

PERSON COUNTY BOARD OF COMMISSIONERS

JUNE 6, 2011

MEMBERS PRESENT

OTHERS PRESENT

Jimmy B. Clayton

Heidi York, County Manager

Kyle W. Puryear

B. Ray Jeffers

Brenda B. Reaves, Clerk to the Board

Samuel R. Kennington

Frances P. Blalock

The Board of Commissioners for the County of Person, North Carolina, met in regular session on Monday, June 6, 2011 at 7:00 p.m. in the Person County Office Building Auditorium.

Chairman Clayton called the meeting to order, led invocation and asked Commissioner Kennington to lead the Pledge of Allegiance.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear and **carried 5-0** to approve the agenda.

PUBLIC HEARING:

REQUEST BY BM DEEPWATER DEVELOPMENT, LLC FOR A SPECIAL USE PERMIT FOR A CLUSTER OPEN SPACE DEVELOPMENT WITH A VARIATION TO THE ROAD REQUIREMENT OFF OF PINESBOROUGH ESTATE ROAD, CUNNINGHAM TOWNSHIP:

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to open the duly advertised Public Hearing to hear a request by BM Deepwater Development, LLC for a Special Use Permit for a Cluster Open Space Development with a Variation to the Road Requirement off of Pinesborough Estate Road, Cunningham Township.

Chairman Clayton announced an error made on the part of *The Courier-Times* related to the legal advertising requirements results with the recommendation to continue the public hearing to hear testimony on this item on June 20, 2011 at 9:00 a.m.

Commissioner Kennington requested consideration to continue the public hearing on July 5, 2011 at 7:00 p.m. to allow more opportunity for citizens to attend. Chairman Clayton asked the Planning Director if there were any technical reasons the public hearing could not be held on July 5, 2011. Planning Director, Paula Murphy stated the developer may have issues related to closings with additional incurred costs for such delay when the developer was not at fault. Ms. Murphy stated she had notified the developer of the issue preventing the public hearing from being heard on June 6, 2011 with plans to be heard on June 20, 2011.

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Blalock, to continue the Public Hearing to hear a request by BM Deepwater Development, LLC for a Special Use Permit for a Cluster Open Space Development with a Variation to the Road Requirement off of Pinesborough Estate Road, Cunningham Township on June 20, 2011 at 9:00 a.m.

A **substitute motion** was made by Commissioner Kennington, **seconded** by Vice Chairman Puryear, and **carried 3-2** to continue the Public Hearing to hear a request by BM Deepwater Development, LLC for a Special Use Permit for a Cluster Open Space Development with a Variation to the Road Requirement off of Pinesborough Estate Road, Cunningham Township on July 5, 2011 at 7:00 p.m. Voting in favor of the substitute motion was Commissioners Kennington, Blalock and Puryear. Chairman Clayton and Commissioner Jeffers cast the dissenting votes.

Vice Chairman Puryear asked the Planning Director how many residents will be affected by the request for a Special Use Permit. Ms. Murphy could not state with certainty a number but noted it would include all residents on Pinesborough Estate Road and Estate Road. Mr. Jeff Morris, property owner adjacent to the proposed development answered from the audience, stating there are 90 properties served by Pinesborough Estate Road with 54 homes.

Commissioner Kennington asked the County Manager to provide a brief overview of a quasi-judicial hearing. County Manager, Heidi York stated a quasi-judicial hearing requires witnesses are to be sworn in and subject to cross examination, no ex parte communication and requires findings of fact.

Commissioner Kennington requested a copy of the Conservation Easement as well as a Road Maintenance Agreement. Ms. Murphy stated the Road Maintenance Agreement has not been completed and should be prepared, reviewed and approved by the County Attorney as well as confirmed a copy of the Conservation Easement would be provided.

Commissioner Kennington asked the Planning Director if there are plans for a homeowner's association. Ms. Murphy stated to her knowledge there would be a homeowner's association but she did not have a copy of the proposed covenants. Commissioner Kennington requested a copy of the proposed covenants prior to the July 5, 2011 meeting.

Commissioner Jeffers called for a point of order. Chairman Clayton stated if Board members require additional information to request such through the County Manager.

**PUBLIC HEARING:
FISCAL YEAR 2011-2012 RECOMMENDED BUDGET:**

A **motion** was made by Commissioner Blalock, **seconded** by Commissioner Kennington, and **carried 5-0** to open the duly advertised Public Hearing designated to hear public comments related to the Fiscal Year 2011-2012 Recommended Budget.

Chairman Clayton announced there would not be a time limit for each speaker.

There were no individuals appearing before the Board to speak in favor of the Fiscal Year 2011-2012 Recommended Budget.

Individuals speaking in opposition of the Fiscal Year 2011-2012 Recommended Budget were:

Ms. Debra Pergerson of 1843 McGhees Mill Road, Roxboro and employee of the Inspection Department spoke on behalf of the Person County Government Complex which houses the following departments: GIS, Planning & Zoning, Inspections, Environmental Health and Veterans. Ms. Pergerson stated the budget has been balanced the last few years at the expense of county employees noting cuts to 401-K retirement, no COLA increases, hiring freezes and proposed reduction in positions to 60%. Ms. Pergerson stated the entire county should feel the affects of balancing the budget, not just county employees.

Ms. Deborah Wolfe of 131 Pine Road, Hurdle Mills, an employee of the Department of Social Services told the Board that she is a single woman, working two jobs and very dependent upon the county longevity as well as advocated for a COLA increase.

Ms. Betty Reeves of 384 McGhees Mill Road, Roxboro, an employee of the Department of Social Services, thanked the Board members familiar with their services as well as extended an invitation to visit. Ms. Reeves stated the burden of the financial crisis should no longer be carried on the county employee's backs and requested decisions to be made that not only affect county employees, but the county as well.

Sheriff Dewey Jones of Person County addressed the Board related to the low employee morale, doing more with less and his disappointment that the Merit Pay may not be included in the budget due to county employees not receiving a raise in several years.

Mr. Johnny Myrl Lunsford of 179 Carrington Lane, Roxboro stated his concerns about the proposed budget not being fair to county employees. Mr. Lunsford advocated for the Merit Pay System appealing on behalf of the county employees. Mr. Lunsford stated Person County Schools has \$1.3 million in fund balance as well as \$1.8 million in lottery funds and requested the Board to support county employees and allow Person County School to use their fund balance.

Ms. Theresa Lenski of 352 River Trace Drive, Rougemont and Department of Social Services Work First employee, whose position is proposed to be reduced to 60%, urged the Board reconsider cutting vital services affecting unemployment. Ms. Lenski stated the proposed cuts will have a trickle down effect requiring those to become recipients of county programs.

Ms. Angie Warren of 2469 Flat River Church Road, Roxboro and Person County Human Resources Director urged the Board to support the Performance Pay System and described the process by which the county department heads, supervisors and employees were trained to develop work plans, performance factors and assessment tool to evaluate employees achieving or exceeding goals as well as objectives to obtain a merit raise. Ms. Warren noted the pilot program began July 1, 2010 and will conclude June 30, 2011 further noting the policy adopted by the Board highlights a higher merit increase than the County Manager proposed as well as a COLA based on budget availability. Ms. Warren stated the County Manager adjusted the rates to allow employees the opportunity for an increase. Ms. Warren requested the Board to consider keeping performance pay as well as the 401K increase in the budget.

Mr. Alan Hicks spoke on behalf of Roxboro Development Group for Board consideration to reinstate in the Economic Development budget, the request from Roxboro Development Group for funding.

Mr. Namon Poole of 470 Enos Slaughter Road, Roxboro requested Board consideration to assist his effort to start a homeless or emergency shelter.

Ms. Shelley Thomas, a Department of Social Services employee and resident described the clients served through their programs with the limited resources to offer while staying positive.

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to close the Public Hearing designated to hear public comments related to the Fiscal Year 2011-2012 Recommended Budget.

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INFORMAL COMMENTS:

There were no comments from the public.

APPROVAL OF MINUTES:

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Blalock, and **carried 5-0** to approve the minutes of regular scheduled Board meetings held on May 16, 2011 and May 23, 2011 as well as the May 16, 2011 Board of Equalization and Review meeting.

ADMINISTRATIVE REPORTS:

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to approve the Administrative Reports for the Detention Center and the Tax Administration & Collections.

HYCONEECHEE REGIONAL LIBRARY SYSTEM CONTRACT RENEWAL:

Library Director, Christy Bondy informed the Board the Dissolution Plan for the Hyconeechee Regional Library System was unanimously approved and signed by all three Board of County Commissioners and the Hyconeechee Regional Library Board serving as notice to the Department of Cultural Resources and the State Library of the dissolution of the region, as well as outlines the steps that will be taken by the county libraries during the dissolution period. Ms. Bondy stated in addition to the Plan of Dissolution, an agreement between the three counties to continue to operate as a region throughout the next fiscal year must also be submitted to the State Library and Department of Cultural Resources. Ms. Bondy presented the same contract that has been approved and submitted in previous years, with only the dates changed to the Board for approval. Ms. Bondy recommended that the Board approve as well as the Board Chairman to sign the contract governing the regional library system during its last year in operation.

A **motion** was made by Commissioner Blalock, **seconded** by Commissioner Jeffers, and **carried 5-0** to approve the Hyconeechee Regional Library System Contract as presented.



Hyconeechee Regional Library System
P.O. Box 8181
Hillsborough, NC 27278
(919) 245-2528

CONTRACT

This **CONTRACT**, made this the 1st day of July, 2011 is by and between the Hyconeechee Regional Library System, herein after referred to as the (Regional System), and the Counties of Orange, Person and Caswell (Counties);

WITNESSETH:

WHEREAS, The Regional System is organized within the framework of the North Carolina General Statutes, Chapter 160A, Article 20, Part 1 and,

WHEREAS, the purpose of the original Regional System is to provide for the administration of library services within the region which consists of the Counties of Orange, Person, and Caswell and;

WHEREAS, The Regional System desires to have the libraries currently operating within the Regional System to function as County departments within the county of location of each respective library and,

WHEREAS, the Counties of Orange, Person and Caswell have expressed a willingness to allow the libraries to function as County departments;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the Regional System and the Counties of Orange, Person and Caswell agree as follows:

1. **Purpose**- This contract is to provide for the operation of each library located in the system as a department of the County of location and to provide for the assignment of fiscal management functions related to the Regional System's assets to the Orange County Financial Services Director.

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2. **Responsibilities of the Regional System** - The Regional System will remain organized with the statutory framework referred to above and it shall be the duty of the Regional System to:
- A. Maintain a Board of Directors consisting of nine (9) members with three representatives from each participating County.
 - B. Meet at least once per quarter and conduct special meetings as required for transaction of Regional System business.
 - C. Designate the Orange County Library as the Regional System Headquarters and the Orange County Financial Services Director as Regional System's Fiscal Agent.
 - D. Adopt an annual balanced budget no later than May 31st for all regional funds received from North Carolina Department of Cultural Resources and for all other grants and/or donations received from agencies or individuals for Regional System purposes. This budget must include appropriations to each County within the region for library operations. The County appropriations will be divided by three and disbursed evenly. Regional expenses such as personnel, operations and fiscal service fees, will be charged back evenly to each County. Funds appropriated to the Counties cannot be reduced without the approval of the Boards of Commissioners for each County.
 - E. Insure that all regional reporting requirements to the State and Federal governments, as well as, any and all other grantors are met.
 - F. Insure that all existing and future Regional System materials and assets are made available for use throughout the region.
3. **Responsibilities of the Counties** - It shall be the duty of the County to:
- A. Operate the libraries under the same rules, regulations, ordinances and any and all other procedures under which the departments of the Counties are required to operate.

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3. Responsibilities of the Counties – Continued

- B. Insure that all Library employees are treated as employees of the respective Counties and receive compensation and benefits packages accordingly.
- C. Prepare quarterly reports for the Regional System to include information pertinent to library operations and expenditure of regionally appropriated funds and make all library records available for inspection by the Regional System or its respective at all reasonable times.
- D. Insure that disbursements made on behalf of the libraries from State, Federal and other restrictive sources are in accordance with all required provisions.

4. Responsibilities of the Fiscal Agent and Financial Officer - The Fiscal Agent and Financial Officer for the Regional System will be the Finance Director of Orange County and it shall be his or her duty to:

- A. Provide accountability for the Regional System's financial assets in accordance with generally accepted accounting principles and the Local Government Budget and Fiscal Control Act.
- B. Receive, deposit, disburse and invest the Regional System's funds in accordance with the guidelines contained in section 4-A above.
- C. Prepare monthly financial statements for the Regional System and present these statements to the Regional Director.
- D. Insure that Regional System funds are audited annually as required within the guidelines contained in Section 4-A above.
- E. Insure that all fiscal reports required by grantor agencies are prepared and submitted on a timely basis.

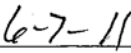
5. Term, Termination and Renewal - This Contract is for the period July 1, 2011 through June 30, 2012. This Contract may be terminated by either party with six months notice prior to June 30.

Caswell County Commissioner

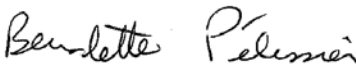
Date




Person County Commissioner



Date



Orange County Commissioner



Date

REQUEST TO SCHEDULE INFORMAL INTERVIEWS DATE AND TIME FOR COMPETITIVE BOARDS AND COMMITTEES:

Clerk to the Board, Brenda Reaves requested the Board to schedule informal interviews date and time noting Board and committee applications for current vacancies and terms expiring June 30, 2011 are forthcoming for Board consideration. Ms. Reaves noted Board and Committee vacancies were advertised in *The Courier Times* on May 14, 2011 with a deadline to submit applications by June 7, 2011. Ms. Reaves stated ten boards or commissions that are deemed competitive at this time affecting 14 seats that will be eligible for the informal interview process. Ms. Reaves recommended Board consideration to schedule the informal interviews on June 20, 2011 or June 27, 2011, to begin at 6:00 p.m. Ms. Reaves estimated 14-18 possible applicants applying for the 14 seats are eligible for the informal interview process. Ms. Reaves announced the following competitive boards with the status of applications received to date.

- ABC Board
3-Year Term: 1 position available with 1 application received to date.
- Airport Commission
3-Year Term: 1 position available with 3 applications received to date.
- Board of Adjustment
3-Year Term: 2 positions available with 2 applications received to date.
- Board of Health
3-Year Term: 1 position each representing a pharmacist, an engineer and general public with 1 application each received for the engineer and general public positions.
- Economic Development Commission
3-Year Term: 2 positions available with 1 application received.
- Orange Person Chatham Area Mental Health Board
3-Year Term: 2 positions available with no applications received to date.
- Person-Caswell Lake Authority
3-Year Term: 1 position available with 2 applications received to date.
- Piedmont Community College Board of Trustees
4-Year Term; 1 position available with 3 applications received to date.
- Planning Board
3-Year Term: 1 position available with 2 applications received to date.
- Recreation Advisory Board
3-Year Term: 2 positions available with 3 applications received to date.

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers, and **carried 5-0** to schedule to informal interviews to be held on June 20, 2011 at 7:00 p.m.

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BUDGET AMENDMENT:

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

Upon a motion by Commissioner Jeffers, and a second by Vice Chairman Puryear and majority vote 5-0, the Board of Commissioners of Person County does hereby amend the Budget of the General Fund(s) on this, the 6th day of June 2011, as follows:

<u>Dept./Acct No.</u>	<u>Department Name</u>	<u>Amount</u> Incr / (Decr)
<u>EXPENDITURES</u>	<u>General Fund</u>	
	Environmental Protection	2,792
	Public Safety	11,881
	Culture and Recreation	2,659
	Human Services	36,097
	<u>Airport Construction Fund</u>	166,667
<u>REVENUES</u>	<u>General Fund</u>	
	Intergovernmental Revenues	38,889
	Charges for Services	5,731
	Other Revenues	4,409
	Fund Balance Appropriated	4,400
	<u>Airport Construction Fund</u>	
	Intergovernmental Revenues	150,000
	Local Committed Revenues	16,667

Explanation:

Appropriating donations received in EMS (\$600), Sheriff's Department (\$279), Animal Control (\$240), and Recreation Department (\$2,659); amending for additional revenues received in the Scrap Tire Grant (\$2,792), Jail Fees & Concessions (\$5,295), and Inmate Phone Card Sales (\$1,067); received another Clean Fuel Advanced Technology (CFAT) Grant (\$36,097) in the Health Department from the NC Solar Center at NC State University for the purchase of two fuel efficient vehicles; and appropriating fund balance in the Law Enforcement Restricted Fund (\$4,400) to assist the Sheriff's Department in purchasing an undercover vehicle.

CHAIRMAN'S REPORT:

Chairman Clayton reminded the group of the next scheduled budget work session on Tuesday, June 7, 2011 at 9:00 a.m. noting some of his concerns with the state budget have been lifted by the rejection to carry down to the counties the responsibilities of school buses and misdemeanants. Chairman Clayton stated his support to county employees and noted his hopes to work with the Board of Education to recover the \$600,000 loss in ADM funds with lottery funds. Chairman Clayton spoke to the anticipated future revenue to help the county from CertainTeed, Eaton and Person Memorial Hospital. Chairman Clayton stated appreciation to county employees.

MANAGER’S REPORT:

County Manager, Heidi York stated a packet of information was prepared for the next work session noting if further information was needed to please let her know. Ms. York thanked employees for attending the meeting.

COMMISSIONER REPORT/COMMENTS:

Commissioner Jeffers thanked the employees for coming out and speaking to the Board. Commissioner Jeffers stated the Morale Committee has modeled the application he believes to take care of our own.

Vice Chairman Puryear thanked all that came to the meeting. Vice Chairman Puryear spoke of the Person Memorial Hospital transition and partnership with Duke extending appreciation to the Board of Trustees and the leadership to ensure hospital staff kept their jobs.

Commissioner Blalock noted the large turnout of people representing Department of Social Services and Public Safety which combined equals nearly 50% of the county budget. Commissioner Blalock stated her hope is that this could change to education by the county preparing students to graduate from high school and college making them job ready.

Commissioner Kennington acknowledged the following:

- Donald Long, a member of the Recreation Advisory Committee, is concerned about losing the custodial full-time to 60%.
- Kim Bonafair concerned about Roxboro Development Group.
- Dale Tillman concerned about all county employees.

Commissioner Kennington thanked everyone for attending the meeting noting all are part of the 40,000 people that he is charged to represent committing his best for all 40,000 citizens. Commissioner Kennington stated the Farmer’s Market had its Grand Opening on June 4, 2011 and encouraged all to go by and check out its first class operation.

RECESS:

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to recess the meeting at 8:00 p.m. until June 7, 2011 at 9:00 a.m. in the Commissioners’ meeting room.

Brenda B. Reaves
Clerk to the Board

Jimmy B. Clayton
Chairman