7 in Washington DC
- NACo Annual Conference July 13-16 in Nashville, TN
- NCACC Conference August 23-26 in Hickory, NC

Ms. York asked the Board to consider the proposed dates and take action to set the 2018 Schedule of Meetings so to cause copy of such to be distributed and posted on the bulletin board and county website.

Chairman Kendrick asked consideration to change the meeting proposed on February 20, 2018 to February 26, 2018. It was the consensus of the group to accept Chairman Kendrick's request of a date change.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to adopt the Board of Commissioners 2018 Schedule of Meetings including the change as requested by Chairman Kendrick. The final 2018 Schedule of Meetings, as follows, will be distributed and posted as required by state law.

Person County Board of Commissioners

2018 Schedule of Meetings
To be held in Room 215 at the Person County Office Building unless otherwise noted

January 8, 2018 January 22, 2018	7:00 p.m. 9:00 a.m.
February 5, 2018 (Board Retreat)	9:00 a.m. Timberlake Public
February 26, 2018	Safety Satellite Facility 9:00 a.m.
March 19, 2018 (Local Gov't. Day)	9:00 a.m. County Auditorium
April 9, 2018 April 23, 2018	7:00 p.m. 9:00 a.m.
May 21, 2018	9:00 a.m.
June 4, 2018 June 18, 2018	7:00 p.m. County Auditorium 9:00 a.m.
July 2, 2018	7:00 p.m.
August 6, 2018 August 20, 2018	7:00 p.m. 9:00 a.m.
September 4, 2018 (Tuesday) September 17, 2018	7:00 p.m. 9:00 a.m.
October 1, 2018 October 15, 2018	7:00 p.m. 9:00 a.m.
November 19, 2018 (Local Gov't. Day)	9:00 a.m. County Auditorium
December 3, 2018	6:30 p.m. Swearing In/ Organizational Meeting 7:00 p.m. Regular Meeting

FISCAL YEAR 2018-2019 BUDGET CALENDAR:

County Manager, Heidi York stated a budget calendar has been developed for the Board's adoption, outlining a schedule for the timing of the budget process. A Board Retreat is proposed for February 5, 2018 along with the Capital Improvement Plan adoption in April 2018, Presentation of the Recommended Budget in May 2018, a required Public Hearing on June 4, 2018 and Adoption of the Fiscal Year 2018-2019 Annual Budget slated for June 18, 2018. The dates outlined are subject to change if needed, but this will facilitate an organized budget process for staff and elected officials.

A **motion** was made by Commissioner Puryear to adopt the Fiscal Year 2018-2019 Budget Calendar as presented.

Commissioner Jeffers suggested incorporating into the Fiscal Year 2018-2019 Budget Calendar the staff recommended budget work session dates to follow the Budget Public Hearing for more transparency.

An **amended motion** was made by Commissioner Puryear and **carried 5-0** to adopt the Fiscal Year 2018-2019 Budget Calendar including Commissioner Jeffers' revision to add staff recommended budget work session dates following the Budget Public Hearing.

The approved Fiscal Year 2018-2019 Budget Calendar, as adopted by the Board follows:

PERSON COUNTY GOVERNMENT FISCAL YEAR 2018-2019 BUDGET CALENDAR

Date	Task
Mon/Dec. 4, 2017*	BOCC adopts FY19 budget calendar
Tues/Jan. 16, 2018	CIP Requests due to Asst. County Manager
Fri/Feb. 2, 2018	Personnel requests due to Human Resources
Fri/Feb. 2, 2018	Final insurance costs due
Mon/Feb. 5, 2018*	Board of County Commissioners Annual Retreat
Mon/Feb. 12, 2018	Distribution of budget training manual to departments and fee schedule requests
Thurs/Feb. 22, 2018	Departmental budget requests for operating & capital due to Finance and Fee Schedule requests due to Assistant County Manager

Mon-Fri/Mar. 12-23, 2018	Departmental Budget Presentations with County Manager
Mon/April 9, 2018*	FY 18-19 CIP presented to Board of Commissioners at regular meeting 7:00 p.m.
Mon/April 23, 2018*	Adoption of FY 18-19 CIP at Board of Commissioners meeting at 9:00 a.m.
Mon/ May 21, 2018*	County Manager presents Recommended Budget to Board of County Commissioners at 9:00 a.m. meeting
Mon/June 4, 2018*	Board of Commissioners holds Public Hearing on Recommended Budget in the County Auditorium at 7:00 p.m.
Tues/June 5, 2018*	Staff recommended Board of Commissioners Budget Work Session**
Thurs/June 7, 2018*	Staff recommended Board of Commissioners Budget Work Session**
Mon/June 11, 2018*	Staff recommended Board of Commissioners Budget Work Session**
Mon/June 18, 2018*	Adoption of FY 19 Annual Budget Ordinance at Board meeting 9:00 a.m.
Mon/July 2, 2018	FY 18-19 Budget available in Accounting System
Mon/Aug 6, 2018	Adopted budget document finalized and available online

^{*} denotes a Board of Commissioners meeting date. **Budget Work Sessions dates may change as desired by the Board; meeting times to be determined.

CHAIRMAN'S REPORT:

Chairman Kendrick reported a ribbon cutting scheduled for December 8, 2017 at Savannah Jack's (formerly known as Toufie's) at 11:30am.

MANAGER'S REPORT:

County Manager, Heidi York had no report.

COMMISSIONER REPORT/COMMENTS:

Commissioner Jeffers had no report.

Commissioner Clayton had no report.

Commissioner Puryear commented that the Jingle on Main event would be taking place on Thursday evening, December 7, 2017.

Vice Chairman Powell had no report.

CLOSED SESSION #1

A motion was made by Commissioner Puryear and carried 5-0 to enter Closed Session at 7:51pm per General Statute 143-318.11(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 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, Chris Gustin, Upper Piedmont Division Manager, Greg Duhon, Republic General Manager, Matt Einsmann, Environmental Manager, Drew Isenhour, Republic Area President, and Steve Weber, Republic's Legal Counsel

A **motion** was made by Vice Chairman Powell and **carried 5-0** to return to open session at 8:41pm.

Chairman Kendrick stated upon return to open session he would like to make a motion. Commissioners Jeffers stated to adjourn; they have a franchise agreement why did he have to make a motion tonight.

A **motion** was made by Chairman Kendrick to accept the proposal that Republic has presented the Board for an expansion to increase the tonnage to 2,000 tons per day, increasing the host fee for the upper tier and to increase the franchise fee from existing to the proposed.

Commissioner Jeffers stated he would have to oppose the motion noting it was premature to consider the proposal just heard with 1 year and 6 months left on the franchise agreement; the current contract expires in June 2018.

A **substitute motion** was made by Commissioner Puryear and **failed 2-3** for 660 tons per day for life of site. The substitute motion failed with Vice Chairman Powell and Commissioner Puryear voting in support of the substitute motion and Chairman Kendrick and Commissioners Clayton and Jeffers casting the dissenting votes.

The **original motion** by Chairman Kendrick **failed 1-4.** Chairman Kendrick was the lone supporter of the motion with Vice Chairman Powell and Commissioners Puryear, Clayton and Jeffers all voting in opposition to the original motion.

ADJOURNMENT: A motion was made by meeting at 8:45pm.	Commissioner	Jeffers and	carried	5-0 t	o adjourn	the
Brenda B. Reaves		cey L. Kendi	rick			
Clerk to the Board	Cha	irman				