

PERSON COUNTY BOARD OF COMMISSIONERS

May 19, 2008

MEMBERS PRESENT

OTHERS PRESENT

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

Steve Carpenter, County Manager
C. Ronald Aycock, County Attorney
Faye T. Fuller, Clerk to the Board
Brenda Reaves, Deputy Clerk to the Board

The Board of Commissioners for the County of Person, North Carolina, met in regular session on Monday, May 19, 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 and Commissioner Bowes led the Pledge of Allegiance.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Yarborough and **carried** to add a Resolution of Appreciation.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Puryear and **carried** to add Discussion of Appointment to ABC Board.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to approve the Agenda as adjusted.

INFORMAL COMMENTS:

County Manager Carpenter introduced Mr. Paul Murray who is working a twelve week internship with Person County. Mr. Murray is an MPA candidate at Appalachian State University.

APPROVAL OF MINUTES:

A **motion** was made by Commissioner Yarborough, **seconded** by Commissioner Puryear, and **carried** to approve the minutes of April 21 and May 5, 2008.

ADMINISTRATIVE REPORTS:

The following Administrative Reports were received and accepted by the Board by **motion** of Commissioner Puryear, and **second** of Commissioner Clayton: Airport, Detention Center, Emergency Medical Services, Inspections.

PRESENTATION OF BUSINESS PLAN FOR PROPOSED EXPANSION OF RECYCLING CENTER:

Ms. Wanda Rogers and Mr. Ricky Hardee appeared before the Board to present a business plan for the proposed expansion of the recycling center and the construction of a Material Recovery Facility (MRF).

Ms. Rogers asked for direction from the Board relative to the business plan. She told the Board she was confident within the first year there would be additional tonnage as the schools, the City of Roxboro and local disposal haulers begin to utilize the MRF.

Chairman Lunsford instructed Ms. Rogers to continue to compile information on what additional carriers may be interested in utilizing the facility, how much tonnage the City may be able to contribute and costs of insurances and inventory.

CONSIDERATION OF REVISED RESOLUTION AUTHORIZING DISPOSAL OF COUNTY SURPLUS PROPERTY:

County Manager Carpenter explained that the Resolution Authorizing Disposal of County Surplus Property was approved at the May 5th meeting, but after further review it felt that it should be amended to reflect a change in the wording in item #2. Item #2 now includes the wording *The County Manager may appoint other staff members to sell such items and convey titles*. He asked that the amended Resolution be approved.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Bowes and **carried** to amend the Resolution Authorizing Disposal of County Surplus Property as requested and presented.

APPROVAL OF ANNUAL HYCONEECHEE REGIONAL LIBRARY SYSTEM CONTRACT:

Brenda Stephens, Regional Librarian, appeared before the Board for approval of the 2008 contract by and between the Hyconeechee Regional Library system and the Counties of Orange, Person and Caswell. She stated there were no changes in the content from the current contract.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Clayton and **carried** to approve the 2008 Hyconeechee Regional Library System Contract.

CONTRACT

This **CONTRACT**, made this the 1st day of July, 2008 is by and between the Hyconeechee Regional Library System, herein after referred to as the (Regional System), and the Counties of Orange, Person and Caswell (Counties);

WITNESSETH:

WHEREAS, The Regional System is organized within the framework of the North Carolina General Statutes, Chapter 160A, Article 20, Part 1 and,

WHEREAS, the purpose of the original Regional System is to provide for the administration of library services within the region which consists of the Counties of Orange, Person, and Caswell and;

WHEREAS, The Regional System desires to have the libraries currently operating within the Regional System to function as County departments within the county of location of each respective library and,

WHEREAS, the Counties of Orange, Person and Caswell have expressed a willingness to allow the libraries to function as County departments;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the Regional System and the Counties of Orange, Person and Caswell agree as follows:

1. **Purpose**- This contract is to provide for the operation of each library located in the system as a department of the County of location and to provide for the assignment of fiscal management functions related to the Regional System's assets to the Orange County Financial Services Director.
2. **Responsibilities of the Regional System** - The Regional System will remain organized with the statutory framework referred to above and it shall be the duty of the Regional System to:
 - A. Maintain a Board of Directors consisting of nine (9) members with three representatives from each participating County.
 - B. Meet at least once per quarter and conduct special meetings as required for transaction of Regional System business.
 - C. Designate the Orange County Library as the Regional System Headquarters and the Orange County Financial Services Director as Regional System's Fiscal Agent.
 - D. Adopt an annual balanced budget no later than May 31st for all regional funds received from North Carolina Department of Cultural Resources and for all other grants and/or donations received from agencies or individuals for Regional System purposes. This budget must include appropriations to each County within the region for library operations. The County appropriations will be divided by three and disbursed evenly. Regional expenses such as personnel, operations and fiscal service fees, will be charged back evenly to each County. Funds appropriated to the Counties cannot be reduced without the approval of the Boards of Commissioners for each County.
 - E. Insure that all regional reporting requirements to the State and Federal governments, as well as, any and all other grantors are met.
 - F. Insure that all existing and future Regional System materials and assets are made available for use throughout the region.

3. **Responsibilities of the Counties** - It shall be the duty of the County to:
- A. Operate the libraries under the same rules, regulations, ordinances and any and all other procedures under which the departments of the Counties are required to operate.
 - B. Insure that all Library employees are treated as employees of the respective Counties and receive compensation and benefits packages accordingly.
 - C. Prepare quarterly reports for the Regional System to include information pertinent to library operations and expenditure of regionally appropriated funds and make all library records available for inspection by the Regional System or its respective at all reasonable times.
 - D. Insure that disbursements made on behalf of the libraries from State, Federal and other restrictive sources are in accordance with all required provisions.
4. **Responsibilities of the Fiscal Agent and Financial Officer** - The Fiscal Agent and Financial Officer for the Regional System will be the Finance Director of Orange County and it shall be his or her duty to:
- A. Provide accountability for the Regional System's financial assets in accordance with generally accepted accounting principles and the Local Government Budget and Fiscal Control Act.
 - B. Receive, deposit, disburse and invest the Regional System's funds in accordance with the guidelines contained in section 4-A above.
 - C. Prepare monthly financial statements for the Regional System and present these statements to the Regional Director.
 - D. Insure that Regional System funds are audited annually as required within the guidelines contained in Section 4-A above.
 - E. Insure that all fiscal reports required by grantor agencies are prepared and submitted on a timely basis.
5. **Term, Termination and Renewal** - This **Contract** is for the period July 1, 2008 through June 30, 2009. This Contract may be terminated by either party with six months notice prior to June 30. This Contract may be renewed annually for July 1 through June 30 fiscal years by action of the Regional System Board of Directors and by the Board of County Commissioners for the Counties.

 Caswell County Commissioner

 Person County Commissioner

 Orange County Commissioner

 Date

 Date

 Date

APPROVAL OF HOME & COMMUNITY CARE BLOCK GRANT FUNDING:

County Manager Carpenter presented, on behalf of Sandra Hicks, Person County Council on Aging Executive Director, the allocation of funds from the Home & Community Care Block Grant for the 2008-2009 year. She requested approval of same. Mr. Carpenter stated the allocation would be as follows: Person County Council on Aging - \$283, 150; Person County Department of Social Services - \$30,190; Generations ADS - \$7,147 for a total allocation of \$320,487. He further stated that the Local Match of \$35,610 would be satisfied with in-kind monies.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Clayton and **carried** to approve the allocation of the Home & Community Care Block Grant funds for FY 08-09.

REQUEST FOR BOARD TO SCHEDULE A PUBLIC HEARING ON PROPOSED COUNTY-WIDE FIRE SERVICE FEE:

Fire Marshal Johnny Gentry appeared before the Board to request that the Board schedule a public hearing on the proposed County Wide Fire Service Fee. He said an informational public hearing would allow the public to voice either support or opposition to the proposal.

County Manager Carpenter told the Board that the service fee would not be implemented immediately due to the difficulty of identifying non-real estate property (vehicles, equipment, and business) by fire districts. Those are currently taxed by the entire County and put through the General Fund. To differentiate that by District will require a change in the tax software to generate that information. This might take a year to accomplish.

County Attorney Aycock advised that a series of Public Hearings and other steps would be required to comply with statutory requirements before a county-wide fire service fee could be implemented.

A **motion** was made by Commissioner Bowes, **seconded** by Commissioner Yarborough and **carried** to set the date of August 4, 2008 for the first Public Hearing relative to the proposed fire tax districts and the county-wide fire service fee.

REQUEST FOR FUNDING FOR FEASIBILITY STUDY FOR INDOOR RECREATION FACILITY:

Recreation, Arts and Parks Director Mitch Pergerson appeared before the Board to request \$3,000 to fund a feasibility study for a proposed project of a combined recreation center and senior center. The facility would include aquatics, gyms, elevated walking track, racquetball courts, exercise room, meeting rooms, office space, outdoor skate park and senior center. The estimated 52,000 square footage would be at an

estimated cost of between \$4.7 and \$6.3 million. There are grant opportunities available in the neighborhood of \$1-2 million.

Mr. Pergerson told the Board that a feasibility study in the amount of \$5,000 is necessary to give direction to a public opinion poll at a cost of \$7,000 (which will be privately funded). The City of Roxboro has committed \$2,000 towards the cost of the feasibility study contingent upon the County funding the remaining \$3,000. The feasibility study will look at demographics, a fiscal status, a property tax, and services the county offers. In order to get on the ballot in November, the study and the public opinion poll must be done and back to the Board by August. The study and poll will indicate if the public wants this type of facility and if so, are they will to pay for it.

A **motion** was made by Commissioner Puryear, **seconded** by Chairman Lunsford and **carried** to approve \$3,000 to be used for a feasibility study.

Commissioner Clayton asked where the funds would be taken from. County Manager Carpenter indicated that it would be possible for the funds to be taken from the Parks and Recreation contracted services.

REQUEST TO CONSIDER REDUCTION IN MEMBERSHIP ON THE PLANNING BOARD:

Planning Director Paula Murphy appeared before the Board to request reduction in the membership on the Planning Board from nine members (9) to seven (7) members. She indicated that the Board presently only functions with eight members and one current member has requested not to be reappointed. She said a smaller Board is easier to work with.

A **motion** was made by Commissioner Yarborough, **seconded** by Commissioner Bowes and **carried** to reduce the Planning Board membership from nine to seven.

CONSIDERATION OF AN ORDINANCE PROHIBITING POSSESSION OR CONSUMPTION OF MALT BEVERAGES OR UNFORTIFIED WINE ON COUNTY PROPERTY:

County Attorney Aycock presented an Ordinance Prohibiting Possession or Consumption of Malt Beverages or Unfortified Wine on County Property as requested by the Board at the previous meeting.

A **motion** was made by Commissioner Bowes, **seconded** by Commissioner Clayton and **carried** to approve the Ordinance Prohibiting Possession or Consumption of Malt Beverages or Unfortified Wine on County Property.

**An Ordinance Prohibiting Possession
Or
Consumption Of Malt Beverages Or Unfortified Wine
On County Property**

Whereas, N.C.G.S. 18B-300 authorizes a county to regulate or prohibit the possession or consumption of malt beverages or unfortified wine on property owned, occupied or controlled by that County; and

Whereas, The Person County Board of County Commissioners desires to prohibit the possession or consumption of such malt beverages or unfortified wine on property owned, occupied or controlled by the County.

Now, Therefore Be It Ordained by the Person County Board of County Commissioners:

Section 1- No person shall possess open containers or consume malt beverages or unfortified wine on property owned, occupied or controlled by Person County.

Section 2- Definitions. The definitions of “malt beverages”, “unfortified wine” and “open containers” shall be as defined in Chapter 18B of the North Carolina General Statutes.

Section 3- Penalties. Violations of this ordinance shall be a misdemeanor as provided for in N.C.G.S.14-4.

Adopted this the 19th day of May, 2008.

Johnny Myrl Lunsford, Chairman
Attest:
Faye T. Fuller, CMC
Clerk to the Board

RESOLUTION OF APPRECIATION:

A **motion** was made by Commissioner Yarborough, **seconded** by Commissioner Bowes and **carried** to approve a Resolution of Appreciation for the Election Day poll workers and others who worked to ensure that the election process was carried out correctly.

RESOLUTION OF APPRECIATION

- WHEREAS,** Person County held a Primary Election on May 6, 2008; and
- WHEREAS,** There were a total of seventy-two volunteer poll workers, of which there were fourteen Chief Judges and twenty-eight Judges; and
- WHEREAS,** These volunteers worked tirelessly to enable every citizen their right to cast their ballot of choice; and
- WHEREAS,** Under the leadership of the Person County Board of Elections, Elections Director Brenda Whitlow, Assistant Elections Director Sherry Harris and with the assistance of the Person County information Technology Department, Person county election results were among the first twenty counties to be reported to the State Board of Election.

NOW, THEREFORE, BE IT RESOLVED that the Person County Board of Commissioners does hereby recognize the training, hard work, perseverance and commitment towards excellence required for such a remarkable achievement and does commend the work of all involved in the election day process.

Adopted this the 19th day of May, 2008

(signed) Johnny Myrl Lunsford, Chairman

ABC BOARD APPOINTMENT:

Commissioner Clayton stated that there has been a lot of interest in the vacancy to be filled on the ABC Board and it has been brought to his attention that Commissioner Bowes would be a good candidate for the position and that he has shown an interest in the position. Mr. Clayton informed the Board that the County Attorney has confirmed it is permissible to appoint a sitting Board member to the ABC Board.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Puryear and **carried** to appoint Commissioner Larry Bowes to the ABC Board to fill the vacancy left by Mr. Bennie L. Bradsher and to serve the upcoming three (3) year term.

BUDGET AMENDMENT:

Upon a motion by Commissioner Clayton, and a second by Commissioner Bowes and majority vote, the Board of Commissioners of Person County does hereby amend the Budget of the **General Fund(s)** on this, the 19th day of May 2008, as follows:

<u>Dept./Acct No.</u>	<u>Department Name</u>	<u>\$Amount</u> Incr/Dectr(-)
<u>EXPENDITURES</u>	<u>General</u>	
	General Government	(-) 12,000
	Public Services	25,665
	Human Services	173,077
	Cultural & Recreational	1,642
	Transfers	22,000
	<u>Reappraisal Fund</u>	
	Reappraisal Activites	12,000
<u>REVENUES</u>	<u>General</u>	
	Intergovernmental Revenues	193,877
	Other Revenues	6,507
	Fund Balance Appropriated	10,000
	<u>Reappraisal Fund</u>	
	Transfer from General Fund	22,000
	Fund Balance Appropriated	(-) 10,000

Explanation:

Appropriate: additional state health grant revenues \$173,077; additional 4H YES grant revenues to purchase new van \$20,800; insurance proceeds to repair Sheriff's patrol car \$4,865 and Parks & Recreation \$1,642; fund balance in General Fund to replace appropriated fund balance that was unavailable within the Reappraisal Fund \$10,000 and transfer part-time budget from Tax Administration to the Reappraisal Fund \$12,000.

CHAIRMAN'S REPORT:

None

MANAGER'S REPORT:

- ▶ Budget Committee work continues – will be to Board last week in May
- ▶ Reschedule July 7 meeting
- ▶ Insurance Renewal meetings Tuesday & Thursday
- ▶ June 24th - Department of Labor election runoff
- ▶ County Assembly Day – June 10th

COMMISSIONER REPORTS/COMMENTS:

- ▶ Commissioner Puryear – He will attend regional EDC breakfast
- ▶ Commissioner Clayton reminded Board members of County Assembly Day

CLOSED SESSION:

A motion was made by Commissioner Puryear, seconded by Commissioner Yarborough and carried to go into Closed Session at 10:25 a.m. pursuant to G.S. §143-318.11(a)(6)-Personnel.

Upon returning to open session at 10:57 a.m. the County Manager reported that the Board agreed, although not unanimous, to modify the County Manager candidate interview process and eliminate the “meet and greet” section.

ADJOURNMENT:

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Yarborough and **carried** to adjourn the meeting at 11:10 a.m.

Faye T. Fuller, CMC
Clerk to the Board

Johnny Myrl Lunsford
Chairman