

PERSON COUNTY BOARD OF COMMISSIONERS

AUGUST 16, 2010

MEMBERS PRESENT

OTHERS PRESENT

Johnny Myrl Lunsford

Heidi York, County Manager

Jimmy B. Clayton

C. Ronald Aycock, County Attorney

Kyle W. Puryear

Brenda B. Reaves, Clerk to the Board

B. Ray Jeffers

Samuel R. Kennington

The Board of Commissioners for the County of Person, North Carolina, met in regular session on Monday, August 16, 2010 at 9:00 a.m. in the Commissioners' meeting room in the Person County Office Building.

Chairman Lunsford called the meeting to order and asked Commissioner Clayton to lead in prayer and Commissioner Kennington to lead the Pledge of Allegiance.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Clayton and **carried 5-0** to add to the agenda an item for a Request to Call a Public Hearing Date and Time Regarding an Industrial Project and Revenue Bonds to be Issued to CertainTeed as well as a Closed Session for the purpose of discussing land acquisition.

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Clayton and **carried 5-0** to approve the agenda as adjusted.

INFORMAL COMMENTS:

The following individual appeared before the Board to make comments:

Mr. George Naylor of 481 Valhalla Drive, Timberlake spoke in support of the local option quarter-cent sales tax to be used for the purpose of funding quality of life programs. Mr. Naylor spoke in opposition to the recently adopted amendments to the Zoning Ordinance pertaining to campers and recreational Vehicles as it prohibits an individual from storing a camper or recreational vehicle on a rented lot.

APPROVAL OF MINUTES:

A **motion** was made by Commissioner Puryear, **seconded** by Chairman Lunsford, and **carried 5-0** to approve the minutes of August 2, 2010.

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ADMINISTRATIVE REPORTS:

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Jeffers, and **carried 5-0** to approve the Administrative Reports for the Airport and Inspection Department.

UPDATE FROM CENTURYLINK ON THE IMPLEMENTATION OF COUNTY-WIDE HIGH SPEED INTERNET ACCESS:

Commissioner Puryear stated months ago when the High Speed Internet Committee met with CenturyLink officials, an agreement was made to have quarterly updates on the progress moving Person County to 95% DSL compatible by October, 2010.

CenturyLink officials present were Mr. Larry Liles, Senior Manager Area Operations, Mr. Bill Reynolds, Local Area Plant Supervisor and Ms. Jamie Mitchell, Public Relations Manager.

Mr. Liles informed the Board that CenturyLink is projecting to meet the October timeline to make Person County in excess of 95% DSL compatible. Mr. Liles stated copper, fiber and electronics are being installed and nearing completion. Mr. Liles announced that in a few weeks 600 lines would be opened for DSL service. CenturyLink has established a local number for Person County citizens to access services or inquire with questions. Mr. Liles stated Ms. Mitchell would publish the local number in the local newspaper as well as issue press releases as sites are opened for DSL service. CenturyLink will also have a booth at the upcoming Personality event in front of the CenturyLink office located on Gordon Street. Mr. Liles confirmed to the group that there were no known problems that would delay the targeted deadline.

Mr. Reynolds stated when the High Speed Internet Committee and CenturyLink previously met, Person County was and still currently is in excess of 70% DSL access with the plan to move to 95% DSL capability by October, 2010.

Commissioner Puryear requested Mr. Liles to come back before the board when the County was at 95% DSL compatible as well as asked for CenturyLink to send any issued press releases to the County Manager. Mr. Liles agreed to both requests.

Commissioners Puryear and Kennington requested CenturyLink to share their mapping of Person County so the Board would know the areas within the county that would fall into the 5% without DSL capability.

Mr. Liles thanked the Board for their help and requested their continued help in letting citizens know as sites were opened for access. Chairman Lunsford thanked Mr. Liles and CenturyLink staff for establishing the local number for citizens to use for their questions.

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TAX COLLECTOR ANNUAL SETTLEMENT:

Tax Administrator, Russell Jones wanted to publicly and personally thank the Person County Tax Office staff for their hard work and dedication that has culminated the reports that will be presented to the Board this date. Mr. Jones recognized the following staff: Phillip Christy, Real Estate Appraiser, Jeanette Tuck, Field Appraiser, Robin Hensler, Business Personal Property Appraiser, Violet Burch, Land Record Manager, Teresa Phillips, Tax Collector, Susan Allen, Tax Collector, Becky Gentry, Tax Collector, Carolyn West, Personal Property Listing, Michelle Poole, Motor Vehicle Records, and Debbie Wilson, Data Entry. Mr. Jones also thanked the Person County citizens noting 90% of the citizens pay taxes without any issues.

Mr. Jones told the Board that General Statute 105-373(a)(3) requires an annual settlement for taxes for the current fiscal year and all previous years to the governing body of the taxing unit. Mr. Jones requested the Board to accept the 2009 Tax Collector Settlement as of June 30, 2009 as presented below highlighting a 15% increase in bills, \$10 million increase in levy, elimination of six part-time staff as well as very little debt written off from 1999 to 2009.

Commissioner Kennington asked for clarification regarding the increase of the tax base of \$63 million as referred to by the Tax Administrator the annual appraisal by the state agencies. Mr. Jones stated everything taxable is appraised except for public utilities which are appraised by the State. Public utilities represent 22% of Person County's base. Mr. Jones stated the state agencies advise to budget slightly less than the previous year. In actuality the state agencies appraisal came in significantly higher than last year. Mr. Jones noted Person County has no control or insight to what the state appraisal will be from year to year and has no option but to be conservative.

Commissioner Kennington asked for explanation of the \$832,000 in 2009 that was collected more than budgeted. County Manager, Heidi York stated the collection rate is estimated conservatively, budgeting 96.5% with actual collection rate at 97.4. This represents one of the revenue sources (property tax is the largest revenue source) and this overage helps counter other revenue sources such as sales tax that comes in below the budgeted amount. Commissioner Kennington thanked the County Manager and the Tax Administrator for being fiscal conservatives.

Commissioner Kennington inquired if the Tax Administration had knowledge of the local DMV office being reopened. Mr. Jones stated unofficial knowledge of a gentleman being awarded the contract with plans to open by October 1, 2010.

Chairman Lunsford and other Board members thanked the Tax Office Staff as well as the citizens of Person County, the County Manager and Finance Director for keeping the finances of the county in good order.

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A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Jeffers, and **carried 5-0** to accept the 2009 Tax Collector Settlement as presented.

2009 Tax Collector Settlement

2009 Tax Base

- ◆ Budgeted tax base for 2009: \$3.86 billion
- ◆ Actual tax base for 2009: \$3.928 billion
- ◆ Tax base was over by 1.76%
- ◆ Tax base for 2008: \$3.865 billion
- ◆ Increase in base was \$63 million

2009 tax year collections

- ◆ Budgeted collection rate for 2009: 96.5%
- ◆ Actual collection rate for 2009: 97.40%
- ◆ Collection rate was over by .90%
- ◆ Collections was \$832,095 more than anticipated on current year collections
- ◆ Average collection rate for Person County for last 10 years is 97%

2009 Tax Year Uncollected Balances

- ◆ 2009 uncollected taxes-all
 - \$715,987
- ◆ 2009 uncollected real only-
 - \$432,057
- ◆ 2009 uncollected vehicle only-
 - \$232,603
- ◆ 2009 uncollected other-
 - \$51,327

Collection activities

- ◆ Total payments for all years, including City of Roxboro
 - \$31,595,075
- ◆ Total payments for all years, Person County
 - \$27,675,406
- ◆ Processed 81,704 payments
- ◆ 2010 Prepayments were \$41,565

Prior year tax collections

- ◆ Unpaid balances on July 1, 2009
 - \$1,139,957
- ◆ Unpaid Balances on June 30, 2010
 - \$516,202
- ◆ Collections on Prior Years
 - \$623,755

Forced Collections

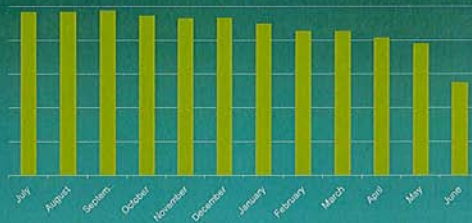
- ◆ Escheats- Also known as NC Cash
 - \$8,588
- ◆ Attachments- 356 payments
 - \$138,294
- ◆ Debt Setoff- 778 accounts collected
 - \$137,643 for Tax Office
 - \$ 38,965 for EMS
 - \$ 6,778 for Health Department
 - Total collected from Debt Setoff \$183,386

Forced Collections

- ◆ Garnishments- 3,717 payments
 - \$371,716 Tax Office
 - \$ 38,210 EMS since April 2010
- ◆ Foreclosures
 - Sold 2 parcels
 - Maintain 100 pieces in active foreclosure
 - 26 parcels paid \$78,333
 - Total collected \$103,118

Current Year RMV

Collection rate for July 2009: 97.07%
Collection rate for June 2010: 55.05%



All Years Uncollected Balances

- ◆ All years uncollected: \$1,232,189
- ◆ 15,979 Total bills left uncollected
- ◆ Uncollected 12,400 vehicle bills
 - \$370,400
- ◆ Uncollected 2,663 real estate bills
 - \$757,665
- ◆ Uncollected 916 other tax bills
 - \$104,124

1999-11th Year Taxes

- ◆ 1999 Original Levy: \$16,900,156
- ◆ Total bills uncollected: 381 \$12,921
- ◆ Uncollected Vehicle bills: 313 \$ 6,808
- ◆ Uncollected Real Estate bills: 37 \$ 2,820
- ◆ Uncollected Boat bills: 12 \$ 2,325
- ◆ Uncollected 19 Other bills: 19 \$ 968
- ◆ .076% Uncollected after 10 years

ORDER TO COLLECT TAXES:

Tax Administrator, Russell Jones requested the Board to direct the Tax Collector to collect taxes for 2010 and any delinquent taxes from prior years as required by General Statutes 105-321. The governing board of the taxing unit must issue an order of collection giving the tax collector legal authority to collect taxes.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Clayton, and **carried 5-0** to direct the Person County Tax Collector to collect taxes for 2010 and any delinquent taxes from prior years.

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PERSON COUNTY

**OFFICE OF THE TAX
ADMINISTRATOR**

Person County Tax Office
P.O. Box 1116
13 Abbitt St
Roxboro, North Carolina 27573-1116
(336) 597-1721 Fax No. (336) 322-8619

ATTACHMENT II

County of Person

To the Tax Collector of the County of Person:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of Person County Tax Office and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Person, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this 16th day of August, 2010.


Chairman, Board of Commissioners of Person County

Attest:


Brenda B. Reaves

August 16, 2010

REQUEST FOR SEWER LINE EXTENSION:

County Engineer, Paul Bailey stated the City of Roxboro has received a request for a sewer line extension to serve property owned by Roxboro Christian Academy at 640 Johnson Street, Roxboro, which is adjacent to a tract owned by Person County. Mr. Bailey noted the proposed sewer line would serve both properties and would require an easement across private property to the northwest. Roxboro Christian Academy is attempting to acquire the necessary easement. Person County Environmental Health Department has issued the school a Notice of Violation for a failing septic system. The school prefers to install gravity sewer from Lakewood Drive, off of Frank Street, to a common corner of both properties requiring approximately 650 feet of sewer. If the school is unable to obtain the easement the school would like to install a package pump station and force main. The pump station and force main will remain property of the school for operation and maintenance. Mr. Bailey stated the estimated cost of the proposed sewer extension is \$50,000 noting Roxboro Christian Academy is requesting financial assistance with the cost of this extension.

In accordance with the City-County Joint Water and Sewer Agreement, the Person County Board of Commissioners must approve any sewer line extension outside the Roxboro City Limits. Mr. Bailey stated Roxboro City Council will consider this request at its next meeting.

Mr. Bailey introduced Mr. Earl Brooks, representing Roxboro Christian Academy's Board. Mr. Brooks respectfully requested Board approval for the sewer line extension pointing out the benefits to the school and the county.

Commissioner Clayton asked Mr. Bailey if there were any funds in the county sewer fund. Mr. Bailey reminded the Board that the sewer fund had borrowed \$100,000 from the county general fund two years ago for the engineering related to the NC 49 North project. To date \$83,000 has been deposited back to the sewer fund with the January through June 2010 payment (estimated \$20,000) not yet received. The county general fund has not been paid back. Mr. Bailey further noted that the Board recently approved sharing the cost for a waterline extension for Theresa Church allowing the sewer fund to use proceeds toward the extension. Mr. Bailey told the Board if the same approach was taken as with Theresa Church, there is approximately \$50,000 available in the sewer fund to fund the Roxboro Christian Academy request.

Commissioner Clayton asked Mr. Brooks if one-half financial assistance from the county would be agreeable due to the county and Roxboro Christian Academy both benefiting from the extension. Mr. Brooks agreed on behalf of Roxboro Christian Academy.

A **motion** was made by Commissioner Clayton, **seconded** by Chairman Lunsford, and **carried 5-0** to approve the sewer line request contingent upon the acquisition of the necessary easement as well as dedicating one-half of the estimated costs from the sewer fund to assist Roxboro Christian Academy who will pay one-half of the costs.

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RESOLUTION OF INTENT FOR THE LOCAL OPTION QUARTER-CENT SALES TAX:

County Manager, Heidi York stated at the Board's August 2nd meeting, staff was directed to draft a Resolution of Intent for use of the Local Option Quarter Cent Sales Tax revenue. While counties may not stipulate uses of the revenue on the ballot as part of the referendum, Commissioners may adopt a non-binding resolution declaring the Board's intended use of the revenue. Ms. York noted the draft Resolution closely mirrors one from the New Hanover Board of Commissioners declaring the new revenue to help support non-mandated, quality of life programs and services. Recreation, Arts & Parks, Senior Center services and other outside agencies funded through non-profits, as well as the public library are all examples of services that may fall into the broad category the Resolution refers to as non-mandated, quality of life services. Ms. York estimated a revenue stream of approximately \$675,000. This is equivalent to a property tax rate increase of about 1.8 cents on the current tax rate which provides the Board an alternative to raising property taxes. Not only would this tax apply to the citizens of Person County but also to any individuals who visit Person County.

Commissioner Kennington reiterated the Resolution before the Board is non-binding. Ms. York confirmed the Resolution does not have the authority of the law but reflects the committed intention of the Board for use of the funds noting future Boards have the authority to use the revenue differently. Commissioner Kennington stated his opposition to placing the advisory referendum on the ballot due to bad timing. Commissioner Kennington read the mission statement of the Person Future's Strategic Plan - Foster a Sense of Community quoting "Person County is a place where individuals feel a sense of belonging and groups work together for a common goal" pointing out the adoption of the proposed Resolution would make a step to fulfill one of the five goals, "create and support centers of community life" thereby stating his support of such.

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Clayton, and **carried 4-1** to adopt the Resolution of Intent to Use One-Fourth Cent Sales Taxes to Fund Quality of Life Expenses as well as establish a public information campaign committee to promote the referendum. Commissioner Puryear cast the lone dissenting vote and went on record opposing the Resolution stating it added a burden on the tax payers and it was non-binding. Commissioner Puryear stated preference to lowering the tax rate to rejuvenate the economy and the citizens of Person County. Chairman Lunsford and Commissioners Clayton and Jeffers stated and voted in support of the Resolution of Intent to Use One-Fourth Cent Sales Taxes to Fund Quality of Life Expenses noting a need to provide a source to assist elderly, youth, economic development while bringing a sense of belonging to Person County further noting this is a commitment of this current Board.

**RESOLUTION OF INTENT
TO USE ONE-FOURTH CENT SALES TAXES
TO FUND QUALITY OF LIFE EXPENSES**

WHEREAS, North Carolina General Statutes 105-535 allows the County Commissioners to levy an additional one-fourth cent sales tax upon approval of a referendum by a majority of the voters; and

WHEREAS, the County Commissioners have placed the question of the one-fourth cent sales tax on the November 2, 2010 ballot; and

WHEREAS, the County Commissioners are facing difficult budget choices due to expenses pertaining to unfunded mandates and declining revenue due to the current economic conditions; and

WHEREAS, while there are certain programs the County Commissioners are mandated to provide, the County Commissioners are not mandated to provide quality of life programs such as parks, libraries, museums, senior citizens and veterans programs, outside agencies; and

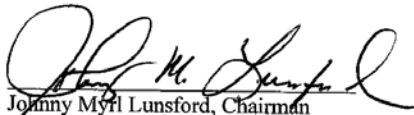
WHEREAS, the County Commissioners have limited options for increasing revenue; and

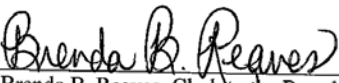
WHEREAS, the quality of life programs which greatly enhance the well-being of the County residents and are an important tool in attracting visitors and future industry to the County are at risk; and

WHEREAS, the sales tax will be paid by visitors as well as residents, allowing visitors to participate in funding County services.

NOW, THEREFORE, BE IT RESOLVED that the Person County Board of Commissioners will use proceeds from the additional one-fourth cent sales tax to provide services which enhance Person County citizen's quality of life.

Adopted the 16th day of August, 2010.


Johnny Myrl Lunsford, Chairman
Person County Board of Commissioners

Attest: 
Brenda B. Reaves, Clerk to the Board

August 16, 2010

GOVERNANCE OF THE PERSON COUNTY AIRPORT AND THE ROLE OF THE AIRPORT COMMISSION:

County Manager, Heidi York reminded the Board that the Person County Airport Commission was created by Resolution of the Board of County Commissioners in 1986 and was last amended in 1987. In its current version, the Airport Commission is charged with full authority to operate the Airport, including budgeting, leasing of property, entering into contracts, hiring, terminating and compensating personnel, negotiating and dealing with the Federal Aviation Administration and other agencies for grading, constructing, equipping and maintaining the Airport. Ms. York noted none of the charged authority reflects the present reality for the role of the Airport Commission.

Ms. York stated when the upcoming Airport Master Plan was being discussed in April of 2010, the Board of Commissioners asked staff to bring forward recommendations on the authority and role of the Airport Commission to determine whether the Commission or the Board of Commissioners would lead the Master Plan project and all future projects related to the Airport. The Board also directed staff to work with the Airport Commission to reach agreement on the changes. Ms. York noted since that time, the Airport Commission has held several meetings trying to reach agreement on the role and duties for the Commission. At the last Airport Commissioner meeting, held on July 29th a vote was taken to adopt the attached version of the Resolution and the resulting vote was 2 members to adopt: 1 member opposed: and 1 member abstained. Ms. York state the Airport Commission is looking for direction from the Board of County Commissioners on its future role and operations.

Ms. York requested the Board to review the proposed revisions to the Resolution Creating the Person County Airport Commission noting the bulk of the recommendations transition the Airport Commission into an advisory role to the Board of Commissioners. Ms. York mentioned that Chairman Lunsford and Commissioner Kennington both presently sit on the Airport Commission. Also, two members of the Airport Commissioner were present, Mr. John Rimmington and Mr. Skip Carden. Ms. York noted that three of the current members stated to her that the Airport Commission should be disbanded.

Commissioner Kennington stated his support of the Airport Commission's role as one of an advisory capacity and advocated such authority back to the county governance as well as revising the bylaws to reflect such. Commissioner Kennington spoke of the hidden gem the Airport is for Person County and the previous discussion with Durham County of possible future economic development partnership around the Airport. Commissioner Kennington suggested the Board consider allowing the Airport Commission to meet once more prior to the Board taking action. The Airport Commission is scheduled to meet on September 20, 2010. Commissioner Kennington stated his opposition to disbanding the Airport Commission noting Person County needs and Airport Commission. In addition, Commissioner Kennington requested the current members of the Airport Commission to continue to serve under the new bylaws.

Commissioner Clayton stated the Resolution Amending the Person County Airport Commission formally states what has been done in the past informally and noted his support of the role becoming an advisory role.

Chairman Lunsford advocated maintaining the Airport Commission in an advisory capacity supporting the present members looking out for Person County's best interest.

Commissioner Jeffers asked the County Manager if the Master Plan process had been held. Ms. York stated the Master Plan had not started yet waiting for Board decision of which group would issue the Request For Proposal (RFP). Commissioner Jeffers stated opposition to delaying Board action.

County Attorney, Ron Aycock and County Manager, Heidi York both agreed that transitioning the Airport Commission into an advisory role would be in the best interests for Person County.

Commissioner Clayton requested Section 6 of the Resolution before the Board to read "This resolution shall take effect upon adoption." Mr. Aycock stated Commissioner Clayton's suggestion was more clear language.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Jeffers, to adopt the Resolution Amending the Person County Airport Commission including the change of wording as suggested in Section 6.

A **substitute motion** was made by Commissioner Puryear, **seconded** by Commissioner Kennington, to table Board action after the September 20, 2010 Airport Commission meeting. The **substitute motion died for lack of majority 2-3**. Commissioners Puryear and Kennington voted in support of the substitute motion. Chairman Lunsford and Commissioners Clayton and Jeffers voted in opposition to the substitution motion.

Commissioner Kennington requested advice from the County Attorney regarding recognition of the current Board members as well as requesting the current members to continue to serve on the Airport Commission in an advisory role. It was the consensus of the Board to direct the County Manager to send a letter to each Airport Commission member thanking them for their service as well as requesting continuance of service in an advisory capacity.

The **original motion passed 4-1**. Commissioner Puryear cast the lone dissenting vote.

NORTH CAROLINA
PERSON COUNTY

RESOLUTION AMENDING THE PERSON COUNTY AIRPORT COMMISSION

Whereas, the Person County Board of Commissioners desires to seek advice concerning the operation and management of the Person County Airport (the "Airport") from a body to be known hereafter as the Person County Airport Commission:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF PERSON COUNTY:

Section 1

Pursuant to North Carolina General Statute Sections 63-53 and 63-57 there is hereby created the Person County Airport Commission (the "Commission"). The Commission shall consist of five (5) voting members who shall be appointed by, and shall serve at the pleasure of, the Person County Board of Commissioners (the "Board") and who shall be residents of Person County. Three voting members shall be at-large and have interest in aviation. The fourth voting member shall be a licensed pilot, who flies regularly (at least monthly) at the Airport, and who holds a current FAA pilot certificate and current FAA flight medical certificate. (Light Sport Pilot and Student Pilot FAA licenses do not qualify.) A key duty of the pilot representative is to experience, first hand and on a regular basis, the operation of Person County Airport and other airports in the region by flying as pilot-in-command and by interactions with other pilots, Fixed Base Operators, control towers, and airport operations. The fifth voting member of the Commission shall be a member of the Board. Each member of the Commission shall serve for a term of three years and until his or her successor is appointed. Upon the occurrence of a member at-large or the pilot representative no longer able or wishing to serve, or upon the occurrence of the Board member no longer being a County Commissioner, his or her term shall terminate, and the Board shall appoint a Commission member from the appropriate group (at-large, pilot, Board) to serve the remainder of such Commission term. The terms of the voting members shall commence on January 1 and expire on December 31. The Fixed Base Operator or his or her designee may serve as an *ex officio* member of the Commission. The Person County Manager or his or her designee shall serve as an *ex officio* member of the Commission.

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The *ex officio* member shall not be entitled to vote on Commission matters. Notwithstanding the foregoing, the term of any member of the Commission may be terminated upon written notice from the Board, at any time, with or without just cause.

Section 2

The members of the Commission shall elect their Chairman, Vice-Chairman, and Secretary annually in January. The Commission may appoint such other officers as it may deem necessary for the orderly procedure of its business, and adopt by-laws, rules and regulations covering its procedure, not inconsistent with the laws of North Carolina and ordinances of Person County. It shall hold regular meeting[s] at such time and place as it may from time to time designate. Three (3) voting members of the Commission shall constitute a quorum. An affirmative action by a majority of the voting members of the Commission shall be necessary to constitute action by the Commission.

Section 3

The Commission should provide advice on an annual budget prepared by County Administration for the operation of the Airport. The Airport budget shall be as adopted by the Board. The expense of the construction, enlargement, improvement, maintenance, equipment, operation and regulation of the Airport shall be a responsibility of Person County. Person County shall provide detailed monthly financial reports to the Airport Commission.

Section 4

The Commission appointed as herein provided by the Board shall act in an advisory capacity and shall be vested with the following duties.

4.1 The Commission will advise the County regarding the establishment, construction, control, leasing, maintenance, improvement, operation and regulation of airports and landing fields, and, pursuant to the direction of the Board of Commissioners, any airport or landing field owned, acquired, established or constructed by Person County.

4.2 The Commission may advise the County regarding the adoption, repeal, amendment, and re-adoption of rules and regulations not inconsistent with this Resolution for the operation and management of the airport.

4.3 The Commission will advise the County regarding the adoption, repeal, amendment, and re-adoption of rules and regulations with respect to traffic on and use of streets, alleys, driveways, roadways, parking areas, cross-walks and safety areas (not included in the public road system of the State of North Carolina) located within the territorial limits of the lands comprising the Airport, including by way of illustration, but not in limitation of the authority herein granted, the establishment of routes of traffic, the regulation of speed, the location of parking areas, the regulation and prohibition of parking and standing in designated areas of said streets, driveways, alleys and roadways, the prohibition of obstruction thereof, the prohibition of vehicles and pedestrians on the aprons, ramps, taxiways, runways and other designated parts of the Airport.

4.4 The Commission will advise the County regarding the adoption, repeal, amendment and re-adoption of rules and regulations with respect to the use of the Airport and its facilities by the public, including by way of illustration but not in limitation of the authority granted, the terminal building, the ramps, aprons, hangars, taxiways, runways, water plants and shops, and to prohibit the use of, occupation of, or trespass upon any part thereof.

4.5 Proceedings of the Commission shall be recorded, and a true copy of all such rules and regulations adopted by the Commission shall be certified under the hand of the Secretary of the Commission and filed with the Board.

4.6 The Commission will advise the County regarding posting at appropriate places on the Airport, notice to the public of applicable rules and regulations pertaining to the Airport.

4.7 The Commission will advise the County regarding contracts with persons, firms or corporations for the operation of airline-scheduled passenger and freight flights, non-scheduled flights, and any other airplane activities, not inconsistent with said grant agreements under which the airport property is held by Person County, and charges and collection of reasonable and adequate fees, charges and rents for the use of such property or for services rendered in the operation thereof.

4.8 The Commission will advise the County regarding contracts and leases with individuals, corporations or other organizations for the purpose of providing fixed-base operator services. Said services may include, but not be limited to, the following: aircraft storage, FAA approved domestic aircraft repairs, student training, demonstration and sale of aircraft, aircraft rental, and Charter-Air Taxi.

4.9 The Commission will advise the County regarding the economic development and marketing of said Airport.

4.10 The Commission will advise the County regarding the Federal Aviation Administration of the United States Government, the State of North Carolina, or any agency of said governments relating to elements of the Airport Master Plan and other activities under the authority of this resolution.

4.11 Notwithstanding anything contained herein to the contrary, the Airport Commission shall be subject to the direction, approval and paramount authority of the Board which may alter, amend, repeal or revoke all or any part of this Resolution in its sole direction.

Section 5

If any part or parts of this resolution shall be held to be unlawful, such unlawfulness shall not affect the validity of the remaining parts of this resolution. The Board expressly declares that it would have passed the remaining parts of this resolution, if it had known that such part or parts thereof would be declared unlawful.

Section 6

This resolution shall take effect upon adoption.

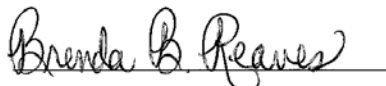
Section 7

All revenues generated by the Airport shall be the property of Person County.

DATE OF ADOPTION:

Adopted this 16th day of August, 2010.


Johnny Myrl Lunsford, Chairman
Board of Commissioners


Brenda B. Reaves, Clerk to the Board

BUDGET AMENDMENT:

Finance Director, Amy Wehrenberg presented and explained the following revised Budget Amendment noting after the budget amendment was submitted for the Board packet, Finance staff noticed a slight error in the expenditure category distribution on the top of the page. The grand totals of the changes to the budget are correct, but the category distribution for expenditures was incorrect. According to Ms. Wehrenberg, the General Government category needs to be added for a change to the expenditure budget of \$1,000, and Public Safety should be reduced by this \$1,000 to show \$1,584 versus \$2,584. Ms. Wehrenberg apologized for not catching the error and requested approval of the revised budget amendment as presented below.

Ms. Wehrenberg discussed with the Board action taken at its August 2, 2010 meeting allocating \$3,000 grant funds to the Roots and Wings Parenting Program as well as confirming \$3,000 local funding was previously awarded and budgeted during the non-profit application process. Ms. Wehrenberg stated the County Manager had confirmed these actions after the August 2, 2010 with Board members and it was the consensus of the Board through the County Manager's poll for Roots and Wings to only receive \$3,000 total funding versus the \$6,000 total that the action approving JCPC's recommended funding requests generated. Therefore, Ms. Wehrenberg did not include any additional funding for Roots and Wings in the revised budget amendment before the Board for approval.

Upon a **motion** by Commissioner Clayton, and a **second** by Commissioner Jeffers and majority vote **5-0**, the Board of Commissioners of Person County does hereby amend the Budget of the General Fund(s) on this, the 16th day of August 2010, as follows:

<u>Dept./Acct No.</u>	<u>Department Name</u>	<u>Amount</u> Incr / (Decr)
<u>EXPENDITURES</u>	<u>General Fund</u>	
	General Government	1,000
	Public Safety	1,584
	Human Services	36,098
	Culture & Recreation	322
<u>REVENUES</u>	<u>General Fund</u>	
	Fund Balance Appropriated	3,773

August 16, 2010

Appropriate: Fund Balance Appropriation for expenditures in the Telecommunications (\$4,000) and Information Technology (\$1,000) Depts associated with a contract to provide services to Person Memorial Hospital; Clean Fuel Advanced Technology (CFAT) Grant (\$36,098) awarded to the Health Department from the NC Solar Center at NC State University for purchase of two fuel efficient vehicles; NC IT E-Rate funds (\$322) received the Public Library; State reduction in 4H YES program (-\$1,189); Interfund transfer in 4H YES (\$100) for approved grant proceeds allocation to the Central Children's Home contract; Interfund transfer in Governing Body to supplement Strategic Planning Board expenses (\$3,000); and reductions in fund balance appropriation for budget adjustment corrections to the Incredible Years Program (-\$255), Very Important Parents (VIP) Program (-\$728), and Family Connections Program (\$-244).

REQUEST TO CALL A PUBLIC HEARING DATE AND TIME REGARDING AN INDUSTRIAL PROJECT AND REVENUE BONDS TO BE ISSUED TO CERTAINTEED:

County Attorney, Ron Aycock requested a legalistic formal call of a Public Hearing date and time relating to the CertainTeed fiberboard project. Mr. Aycock requested a Public Hearing related to the CertainTeed fiberboard project be held on October 4, 2010 at 7:00 p.m. at the Board's regularly scheduled meeting. A Notice of Public Hearing will be published in the local newspaper at the appropriate time.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Jeffers, and **carried 5-0** to call a public hearing for CertainTeed to be scheduled on October 4, 2010 at 7:00 p.m.

CHAIRMAN'S REPORT:

Chairman Lunsford stated he recently attended the Louisiana Pacific ribbon cutting for a new production line adding to their employment in Person County. Chairman Lunsford recognized the commitment of both Representative Wilkins and Senator Kinnaird, who were in attendance as well.

Chairman Lunsford stated he attended the Gang Prevention Seminar held at Roxboro City Hall last week, noting the large number of people in attendance to receive the information.

MANAGER'S REPORT:

County Manager, Heidi York highlighted a draft brochure concerning the educational campaign on the quarter-cent sales tax and noted a copy of such was in the Board members' mailbox. Ms. York offered to the Board to put together a citizen-based public education committee to conduct an educational campaign informing residents about the referendum and requested Board members to let her know anyone they would like on the committee.

Ms. York stated the Council of Governments (COG) has asked Person County to participate in a regional consortium to align planning for housing, land use, transportation, infrastructure for regional initiatives related to a grant application in the amount \$600,000 that would be administrated by HUD, DOT and EPA. Ms. York stated there is no local match and Person County has agreed to participate.

Ms. York informed the Board the sales tax revenue was \$1.6 million less in fiscal year 2009-10 than fiscal year 2008-09 noting \$527,000 less than what was budgeted.

COMMISSIONER REPORT/COMMENTS:

Commissioner Clayton shared copies with the Board of the Comments related to the Falls Lake Nutrient Management Strategy Study. Commissioner Clayton stated there was a consensus from Raleigh and Durham for support. Commissioner Clayton will request Mr. Jim Wrenn, Attorney representing Person County's interest related to the Falls Lake to update the Board at an upcoming meeting. Commissioner Clayton confirmed to the group that there is no representative from the City of Roxboro.

Commissioner Clayton along with Paula Murphy, Ernie Woods and COG staff recently attended a planned tour in Fredericksburg of a rail car system. NC DOT has a rail car system in the plan from Timberlake to Durham. The rail line still owns the rail tracks. Commissioner Clayton noted that Vance and Warren Counties are interested in the high speed rail. Commissioner Kennington commented of the advantage to Person County's ability to connect via rail to commute to Durham and Research Triangle.

Commissioner Jeffers had no report or comments.

Commissioner Puryear had no report or comments.

Commissioner Kennington asked if the second meeting with Durham County had been scheduled. County Manager, Heidi York stated a joint Board meeting has not been set up however, staff have been working on it.

CLOSED SESSION:

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Kennington, and **carried 5-0** at 10:52 a.m. to enter into Closed Session pursuant to G.S. 143-318.11(a)(5) to discuss land acquisition. Chairman Lunsford announced a ten-minute break prior to Closed Session.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Jeffers, and **carried 5-0** at 11:12 a.m. to return to open session.

ADJOURNMENT:

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Jeffers, and **carried 5-0** to adjourn the meeting at 11:12 a.m.

Brenda B. Reaves
Clerk to the Board

Johnny Myrl Lunsford
Chairman