

**PERSON COUNTY BOARD OF COMMISSIONERS**

**July 21, 2008**

**MEMBERS PRESENT**

**OTHERS PRESENT**

Johnny Myrl Lunsford, Chairman  
Jimmy B. Clayton, Vice-Chairman  
Kyle W. Puryear  
Larry H. Bowes  
Larry E. Yarborough, Jr.

Heidi N. York, County Manager  
C. Ronald Aycock, County Attorney  
Faye T. Fuller, Clerk to the Board  
Brenda B. Reaves, Deputy Clerk to the Board

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The Board of Commissioners for the County of Person, North Carolina, met in regular session on Monday, July 21, 2008 at 9:00 a.m. in the Commissioners' meeting room in the Person County Office Building.

Chairman Lunsford called the meeting to order. Commissioner Clayton led in prayer. Commissioner Bowes led the Pledge of Allegiance.

Chairman Lunsford introduced the new County Manager Heidi York and welcomed Ms. York to Person County.

**PUBLIC HEARINGS:**

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Puryear and **carried** to open the duly advertised Public Hearing for the 2009 NCDOT Secondary Roads Construction Program.

Ms. Tasha Johnson, District Engineer, Division Engineer Wally Bowman, Brandon Jones, Anthony Talley, Michelle Bray, and Michael Goodman were in attendance representing the Department of Transportation. Ms. Johnson stated that highways are ranked every 4<sup>th</sup> year-based on schools, traffic, etc. She said the last ranking was done in 2005 and will be re-ranked in 2009.

The total miles to be paved is 3.20 for a total cost of \$1,287,500. The following roads are scheduled for paving:

SR 1161 – Vanhook Road from NC 49 to Dead End	\$237,500
SR 1158 – Chandler Road from SR 1542 to Dead End	380,000
SR 1758 – Roy Rogers Road from US 501 to Dead End	190,000
SR 1566 – McFarland Road from SR 1536 to the Granville County line	380,000
SR 1126 – Charlie Cash Road from US 501 to NC 57 (Partial Funding)	<u>100,000</u>
	<b>\$1,287,500</b>

General Secondary Paved Road Improvements:

2' widening, drainage improvements, shoulder Improvements, pavement strengthening, and/or Realignments	<b>590,000</b>
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Funds reserved for surveying, right of way acquisition, acquisition,

road additions, contingencies, overdrafts and paving entrances  
to certified fire departments, rescue squads, etc.

92,500  
**\$1,970,000**

No one from the public spoke in support or in opposition relative to the Program.

A **motion** was made by Commissioner Bowes, **seconded** by Commissioner Clayton and **carried** to close the Public Hearing.

A **motion** was made by Commissioner Yarborough, **seconded** by Commissioner Bowes and **carried** to adopt the 2009 NCDOT Secondary Roads Construction Program as presented.

#### **COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM:**

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Puryear and **carried** to open the duly advertised Public Hearing for the Community Development Block Grant Program.

The Public Hearing is the second (2<sup>nd</sup>) required Public Hearing for the Scattered Site Housing Program as required by the Department of Commerce, Division of Community Assistance in order to submit the Application for the housing program.

Although Scattered Site Housing Programs are given to all counties with the exception of Entitlement Counties every three (3) years through the Department of Commerce, Division of Community Assistance, a County must hold two (2) Public Hearings as part of the application procedure.

The second Public Hearing was advertised on July 9, 2008 in THE COURIER TIMES. Ms. Dera Adair, Grants Administrator for Kerr-Tar Regional Council of Governments informed the Board that the Advisory Committee selected five (5) houses to benefit from whole-house repairs. Two (2) homes are to be rehabilitated and three (3) homes are to benefit from demolition and on-site relocation. In addition, the Advisory Committee allocated \$30,000 to Urgent Repairs and selected six applicants to benefit from Urgent Repairs. All applicants chosen are homeowners in the low to moderate income range.

Changes were made by the Division of Community Assistance in the application process this year. Two of the important changes are:

1. Most of the "Conditions" required to release funds are to be submitted with the application. Work write-ups showing what needs to be completed on a house are required to be submitted with the application along with tax cards.

2. This will help speed up the release of funds so work on houses can begin much earlier.

Both of these requirements will help speed up the process of beginning CDBG work on houses much earlier.

Ms. Adair also briefly touched on the subject of manufactured homes as there are three (3) relocations. Any manufactured homes replaced with a manufactured home will be placed on a permanent foundation with the tongue and axel removed in order to make it real property. It may be possible to replace the existing mobile homes with traditional stick built homes. IF this is the process used, the Board needs to realize that the stick built homes may be smaller than the existing manufactured home due to cost of construction **and** that the process will take longer. Also, the homeowner must make the decision that this is an acceptable replacement, will fit their needs and the homeowner must sign a statement to that effect. (It has always been the program's policy to try to replace homes with similar homes in size, however as people's needs change, they sometimes do not need as much space and may decide to select a home with lesser space and/or a different type of construction. It is the homeowner's CHOICE, but it must always be within the financial parameters of the program.)

If the County can complete its houses quickly it may be possible to apply for some additional funding to complete more houses.

Ms. Adair told the Board if there were any questions concerning the Scattered Site application or the Public Hearing, she would try to answer them. She stated, on behalf of the applicants and recipients, a thank you for the continued interest and participation in the Scattered Site Housing Program.

No one spoke in favor or in opposition to the proposed Community Development Block Grant Program.

A **motion** was made by Commissioner Bowes, **seconded** by Commissioner Yarborough and **carried** to close the Public Hearing.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Bowes and **carried** to approve the CDBG Program as outlined.

#### **PERSON COUNTY AMBULANCE FRANCHISE ORDINANCE:**

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to open the duly advertised Public Hearing for the revised Person County Ambulance Franchise Ordinance.

Emergency Services Director Michael Day explained the changes reflected in the revised version of the Ordinance. He explained that the Ordinance, which had not been

updated since 1990, contained specific outdated language relative to radio communications. He told the Board that the Ordinance revisions had been reviewed and approved by the County Attorney.

Chairman Lunsford asked for comments on the proposed Ambulance Franchise Ordinance.

Mr. Ryan Wilson and Mrs. Brenda Wilson, representing Wilson Ambulance Service, spoke in opposition to certain sections of the proposed Ordinance.

No one else spoke.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Clayton and **carried** to close the Public Hearing.

A **motion** was made by Commissioner Bowes, **seconded** by Commissioner Clayton to direct the County Attorney, County Manager, Emergency Services Director and the Wilson's to work together to arrive at a mutually agreed upon legal document. The motion **carried** unanimously. (It was understood that the Wilson's may have their attorney present)

#### **ADJUSTMENT/APPROVAL OF AGENDA:**

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

#### **INFORMAL COMMENTS:**

**Frances Blalock – PCPride** - 1504 Surl-Mt. Tirzah Rd. – Spoke about the proposed National Bio-Agro-Defense Facility for a site in Butner. Person County is at risk – 5 water systems will be compromised – Citizens and Commissioners need to make concerns known to Homeland Security. Urged attendance on July 29<sup>th</sup> from 12:30-4:30p. m. in Butner at Stem Middle School.

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

A **motion** was made by Commissioner Bowes, **seconded** by Chairman Lunsford and **carried** to approve the minutes of June 9, 16, 19, 23, 26, 30, 2008

#### **ADMINISTRATIVE REPORTS:**

A motion was made by Commissioner Clayton, seconded by Commissioner Bowes and carried to accept the following Administrative Reports: Airport. Detention Center, Inspections, Planning & Zoning, Public Library, Public Works-Surplus Property Report; Tax Administration & Collections.

**REVIEW OF A PROPOSED MAJOR SUBDIVISION CONCEPT PLAN FOR THOMAS PHILLIPS, JR., OLIVE HILL TOWNSHIP:**

County Planner Paula Murphy appeared before the Board to present a Major Subdivision Concept Plan for Thomas Phillips, Jr. She told the Board that the Planning Board reviewed the request for a Major Subdivision Concept Plan for Thomas Phillips Jr. on Newton Pleasant Loop Road. The property consists of 22.5 acres and one, five acre lot is proposed. The remaining acreage in the parent tract will be 17.5 acres. On May 15, 2006, a Minor Subdivision Concept Plan was approved for Lots A through E. The owner is now requesting an additional lot which makes this six lots out of a parent tract, requiring Major Subdivision approval. Any future subdivisions of these lots will require Major Subdivision process. Access to these lots is by a fifty foot easement which was created at the time. Access is off of New Pleasant Loop Road. There are no one-hundred year flood areas per Flood Insurance Rate Map 3710996400J, dated June 13, 2003. It is in the South Hyco WSII, Watershed Protection Overlay District.

Planning Staff made the following recommendations:

1. Driveway entrances to be approved by NCDOT
2. Water features should be noted on the plat.
3. Any further subdivision will require major subdivision approval.
4. Any other requirements of the Person County Subdivision Ordinance.

The Planning Board reviewed this item at their June 12, 2008 meeting and voted 5 to 1 to forward this item with a favorable recommendation with staff comments.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Puryear and **carried** to approve the Major Subdivision Concept Plan for Thomas Phillips, Jr. with staff recommendations.

**APPROVAL OF FUNDS FOR VISION 100 GRANT:**

Public Works Director David Rogers appeared before the Board to request approval of the Airport Vision 100 funds. The allocations, based on a 90% federal and 10% local share for all eligible and approve project cost consist of maintenance items at the airport. The 90% federal allocation is \$111,240 and the county's 10% share is \$12,360 which are available in the Airport Budget (Fund 40).

A **motion** was made by Commissioner Yarborough, **seconded** by Commissioner Puryear and **carried** to approve the request as presented.

**APPROVAL OF ANNUAL SETTLEMENT FOR TAXES:**

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to approve the Annual Settlement for Taxes.

**PROPERTY TAX SETTLEMENT  
2007**

**COLLECTION ACTIVITY FOR PERSON COUNTY AND ROXBORO**

	<b>LEVY</b>	<b>COLLECTIONS</b>	<b>RECEIVABLES</b>	<b>PERCENT</b>
2007	30,922,208.59	30,267,850.00	654,358.59	97.88%
2006	633,722.56	465,920.88	167,801.68	73.52%
2005	422,906.27	332,927.06	89,979.21	78.72%
2004	96,229.29	43,187.38	53,041.91	44.88%
2003	64,665.43	22,987.05	41,678.38	35.55%
2002	52,628.42	15,824.30	36,804.12	30.07%
2001	37,388.82	9,357.72	28,031.10	25.03%
2000	28,863.09	4,897.64	23,965.45	16.97%
1999	22,561.01	2,163.02	20,397.99	9.59%
1998	19,207.82	2,675.09	16,532.73	13.93%
1997	12,202.52	1,293.48	10,909.04	10.60%
<b>TOTAL</b>	<b>32,312,583.82</b>	<b>31,169,083.62</b>	<b>1,143,500.20</b>	

**2007**

**COLLECTION ACTIVITY FOR PERSON COUNTY**

	<b>LEVY</b>	<b>COLLECTIONS</b>	<b>RECEIVABLES</b>	<b>PERCENT</b>
2007	26,909,640.96	26,350,461.69	559,179.27	97.92%
2006	526,561.36	383,652.74	142,908.62	72.86%
2005	321,241.75	249,688.51	71,553.24	77.73%
2004	78,680.71	37,976.92	40,703.79	48.27%
2003	49,857.47	19,626.63	30,230.84	39.37%
2002	39,814.84	12,921.57	26,893.27	32.45%
2001	28,368.34	7,750.64	20,617.70	27.32%
2000	21,368.50	3,814.21	17,554.29	17.85%
1999	16,789.90	1,776.49	15,013.41	10.58%
1998	14,505.21	2,244.95	12,260.26	15.48%
1997	8,923.23	1,053.27	7,869.96	11.80%
<b>TOTAL</b>	<b>28,015,752.27</b>	<b>27,070,967.62</b>	<b>944,784.65</b>	

**COLLECTION ACTIVITY FOR ROXBORO**

	<b>LEVY</b>	<b>COLLECTIONS</b>	<b>RECEIVABLES</b>	<b>PERCENT</b>
2007	4,012,567.63	3,917,388.31	95,179.32	97.63%
2006	107,161.20	82,268.14	24,893.06	76.77%
2005	101,664.52	83,238.55	18,425.97	81.88%
2004	17,548.58	5,210.46	12,338.12	29.69%
2003	14,807.96	3,360.42	11,447.54	22.69%
2002	12,813.58	2,902.73	9,910.85	22.65%
2001	9,020.48	1,607.08	7,413.40	17.82%
2000	7,494.59	1,083.43	6,411.16	14.46%
1999	5,771.11	386.53	5,384.58	6.70%
1998	4,702.61	430.14	4,272.47	9.15%
1997	3,279.29	240.21	3,039.08	7.33%
<b>TOTAL</b>	<b>4,296,831.55</b>	<b>4,098,116.00</b>	<b>198,715.55</b>	

**PROPERTY TAX SETTLEMENT**

**2007**

**RECEIVABLES FOR REAL PROPERTY AND OTHER PROPERTY  
PERSON COUNTY**

	<b>RECEIVABLE</b>	<b>REAL PROPERTY</b>	<b>MOTOR VEHICLES</b>	<b>OTHER PROPERTY</b>
2007	559,179.27	302,024.62	237,258.47	19,896.18
2006	142,908.62	103,950.10	27,149.64	11,808.88
2005	71,553.24	46,192.93	18,089.34	7,270.97
2004	40,703.79	24,528.96	12,262.27	3,912.56
2003	30,230.84	13,085.47	12,462.26	4,683.11
2002	26,893.27	9,782.58	13,507.21	3,603.48
2001	20,617.70	6,029.35	10,636.38	3,951.97
2000	17,554.29	3,956.40	9,625.29	3,972.60
1999	15,013.41	2,831.95	7,888.82	4,292.64
1998	12,260.26	2,154.95	6,614.92	3,490.39
1997	7,869.96	1,156.42	6,090.93	622.61
<b>TOTAL</b>	<b>944,784.65</b>	<b>515,693.73</b>	<b>361,585.53</b>	<b>67,505.39</b>

**PROPERTY TAX SETTLEMENT  
2007**

**RECEIVABLES FOR REAL PROPERTY AND OTHER PROPERTY  
PERSON COUNTY AND ROXBORO**

	<b>RECEIVABLE</b>	<b>REAL PROPERTY</b>	<b>MOTOR VEHICLES</b>	<b>OTHER PROPERTY</b>
2007	654,358.59	339,446.46	286,824.49	314,912.13
2006	167,801.68	117,611.83	33,822.83	50,189.85
2005	89,979.21	53,681.57	22,982.51	36,297.64
2004	53,041.91	28,149.47	16,827.91	24,892.44
2003	41,678.38	15,353.79	17,177.90	26,324.59
2002	36,804.12	11,352.36	18,169.39	25,451.76
2001	28,031.10	6,589.01	14,254.91	21,442.09
2000	23,965.45	4,424.98	13,800.80	19,540.47
1999	20,397.99	3,246.75	10,734.02	17,151.24
1998	16,532.73	2,566.05	8,871.27	13,966.68
1997	10,909.04	1,400.14	8,108.56	9,508.90
<b>TOTAL</b>	<b>1,143,500.20</b>	<b>583,822.41</b>	<b>451,574.59</b>	<b>559,677.79</b>



PROPERTY TAX SETTLEMENT

2007

RECEIVABLES FOR REAL PROPERTY AND OTHER PROPERTY  
ROXBORO

	RECEIVABLE	REAL PROPERTY	MOTOR VEHICLES	OTHER PROPERTY
2007	95,179.32	37,421.84	49,566.02	8,191.46
2006	24,893.06	13,661.73	6,673.19	4,558.14
2005	18,425.97	7,488.64	4,893.17	6,044.16
2004	12,338.12	3,620.51	4,565.64	4,151.97
2003	11,447.54	2,268.32	4,715.64	4,463.58
2002	9,910.85	1,569.78	4,662.18	3,678.89
2001	7,413.40	559.66	3,618.53	3,235.21
2000	6,411.16	468.58	4,175.51	1,767.07
1999	5,384.58	414.80	2,845.20	2,124.58
1998	4,272.47	411.10	2,256.35	1,605.02
1997	3,039.08	243.72	2,017.63	777.73
<b>TOTAL</b>	<b>198,715.55</b>	<b>68,128.68</b>	<b>89,989.06</b>	<b>40,597.81</b>

**ISSUANCE OF ORDER OF COLLECTION TO TAX COLLECTOR:**

A **motion** was made by Commissioner Yarborough, **seconded** by Chairman Lunsford and **carried** to issue the Order of Collection to the Tax Collector of the County of Person as follows:

*County of Person*

*To the Tax Collector of the County of Person:*

*You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of Person County Tax Office and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Person, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.*

*Witness my hand and the official seal, this 21<sup>st</sup> day of July, 2008.*

*(signed) Johnny Myrl Lunsford, Chairman, Board of Commissioners of Person County*

*(attest) Faye T. Fuller, CMC, Clerk to the Board*

**REQUEST FOR APPOINTMENT OF COUNTY ASSESSOR:**

A **motion** was made by Commissioner Yarborough, **seconded** by Commissioner Clayton and **carried** to appoint Russell Jones as County Assessor to serve a term of not more than four years pursuant to G.S. 105-294. The term shall be effective July 1, 2008.

**REQUEST FOR ADDITIONAL APPOINTMENT TO SOLID WASTE ADVISORY COMMITTEE:**

Ken Hill, Chairman of the Solid Waste Advisory Committee appeared before the Board to request that two additional positions be added to the Solid Waste Committee and that they be filled by Wanda Rogers and Jerry Ball.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Yarborough and **carried** to appoint Wanda Rogers and Jerry Ball to the Solid Waste Advisory Committee.

**APPOINTMENT OF VOTING DELEGATE TO NCACC ANNUAL CONFERENCE:**

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to appoint Commissioner Jimmy Clayton as Person County's voting delegate to the NCACC Annual Conference to be held in New Bern.

**CHAIRMAN'S REPORT:**

Urged all members to attend NCACC in New Bern in August.

**MANAGER'S REPORT:**

Encouraged Board members to come by and update her on issues.

Meeting with staff today and will visit all departments within the next few weeks.

**COMMISSIONER REPORTS/COMMENTS:**

Commissioner Clayton - Thanked Paul Bailey for serving as Interim County Manager  
NCACC – Urged fellow Board members to attend the 100<sup>th</sup> Session of the NCACC  
NACo- Concern about economy brought out at meeting.

**CLOSED SESSION:**

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to go into Closed Session at 10:15 a.m. pursuant to G. S. 143-318.11(a)(3) *To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.*

Upon returning to open session at 12:19 p.m., there was no public statement.

**RECESS:**

A **motion** was made by Commissioner Bowes, **seconded** by Commissioner Yarborough and **carried** to recess the meeting until 7:00 p.m.

**7:00 P. M. – RECESSED SESSION**

**Interviews for Boards, Commissions, Authorities and Committees**

Chairman Lunsford called the meeting back to order and stated the Board would go into Closed Session for the purpose of conducting interviews for various Boards, Commissions, Authorities and Committees.

A **motion** was made by Commissioner Yarborough, **seconded** by Commissioner Clayton and **carried** to go into Closed Session at 7:00 p.m. pursuant to G. S.143-318.11(a)(5) – *To consider the initial employment or appointment of an individual to any office or position, other than a vacancy in the board of county commissioners or any other public body, and to consider the qualifications, competence, performance, character, and fitness of any public officer or employee, other than a member of the board of commissioner or of some other public body.*

Upon returning to open session following the interviews, a **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to make the following appointments for the stated terms:

**Adult Care Home Community Advisory Committee:**

1-Year initial term; 3-year Reappointment  
Donald Bingman  
Nancy Winter

**Airport Commission:**

3-Year term;  
Dr. Anderson White

**Animal Control Advisory Committee:**

Unspecified Term: 1 citizen-at-large position  
Phyllis Sutton

**Board of Adjustment:**

3-Year term;  
Ronald Perkins  
Lois McIver Winstead  
Herbert Harris – Alternate

**Board of Health:**

3-Year Term:  
Allision Porterfield – Pharmacist  
Leon R. Martin – General public  
Steven Bailey – Engineer

***Economic Development Commission:***

3-Year Term

Gordon Phillip Allen, Jr.

Jim Stovall

(Note: Commissioner Yarborough suggested Clyde Kelly as an appointee)

***Home Health and Hospice Advisory Committee:***

3-Year Term

Gloria Skinner-Pettiford – DSS Representative

Leigh Ann Creson – Health Department Representative

***Orange-Person-Chatham Area Mental Health Board:***

4 year Term

Dr. Rachel Winstead – 4-year term

Debbie Carson – Fill unexpired term to 12/31/09

***Person-Caswell Lake Authority:***

3-Year Term

William Bullock

***Piedmont Community College Board of Trustees:***

4-Year Term

Sheila Carden-Pashales

***Planning Board:***

3-Year Term:

Kenneth Malcolm Montgomery

***Recreation Advisory Board:***

3-Year Term

Froncello Bumpass

Connie Munday

***Roxboro/Person County Human Relations Commission:***

Fill an unexpired term of 11/2/09

Ronald F. Dunevant, Jr.

***Work Force Development Board:***

1-Year Initial Term; 2-Year Reappointment

Kimberly Fox – Private Industry

Chris Wilson – Private Industry

Dr. H. James Owen – Education/Public Agency

**RECESS:**

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to recess the meeting at 9:30 p.m. until Tuesday, July 22, 2008 at 8:00 a.m.

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**Faye T. Fuller, CMC**  
**Clerk to the Board**

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**Johnny Myrl Lunsford**  
**Chairman**