

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

AUGUST 4, 2014
OTHERS PRESENT

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

Sybil Tate, Assistant 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 special session on Monday, August 4, 2014 at 6:00 pm in the Commissioners' meeting room in the Person County Office Building for the purpose of holding informal interviews with applicants for the following:

- A. ABC Board
- B. Piedmont Community College Board of Trustees
- C. Board of Health
- D. Person-Caswell Lake Authority

Chairman Clayton called the special meeting to order.

CLOSED SESSION #1

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to enter Closed Session 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) at 6:01 pm with the following individuals permitted to attend: Clerk to the Board, Brenda Reaves and Summer Intern, Maia Lanley.

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to return to open session at 6:50 pm.

CLOSED SESSION #2

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to enter Closed Session 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) at 6:51 pm with the following individuals permitted to attend: Clerk to the Board, Brenda Reaves and Summer Intern, Maia Lanley.

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to return to open session at 7:01 pm.

Chairman Clayton opened the floor for the Board to make nominations for appointment to the following:

August 4, 2014

ABC Board

3-Year Term: 1 position available

- 1) R.D. "Danny" Bumpass, Jr. requested appointment
- 2) Barnabas Jay requested appointment

A **motion** was made by Commissioner Newell and **carried** to appoint R.D. "Danny" Bumpass, Jr. to the ABC Board for a 3-year term.

Piedmont Community College Board of Trustees

4-Year Term; 1 position available

- 1) Maggie Whitt requested reappointment
- 2) Barnabas Jay requested appointment

A **motion** was made by Commissioner Blalock and **carried 5-0** to reappoint Maggie Whitt to the Piedmont Community College Board of Trustees for a 4-year term.

Board of Health

3-Year Term: 1 position for general public

- 1) Gracie Napier requested appointment
- 2) Leon Martin requested reappointment

A **motion** was made by Commissioner Newell and **carried 5-0** to reappoint Leon Martin to the Board of Health representing the general public for a 3-year term.

Person-Caswell Lake Authority

3-Year Term: 1 position available

- 1) Whit Wyant requested appointment
- 2) William C. Bullock requested reappointment

A **motion** was made by Commissioner Newell and **carried 5-0** to reappoint William C. Bullock to the Person-Caswell Lake Authority for a 3-year term.

Chairman Clayton proceeded to call the regular scheduled meeting to order, led invocation and asked Vice Chairman Jeffers to lead the Pledge of Allegiance.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

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

RECOGNITION - RESOLUTION OF APPRECIATION:

Chairman Clayton read and presented a Resolution of Appreciation to Person County retiree, Helen Hackler.

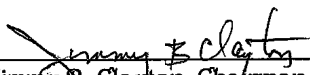
RESOLUTION OF APPRECIATION

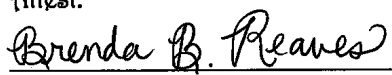
- WHEREAS,** Helen Hackler has served the people of Person County during her tenure as a Processing Assistant III at the Health Department; and
- WHEREAS,** Helen Hackler has served the citizens of Person County with honor, integrity, sincerity and dedication, providing accurate, concise services for nineteen years, November 1994 – June 2014; and
- WHEREAS,** Helen Hackler has earned the respect and admiration of all who have known her and worked with her throughout her career; and
- WHEREAS,** the County of Person recognizes the many contributions Helen Hackler has made to the County and offers her sincere best wishes for her retirement.

NOW, THEREFORE, I, Jimmy B. Clayton, Chairman of the Person County Board of Commissioners, do hereby extend this Resolution of Appreciation to Helen Hackler for continually striving to make Roxboro and Person County a better place to live and work.

Adopted this, the 4th day of August, 2014.




Jimmy B. Clayton, Chairman
Person County Board of Commissioners

Attest:

Brenda B. Reaves
Clerk to the Board of Commissioners

Ms. Hackler expressed gratitude for the opportunity to serve the citizens of Person County. Board members along with Health Director, Janet Clayton thanked her for her invaluable service.

August 4, 2014

INFORMAL COMMENTS:

The following individuals appeared before the Board to make informal comments:

Karl and Elizabeth Allen of 751 Hugh Woods Road, Roxboro, communicated with the Board through written words read by the Clerk to the Board of their experiences of job discrimination in Person County due to the fact they are both deaf. Assistant County Manager, Sybil Tate, who had met with the couple and advised them that state and federal agencies may be able to assist them with employment told the Board she would follow up with the Allens following the meeting. Board members provided web sites and telephone numbers to the Allens in an effort to expedite them to the correct services.

DISCUSSION/ADJUSTMENT/APPROVAL OF CONSENT AGENDA:

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to approve the Consent Agenda with the following items:

- A. Substantial Rehabilitation Request (CDBG Scattered Site Project)

NEW BUSINESS:

PRELIMINARY RESOLUTION – FINANCING OF PERSON COUNTY RECYCLING CENTER AND VARIOUS ROOFING IMPROVEMENTS:

Chairman Clayton introduced a preliminary resolution titled “Resolution Making Certain Determinations Concerning a Proposed Installment Financing Agreement to Finance a Portion of the Cost of Various Projects and Providing for Certain Related Matters” and asked the Finance Director to summarize the content.

Finance Director, Amy Wehrenberg stated that the preliminary resolution was related to the financing of Person County Recycling Center and Various Roofing Improvements.

Ms. Wehrenberg requested Board approval on a Resolution Making Certain Determinations Concerning a Proposed Installment Financing Agreement to Finance a Portion of the Cost of Various Projects and Providing for Certain Related Matters.

Ms. Wehrenberg stated that the Resolution is set forth by sections in the following manner:

Preamble

The plan to finance the Project with the conveyance of Earl Bradsher Pre-School to the County as collateral, and

1. Sets forth certain findings and determinations regarding the proposed financing that it is necessary and expedient to provide funding by debt; that this particular type of financing is preferable; the amount of the proceeds of the proposed debt is sufficient; the County’s debt policies are in good order; an increase in taxes to fund repayment of the debt is not anticipated; and that the County is not in default on any of its debt; and
2. Designates and authorizes certain County officials to represent the County in filing an application with and requesting approval from the Local Government Commission (LGC) for the proposed financing agreement; and
3. Requests that the LGC approve the proposed financing agreement; and
4. Designates the special counsel to represent the County’s interests; and
5. The resolution is effective upon its passage by the Board.

Ms. Wehrenberg also provided the Board with a financing calendar related to the timeline of the project noting the meeting dates and action required by the Board. Vice Chairman Jeffers requested that the required public hearing be scheduled at one of the Board’s evening meetings to accommodate public comments. Ms. Wehrenberg stated that she would consult with the bond attorney about the possibility to change the date of the public hearing to an evening Board meeting date.

A **motion** was made by Commissioner Blalock and **carried 4-1** to approve a Resolution Making Certain Determinations Concerning a Proposed Installment Financing Agreement to Finance a Portion of the Cost of Various Projects and Providing for Certain Related Matters. Commissioner Newell cast the lone dissenting vote.

A regular meeting of the Board of Commissioners for the County of Person, North Carolina, was held in Room 215 in the Person County Office Building, in Roxboro, North Carolina, the regular place of meeting, at 7:00 P.M. on August 4, 2014.

Present: Chairman Jimmy B. Clayton, presiding, and Vice Chairman B. Ray Jeffers and Commissioners Kyle W. Puryear, Frances P. Blalock and David Newell, Sr.

Absent: None.

* * * * *

Chairman Jimmy B. Clayton introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by its title:

RESOLUTION MAKING CERTAIN DETERMINATIONS CONCERNING A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE A PORTION OF THE COST OF VARIOUS PROJECTS AND PROVIDING FOR CERTAIN RELATED MATTERS.

WHEREAS, the County of Person, North Carolina (the "County") is considering entering into an installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$2,500,000, with other available funds, for paying the costs of acquiring and improving a building and related property to house the Person County Recycling Center and the costs of repairing or replacing the roofs on the Kirby Civic Auditorium and Earl Bradsher Preschool (collectively the "Project"), and it is necessary to take certain related actions at this time;

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Board of Commissioners for the County, as follows:

Section 1. The Board of Commissioners for the County (the "Board of Commissioners") hereby finds and determines in connection with such proposed agreement that (a) the proceeds of such proposed agreement will be used to finance a portion of the cost of the

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August 4, 2014

Project to meet an urgent need for improved school and other public facilities constituting the Project to serve the residents of the County and, accordingly, such proposed agreement is necessary or expedient for the County, (b) such proposed agreement, under current circumstances, is preferable to a bond issue of the County for financing the same purpose because there is not adequate time to authorize and issue bonds of the County prior to the time when funds will be needed for such purpose, (c) the sums estimated to fall due under such proposed agreement are adequate and not excessive for its proposed purpose because they are based upon the County's best estimate of the cost of the Project, (d) the County's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed agreement will not be excessive because the County expects that it will not be necessary to increase taxes for such purpose and (f) the County is not in default regarding any of its debt service obligations.

Section 2. The County Manager, the Finance Director and the County Attorney of the County are each hereby designated as a representative of the County to file an application for approval of such proposed agreement with the Local Government Commission of North Carolina and are authorized to take such other actions as may be advisable in connection with the negotiation of such proposed agreement and the development of the related financing; and all other actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 3. The Board of Commissioners hereby requests the Local Government Commission of North Carolina to approve such proposed agreement under Article 8 of Chapter 159 of the General Statutes of North Carolina, as amended.

Section 4. The law firm of Robinson, Bradshaw and Hinson, P.A., Charlotte, North Carolina, is hereby appointed special counsel to the County in connection with such proposed agreement.

Section 5. This resolution shall take effect immediately upon its passage.

Upon motion duly made and seconded, the foregoing resolution was passed by the following vote:

Ayes: Chairman Jimmy B. Clayton, Vice Chairman B. Ray Jeffers and Commissioners Kyle W. Puryear, and Frances P. Blalock.

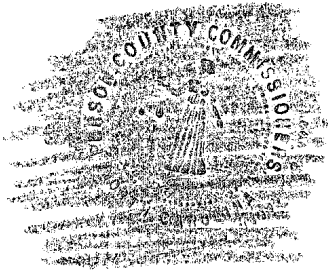
Noes: Commissioner David Newell, Sr.

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I, Brenda B. Reaves, Clerk to the Board of Commissioners for the County of Person, North Carolina, DO HEREBY CERTIFY that the foregoing is an accurate copy of so much of the recorded minutes of a regular meeting of said Board held on August 4, 2014 as relates in any way to the matters described therein.

I HEREBY FURTHER CERTIFY that notice of said meeting was duly given in accordance with the provisions of G.S. §143-318.12.

WITNESS my hand and the corporate seal of said County, this 5th day of August 2014.



Brenda B. Reaves

Brenda B. Reaves
Clerk to the Board of Commissioners

CHAIRMAN’S REPORT:

Chairman Clayton had no report.

ASSISTANT MANAGER’S REPORT:

Assistant County Manager, Sybil Tate reported the following:

- The next Board meeting is scheduled for August 18, 2014 at 9:00 am; and
- The Planning Department will host an open house on August 13, 2014 at 3:00 pm; and
- Announced the NC Association of County Commissioners legislative goals process and asked the Board to send any such goals to her noting the submission deadline is September 19, 2014. Vice Chairman Jeffers added he would let the Board of Education know as well.

Ms. Tate asked General Services Director, Ray Foushee to provide the Board with a brief update related to the GMH Electronics site.

COMMISSIONER REPORT/COMMENTS:

Commissioner Newell commented of his experience of going through the budget situation this year and knowing what the county will be facing next year, and made a **motion** to implement a county hiring freeze for Board consideration. Commissioner Newell added to his motion that Board approval should be sought for any new hires. Chairman Clayton and County Attorney, Ron Aycock agreed the motion on floor was out of order due the Board’s Rules of Procedure because the item was not added during the agenda adjustment opportunity at the beginning of the meeting. Chairman Clayton suggested Commissioner Newell add this item to the Board’s upcoming meeting agenda, to which he agreed.

Commissioner Blalock reported the Environmental Issues Advisory Committee held its first meeting on August 2, 2014 and accomplished setting its meeting schedule, elected officers and bylaws. Commissioner Blalock asked about the National Health Center event. Health Director, Janet Clayton stated it is celebrated by the Person Family Medical Center scheduled on August 14, 2014 at noon in Piedmont Community College S-100 room.

Commissioner Puryear had no report.

Vice Chairman Jeffers commented on the state budget as follows:

- Kept the \$500,000 net Medicaid relief swap benefits to counties; Person County is not one of the 21 counties affected; and
- Includes all state misdemeanants, including DWI offenders, would be housed in county jails through the voluntary Statewide Misdemeanant Confinement Fund program which was created in 2011 in an effort to save \$2.8M as a part of the Justice Reinvestment Act which increased court fees in order to establish a fund managed by the NC Sheriffs' Association to reimburse counties that voluntarily agree to accept state prisoners within available jail bed capacity. Vice Chairman Jeffers added counties will be held harmless and have the ability to negotiate that rate with the NC Sheriff's Association.
- Medicaid reform would be put on hold until the General Assembly reconvenes November 17, 2014; and
- Kept teachers' assistants (TA) largely intact, although the TA allotment is reduced to reflect actual local spending practices.

General Services Director, Ray Foushee updated the Board on the US Environmental Protection Agency's (EPA) proposed plan for the GMH Electronics site located in Roxboro. Mr. Foushee reminded the Board that in 2010 an interim remedy (Phase I) provided immediate relief for an alternative water supply to prevent exposure of contaminated groundwater to 49 families that were found to have contaminated wells. Mr. Foushee further noted the County facilitated the water line project for the City of Roxboro during Phase I. Phase II, according to Mr. Foushee, is currently underway with a public hearing held on July 31, 2014 with comments accepted through the month of August. Mr. Foushee stated phase II addresses remediation of the source materials and treatment of groundwater with the design phase scheduled to begin October 2014 and continue for two years. Remediation of the contaminated areas is planned for 2016. The GMH Electronics site is referred to as a Superfund site and the preferred method of clean-up is estimated to cost \$4.9M, funded by federal and state sources.

Vice Chairman Jeffers asked Mr. Foushee to explain the work in progress on the hill at the Law Enforcement Center (LEC) facing the boulevard. Mr. Foushee stated the project on the hill at the LEC is driven by safety noting in years predating his tenure the county has had several mowers and personnel lose traction on the hill and end up in the boulevard and the safety team has urged management to take some type of action to prevent such accidents. Mr. Foushee told the group the project was put out to bid and Rolling Hills Garden Center provided the lowest bid (\$15,500) to design beds of shrubs surrounded by weeping love grass. This type of grass will grow 12-16 inches and tilt over and requires little to no maintenance. The issue at hand, Mr. Foushee noted is that some inferior grass is growing causing the area to look poorly now. Mr. Foushee assured the Board that Rolling Hills is still working with the project and expects the first frost will kill the inferior grass and let the weeping love grass take control and push out any further growth of inferior grass and look better.

CLOSED SESSION #3:

A **motion** was made by Vice Chairman Jeffers and **carried 5-0** to enter Closed Session per General Statute 143-318.11(a)(5) to consider the acquisition or lease of real property at 7:53 pm with the following individuals permitted to attend: Clerk to the Board, Brenda Reaves, County Attorney, Ron Aycok, Assistant County Manager, Sybil Tate, Finance Director, Amy Wehrenberg, Recreation Director, John Hill, General Services Director, Ray Foushee and Summer Intern, Maia Lanley.

A **motion** was made by Commissioner Newell, and **carried 5-0** to return to open session at 8:16 pm.

ADJOURNMENT:

A **motion** was made by Commissioner Blalock, and **carried 5-0** to adjourn the meeting at 8:16 pm.

Brenda B. Reaves
Clerk to the Board

Jimmy B. Clayton
Chairman