

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

JUNE 15 , 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, June 15, 2009 at 9:00 a.m. in the Commissioners' meeting room in the Person County Office Building.

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 Board consideration to add to the agenda a Resolution Supporting an Alternative Method of Recognition for Veterans Status to Merchant Marine Seamen of World War II.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Jeffers and **carried** to add to the agenda for consideration a Resolution Supporting an Alternative Method of Recognition for Veterans Status to Merchant Marine Seamen of World War II.

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Clayton, and **carried** to approve the agenda as adjusted.

INFORMAL COMMENTS:

There were no comments from the public.

APPROVAL OF MINUTES:

A **motion** was made by Commissioner Jeffers, **seconded** by Chairman Lunsford, and **carried** to approve the minutes of May 28, 2009, June 1, 2009, June 2, 2009 and June 8, 2009.

ADMINISTRATIVE REPORTS:

A **motion** was made by Commissioner Jeffers, **seconded** by Commissioner Puryear, and **carried** to approve the Administrative Reports for the Emergency Medical Services and Inspections. Commissioner Kennington noted the increase in building fees on the Inspections report.

June 15, 2009

**PERSON COUNTY JUVENILE CRIME PREVENTION FUNDING
RECOMMENDATIONS:**

Mr. David Carter, a member of the Juvenile Crime Prevention Council (JCPC) presented to the Board the JCPC recommended funding allotments of the State allocation as outlined below:

4-H YES: Teen Court, Community Service & Restitution, Guided Growth & Psychological services	\$113,453
Roots & Wings Parenting Program	\$5,666
Administrative Funds for JCPC	\$1,500
Subtotal	\$129,698
Unallocated (reflects anticipated cut by State)	\$9,079
Total State Allocation	\$120,619

Mr. Carter requested Board approval of the JCPC recommended funding allotments of the State allocations noting JCPC is an arm of the Board of Commissioners that evaluates annually community needs to identify gaps and services for Person County youth. JCPC receives State funding annually from the NC Department of Juvenile Justice. Mr. Carter noted a Request for Proposal is annually advertised for non profits to apply to present services for consideration. Mr. Carter explained that proposals were received from the 4-H YES program as well as Roots and Wings. JCPC evaluated the proposals and recommended adding the needed parenting program to the array of services that are already offered by 4-H YES.

The Board asked the 4-H YES Program Director, Derek Day questions about the funding allotments. Mr. Day stated the JCPC wanted to add an additional component for a parenting program with less money, further noting if Board approved, a service and personnel time will have to be cut from the 4-H YES program to accommodate the new component. Mr. Day confirmed to the Board that 4-H YES is not currently nor equipped to offer the parenting program. Mr. Day estimates the anticipated cut by the State to be even greater than what is predicted but cannot know the final allocation by the State until the State budget is adopted. Mr. Day told the Board the requested county match funds (20% of the total State allocation) are included in the budget and is estimated at \$30,158 to sustain the current 4-H YES Program and Roots & Wings parenting classes, if approved, and \$12,000 for respite care services that is contracted with Central Children's Homes to shelter juveniles for up to 30 days.

After board discussion a motion was made by Commissioner Kennington, **seconded** by Commissioner Puryear, and **carried** to approve the JCPC funding request with the exception of the \$5,666 allotment for Roots & Wings which should be placed back in the 4-H YES program allotment.

DESIGNATION OF THE NACO VOTING DELEGATE:

Chairman Lunsford made a **motion** to nominate Commissioner Clayton to represent Person County as the voting delegate at the NACo 2009 Annual Conference to be held July 24-28, 2009 in Davidson County, Tennessee. The **motion carried unanimously**.

VIDEO STREAMING OF COUNTY COMMISSIONER MEETINGS:

Commissioner Kennington stated the Board can only take action as a body in an official meeting, noting any deliberations of a majority of the Board, as confirmed by the County Attorney, are treated as a meeting subject to the same notice requirements as other meetings. The County Attorney clarified that a poll is not considered a meeting and therefore no action can be taken. If Commissioners express their opinion on an issue in a poll, any action on that issue must be taken in an open, official session. Commissioner Kennington requested the Board to establish rules to govern when an official meeting is streamed on the internet to ensure the public and media are informed and aware of any action taken by the Board.

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Puryear, that beginning on July 1, 2009, barring any unforeseen technical difficulties, all meetings of the Person County Board of County Commissioners will be streamed live on the Person County internet site by the Person County Information Technology Department, including but not exclusive to regular scheduled meetings, special meetings, public hearings, work sessions and budget work sessions.

After Board discussion clarifying the motion before them, the County Attorney stated his concern for the motion on the table is to define who would make the determination of any technical impediment, and suggested delegating to the County Manager or to the Chairman.

Chairman Lunsford noted the authority of the meeting resides with the responsibility of the Chairman of the Board unless otherwise designated by the Board according to county law. The County Attorney confirmed the procedures under state law provide the Chair responsibility for running the meeting, presiding and organizing the meeting, and that the Board's current rules state for the Chair to be responsible for those duties.

A **substitute motion** was made by Commissioner Clayton, **seconded** by Commissioner Jeffers and **carried** to postpone the decision of the video streaming of county commissioner meetings until the next scheduled meeting on July 6, 2009 to allow the County Attorney, County Manager, and Commissioner Kennington adequate time to revise the motion.

**CONSIDERATION TO ADOPT A RESOLUTION SUPPORTING AN
ALTERNATIVE METHOD OF RECOGNITION FOR VETERANS STATUS TO
MERCHANT MARINE SEAMEN OF WORLD WAR II:**

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Jeffers and **carried** to adopt the Resolution Supporting an Alternative Method of Recognition for Veterans Status to Merchant Marine Seamen of World War II.

Commissioner Clayton requested for Person County's District Congressman, U.S. Representative Brad Miller replace the names listed that apply for another county.

**RESOLUTION OF THE
PERSON COUNTY BOARD OF COMMISSIONERS
SUPPORTING AN ALTERNATIVE METHOD OF RECOGNITION FOR VETERANS STATUS TO
MERCHANT MARINE SEAMEN OF WORLD WAR II**

WHEREAS, Public Law 95-202 and 105-368 bestowed veteran status on US Merchant Marine Seamen of World War II; and

WHEREAS, two specific U.S. government actions by U.S. government have caused some 10,000 merchant seamen to have been denied their due recognition:

- (1) The USCG relieving Masters of tugs, towboats, and seagoing barges of the responsibility submitting reports of seamen shipped and discharged , and
- (2) The National maritime Administration ordered ship's logbooks to be destroyed because they were too costly to maintain had removed the two main criteria required by the government to issue official recognition to those seamen, and

WHEREAS, the average age of the remaining seamen is above 86 and the population of the US veteran is shrinking at an average of 850 per year causing time to be of the essence, and

WHEREAS, No costs are associated with this proposal as funds are already included in above public laws.

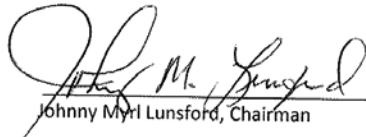
WHEREAS, the Person County Board of Commissioners therefore request that immediate action be taken to correct this inconceivable action.

NOW, THEREFORE, BE IT RESOLVED that the Person County Board of Commissioners supports the attached proposal and so orders that this Resolution and attached proposal be sent to Senator Kay Hagan, Senator Richard Burr, and Congressman Brad Miller; and this matter be placed into action to ensure expedient passage.

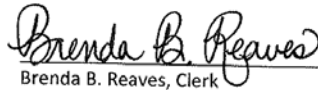
Adopted this the 15th day of June, 2009.



Person County Board of Commissioners


Johnny Myrl Lunsford, Chairman

ATTEST:


Brenda B. Reaves, Clerk

June 15, 2009

PROPOSAL

Committee: _____ Principal Author: _____

Bill No: _____ Delegation: _____

Title: Alternative Methods of Recognition for Veteran Status to Merchant Marine Seamen of WW II

Be It Enacted by the **one hundred & eleventh Congress of the United States**

1. **Preamble:** Be it enacted by the Senate and House of Representatives of the United States of
2. America in congress assembled; Public Law 95-202 & 105-368 provided veteran status for members
3. of the U.S Merchant Marine who served during WW II between 07 Dec, 1941 and 31 Dec, 1946 and
4. who were able to prove their service. Various actions by governmental personnel have destroyed or
5. caused these documents to be unavailable. These actions prohibit merchant marine veterans of
6. WW II from receiving the recognition and benefits of veteran's status provided by these laws.
7. Alternative methods to prove service are required, as just compensation, for records lost by
8. government actions.

9. **SECTION 1:** Records held by the Social Security Administration that denote dates, wages earned and
10. companies employed shall be utilized when USCG forms 718 (any date) or other official data such
11. as ship's logbook, etc, are not available.

12. **SECTION 2:** Validated testimony from the veteran or primary next of kin as to employment shall be
13. allowed to determine eligibility; and

14. **SECTION 3:** Other official documentation offered by the veteran, shall constitute replacement of
15. records that were destroyed or from other actions causing the required records to be unavailable
16. that were committed by those responsible for the control and maintenance of veteran records.

17. **SECTION 4:** For the timeframe between 07 December, 1941 and 31 December, 1946, masters of
18. seagoing vessels shall be recognized as agents of the United States authorized to document
19. crew members as it applies to the shipping and discharge of seaman for purposes of employment.

20. **SECTION 5:** These replacements records shall satisfy all requirements for eligibility of service during
21. the required timeframe 07 December, 1941 and 31 December, 1946.

22. **SECTION 6:** This bill will go into effect 91 days after passage.

June 15, 2009

BUDGET AMENDMENT:

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

Upon a motion by Commissioner Puryear, and a second by Commissioner Clayton and majority vote, the Board of Commissioners of Person County does hereby amend the Budget of the General Fund(s) on this, the 15th day of June 2009, as follows:

<u>Dept./Acct No.</u>	<u>Department Name</u>	<u>Amount</u> Incr / (Decr)
<u>EXPENDITURES</u>	<u>General Fund</u>	
	Education	1,492
	Contingency	18,915
	Public Safety	(18,915)
	Human Services	1,665
	<u>Bus Garage Construction/Health Building Renovation/ PCC Roofing Project</u>	18,915
<u>REVENUES</u>	<u>General Fund</u>	
	Intergovernmental Revenues	250
	Other Revenues	2,907
	<u>Bus Garage Construction/Health Building Renovation/ PCC Roofing Project</u>	
	Fund Balance Appropriation	18,915

Appropriate: Terrell School Fund received in excess of budget (\$1,492); transfer of remaining funds in the Bus Garage, Health Building Renovation, and PCC Roofing Capital Project Fund to be spent on vehicle capital from the General Fund (-\$18,915); and various donations and program adjustments in DSS (\$1,665).

June 15, 2009

<u>Dept./Acct No.</u>	<u>Department Name</u>	<u>Amount</u> Incr / (Decr)
<u>EXPENDITURES</u>	<u>General Fund</u>	
	General Government	5,800
	Public Safety	32,000
	Contingency	(31,800)
	<u>Person Industries Fund</u>	2,296
<u>REVENUES</u>	<u>General Fund</u>	
	Other Revenues	6,000
	<u>Person Industries Fund</u>	
	Other Revenues	2,296

Appropriate: Revenues above estimates in Concealed Weapons Permit Fees (\$6,000); two and a half positions that were approved in January 2010 in the Judicial Department for Courthouse security (\$26,000) funded from Undesignated Contingency (-\$26,000); property and liability insurance payment for a claim with the NCACC Risk Management Pool (\$5,800) funded from Contingency for Insurance (-\$5,800); interfund transfer from the professional services line item (-\$2,400) to the part-time salary and wages (\$2,300) and dues and subscription (\$100) lines for Recreation, Arts and Parks; and an insurance claim received for damage to a vehicle in the Person Industries Department (\$2,296).

Commissioner Kennington asked the Finance Director for clarification of the recent capital project (Bus Garage, Piedmont Community College, Person County) that had left over funds that required to be spent in a restricted time frame. The Finance Director confirmed there was a time constraint with the installment financing contract that any money left over with that project had to be used for a capital item by July 18, 2009. The Finance Director noted it is was a school project, county project and a community college project combined noting the Bus Garage project was the majority of the combined project. The Finance Director stated county funds were borrowed to pay for the projects and the left over funds resulted from the interest earnings on all the monies in the escrow account, further noting the Board was not bound to use those left over funds on any certain one of the three projects that were included in the financing. The Finance Director based her recommendation on the amount of funds left over as well as considered the time constraint leading to her recommendation at the last Board meeting that resulted in Board approval of a vehicle which has already been ordered.

CHAIRMAN'S REPORT:

Commissioner Lunsford had no report.

MANAGER'S REPORT:

County Manager, Heidi York reminded the Board of the scheduled July meetings, asking their desire to cancel one of the meeting due to light agendas. After board discussion a **motion** was made by Commissioner Puryear, **seconded** by Commissioner Kennington, and **carried** to cancel the July 20, 2009 regular scheduled meeting.

COMMISSIONER REPORT/COMMENTS:

Commissioner Kennington recently attended the Person County Grange meeting noting he spoke to the attendees about the Person County budget.

Commissioner Puryear had no report

Commissioner Jeffers extended his thanks to Amy Wehrenberg and the Finance staff for their work on the budget.

Commissioner Clayton noted the value of the North Carolina Association of County Commissioners especially during the State budget work sessions.

ADJOURNMENT:

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Jeffers, and **carried** to adjourn the meeting at 9:50 a.m.

Brenda B. Reaves
Clerk to the Board

Johnny Myrl Lunsford
Chairman