PERSON COUNTY BOARD OF COMMISSIONERS MEMBERS PRESENT

OCTOBER 19, 2009 OTHERS PRESENT

Johnny Myrl Lunsford Jimmy B. Clayton Kyle W. Puryear B. Ray Jeffers Samuel R. Kennington 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, October 19, 2009 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.

RECOGNITION OF THE PUBLIC WORKS DEPARTMENT FOR RECEIVING THE PUBLIC SECTOR STAR WORKSITE AWARD:

County Manager, Heidi York along with the Board recognized the Public Works Department for their commitment to safety in the workplace. Ms. York informed the Board that the Occupational Safety and Health Division of the North Carolina Department of Labor awarded the Public Sector Star Worksite Award to the Person County Public Works Department. The Public Sector Star Worksite Award recognizes state agencies and local governments that are self-sufficient in their ability to control hazards at their worksites through excellence in site-specific occupational safety and health programs. The STAR Programs emphasize the importance of comprehensive worksite safety and health management programs in meeting the goal of the OSHA Act which is to assure safe and healthful working conditions for working men and women.

Star worksites serve as models for effective safety and health programs in their industries. Moreover, Star worksites have demonstrated workers' compensation cost reductions, reduced employee turnover, and made quality improvements, demonstrating that productivity, quality, and safety are complementary outcomes. There are currently 120 Star companies in North Carolina, with twelve of those being Public Sector Star recipients. When Public Works originally became a Public Sector Star Site in 2006, they were the fourth in the state. Every three years the Department of Labor sends representatives for on-site evaluation of the department policies and facilities as part of the recertification process. An on-site evaluation was conducted and Public Works received confirmation on September 10, 2009 that Commissioner of Labor, Cherie K. Berry has approved Public Works' continued participation in the Star Program. Ms. York recognized the Public Works Department under the leadership of David Rogers, Director. Ms. York presented the award to the Public Works Safety Officer, Rebecca Morrow.

Chairman Lunsford along will all members of the Board congratulated the efforts of all staff of the Public Works Department.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Jeffers and **carried** to approve the agenda.

INFORMAL COMMENTS:

The following individuals addressed the Board during the informal comment period:

Mr. Patrick Riley of 256 Hicks Yarboro Road, Roxboro, spoke in opposition to actions on general issues taken by the Board.

Ms. Betty Blalock of 144 Tirzah Ridge, Rougemont, spoke of the tombstones and graveyard disappearances as well as rerouting of the streams near the current landfill.

Ms. Frances Blalock of 1504 Surl Mt. Tirzah Road, Timberlake, requested the Board to postpone or delay any Board action related to the landfill until questions of the citizens can be answered.

Ms. Kay Reynolds of 74 Allegheny Drive, Roxboro, stated she was not proud of Person County and felt criteria had not been met on the landfill issue to vote yes.

Ms. Faye Boyd of 69 Foxwood Drive, Timberlake, referenced the public hearing held on September 21, 2009 and requested the Board to be forthright on the issues, to explain votes, and to deny Republic the updated franchise ordinance.

APPROVAL OF MINUTES:

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Jeffers, and **carried** to approve the minutes of October 1, 2009and October 5, 2009.

ADMINISTRATIVE REPORTS:

Commissioner Kennington recognized the fact the Inspections' report illustrated the figures being behind those of a year ago.

Commissioner Kennington acknowledged the Public Library's effort to show a comparison of usage to a year ago noting participation has increased even in a time when the hours at the Library have been reduced.

Commissioner Kennington inquired if surplus vehicles were advertised in *The Courier-Times*. Assistant County Manager confirmed surplus vehicles are placed on Gov Deals for a period of two weeks and are not advertised in *The Courier-Times*. Commissioner Kennington requested the County Manager to review the possibility of advertising surplus vehicles in *The Courier-Times* and consider if it would be advantageous for the County. The County Manager, Heidi York agreed to bring the Board cost estimates to advertise the surplus vehicles in the local newspaper. Chairman Lunsford commended the process by which surplus vehicles are transferred to other departments thus saving the county money.

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Puryear, and **carried** to approve the Administrative Reports for Inspections, Public Library and Surplus Vehicles.

SECOND READING TO CONSIDER ADOPTION OF THE AMENDED SOLID WASTE FRANCHISE ORDINANCE:

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Puryear to approve adoption of the amended Solid Waste Franchise Ordinance.

Chairman Lunsford, Commissioners Jeffers and Puryear stated their support of the amended Solid Waste Franchise Ordinance was clearing up a technicality of a previous Board's action and working with a Person County business.

Commissioners Clayton and Kennington voiced opposition to amending the Solid Waste Franchise Ordinance and by doing so enabled the next step of negotiating a new contract which may include increased tonnage and/or expansion.

A motion to table was made by Commissioner Kennington, seconded by Commissioner Clayton tabling adoption of the amended Solid Waste Franchise Ordinance until all questions are answered, all implications are addressed, all options for solid waste disposal are discussed and the future long range plan with all options for the future of Person County are explored. The motion to table failed by vote of 2/3. Commissioners Lunsford, Jeffers and Puryear voted in opposition to the motion to table.

Commissioner Puryear called the question. The motion to approve adoption of the amended Solid Waste Franchise Ordinance passed by majority vote of 3/2. Chairman Lunsford, Commissioners Jeffers and Puryear voted affirmative while Commissioners Clayton and Kennington voted in opposition.

STATE BUDGET REDUCTIONS TO MENTAL HEALTH SERVICES:

County Manager, Heidi York told the Board that approximately \$75 million dollars have recently been cut from State mental health/ developmental disabilities/substance abuse services as well as reductions in Medicaid rates and services.

Ms. York stated these cuts translated into \$2,250,518 in cuts to the state funds available for services in Orange, Person, and Chatham Counties (OPC). These cuts represent approximately 21.5% of OPC's non-crisis state service funding and limit the amount of state dollars available to serve adults and children who do not have health insurance, but are in need of mental health, developmental disabilities, and substance abuse services. Ms. York told the Board that the Governor of NC has decided to return approximately \$15,000,000 to mental health services. Ms. York asked Ms. Judy Truitt, Director of OPC Area Program, to share with the Board the impacts that these budgetary cuts could have on Person County's service providers.

Ms. Truitt confirmed OPC's share of the reduction for funding for mental health, development disability and substance abuse services would indeed impact Person County programs Person Industries, Person County Group Homes, as well as the outpatient treatment providers: Triumph and Freedom House. Ms. Truitt stated \$482,066 of funding was restored by the Governor's action in which OPC would restore 5% of funding to Person Industries as well as provide additional funding to Person County Group Homes, Triumph and Freedom House. Ms. Truitt told the Board that a contract had been recently negotiated with Sheriff Jones to designate a small amount of funding into the jail system to either pay for medications, to stabilize individuals, to assist funding for an assessment by a consultant or psychologist evaluation.

By reference, Ms. Truitt gave the Board members documents that are available on the OPC web site that includes: 1) Questions & Answers, and 2) Narrative that addresses where the cuts were applied and the reasoning behind those decisions.

Ms. Truitt cautioned the Board that more state funding cuts may be on the horizon especially for the next fiscal year and OPC is very conservatively attempting to have adequate resources to provide the basic core services as well as minimize the impact in the community.

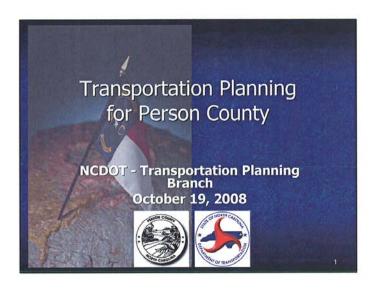
Ms. York estimated the impact to Person Industries would be approximately ten slots to be eliminated prior to receiving the restoration of funding.

Chairman Lunsford thanked Ms. Tuitt for the update.

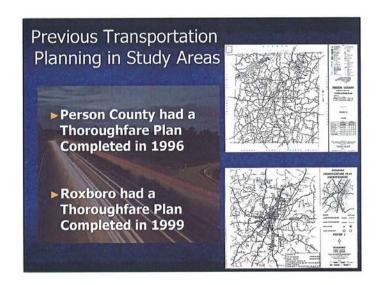
PERSON COUNTY COMPREHENSIVE TRANSPORTATION PLAN UPDATE/CAPACITY DEFICIENCIES:

County Manager, Heidi York stated Mark Eatman, Transportation Engineer 1 and Kerr-Tar RPO Coordinator for the NC Department of Transportation (DOT) was present to give the Board an update on the progress of the Comprehensive Transportation Plan (CTP) as well as show capacity problems in Person County.

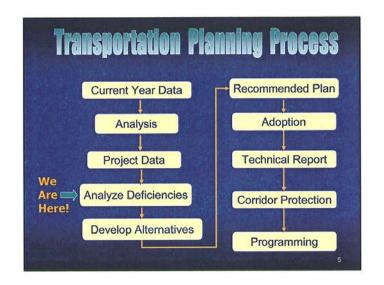
Mr. Eatman gave the Board the following presentation.





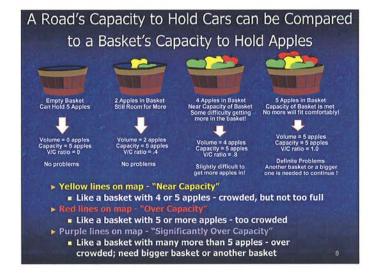


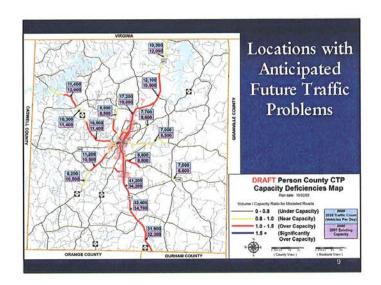


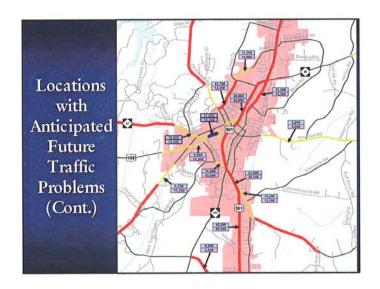


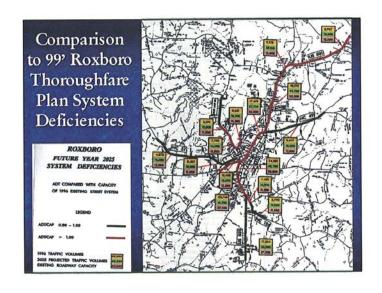


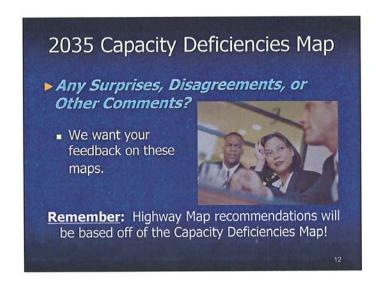






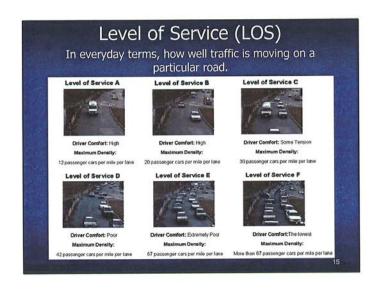




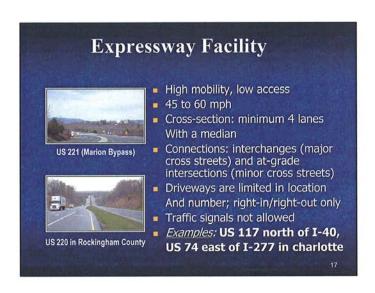


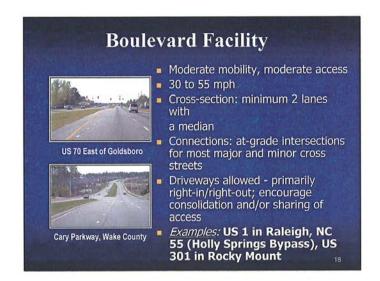
The Next Steps Committee will work on multi-modal recommendations for CTP Draft CTP maps will be brought to elected officials for review Public Involvement/Public Hearing Mutual Adoption (Local Governments, Kerr-Tar RPO, NCDOT)



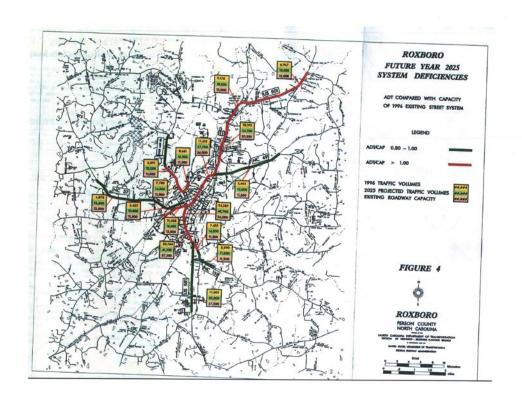


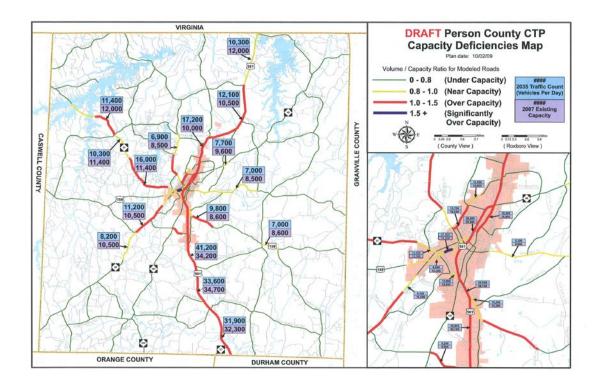












Commissioner Kennington inquired how the traffic counts on 501N near Shiloh Church Road would be affected by becoming a future four-land road. Mr. Wally Bowman of NC DOT explained the prioritizing process stating data such as traffic counts would be considered when all roads are ranked which should be completed by the end of this year. A funding source would then be sought for the top priority projects that would be scheduled for construction during years 6 and 7 in the plan.

Commissioner Kennington asked if the actual traffic count could be added to the illustration on the maps. Mr. Eatman said he would revise and send to the County for distribution.

Chairman Lunsford thanked the NC DOT representatives for the update.

REVIEW OF PERSON AREA TRANSPORTATION ADVISORY BOARD APPLICATIONS FOR APPOINTMENT:

Person Area Transportation System (PATS) Director, Gerald Lunsford presented the Board with advisory board applications in the categories required to provide the PATS with the necessary representation according to FTA regulations. Mr. Lunsford requested Board approval of the applicants to serve an unspecified term in the designated categories.

- 1. Craig Thomas represents Non-profit and Veterans Admin.
- 2. Corlis Green represents DBE Businesses and volunteers
- 3. John Gentry, Jr., represents Ambulance Service and County Government Staff
- 4. Winston Nelson, Sr., represents faith based services and public citizens
- 5. Lisa Jeffreys represents vocational rehabilitation, transit users and government staff
- 6. Sandra Hicks represents senior services, non-profit organizations and volunteers
- 7. Paul Murray represents EDC
- 8. Lucinda Clay represents Community College
- 9. Ben Wade represents Faith Based and general public
- 10. Charletta Pulliam represents Housing Authority
- 11. Melinda Hudson represents DSS, employment and LEP
- 12. LeighAnn Creson represents Health Dept. and LEP

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Jeffers and **carried** to approve applicants presented for appointment to the Person Area Transportation Advisory Board for an unspecified term in the categories noted for the required representation according to FTA regulations.

COUNTY RESPONSIBILITY FOR PROBATION OFFICES:

County Manager, Heidi York informed the Board that the State budget adopted by the General Assembly included a special provision that shifts the funding responsibility for Probation Offices from the State Department of Correction (DOC) to county governments. The new provision is as follows:

G.S. 15-209 Accommodations for Probation Offices

- (a) The county commissioners in each county in which a probation office exists shall provide, in or near the courthouse, suitable office space for those probation officers assigned to the county who have probationary caseloads and their administrative support. This requirement does not include management staff of the Department of Correction, nonprobation staff, or other Department of Correction employees.
- (b) If a county is unable to provide the space required under subsection (a) of this section for any reason, it may elect to request that the Department of Correction lease space for the probation office and receive reimbursement from the county for the leased space. If a county fails to reimburse the Department for such leased space, the Secretary of Correction may request that the Administrative Office of the Courts transfer the unpaid amount to the Department from the county's court and jail facility fee remittances.

Ms. York stated Person County currently provides space to seven probation officers in the County Courthouse. However, there are an additional eight officers that work out of 2494 sq. feet of leased office space known as the Walker Building located at 722 Durham Road, Roxboro under a lease agreement between Mr. W. Barry Walker and the State Department of Correction. Under the new legislation, the County will now need to assume responsibility for the current lease or provide alternate space for these eight officers. The term of this lease is three years: November 1, 2007 terminating October 31, 2010. Rent is \$24,500 or \$2,041 a month including utilities (\$9.84 per sq ft). This does not include janitorial service which according to the new law, the county will have to provide as well.

Ms. York outlined the following four options for Board consideration:

- 1. County has space available or county decides to lease space from another private vendor (county decides not to "take over" the existing lease):
 - -Department of Correction (DOC) will be responsible for moving employees to the new space selected by the county, telephone and data lines, and for providing furniture and supplies. The county will also be responsible for utilities and janitorial services. Ms. York stated the county does not have nor has she identified space available for this option.
- 2. County decides to work with the current private vendor to "take-over" the existing lease:
 - County will also be responsible for utilities and janitorial services.

- 3. County decides to request that DOC continue paying the least payments to the current private vendor and reimburse DOC:
 - -County will also be responsible for utilities and janitorial services.
 - -DOC will develop a reimbursement procedure which will take the lease amount out of the County's jail remittance funds.
- 4. The County will reimburse the state monthly for the costs of the lease and the DOC will continue to administer the lease.
 - Ms. York stated she would find out if the county could provide the janitorial services or if reimbursement would be required, and if so, the amount of such.

Ms. York recommended option 4 whereby Person County would not become a party of the lease but reimburse DOC until the term of the lease noting it is a short-term solution because the lease will expire in one year. Ms. York stated discussions have taken place regarding the possibility of accommodating the eight additional officers in the Person County Courthouse when the renovation moves forward in which case the architect would have to amend the design drawings. Mr. David Rogers stated the renovation project would not be delayed if the decision to amend the design drawings was made soon.

Ms. York noted the state outlined the standards for the county to adhere in providing space noting the higher positions get higher square footage size office as well as the county would need to provide a training/conference room, a secured storage room, kitchenette, computer equipment and a copy/fax/file room.

Ms. York noted Person County must communicate its decision to the State by the end of October, 2009, so that paperwork can be completed with the changes being effective December 31, 2009.

The Board allowed District Attorney Joe Brewer to provide input. Mr. Brewer stated the Courthouse does not have an appropriate jury room as the previous jury room was dismantled and that space was given to probation. Mr. Brewer recommended reducing the number of probation officers at the Courthouse. Mr. Brewer invited the Board members to visit the Courthouse and suggested the Commissioners consider going to Washington DC or send a delegation to advocate for stimulus funding to proceed with the renovations of the Courthouse.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Kennington and **carried** to approve option 4 as presented whereby the County will reimburse the state monthly for the costs of the lease and the DOC will continue to administer the lease as well as direct the County Manager to research long term solutions for probation office space to recommend to the Board.

Commissioner Kennington requested the County Manager to consider as an option the county property located at Barden Street for the probation office space, inquiring what would need to be done to bring into compliance. Commissioner Kennington echoed Mr. Brewer's suggestion to send Chairman Lunsford, Mr. Brewer, the County Manager, and the County Engineer to Washington, DC to request stimulus funding for the Courthouse project. Chairman Lunsford stated the County Manager could bring options to the Board for further consideration.

BUDGET AMENDMENT:

Finance Director, Amy Wehrenberg presented and explained the following Budget Amendment.

Upon a motion by Commissioner Clayton, and a second by Commissioner Jeffers and majority vote, the Board of Commissioners of Person County does hereby amend the Budget of the General Fund(s) on this, the 19th day of October 2009, as follows:

Dept./Acct No.	Department Name	Amount Incr / (Decr)
<u>EXPENDITURES</u>	General Fund Public Safety Human Services Environmental Protection Cultural and Recreational	90,412 171,331 (200) 11,142
REVENUES	General Fund Intergovernmental Revenues Other Revenues	252,978 19,707

Appropriate: New 100% funded smart start grant received through Partnership for Children called Very Important Parents("VIP") (\$71,350); United Way donations (\$4,850) and other miscellaneous donations (\$2,515) for the Sheriff's Department; donations for Animal Control (\$900); reduction in the Soil & Water District Grant from the State (-\$200); donations received in the Recreation Department from the P.C.Tourism Development Authority (\$875) and other miscellaneous donations (\$10,267); funds received in the Restricted Local Law Enforcement Fund (\$10,797); and various DSS program adjustments (\$171,031) and a DSS donation received (\$300).

CHAIRMAN'S REPORT:

Chairman Lunsford had no report.

MANAGER'S REPORT:

County Manager, Heidi York reminded the Board of the following meetings:

- o A work session following the regular business this date.
- o Board of Education meeting this date at 6:30 p.m. for a decision on the PATS parking lot.
- o Joint Session Meeting with Roxboro City Council on October 20, 2009 at noon to be held in the FEMA Shelter Room.
- o A special meeting to discuss economic development issues on October 26, 2009 at 6:30 p.m. in the Commissioner Room.

COMMISSIONER REPORT/COMMENTS:

Commissioner Kennington requested Board consideration to go into Closed Session to obtain advice from the County Attorney related to contractual issues.

Commissioner Puryear had no report.

Commissioner Jeffers commended Derek Day for his willingness to take on the administration of the VIP program that was previously coordinated by the Board of Education.

Commissioner Clayton stated he would be unable to attend the meeting schedule for October 26, 2009. Commissioner Clayton commented on the state of mental health as presented by the OPC Director.

Chairman Lunsford recessed the regular session at 11:09 a.m. for break.

CLOSED SESSION:

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Puryear and **carried** to enter into Closed Session at 11:23 a.m., to obtain advice from the County Attorney related to contractual issues pending with the City of Roxboro per General Statute 143-318.11(a)(2).

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Puryear and **carried** to return to open session at 11:53 a.m.

WORK SESSION TO DISCUSS COUNTY BOARDS AND COMMISSIONS:

The County Manager, Heidi York stated the Board had requested information about the County Boards and Commissions and possible ways to streamline and improve the process. The County Manager told the Board Mr. Paul Murray assisted on this project.

Mr. Murray gave the following report:

Current State of Boards and Committees:

The Board of County Commissioners (BOC) either appoints or has a member serve on 44 boards and commissions. Out of these 44, the Clerk is responsible for publicly advertising for the vacancies of 27. The remaining 17 are boards and commissions such as the Board of Elections and the COG Board for which the county has representation, but is not responsible for public recruitment. There are currently 10 vacancies on the 27 boards and commissions for which the County must advertise, and a majority of these 10 slots have been advertised more than once. The boards and commissions are required by North Carolina Open Meetings Laws to be open to the public, as well as file a notice with the Clerk to the Board notifying the public of an upcoming meeting.

Of the 44 boards and commissions, many do not meet on a regular basis. Before determining how many committees are not meeting however, it is first necessary to note that some of these commissions such as the Jury Commission and the Community Development Block Grant Citizens Advisory Committee are only active during specific times, like when Person County gets a CDBG or when a new jury pool must be selected. These "ad hoc meeting" groups aside, there remain 14 boards and commissions that have not met in over 6 months.

Current Process for Recruitment, Advertising, Reporting and Support:

The current recruiting process for the 27 boards for which Person County must advertise is to put a notice in the Courier-Times 45 days before a vacancy exists. This vacancy notice also includes all other vacancies that exist across all boards. For example, if a board has a vacancy and it is not filled, it is included in the posting whenever other boards have a vacancy later down the road. This can lead to numerous advertisements for a single vacancy, especially on boards that traditionally have little to no applicants such as the Home Health and Hospice Advisory Committee. On average, each posting costs the county \$200, and the Courier-Times charges per word. With approximately 6 postings going out each year, we are currently spending approximately \$1200 annually just on advertising. Reducing the number of vacancies listed in each posting would help save the County save a considerable amount of money in a time when budgets are stretched to their limits.

The Board of Commissioners can appoint citizens to boards at any regular meeting and the Clerk to the Board organizes the applications upon the deadline submission date as advertised. Boards and Commissions currently do not submit reports to the County Commissioners, although some submit their schedule and minutes to the Clerk. All boards and commissions are required to keep minutes, but not required to submit them to the County. Training for the various boards consists of more senior members training the new members. The county does not offer any form of local government supported training at this time.

Recommended Improvements to the Recruitment Process:

The current methods of recruiting and advertising for vacancies are not successful and are costly. Therefore, the following improvements are recommended: Place the responsibility for publicly advertising vacancies for a board or commission that is directly connected with a County department on that department. This would include BOC supported boards like the Public Area Transportation Board, the Animal Control Advisory Committee, and the Recreation Advisory Board. Currently, funding for these advertisements is coming from the Governing Body budget. Paying to post for vacancies will motivate these departments to be proactive in finding new board members, rather than letting an expensive posting run continuously without any applicants.

Secondly, the County Commissioners should take a more active role in filling vacancies. The adopted resolution detailing the appointment process for boards and commissions states that if there are no applications 30 days after the general notice of circulation, the Board of Commissioners will be responsible for making contacts and encouraging citizens to apply for vacancies. By doing this, the BOC will not only be able to recommend citizens whose background they feel fits with the board or commission, but also reduce the high cost of advertising vacancies numerous times with no response.

Finally, it is recommended that a posting board be created on the County's website as a place to advertise for board and committee vacancies. All new vacancies would be advertised once in the Courier-Times as well as on the website when they first become available, but would not be re-advertised in the paper if they are not filled. They would however, remain on the website for interested citizens. This would replace our current system of advertising all vacancies together rather than only the new ones, and create a substantial savings by reducing the newspaper space for which the county must pay.

Recommended Changes to Boards and Committees:

While the focus must be on improving the process to increase participation in our county boards and commissions, it is equally important to eliminate those that have outlived their purpose. After contacting members from each of these boards, inquiring into their last meeting dates, and discussing whether or not they were still viable, the following boards and commissions are not meeting and should be considered for elimination:

- Extension Advisory Council
- Local Emergency Planning Committee
- Economic Development Commission
- Roxboro/ Person County Economic Development
- Transportation Development Plan Steering Committee
- Roxboro/Person County Human Relations Commission
- Fire Committee
- Multi-County Water Waste Commission
- Mentors Advisory Board
- Mayo Lake Advisory Committee

Surrounding Counties' Methods:

As a way to compare Person County's experience with its boards and commissions, several surrounding counties were surveyed. Below is a list of the county, how many boards and commissions they have, and how they recruit for members.

County	Number of Boards	How They Recruit	
Franklin	35	No traditional recruitment (newspaper etc.) For almost all of their boards, each commissioner gets an appointment that runs coterminous with their own term of office. Each commissioner is therefore charged with recruiting who they want to represent them on their appointed boards.	
Granville	46	Publishes a list of available positions that will be considered by the Board of Commissioners during the year in both local newspapers in the month of January.	
Warren	38	Advertises quarterly in the local newspaper, but most members come by word of mouth from committee advisors (Department Heads) or committee members soliciting for new members from among their friends, family, and associates.	

Discussion ensued from all Board members regarding various Boards and Commissions. It was the consensus of the Board for each Commissioner to bring recommendations for Mr. Murray to compile for consideration. Other considerations were to have commissioners orientate members of boards and commissions to the role and function as well as setting term limits on all boards and commissions.

RECESS:

A motion was made by Commissioner Puryear, seconded by Commissione
Jeffers, and carried to recess the meeting at 12:37 p.m. until October 20, 2009 at 12:0
noon for the purpose of joint session meeting with the City of Roxboro at the FEMA
Room at the Human Services Building located at 355 S. Madison Boulevard, Roxboro.

Brenda B. Reaves	Johnny Myrl Lunsford
Clerk to the Board	Chairman