

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

March 2, 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
Paul L. Bailey, Assistant County Manager

The Board of Commissioners for the County of Person, North Carolina, met in regular session on Monday, March 2, 2009 at 7:00 p.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:

Commissioner Jeffers requested that Rhonda Beach and Hannah Randall be allowed to speak on the agenda item related to Consideration of Cancellation of Contract By and Between Person County and the Animal Protection Society of Person County. There were no objections by the Board members.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Jeffers and **carried** to add to the agenda a Report from the High Speed Internet Committee.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Jeffers 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 Commissioner Puryear, and **carried** to approve the minutes of February 16, 2009.

ADMINISTRATIVE REPORTS:

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Jeffers, and **carried** to approve the Administrative Reports for the Airport, Detention Center, Emergency Services, Tax Administration & Collections.

March 2, 2009

CONSIDERATION OF RESOLUTION APPROVING COMMUNITY DEVELOPMENT BLOCK GRANT ADMINISTRATIVE POLICIES AND PROCEDURES:

County Manager, Heidi York requested Board approval of the Fair Housing Plan by Resolution Approving Community Development Block Grant Administrative Policies and Procedures dated March 2, 2009. Ms. York told the Board that being in compliance with the Fair Housing Plan is standard to administering the Block Grant award.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Clayton, and **carried** to approve the Fair Housing Plan by Resolution Approving Community Development Block Grant Administrative Policies and Procedures dated March 2, 2009.



PERSON COUNTY

BOARD OF COUNTY COMMISSIONERS

Person County Office Building, Room 212
304 South Morgan Street
Roxboro, North Carolina 27573-5245
(336) 597-1720
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RESOLUTION APPROVING COMMUNITY DEVELOPMENT BLOCK GRANT ADMINISTRATIVE POLICIES AND PROCEDURES

- WHEREAS, the County of Person applied to the North Carolina Department of Commerce, Division of Community Assistance, for Community Development Block Grant Scattered Site funds; and
- WHEREAS, the North Carolina Department of Commerce approved said application for \$400,000.00; and
- WHEREAS, grant recipients of CDBG funds are required to comply with certain state and federal regulations.

NOW, THEREFORE BE IT RESOLVED, by the Person County Board of Commissioners the following resolutions and policies are hereby adopted as per the County's Scattered Site Community Development Block Grant Program and North Carolina General Statutes:

- ◆ Fair Housing Plan

ADOPTED this 2nd day of March, 2009.

Johnny M. Lunsford, Chairman
Person County Board of Commissioners

Attest:
Brenda Reaves, Person County Clerk to Board

March 2, 2009

**FAIR HOUSING POLICY
PERSON COUNTY CDBG # 08-C-1834**

I. PURPOSE

As a recipient of Community Development Block Grant funds and as a service provider for housing rehabilitation assistance, the County has an obligation to affirmatively further Fair Housing and to increase housing choices among its residents. Adoption of a Fair Housing Policy demonstrates the County's intent to encourage non-discriminatory fair housing practices in the sale, exchange, rental or lease of real property.

II. AUTHORITY

The Fair Housing Policy is based on both Federal and State Fair Housing Laws. In Title VIII of the Civil Rights Act of 1968 (42 USC 3601 and 42 USC 5308 b. as amended), known as the Fair Housing Law, Congress declared a national policy of providing fair housing throughout the United States. This law makes discrimination based on race, color, religion, sex or national origin illegal in connection with the sale or rental of most housing and any vacant land offered for residential construction or use.

The North Carolina State Fair Housing Act (NCGS Chapter 41A) was adopted on October 1, 1983 and prohibits discrimination in most housing based on race, color, religion, sex or national origin.

II. POLICY

In accordance with Federal and State Fair Housing Laws, the County hereby adopts a policy of Fair Housing and supports regulation, which prohibits discrimination based on race, color, religion, sex, or national origin in housing practices.

- A. It is unlawful in a sale, exchange, rental, or lease of real property for any person to:
1. Refuse to engage in a transaction
 2. Discriminate in term, conditions or privileges or in the furnishings of facilities or services
 3. Refuse to receive or fail to transmit a bona fide offer
 4. Refuse to negotiate
 5. Represent to a person that property is not available for inspection, sale, rental, or lease when it is available, or fail to bring a property listing to a person's attention or refuse to permit inspection of property
 6. Advertise property for sale, rent, or lease with indication of discrimination
 7. Offer or accept a property listing with the understanding that a person may be discriminated against
 8. Make unavailable or deny housing in any way
 9. Engage in "blockbusting"
 - a. By representing that a change has occurred, may, or will occur in the composition of a neighborhood with respect to race, color, religion, sex, or national origin of the owners or occupants
 - b. By representing that a change has resulted or may result in the lowering of property values, and increase in criminal or antisocial behavior or a decline in the quality of schools
- B. It is unlawful for a financial institution to:
1. Discriminate against an applicant because of race, color, religion, sex, or national origin
 2. Use a form of application or keep a record of inquiry which indicates an intent to make limitation, specification, or discrimination as to race, color, religion, sex, or national origin
- C. It is unlawful to discriminate in membership in any real estate brokers' organization, multiple listing services, or other service, organization or facility relating to the business of engaging in real estate transactions.

III. INFORMATION TO THE PUBLIC

The County will carry out programs designed to inform property owners, realtors, buyers, renters, and the public of their rights and responsibilities under the Federal Fair Housing Law and the North Carolina State Fair Housing Act. This effort may include, but is not necessarily limited to, preparation of public notices, distribution of information in the form of printed materials and personal contact, coordination of speaking engagements, advertising, press releases and interviews for media use, and other appropriate methods.

The County may also participate with realtors, lending institutions and development agencies in promoting local compliance activities, encouraging voluntary fair housing agreements, and providing housing counseling to low- to moderate-income families.

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FAIR HOUSING COMPLAINT PROCEDURE

WHEREAS, Housing discrimination is prohibited by Title VIII of the Civil Rights Act of 1968 and by the North Carolina State Fair Housing Act, and

WHEREAS, the County of Person aspires to promote fair housing and to ensure that the rights of housing discrimination victims are protected, the County has adopted the following procedures for receiving and resolving housing discrimination complaints:

1. The County Manager HEREBY publicizes THAT within the County of Person that he is the local official to contact with a housing discrimination COMPLAINT.
2. Any person or persons wishing to file a complaint of housing discrimination in the County of Person may do so by informing the:

County Manager
304 S. Morgan Street, Room 212
Roxboro, North Carolina 27573

of the facts and circumstances of the alleged discriminatory act or practice;
3. Upon receiving a housing discrimination complaint, the County Manager shall inform the North Carolina Human Relations Commission of the complaint. Within ten (10) calendar days, the County will notify the complainant that the Commission has been notified.
4. The County of Person shall then assist in filing an official written housing discrimination complaint with the Commission, pursuant to the State Fair Housing Act and Title VIII;
5. The County of Person shall offer its assistance to the Commission in the investigation and conciliation of all housing discrimination complaints, which are based upon events occurring in the County.

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**Recipient's Plan to Further
Fair Housing**

Recipient: Person County

Contact Person: Heidi York

Recipient Address: 304 S. Morgan Street, Room 212

Telephone Number: 1-(336)-597-1720

I. Indicate if the Recipient will be affirmatively furthering fair housing for the first time or has implemented specific activities in the past. First Time _____ Past Activities X

II. Identify and analyze obstacles to affirmatively furthering fair housing in recipient's community. (Use additional pages as necessary)

Lack of available housing in non-traditional LMI areas.
Lack of a central Clearing House and Resource Center for all aspects of housing in County.
Lack of public education on the State and Federal Fair Housing Laws.
The County Manager knows of no known racial issues as far as housing is concerned and has received no discrimination reports in the County Office.

III. Briefly describe the activities that the recipient will undertake over the active period of the grant to affirmatively further fair housing in their community. A time schedule for implementation of these activities must be included. Activities must be scheduled for implementation at least on a quarterly basis. (Use additional pages as necessary.)

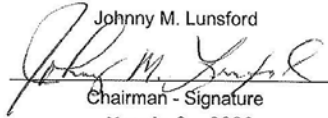
ACTIVITY	QUARTER	BEGIN	INCLUDE	END
Publish Fair Housing Quiz with answers in Local Newspaper	1	Nov-08	Dec-08	Jan-09
Place FH coloring sheets in Public Agencies	2	Feb-09	Mar-09	Apr-09
Place FH posters and brochures at banks, realtors, etc.	3	May-09	Jun-09	Jul-09
Place FH posters and pamphlets in County office and public service agencies	4	Aug-09	Sep-09	Oct-09
Review fair housing complaint procedure, revise, then publish in newspaper	5	Nov-09	Dec-09	Jan-10
Conduct an inventory of FH materials, order or make copies in English and Spanish.	6	Feb-10	Mar-10	Apr-10
Place public notice in newspaper "Fair Housing, It's the Law"	7	May-10	Jun-10	Jul-10
County proclamation + newspaper ad - FH month	8	Aug-10	Sep-10	Oct-10
Give or send each applicant FH information	9	Nov-10	Dec-10	Jan-11
Chk. HR Comm. For FH complaints	10	Feb-11	Mar-11	Apr-11

IV. Will the above activities apply to the total community or county? Yes X No _____

V. Describe recipient's method of receiving and resolving housing discrimination complaints. This may be either a procedure currently being implemented or one to be implemented under this CDBG grant. Include a description of how the recipient informs the public about the complaint procedures. (Use additional pages as necessary.)

Housing discrimination complaints are received by the County Manager for Resolution. Complainant is also given the name and address of the N. C. Human Relation Commission for further resolution. There are no instances nor reports of discrimination as far as are known by County Officials. None have been filed at County Offices.

APPROVED BY:


 Johnny M. Lunsford
 Chairman - Signature
 March 2, 2009
 Date

**CONSIDERATION OF REQUEST FROM ROXBORO ROTARY CLUB TO
ERECT A WORLD WAR II VETERANS MONUMENT ON COURTHOUSE
SQUARE:**

Roxboro Rotary Club President, Bayard Crumpton appeared before the Board to request permission for the Roxboro Rotary Club to erect an 8 foot by 4 foot black granite monument on the north side of the Person County Courthouse Square to honor veterans of World War II. The Roxboro Rotary Club proposes to pay all costs to locate, purchase, install and dedicate the monument. The space on the Courthouse lawn is an open space on the Court Street side of the front lawn. Mr. Crumpton stated the intention is to have the project completed with dedication on Memorial Day, May 30, 2009. The inscription on the monument will read:

“Dedicated to the men and women
of Person County
who served in the
Armed Forces
of the United States of America
during World War II”

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Puryear, and **carried** to grant permission to the Roxboro Rotary Club to erect the proposed World War II Veterans Monument on the Courthouse Square.

**CONSIDERATION OF CANCELLATION OF CONTRACT BY AND BETWEEN
PERSON COUNTY AND THE ANIMAL PROTECTION SOCIETY OF PERSON
COUNTY:**

Ginny Stewart, Chair of the Person County Animal Advisory Committee appeared before the Board to request consideration of cancellation of the contract by and between the Animal Protection Society of Person County and Person County. The Animal Control Advisory Committee recommends with majority vote (1 dissenting) the contract by and between Person County and the Animal Protection Society of Person County be voided. Ms. Stewart noted this is the only contract existing for a single rescue group, further noting many other rescue groups that are able to pull animals from the shelter without needing or wanting a contract. Ms. Stewart stated that when the current contract was presented for Board approval, it was done so without the input or agreement from the Person County Animal Advisory Committee. Ms. Stewart mentioned the Person County Ordinance Section 13, item C states any non profit organization that is a 501-3c is able to pull animals. Ms. Stewart stated the Ordinance directs the Animal Control Director to have sole responsibility for deciding which animals will be adoptable or deemed unadoptable.

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Hannah Randall, Treasurer of Animal Protection Society in Person County, quoted from the contract that no animals required to be held or disposed of to protect public health or safety of the citizens of the County shall be obtained by Animal Protection Society. Ms. Randall feels Ms. Stewart did not give the Board reasonable grounds to terminate the contract. Ms. Randall stated by having the contract Animal Protection Society has saved 56 animals during 2008 which doubles the number in 2007. Ms. Randall noted in the event the contract be voided Animal Protection Society would no longer be able to rescue animals that the shelter deems unadoptable. Ms. Randall feels it is a mutually beneficial to the animals as well as the Person County taxpayers to have the contract in place. One example is the Animal Protection Society's mandatory spay/neuter policy to help control the pet overpopulation in Person County. Another example is the contract clearly identifies roles and expectations, and limits county liability of the animal taken into the Animal Protection Society's care. Ms. Randall confirmed to the group that the Animal Protection Society maintains liability insurance. Ms. Randall followed up stated that without this contract in place, many animals would be sent to the gas chamber to die.

Rhonda Beach, President of the Animal Protection Society in Person County shared with the board their 2008 Annual Report and requested the board to leave the contract in effect noting the valued opportunity to rescue and work with animal's issues thereby making it possible for pets to become adoptable.

County Attorney Ron Aycock spoke briefly on the benefits of having a non profit group with liability insurance as well as taking advantage of the contact networks. Mr. Aycock recommended amending the contract should the Board decides to give the same right by contract to other rescue agencies.

Commissioner Jeffers reiterated the fact that the current contract was not presented to the Board last year with any input of the Animal Advisory Committee nor staff at the Animal Shelter. Commissioner Jeffers noted the previous County Manger presented the contract for Board approval. Commissioner Jeffers held high confidence in the staff at the Animal Shelter to assess an animal to be either adoptable or unadoptable.

A motion was made by Commissioner Jeffers to do away with the contract. **The motion died for lack of a second.**

A motion was made by Commissioner Clayton, **seconded** by Commissioner Puryear, and **carried by majority vote 4/1** to table the issue until the April 6, 2009 Board of Commissioner meeting to allow time for the County Manager to obtain further information for the Board to make a more informed decision related to the contract by and between Person County and Animal Protection Society of Person County. Commissioner Jeffers cast the dissenting vote.

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REVIEW AND CONSIDERATION OF EMPLOYEE CERTIFICATION POLICY:

County Manager, Heidi York reminded the Board that one of the objectives in the Manager's Work plan is to develop an organizational-wide policy recognizing employees that obtain advanced certification and accreditation related to their job duties. Mrs. York stated that employees in a few departments currently receive a 2.5% salary increase when they obtain a certification. Mrs. York noted that without any procedures or limitations in place this was becoming a costly practice and many County employees were unaware of this recognition. Mrs. York further noted the proposed Employee Certification Policy seeks to apply some objective procedures and set some fiscal limitations while extend the opportunity for recognition to all County employees. The policy would allow employees who met the specific conditions outlined in the policy to be eligible to receive a 1.5% increase so long as departments have budgeted for these certification increases. The County Manager stated should the Board approve the Employee Certification Policy; the effective date would be July 1, 2009.

Commissioner Puryear felt it important to encourage the employees to receive a higher degree of learning and experience. Commissioner Kennington applauded the County Manger for setting policy to make uniform for all employees and not just rewarding certain departments.

A **motion** was made by Commissioner Lunsford, **seconded** by Commissioner Puryear, and **carried** to approve the Employee Certification Policy as presented to become effective July 1, 2009.



Person County Employee Certification Policy

Effective Date: July 1, 2009

Purpose: To establish a policy that encourages fulltime employees to obtain advanced certifications necessary for their duties and responsibilities as a County employee and to recognize them for enhancing the level of service to our community.

Policy: A full-time employee of Person County Government may be eligible to receive a 1.5% salary increase per advanced certification obtained if the following conditions are met:

- Employee obtains certification or accreditation in their professional field furthering their ability to perform the duties and responsibilities of their position
- Increase can only be awarded during the fiscal year in which it was obtained
- No increases will be awarded retroactively for certifications obtained prior to the adoption of this policy or in a previous fiscal year from which the increase is being requested
- Re-certifications are not eligible for an increase
- Employee is not in the disciplinary process at the time the increase is being requested
- Employee may not receive more than two increases per fiscal year

Procedures:

- During the preparation of the budget each fiscal year supervisors are to review the certification needs of their employees and budget for the increases accordingly
- Department heads submit requests and justifications for their employees' increases as the certifications are obtained to the County Manager and/or Human Resources Director for approval
- Increases must be approved by the County Manager and/or Human Resources Director

March 2, 2009

CONSIDERATION OF CHANGE OF MID-MARCH MEETING DATE TO ACCOMMODATE LOCAL GOVERNMENT DAY:

County Manager, Heidi York informed the Board that Local Government Day has been scheduled by the Board of Education for Monday, March 23, 2009. Mrs. York stated students from Person High School would be observing the Board of Commissioners' Meeting as well as the City Council Meeting and the Board of Education's Meeting. The Board of Commissioners would need to change the March 16, 2009 regular scheduled meeting to be held on March 23, 2009 as well as change the meeting location to the FEMA Shelter Room at the Human Services Building to accommodate the number of students expected to attend.

A **motion** was made by Commissioner Lunsford, **seconded** by Commissioner Puryear, and **carried** to change the Board of Commissioners' regular scheduled meeting from March 16, 2009 to March 23, 2009 to accommodate local government day in Person County. The location of the meeting will change from the Commissioners Board Room to the Person County FEMA Shelter Room at the Human Services Building.

BUDGET AMENDMENT:

County Manager, Heidi York explained the following Budget Amendment in the absence of the Finance Director.

Upon a motion by Commissioner Clayton, and a second by Commissioner Jeffers and majority vote, the Board of Commissioners of Person County does hereby amend the Budget of the General Fund(s) on this, the 2nd day of March 2009, as follows:

<u>Dept./Acct No.</u>	<u>Department Name</u>	<u>Amount</u>
		Incr / (Decr)
<u>EXPENDITURES</u>	<u>General Fund</u>	
	General Government	(83,020)
	Public Safety	89,020
	Transfers	4,855
	<u>Person Industries Fund-Special Revenue Fund</u>	
	Community Rehabilitation Services Program	4,855
<u>REVENUES</u>	<u>General Fund</u>	
	Intergovernmental Revenues	4,855
	Other Revenues	6,000
	<u>Person Industries Fund-Special Revenue Fund</u>	
	Transfer from General Fund	4,855

Appropriate: MAPS adjustments for Public Safety departments (\$83,020); revenues above estimates for concealed weapons permit fees (\$6,000); and the first allotment for the Solid Waste Disposal Tax to be used towards recycling efforts (\$4,855).

REPORT FROM THE HIGH SPEED INTERNET COMMITTEE:

Commissioner Puryear updated the Board that the High Speed Internet Committee is requesting a joint meeting with the Board of Commissioners, City Council and the Board of Education be scheduled so that all parties can participate in the effort for county-wide internet access. Commissioner Puryear mentioned the recent Embarq press release noting access of high speed internet to some residents in the Hurdle Mills community.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Kennington and **carried** to direct the County Manager to coordinate a joint meeting with the City Council, Board of Education and the Board of Commissioners for the purpose to discuss access to high speed internet in Person County. Commissioner Puryear will coordinate having representatives from Embarq as well as Representative Wilkins and Senator Kinnard to attend this joint meeting.

CHAIRMAN'S REPORT:

Commissioner Lunsford attended a COG meeting in which Betty Jo Shepherd, field representative for Senator Burr and also Sondra Barnes, district representative for Congressman Etheridge presented a handout of information related to the stimulus package. A copy of this information will be placed in the Clerk's office for your observation.

Commissioner Lunsford mentioned he and Commissioner Kennington attended a Habitat Home opening.

MANAGER'S REPORT:

County Manager, Heidi York requested dates for a joint meeting with the City of Roxboro to discuss the DOT issues. The Board suggested March 17 and March 18, 2009 at 6:00 pm.

Mrs. York noted a meeting with the Board of Education to will be needed for the purpose to discuss the budget. Mrs. York stated budget requests from the departments have been submitted. Non profit and other entities are in process of submitting their budget requests at this time.

Mrs. York and all the board members publicly thanked Paul Bailey for filling in her stead during her maternity leave and commended Mr. Bailey for a job well done.

COMMISSIONER REPORT/COMMENTS:

Commissioner Clayton told the group the annual T.G. Brooks Stew will be held on Wednesday, March 4, 2009 at noon. Commissioner Clayton announced a Kiwanis Club fundraiser selling Vidalia onions for \$10/bag to benefit the cardiac waiting room at Person Memorial Hospital.

Commissioner Jeffers welcomed Mrs. York back from maternity leave. Commissioner Jeffers noted the valuable information learned at the Essentials of Government class attended in Raleigh.

Commissioner Kennington noted his disappointment at the first round of stimulus award for roads whereby Person County did not receive any funds. Commissioner Kennington stated the Rolling Hills Bridge repairs may begin in late spring using FEMA funds. Commissioner Kennington attended the hospital board meeting noting newly released information that Person Memorial Hospital has the fastest response time in getting patients to the Duke Cath Lab thereby preventing muscle damage and prolonging life.

Commissioner Puryear inquired if there was anything the board could do to provide input to the FCC as another provider is selected due to the Charter Communications bankruptcy. County Manager, Heidi York suggested writing a letter for Board consideration to send to the FCC.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Jeffers and **carried** to go into Closed Session per General Statutes 143-318.11(a)(6) to discuss personnel issues at 8:10 pm.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Puryear, and **carried to** return to Open Session at 8:50 pm.

ADJOURNMENT:

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Clayton, and **carried** to adjourn the meeting at 8:55 p.m,

Brenda B. Reaves
Clerk to the Board

Johnny Myrl Lunsford
Chairman

March 2, 2009