

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

**NOVEMBER 4, 2013**  
**OTHERS PRESENT**

Jimmy B. Clayton  
Kyle W. Puryear  
B. Ray Jeffers - ABSENT  
Frances P. Blalock  
David Newell, Sr.

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 recessed session on Monday, November 4, 2013 at 6:30 pm in the Commissioners' meeting room in the Person County Office Building for the purpose of considering appointment of individuals through an informal interview process with applicants of competitive committee, boards, and commissions in Closed Session per General Statutes 143-318.11(a)(6).

Chairman Clayton called the recessed meeting to order. Vice Chairman Jeffers was absent for the meeting in its entirety due to travel plans with NACo. Commissioner Puryear was absent until 6:38 pm.

A **motion** was made by Commissioner Blalock and **carried 3-0** to enter Closed Session per General Statutes 143-318.11(a)(6) for the purpose of considering appointment of individuals through an informal interview process with applicants of competitive committee, boards, and commissions. The Closed Session was called to order at 6:31 pm.

A **motion** was made by Commissioner Blalock and **carried 4-0** to return to open session at 6:45 pm.

A **motion** was made by Commissioner Puryear and **carried 4-0** to recess the meeting until 7:00 pm for the Board's regular scheduled meeting at 6:45 pm.

Chairman Clayton called the 7:00 pm regular scheduled meeting to order and led invocation. Chairman Clayton asked the boy scouts present in the audience from Mt. Zion Boy Scout Troop 288 to lead the group in the Pledge of Allegiance.

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

A **motion** was made by Commissioner Blalock and **carried 4-0** to add an item to the agenda for an appointment to the Jury Committee.

A **motion** was made by Commissioner Puryear and **carried 4-0** to approve the agenda as adjusted.

**INFORMAL COMMENTS:**

There were no comments from the public.

Chairman Clayton recognized the boy scouts in the audience and asked they introduce themselves. Ron Johnson, Scout Master stated the boy scouts are attending the Board of Commissioners' meeting to earn a citizenship in the community merit badge.

**APPROVAL OF MINUTES:**

A **motion** was made by Commissioner Blalock, and **carried 4-0** to approve the minutes of October 21, 2013.

**TAX ADJUSTMENTS:**

A **motion** was made by Commissioner Puryear, and **carried 4-0** to approve the Releases for the month of October, 2013 as well as the October 2013 NC Vehicle Tax System pending refunds as presented.

**NEW BUSINESS:**

**SITE ASSESSMENT REPORT FOR PERSON-DURHAM MULTI-JURISDICTIONAL PARK:**

County Manager, Heidi York told the Board of Commissioner that in 2012, Person and Durham Counties completed a Feasibility Study for a Multi-Jurisdictional Business Park Development. Ms. York stated the feasibility study was positive and the two counties agreed to continue to pursue a joint development by following the key recommendation from the study - to complete a site assessment process. The site assessment was to yield cost information and a plan that would launch into the development of a multijurisdictional business park. In early 2013, Person and Durham Counties engaged Creative Economic Development Consulting to complete the site assessment.

Ms. York introduced Crystal Morphis, Founder and CEO of Creative Economic Development Consulting to present the site assessment identifying potential tracts, evaluating options and providing future recommendations to the Board as well as to provide some guidance on next steps.

The consulting team began the site assessment by reviewing the areas of recommended focus from the Feasibility Study. Those areas were south of Roxboro along Highway 15-501 and near the two-county border. After preliminary review was complete, Person and Durham County staff, along with members of the consulting team, contacted landowners of key large tracts to determine willingness to sell. These large tracts would be necessary to anchor a park development. The results were unfavorable.

Most landowners were unwilling to sell and of those that were willing to sell, a selling price was indicated well above market price.

Staff and the consulting team expanded the area of review to include areas in northeastern Orange County and areas in Person and Durham Counties close to the Person-Durham-Orange border. Landowner inquiries were not favorable in terms of willingness to sell and/or sell at a fair market price. Plus, this area was farther from infrastructure which would require a large-scale development to make the return-on-investment for infrastructure extension feasible.

Given the inability to find key large tracts of land available for sale in areas where infrastructure extensions are cost-feasible, Creative EDC recommended that Person and Durham Counties pursue business park developments individually at this time and/or revisit the multi-jurisdictional park opportunity in a couple of years or if an opportunity to develop emerges when a key tract of land becomes available or when infrastructure is extended to areas that render a once unfeasible location feasible.

Ms. Morphis commended both Person and Durham Counties for thinking outside-the-box noting a multi-jurisdictional park is one way for communities to leverage resources in economic development to create a better, more marketable product and ideal for two communities that share a transportation corridor, workforce and feasible utility extensions from Roxboro.

Ms. Morphis stated Person County has individual opportunities around the existing Person County Business and Industrial Center as well as areas in northern Person County.

Ms. Morphis told the Board that the County Manager retains a list of the property owners that were contacted during the site assessment.

#### **DRUG AND ALCOHOL TESTING POLICY FOR PERSON AREA TRANSPORTATION SYSTEM:**

Person Area Transportation System (PATs) Manager, Kathy Adcock stated NCDOT's contractor, RLS & Associates conducted a review of PATs Drug and Alcohol Testing Policy noting a need to update and revise. Ms. Adcock noted the policy has not been updated since January 18, 2011 and was revised with a few changes in wording. Ms. Adcock requested Board action to approve the policy.

A **motion** was made by Commissioner Puryear and **carried 4-0** to approve the Drug and Alcohol Testing Policy for Person Area Transportation System as presented.

## **KIRBY REBIRTH PROJECT UPDATE AND REQUEST:**

County Manager, Heidi York informed the Board that as the Kirby Rebirth project led by Piedmont Community College is underway for the second floor of the Kirby. Ms. York noted the major fundraising support by the community to support the Kirby Rebirth project. Ms. York stated an assessment of the structure of the facilities revealed termite damage to the footings under the Kirby Cultural Arts Complex (former florist shop space). Ms. York noted the architects, MHAworks, have estimated a cost of \$110,000 to repair the damaged areas, plus an additional \$10,000 in engineering fees noting the repair work will need to be completed before any additional improvements are made as this involves the foundation of the building.

Ms. York noted two options for the Board's consideration: delay the project and include this \$120,000 in the Fiscal Year 2014-2015 Capital Improvement Plan; or appropriate \$120,000 from the County Fund Balance to allow this project to remain on schedule.

Ms. York confirmed the repair of the damaged areas would be bid out. Ms. York added that the \$120,000 could also be considered as a part of any outside grant funding that Dr. Bartlett is pursuing for the project.

General Services Director, Ray Foushee told the group MHAworks was awarded the initial phase of the Kirby Rebirth project by the County which includes the electrical upgrade and the elevator installation which is scheduled to be completed by the end of the current fiscal year. Ms. York stated the County may rebid the second phase of the project.

Commissioner Puryear stated his support to the project however opposed funding MHAworks with county tax dollars after the way MHAworks has caused controversy in Person County. Commissioner Puryear requested the County Attorney and Mr. Foushee to review the contract for possible use of another architect firm.

Ms. York suggested that she, Mr. Foushee and the County Attorney, Ron Aycock would review the current contract with MHAworks for a possible out and any such impact with a penalty.

It was the consensus of the Board for the County Manager and the County Attorney to review the contract with MHAworks on the Kirby Rebirth project and delay action related to the request until the next Board meeting scheduled for November 18, 2013.

**APPOINTMENT TO THE BOARD OF ADJUSTMENT:**

Chairman Clayton presented the application received from Felicia Swann for Board consideration following the informal interview process held earlier at 6:30 pm.

Clerk to the Board, Brenda Reaves requested the Board to consider appointment for a three-year term if the Board deems appropriate

A **motion** was made by Commissioner Blalock and **carried 4-0** to appoint Felicia Swann to the Board of Adjustment for a three-year term.

**CDBG MONTHLY REPORTING:**

County Manager, Heidi York presented to the Board the CDBG monthly activities report and a Monthly Performance Status Report for October 2013 that is due to be submitted to the Division of Community Assistance.

A **motion** was made by Chairman Clayton and **carried 4-0** to accept the monthly report as presented.

**BUDGET AMENDMENTS:**

Finance Director, Amy Wehrenberg presented and explained the following Budget Amendments #6 and #7.

Upon a motion by Commissioner Puryear and majority vote (4-0), the Board of Commissioners of Person County does hereby amend the Budget of the General Fund(s) on this, the 4th day of November 2013, as follows per Budget Amendment #6 and Budget Amendment #7:

<u>Dept./Acct No.</u>	<u>Department Name</u>	<u>Amount</u> Incr / (Decr)
<u>EXPENDITURES</u>	<u>General Fund</u>	
	Public Safety	75,000
	Human Services	1,750
	Transportation	21,144
<u>REVENUES</u>	<u>General Fund</u>	
	Intergovernmental	34,967
	Fund Balance Appropriation	62,927

<u>EXPENDITURES</u>	<u><i>Person Industries &amp; MRF Fund</i></u>	
	Community Rehab Program Services	2,041
<u>REVENUES</u>	<u><i>Person Industries &amp; MRF Fund</i></u>	
	Intergovernmental Revenues	2,041
<u>EXPENDITURES</u>	<u><i>Airport Capital Construction Fund</i></u>	
	Runway 6 Approach Clearing	(100,004)
	Runway 6 & 24 PAPI Survey	(43,000)
	Taxiway Lighting	(19,713)
<u>REVENUES</u>	<u><i>Airport Capital Construction Fund</i></u>	
	Intergovernmental Revenues	(146,446)
	Local Match Funds	(16,271)
<u>EXPENDITURES</u>	<u><i>Capital Improvement Projects Fund</i></u>	
	County	(304,964)
	Schools	(51,910)
	PCC	(362,993)
<u>REVENUES</u>	<u><i>Capital Improvement Projects Fund</i></u>	
	Intergovernmental Revenues	(117,465)
	Other Revenues	(50,844)
	Transfers from Other Funds	(414,903)
	Fund Balance Appropriation	(136,655)

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**Explanation:**

Receipt of ROAP funds (\$24,935); Receipt of unauthorized substance tax revenues (\$12,073) and appropriation of fund balance in the Restricted Law Enforcement Fund to cover local match for two grants (Highway Safety and Bulletproof Vest Grants) and other eligible equipment purchases and upgrades (\$62,927); Closing out completed Airport projects for Runway 6 Approach Clearing (-\$100,004), Runway 6 & 24 PAPI Survey (-\$43,000) and Taxiway Lighting (-\$19,713); and Closing out completed CIP projects for the County (-\$304,964), Schools (-\$51,910), and PCC (-\$362,993).

<b><u>Dept./Acct No.</u></b>	<b><u>Department Name</u></b>	<b><u>Amount</u></b> Incr / (Decr)
<b><u>EXPENDITURES</u></b>	<b><u>General Fund</u></b>	
	General Government	132,108
	Public Safety	24,287
	Economic Development	736
	Environmental Protection	26,359
	Education	99,137
	Transportation	59,226
	Cultural & Recreational	37,115
	Human Services	63,841
<b><u>REVENUES</u></b>	<b><u>General Fund</u></b>	
	Intergovernmental Revenues	63,584
	Fund Balance Appropriated	379,225
<b><u>EXPENDITURES</u></b>	<b><u>Person Industries &amp; MRF Fund</u></b>	
	PI MRF	1,600
<b><u>REVENUES</u></b>	<b><u>Person Industries &amp; MRF Fund</u></b>	
	Fund Balance Appropriated	1,600

**November 4, 2013**

**Explanation:**

Carry-forward of purchase orders and commitments outstanding as of June 30, 2013.

**APPOINTMENT TO JURY COMMITTEE:**

Chairman Clayton stated this item was added to the agenda related to a current vacancy on the Jury Committee and that the Clerk of Court, Deborah Barker has called upon the Board of Commissioners to recruit, nominate and appoint an individual to fill the vacancy so that the duties to complete the jury pool can be fulfilled during the month of November.

A **motion** was made by Commissioner Puryear and **carried 4-0** to nominate for appointment, Lois Winstead, if she would be willing to serve.

**CHAIRMAN'S REPORT:**

Chairman Clayton stated Vice Chairman Jeffers was in Nebraska participating in a NACo Agriculture Committee meeting.

Chairman Clayton made the Board members aware that the state of NC has passed to the counties the expenses of buying and installing littering signs. Commissioner Newell stated the law prohibiting littering is valid with or without the sign noting individuals should obtain a violator's license plate number for enforcement.

**MANAGER'S REPORT:**

County Manager, Heidi York stated the Economic Development Commission will be hosting a Listening Tour with NC Commerce Secretary Sharon Decker on Wednesday, November 6, 2013 in the S100 room at Piedmont Community College starting at 3:30 pm to 5:00 pm. City and County elected officials have been invited to attend to share ideas on priorities for North Carolina's Ten-Year Economic Development Plan. Ms. York encouraged all Board members to RSVP and attend if possible.

Ms. York noted the alternate date for a joint meeting with City Council was communicated with the City Manager. Ms. York stated the City Manager advised the Mayor has decided a joint meeting between both governing bodies is not a good idea at this time.

## COMMISSIONER REPORT/COMMENTS:

Commissioner Newell asked staff what other projects is the County working on with MHAworks besides the proposed Senior Center and the Kirby Rebirth. County Manager, Heidi York offered to review all County capital projects to confirm if MHAworks had been awarded any contracts however she could not think of any at the time.

A **motion** was made by Commissioner Newell and **carried 4-0** to stop any work with MHAworks that can be stopped/suspend all activity until the Board can discuss further.

Ms. York stated she would provide to the Board a summary of any contracts with MHAworks and the possible outs and/or impacts with penalties.

Commissioner Blalock stated the Helena Steering Committee would soon be issuing a public survey for input as well as scheduling a community meeting.

Commissioner Blalock inquired about laws related to hunting on Sundays. Chairman Clayton and Staff advised that the only hunting allowed on Sunday mandates the use of archery equipment however noting that target practice is permissible. County Attorney, Ron Aycock added that counties do not have the authority to regulate laws in the area of hunting that such is governed by General Assembly. Commissioner Newell suggested she advise individuals to call the game warden with complaints.

Commissioner Puryear advised staff that the meeting was not being streamed live on the internet and requested staff to post the video for viewing as soon as possible.

General Services Director, Ray Foushee updated the Board that he did remember a replacement window project that MHAworks is working on at Oak Lane School.

**ADJOURNMENT:**

A **motion** was made by Commissioner Newell and **carried 4-0** to adjourn the meeting at 7:51 pm.

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Brenda B. Reaves  
Clerk to the Board

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Jimmy B. Clayton  
Chairman