

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

**SEPTEMBER 21, 2009**  
**OTHERS PRESENT**

Johnny Myrl Lunsford  
Jimmy B. Clayton  
Kyle W. Puryear  
B. Ray Jeffers  
Samuel R. Kennington

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 regular session on Monday, September 21, 2009, at 9:00 a.m., in the Person County Office Building Auditorium.

Chairman Lunsford called the meeting to order and asked Commissioner Clayton to lead in prayer and Commissioner Kennington to lead the Pledge of Allegiance.

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

Chairman Lunsford requested to add an item to the agenda to consider adoption of the Amended Solid Waste Franchise Ordinance. There was no opposition to Chairman Lunsford's request.

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Puryear and **carried 4/1** to approve the agenda as adjusted. Commissioner Clayton cast the dissenting vote.

**PUBLIC HEARING REGARDING REPUBLIC SERVICES OF NC, LLC'S  
APPLICATION FOR AN UPDATED SOLID WASTE DISPOSAL FRANCHISE  
ORDINANCE:**

Procedures for the Public Hearing regarding Republic Services of NC, LLC's Application for an updated Solid Waste Disposal Franchise Ordinance

- 1 The proponents of the proposition before the Board shall be allowed a total of 60 minutes to present testimony and arguments in favor of the issue. The allocation of time among proponents may be agreed to by the several proponents. If not so determined, the available time will be allocated to each speaker according to an equitable schedule determined by the Chair of the Board of Commissioners.
- 2 The opponents of the proposition before the Board shall be allowed a total of 60 minutes to present testimony and arguments against the issue. The allocation of time among opponents may be agreed to by the several opponents. If not so determined, the available time will be allocated to each speaker according to an equitable schedule determined by the Chair of the Board of Commissioners.

A **motion** was made by Commissioner Puryear, **seconded** by Chairman Lunsford and **carried 4/1** to open the public hearing. Commissioner Clayton cast the dissenting vote.

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**Proponents** that appeared before the board included the following:

Mr. Jim Stovall of 306 Chub Lake Street, Roxboro  
Mr. Leigh Woodall of 200 Reade Drive, Roxboro

**Opponents** appearing before the board included the following:

Mr. Joe DiBona of 340 Ned Moore Road, Timberlake  
Ms. Vonda Frantz of 119 Potluck Farm Road, Rougemont  
Ms. Lois McIver Winsted of 219 S. Lamar St, Roxboro  
Mr. Chris Sparks of 204 Cucamonga Trail, Timberlake  
Ms. Marji Stehl, PO Box 132, Semora  
Ms. Kay Reynolds of 74 Alleghany Drive, Roxboro  
Ms. Theresa Adams of 318 Outlaw Road, Roxboro  
Mr. Patrick Riley of 256 Hicks-Yarboro Road, Roxboro  
Mr. Alvin Dickerson of 2099 Gentry Ridge Road, Roxboro  
Mr. Billy Reynolds of 74 Alleghany Drive, Roxboro  
Ms. Faye Boyd of 69 Foxwood Drive, Timberlake  
Ms. Frances Blalock of 1504 Surl Mt. Tirzah Road, Timberlake  
Ms. Betty Reynolds of 98 Roxdale Place, Roxboro  
Ms. Betty Blalock of 144 Tirzah Ridge, Rougemont  
Ms. Pat Hill of 916 Mann Oakley Road, Rougemont  
Ms. Lisa Jacobs of 310 Kermit Duncan Road, Timberlake  
Mr. John Runkle, Attorney for PC Pride, PO Box 3793, Chapel Hill

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Jeffers and **carried** to close the public hearing.

#### **FIRST READING TO CONSIDER ADOPTION OF THE AMENDED SOLID WASTE DISPOSAL FRANCHISE ORDINANCE:**

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Jeffers to adopt the Amended Solid Waste Disposal Franchise Ordinance.

Commissioner Clayton stated it was his opinion that Person County did not need to proceed with amending the Solid Waste Disposal Franchise Ordinance at this time.

The County Attorney, Ron Aycock confirmed for the Board that the Ordinance dictates the facility site plan meets the requirements set forth by decided statutes and does not address any review by the State for full compliance of state regulations. It is in the opinion of the County Engineer, County Staff and the County Attorney that the facility site plan, as stated in the Ordinance, meets the requirements.

Mr. Aycock stated that Person County could not absolutely guarantee that any condition will not affect public health or safety.

Mr. Aycock noted that any environmental allegations have been considered and investigated by the proper state agencies charged with investigation. Mr. Aycock stated he has not seen any official statement from the State noting a violation as alleged nor was he aware of any citation for any illegal disposal from the State.

Mr. Aycock explained Section 3.2.3 of the Ordinance relating to life expectancy with the addition of the Dawes tract would be 40 additional years which was calculated using the current daily tonnage of 660 acceptance of solid waste into the landfill.

Mr. Aycock understands quarterly reports are received from Republic but did not have any knowledge if drilling logs have been requested or presented to the County.

A **substitute motion** was made by Commissioner Kennington, **seconded** by Commissioner Clayton to table the request until all questions can be answered truthfully and fully by Person County to all of the citizens of Person County. The **substitute motion failed 2/3**. Chairman Lunsford and Commissioners Puryear and Jeffers voted down the substitute motion. Chairman Lunsford returned the Board back to the original motion.

The **original motion passed by majority 3/2 vote**. Commissioners Puryear, Jeffers and Chairman Lunsford voted in support. Commissioners Kennington and Clayton voted in opposition.

**INFORMAL COMMENTS:**

There were no comments from the public.

**APPROVAL OF MINUTES:**

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Clayton, and **carried** to approve the minutes of September 8, 2009.

**ADMINISTRATIVE REPORTS:**

A **motion** was made by Commissioner Jeffers, **seconded** by Chairman Lunsford, and **carried** to approve the Administrative Reports for the Detention Center, Inspections, Public Library and the Hyconeechee Regional Library.

**REQUEST FOR APPROVAL TO INCREASE THE MEMBERSHIP OF THE PERSON AREA TRANSPORTATION BOARD OF DIRECTORS FROM 5 TO 7 MEMBERS:**

Person Area Transportation Director, Gerald Lunsford told the Board that the North Carolina Department of Transportation (NCDOT) has requested that the membership of the Person Area Transportation Board of Directors be at least 7 members. The Person Area Transportation Board of Directors membership currently stands at the minimum number of 5 seats. NCDOT requests to have more than the minimum amount on the board as they are looking more closely at the Federal Transportation Authority regulations for transportation boards.

Commissioner Kennington inquired why the Person Area Transportation Board of Directors had not met in 9 months. Mr. Lunsford took part responsibility and noted there had been vacancies for a while that also prevented meeting.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Jeffers, and **carried** to approve the membership of the Person Area Transportation Board of Directors increasing from 5 to 7 members.

**BIDS FOR GMH ELECTRONICS SITE PUBLIC WATER EXTENSION:**

County Manager, Heidi York, on behalf of Paul Bailey, stated in September, 2008, Person County agreed to participate with the US Environmental Protection Agency (US EPA) in providing public water to the GMH Electronics Site on NC49 at the intersection with Halifax Road. On September 9, 2009, nine bids were received for this project. Sanford Contractors, Inc. was the low bidder at \$1,081,205.00 noting arrangements are being finalized for the US EPA to fund the remainder of this project.

Ms. York requested Board approval of the low bid of \$1,081,205.00 by Sanford Contractors, Inc. contingent upon funding by the US EPA as well as to authorize herself as the County Manager to execute all associated documents.

Commissioner Clayton stated his support of this project and thanked the Assistant County Manager, the Health Director, the state and federal agencies involved to construct and fund the public water extensions in Person County.

Commissioner Kennington asked if the residents would have a choice whether or not to hook up to the public water extension. Ms. York stated there are 45 homes eligible and the residents would indeed have the option whether or not to hook into the new waterline extensions. Ms. York noted if residents chose to hook into the new waterline extensions, they would have to abandon their well.

Commissioner Kennington inquired about using Person County subcontractors to create jobs here as opposed to sending work to Lee County citizens. The County Engineer, Paul Bailey stated this project work had to be competitive and the federal registry controls the bidding process, the award of contracts and specifically prohibits restricting work to local county and/or state agencies as it must be available to all entities.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Puryear, and **carried** to approve of the low bid of \$1,081,205.00 by Sanford Contractors, Inc. contingent upon funding by the US EPA as well as authorize Heidi York, County Manager, to execute all associated documents related to the public water extension project for the GMH Electronics Site on NC49 at the intersection with Halifax Road.

The Bid Tabulation for the GMH Electronics Site Public Water Extension as prepared by Coulter Jewell Thames, P.A. is incorporated into the minutes by reference and is on file with the Clerk to the Board.

**CHAIRMAN'S REPORT:**

Chairman Lunsford apologized for being absent at the last Board meeting noting an emergency prevented his attendance.

Chairman Lunsford stated the valuable networking and informative sessions he attended during the NC Association of County Commissioners conference in Hickory noting he was happy to inform other counties of Person County's new recycling center and new solar energy park. Chairman Lunsford thanked Wanda Rogers and the Solid Waste Committee and all involved for the effort in seeing the Recycling Center become a reality.

**MANAGER'S REPORT:**

County Manager, Heidi York announced a meeting the Board would be having on Wednesday, September 23, 2009, with Army officials to assess emergency preparedness and emergency response. The meeting will be held in the Commissioner's meeting room 215 at 9:30 a.m.

Ms. York announced a joint session meeting scheduled with the Board of Education on October 1, 2009 at 6:30 p.m. to be held in the County Office Building Auditorium.

**COMMISSIONER REPORT/COMMENTS:**

Commissioner Clayton stated the mental health system has been affected by further State cuts noting Person Industries would be affected by losing \$30,000-\$40,000 of state funding equaling 21.5% of the Person Industries' program.

Commissioner Clayton reminded the Board of the Kerr Tar COG Banquet will be held on Thursday, September 24, 2009 at 6:30 p.m. at the Homestead Festival House.

Commissioner Jeffers stated his awareness of the mental health issues and homelessness in Person County from his attendance of a recent Department of Social Services committee meeting.

Commissioner Jeffers told the Board the NC Association of County Commissioners conference in Hickory promoted going green.

Commissioner Jeffers announced he was recently appointed by the NC Association of County Commissioners President, Mary Accor, to the Chair of the Agriculture Steering Committee which will also sit on the Board of Directors.

Commissioner Puryear stated he would be absent at the October 5, 2009 regular scheduled board meeting and offered the following motion.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Jeffers and **carried 4/1** to place the second reading to consider adoption of the amended Solid Waste Disposal Franchise Ordinance on the Board's agenda at its meeting scheduled for October 19, 2009. Commissioner Clayton cast the dissenting vote.

Commissioner Kennington asked the County Manager if time for any questions would be available to discuss with the Board of Education in addition to the funding formula item when meeting in joint session. Ms. York stated a time for dialogue between the boards is scheduled.

Commissioner Kennington inquired if the new part-time Community Development Coordinator would be able to review the boards and committees for compliance to the rules and regulations. Ms. York stated she was planning to bring this item up at one of the October meetings.

Commissioner Kennington updated the group on the Strategic Plan efforts noting he, Commissioner Jeffers and the County Manager had met recently and hoped to finalize assigning citizens at their request to one of the five committees. Commissioner Kennington stated the Board would soon review the planning and goals outlined for each committee meeting as the Executive Committee.

Chairman Lunsford asked if any Board members were available to attend the Historical Society meeting on Tuesday, September 22 at 6:00 pm at the Senior Center. Commissioners Jeffers and Clayton stated they would plan to attend. Commissioner Kennington stated he attended the Historical Society 50th anniversary event last week.

Commissioner Jeffers told the Board that the Senior Center was sponsoring lunch with him on September 23rd.

**RECESS:**

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Puryear, and **carried** to recess the meeting at 10:40 a.m. until September 23, 2009 at 9:30 a.m. in the Commissioner's Meeting Room at the County Office Building for the purpose of a meeting with Army Officers to discuss emergency preparedness and emergency response.

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Brenda B. Reaves  
Clerk to the Board

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Johnny Myrl Lunsford  
Chairman

**September 21, 2009**