

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

Johnny Myrl Lunsford
Jimmy B. Clayton
Kyle W. Puryear
B. Ray Jeffers
Samuel R. Kennington

April 20, 2009
OTHERS PRESENT

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, April 20, 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.

PUBLIC HEARING FOR NONPROFIT FUNDING APPLICANTS:

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Jeffers, and **carried** to open the public hearing for nonprofit funding applicants to appear before the Board to advocate for local funding for a specific nonprofit agency.

1. Beth Livingston, Executive Director of AnimalKind (Person County Animal Coalition for the \$20 Fix), PO Box 156, Leasburg, NC 27291 advocated for the \$20 Fix program that provides financial assistance to low income eligible citizens for pet spay/neuter surgery which includes rabies vaccinations. AnimalKind proposes to sterilize 75 animals in Person County with the requested county funding.
2. Jo Hancock, representative of the Animal Protection Society of Person County, PO Box 291, Roxboro, NC 27573 thanked the Board for their support in the past and in the future.
3. Teresa Johnson, HEALED, Inc., a faith based organization of 2850 Virgilina Road, Roxboro, NC 27573 spoke on the mission to help equip, advance, liberate, educate and develop the needs of individuals in the community.
4. Brenda Faye Harris, Executive Director of Outreaching with Helping Hands (OWHH) of 11920 Burlington Road, Hurdle Mills, NC 27541 addressed the Board for funding so to collaborate with government agencies to help those in need.

5. Sandra Hicks, Director of Person County Council on Aging of 121 Depot Street, NC Roxboro, NC 27573 spoke of the services provided for older adults in Person County. The Council on Agency has been recognized for meeting and exceeding goals of a senior center of excellence all the while serving over 150 participants daily in various programs. Requested funding will provide nutrition, in-home aide services, transportation, fitness center, exercise programs, health education programs and other activities.
6. April M. Krause, Director of the Person County Museum of History, a six building campus located at 309 N. Main Street, Roxboro, NC 27573 stated requested funding equals one-third of the total budget and is vital to maintain exhibits, create and print educational workbooks and procure funds for museum expansion, building and grounds maintenance as well as for salaries for staff.
7. Judy R. Batten, Executive Director of Person County Partnership for Children of 111 South Main Street, Roxboro, NC 27573 requested county funding to assist the approximately 2,350 preschool children birth to 5 years to be ready for kindergarten. The requested county funding would be utilized to address the following areas of need in Person County: child and family literacy, childhood obesity, kindergarten readiness, outreach to the Latino community and car seat safety.
8. Candynce Gravitte, represented the Volunteer Center of Person County, PO Box 764, Roxboro, NC 27573 who recruits volunteers for agencies as well as individuals in need for services reducing paid staff hours thereby reducing the cost of the service.
9. Steve Joyner, Executive Director of the Roxboro Development Group, 105 North Main Street, Roxboro, NC 27573 which is a public/private partnership whose mission is to plan and implement the continued revitalization of the Uptown and the Dept. of Commerce's Main Street Program through building reuse, citizen education, entrepreneurial development as well as encouraging economic development.
10. David Forsythe, Executive Director of Person County Group Homes, Inc. (Generations Adult Day Services), PO Box 721, Roxboro, NC 27573 advocated supporting adults with disabilities as well as elderly citizens in an adult day care setting, currently serving people ages 18-93.
11. Marcia O'Neil, Executive Director of Roxboro Area Chamber of Commerce of 211 North Main Street, Roxboro, NC 27573 requested sponsorship of the Personality Festival which is one of their economic resources that brings 20,000 plus people to the area exposing to local businesses.

12. Leslie Hoagland, board member of Roots and Wings of 1200 North Main Street, Roxboro, NC 27573 attested to the need of family advocacy, tutoring services, parenting classes, summer camps, mentoring programs in the Person County community noting they are currently serving over 160 at risk youth and families this fiscal year. The requested local funding is critical to keep Roots and Wings programs functioning due to lack of funding and possible risk of losing grant funds because the local match is not funded.
13. Anthony Smith of Person County Re-Entry Partnership (PCRP), PO Box 1907, Roxboro, NC 27573 stated PCRP assists individuals in Person County to rebuild their lives after being incarcerated while accessing educational and work goals. The requested funds would be used to assist with the costs of health services for clients.

Commissioner Lunsford thanked the non profits agency representatives for their attendance and for their work in Person County. Commissioner Lunsford noted that any lack of funding in no way a reflection of their belief in each agency but due to the budget constraints due as a result of the crucial state of the economy.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Jeffers and **carried** to close the public hearing.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

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

INFORMAL COMMENTS:

There were no comments from the public.

APPROVAL OF MINUTES:

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Lunsford, and **carried** to approve the minutes of the. April 6, 2009 Board of Equalization & Review Meeting as well as the April 6, 2009 Regular Scheduled Session Board Meeting.

ADMINISTRATIVE REPORTS:

Commissioner Kennington pointed out the Building Total Value as listed on the Inspection Department report was at one-half the value from one year ago.

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Puryear, and **carried** to approve the Administrative Reports for the Airport, Detention Center, Emergency Medical Services, Inspections, Public Library, Surplus Vehicles and Surplus Other Items.

REQUEST FOR APPROVAL OF A RESOLUTION REGARDING OPC MENTAL HEALTH AREA BOARD APPOINTMENTS:

OPC Director, Judy Truitt stated the NC General Statute 122C-118.1 established area mental health authorities and defines how area authorities are governed by creation an area board appointed by the board of county commissioners in each of the counties that participate in the alliance, i.e. for OPC, Orange, Person and Chatham counties. The Statute states the full board of commissioners from each county will appoint one commissioner representative to the area mental health board, and that in turn, that commissioner will appoint the other members. Ms. Truitt commented that the three commissioners on the OPC Area Mental Health board believed their full boards expected to participate in the appointment of citizen representatives to the mental health area board as have been practiced in all three counties for many years. The OPC Board approved revisions to the by-laws to permit the full boards to appoint citizen representatives but had not moved forward with the necessary resolutions. Ms. Truitt requested Board consideration to adopt a Resolution regarding OPC Mental Health Area Board Appointments.

Commissioner Clayton commended Ms. Truitt on her effort to lead OPC as mental health reform continues to change. Ms. Truitt made the board aware of legislation pending in current session that allows the Governor of NC to have the authority to sign off on appointments of area directors in local mental health centers, as well as a request for a gubernatorial selection of board members at the local level to appoint one-third of the board members for each area authority which if passed, would impact the number of seats the local boards of commissioners will be able to appoint. Commissioner Clayton noted the Association of County Commissioner is opposed to this particular legislation.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Jeffers, and **carried** to adopt the Resolution of the Boards of Commissioners of Person County regarding OPC Mental Health Area Board Appointments.

RESOLUTION OF THE BOARDS OF COMMISSIONERS OF
Person COUNTY, NORTH CAROLINA

WHEREAS, N.C.G.S. §122C-118.1 grants Boards of County Commissioners who participate in multi-county area mental health, developmental disabilities and substance abuse authorities the option to appoint members of the Area Authority Board in a manner other than that prescribed by N.C.G.S. §122C-118.1 by adopting a resolution to that effect; and

WHEREAS, the Boards of Commissioners of Orange County, Person County and Chatham County have historically appointed the members of the Area Authority Board of Orange-Person-Chatham Mental Health, Developmental Disabilities and Substance Abuse Authority in a manner other than that prescribed by N.C.G.S. §122C-118.1; and

WHEREAS, the Boards of Commissioners of Orange County, Person County and Chatham County each desire to continue to appoint the members of the Area Authority Board of Orange-Person-Chatham Mental Health, Developmental Disabilities and Substance Abuse Authority in the same manner as they have historically;

NOW, THEREFORE, the Board of Commissioners of Person County by adopting this resolution hereby establishes the manner in which the members of the Area Authority Board of Orange-Person-Chatham Mental Health, Developmental Disabilities and Substance Abuse Authority shall be appointed as follows:

- Each Board of County Commissioners within the catchment area shall appoint one commissioner as a member of the Area Authority Board.

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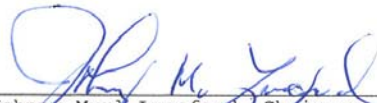
- In addition, Orange County shall appoint one Commissioner and four citizen members; Person County shall appoint one Commissioner and four citizen members; and Chatham County shall appoint one Commissioner and four citizen members. Three at-large seats are available, and their appointment is to be shared among the counties, with one seat reserved for a Consumer and Family Advocacy committee member.
- The County Commissioners authorized to make appointments to the Area Authority Board shall appoint new members to the Board to fill vacancies occurring on the Area Authority Board prior to the expiration of an appointed term of office. Such appointments shall be for the remainder of the unexpired term of office.
- Appointments to the Area Authority Board shall be made by the requisite Board of County Commissioners before the end of the term of the vacated seat or within 90 days of the vacancy, whichever occurs first.
- Appointments shall take into account sufficient citizen participation, representation of disability groups and equitable representation of participating counties.
- The Area Authority Board shall consist of no fewer than 11 and no more than 25 members. Not more than fifty percent (50%) of the members of the Area Authority Board shall represent the following:
 - (1) A physician licensed under Chapter 90 of the General Statutes to practice medicine in North Carolina who, when possible, is certified as having completed a residency in psychiatry.
 - (2) A clinical professional from the fields of mental health, developmental disabilities, or substance abuse.
 - (3) At least one family member or individual from a citizens' organization composed primarily of consumers or their family members, representing the interests of individuals:
 - a. With mental illness;
 - b. In recovery from addiction; or
 - c. With developmental disabilities.
 - (4) At least one openly declared consumer:
 - a. With mental illness;
 - b. With developmental disabilities; or
 - c. In recovery from addiction.
 - (5) At least one member of CFAC.
 - (6) Two individuals with financial expertise.
 - (7) An individual with expertise in management or business.
 - (8) An individual representing the interest of children.

- The Boards of County Commissioners may elect to appoint a member of the Area Authority Board to fill concurrently no more than two categories of membership if the member has the qualifications or attributes of the two categories of membership.
- The terms of County Commissioners on the Area Authority Board are concurrent with their terms as County Commissioners. The terms of the other members on the Board shall be for three years.
- Members shall not be appointed for more than two consecutive terms.
- All Area Authority Board members shall be residents of either Orange, Person, or Chatham Counties. If any Area Authority Board member moves legal residence from the member's appointing county, membership shall be automatically terminated.
- No member of the Area Authority Board may be a close relative [as defined by State law] of any staff members of the Orange-Person-Chatham Mental Health, Developmental Disabilities and Substance Abuse Authority.
- No employee, consultant or person otherwise employed by Orange-Person-Chatham Area Mental Health, Developmental Disabilities and Substance Abuse Authority shall be eligible for Area Authority Board membership.
- No individual that contracts with the Orange-Person-Chatham Area Mental Health, Developmental Disabilities and Substance Abuse Authority for the delivery of mental health, developmental disabilities and/or substance abuse services may serve on the Area Board for the period during which the contract for services is in effect.

This resolution having submitted to a vote received the following vote and was duly adopted by Person County this 20th day of April, 2009.

Ayes 5

Noes 0


 Johnny Myrl Lunsford, Chairman
 Person County Board of Commissioners

REQUEST APPROVAL OF LEASE WITH WAGSTAFF ASSOCIATES AND AUTHORIZATION FOR COUNTY MANAGER TO SIGN LEASE AGREEMENT FOR PROPERTY AT 741 LEASBURG ROAD (LOCATION OF NEW MATERIAL RECOVERY FACILITY) :

Assistant County Manager, Paul Bailey and Person Industries Director Wanda Rogers appeared before the Board to request approval of the concept of lease presented by and between Wagstaff Associates and Person County, for the building located at 741 Leasburg Road, as well as authorize the county manager to sign when the lease details are finalized. One-half of the building will be used for the new Material Recovery Facility and the other half by other programs within Person Industries. Ms. Rogers stated that Wagstaff Associates has agreed to the improvements as outlined in the letter presented with the lease dated April 7, 2009.

County Attorney, Ron Aycock confirmed the proposed changes by the owners are technical and will not make any substance changes to the lease. Mr. Aycock stated should there be any substantial changes; he would recommend bringing before the Board. Mr. Aycock noted the lease would be contingent upon improved changes as outlined in the letter and execution of the lease would be delayed until the improvements are in place or scheduled to be in place in time for the intended use for startup at July 1, 2009. Mr. Bailey and Ms. Rogers confirmed the 50,000 square footage lease cost is comparable to others in Person County.

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Clayton, and **carried** to approve the concept of the lease as presented as well as authorize the County Manager to sign the lease when finalized.

April 20, 2009

DRAFT

April 7, 2009

Wagstaff Associates
031 Reams Avenue
Roxboro, NC 27573

Dear Sirs:

It is my understanding that Wagstaff Associates agrees to make the following improvements/additions at 741 Leasburg Road:

- Install a 30' X 30' concrete pad with an "A-frame shelter" at west end of building. The shelter will be 12' eave height with gutters and lights. The shelter will be enclosed on the west end.
- Install a new 8' X 8' roll up door at west end of building.
- Replace existing personnel door at west end with windows (tempered glass).
- Pave driveway off Thomas Road and pave from building out approximately 80' west of building (includes installation of storm drainage).
- Repair all existing roll up doors.
- Install two new water supplies suitable for garden hose along west wall of building.
- Repair all roof leaks especially at foot of new MRF conveyor.
- Repair all existing outside lights.
- Replace handrails at entrance.
- Some grading of front parking lot adding gravel as needed.

If the above improvements are not your understanding, please contact me. This letter will be used in the development of the lease of the property. The lease should be ready for review by the end of this week.

Sincerely,

Wanda Rogers
Director

Wagstaff Associates agrees to the above improvements:

Wagstaff Associates, Lindsay T. Wagstaff, Jr. (Partner)

April 20, 2009

Commercial Lease

This Lease made and entered into this the 20th day of April, 2009 by and between Wagstaff Associates, a North Carolina General Partnership with office and place of business in Person County, North Carolina as "Lessor," and the Person County referred to as "Lessee".

WITNESSETH

1. Premises

The demised premises are 4 acres upon which is situated a 50,000 square foot building which is designated by the United States Post Office as 741 Leasburg Road Roxboro, North Carolina and is more particularly described in the attached exhibit A.

2. Term

The term of this lease shall begin at 12:01 AM on May 1, 2009 and shall terminate five (5) years thereafter on April 30, 2014 unless sooner terminated as provided herein or extended as provided for herein.

3. Payment of Rent

Lessee shall pay Lessor an amount of rent according to the schedule set out below

Year 1- \$75,000 at the rate of \$6250 per month
Year 2- \$94,500 at the rate of \$7875 per month
Year 3- \$107,000 at the rate of \$8917 per month
Year 4- \$107,000 at the rate of \$8917 per month
Year 5- \$107,000 at the rate of \$8917 per month

All rental payments shall be made by the fifth business day of each month without notice or demand thereof. All rent payments shall be delivered in person or by U.S. mail to the address of the Lessor:

Wagstaff Associates
031 Reams Avenue
Roxboro, NC 27573

or at such other place as Lessor may from time to time designate.

4. Utilities

Lessee shall be responsible for and shall pay all costs and charges for all utilities including electrical service, water, sewer and telecommunication services.

5. Taxes

Lessor shall be responsible for Ad Valorem taxes and assessments imposed by any lawful authority upon the premises during the term of this lease.

6. Property Insurance

Lessor shall keep the premises insured at not less than 100% of its full insurable value against loss or damage by fire, smoke or water, with extended coverage. Each such policy shall be purchased from an insurance company licensed to do business in North Carolina, and a copy of each such policy or certificate of insurance shall be provided to Lessee upon written request.

7. Liability Insurance

Lessee shall secure a policy or policies of liability insurance and it shall provide evidence of such insurance to Lessor upon request.

April 20, 2009

8. Repairs by Lessor

Lessor agrees to keep in good repair the roof, foundation and exterior walls of the Premises and underground utility and sewer pipes inside and outside the exterior walls of the building, except repairs rendered necessary by the negligence or intentional wrongful acts of Lessee, its agents, employees or invitees. Lessor shall, throughout the term of this Lease, and any extension or renewal thereof, at its expense, maintain in good order and repair the premises, including the building or repair of broken water or sewer lines and heating equipment and other improvements located thereon.

9. Repairs by Lessee

Lessee accepts the Premises in their present condition subject only to the list of agreed improvements and repairs attached hereto. Lessee agrees to return the Premises to Lessor at the expiration or prior termination of this Lease, in as good condition and repair as when first received, natural wear and tear, damage by storm, fire, lightning, earthquake or other casualty alone excepted. Lessee will be responsible for ice and snow removal on sidewalks around the building and for repairing water or sewer line blockages. Lessee will change the heating and air filters on a schedule recommended by the HVAC company. Lessee will take care of general maintenance including the grounds and any maintenance or repairs to the air conditioning.

10. Use

Lessee shall use the Premises to carry out its activities of providing, arranging and managing treatment for individuals with mental illness, developmental disabilities or substance abuse problems for a material recovery facility or for any other lawful purpose. Lessee shall maintain the Premises in a clean, orderly and neat condition at all times.

11. Advertising and Signs

Lessee shall have the right to install exterior signs.

12. Damage or Destruction

If the demised premises shall be damaged or destroyed by fire, the elements or other event so as to render the premises unfit for Lessee's use, Lessor shall have the option to terminate the lease or to restore the premises as nearly as possible to its condition immediately prior to such damage or destruction. Lessee will not be required to pay rent at any time during which the premises are unfit for Lessee's use. Should the period of time required to restore the premises exceed six (6) months, the Lessee shall have the option to terminate immediately this Lease. In the event of any lesser damage or destruction, Lessor shall have the obligation to repair, replace or restore the premises following any such damage or destruction.

13. Condemnation

If all or any part of the premises shall be taken by any kind of condemnation proceeding for any public or quasi-public purpose, this lease shall immediately terminate on the date possession thereof shall be obtained by the condemning authority and the Lessor shall refund to the Lessee any rent prepaid by the Lessee hereunder pro-rated to the date of possession by the condemning authority.

14. Default

Lessor and Lessee agree that should either party fail to comply with the terms of this lease, the lease may be terminated by the complaining party giving thirty (30) days written notice to the defaulting party, provided that the defaulting party may void the termination by correcting the default within the thirty (30) day notice period.

April 20, 2009

15. Quiet Enjoyment

Lessor warrants and represents to Lessee that Lessor has full right and power to execute this lease and that Lessee, upon payment of the rent and performance of the terms and conditions contained in this lease, shall peaceably and quietly have, hold and enjoy the premises during the term of this lease, free of interference from the Lessor, save and expect for the acts and duties necessary to fulfill the obligations, rights and responsibilities of the Lessor pursuant to the terms and conditions of this lease.

16. Right of Entry

Lessor shall have the right to enter the premises during reasonable hours in order to examine the premises and to insure that all maintenance, repair or replacement required of Lessor hereunder is completed properly. Lessor shall have the right to enter the premises to perform maintenance such as painting, etc., providing it be done in a reasonable and timely fashion. Lessor acknowledges that Lessee maintains upon its premises confidential medical records and other confidential documents, the disclosure of which is governed by state and federal law. Lessor's right of entry shall be exercised in such a way that Lessor does not violate any such law. Lessor shall require any agent of Lessor entering the premises, including but not limited to maintenance personnel, to safeguard and respect the confidential nature of materials in Lessor's premises.

17. Notice

Any notice between Lessor and Lessee hereunder shall be in writing and shall be delivered in person or by the US Postal Service at the address specified in this paragraph. Any such notice delivered by the US Postal Service shall be deemed given and sufficient upon receipt, refusal, or non-delivery after five (5) days if addressed to:

Lessor:	Wagstaff Associates Lindsay T. Wagstaff, Jr. 031 Reams Avenue Roxboro, NC 27573
Lessee:	County Manager Person County Local Government 304 South Morgan Street Roxboro, NC 27573

The addresses set forth herein may be changed from time to time by written notice as provided.

18. Interest

The execution of this lease or the performance of any act or acts pursuant to the provisions hereof shall not be deemed to have the effect of creating between Lessor and Lessee any relationship of principal and agent, partnership, or relationship other than that of Lessor and Lessee.

19. Severability

In the event that any term or condition of this shall be deemed invalid or unenforceable in whole or in part, the remainder shall not be affected and each remaining term and condition of this lease shall be valid and enforceable to the fullest extent permitted by law.

20. Governing Law

This lease shall be performed in the State of North Carolina and Lessor and Lessee agree, notwithstanding the principles of conflicts of law, that the laws of the State of North Carolina shall govern and control the validity, interpretation, performance and enforcement of this lease. Further Lessor and Lessee agree that the venue for any action relating to this lease shall be the County of Person, State of North Carolina.

April 20, 2009

21. Entire Agreement

This lease and any addendum hereto constitute the entire agreement and understanding between the Lessor and the Lessee and there are no oral understandings, terms or conditions.

22. Amendment

This lease may be modified or amended only by written agreement signed by both parties.

23. Recording of Lease

Lessor and Lessee agree that this lease shall not be recorded and the parties shall execute a memorandum of lease in the usual short form to be utilized for purposes of recordation. In the event of termination of this lease prior to the termination date indicated in the memorandum of lease, Lessee shall make, execute and deliver to the Lessor an instrument in proper form for recording in the office where the aforesaid memorandum of lease is recorded, evidencing such termination.

24. Renewal

This lease may be renewed by agreement of both parties for an additional five year term at a rental rate of the last year of this lease adjusted by the rate of increase of the Consumer price index.

IN TESTIMONY WHEREOF, Lessor and Lesser have executed this instrument by authority duly granted in legal and binding form, all effective the day and year first above written.

Lessor: Wagstaff Associates
A General North Carolina Partnership

Lessee: Person County Local Government

Lindsay T. Wagstaff, Jr. (Partner)

Heidi York
County Manager

Date:

Date:

John H. Wagstaff (Partner)

Date

April 20, 2009

CONSIDERATION FOR THE JULY 4, 2009 FIREWORKS SHOW:

Mitch Pergerson, Director of Recreation, Arts and Parks stated no contract has been executed for the July 4, 2009 fireworks show due to uncertainty of available funds by both the City of Roxboro and Person County. Mr. Pergerson noted the July 4, 2009 date has been reserved with the vendor for the fireworks show. The cost for the fireworks program has been negotiated from \$10,000.00 to \$9,000.00 to be shared equally between the City of Roxboro and Person County. Person County provides clean up after the program and the Police Department provides law enforcement during the event. Mr. Pergerson noted he had not received a commitment from the City of Roxboro for their \$4,500.00 share in the costs. Mr. Pergerson stated \$4,500.00 is budgeted for Person County's share of the costs in this fiscal year's budget, however, he had not budgeted any additional funds to cover the costs of entertainment which is approximately \$1,000.00. In light of projected budget cuts, Mr. Pergerson felt it was inappropriate to proceed with this program and asked the Board for direction on how to proceed.

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Puryear, and **carried** to request Mr. Pergerson to explore the possibility of corporate sponsorships or other creative ways to fund the fireworks program and bring back to the Board an update at the next Board meeting on May 4, 2009.

SET PUBLIC HEARING DATE FOR UPDATE TO TEN YEAR SOLID WASTE MANAGEMENT PLAN:

Assistant County Manager, Paul Bailey stated NC General Statute 130A-309A(b) dictates Person County and the City of Roxboro to prepare an update the Comprehensive Solid Waste Management Plan for the Person County Planning Area. Jointly the City of Roxboro and Person County prepared an original plan in 1997, and have updated in years 2000, 2003, 2006 with another three-year update due this year. Mr. Bailey noted a public hearing is a requirement of the General Statute to be held jointly or independently of the two governing bodies as well as adoption of the plan and submitted by the end of June, 2009. In addition, Mr. Bailey told the Board that a bill was recently passed in the last legislative session that each county shall consider whether to implement a program for the management of abandoned manufactured homes. Mr. Bailey noted if after consideration, the County decides not to implement a program, the County must state in the Comprehensive Solid Waste Management Plan that it is required to develop that the County considered the program but decided against implementation. A county may at any time reconsider its decision, however, if a program is implemented, there are a number of guidelines that must be followed, i.e. who will decide the mobile home is abandoned, how will property owner be notified, what action will take place if the property owner does not sufficiently take care of the abandoned unit, how disposal of the manufactured home will take place once dismantled, disposal of mercury, etc., if present. Due to the time constraints of the effective date of July 1, 2009, Mr. Bailey recommended to the Board that Person County's update include a statement noting at this time that no plan will be developed. Mr. Bailey informed the Board of a \$2500 grant to assist with

the development of a plan. If Person County applies and accepts the grant funds, a plan absolutely must be implemented.

Mr. Bailey stated a draft copy of the Solid Waste Management Plan for the Person County Planning Area (Three-Year Update) will be available in the County Manager's Office, City Hall and at the Person County Public Library on Wednesday, April 22, 2009.

Mr. Bailey requested the Board to set a public hearing for an update to the Ten Year Solid Waste Management Plan at the next scheduled Board meeting on May 4, 2009 as well as recommended to note in the update plan that Person County will not consider implementing a program for the abandonment of manufactured mobile homes at this time.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Jeffers, and **carried** to set a public hearing for an update to the Ten Year Solid Waste Management Plan at the next scheduled Board meeting on May 4, 2009.

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Puryear, to instruct Mr. Bailey to proceed with the policy for the abandonment of manufactured mobile homes as well as apply for the \$2500 grant funds to aid in the development of the program. After Board discussion Commissioner Kennington **withdrew his motion** and Commissioner Puryear **seconded the motion to withdraw**. Commissioner Kennington requested Mr. Bailey to report to the Board at the next scheduled Board meeting on May 4, 2009 information and obligations connected to the \$2500 grant funds as well as provide a draft policy, if possible.

REQUEST APPROVAL FOR A COUNTY WIDE RECORDS RETENTION AND DISPOSITION SCHEDULE:

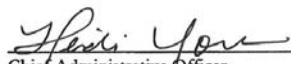
County Manager, Heidi York stated the Records and Disposition Schedules from the state Department of Cultural Resources is a tool for managing records in county government and dictates how public records are retained, disposed and assesses the records value.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Kennington, and **carried** to adopt a Countywide Records Retention and Disposition Schedule

**County Management Schedule
Records Retention and Disposition Schedule**

The records retention and disposition schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provision of Chapter 121 and 132 of the General Statutes of North Carolina, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement. It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule is to remain in effect from the date of approval until it is reviewed and updated.

APPROVAL RECOMMENDED

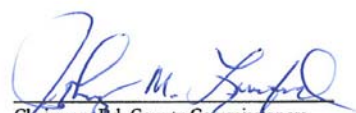


Chief Administrative Officer
(County Manager) Heidi York



David Brook, Director
Division of Historical Resources

APPROVED



Chairman, Bd. County Commissioners
Johnny Myrl Lunsford



Lisbeth C. Evans, Secretary
Department of Cultural Resources

April 1, 2006

County: PERSON

April 20, 2009

CONSIDERATION OF PERSON COUNTY IDENTITY THEFT RED FLAGS POLICY:

County Attorney, Ron Aycock presented to the Board for consideration a policy outlining Identity Theft Red Flags based a new Federal Trade Commission rules to protect identify theft. The initial rules protect citizens against identity theft in the traditional kinds of theft (checking account intrusion, credit card fraud, social security number theft), but recent interpretation apply to certain credit transactions of local government. Upon Mr. Aycock's review of Person County's operations, there are not transitions subject to coverage of the policy but out of abundance of caution and in order to meet the May 1, 2009 deadline, Mr. Aycock recommended that the Board adopt the policy presented to cover Person County, including its Boards and Committees. Mr. Aycock further noted that if Person County Department's operations in the future become subject to the rules, the Board can implement Person County rules for compliance. Responsibility for developing, implementing and updating this program would be through the creation of an Identity Theft Committee for the County. This Committee would be headed by the Finance Officer with two or more other individuals to be appointed by the County Manager, one of whom shall be the County Attorney, all responsible appropriate training of County staff, reviewing staff reports, determining steps of prevention and considering updates to the rules.

Mr. Aycock believes that Archives and History would take into account any conflict with the Identity Theft Policy in coordination with the Records and Retentions policy stating federal rules would trump state rules.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Jeffers, and **carried** to adopt the Person County Identify Theft Red Flags Policy

PERSON COUNTY IDENTITY THEFT RED FLAGS POLICY

I. PROGRAM ADOPTION

Person County's Identity Theft Prevention Program ("Program") was developed to comply with the Federal Trade Commission's Red Flags Rule ("Rule"), which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003. 16 C. F. R. § 681.2. As required by the rules, the Program was developed with oversight and approval of the Board of County Commissioners.

II. PROGRAM PURPOSE AND DEFINITIONS

A. Fulfilling requirements of the Red Flags Rule

Under the Red Flag Rule, every financial institution and creditor is required to establish an "Identity Theft Prevention Program" tailored to its size, complexity and the nature of its operation. Each program must contain reasonable policies and procedures to:

1. Identify relevant Red Flags for new and existing covered accounts and incorporate those Red Flags into the Program;
2. Detect Red Flags that have been incorporated into the Program;
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate Identity Theft; and
4. Ensure the Program is updated periodically, to reflect changes in risks to customers or to the safety and soundness of the creditor from Identity Theft.

B. Red Flags Rule definitions used in this Program

The Red Flags Rule defines "Identity Theft" as "fraud committed using the identifying information of another person" and a "Red Flag" as a pattern, practice, or specific activity that indicates the possible existence of Identity Theft.

According to the Rule, a local government utility is a creditor subject to the Rule requirements. The Rule defines creditors "to include finance companies, automobile dealers, mortgage brokers, utility companies, and telecommunications companies. Where non-profit and government entities defer payment for goods or services, they, too, are to be considered creditors."

Person County Health and EMS Departments may be determined to have "covered accounts" in the future but are not currently believed to be covered by the Rule. If these or other County Department's accounts are determined to be "covered" they will be included under this policy. Under the Rule, a "covered account" is:

1. Any account the County offers or maintains primarily for personal, family or household purposes, that involves multiple payments or transactions; and

2. Any other account the County offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the County from Identity Theft.

“Identifying information” is defined under the Rule as “any name or number that may be used, alone or in conjunction with any other information, to identify a specific person,” including: name, address, telephone number, social security number, date of birth, government issued driver’s license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, computer’s Internet Protocol address, or routing code.

III. IDENTIFICATION OF RED FLAGS.

In order to identify relevant Red Flags, the County considers the types of accounts that it offers and maintains, the methods it provides to open its accounts, the methods it provides to access its accounts, and its previous experiences with Identity Theft. The County identifies the following red flags, in each of the listed categories:

A. Notifications and Warnings from Credit Reporting Agencies

Red Flags

1. Report of fraud accompanying a credit report;
2. Notice or report from a credit agency of a credit freeze on a customer or applicant;
3. Notice or report from a credit agency or an active duty alert for an applicant; and
4. Indication from a credit report of activity that is inconsistent with a customer’s usual pattern or activity.
5. Any other account the County offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the County from Identity Theft.

B. Suspicious Documents

Red Flags

1. Identification document or card that appears to be forged, altered or inauthentic;
2. Identification document or card on which a person’s photograph or physical description is not consistent with the person presenting the document;
3. Other document with information that is not consistent with existing customer information (such as if a person’s signature on a check appears forged); and
4. An application that appears to have been altered or forged.

C. Suspicious Personal Identifying Information

Red Flags

1. Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
2. Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on a credit report);
3. Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
4. Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);
5. Social security number presented that is the same as one given by another customer;
6. An address or phone number presented that is the same as that of another person;
7. A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law social security numbers must not be required); and
8. A person's identifying information is not consistent with the information that is on file for the customer.

D. Suspicious Account Activity or Unusual Use of Account

Red Flags

1. Change of address for an account followed by a request to change the account holder's name;
2. Payments stop on an otherwise consistently up-to-date account;
3. Account used in a way that is not consistent with prior use (example: very high activity);
4. Mail sent to the account holder is repeatedly returned as undeliverable;
5. Notice to the County that a customer is not receiving mail sent by the County;
6. Notice to the County that an account has unauthorized activity;
7. Breach in the County's computer system security; and
8. Unauthorized access to or use of customer account information.

E. Alerts from Others

Red Flag

Notice to the County from a customer, identity theft victim, law enforcement or other person that it has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.

IV. DETECTING RED FLAGS.

A. New Accounts

In order to detect any of the Red Flags identified above associated with the opening of a **new account**, County personnel will take the following steps to obtain and verify the identity of the person opening the account:

Detect

1. Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other photo ID;
2. Verify the customer's identity (for instance, review a driver's license or other identification card);
3. Review documentation showing the existence of a business entity; and
4. Independently contact the customer.

B. Existing Accounts

In order to detect any of the Red Flags identified above for an **existing account**, County personnel will take the following steps to monitor transactions with an account:

Detect

1. Verify the identification of customers if they request information (in person, via telephone, via facsimile, via email);
2. Verify the validity of requests to change billing addresses; and
3. Verify changes in banking information given for billing and payment purposes.

V. PREVENTING AND MITIGATING IDENTITY THEFT

In the event County personnel detect any identified Red Flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the Red Flag; as well as taking into account confidentiality laws related to certain information.

A. Prevent and Mitigate

1. Continue to monitor an account for evidence of Identity Theft;
2. Contact the customer;
3. Change any passwords or other security devices that permit access to accounts;
4. Not open a new account;
5. Close an existing account;
6. Reopen an account with a new number;
7. Notify the Finance Director for determination of the appropriate step(s) to take;
8. Notify law enforcement; or
9. Determine that no response is warranted under the particular circumstances.

B. Protect customer identifying information

In order to further prevent the likelihood of identity theft occurring with respect to County accounts, the County will take the following steps with respect to its internal operating procedures to protect customer identifying information:

1. Ensure that its website is secure or provide clear notice that the website is not secure;
2. Ensure complete and secure destruction of paper documents and computer files containing customer information;
3. Ensure that office computers are password protected and that computer screens lock after a set period of time;
4. Keep offices clear of papers containing customer information;
5. Request only the last 4 digits of social security numbers (if any);
6. Ensure computer virus protection is up to date; and
7. Require and keep only the kinds of customer information as is necessary for the purpose of the account.

VI PROGRAM UPDATES

The Finance Officer will periodically review and update this Program to reflect changes in risks to customers and the soundness of the County from Identity Theft. In doing so, the Finance Officer will consider the County's experiences with Identity Theft situations, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, and changes in the County's business arrangements with other entities. After considering these factors, the Finance Officer will determine whether changes to the Program, including the listing of Red Flags, are warranted. If warranted, the Finance Officer will update the Program or present the Board of Commissioners with his or her recommended changes and the Board of Commissioners will make a determination of whether to accept, modify or reject those changes to the Program.

VII. PROGRAM ADMINISTRATION.

A. Oversight

Responsibility for developing, implementing and updating this Program lies with an Identity Theft Committee for the County. The Committee is headed by the Finance Officer. Two or more other individuals shall be appointed by the County Manager, one of whom shall be the County Attorney. These persons shall comprise the remainder of the committee membership. The Committee will be responsible for the Program administration, for ensuring appropriate training of County staff on the Program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Program.

B. Staff Training and Reports

County staff responsible for implementing the Program shall be trained either by or under the direction of the Finance Director in the detection of Red Flags, and the responsive steps to be taken when a Red Flag is detected.

C. Service Provider Arrangements

In the event the County engages a service provider to perform an activity in connection with one or more accounts, the County will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of Identity Theft.

1. Require, by contract, that service providers have such policies and procedures in place; and
2. Require, by contract, that service providers review the County's Program and report any Red Flags to the Finance Director.

D. Specific Program Elements and Confidentiality

For the effectiveness of Identity Theft prevention Programs, the Red Flag Rule envisions a degree of confidentiality regarding the County's specific practices relating to Identity Theft detection, prevention and mitigation. Therefore, under this Program, knowledge of such specific practices is to be limited to the Finance Director and those employees who need to know them for purposes of preventing Identity Theft. Because this Program is to be adopted by a public body and thus publicly available, it would be counterproductive to list these specific practices here. Therefore, only the Program's general red flag detection, implementation and prevention practices are listed in this document.

Adopted this 20th day of April, 2009.

COUNTY BOARD OF COMMISSIONERS


Johnay Myrl Lunsford, Chairman

ATTEST:


Brenda B. Reaves
Clerk to the Board

CONSIDERATION OF A RESOLUTION SUPPORTING LOCAL CONTROL OF LOCAL ABC BOARDS AND OPPOSING FORCED MERGERS OF LOCAL ABC BOARDS:

Dale Norris, Manager of the Person County ABC Stores, presented the Resolution Supporting Local Control Of Local ABC Boards And Opposing Forced Mergers Of Local ABC Boards on behalf of the ABC Board. Mr. Norris stated there are two bills in legislation currently aim at boards with less than five percent profits and counties that have multiple boards designed to improving efficiency and profits. The local ABC Board feels they are provides a service as well as turning over profits to the county and wants to retain the local control to make decisions, especially on the issues of allowing ABC store to open and make sales on Sundays and requests the Board of Commissioners to adopt the Resolution as presented. Mr. Norris told the Board that ABC profits appropriated \$28,000 for one law enforcement position and \$195,000 distribution to the County.

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Clayton, and **carried** to approve the Resolution Supporting Local Control Of Local ABC Boards And Opposing Forced Mergers Of Local ABC Boards.

**A Resolution Supporting Local Control Of Local ABC Boards
And Opposing Forced Mergers Of Local ABC Boards**

WHEREAS, the citizens of Person County voted to permit the sale of spirituous liquor through the establishment of the Person County ABC Board, which is a part of the North Carolina's state control system;

WHEREAS, *SB 839/HB 768 -- Modernization of the ABC System* would require all ABC boards in a county to merge, allow the state ABC Commission to merge county-wide boards into regional boards, require the ABC Commission to develop performance standards, allow the ABC Commission to close or merge ABC boards, close ABC stores with low profitability, contract directly with agency stores for the sale of spirits where ABC stores are authorized but not in operation, and require an ABC board to contract with an agency store;

WHEREAS, it is a local decision to establish and operate an ABC store, and any decision to merge an ABC Board should be made by the local government based on local circumstances, and not by the state.

WHEREAS, a local government balances control, profits and availability of spirits in operating ABC stores;

WHEREAS, the decision by a local government to operate with a low profit margin does not reduce the amount of liquor excise tax received by the state, so the state does not have a financial interest in the profitability of ABC stores;

WHEREAS, an "agency store" is a private retail seller, and the citizens of Person County, when voting to permit the operation of ABC stores, did not vote to allow liquor to be sold in such private off-premise retail establishments;

WHEREAS, sales of liquor may not be well-regulated in agency stores, thereby potentially creating law enforcement and other problems, Person County desires to retain North Carolina's control system over the sales of spirits and to continue to make spirits available to its citizens only through its ABC store(s);

NOW THEREFORE, BE IT RESOLVED BY THE Person County Board of Commissioners on this 20th day of April, 2009, that the establishment and operation of the Person County ABC store(s) through the control system should be a local decision and that the Board of Commissioners of Person County opposes any state mandate to merge ABC Boards, mandate the merger or closing of ABC stores and opposes the establishment of agency stores.

(signed)

By: _____
Johnny Myrl Lunsford, Chairman
Person County Board of Commissioners

(signed)

Attest: _____
Brenda B. Reaves, Clerk to the Board

(signed)

By: _____
Bobby Brooks, ABC Board Chairman

April 20, 2009

BUDGET AMENDMENT:

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

Upon a motion by Commissioner Clayton, and a second by Commissioner Lunsford, and majority vote, the Board of Commissioners of Person County does hereby amend the Budget of the General Fund(s) on this, the 20th day of April 2009, as follows:

<u>Dept./Acct No.</u>	<u>Department Name</u>	<u>Amount</u>
<u>EXPENDITURES</u>	<u>General Fund</u>	
	Public Safety	(5,500)
	Culture and Recreation	(5,383)
	Human Services	(45,900)
	Debt Service	(319,142)
	Transfers	(323,997)
	<u>Roofing/Paving-Capital Project Fund</u>	
	Roofing/Paving Capital Project	(4,334,325)
<u>REVENUES</u>	<u>General Fund</u>	
	Intergovernmental Revenues	18,262
	Other Revenue	100
	Fund Balance Appropriated	(399,142)
	Transfers	(319,142)
	<u>Person Industries-Special Revenue Fund</u>	
	Solid Waste Disposal Tax	4,855
	Transfers	(4,855)
	<u>Roofing/Paving-Capital Project Fund</u>	
	Debt Financing Proceeds	(4,050,000)
	Fund Balance Appropriated	(284,325)

Appropriate: Interfund transfers in EMS to cover shortage in BZPP Grant, reductions in the EMS Toolkit Grant (\$5,500), reductions in the State Library Grant (-\$5,383), DSS adjustments for various programs (\$34,100); to correctly account for the additional ADM monies received on April 1st by reducing fund balance appropriated (-\$319,142); and to correct a budget adjustment to Medicaid for the hold-harmless provision against the ADM Fund (-\$80,000).

<u>Dept./Acct No.</u>	<u>Department Name</u>	<u>Amount</u> Incr / (Decr)
<u>EXPENDITURES</u>	<u>General Fund</u>	
	Public Safety	8,200
<u>REVENUES</u>	<u>General Fund</u>	
	Fund Balance Appropriated	8,200

Appropriate: Restricted Unauthorized Substance Tax for the purchase of a new K-9 (\$8,200).

April 20, 2009

CHAIRMAN'S REPORT:

Commissioner Lunsford reminded the Board that this is the Week of the Young Child, including the Good Morning Breakfast Hour to be held at Golden Corral on Wednesday, April 22, 2009.

MANAGER'S REPORT:

County Manager Heidi York reminded the Board of the joint City of Roxboro/County Board joint meeting at noon at the Library.

Ms. York noted if time allows between the conclusion of this meeting and before the noon joint meeting, she requested for the Board to recess and reconvene for the purpose of receiving Capital Improvement Plan information by the Finance Director.

Ms. York stated a joint meeting is scheduled for next Monday evening, April 27, 2009, at 6:00 pm with the School Board which includes dinner at the Library.

Ms. York informed the Board that she has a weekly conference call with the association to discuss bills that are currently in the legislative for consideration.

COMMISSIONER REPORT/COMMENTS:

Commissioner Clayton reminded the group of a Board of Directors meeting at the Association of County Commissioners is next Tuesday, April 28, 2009 and everyone is welcome to attend.

Commissioner Clayton stated County Assembly Day is April 29, 2009, starting at 1:00 pm and ending with a reception for the legislators at 5:30 pm. Commissioners were asked to please let the Clerk know if planning to attend.

Commissioner Clayton noted the Environmental Protection Agency announced up to \$5 million in new funding through the American Recovery and Reinvestment Act of 2009 would be available for constructing new water line and hazardous waste clean up at the location where contaminated wells were identified in Person County. Mr. Bailey stated he was notified the funding for the water line and clean up would be through stimulus funds rather than Superfund funds and anticipates working on the contractual piece this week.

Commissioner Jeffers referred to the E-NC Authority that was formed in 2000 for tracking telecommunication infrastructure and adequate high speed internet in underserved communities. The two bills in legislature to support funding is House Bill 532 noting Rep. Wilkins is a sponsor, and Senate Bill 697.

Commissioner Puryear had no report.

Commissioner Kennington was appreciative of the members of the School Board and City Council present for the High Speed Internet Committee meeting and

commended Larry Yarborough as the Chair as well as Commissioner Puryear for setting up the meeting.

Commissioner Kennington asked the Assistant County Manager for an update on the Rolling Hills Bridge status. Mr. Bailey stated he would have an update by the next Board meeting on May 4, 2009. Commissioner Kennington encouraged the group to let officials in Raleigh know that Person County exists.

Commissioner Kennington encourages 11 of those 13 non profit agency presenters of today to apply if not already done so to United Way.

Commissioner Kennington suggested that Board, by way of the Board Chair and County Manager recognize people in Person County by way of letter, i.e. congratulating Bullock Lumber Company for 100 years of service to Person, congratulating Krystal Jensen as Person County Teacher of the Year. Chairman Lunsford noted his reluctance in recognizing specific individuals as there are agencies set up such as the Board of Education and the Chamber of Commerce unless it is by Proclamation or Resolution approved by the Board because some individuals or groups could be overlooked.

Commissioner Kennington asked why the weight limit signs were covered on 158E. Mr. Bailey replied the Department of Transportation was responsible and county staff did not know about it.

RECESS:

Chairman Lunsford **recessed** the meeting at 11:00 a.m. for a few minutes break with plans to reconvene for the purpose of receiving information on Person County's Capital Improvement Plan information from the Finance Director.

The meeting was **reconvened** at 11:10 a.m. County Manager, Heidi York stated during the Board Retreat the Capital Improvement Plan was proposed and this is an opportunity to introduce the concept.

Finance Director, Amy Wehrenberg stated the CIP is a working document in progress. Ms. Wehrenberg stated Person County adopted on June 21, 2004 a Resolution for the Establishment and Maintenance of the County Capital Reserve Fund to encourage the planning and implementation of capital funding as well as to provide a tool that allows for the accumulation of funds for future capital needs. This resolution set a fund balance target of 18% with the intention of any excess of fund balance over this target would be a primary source of funds for capital needs. It further states that it is the Board's goal to fund capital needs annually from fund balance appropriated the amount that exceeds 21% of the appropriations of the General Fund as it stands at the beginning of the fiscal year. Due to budget constraints in past years, there really has not been a commitment on past boards' part to restrict future monies for capital needs. The resolution allows flexibility for the board to forego transfers to this fund if the board decides that restricting those funds may not be appropriate due to prevailing economic

and financial conditions, and that has been the case since the adoption of this resolution. Therefore there have been no contributions to this fund since the year this resolution was adoption.

The Finance Director and County Manager found the resolution to be in good order, without need for any amendments. Ms. Wehrenberg feels there are projects that have been delayed and recommends to move forward with the adoption of the CIP, however, due to the current fiscal year conditions and the concern of the fund balance level at current year end, she proposes adoption of CIP in June, 2009 with the condition that projects approved for the budget year not become part of the budget until next year after the fund balance is realized. This will allow the board to commit to a capital plan now with the flexibility of not restricting funds before the fund balance condition is known. If the fund balance is not sufficient to cover all the projects approved for fiscal year 2010, then the priority list approved by the board would guide which projects would be funded first. The projects would then be brought to the board in the form of a budget amendment and fund balance would be appropriated at that time. The remaining projects would be delayed and restructured in the CIP for the next year's adoption. Ms. Wehrenberg recommends this CIP adoption process for the next two years or until the Board deems it appropriate. Ms. Wehrenberg asked the Board to proceed with caution if it is the Board's desire to adopt without the condition of the budget year's projects becoming part of the next year's budget as the funds will be restricted to capital items only, and not used for anything else. Once projects are budgeted in a capital reserve fund, they cannot be spent on anything but capital items. Ms. Wehrenberg noted at the end of fiscal year 2008, the county had 2.8 million available for capital projects however she anticipates much less than this at the end of this fiscal year, and hesitated to make any projection. Again, Ms. Wehrenberg recommended for the Board to make a budget amendment to next year's budget for capital projects funding once an assessment can be done at year end.

Proposed CIP for 2009-10 are illustrated in the handouts by:

Department Priority list from county departments, Piedmont Community College and Person County Schools requests listed in priority order as submitted.

County Manager's Recommendation Priority listing of projects in priority marked by the County Manager.

The last handout illustrates the County Manager's funding scenario of the projects outlined over the next five years including the sources of revenue that are projected to be tied to the expenditures, the project costs in recommended order for the County, Piedmont Community College and Person County Schools. The projects expected to borrow funds to finance are the Courthouse Renovation project, the Recreation and Senior Center as well as the Technical Education Center at Piedmont Community College. The only project that is expected to have grant funds applied is the Recreation and Senior Center.

RESOLUTION
ESTABLISHMENT AND MAINTENANCE OF THE
COUNTY CAPITAL RESERVE FUND

WHEREAS, the Board of County Commissioners of Person County (the "Board") recognizes the need to plan for current and future capital needs of the County of Person (the "County"); and

WHEREAS, the Institute of Government of the University of North Carolina and the Local Government Commission of the State Treasurer's Office encourage North Carolina local governments to plan for capital expenditures and to adopt a Capital Improvement Plan (CIP) to aid them in this planning; and

WHEREAS, the Board wishes begin accumulating monies to fund its capital needs; and

WHEREAS, the Board has determined that an adequate level of fund balance should be maintained in its General Fund that may be appropriated in addition to other budgetary revenues; and

WHEREAS, the Board has further determined that, in the case of the General Fund, "appropriated fund balance" for any budget year shall not exceed an amount that would diminish "fund balance available for appropriation" (defined as the "sum of cash and investments minus the sum of liabilities, encumbrances, and deferred revenues arising from cash receipts as those figures stand at the close of the next preceding the budget year) below a target of eighteen percent of the total appropriations for the budget year.

WHEREAS, the Board has decided that amounts of fund balance in excess of the target level mentioned above should be one of the primary sources of funding the County's capital needs; and

WHEREAS, the Board's goal is to fund annually from the "fund balance available for appropriation" of the General Fund the amount that exceeds 21% of the appropriations of the General Fund, as they stand at the beginning of the fiscal year.

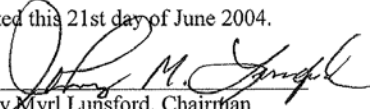
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF PERSON COUNTY THAT:

- Section 1. The Board hereby creates the County Capital Reserve Fund (CCRF) for the purpose of accumulating monies to provide for capital expenditures outlined within the annually adopted CIP and as may otherwise be determined.
- Section 2. This fund will remain operational until the Board determines another manner by which to provide for capital needs.
- Section 3. The Board will transfer from the General Fund \$200,655 for the purpose of accumulating monies to purchase vehicles and mowing equipment.
- Section 4. The Board may forgo transfers to the CCRF when, in its discretion, prevailing economic and financial conditions warrant.

Section 5. This resolution shall become effective upon its adoption.

Section 6. Copies of this resolution shall be furnished to the Clerk to the Board, the Budget Officer and the Finance Director for the purpose of complying with this resolution.

Adopted this 21st day of June 2004.



Johnny Myrl Lunsford, Chairman
Person County Board of Commissioners



Faye T. Fuller, Clerk to the Board

DEPT	PROJECT TITLE (by dept priority)	TOTAL COST	PROJECT DESCRIPTION
Central Services (CS)	Hot Water repair at LEC (will need to do repiping)	110,000	Put in circulation pump and pipe to keep hot water in cell blocks. The original design has heat tape on the pipes, this tape is no longer working inside some of the walls.
	New roof-Library	250,000	Scheduled replacement-Roof continues to leak in several areas. We have postponed as long as possible.
	New roof-Airport Pump Building	25,000	Scheduled replacement-Roof continues to leak in several areas, included in CIP even though cost is under threshold to be included in with other roof projects.
	New roof-Olive Hill Gym	160,000	Scheduled replacement-Roof continues to leak in several areas. We have postponed as long as possible.
	Courthouse Renovations	3,200,000	Improve conditions of courtrooms and offices with upgrades on equipment, furnishings and adequate space.
	Paving-driveway & parking lots- Anim Ctrl & PW maintenance	100,000	Constantly putting gravel on these drive and parking lots. Also, having to grade and fill holes regularly.
	New roof-Kirby Civic Auditorium	450,000	Scheduled replacement-some leaks have been repatched.
	Replace carpet & tile (PCOB)	600,000	Department requests to do one floor per year for three years. The tiles contain asbestos, and an asbestos company would have to remove the carpet, tile, and glue. This may require complete relocation of offices during replacement.

April 20, 2009

	Remove 4000 Gallon UST (diesel fuel tank) @ EMS and Replace with above ground tank-used for the generator	60,000	Replace underground tank that is approx. 20 years old to bring up to regulation. Leaks could be very costly if the current tank ruptures.
	New roof-PCOB	400,000	Scheduled replacement
	Demolition of house & pave lot	220,000	Tear down house and pave lot for PATS vehicles that are too large for present lots. The house is located next to the PC Office Bldg.
	New roof-EMS	200,000	Scheduled replacement
	New roof at Huck Sansbury Gym	400,000	Scheduled replacement
Fire Marshal (FM)	Mobile Air and Light Vehicle	285,000	A custom built unit, with on board breathing compressor system for filling SCBA bottles on the emergency scene. Also, includes a 3-phase PTO generator, single or multiple light tower, portable scene lighting, electrical cord reels and rehab on fire and emergency incidents. This vehicle would provide assistance for law enforcement, fire departments, rescue squads, etc. Vehicle would be utilized for 20-30 years and provide better incident safety for emergency workers.
EMS	ECG Monitor Replacement Program	250,000	Current monitors are three years old, this would keep the monitors up to date on technology in the field. The current machines are reaching their life span and will need to be replaced. This will get the monitors onto a rotation schedule.
Rec, Arts & Parks (REC)	Rec Center/Senior Center Engineer Fees	52,000	Hiring of engineering/architectural firm to design site plans, floor plans, etc. for grant application opportunities.

Helena gym improvements	53,000	Phase two upgrade restrooms to meet ADA requirements.
Office Rec Center--old DSS building	100,000	Convert old Social Services building into offices for Recreation, Arts, & Parks. Presently using back half of building for programs/meetings and storage. PCC is using front half for classes.
Rec Center/Senior Center	5,950,000	Combined facility-indoor pool, elevated walking track, 2 gyms, racquetball, exercise rooms, meeting rooms, office space, outdoor skate park.
Playground improvements	150,000	Replace old equipment at various parks. We schedule to replace/update equipment each year to improve safety. Have not been replaced in 3 years.
Paving-3 Walking tracks	130,000	Repave existing walking tracks-built in early 90's-many are cracking due to age, also drainage will be repaired as needed.
Kirby--Renovate second floor	500,000	Convert second floor of Kirby into meeting and teaching rooms for art classes. PCC is looking for additional space for Associate in Fine Arts program. Grant opportunities are being explored.
Mayo Park-camping cabins (2) and restrooms for camp area # 2	100,000	More cabins will increase revenues for Mayo Park
Helena park expansion	350,000	Includes parking, tennis courts, and additional multi-purpose field. Growth in southern Person County needs larger park area. Old school will need to be demolished.
Olive Hill---construct outdoor restrooms	75,000	Current restrooms are accessed through gym-need availability for after hours use.

Pied Comm College (PCC)	Tech Ed Building	616,117	Current project underway in 08-09. Could be included in financing options later.
	New roof-F, G, and I Buildings (\$225K/ea.)	675,000	All 32 years old and beyond repair. Programs would be closed down if roof fails for any of the buildings. All are leaking and pose threat to equipment and class disruption.
	New Telephone System (Voice Over IP)	65,600	Replacement of 15 years old system that is outdated. Difficult to expand system and locate parts.
	Paving and Expansion-Parking Lot 4	100,000	Additional parking spaces are needed due to growth in number of students.
	Renovate Building F lower level, Bldg G lower level & Bldg D	1,283,800	Renovations to these bldgs will provide relocation and expansion of welding and electrical/electronics programs. Also will provide for new technology, lighting, HVAC, seating/desks, etc.
Public Schools (SCH)	PHS fire alarm & security system replacement	200,000	Current fire alarm system out of repair, replacement parts can no longer be obtained. This would improve system connectivity to the phone system for better communication during an emergency situation. They would also implement a controlled access system to all outside doors for added security.
	New roof-Northern Middle School	1,500,000	Roof is currently 18-20 years old and scheduled for replacement
	Exterior wall waterproofing Person High	60,000	Water is penetrating the exterior walls causing the paint not to adhere inside of the school and causing bad odors.

Window replacement-Earl Bradsher	370,000	Scheduled replacement-starting to leak and to make more energy efficient.
Window replacement-North Elem	450,000	Scheduled replacement-starting to leak and to make more energy efficient.
New roof-SMS Gym	100,000	Scheduled replacement-life expectancy will be reached and starting to deteriorate.
Window replacement-North End Elem	500,000	Scheduled replacement-to make more energy efficient.
Stadium restrooms & seating	500,000	Restrooms are not readily accessible to the public. Handicap access is not available, in addition, stadium seating needs to be added for crowd control .
Window replacement-Woodland Elem	400,000	Scheduled replacement-to make more energy efficient.
New roof-portion of PHS	1,000,000	Roof section covers 1991 addition, this section is 17 years old and is expected to last 18-20 years.
Window replacement-Oak Lane Elem	500,000	Scheduled replacement-to make more energy efficient.
Window replacement-South Elem	600,000	Scheduled replacement-to make more energy efficient.
New roof-Early Intervention	125,000	Scheduled replacement-life expectancy will be reached and starting to deteriorate.
Paving-PHS & South Elem	100,000	Pavement is showing signs of deterioration and will start breaking apart with continued traffic and winter weather.
Window replacement-Person High	600,000	Windows are in poor condition, not energy efficient and water and air easily enter bldg through them.
VCT floor tile replacement Earl Bradsher	125,000	Floor tiles are original to the bldg from 1950 and are worn out. They also contain asbestos hazards.

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Paving-tracks at PHS & SMS	200,000	Repairs have been made to these tracks in the past, but the cracks reappear rapidly. The tracks must be removed and a new base built to adequately repair the facilities making them safer for students.
Maintenance Facility	1,500,000	Existing facility is 60 years old and in poor condition. Also, not enough space for operation or storage areas.
New roof-North End	750,000	Scheduled replacement-life expectancy will be reached and starting to deteriorate.
New roof- Southern Middle	1,500,000	Scheduled replacement-life expectancy will be reached and starting to deteriorate.
Chiller replacement @ PHS	285,000	Chiller will be 23 years old and is at the end of life for the unit.

CO. MGR'S RECOM				
DEPT	PROJECT TYPE	PRIORITY	PROJECT TITLE	TOTAL COST
CS	Roofing	1	New roof-Library	250,000
CS	Roofing	2	New roof-Olive Hill Gym	160,000
CS	Roofing	3	New roof-Airport Pump Building	25,000
SCH	Roofing	4	New roof-Northern Middle School	1,500,000
SCH	Bldg Improvement	5	Exterior wall waterproofing Person High	60,000
PCC	Roofing	6	New roof-F, G, and I Buildings (\$225K/ea.)	675,000
CS	Bldg Improvement	7	Hot Water repair at LEC (will need to do repiping)	110,000
CS	Bldg Improvement	8	Courthouse Renovations	3,200,000
PCC	New Bldg Construction	9	Tech Ed Building	616,117
SCH	Equipment	10	PHS fire alarm & security system replacement	200,000
CS	Roofing	11	New roof-Kirby Civic Auditorium	450,000
CS	Roofing	12	New roof-PCOB	400,000
CS	Roofing	13	New roof-EMS	200,000
CS	Roofing	14	New roof at Huck Sansbury Gym	400,000

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SCH	Roofing	15	New roof-SMS Gym	100,000
SCH	Roofing	16	New roof-portion of PHS	1,000,000
SCH	Roofing	17	New roof-Early Intervention	125,000
SCH	Roofing	18	New roof-North End	750,000
SCH	Roofing	19	New roof-Southern Middle	1,500,000
SCH	Equipment	20	Chiller replacement @ PHS	285,000
SCH	Bldg Improvement	21	Window replacement-Earl Bradsher	370,000
SCH	Bldg Improvement	22	Window replacement-North Elem	450,000
SCH	Bldg Improvement	23	Window replacement-North End Elem	500,000
SCH	Bldg Improvement	24	Window replacement-Woodland Elem	400,000
SCH	Bldg Improvement	25	Window replacement-Oak Lane Elem	500,000
SCH	Bldg Improvement	26	Window replacement-South Elem	600,000
SCH	Bldg Improvement	27	Window replacement-Person High	600,000
CS	Bldg Improvement	28	Replace carpet & tile (PCOB)	600,000
CS	Equipment	29	Remove 4000 Gallon UST (diesel fuel tank) @ EMS and Replace with above ground tank-used for the generator	60,000

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REC	Bldg Improvement	30	Rec Center/Senior Center Engineer Fees	52,000
SCH	Bldg Improvement	31	Stadium restrooms & seating	500,000
CS	Paving	32	Paving-driveway & parking lots-Anim Ctrl & PW maintenance	100,000
REC	Bldg Improvement	33	Helena gym improvements	53,000
PCC	Equipment	34	New Telephone System (Voice Over IP)	65,600
SCH	Paving	35	Paving-PHS & South Elem	100,000
SCH	Bldg Improvement	36	VCT floor tile replacement Earl Bradsher	125,000
SCH	Paving	37	Paving-tracks at PHS & SMS	200,000
SCH	New Bldg Construction	38	Maintenance Facility	1,500,000
PCC	Paving	39	Paving and Expansion-Parking Lot 4	100,000
PCC	Bldg Improvement	40	Renovate Building F lower level, Bldg G lower level & Bldg D	1,283,800
EMS	Equipment	41	ECG Monitor Replacement Program	250,000
REC	New Bldg Construction	42	Rec Center/Senior Center	5,950,000
REC	Paving	43	Paving-3 Walking tracks	130,000
CS	Paving	44	Demolition of house & pave lot	220,000
REC	Bldg Improvement	45	Office Rec Center--old DSS building	100,000

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REC	Equipment	46	Playground improvements	150,000
REC	Bldg Improvement	47	Kirby--Renovate second floor	500,000
REC	New Bldg Construction	48	Mayo Park-camping cabins (2) and restrooms for camp area # 2	100,000
REC	Paving	49	Helena park expansion	350,000
REC	New Bldg Construction	50	Olive Hill---construct outdoor restrooms	75,000
FM	Equipment	51	Mobile Air and Light Vehicle	285,000

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Sources of Revenue Project Costs:	Budget Year 2009-10	Planning Year 2010-11	Planning Year 2011-12	Planning Year 2012-13	Planning Year 2013-14
Revenues:					
Transfer from General Fund	1,700,300	1,505,300	1,375,300	1,208,900	976,300
Transfer from County Capital Reserve Fund	54,700	114,700	479,700	484,700	660,700
Transfer from County Capital Reserve Fund (Schools)	-	800,000	895,000	1,440,000	885,000
Grants	-	-	-	-	500,000
Debt Service Proceeds	-	3,817,000	-	-	5,500,000
Total Sources:	1,755,000	6,237,000	2,750,000	3,133,600	8,522,000
Project Costs: (in recommended order)	Budget Year 2009-10	Planning Year 2010-11	Planning Year 2011-12	Planning Year 2012-13	Planning Year 2013-14
Public Buildings:					
New roof-Library	250,000	-	-	-	-
New roof-Olive Hill Gym	160,000	-	-	-	-
New roof-Airport Pump Building	-	25,000	-	-	-
Hot Water repair at LEC (will need to do re-piping)	60,000	50,000	-	-	-
Courthouse Renovations *	-	3,200,000	-	-	-
New roof-Kirby Civic Auditorium	-	225,000	225,000	-	-
New Roof-PCOB	-	200,000	200,000	-	-
New Roof-EMS	-	-	150,000	50,000	-
New roof-Huck Sansbury Gym	-	-	250,000	150,000	-
Replace carpet & tile (PCOB)	-	-	-	200,000	200,000

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Remove 4000 Gallon UST (deisel fuel tank) @ EMS and Replace with above ground tank- used for the generator	-	-	-	60,000	-
Paving-driveway & parking lots- Anim Ctrl & PW maintenance	-	-	-	50,000	50,000
Demolition of house & pave lot	-	-	-	-	-
EMS: ECG Monitor Replacement Program	-	-	-	-	75,000
Fire Marshal: Mobile Air and Light Vehicle	-	-	-	-	-
Recreation, Arts & Parks: Rec Center/Senior Center Engineer Fees	-	-	-	52,000	-
Helena gym improvements	-	-	-	26,000	27,000
Recreation and Senior Center **	-	-	-	-	6,000,000
Paving-6 Walking tracks (3 per year)	-	-	-	30,000	35,000
Office Rec Center--old DSS building	-	-	-	25,000	-
Playground improvements	-	-	-	25,000	-
Kirby--Renovate second floor	-	-	-	250,000	-
Mayo Park- camping cabins (2) and restrooms for camp area (2)	-	-	-	50,000	-
Helena park expansion	-	-	-	-	-
Olive Hill--- construct outside restrooms	-	-	-	-	-

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Total County Projects	470,000	3,700,000	825,000	968,000	6,387,000
Piedmont Community College (PCC):					
New roof-F, G, and I Buildings (\$225K/ea.)	225,000	225,000	225,000	-	-
Technical Education Building ***	-	617,000	-	-	-
New Telephone System (Voice Over IP)	-	-	30,000	35,600	-
Paving and Expansion-Parking Lot 4	-	-	-	50,000	50,000
Renovate Building F lower level, Bldg G lower level & Bldg D	-	-	-	100,000	100,000
Total PCC	225,000	842,000	255,000	185,600	150,000
Project Costs: (in recommended order)	Budget Year 2009-10	Planning Year 2010-11	Planning Year 2011-12	Planning Year 2012-13	Planning Year 2013-14
Public Schools:					
New roof-Northern Middle School	750,000	750,000	-	-	-
Exterior wall waterproofing Person High	60,000	-	-	-	-
PHS fire alarm & securtiy system replacement	200,000	-	-	-	-
New roof-SMS Gym	50,000	50,000	-	-	-
New roof-portion of PHS	-	500,000	500,000	-	-
New roof-Early Intervention	-	50,000	75,000	-	-
New roof-North End	-	250,000	250,000	250,000	-
New roof-Southern Middle	-	-	750,000	750,000	-
Chiller replacement @ PHS	-	95,000	95,000	95,000	-
Window replacement-Earl Bradsher	-	-	-	185,000	185,000

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Window replacement-North Elem	-	-	-	125,000	325,000
Window replacement-North End Elem	-	-	-	250,000	250,000
Window replacement-Woodland Elem	-	-	-	200,000	200,000
Window replacement-Oak Lane Elem	-	-	-	125,000	125,000
Window replacement-South Elem	-	-	-	-	300,000
Window replacement-Person High	-	-	-	-	300,000
Stadium restrooms & seating	-	-	-	-	250,000
Paving-PHS & South Elem	-	-	-	-	50,000
VCT floor tile replacement Earl Bradsher	-	-	-	-	-
Paving-tracks at PHS & SMS	-	-	-	-	-
Maintenance Facility	-	-	-	-	-
Total Public Schools	1,060,000	1,695,000	1,670,000	1,980,000	1,985,000

Total Uses:	1,755,000	6,237,000	2,750,000	3,133,600	8,522,000
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Sources of Revenue for Operating Impact Costs:	Budget Year20 09-10	PlanningYear 2010-11	PlanningYear20 11-12	PlanningYear 2012-13	PlanningYear20 13-14
Property Tax	132,115	287,115	437,115	437,115	802,115
Fees Rec/Sr Center user fees	-	-	-	-	-
Total Sources of Revenue for Operating Impact Costs	132,115	287,115	437,115	437,115	802,115

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Operating Impact Costs:	Budget Year 2009-10	Planning Year 2010-11	Planning Year 2011-12	Planning Year 2012-13	Planning Year 2013-14
Courthouse Project					
Operating	-	5,000	5,000	5,000	5,000
Personnel	94,768	94,768	94,768	94,768	9,768
Recreation and Senior Center Project	-	-	-	-	-
Personnel/Operating	-	-	-	-	-
Technical Education Building Project					
Current					
Expense	37,347	37,347	37,347	37,347	37,347
Debt Service Payments:					
Courthouse Project	-	125,000	250,000	250,000	250,000
Recreation and Senior Center Project	-	-	-	-	450,000
Technical Education Building Project	-	25,000	50,000	50,000	50,000
Total Operating Impact Costs	132,115	287,115	437,115	437,115	802,115

Notes:

The items highlighted in orange represents the year that these projects are proposed to be fully funded.

The remaining items are costs that could be budgeted in the Capital Reserve Fund that year to minimize the impact of the full cost of the project in a future year. If it is decided that the funding capacity is not there to make this possible or that the fund balance appropriation would be too high, these projects would be need to be reduced or moved across the year(s).

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*** Courthouse Renovation Project**

We have 3 years to be able to finance this project and include the costs incurred in FY 2009 for architect fees & safety equipment. If it is decided to delay this project beyond that time, these A&E fees and safety equipment costs would not be eligible for reimbursement under the financing agreement. However, this should not dictate the timing on a financing if the funding capacity is not available within that 3 year window.

**** Rec and Senior Center**

We have 7 years before we are required to issue obligation bonds for this project. The latest we could begin this project would be FY 2016. However, the A&E fees (\$52K) would need to be incurred in the year prior to the beginning date of project construction to determine the total scope of this project.

***** PCC's Technical Education Center**

We will complete the payment on this project in the current year for FY 2009. This project was approved with the intent of doing a future borrowing. We have 3 years to finance this project. If it is decided not to include in a borrowing, then this amount would just close to fund balance in FY 2009 and would come off of the CIP. We are currently showing a borrowing for this project to be done in conjunction with the Courthouse project. The courthouse will more than likely serve as collateral for this project if we couple it with the Courthouse Renovation project.

Ms. Wehrenberg noted the only revenue source for the CIP is property taxes.

The County Manager reiterated that once the CIP is adopted, it will be reviewed annually for any needed changes.

When asked about lottery funds, Ms. Wehrenberg stated lottery funds are deposited into public capital fund (ADM fund). The Board of Education applies to the State for ADM funds, allocates the funds and notifies the county the funds are available. The county draws down the funds once the project is complete. It is a revenue source counties use for projects, but schools have control to apply for those funds. The county is responsible for applying for ADM funds for school debt. Ms. Wehrenberg stated there is a combination of the lottery funds and capital outlay funds to fund the school projects requested in the budget. The County Manager stated the general statute around the lottery funds does not allow the county to supplement local funding to offset the lottery funds.

Mr. Bailey explained the bidding process to the Board. He stated the process includes developing a set of plans, listing the project with the Dodge Group, contacting various contractors, and advertising in the local newspaper or other specific papers of interest. When plans are obtained from the engineer by people of interest, a fee is generally charged, and a pre-bid conference is held to further describe the project as well as field questions. Usually a cut off date is set for answering questions. A bid opening

date is set and once bids are opened, an engineer will study and evaluate bids for completeness, errors, proper documentation, license requirement, and scope of criteria. The engineer will usually recommend the low bidder of the project that meets all the guidelines for the project to the Board for approval.

County Manager, Heidi York asked the Board to schedule a subsequent meeting to further discuss the Capital Improvement Plan. The Board agreed to meet at 5:00 pm on May 4, 2009 prior to the regular session meeting. Ms. York stated the budget will be presented at May 18, 2009.

RECESS:

A **motion** was made by Commissioner Puryear , **seconded** by Commissioner Jeffers, and **carried** at 11:50 a.m to recess the meeting until 12:00 noon at which time the Board will be meeting jointly with the City of Roxboro in the Gallery Room at the Person County Public Library.

Brenda B. Reaves
Clerk to the Board

Johnny Myrl Lunsford
Chairman

PERSON COUNTY BOARD OF COMMISSIONERS

April 20, 2009

MEMBERS PRESENT

OTHERS PRESENT

Johnny Myrl Lunsford

Heidi York, County Manager

Jimmy B. Clayton

Kyle W. Puryear - ABSENT

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 recess session on Monday, April 20, 2009 at 12:00 noon in the Gallery Room at the Person County Public Library for the purpose of meeting jointly with the City of Roxboro Council.

Chairman Lunsford called the recessed meeting to order at 12:23 p.m.

Commissioner Puryear was not present for the joint meeting.

County Manager, Heidi York stated the joint meeting would begin with a presentation from NC DOT. Mark Eatman, Transportation Engineer I and Travis Marshall of NC DOT Transportation Planning Branch provided a Transportation Planning presentation for Person County to the two governing boards stating the purpose is to identify existing and future transportation deficiencies and to generate information that decision makers can use to guide future transportation decisions. Primary objectives are to reduce traffic congestion and improve safety. A Comprehensive Transportation Plan will update the Thoroughfare Plans completed for Person County in 1996 and the Roxboro Plan completed in 1999. A Comprehensive Transportation Plan (CTP) is a long range multi-modal transportation plan, developed cooperatively with NC DOT, the local Planning Organizations, and representatives from the County and its Municipalities. The CTP emphasizes incorporating local land use plans and community goals. Projects would be selected form a CTP for inclusion in the Transportation Improvement Plan (TIP). Comparatively the TIP is a 7-year planning document and funding schedule where the CTP has a 25-30 year time span and is not fiscally constrained. The DOT representatives explained to the two governing boards that having a multimodal online map and database driven list of projects is a way DOT works with counties and is the new way projects to be ranked to move up or down on the TIP list to received funding, when available. The new format allows the data for Peron County to illustrate need for a project when reviewed by the Secretary of Transportation. Mr. Eatman noted a Resolution of confirmation by the Board of Commissioners for participation in a Multimodal Comprehensive Transportation Study took place on November 17, 2008. Two CTP meetings have taken place and another meeting is scheduled for April 27, 2009. Mr. Eatman gave the governing boards the website for more information on the Person County CTP; <http://ncdot.gov/doh/preconstruct/tpb/planning/PersonCTP.html>. Both governing boards questioned the representatives and stated their frustration over the

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501 North project not being realized for over 18 years. Mr. Marshall stated he and Mr. Eatman were there to assist in the planning and had no decision in which projects were ranked to received funding. Mr. Marshall stated that Person County needs to gather data for their plan to include traffic forecasting, the number of vehicles that travel a certain road, how many accidents, where the road is going to, etc. that would justify moving a project up the list based on need to receive funding, and not so much on politics. Mr. Marshall noted a two-lane road should have 12,000 – 14,000 average traffic flow to be considered at capacity and considered for widening. Mr. Marshall summarized stating their office could dedicate staff to gather data and information to create the Person County CTP that will enhance Person County's chance to get a project ranked and funded.

Commissioner Kennington asked the DOT representatives to give the County Manager an update on the Rolling Hills Road bridge repair.

City Manager, Jon Barlow proceeded to give the two governing bodies an update on the Dan River with a presentation of information compiled by the City of Roxboro and Mr. Don Garbrick, PE, of Pease Associates. Mr. Barlow stated he, Mr. Tommy Warren and Mr. Garbrick were recently invited to a Roanoke River Basin Bi-State Commission meeting in Clarksville. The land served by the Dan River is Roxboro, Person County, Yanceyville, Caswell County. Person County's existing raw water facilities are City Lake and Lake Roxboro with realistically 8 million gallons of water daily. Person County's long term plan (50 years down the road) is the Dan River as an alternative source and a permit for Reclassification of the Dan River to IV waters is required. Mr. Barlow presented the group with the Tentative Schedule for Reclassification. Mr. Barlow stated they are presently working with the State of Virginia, awaiting text and documents for the public hearing to be completed by the State. Once the text for the public hearing is received, a public hearing will be conducted and held in Caswell County as this is the site of the intake structure. Mr. Barlow noted that in November 2009 would be the earliest a potential permit could be received.

Commissioner Kennington commended the City's foresight on the issue for a water alternative.

City Manager, Jon Barlow informed the group the Human Relations Commission has not been successful in having a quorum to elect officers or having regular scheduled meetings. Mr. Barlow noted a state consultant is and has been available to guide the members of the commission. Chairman Lunsford stated the Human Relations Commission was a resulted as part the settlement of a legal suit (Webster vs Board of Education) to promote amicable relations and mutual respect among all groups within the City of Roxboro and Person County representing ethnic groups. The group agreed the commission should be left in tact and not abolished and suggested setting a schedule of meetings to increase participation.

County Manager, Heidi York asked for feedback on possible joint partnerships for the City of Roxboro and Person County to work together providing services to the citizens. Ms. York stated one idea was to possibly merge the City and County Inspections, to house under 1 roof to consolidate costs, increase customer service and a seamless service for citizens. The City Inspections focuses mostly on housing and the County has other functions in inspections. An interlocal agreement was formed and after review by the attorneys, it was noted there would not be the cost savings as hoped. Ms. York noted that both the City and County IT departments do function together and other ideas to possibly review are joint ventures with Planning & Zoning, and/or Economic Development.

County Manager, Heidi York offered the opportunity for the group to have open dialogue on any issues of mutual concern. Ms. York stated that a citizen, Ms. Frances Blalock had suggested for both boards to discuss how can we make the MRF a success?

Person Industries Director, Wanda Rogers gave the group a brief update noting the equipment for the material recycling facility will be arriving the week of May 4, 2009 working toward an in operation date of July 1, 2009. Ms. Rogers stated the lease was approved by the Board of Commissioners earlier this date. Projected hours of operation would be 8:00 a.m. – 5:30 p.m. Monday – Saturday, with possible evening hours during the summer. Recyclables include white goods, oil and oil filters, electronics, fluorescent lights, and scrap metal. Ms. Rogers noted a \$20,000 grant was been awarded to Person Industries for this project. Ms. Rogers expects to employ 20-25 employees to work at the recycling facility at start up.

Commissioner Kennington stated the present landfill contract will expire in 2017 and the efforts of recyclables at the new facility to reduce intake at the landfill. Commissioner Kennington laid out options the county will have in 2017 including continuing to contract out for the landfill, a county owned landfill, or ship waste out of county and mentions the City needs a voice in the process with the waste pickup they are currently doing. City representative note the costs are a big concern. Ms. Rogers stated solid waste disposal taxes are used to clean up landfills.

Commissioner Jeffers stated education is a priority to make the recycling a success. Ms. Frances Blalock gave credit to the Person County Retired School Personnel for the project at South Elementary to educate and place bins into the schools. Ms. Blalock further stated a plan is in the works to present to Dr. Cartner that provides for an incentive program for students to recycle.

Commissioner Kennington suggested the two boards consider a joint use of a grant writer.

Commissioner Kennington mentioned to the City Board that the County has \$4500 for use toward the July 4th fireworks show and the suggestions outline to Mitch Pergerson earlier today to inquire for corporate sponsors or other creative ways to fund the costs for this program.

Both governing boards agreed to meet jointly again on September 16, 2009 at noon in the Gallery Room at the Person County Public Library.

ADJOURNMENT:

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Jeffers, and **carried** to adjourn the meeting at 2:15 p.m.

Brenda B. Reaves
Clerk to the Board

Johnny Myrl Lunsford
Chairman