

PERSON COUNTY BOARD OF COMMISSIONERS

June 16, 2008

MEMBERS PRESENT

OTHERS PRESENT

Johnny Myrl Lunsford, Chairman

Steve Carpenter, County Manager

Jimmy B. Clayton, Vice-Chairman

C. Ronald Aycock, County Attorney

Kyle W. Puryear

Faye T. Fuller, Clerk to the Board

Larry H. Bowes

Deputy Clerk to the Board

Larry E. Yarborough, Jr.

The Board of Commissioners for the County of Person, North Carolina, met in recessed session on Monday, June 16, 2008 at 9:00 a.m. in the Commissioners' meeting room in the Person County Office Building.

Chairman Lunsford called the meeting to order. Commissioner Clayton led in prayer and Commissioner Bowes led the Pledge of Allegiance.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Bowes and **carried** to open the duly advertised Public Hearing for the Community Development Block Grant Program.

PUBLIC HEARING:

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Chairman Johnny Lunsford opened the Public Hearing and recognized Dera Adair, Grants Administrator for Kerr-Tar Regional Council of Governments.

Ms. Adair informed the Board that this was one (1) of two (2) required Public Hearings as required by the Department of Commerce, Division of Community Assistance in order to submit applications for grant funding and that this Public Hearing was a generalized Public Hearing.

Ms. Adair gave a brief synopsis of Block Grants and gave information for each of the type of grants available to the County. Ms. Adair emphasized that some grants were automatically available by application from the County such as the Scattered Site Grant and that some grants were competitive such as Infrastructure and Community Revitalization Grants.

The following general information was presented by Ms. Adair: "Community Development Block Grant (CDBG) funds are available to local municipal or county governments for projects that enhance the viability of communities by providing decent housing and suitable living environments and by expanding economic opportunities, principally for persons of low- and moderate-income.

State CDBG funds are provided by the U.S. Department of Housing and Urban Development (HUD) to the state of North Carolina. Some urban counties and cities in North Carolina receive CDBG funding directly from HUD.

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The state CDBG program is one of four HUD programs participating in a comprehensive statewide planning effort known as the **North Carolina Consolidated Planning Process**.

Each year the Department of Commerce, Division of Community Assistance through CDBG programs provides funding to local governments for critically-needed community improvement projects throughout the state. These community improvement projects are administered by the Division of Community Assistance and the Commerce Finance Center under eight grant categories as follows:

Economic Development Grants: Provides grants or loans to local governments for creating and retaining jobs.

Small Business Entrepreneurial Assistance Grants: Helps existing small businesses expand and grow.

Community Revitalization Grants: Strengthens neighborhoods and rehabilitates homes. These grants can provide water and sewer and correct drainage problems in areas not served by adequate or existing water and sewer systems. Housing rehabilitation must be completed in the area served by revitalization grants. Revitalization grants serve a blocked area and the entire blocked area is revitalized including street repairs if needed.

Scattered Site Housing: Addresses the most critical housing needs of low-moderate income homeowners. Tenant Houses are not eligible for repairs unless there is a recorded life time right to the property. Homeowners must be at 50% or less than the area median income. In Person County the area median income is \$

Infrastructure: Provides public water or sewer to correct severe health or environmental problems.

Housing Development: Supports development of single family and rental housing.

Urgent Needs: Helps communities recover from disasters that threaten public health and safety where insufficient or no local/other funds are available. An example of this is the Town of Stovall whose water wells became inadequate to serve the Town. The Town of Stovall received a Urgent Needs Grant which was partnered with other funds to run public water lines from the City of Oxford to Stovall in order to provide Stovall residents with water.

Capacity Building: Helps non-profits design and carry out CDBG activities in partnership with units of local government. The key to this grant is that it is designed to help non-profits.”

Ms. Adair then stated that for additional information on the Community Development Block Grant Program, you could contact the NC Department of Commerce or you may call Kerr-Tar Regional Council of Governments and talk to Timothy Baynes, Executive Director or Rick Seekins, Community Development and Economic Director at 252-436-2040.

Ms. Adair also stated that the deadline for the Scattered Site Housing Program application was July 31, 2008 at 5:00 P.M. and then entertained questions.

As there were no questions from the general audience, Mr. Lunsford closed the Public Hearing by **motion** of Commissioner Bowes and **second** by Commissioner Clayton.

A **motion** was made by Commissioner Clayton, seconded by Commissioner Yarborough and **carried** to move forward with the Community Development Block Grant Program.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Bowes and **carried** to add to the agenda a Budget Work Session following a Closed Session.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to adopt the Agenda as amended.

INFORMAL COMMENTS:

- ▶ Wanda Rogers – Report from NCDNR- which reviewed business plan for MRF
- ▶ Joan Ayscue – Resides in Timberlake on Saplin Branch Road – Presented a petition with 90% of the residents signatures which read as follows: *We the residents and property owners of Saplin Branch Rd and Roads associated with our road would like to see if the County Commisoners would be able to help us out with a problem that we have with people riding 3 wheelers, 4 wheelers, dirt bikes, unlicensed motorcycles and unlicensed drivers on our road. The dirt bikes, 3 and 4 wheelers, motorcycles and teenagers driving cars up and down the road is hazardous to our neighborhood. The bikes. They are noisy, create a lot of dust and ridden recklessly. They tear up the dirt road, throw the rocks on the road in the ditches when they do donuts in the road and sliding on the road. We would like to see if we can get an Ordinance to help us out with this problem. We would like to also be able to have the neighbors keep their dogs on their property and not running all over the neighborhood. Thank you the undersigned residents and property owners.*

Alice Smith – Also spoke about the noise and dust issue. She has COPD.

Chairman Lunsford accepted the petition and said he would forward it to the proper source.

APPROVAL OF MINUTES:

A **motion** was made by Commissioner Bowes, **seconded** by Commissioner Clayton and **carried** to approve the minutes of May 19, 2008. A **motion** was made by Commissioner Puryear, seconded by Chairman Lunsford to approve the minutes of June 2, 2008 with the correction that Commissioner Puryear was not absent at said meeting. The motion **carried** unanimously.

ADMINISTRATIVE REPORTS:

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Yarborough and **carried** to accept the following Administrative Reports: Emergency Medical Services and Inspections.

CONSIDERATION OF REVISED CONTRACT BY AND BETWEEN PERSON COUNTY AND ANIMAL PROTECTION SOCIETY:

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to approve the revised contract by and between Person County and the Animal Protection Society which has been reviewed by both the APS and the County Attorney.

NORTH CAROLINA
PERSON COUNTY

THIS AGREEMENT made this 16th day of June 2008, by and between Person County, a body politic and corporate, (the "County"); and the Animal Protection Society of Person County, Inc., a North Carolina nonprofit corporation, (the "Animal Protection Society").

WITNESSETH:

THAT WHEREAS, the County obtains possession of homeless animals and is charged with the duty of disposing of said animals;

THAT WHEREAS, the Animal Protection Society is a corporation which has been organized for the purpose of providing care and protection for animals in Person County and has agreed to provide placement of homeless animals which have come into the possession of County.

NOW, THEREFORE, in consideration of the mutual covenants contained herein the parties agree as follows:

1.

County agrees that the Animal Protection Society shall have the right to obtain possession of any animal in the possession of the County except for animals which are rabid or suspected to be so, necessary for criminal or civil judicial purposes, necessary for the disposition of law enforcement investigations,

Comment [CRA1]:

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required to be held or disposed of to protect the public health or safety of the citizens of the county or ordered to be held or disposed of by a court of competent jurisdiction.

2.

In consideration of the County having monetary savings by not being required to dispose of unclaimed animals, the Animal Protection Society shall not be required to pay any customary fees which are charged by the County for obtaining possession of said animals.

3.

Animal Protection Society agrees to coordinate with the Person County Animal Control Officer so as to determine mutually beneficial times for Animal Protection Society representatives to observe and obtain animals within the possession of the County.

4.

County does not warrant the physical condition or disposition of any animal obtained by the Animal Protection Society and the Animal Protection Society agrees to hold County harmless for any and all damages sustained by it on account of said animals.

Comment [CRA2]:

5.

This contract shall be for a contract terms of ten years from the date set forth above but may be terminated by either party by written notice to the other.

*PERSON COUNTY
Johnny Myrl Lunsford, Chairman
Board of Commissioners*

*ATTESTED BY:
Faye T. Fuller, Clerk to the Board*

*ANIMAL PROTECTION SOCIETY OF
PERSON COUNTY, INC.
President*

*ATTESTED BY:
Secretary*

REQUEST FOR PUBLIC HEARING DATE ON COUNTY AMBULANCE FRANCHISE ORDINANCE UPDATE:

Emergency Services Director Michael Day appeared before the Board to request a Public Hearing date on the updated/revised County Ambulance Franchise Ordinance. He explained that the document brings the Ordinance up-to-date and that by law a Public Hearing must be held prior to adoption by the Board. A draft copy of the Ordinance will be on display in the office of the Clerk to the Board.

A **motion** was made by Commissioner Puryear, **seconded** by Chairman Lunsford and **carried** to set the date of July 21, 2008 at 9:00 a.m. for a Public Hearing on a County Ambulance Franchise Ordinance.

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REQUEST FOR APPROVAL OF UPDATED AMBULANCE FEE SCHEDULE:

Emergency Services Director Michael Day requested the Board adopt an increase in the rate structure as follows: *Basic Life Support - \$425.00; Advanced Life Support 1- \$475.00; Advanced Life Support 2-\$575.00; Specialty Care Transport-\$650.00; Loaded Mileage Charge-\$9.75 per mile; Special Event Coverage-\$100.00 per hour with a 3 hour minimum then charged in 30 minute increments @\$50.00 per 30 minutes.* Charges begin when the crew checks enroute to the event and ends when the unit has returned to base.

Mr. Day explained that for the past 3+ years, EMS has had a set rate for service @\$400.00 per transport plus \$8.50 per loaded mile. He stated this charge was consistent no matter the type of call answered or the condition of the patient. He explained this is an inconsistent charge today as the last Medicaid Cost (2008) report showed the cost to respond to a call for service was \$480.00.

Director Day requested that the new rate schedule become effective July 1, 2008.

A **motion** was made by Commissioner Yarborough, **seconded** by Commissioner Puryear and **carried** to approve the EMS Rate Increase as presented with an effective date of July 1, 2008.

REQUEST FOR APPROVAL OF INCREASE IN PERSON AREA TRANSPORTATION SERVICE RATES:

Person Area Transportation Director Gerald Lunsford appeared before the Board to request approval of an increase in rates for services provided by his department. He explained that there has been no cost increase to the public since 2006; however, the cost of gasoline has necessitated a rate increase. He asked that the new rates become effective July 1, 2008.

Zone 1	6.00
Zone 2	6.50
Zone 3	7.50
Zone 4	8.00
Zone 5	9.50
Zone 6	10.00
Stops	4.50

Cost Per Mile: Bus - \$1.45 Van - \$1.35

A **motion** was made by Commissioner Bowes, **seconded** by Commissioner Clayton and **carried** to approve the rate increases as presented.

APPOINTMENT OF FINANCE DIRECTOR:

A **motion** was made by Commissioner Yarborough, **seconded** by Commissioner Clayton and **carried** to appoint Amy L. Wehrenberg as Finance Director effective July 1, 2008. Ms. Wehrenberg will replace Andrew Davenport who will be retiring on July 31, 2008.

DISCUSSION OF AGREEMENT TO ESTABLISH A PUBLIC ENTERPRISE FOR A WATER SUPPLY AND DISTRIBUTION SYSTEM BY THE TOWN OF YANCEYVILLE, CITY OF ROXBORO, CASWELL COUNTY AND PERSON COUNTY:

Attorney Ron Aycock informed the Board that Caswell County approved by a 4/3 vote, the Agreement to Establish a Public Enterprise for A Water Supply and Distribution System by the Town of Yanceyville, City of Roxboro and Person County. He said the agreement is presently a three party agreement. It is on the agenda for the City of Roxboro's discussion and consideration. The proposed four party contract would void the existing three party contract upon its adoption. The only remaining party to adopt, after the City of Roxboro, is the Town of Yanceyville.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Yarborough and **carried** to approve the Agreement subject to the approval of the contract by all of the other parties to the contract.

BUDGET AMENDMENT:

Upon a **motion** by Commissioner Clayton, and a **second** by Commissioner Bowes and **majority** vote, the Board of Commissioners of Person County does hereby amend the Budget of the **General Fund(s)** on this, the 16th day of June 2008, as follows:

<u>Dept./Acct No.</u>	<u>Department Name</u>	<u>\$Amount</u> Incr/Decr(-)
<u>EXPENDITURES</u>	<u>General</u>	
	Building and Grounds	3,250
	Human resources	(-) \$11,250
	Cultural and Recreational	11,643
	Education	16,466
	Payment to Escrow Agent	14,643,878
	Issuance Costs	45,332
<u>REVENUES</u>	<u>General</u>	
	Intergovernmental revenues	(-) 11,250
	Other revenues	31,359
	Debt Proceeds	14,685,000
	Fund Balance Appropriated	4,210

Explanation:

Appropriate: insurance claim proceeds to repair Park and Recreation vehicle \$1,643 and lightning damage at the LEC \$3,250; donation to Park and Recreation \$10,000; Terrell School Fund

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received in excess of budget \$16,466; debt refinancing \$14,685,000 and Fund Balance Appropriated for issuance costs \$4,210; and adjust DSS grant programs (-) \$11,250.

CHAIRMAN'S REPORT:

Chairman Lunsford's statement: Public Hearing tonight - be prepared to help others understand county's position on the budget – Chair & Vice Chair met with Chair & Vice Chair of Board of Education, although nothing was in writing, regarding how to fund schools – misinformation has been distributed to the public on county's position. Education is a top priority and he did not want public to get the concept that Board of Commissioners does not take education seriously. After Public Hearing, if there is information you feel should be shared - be prepared.

MANAGER'S REPORT:

Boards, Committees, Commissions application interview date: July 21st – at 7:00 p.m.

A **motion** was made by Commissioner Yarborough, **seconded** by Commissioner Clayton and **carried** that the County draft a letter to Representative W.A. Wilkins seeking additional broadband services for rural communities.

Fiscal Audit to be completed by NCDOT on Airport grants and PATS grants — June 23rd and 24th.

County Manager on Annual Leave Thursday, Friday, Monday, & Tuesday.

COMMISSIONER REPORTS/COMMENTS:

Commissioner Clayton spoke briefly about events on County Assembly Day in Raleigh.

CLOSED SESSION:

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Yarborough and **carried** to go into Closed Session at 10:13 a.m. pursuant to G.S. 143-318.11(a)(4) – *To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, **AND** G. S. 143-318.11(a)(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.*

Upon returning to open session at 11:11 a.m. a **motion** was made by Commissioner Clayton, **seconded** by Commissioner Yarborough and **carried** to authorize the change in employment status of the County Attorney from a contractual basis to a temporary employee basis with the provision that he provide his own liability coverage.

It was also reported that four candidates for the position of County Manager had been interviewed.

It was further reported that the Board had received information from Mr. Clyde Kelly on potential economic development prospects and the economic developer position at the Chamber of Commerce.

BUDGET SESSION: 11:30 A.M.

The Board discussed items listed by the Finance Director as possible reductions to the recommended budget. Items reserved for further discussion were: Sheriff's vehicles-\$202,000; Undesignated contingency-\$213,000; RUDC-\$19,000; Hospital-\$41,000; SRO Officer-\$4,000; Parks & Recreation Part-time-\$40,000.

It was pointed out there is no capital in the budget.

Chairman Lunsford asked for recommendations from the Board. Hearing none, he said the budget session would continue with reviewing the proposed budget on Thursday, June 19, 2008 at 6:30 p.m.

RECESS:

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Bowes and **carried** at 12:22 p.m. to recess the meeting until 7:00 p.m.

Faye T. Fuller, CMC
Clerk to the Board

Johnny Myrl Lunsford
Chairman