

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

**JANUARY 4, 2011**  
**OTHERS PRESENT**

Jimmy B. Clayton  
Kyle W. Puryear  
B. Ray Jeffers  
Samuel R. Kennington  
Frances P. Blalock

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 Tuesday, January 4, 2011 at 6:15 p.m. in the Commissioners' meeting room in the Person County Office Building.

Chairman Clayton called the meeting to order.

**INFORMAL INTERVIEW PROCESS:**

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Blalock and **carried 4-0** to enter Closed Session at 6:15 p.m. for the purpose of considering appointment of individuals through an informal interview process with applicants of competitive committee, boards, and commissions per General Statutes 143-318.11(a)(6). Commissioner Jeffers was absent until 6:21 p.m. at which time he joined the Closed Session in progress. Chairman Clayton left the Closed Session at 6:27 p.m., returning at 6:30 p.m. joining the Closed Session in progress.

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers and **carried 5-0** to return to open session at 6:45 p.m.

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers and **carried 5-0** at 6:46 p.m. to recess until 7:00 p.m.

Chairman Clayton called the meeting to order at 7:04 p.m., led the 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.

**January 4, 2011**

**PUBLIC HEARING:**

**AMENDMENT, REPEAL OR ADOPTION OF A PERSON COUNTY ORDINANCE REGULATING UNREGISTERED MOTOR VEHICLES, AUTOMOBILE GRAVEYARDS, AND JUNKYARDS:**

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers, and **carried 5-0** to open the duly advertised public hearing to consider amendment, repeal or adoption of a Person County Ordinance regulating unregistered motor vehicles, automobile graveyards, and junkyards.

County Manager, Heidi York stated at the Board of County Commissioners' October 18<sup>th</sup> meeting, the "Ordinance Requiring Unregistered Motor Vehicles to be Screened from Public View" was discussed. Ms. York noted a revised version was brought back to the Board at its meeting for review on December 6<sup>th</sup>. The Board called for an advertised public hearing and directed the County Manager to make the following revisions:

1. Clarify the reporting process,
2. Designate the responsibility for enforcement to the most appropriate role,
3. Prohibit junk cars from view of parks and recreation facilities as well as cemeteries,
4. Incorporate a definition and requirements for operation of a junkyard/salvage operation that is consistent with the Planning Ordinance,
5. Develop a sufficient time frame for compliance with the Ordinance,
6. Require screening in all cases regardless of whether the unregistered vehicle can be seen,
7. Clarify the definitions of abandoned vehicles, junkyards, salvage operations, and automobile graveyards and the requirements for each, and
8. Add an additional purpose of protecting the environment.

Ms. York stated the proposed new Ordinance merges the 1999 Unregistered Motor Vehicles Screening Ordinance with the 1987 Ordinance Regulating Automobile Graveyards and Junkyards in Person County to address all of the above issues as well as to clarify and simplify the Ordinance. Ms. York noted staff is not introducing new regulations to the books and strives to ensure the ordinance is consistent with the Planning Ordinance. Ms. York highlighted the three-tier level of regulations in the proposed ordinance. Level 1 mandates screening if 3 abandoned vehicles on a lot. Level 2 speaks to 4 or more unregistered vehicles constitutes a graveyard requiring screening from view and Level 3 with 4 or more unregistered motor vehicles on a lot for business use requires a special use permit for a junkyard or salvage yard which is only allowed in GI or RC districts within Person County. Ms. York further noted the proposed ordinance directs citizens to file complaints with the Planning Department for enforcement as well as gives a 4-month period for compliance from the effective date.

Chairman Clayton asked individuals to limit their comments to two-minutes due to the large number of speakers as well as be respectful to all speakers.

Speaking in favor of the proposed Ordinance regulating unregistered motor vehicles, automobile graveyards, and salvage operations/junkyards included the following individuals:

Mr. Kenny Rickman of 3936 Allensville Road, Roxboro stated concerns in the residential areas and encouraged the Board to adopt the proposed ordinance.

Ms. Searie Pleasant of 30 Ellis Pleasant Drive, Leasburg spoke to the junkyard/salvage yards and requested the Board to consider further revisions.

Mr. Michael Hester of 408 Court Street, Portsmouth, Virginia addressed the Board in support of the proposed ordinance with the respect to cemeteries.

Ms. Janet Hester Lea of 5760 Hester Store Road, Hurdle Mills spoke in support of the proposed ordinance and its direction to file complaints.

Mr. Namon Poole of 407 Enos Slaughter, Roxboro spoke in support of the proposed ordinance related to safety and homeless individuals using abandoned vehicles for shelter.

Mr. Mark Phillips of 233 N. Main Street, Roxboro spoke in favor of the proposed ordinance and noted his desire for the county to look nice for economic development recruitment.

Speaking in opposition of the proposed Ordinance regulating unregistered motor vehicles, automobile graveyards, and salvage operations/junkyards included the following individuals:

Mr. Peyton Humphries of 365 Dick Holeman Road, Timberlake, an antique car collector, stated opposition to the proposed ordinance and noted many other safety issues in the county.

Mr. Billy Timberlake of 2003 Dick Holeman Road, Timberlake, and an avid car collector noted his opposition to the proposed ordinance noting his desire for the Board to screen other unsightly items, such as the Carolina Solar property, or junk in citizen's yards if cars are going to be targeted.

Mr. Charles Hicks of 125 Thaxton Road, Roxboro and antique car fan spoke to the Board on considering regulations on an individual basis.

Mr. Chad Kendrick 889 Newton Pleasant Road, Roxboro, business owner, told the Board that many old tractors and trailers sitting abandoned should be regulated if cars were to be regulated.

Mr. Clifton Lea of 985 Chub Lake Loop Road, Roxboro stated there are many items in the county that may need regulating in addition to cars, i.e. tractors, junk at citizen's homes.

Mr. Maynard Kendrick of 4444 Gordonton Road, Hurdle Mills and car collector, stated he resides next to a cemetery and has moved his cars from its view but wanted to state his desire to have cars available for parts.

Mr. Ronald Young of 6145 Dirgie Mine Road, Roxboro told the Board that people should be respectful of others' property and stay out their business.

Mr. Emery Young of 6145 Dirgie Mine Road, Roxboro stated his comments were already noted.

Mr. John Guill, Sr. of 1441 Lucy Garrett Road, Roxboro signed up to speak but did not address the Board.

Mr. Archie Clayton of Roxboro signed up to speak but did not take the opportunity to appear before the Board.

Mr. Danny Gravitte of 385 Halifax, Roxboro, a business owner, car collector told the Board he is trying to make a living.

Ms. Angeline Cash speaking on behalf of herself and husband, James Cash, both of 1485 Dick Holeman Road, Timberlake stated opposition to the proposed ordinance and asked the Board to consider that people may not be able to afford to register a car(s).

Mr. Donald Dickey of 3550 Oxford Road, Roxboro stated he had issues with children breaking into his vehicles but nothing was done by the Sheriff Dept.

Mr. Keith Burnette of 2772 Lonnie Gentry Road, Roxboro asked the Board for clarity related for shops having other individual's cars waiting for payment and pick up and requested Board to think through sufficiently.

Mr. Doug Carver of Carver Holt Road, Roxboro signed up to speak but did not appear before the Board.

Mr. Randall Clayton, 501 N, Roxboro stated opposition to the proposed ordinance.

Mr. JW Shotwell of 4950 Boston Road signed up to speak but did not appear before the Board.

Mr. Keith Brann of 285 Cedar Grove Church Road, Roxboro stated opposition to the proposed ordinance as it addresses too many businesses to which the rules should not apply.

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to close the public hearing to consider amendment, repeal or adoption of a Person County Ordinance regulating unregistered motor vehicles, automobile graveyards, and junkyards.

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 4-1** to table amendment, repeal or adoption of a Person County Ordinance regulating unregistered motor vehicles, automobile graveyards, and junkyards to be taken up at the Board Retreat. Commissioner Kennington cast the lone dissenting vote.

Vice Chairman Puryear noted his opposition to the proposed ordinance as it relates to businesses.

**PUBLIC HEARING:**

**REZONING OF PROPERTY LOCATED ON SEMORA ROAD (NC 57) FROM RESIDENTIAL TO HIGHWAY COMMERCIAL:**

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Blalock, and **carried 5-0** to open the duly advertised public hearing to consider rezoning of property located on Semora Road (NC 57) from Residential to Highway Commercial.

Planning Director, Paula Murphy noted to the Board this public hearing is a legislative zoning decision which affects the entire community since it sets general policies that are applicable throughout the zoning ordinance requiring a public hearing, however, evidence is not required and the members are free to discuss issues outside of the hearing. Findings of fact are not required and speakers do not need to be sworn in. Ms. Murphy gave the Board a handout entitled “Zoning Hearings: Knowing Which Rules to Apply” for future reference.

Ms. Murphy stated the county has received an application from Charles Dickerson to amend the official zoning map to rezone a 3.53 acre portion of Tax Map 135 Parcel 4 out of a 32.64 acre parcel on NC 57 from Residential to Highway Commercial. The property will be combined with the existing parcel of 1.47 acres used for Olive Hill Welding which has an individual well and septic system. Ms. Murphy noted there is a single family dwelling located on the property and it is located within the Stories Creek WSII watershed which allows up to 24 percent impervious without best management practices and there are no flood areas on the property. If rezoned, all land uses permitted in the B-1 District will be allowed. The general intent of the B-1 Highway Commercial District is to provide for commercial and light industrial development which operates in a relative quiet, clean and non noxious manner. The immediate area is all zoned Residential and the uses within Roxboro Township consist of single family dwellings. Cunningham Township is to the north on Semora Road and the properties are zoned Rural Conservation. North of the site is the location of a subdivision, Sportsmen Club and Tommy Lawrence Electrical. There is no City water or sewer available to the site. Access to the site is on NC 57, Semora Road.

The Person County Land Use Plan’s “Future Land Use Map” shows this area as Rural Residential/Agricultural (poor soils). It is defined as low-density residential (single site-built and manufactured homes); agriculture, forestry, churches; very limited commercial, office, or public/institutional uses meeting locational criteria. Most of the land within protected water supply watersheds should be placed in this category. Locational criteria for non-residential uses within this land use category would include frontage and access to a major State Highway or secondary road, proximity to similar uses and spatial separation from non-compatible uses such as existing residential development. Land uses within this category would be expected to develop without public sewer, i.e. with private septic tank systems.

Section 160-5(B) of the Zoning Ordinance states: “The Planning Board shall provide a written recommendation to the Board of County Commissioners that addresses that the proposed amendment is consistent with the comprehensive plan, but a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the Board of County Commissioners. Prior to adopting or rejecting any zoning amendment, the Board of County Commissioners shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and why such action is reasonable and in the public interest.

The Land Use Plan has Goals and Objectives for future land development within the County. The following items are listed within this section:

2.2 Encourage well-planned commercial establishments to provide necessary goods and services to area employers and residents.

2.2.1 Encourage development of small service-oriented commercial activities only at existing intersections or median crossovers on US 501 and other major thoroughfares.

Ms. Murphy stated typical uses permitted by right in the B-1 District are as follows: ABC store, retail sales, banks, bowling alley, camping areas carwash, convenience store, dry cleaners, single family dwelling, restaurant, fire station/law enforcement center, funeral home, golf course, nursery (plants), professional office, planned building group, etc.

Ms. Murphy noted there are many other uses allowed with a Special Use Permit such as multiple family dwelling, electrical generating facility, Industrial operations, clothing manufacture, Mobile Home Park, private recreation for profit, etc. There are other uses allowed with a Conditional Use Permit: commercial cemetery, church, day care center, two family dwelling, kennel operation, private recreation, and open storage.

Ms. Murphy stated should the property were to remain residential, the following uses would be permitted by right: single family dwelling, Class “A” and Class “B” manufactured homes, modular homes, family care homes, nursery operations, horse stables, etc.

Ms. Murphy stated the residential district allows other uses by either a special use permit or a conditional use permit. Some uses allowed with a special use permit are multiple family dwellings, Mobile Home Park, non-hazardous solid waste disposal, planned building group, quarry operations, private recreation for profit, airport operations and transmitting towers. Uses allowed with a conditional use permit are ambulance or rescue service, antique shops, bed and breakfast, camping area, commercial cemetery, church, medical and dental clinics, club or lodges, convenience store, day care center,

two family dwelling, garage apartments, funeral home, golf course, hospital, library, professional office, rest home and schools.

Ms. Murphy stated per the 2007, NCDOT Traffic Count Map, there was a total of 7000 cars per day.

ORDINANCE PROVISIONS:

160-3 The Zoning Administrator shall have up to 30 days, at his or her discretion, prior to the regular Planning Board Meeting to review petitions from the public to amend this ordinance or Official Planning Map. Each petition unless initiated by the Board of County Commissioners, the Planning Board, the Board of Adjustment or the Zoning Administrator shall be accompanied by a fee as set out in **SECTION 181-1** to defray the cost of advertising and other administrative costs. Applications for the amendments to the Official Planning Map and/or Planning Ordinance text shall contain at least the following:

- (1). For Amendments to the Official Planning Map, a map drawn to scale showing the exterior boundaries of the lot(s) which will be covered by the proposed map amendment;
- (2). For amendments to the Planning Ordinance text, a copy of the existing text provisions which the applicant proposes for amendment, and a written statement which describes in detail changes the applicant proposes to make to the text of the Ordinance.
- (3). The alleged error in the Official Planning Map and/or Planning Ordinance Text which will be corrected by the proposed amendment with a detailed explanation of such and detailed reasons how the proposed amendment will correct the same;
- (4). The changed or changing conditions, if any, in the area or in the County generally, which makes the proposed Official Planning Map and/or Planning Ordinance text amendment reasonable necessary to the promotion of the public health, safety and general welfare;
- (5). The manner in which the proposed Official Planning Map and/or Planning Ordinance text amendment will carry out the intent and purpose of the Comprehensive Plan or part thereof; and,
- (6). All other circumstances, factors and reasons which the applicant offers in support of the proposed Official Planning Map and/or Planning Ordinance text amendment.



(Amended 8/5/96)

- 160-4 After submission of an application, the Zoning Administrator will schedule a public hearing for the planning board. When the provisions of the ordinance require that written or mailed notices be required, the Zoning Administrator will be responsible for mailing the written notices to all abutting property owners including the applicant. If required, the applicant at his expense shall post the notice on weatherproof signs, one sign per each road frontage and no more than 25' from the street right of way. Signs must be clearly visible from the street and designate "Zoning Proposal Pending" with the phone number of the Person County Planning office. A notice of such public hearing shall be published once a week for two (2) consecutive weeks in a newspaper of general circulation in Person County. Said notice shall be published the first time not less than ten (10) days and not more than twenty-five (25) days prior to the date established for such public hearing. (Amended 11/5/01)
- 160-5 The Planning Board shall have sixty (60) days after the public hearing specified in SECTION 160-4 within which to submit its recommendations to the Board of Commissioners. Failure of the Board to submit its recommendation within this time period shall constitute a favorable recommendation.
- 160-6 The Board of County Commissioners shall consider requests at the next regular scheduled meeting of the Board following receipt of the Planning Board's recommendation and after notice of the public hearing is provided in accordance with Section 160-7.
- 160-7 The County Manager or designate is authorized to set the public hearing date immediately following the Planning Board recommendation and after notice of the public hearing is provided in accordance with Section 160-7.

A map showing the property in question and surrounding properties was presented to the Board for consideration of spot zoning. The properties immediately adjacent are all zoned Residential. Per Section 76 of the Zoning Ordinance, it states "Where a B-1 District abuts a R District, all business or Industrial uses which abut said district shall be set back a minimum of 50 feet from the abutting exterior property line."

Ms. Murphy noted the four factors in determining a reasonable basis for spot zoning are as follows:

1. Size of tract. The general rule is the smaller the tract, the more likely the rezoning will be held invalid.
2. Compatibility with Plan. Need to see if the rezoning fits into a larger context involving rational planning for the community.
3. Benefits and Detriments. Who benefits and who is harmed from the rezoning. Need to look at the property owner and the neighbors.
4. Relationship of Uses. Need to look at the relationship between the proposed uses and the current uses of adjacent properties.

Ms. Murphy stated the Planning Board held a Public Hearing on December 9, 2010 and voted 5 to 0 to recommend approval of the rezoning request without a buffer requirement.

Mr. Jay Jennings of Hamlett-Jennings Surveyors, who is currently working with the applicant, spoke in favor of rezoning the property located on Semora Road (NC 57) from Residential to Highway Commercial. Mr. Jennings noted for Commissioner Kennington that two individuals spoke in favor of the request at the Planning Board Public Hearing held on December 9, 2010.

No one spoke in opposition to the rezoning of property located on Semora Road (NC 57) from Residential to Highway Commercial.

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to close the duly advertised public hearing to consider rezoning of property located on Semora Road (NC 57) from Residential to Highway Commercial.

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to approve the request to rezone a 3.53 acre portion of Tax Map 135 Parcel 4 out of a 32.64 acre parcel on NC 57 from Residential to Highway Commercial as presented.

**PUBLIC HEARING:**

**REQUEST BY CHARLES DICKERSON FOR A SPECIAL USE PERMIT FOR AN ADDITION TO A STORAGE BUILDING FOR OLIVE HILL WELDING ON NC 57, SEMORA ROAD:**

Chairman Clayton administered the oath of sworn testimony to the Planning Director, Paula Murphy and Jay Jennings of Hamlett-Jennings Surveyors.

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to open the duly advertised public hearing designated for the request by Charles Dickerson for a special use permit for an addition to a storage building for Olive Hill Welding on NC 57, Semora Road.

Ms. Murphy pointed out this is a quasi-judicial hearing with all witnesses to be sworn in and subject to cross examination with no ex parte communication and requiring findings of fact.

Ms. Murphy stated the County has received a request for a Special Use Permit by Charles Dickerson for an addition to a storage building for Olive Hill Welding on NC 57, Semora Road. A welding business is allowed in the B-1 District with a Special Use Permit. In conjunction with this Special Use Permit, the request is to add 3.53 acres of land and rezone this from R to B-1.

Ms. Murphy noted the property in question is currently a large parcel with a single family dwelling. The surrounding property is a mixture of vacant land and single family dwellings. There is one business, Tommy Lawrence Electrical located nearby.

ORDINANCE PROVISIONS:

**SECTION 74 - PROCEDURE FOR SPECIAL USE PERMITS**

(Amended 11-18-91, 11/06/95, 3/18/96, 11/3/97, 7/22/02, 9/02/08)

74-1 Special Use Permits may be issued by the County Commissioners for the uses mentioned under the Special Uses as pertains to each district.

A. An application for a Special Use Permit must be accompanied by a plan, prepared by a North Carolina registered land surveyor, engineer, or architect. The plan, drawn to scale, shall depict the following:

- 1) The boundary of the lot(s) to be developed labeled with bearings and distances, total gross land area, location of easement(s), utilities, adjacent road name(s) and number(s);

- 2) Name of project, property owner and applicant, vicinity map, north arrow, scale, date of plan preparation and subsequent revisions dates;
- 3) Topography of site, at contour interval no greater than ten (10) feet, location of perennial and intermittent waters, 100 year flood plains;
- 4) Location and approximate size of all existing and proposed buildings and structures within the site and existing buildings and structures within five hundred feet adjacent thereto;
- 5) Proposed points of ingress and egress together with the proposed pattern of internal circulation;
- 6) Existing and proposed parking spaces;
- 7) Proposed provisions for water supply and sewage disposal;
- 8) If the site is located in a designated drinking water supply watershed, the plan shall also:
  - (a) depict the location of existing (labeled according to the date of establishment) and proposed impervious surfaces and respective totals in square feet;
  - (b) the total land area of the lot(s) outside of the road right-of-way(s) in square feet.

74-4 On receiving the recommendation of the Planning Board, the County Commissioners shall consider the application and said recommendation and may grant or deny the Special Use Permit requested. The Special Use Permit, if granted, shall include such approved plans as may be required. In granting the permit, the County Commissioners shall find:

- (1) that the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.
- (2) that the use meets all required conditions and specifications.

- (3) that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity, and
- (4) that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with comprehensive plan.

Section 160-5(B) of the Zoning Ordinance states “The Planning Board shall provide a written recommendation to the Board of County Commissioners that addresses that the proposed amendment is consistent with the comprehensive plan, but a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the Board of County Commissioners. Prior to adopting or rejecting any zoning amendment, the Board of County Commissioners shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and why such action is reasonable and in the public interest.

The Person County Land Use Plan’s “Future Land Use Map” shows this area as Rural Residential. It is defined as low-density residential (single site-built and manufactured homes); agriculture, forestry, churches; very limited commercial, office, or public/institutional uses meeting locational criteria. Section 2.2 states: “Encourage well-planned commercial establishments to provide necessary goods and services to area employers and residents” and 2.2.1 states “Encourage development of small service-oriented commercial activities only at existing intersections or median crossovers on US 501 and other major thoroughfares.”

Ms. Murphy told the Board that in 1982, Charles Dickerson began a welding and repair business in an accessory building on Ernest Dickerson’s property. Roxboro Township, where this property is located, had a zoning ordinance in existence at this time. It was adopted September 8, 1964. In December 1983, Tax Map 135, Parcel 39 consisting of 1.47 acres was rezoned from Residential to B-1, Highway Business. The welding business, known as Olive Hill Welding, was moved to a building on this lot. In 1998, a Special Use Permit was approved for a 7100 square foot addition to the existing business without any conditions. The owner, Charles Dickerson is proposing to expand the business and is requesting the rezoning of 3.53 acres from Residential to B-1 and a Special Use Permit to use the 3.53 acres for his welding business. The 1.47 acres includes a welding shop and an open storage shelter. The property being added has three accessory buildings and a proposed addition to the existing open storage shelter.

Ms. Murphy noted Section 60-6 states “There shall be allowed one additional accessory building for every acre over (3) acres. Since this lot will be comprised of 5 acres, five accessory buildings will be allowed.

Ms. Murphy further noted Section 76-1 states “ Where a B-1, B-2 or GI District abuts a R District all business or Industrial Uses which abut said Districts shall be set back a minimum of 50 feet from the abutting exterior property lines. This requirement was also in the 1964 Roxboro Township Ordinance. The fifty foot buffer needs to be put on the site plan and be a part of the special use permit. The word “shall” is always mandatory and not merely directory.

Ms. Murphy stated the property is located in the Stories Creek WSII which allows up to 24% impervious surface without any Best Management Practices and is not within a 100 year flood area. All impervious surfaces prior to the adoption of the Watershed Ordinance are considered exempt and not included in the total amount. The impervious surface figures show that this property is at 24%, therefore any additions of any kind would require Best Management Practices. A final as built will be required to include the impervious surface calculations. The plans show that there are 15 employees and 20 parking spaces. The drives and parking areas are shown as gravel. Any new travel areas or parking needs to be paved. Section 74-8 states “In addition to the specific conditions imposed by the regulations in this Article and whatever additional conditions the County Commissioners deem reasonable and appropriate, special uses shall comply with the height, yard, area and parking regulations for the use district in which they are permitted unless otherwise specified.”

Ms. Murphy stated should the Board make a favorable recommendation, the following conditions should be considered:

1. A final as built to be presented to the Planning Department showing all setbacks, all impervious surfaces and the calculations prior to a Final Certificate of Occupancy.
2. All new travel-ways and parking areas to be paved.
3. A fifty foot buffer to be required on the 3.53 acre addition.
4. Board to address any additional buffer requirements.
5. Find that it is in keeping with the Comprehensive Plan and the Findings of Fact in Section 74-4.

Ms. Murphy told the Board the Planning Board held a Public Hearing on December 9, 2010 and voted 5 to 0 to forward with a favorable recommendation to include staff comments, that it met the Findings of Fact, was in keeping with the Comprehensive Plan and to not require the 50 foot buffer.

Ms. Murphy told the Board that the Planning Board did not require the buffer as it was not required previously. Ms. Murphy noted the past could not be corrected however the buffer is a requirement as it is mandated by ordinance. The Planning Board voted to relieve the applicant of this requirement.

Mr. Jay Jennings of Hamlett Jennings Surveyors spoke in favor of the request by Charles Dickerson for a special use permit for an addition to a storage building for Olive Hill Welding on NC 57, Semora Road. Mr. Jennings noted the applicant requested the buffer be waived as it had been done in 1983 and 1998. Mr. Jennings stated the applicant owns adjacent property on two sides of the proposed site.

No one spoke in opposition to the request by Charles Dickerson for a special use permit for an addition to a storage building for Olive Hill Welding on NC 57, Semora Road.

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers, and **carried 5-0** to close the public hearing designated for the request by Charles Dickerson for a special use permit for an addition to a storage building for Olive Hill Welding on NC 57, Semora Road.

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers, and **carried 5-0** to approve the request by Charles Dickerson for a special use permit for an addition to a storage building for Olive Hill Welding on NC 57, Semora Road as recommended by the Planning Board.

#### **INFORMAL COMMENTS:**

Mr. Patrick Riley of 256 Hicks Yarboro Road, Roxboro appeared before the Board to make informal comments of his opinion related to the Ft. Bragg crib deaths housing issues, the recent Library roofing project related to the fumes in the patron area and references to the Present-Use Program Guide and Agriculture Land Use Value under the Machinery Act NC General Statutes 105-277.2.

#### **APPROVAL OF MINUTES:**

A **motion** was made by Commissioner Blalock, **seconded** by Commissioner Jeffers, and **carried 5-0** to approve the minutes of December 6, 2010.

#### **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 Airport, Inspection, Library, and Tax Administration & Collections.

**OLD BUSINESS:**

**REVISION OF THE PERSON COUNTY ANIMAL CONTROL ORDINANCE:**

County Manager, Heidi York stated the Person County Animal Control Advisory Board recommended a revised Animal Control Ordinance at the Boards' November 15, 2010 meeting at which time the Board requested more time to review.

Animal Control Director, Ron Shaw provided input to the Board related to his desire to preserve hunting clubs and the benefits of registering hunting dogs.

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to defer the revision of the Person County Animal Control Ordinance to the Board Retreat.

**NEW BUSINESS:**

**APPROVAL OF THE PERSON COUNTY AIRPORT ENGINEERING AND PLANNING SERVICES CONTRACT:**

County Manager, Heidi York informed the Board that the Federal Aviation Administration and the NC Department of Transportation, Division of Aviation, are now requiring airports to competitively bid their airport engineering services at least once every 5 years. As stated in the Request for Qualifications, the selected firm will engage in, but is not limited to, master planning, land use planning, environmental analysis, and engineering studies; grading, drainage, utilities and paving of airfield pavement and roadway pavements; hangars, terminal building, fueling systems, and storm water improvements; obstruction analysis and removal; airfield lighting, signage, and NAVAID's; grant administration and other related work at the Person County Airport. This work is to be accomplished through a combination of County funds, State, and FAA grants.

In accordance with these guidelines, a competitive selection process was conducted and four proposals were received. The Airport Commission and County staff, unanimously recommend awarding the five year contract to the firm of Talbert & Bright. Once approved by the Board of Commissioners, the contract becomes effective on January 5, 2011 for a period of five years when Person County will again go through a competitive request for qualifications process.

A **motion** was made by Commissioner Kennington, **seconded** by Vice Chairman Puryear, and **carried 5-0** to accept the contract as presented.



## COMMITTEE ASSIGNMENTS FOR BOARD MEMBERS:

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Jeffers, and **carried 5-0** to adopt the 2011 Board of Commissioners Committee Assignments as presented.

### 2011 Person County Board of Commissioners COMMITTEE ASSIGNMENTS

#### **Chairman Jimmy B. Clayton**

*COG Board*

*Local Emergency Planning Committee*

*NCACC – Liaison*

*Neuse River Basin Association*

*Orange-Person-Chatham Mental Health Board*

*Person County Partnership for Children*

*Region K Workforce Development Board*

#### **Vice Chairman Kyle Puryear**

*Animal Control Advisory Committee*

*E-911 Committee*

*Economic Development Commission (EDC) Ex-Officio*

*High Speed Internet Committee*

*Kerr Tar Rural Planning Organization (RPO)*

*Thoroughfare Advisory Committee*

*Transportation Development Plan Steering Committee (TDP)*

#### **Commissioner B. Ray Jeffers**

*Extension Advisory Committee*

*Fire Committee*

*Home Health & Hospice Advisory Committee*

*Home & Community Care Block Grant Adv. Committee*

*Recreation Advisory Committee*

*Social Services Board*

#### **Commissioner Sam Kennington**

*Airport Commission*

*Chamber of Commerce*

*Economic Development Commission (EDC)*

*Person Memorial Hospital Board of Trustees*

*Roxboro/Person County Development Board (Economic)*

*Roxboro Development Group*

*Solid Waste Advisory Committee*

#### **Commissioner Frances Blalock**

*Health Board*

*Hyconeechee Regional Library Board*

*Juvenile Crime Prevention Council*

*Person Area Transportation System Board*

*(Sr. Center Non-Profit) or County Board (formerly Council on Aging)*

**January 4, 2011**

## **BOARDS AND COMMITTEES APPOINTMENTS:**

Clerk to the Board, Brenda Reaves presented the Board with citizens' applications for appointment to Person County Authorities, Boards, Commissions and Committees.

- Adult Care Home Community Advisory Committee  
1-Year Initial Term; 3-Year Reappointment: 4 positions available  
No applications received
  
- Airport Commission  
3-Year Term:
  - 1 citizen-at-large position
    - 1) Michael Riley requested appointment
    - 2) Brantley Burnett requested reappointment

A **motion** was made by Commissioner Kennington, **seconded** by Vice Chairman Puryear, and **carried 5-0** to reappoint Brantley Burnette to the Airport Commission (citizen at-large) for a 3-year term.

A **motion** was made by Commissioner Jeffers, **seconded** by Chairman Clayton, and **carried 5-0** to add an additional citizen at-large seat to the Airport Commission and appoint Michael Riley to the Airport Commission (at-large) for a 3-year term.

- 1 position for a licensed pilot who flies at least monthly and holds a current FAA pilot certificate and current FAA flight medical certificate.  
Note: Light Sport Pilot and Student Pilot FAA licenses do not qualify.
  - 1) Steven Watkins requested appointment

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers, and **carried 5-0** to appoint Steven Watkins to the Airport Commission (licensed pilot) for a 3- year term.

- COG
  - 2 At Large Private Sector representatives
    - 1) Johnny Myrl Lunsford requested reappointment
  
  - 1 At Large Member
    - 1) Elizabeth Blackwell requested reappointment

A **motion** was made by Commissioner Jeffers, **seconded** by Vice Chairman Puryear, and **carried 5-0** to reappoint Johnny Myrl Lunsford and Elizabeth Blackwell to the COG Board.

- Home Health and Hospice Advisory Committee  
3-Year Term: 1 position representing a physician  
No applications received.
- Industrial Facilities and Pollution Control Financing Authority  
6-Year Term: 2 positions available
  - 1) Faye B. Boyd requested appointment

A **motion** was made by Commissioner Blalock, **seconded** by Vice Chairman Puryear, and **carried 5-0** to appoint Faye B. Boyd to the Industrial Facilities and Pollution Control Financing Authority for a 6-year term.

- Juvenile Crime Prevention Council  
2-Year Term: Positions available include:
  - A representative of the Health Department  
No applications received.
  - Chief District Court Judge  
No applications received.
  - Citizens At Large (6) positions available
    - 1) Johnny Myrl Lunsford requested appointment
    - 2) Keri Jeffrey Davis requested reappointment
    - 3) Alisa Gentry Clayton requested appointment
    - 4) Catherine Waugh requested reappointment

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Blalock, and **carried 5-0** to appoint Johnny Myrl Lunsford and Alisa Gentry Clayton as well as reappoint Keri Jeffrey Davis and Catherine Waugh to the Juvenile Crime Prevention Council for a 2-year term.

- Nursing Home Advisory Committee  
1-Year Initial Term; 3-Year Reappointment; 4 positions available
  - 1) Elizabeth Blackwell requested reappointment

A **motion** was made by Commissioner Jeffers, **seconded** by Chairman Clayton, and **carried 5-0** to reappoint Elizabeth Blackwell to the Nursing Home Advisory Committee for a 3-year term.

- Orange Person Chatham Area Mental Health Board  
3-Year Term: 1 position available  
No applications received.

- Piedmont Community College Board of Trustees  
Unexpired Term to June 30, 2012; 1 position available
  - 1) Bayard R. Crumpton requested appointment

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Jeffers, and **carried 5-0** to appoint Bayard R. Crumpton to serve an unexpired term to June 30, 2012.

- Region K Aging Advisory  
1 position available to fill an unexpired term of 12/31/11  
2 positions available for a 3-Year Term  
No applications received.

- Roxboro/Person County Human Relations Commission  
3-Year Term; 1 position available for a county resident
  - 1) Kay Reynolds requested reappointment

A **motion** was made by Commissioner Blalock, **seconded** by Commissioner Kennington, and **carried 5-0** to reappoint Kay Reynolds to the Roxboro/Person County Human Relations Commission for a 3-year term.

- Tourism Development Authority  
3-Year Term: 1 position from the general public available
  - 1) Herman Gentry, Jr. requested reappointment
  - 2) Julie Maybee requested appointment
  - 3) Bonnie Meeler requested appointment

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Blalock, and **carried 5-0** to defer appointment until further information is received from the County Manager.

Margaret McMann answered questions of the Board related to increasing the current board membership from six noting legislative action would be required to do such and commented her preference to replace one of the hotel/motel/bed and breakfast seats with a citizen. Ms. McMann noted the Chairman only voted in the event of a tie.

**NCACC LEGISLATIVE GOALS CONFERENCE REGISTRATION AND VOTING DELEGATE:**

Clerk to the Board, Brenda Reaves asked the Board to designate a Commissioner attending the January 20-21, 2011 NCACC Legislative Goals Conference as Person County's delegate.

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Jeffers, and **carried 5-0** to designate Chairman Jimmy B. Clayton as Person County's delegate to the NCACC Legislative Goals Conference.

Chairman Clayton and Commissioner Jeffers and Blalock confirmed their intent to register and attend the NCACC Legislative Goals Conference January 20-21, 2011.

**CHAIRMAN'S REPORT:**

Chairman Clayton encourage Board members to consider attending the NCACC Legislative Goals Conference as well as submitting goals for consideration.

**MANAGER'S REPORT:**

County Manager, Heidi York informed the Board the Retreat on January 31, 2011 would be held at the Mayo Park Retreat Center. Ms. York advised she would be contacting Board members to start setting the Board Retreat agenda.

**COMMISSIONER REPORT/COMMENTS:**

Commissioner Kennington recognized the passing of two prominent businessmen, Gordon Allen, Sr. and Toufielk Ameen. Commissioner Kennington requested the County Manager to compose a letter to the Editor from the Board about the proposed ordinance regulating unregistered vehicles, automobile graveyards and junkyards in an effort to provide clarity to the citizens.

Commissioner Blalock stated she appreciated the Board not moving ahead on the proposed ordinance regulating unregistered vehicles, automobile graveyards and junkyards so to consider the interested citizens' input and further discuss among each other before taking action.

Commissioner Jeffers had no report or comments.

Vice Chairman Puryear stated the need to listen to the citizen's input this evening related to the proposed ordinance regulating unregistered vehicles, automobile graveyards and junkyards. Vice Chairman Puryear mentioned he attended a national weather service training at PCC this date.

**RECESS:**

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Jeffers, and **carried 5-0** to recess the meeting at 9:07 p.m. until 7:00 p.m. on January 6, 2011 at the Fire Chiefs meeting which will be held at the Parks and Recreation Annex Building.

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Brenda B. Reaves  
Clerk to the Board

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Jimmy B. Clayton  
Chairman