

**PERSON COUNTY BOARD OF COMMISSIONERS**  
**MEMBERS PRESENT**

**FEBRUARY 26, 2018**  
**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, February 26, 2018 at 9:00am in the Commissioners' meeting room in the Person County Office Building.

Chairman Kendrick called the meeting to order. Commissioner Clayton gave an invocation and Vice Chairman Powell led the group in the Pledge of Allegiance. Chairman Kendrick announced Commissioner Puryear was participating in the meeting via telephone conference.

**DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:**

A **motion** was made by Vice Chairman Powell and **carried 5-0** to approve the agenda.

**RECOGNITION:**

**RESOLUTION OF APPRECIATION:**

Chairman Kendrick read and presented a Resolution of Appreciation to Person County Retiree, Sergeant Donald O'Dell.

**February 26, 2018**

## RESOLUTION OF APPRECIATION

WHEREAS, Sergeant Donald O'Dell has served the people of Person County during his tenure working for Person County as a Deputy Unit Supervisor at the Person County Sheriff Department; and

WHEREAS, Sergeant Donald O'Dell has served the citizens of Person County with honor, integrity, sincerity and dedication, providing accurate, concise services for sixteen years, August, 2002 – January, 2018; and


WHEREAS, Sergeant Donald O'Dell 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 Sergeant Donald O'Dell has made to the County and offers him sincere best wishes for his retirement.

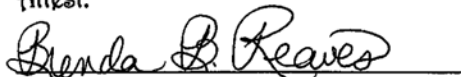
NOW, THEREFORE, I, Tracey L. Kendrick, Chairman of the Person County Board of Commissioners, do hereby extend this Resolution of Appreciation to Sergeant Donald O'Dell for continually striving to make Roxboro and Person County a better place to live and work.

Adopted the 26th day of February, 2018.



  
Tracey L. Kendrick, Chairman  
Person County Board of Commissioners

Attest:

  
Brenda B. Reaves, Clerk to the Board

February 26, 2018

**PUBLIC HEARING:**

**REQUEST BY ESA BOSTON SOLAR, LLC ON BEHALF OF PROPERTY OWNERS, EDGAR & TERRI TALBERT, FOR A SPECIAL USE PERMIT (SUP-06-17) TO ALLOW A SOLAR ENERGY SYSTEM ON 57.85 ACRES LOCATED AT 8117 BOSTON ROAD (TAX MAP & PARCEL A68-10) IN THE RURAL CONSERVATION ZONING DISTRICT:**

A **motion** was made by Commissioner Clayton and **carried 5-0** to open the duly advertised public hearing for a request by ESA Boston Solar, LLC on behalf of property owners, Edgar & Terri Talbert, for a Special Use Permit (SUP-06-17) to allow a solar energy system on 57.85 acres located at 8117 Boston Road (Tax Map & Parcel A68-10) in the Rural Conservation Zoning District.

The public hearing set to hear a request by ESA Boston Solar, LLC on behalf of property owners, Edgar & Terri Talbert, for a Special Use Permit (SUP-06-17) to allow a solar energy system on 57.85 acres located at 8117 Boston Road (Tax Map & Parcel A68-10) in the Rural Conservation Zoning District required a quasi-judicial zoning decision whereby witnesses are to be sworn in and subject to cross examination, no ex parte communication and requires findings of fact. Chairman Kendrick administered the Oath of Sworn Testimony to the following individuals who would offer testimony during the public hearing: Lori Oakley, Caroline Darnell and Javier Latre.

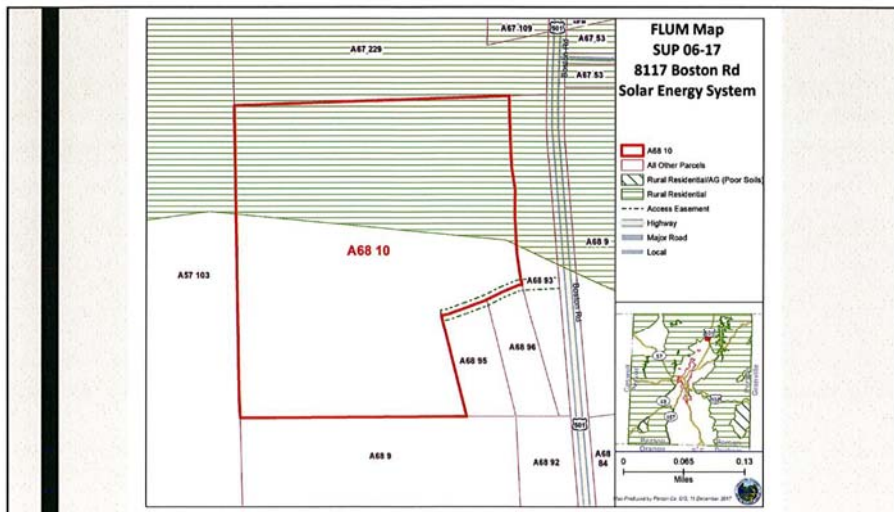
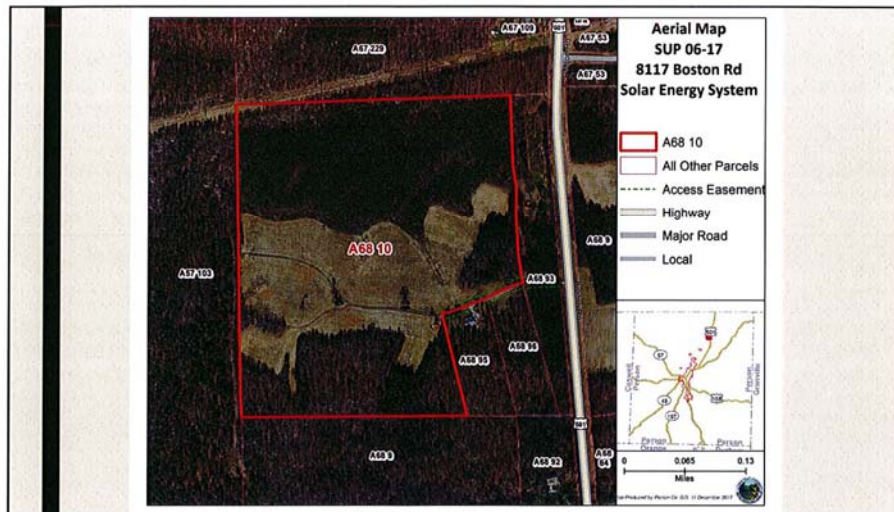
Planning Director, Lori Oakley introduced Planner, Caroline Darnell and said Ms. Darnell would be presenting the request by ESA Boston Solar, LLC on behalf of property owners, Edgar & Terri Talbert, for a Special Use Permit (SUP-06-17) to allow a solar energy system on 57.85 acres located at 8117 Boston Road (Tax Map & Parcel A68-10) in the Rural Conservation Zoning District.

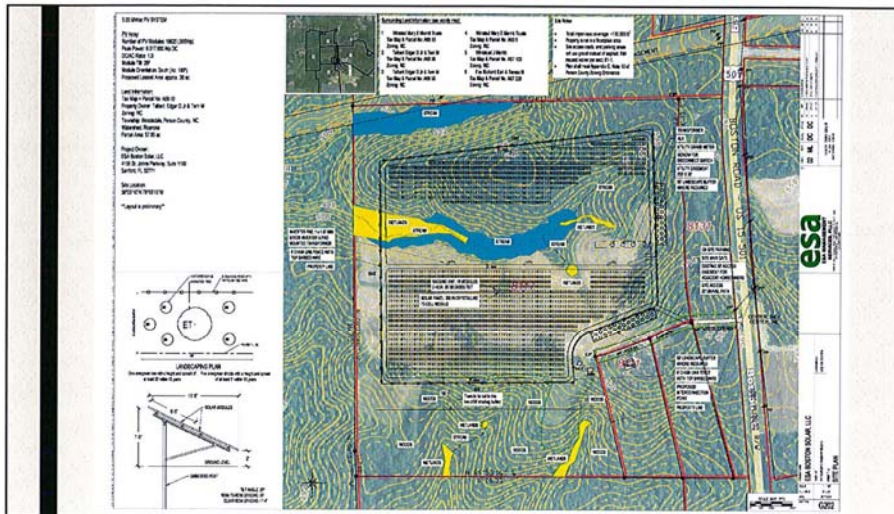
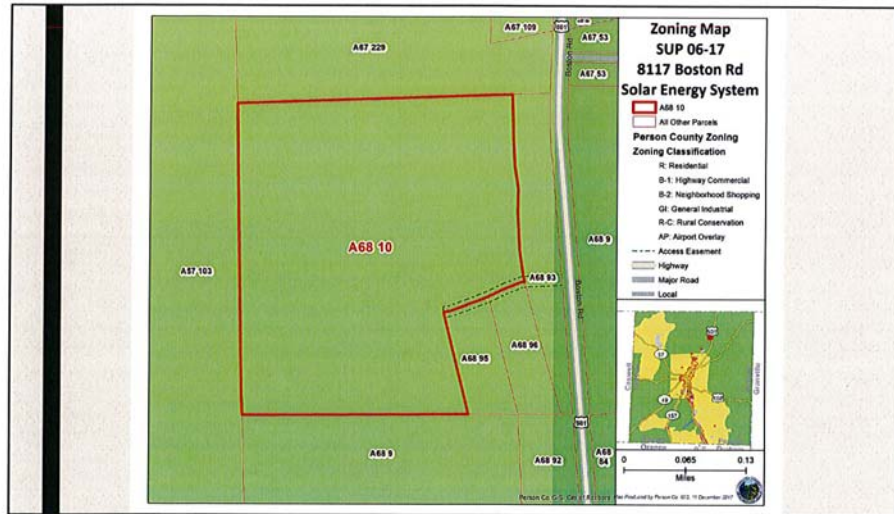
Ms. Darnell shared the following presentation and stated all zoning ordinances and state statutes have been met for this public hearing.

# PERSON COUNTY BOARD OF COMMISSIONERS MEETING

February 26, 2018

SUP-06-17 - Request by ESA Boston Solar, LLC,  
on behalf of property owners Edgar and Terri  
Talbert, for a special use permit to allow a solar  
energy system on 57.85 acres located at 8117  
Boston Rd (Tax Map & Parcel A68-10) in the RC  
(Rural Conservation) Zoning District.







## Land Use/Site Plan

- The applicant has requested to install a gravel drive and two parking spaces (per Section 81-1).
- The applicant plans on constructing a 20' wide gravel access drive from the existing 60' access easement off of Boston Rd.
- A 6' chain link fence with barbed wire will enclose the facility.
- The site will not require a well or septic system.
- The property is in the Roanoke Watershed.
- The property does not lie within the 100-year special flood hazard area according to the FEMA map.

## COMPREHENSIVE PLAN

The Person County Land use Plan identifies the proposed site as Rural Residential. Rural Residential is defined as:

- Low-density residential (single site-built and manufactured homes); agriculture, forestry, churches; very limited commercial, office, or public/institutional uses meeting locational criteria. Most of the land within protected water supply watersheds should be placed in this category. Locational criteria for non-residential uses within this land use category would include frontage and access to a major State highway or secondary road, proximity to similar uses and spatial separation from non-compatible uses such as existing residential development. Land uses within this category would be expected to develop without public sewer, i.e., with private septic tank systems.

Appendix O of the Land Use Plan lists goals and objectives for the county including the following:

- 1.0 – Promote an orderly and efficient land use development pattern, which allows for a variety of land uses while being sensitive to environmental concerns.
- 2.0 – Provide a strong local planning environment that supports and enhances the economic growth potential of Person County.

Ms. Darnell corrected the following slide noting the property is zoned RC or Rural Conservation and not R or Residential as indicated on the slide.

Feb-18

## PLANNING STAFF ANALYSIS

- The property is zoned R (Residential).
- The proposed solar farm meets the requirements listed in the Person County Zoning Ordinance.
- Note 10 to the *Table of Permitted Uses* in Appendix C of the Zoning Ordinance details specific requirements for Solar Energy Systems including a decommissioning plan and a performance guaranty. The applicant has included a note on the site plan that the proposed solar farm will adhere to Note 10.

Planning staff recommends that if the Board approves the request, the following conditions be placed on the Special Use Permit:

- The applicant is to obtain all permits necessary from the County Planning and Zoning Department and Building Inspections Department.
- The applicant is to obtain an Erosion and Sedimentation Plan. A copy of the approved plan and approval letter must be given to the Planning and Zoning Department prior to issuance of a Zoning Permit.
- A final "as-built" survey must be submitted to the Planning and Zoning Department prior to issuance of a Certificate of Occupancy.

## Planning Board Recommendation

- At the Planning Board meeting on February 8, 2018, the board voted unanimously (5-0) to recommend approval of SUP-06-17 to include staff's recommended conditions.



## COMPREHENSIVE PLAN / FINDINGS OF FACT

- The Board needs to address the four Findings of Fact and whether this proposal is in keeping with the Person County Comprehensive Plan.
- 1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved
- 2. That the use meets all of the required conditions and specifications;
- 3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity;
- 4. That the location and character of the use of developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Plan.

Ms. Darnell stated she was available for questions as well as the representative from ESA Renewables.

Chairman Kendrick asked Ms. Darnell about the decommissioning and performance guarantee for bonding upfront to take the decommissioning out to which Ms. Darnell stated yes noting that was a requirement prior to issuance of a permit to start construction.

**February 26, 2018**

Speaking in favor of the request by ESA Boston Solar, LLC on behalf of property owners, Edgar & Terri Talbert, for a Special Use Permit (SUP-06-17) to allow a solar energy system on 57.85 acres located at 8117 Boston Road (Tax Map & Parcel A68-10) in the Rural Conservation Zoning District was the following:

Mr. Javier Latre, Chief Technical Officer of ESA Renewables, LLC of 4155 St. Johns Pkwy, Ste. 1100, Sanford, Florida stated the solar farm structures will be at least 50 ft. from the property lines and not higher than 12 ft. Mr. Latre stated he was available for questions.

There were no individuals appearing before the Board to speak in opposition to the request by ESA Boston Solar, LLC on behalf of property owners, Edgar & Terri Talbert, for a Special Use Permit (SUP-06-17) to allow a solar energy system on 57.85 acres located at 8117 Boston Road (Tax Map & Parcel A68-10) in the Rural Conservation Zoning District.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to close the public hearing for a request by ESA Boston Solar, LLC on behalf of property owners, Edgar & Terri Talbert, for a Special Use Permit (SUP-06-17) to allow a solar energy system on 57.85 acres located at 8117 Boston Road (Tax Map & Parcel A68-10) in the Rural Conservation Zoning District.

**CONSIDERATION TO GRANT OR DENY A REQUEST BY ESA BOSTON SOLAR, LLC ON BEHALF OF PROPERTY OWNERS, EDGAR & TERRI TALBERT, FOR A SPECIAL USE PERMIT (SUP-06-17) TO ALLOW A SOLAR ENERGY SYSTEM ON 57.85 ACRES LOCATED AT 8117 BOSTON ROAD (TAX MAP & PARCEL A68-10) IN THE RURAL CONSERVATION ZONING DISTRICT:**

A **motion** was made by Vice Chairman Powell and **carried 5-0** to grant the request by ESA Boston Solar, LLC, on behalf of property owners, Edgar & Terri Talbert, for approval of a Special Use Permit to allow a Solar Energy System on 57.85 acres located at 8117 Boston Road, (Tax Map & Parcel A68-10) in the Rural Conservation Zoning District with the following conditions noting the request was in keeping with the Person County Comprehensive Plan:

- The applicant is to obtain all permits necessary from the County Planning and Zoning Department and Building Inspections Department.
- The applicant is to obtain an Erosion and Sedimentation Plan. A copy of the approved plan and approval letter must be given to the Planning and Zoning Department prior to issuance of a Zoning Permit.
- A final “as-built” survey must be submitted to the Planning and Zoning Department prior to issuance of a Certificate of Occupancy.

## **PUBLIC HEARING:**

### **REQUEST BY THE COUNTY'S ADDRESS COORDINATOR TO ADD FAITH HAVEN LN, A PRIVATE ROADWAY, TO THE DATABASE OF ROADWAY NAMES USED FOR E-911 DISPATCHING:**

A **motion** was made by Commissioner Clayton and **carried 5-0** to open the duly advertised public hearing for a request by the County's Address Coordinator to add Faith Haven Ln, a private roadway, to the database of roadway names used for E-911 dispatching.

GIS Manager, Sallie Vaughn stated the request to add a private roadway to the database of roadway names used for E-911 dispatching was necessitated by the four private residences located on the same private driveway off Cunningham Rd. She noted that emergency responders have reported issues in the past with locating homes accessed along this driveway. In order to bring the addresses into compliance with Article IV, Section 402 H of the Ordinance Regulating Address and Road Naming in Person County, the driveway must be named. The addition of this road will require occupants of the four existing residences to change their addresses to reflect the new roadway name.

N.C. General Statue 153A-239.1(A) requires a public hearing be held on the matter and public notice to be provided at least 10 days before the hearing in the newspaper. The required public notice was published in the February 17, 2018 edition of the Roxboro Courier-Times.

Ms. Vaughn further noted that the adjacent property owners were contacted via certified mail and all four property owners have reached a unanimous decision on the name ***Faith Haven Ln***, which is compliant with the Ordinance. A sign advertising the public hearing was placed at the proposed roadway location approximately ten days prior to this public hearing.

There were no individuals appearing before the Board to speak in favor of or in opposition to the request by the County's Address Coordinator to add Faith Haven Ln, a private roadway, to the database of roadway names used for E-911 dispatching.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to close the public hearing for a request by the County's Address Coordinator to add Faith Haven Ln, a private roadway, to the database of roadway names used for E-911 dispatching.

**CONSIDERATION TO GRANT OR DENY REQUEST BY THE COUNTY'S ADDRESS COORDINATOR TO ADD FAITH HAVEN LN, A PRIVATE ROADWAY, TO THE DATABASE OF ROADWAY NAMES USED FOR E-911 DISPATCHING:**

A **motion** was made by Commissioner Jeffers and **carried 5-0** to add Faith Haven Ln, a private roadway, to the database of roadway names used for E-911 dispatching, as presented.

**INFORMAL COMMENTS:**

There were no comments from the public.

**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 January 22, 2018,
- B. Approval of Minutes of January 23, 2018,
- C. Approval of Minutes of February 5, 2018,
- D. Budget Amendment #12 revised,
- E. Allensville Firefighters' Relief Fund Board of Trustees Appointment,
- F. Telamon Corporation Submission of FY18/19 Community Services Block Grant Application, and
- G. Substance Abuse and Mental Health Services Administration Grant

**NEW BUSINESS:**

**RESOLUTION AMENDING THE PERSON COUNTY ECONOMIC DEVELOPMENT COMMISSION FOR A CHANGE IN MEMBERSHIP:**

Commissioner Jeffers recalled the request from the Economic Development Commission (EDC) Chairman, David Newell, Sr., for consideration to change the EDC membership to move the City of Roxboro's representative from an ex-officio seat without voting rights to an ex-officio with voting rights.

Commissioner Jeffers presented the Board of Commissioners a Resolution Amending Person County's Economic Development Commission for a change in Membership to increase to nine voting members and to grant voting privileges to the City of Roxboro's representative.

A **motion** was made by Commissioner Jeffers to adopt a Resolution Amending the Person County Economic Development Commission for a Change in Membership to add a seat for the elected mayor or an alternate elected official of the Roxboro City Council with full voting rights.

Vice Chairman Powell stated his support to tweak the EDC and to add the Mayor as a voting member.

Vice Chairman Powell offered a substitute motion to add Mr. Mike Wilkins to the EDC Board along with the Mayor. County Manager, Heidi York noted the statute requires a maximum of nine members; in order to add Mr. Wilkins to the EDC Board, a current member would need to come off to create the open seat for Mr. Wilkins. Vice Chairman Powell withdrew his substitute motion.

The original motion made by Commissioner Jeffers **carried 5-0** for the Mayor or a designated elected official of Roxboro City Council to be appointed to the EDC Board with voting rights.



**A RESOLUTION AMENDING THE  
PERSON COUNTY ECONOMIC DEVELOPMENT COMMISSION  
FOR A CHANGE IN MEMBERSHIP**

**Whereas** NC GS Chapter 58 authorizes counties to create county economic development commissions and to periodically make changes to such commissions; and

**Whereas** the Person County Board of Commissioners created the Person County Economic Development Commission at its meeting on February 16, 1981; and

**Whereas** that 1981 Resolution authorized the Board of County Commissioners to change the membership on the Economic Development Commission for any reason; and

**Whereas** the Board of County Commissioners changed the membership by action at its meeting on August 20, 2012; and

**Whereas** the Board of County Commissioners at its meeting on May 19, 2014 took action to further amend the resolution to change the membership and responsibilities of the board; and

**Whereas** the Board of County Commissioners at its meeting on June 2, 2014 took action to formalize and ratify the action at its May 19, 2014 meeting; and

**Whereas** the Board of Commissioners at its meeting on May 18, 2015 took action to establish an ex-officio seat for a Farmland Preservation Plan stakeholder non-voting representative; and

**Whereas**, the Board of County Commissioners at its meeting on January 4, 2016 took action to amend the resolution to change the composition of the title as it relates to an ex-officio, non-voting representative of Piedmont Community College; and

**Whereas**, the Board of County Commissioners at its meeting on January 23, 2017 amended the resolution to change the appointee of the Board of Commissioners to authorize an alternate to the Chair of the Board of County Commissioners; and

**Whereas**, the Board of County Commissioners at its meeting on May 15, 2017 desired to further amend the resolution to change the appointees of the Board of Commissioners in Section 2. A below with a July 1, 2017 effective date; and

**Whereas**, the Board of Commissioners at its meeting on July 10, 2017 further amended the resolution to add an ex-officio for a City of Roxboro representative as well as an ex-officio representative for Piedmont Community College; and

**Whereas**, the Board of Commissioners at its meeting on September 11, 2017 desired to amend its resolution to remove the amendment requiring the Secretary/Treasurer to report to the Director of the Commission; and

**Whereas**, the Board of County Commissioners at its meeting on February 26, 2018 desired to further amend the resolution to change the appointees of the Board of Commissioners in Section

**February 26, 2018**

2. B below to grant voting privileges to the Mayor of Roxboro, or alternate elected official of the City of Roxboro, thereby increasing the membership.

Now therefore be it resolved that:

- 1- The 1981 resolution creating the Person County Economic Development Commission as amended is further amended as follows:

- (a) Existing Section 2 is repealed and the following section 2 is inserted therefore:

Section 2, MEMBERSHIP, TERMS OF OFFICE, ETC.

"The commission shall consist of nine (9) members. The members shall be appointed for (5) year terms except for those members appointed by virtue of their respective offices, which such members shall serve for the period which they occupy those offices. The membership of the Board shall be as follows with the members serving the terms indicated by the number indicated after their names:

- A. Elected Chair or alternate of the Person County Board of Commissioners serving ex-officio with full right to vote (term of office), provided however, if not present, the county manager is authorized to vote.
- B. Elected Mayor or alternate elected official of the Roxboro City Council serving ex-officio with full right to vote (term of office), and
- C. (7) Members at Large appointed by the Board of County Commissioners, each for a concurrent five (5) year term.


Any member of the Economic Development Commission may be removed at any time with or without cause by a majority vote of the appointment authority.


The following persons shall be permitted to participate fully in the activities of the board as non-board members but shall have no right to vote on any matter except as authorized in Section 2A above as to the County Manager:

- 1- Person County Manager serving ex-officio
- 2- Roxboro City Manager serving ex-officio
- 3- Representative of Agricultural/Farm Community serving a (5) year ex-officio term
- 4- Representative of Piedmont Community College

Adopted, this, the 26th day of February 2018.



  
Tracey L. Kendrick, Chairman  
Person County Board of Commissioners

Attest:  
  
Brenda B. Reaves, NCCCC, MMC  
Clerk of Board

February 26, 2018

**PRELIMINARY RESOLUTION TITLED “RESOLUTION MAKING CERTAIN DETERMINATIONS CONCERNING A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE A PORTION OF THE COST OF VARIOUS PROJECTS AND PROVIDING FOR CERTAIN RELATED MATTERS” RELATED TO THE FINANCING OF PUBLIC SAFETY COMMUNICATION TOWERS, RELATED FACILITIES AND EQUIPMENT; AND OTHER VARIOUS COUNTY AND SCHOOL BUILDING IMPROVEMENTS:**

Finance Director, Amy Wehrenberg requested the Board to approve a Resolution making certain Determinations concerning a Proposed Installment Financing Agreement to Finance a portion of the Cost of Various Projects and providing for Certain Related Matters” related to the financing of Public Safety Communication Towers, Related Facilities and Equipment; and Other Various County and School Building Improvements. She explained that the presented Resolution represented the Board’s formal intent to finance the construction of two (2) public safety communication towers, the purchase and installation of related facilities and equipment, as well as building improvements to Huck Sansbury Gym, and various School buildings (collectively, the “Project”). This Resolution includes five (5) additional building improvements\* that were deemed critical and necessary during staff’s evaluation of requested Capital Improvement Plan (CIP) projects received on February 16, 2018. Ms. Wehrenberg noted the recommendation to add these projects to the debt financing was the result of the funding constraint created in the CIP with the addition of the large \$1.3M fiber project that was also scheduled for next year. Ms. Wehrenberg said this funding strategy allows the General Fund to commence with the much-awaited fiber project without having to defer other major capital needs submitted by the County, Community College, and the Schools. The average annual debt payment for the financing of the projects listed below is \$380K. The maximum amount of funds necessary to finance the Project is \$4,750,000, but less is anticipated. Ms. Wehrenberg stated that firm estimates and final loan documents will be available for the Board’s consideration at their meeting on April 9, 2018. The specific list of projects proposed by this Resolution to be financed include the following:

<b>Public Safety Communication, Various County &amp; School Improvements Capital Project</b>
Towers Construction (Bushy Fork and Bethel Hill)
VIPER Radio Units
VHF Equipment
Northern Middle School Improvements:
Rooftop Units replacement
Fire Alarm replacements
*Huck Sansbury Gym-HVAC
*Early Intervention & Family Services-roof replacement
*Helena Elementary School-cooling tower replacement
*Stories Creek Elementary School-cooling tower replacement
*South Elementary School-heating/cooling valves replacement

Ms. Wehrenberg stated the Resolution was set forth by sections as follows:

1. Establishes certain findings and determinations regarding the proposed financing that it is necessary and expedient to provide funding by debt; that this particular type of financing is preferable; the amount of the proceeds of the proposed debt is sufficient; the County's debt policies are in good order; an increase in taxes to fund repayment of the debt is not anticipated; and that the County is not in default on any of its debt
2. Designates and authorizes certain County officials to represent the County in filing an application with and requesting approval from the Local Government Commission (LGC) for the proposed financing agreement
3. Requests that the LGC approve the proposed financing agreement
4. Designates the special counsel to represent the County's interests
5. The resolution is effective upon its passage by the Board

(Note: At this time, it is anticipated that the conveyance of Northern Middle School will be pledged as collateral for this financing.)

A **motion** was made by Commissioner Jeffers and **carried 5-0** to adopt a Resolution making certain Determinations concerning a Proposed Installment Financing Agreement to Finance a Portion of the Cost of Various Projects and providing for Certain Related Matters.

**February 26, 2018**

RESOLUTION MAKING CERTAIN DETERMINATIONS  
CONCERNING A PROPOSED INSTALLMENT FINANCING  
AGREEMENT TO FINANCE A PORTION OF THE COST OF  
VARIOUS PROJECTS AND PROVIDING FOR CERTAIN RELATED  
MATTERS.

WHEREAS, the County of Person, North Carolina (the “County”) is considering entering into an installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$4,750,000, with other available funds, for paying the cost of (a) acquiring, constructing and installing two communication towers and related facilities and equipment that are a part of a project to improve the public safety communication system serving the residents of the County, (b) installing a heating, ventilating and air conditioning system at the Huck Sansbury Gym, (c) replacing the fire alarm system and three rooftop heating, ventilating and air conditioning units at Northern Middle School, (d) replacing the roof at Early Intervention & Family Services, (e) replacing the cooling towers at Helena Elementary School and Stories Creek Elementary School and (f) replacing heating and cooling unit valves at South Elementary School (collectively, the “Project”); and

WHEREAS, it is necessary to take certain related actions at this time;

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Board of Commissioners for the County, as follows:

Section 1. The Board of Commissioners for the County (the “Board of Commissioners”) hereby finds and determines in connection with such proposed agreement that (a) the proceeds of such proposed agreement will be used to finance a portion of the cost of the Project to meet an urgent need for improved school and other public facilities constituting the Project to serve the residents of the County and, accordingly, such proposed agreement is necessary or expedient for the County, (b) such proposed agreement, under current circumstances, is preferable to a bond issue of the County for financing the same purpose because there is not adequate time to authorize and issue bonds of the County prior to the time when funds will be needed for such purpose, (c) the sums estimated to fall due under such proposed agreement are adequate and not excessive for its proposed purpose because they are based upon the County’s best estimate of the cost of the Project, (d) the County’s debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed agreement will not be excessive because the County expects that it will not be necessary to increase taxes for such purpose and (f) the County is not in default regarding any of its debt service obligations.

**February 26, 2018**



Section 2. The County Manager, the Finance Director and the County Attorney of the County are each hereby designated as a representative of the County to file an application for approval of such proposed agreement with the Local Government Commission of North Carolina and are authorized to take such other actions as may be advisable in connection with the negotiation of such proposed agreement and the development of the related financing; and all other actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 3. The Board of Commissioners hereby requests the Local Government Commission of North Carolina to approve such proposed agreement under Article 8 of Chapter 159 of the General Statutes of North Carolina, as amended.

Section 4. The law firm of Robinson, Bradshaw and Hinson, P.A., Charlotte, North Carolina, is hereby confirmed as special counsel to the County in connection with such proposed agreement.

Section 5. This resolution shall take effect immediately upon its passage.

Upon motion duly made and seconded, the foregoing resolution was passed by the following vote:

Ayes: Chairman Tracey L. Kendrick, and Commissioners Gordon Powell, Kyle W. Puryear, Jimmy B. Clayton, and B. Ray Jeffers.

Noes: None.

**REQUEST TO ACCEPT PIEDMONT ELECTRIC MEMBERSHIP CORPORATION LOAN FOR AMBULANCES AND TURNOUT GEAR:**

Finance Director, Amy Wehrenberg stated the Piedmont Electric Membership Corporation (PEMC) Board of Directors approved an interest-free loan on January 30, 2018 for Person County to purchase three ambulances and turn-out safety gear with the following terms:

1. Amount of Loan: \$776,086.00
2. Payment Term: Five-year zero interest loan consisting of five annual payments to PEMC of \$155,217.20
3. First payment due on or before September 1, 2018
4. Annual Loan Servicing Fee of 1% on outstanding balance as of December 31<sup>st</sup> of each year
5. Loan documents to consist of loan agreement, promissory note and security agreement
6. Person County will pay expenses associated with loan closing cost (estimate of \$3,000)
7. Loan closing date is scheduled for August 1, 2018

The yearly costs would be as follows:

<b>FY</b>	<b>PEMC Loan Payments</b>	<b>1% loan svc fee</b>	<b>Attorney fees</b>	<b>Total due PEMC</b>
	(Due Sept 1)	(Due Dec 31)	(Due at closing)	(County's cost)
FY19	155,217.20	6,208.69	3,000.00	164,425.89
FY20	155,217.20	4,656.52	-	159,873.72
FY21	155,217.20	3,104.34	-	158,321.54
FY22	155,217.20	1,552.17	-	156,769.37
FY23	155,217.20	-	-	155,217.20
<b>Totals</b>	<b>776,086.00</b>	<b>15,521.72</b>	<b>3,000.00</b>	<b>794,607.72</b>

*Note: The debt proceeds and debt payments will be recorded in the County's Debt Service Fund. The budgeted funds and actual expense for the vehicles and equipment will be recorded in the EMS Department.*

**February 26, 2018**

Ms. Wehrenberg recommended the Board to accept the interest-free loan offer from PEMC as presented and grant the necessary authority to the County Manager and Finance Director to execute the associated loan documents on the County's behalf.

A **motion** was made by Commissioner Clayton and **carried 5-0** to accept Piedmont Electric Membership Corporation interest-free loan for Person County to purchase three ambulances and turn-out safety gear as well as grant authority to the County Manager and Finance Director to execute the association loan documents on the County's behalf with the terms as presented.

#### **APPROPRIATION OF FUNDS FOR EMS:**

EMS Operations Manager Greg White reminded the Board that in January EMS approached the Board to seek permission to look at a possible lease purchase loan. Director of Emergency Management Services, Douglas Young approached Piedmont Electric to pursue a non-interest bearing loan in the amount of \$776,086 which has been approved. The closing date on this loan is not set until August 2018.

Mr. White stated with the projected closing date of August, the three ambulances will not arrive until the end of this calendar year and the prices of the safety gear will increase in March 2018. In order to help reduce vehicle maintenance cost and keep current ambulance and safety gear pricing, Mr. White requested the Board to approve the advance purchase of one of the three ambulances and safety gear during this budget year (FY 17/18) for \$272,335. The cost of the ambulance is \$226,055 and the safety gear is \$46,280. Mr. White said that once the loan was closed and proceeds are received, the County would reimburse the County for this ambulance and turnout gear in FY 18-19, and be in place for the purchase of the remaining two ambulances.

County Manager, Heidi York clarified that the request was for an advance of Fund Balance to allow him to order one ambulance and purchase the turn out gear and once the loan proceeds are received in August, the County would reimburse the Fund Balance appropriation that was advanced.

A **motion** was made by Commissioner Clayton and **carried 5-0** to approve the advance purchase of one of the three ambulances and safety gear through a Fund Balance appropriation during this budget year (FY 17/18) for \$272,335 with this amount to be reimbursed upon receipt of the loan proceeds as presented.

### **APPOINTMENT TO BOARDS AND COMMITTEES:**

Clerk to the Board, Brenda Reaves presented interested citizens applications to fill vacancies on the following:

- A. Juvenile Crime Prevention Council
  - 1-Year Initial Term: 2-Year Reappointment
  - 1 position representing the faith community
  - 1) Teresa Johnson requested appointment
- B. Region K Aging Advisory Council
  - 3-Year Term: 4 positions available
  - 1) Dr. Rosalie Gates requested reappointment

A **motion** was made by Commissioner Jeffers and **carried 5-0** to appoint Teresa Johnson to the Juvenile Crime Prevention Council for an initial 1-year term representing the faith community and to reappoint Dr. Rosalie Gates to the Region K Aging Advisory Council for a 3-year term.

### **CHAIRMAN'S REPORT:**

Chairman Kendrick thanked the community for the support for the recent Wi-Fi ribbon cutting at the Mt. Tirzah Public Safety Tower.

### **MANAGER'S REPORT:**

County Manager, Heidi York reported the Economic Development Commission would be meeting at 4:00pm on February 27, 2018.

Ms. York stated the Board of Commissioners were invited to a Public Sector Star Award Celebration on February 28, 2018 at 10:00am hosted by the Person County General Services Department in the Auditorium.

## **COMMISSIONER REPORT/COMMENTS:**

Commissioner Puryear thanked the Board for accommodating his request to attend the meeting via telephone conference.

Commissioner Jeffers made the group aware of the state of NC overpayment to providers providing child care noting the state has asked the Department of Social Services to assist in recouping the over payment from the providers.

Commissioner Clayton reported on a recent field trip to Polk County to tour its Ag Economic Development Program noting an opportunity to view its Ag Economic position along with its state-of-the-art Tryon Horse Complex. He said the Assistant County Manager could provide more details.

Commissioner Clayton advocated the County reconsider its vehicle rotation program; he gave an example of the vehicle used on the recent field trip having dry-rotted tires that caused blow-outs.

Vice Chairman Powell had no report.



**ADJOURNMENT:**

A **motion** was made by Vice Chairman Powell and **carried 5-0** to adjourn the meeting at 9:37am.

---

Brenda B. Reaves  
Clerk to the Board

---

Tracey L. Kendrick  
Chairman