

**PERSON COUNTY BOARD OF COMMISSIONERS**

**April 7, 2008**

**MEMBERS PRESENT**

**OTHERS PRESENT**

Johnny Myrl Lunsford, Chairman  
Jimmy B. Clayton, Vice-Chairman  
Kyle W. Puryear  
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

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The Board of Commissioners for the County of Person, North Carolina, met in regular session on Monday, April 7, 2008 at 7:00 p.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. Chairman Lunsford asked for a moment of silence to remember former Commissioner Bennie L. Bradsher and his wife Mary who were killed in an automobile accident. Mr. Bradsher served as a Commissioner from 1956 to 1976 as was Chairman for the entire 20 years of service.

**PUBLIC HEARINGS:**

**1. *Naming of a Private Road off Jones-Paylor Road***

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Yarborough and **carried** to open the duly advertised Public Hearing.

Due to the construction of a third residence on the private unnamed road off Jones-Paylor Road, it became necessary that the road be named in order for addresses to be assigned.

Chairman Lunsford asked if there was anyone present who wished to speak to the issue. No one spoke.

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

A **motion** was made by Chairman Lunsford, **seconded** by Commissioner Puryear and **carried** to name the road **Mayo Harbor Lane**.

**2. *Proposed Installment Financing Agreement to Refinance a Portion of the Cost of Certain Existing Facilities***

A regular meeting of the Board of Commissioners for the County of Person, North Carolina, was held in the Commissioners' Meeting Room in the Person County Office Building, in Roxboro, North Carolina, the regular place of meeting, at 7:00 P.M. on April 7, 2008.

Present: Chairman Johnny Myrl Lunsford, presiding, and Commissioners Jimmy B. Clayton, Larry E. Yarborough, Jr., Kyle W. Puryear, Larry H. Bowes.

Absent: NONE.

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The Chairman of the Board of Commissioners for the County of Person, North Carolina (the "County") announced that this was the hour, day and place fixed for the public hearing for the purpose of considering whether the Board of Commissioners for the County should approve a proposed installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$15,000,000, with any other available funds, for the refinancing of all or some portion of the County's obligations under the 1996 Contract, the 1999 Contract and the 2000 Contract, as each such term is hereinafter described, in order to realize debt service savings for the County. The County would secure the repayment by it of moneys advanced pursuant to such proposed agreement by granting a security interest in a portion of the School Project hereinafter defined and certain related property.

The 1996 Contract consists of the Installment Financing Contract, dated February 16, 1996, entered into between the County and First Union National Bank of North Carolina to refinance the County's obligations under an Installment Payment Agreement, dated June 1, 1991, the proceeds of which were used to acquire, construct and equip a law enforcement center of the County.

The 1999 Contract and the 2000 Contract consist of an Installment Financing Contract, dated June 3, 1999, and an Installment Financing Contract, dated January 25, 2000, respectively, entered into between the County and First Union National Bank to finance a portion of the cost of a project consisting of the construction of Helena Elementary School and Stories Creek Elementary School and the construction of additions to and the renovation of certain existing school facilities, as more particularly described in the 1999 Contract and the 2000 Contract (collectively the "School Project").

Notice of this public hearing was published in The Courier-Times not less than 10 days before the date of this public hearing.

The Chairman of the Board of Commissioners for the County (the "Board of Commissioners") called for a motion to open the public hearing. Upon a motion by Commissioner Bowes and a second by Commissioner Yarborough, the Board of Commissioners opened the public hearing.

The County Manager and the Finance Director of the County then described such refinancing as currently proposed.

The County Manager and the Finance Director of the County then presented and described a proposal to effectuate such refinancing, dated April 1, 2008, that the County had

received from BB&T Capital Markets in response to the County's request for such a proposal. Such proposal appears to meet the County's needs under existing circumstances and constitutes the proposed agreement that is the subject of this public hearing.

The Chairman of the Board of Commissioners (the "Chairman") then announced that the Board of Commissioners would immediately hear anyone who might wish to be heard on such matter.

Mr. Leigh Woodall residing at 200 Reade Drive, Roxboro, N. C. appeared in person and stated he was familiar with financing of county school construction programs. He encouraged the Board to get proposals from other financial institutions. He said it was important to shave percentages and it is good to consolidate money.

Finance Director Andrew Davenport stated he did due diligence. The Local Government Commission assured him that he had secured as good a rate as he could obtain.

The foregoing statement was duly considered by the Board of Commissioners.

Thereupon, the Chairman called for a motion to close the public hearing. Upon a motion by Commissioner Yarborough and seconded by Commissioner Clayton, the Chairman announced that the public hearing was closed.

The Chairman then asked for an amendment to the agenda for the meeting to place such refinancing on the agenda. Upon a motion by Commissioner Yarborough, seconded by Commissioner Puryear, such refinancing was placed on the agenda. Thereupon, upon motion of Commissioner Yarborough, seconded by Commissioner Bowes, the Board of Commissioners determined to proceed with such refinancing and approved on a preliminary basis such proposed agreement to effectuate such refinancing in an amount not to exceed \$15,000,000 with a final installment payment in 2015 substantially as presented as best meeting the needs of the County. Such motion was approved by the following vote:  
Ayes: Commissioners Lunsford, Clayton, Yarborough, Puryear, Bowes.

Noes: NONE.

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I, Faye Fuller, Clerk to the Board of Commissioners for the County of Person, North Carolina, DO HEREBY CERTIFY that the foregoing is an accurate copy of so much of the recorded minutes of a regular meeting of said Board held on April 7, 2008.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said Board, stating that regular meetings of said Board are held in the Commissioners' Meeting Room in the Person County Office Building, in Roxboro, North Carolina on the first and third Mondays of each month at 7:00 P.M. and 9:00 A.M., respectively, has been on file in my office pursuant to G.S. §143-318.12 as of a date not less than seven days before said meeting.

WITNESS my hand and the corporate seal of said County, this 7th day of April 2008.

Faye T. Fuller, CMC  
Clerk to the Board of Commissioners

**PUBLIC COMMENT:**

**Ken Hill**, Chairman of Solid Waste Advisory Committee:

Brought some ideas from SWAC to encourage recycling. For the short term - improvement of the hours at the recycle center, more frequent bin removal and encouragement for recycling through: (1) Advertisements-the hours of operation and location of the recycle center and products recycled and (2) education

Long term ideas – encourage recycling-(1) businesses like the Recycle Bank have an incentive program (2) through continued education of the public.

SWAC also recommended having a county “marketing consultant” for recycled items. This person would get the “best price” for these items.

**Sheriff Dewey Jones** – Requested approval of the Records Retention and Disposition Schedule for the Sheriff’s Department. A **motion** was made by Chairman Lunsford, **seconded** by Commissioner Clayton and **carried** to add the request to the agenda. Having been duly added to the agenda, a **motion** was made by Commissioner Yarborough, **seconded** by Commissioner Puryear and **carried** to approve the Records Retention and Disposition Schedule for the Sheriff’s Department consistent with the request made by Sheriff Jones.

**APPROVAL OF MINUTES:**

A **motion** was made by Commissioner Bowes, **seconded** by Commissioner Clayton, and **carried** to approve the minutes of March 10 and 18, 2008.

**ADMINISTRATIVE REPORTS:**

The following Administrative Reports were received and accepted by **motion** of Commissioner Yarborough and **second** by Commissioner Clayton: Airport and Fire Marshal.

**CONSIDERATION OF PROPOSED AGREEMENT FOR RENOVATIONS TO THE COURTHOUSE:**

County Manager Steve Carpenter presented the proposed Agreement with Person County for Phase I-Design Development for the renovations to the Courthouse from MHAworks. He explained that the cost for Phase I – Design Development would be \$72,000. The cost for the design development phase represents 20% of the Architectural and Engineering design fee of \$360,000.

The following items are to be included in the design development phase: demolition floor plans-renovation floor plans reviewed and approved by the users/owners, phasing plans with timeline estimates, structural details associated with proposed demolition and renovation, engineering plans showing DD level drawings of plumbing, mechanical, electrical, and fire alarm, revised cost estimates, detailed code analysis, Appendix B-Building Code Summary and toilet fixture count.

Commissioners Yarborough and Puryear disagreed with the need for this scope of work.

A **motion** was made by Commissioner Bowes, **seconded** by Commissioner Clayton and **carried** by a 3/2 vote. Commissioners Yarborough and Puryear cast the dissenting votes.

**CONSIDERATION OF A RESOLUTION AUTHORIZING PUBLICATION OF INTENT TO LEASE PROPERTY (BUSHY FORK GRANGE)**

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Yarborough and **carried** to approve the following Resolution Authorizing Publication of Intent to Lease Property, the Bushy Fork Grange. Commissioner Yarborough suggested that the liability insurance amount outlined in 8. *INSURANCE* in the Lease Agreement be changed from \$250,000 to \$1,000,000 to insure against injury to person or property.

**A Resolution Authorizing Publication of Intent  
To Lease Property**

**Whereas**, the Person County Board of Commissioners desires to lease excess real estate it owns at the Bushy Fork School property.

**Now, Therefore Be It Resolved** by the Person County Board of Commissioners that:

1. The property proposed to be leased is now occupied by the Bushy Fork Grange and is composed of the cafeteria building, barbeque pit and parking lot on property commonly known as the Bushy Fork School property located approximately ten miles South of the City of Roxboro on NC Highway 49.
2. The proposed lease is for a one-year period with nine additional years renewal option at a rental of \$1.00 per year.
3. The property proposed to be leased will not be needed by the County for the term of the proposed sub-lease and the proposed use by the lessee is for a public purpose.
4. The Board intends to authorize execution of the lease at its April 21, 2008 meeting.
5. The Board directs that a notice of its intent to lease be published at least 10 days prior to its April 21, 2008 meeting.

**This the 7<sup>th</sup> of April, 2008.**

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

**REQUEST FOR APPROVAL TO DEMOLISH THE COUNTY-OWNED HUNTER HOUSE AND CORRESPONDING GARAGE:**

A request was received from the Person County Museum of History for approval to have the county-owned Hunter House and corresponding garage at 321 N. Main Street torn down. The building has been reviewed and it does not have any historic value. Two contractors have examined the building and have reported it would require extensive repairs to make it useful to the Museum.

The Roxboro Fire Department has discussed using the building as a fire-training project if the Board approved its removal.

A **motion** was made by Commissioner Yarborough, **seconded** by Commissioner Puryear to **approve** the demolition of the Hunter House and corresponding garage at 321 N. Main Street and further that the Museum obtain volunteers to remove the debris once the Fire Department has completed the project.

**BUDGET AMENDMENT:**

Upon a **motion** by Commissioner Clayton, and a **second** by Commissioner Yarborough and majority vote, the Board of Commissioners of Person County does hereby amend the Budget of the **General Fund(s)** on this, the 7th day of April 2008, as follows:

<u>Dept./Acct No.</u>	<u>Department Name</u>	<u>\$Amount</u> <small>Incr/Decr(-)</small>
<u>EXPENDITURES</u>	<u>General</u>	
	General government	460
	Public safety	19,700
	Human services	(-) 105,627
	Cultural & Recreation	2,336
	Debt service	105,627
 <u>REVENUES</u>	 <u>General</u>	
	Other revenues	22,496

**Explanation:**

Appropriate: insurance proceeds to repair Central Services vehicle \$460 and replace Sheriff patrol car \$11,500; jail concessions earned \$8,200; transfer ROAP monies DSS doesn't need (\$7,664) to Council on Aging \$7,664; donation to Park & Recreation \$1,000 and Public Library \$1,336; reduction in DSS due to Medicaid savings (\$105,627) and increase in amount dedicated to debt services from the lost ADM funds \$105,627.

**CHAIRMAN'S REPORT:**

- ▶ Asked that Manager evaluation forms be returned to Clerk

**MANAGER'S REPORT:**

- ▶ Letter received from Person County Group Homes, Inc. relative to PCGH's OPC funding issues
- ▶ Parking at and around Courthouse –unify County and City parking requirements – will bring plan back to Board for approval
- ▶ Summer intern from Appalachian State University Graduate school – Requested Board approval to enter into agreement for a 12 week intern in the amount of \$5,000. Approval was given by consensus.



- ▶ Questioned Board about an Ordinance prohibiting consumption of alcohol on county owned property. Law enforcement cannot enforce with a local ordinance. Following discussion, attorney was instructed to discuss the issue with park rangers and Sheriff's Department.

**COMMISSIONER REPORTS/COMMENTS:**

Commissioner Clayton mentioned editorial in the *Courier-Times* regarding recycling. Most promising initiative - education is the most important components

**ADJOURNMENT:**

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to adjourn the meeting at 8:50 p.m.

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

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