

**PERSON COUNTY BOARD OF COMMISSIONERS**

**February 4, 2008**

**MEMBERS PRESENT**

**OTHERS PRESENT**

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

Steve Carpenter, County Manager  
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, February 4, 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.

**DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:**

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

**INFORMAL COMMENTS:**

**Tera Slaughter:** - Hyco Lake – 114 Cottage Lane – Discussed problems he has experienced with the Person-Caswell Lake Authority and violations committed by his neighbors. Commissioner Puryear told Mr. Slaughter that he would come out on a Saturday to review the situation.

**Amanda Smith & CFO, Jim Leis** - Asked for support for Person Memorial Hospital – Would like to have county employees utilize the facility and keep business in Person County – Asked the Board to review its insurance contract.

**Frances Blalock** – Republic's revenue decreased in 2007 from 2006 – PCB soils still coming into landfill – Asked Board to put an inspector at the landfill.

**APPROVAL OF MINUTES:**

A **motion** was made by Commissioner Puryear, seconded by Commissioner Bowes, and **carried** to approve the minutes of January 22, 2008.

**ADMINISTRATIVE REPORTS:**

The following Administrative Reports were received and accepted by the Board: Fire Marshal and Tax Administration/Collections. The reports were received and accepted by **motion** of Commissioner Puryear and **second** by Commissioner Clayton.

**REVIEW OF A PROPOSED MAJOR SUBDIVISION CONCEPT PLAN (TALLEY POINTE, PHASE 2) AND VARIATION TO BAREFOOT LANDING LANE:**

County Planner Paula Murphy appeared before the Board to present a request from Legacy Land Group, LLC for Talley Pointe, Phase 2 and a variation to Barefoot Landing Lane. On February 5, 2007, the Board of Commissioners approved a Major Subdivision for Talley Pointe with 11 lots on a 39.4 acre parcel. The developer also received a variation for the upgrade of Barefoot Landing. This request is to develop property located adjacent to Talley Pointe Phase 1. The property consists of 96.55 acres and twenty 15,000 square foot minimum lots are proposed. The road within the subdivision will be built to NCDOT standards. The developer is asking for a variation for Barefoot Landing Lane so that it does not have to be upgraded to NCDOT standards. The road is paved, but does not meet vertical sight distances per the State requirements.

Legacy Land Group will develop a community septic system and to date it has not been determined how much additional land will be needed. The septic system will be located to the north of the proposed lots. Any remaining land will be kept by the current owner. Access to the remainder of the property is by an easement off Skylark Drive. The easement presently serves several properties.

Section 72-1 of the Subdivision Ordinance states "Where, because of topographical or other conditions peculiar to the site, strict adherence to the provisions of the regulations of this Ordinance would cause an unnecessary hardship, the subdivider may request a variation."

Access to the site is across Rainey Ridge Road (a private 60 foot right-of-way) and Barefoot Landing Lane (a fifty-foot private right-of-way). Both roads are built to Class A standards. Section 50-1(d) of the Subdivision Ordinance states "Previously established subdivision with six or more lots having an interior road or roads designated as public and built to the previously accepted and approved Class A road as defined in "Minimum Construction Standards for Private Roads, Person County, North Carolina" may not be expanded if any additional lots will be accessed by the existing Class A substandard road unless the existing public road is upgraded per paragraph 50-1(a) above as applicable. The developer or person causing the needed upgrade to the Class A road is responsible for upgrading the substandard portion of the road." Talley Pointe Drive serving the 11 lots created in Phase 1 is built to NCDOT standards. A variation was granted to Legacy Land Group on Rainey Ridge Road and Barefoot Landing. The extension of Talley Point Drive that will serve Phase will be built to NCDOT standards.

The Planning Board reviewed this item at their January 10, 2008 meeting and voted 5 to 0 to recommend approval of the subdivision and variation with the following conditions:

1. The roads are to be construction to NCDOT standards. Road construction plans are to be submitted to and approved by NCDOT. A copy of the approved road construction plans are to be submitted to the Planning Department. The County Engineer to approve the road construction prior

to the signing of the Final Plat. Board to make a recommendation on the requested variation.

2. An Erosion and Sedimentation Control Plan to be submitted to NCDHNR, Division of Land Resources, Land Quality Section and a copy of the approved plan to be submitted with the construction plan.
3. A Road Maintenance agreement is to be prepared, reviewed and approved by the County Attorney prior to approval of the final plat.
4. All other requirements of the Subdivision Regulations of Person County, North Carolina be met prior to submittal of the final plat.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to approve the subdivision and variation with the outlined four conditions.

#### **CONSIDERATION OF A PROPOSED DOG WALKING TRACK:**

Animal Control Director Ron Shaw appeared before the Board to request approval to investigate the possible use of a tract of land behind the shelter and across the street from Stories Creek Elementary School for a dog walking track. The Strut-a-Mutt program began approximately 1½ years ago in conjunction with the Wellness Program through the Health Department. Volunteers walk the shelter's adoptable dogs. The program has grown to approximately 120 volunteers.

The track of land in question is under the ownership of Person County. The property is currently not being used by either the County or the school system and needs to be cleared and leveled.

County Manager Carpenter explained that the request is for the addition of a gate and leveling of the area. County owns the property and the school is adjacent. In the past, staff has consulted with the Board of Education prior to using the property.

Commissioner Clayton agreed that the Board of Education should be consulted. He also suggested that the Manager determine the cost involved and verify that the use is in conformity with the appropriate zoning.

A **motion** was made by Commissioner Bowes, **seconded** by Commissioner Puryear and **carried** to approve the concept of the dog walking track for the Animal Shelter.

#### **REQUEST FOR TRANSFER OF SURPLUS VEHICLE TO ROXBORO FIRE DEPARTMENT:**

Fire Chief Kenneth Torain appeared before the Board to request the transfer of a , 2000 Ford Explorer, to the Roxboro Fire Department. The vehicle is to be declared surplus by the County and would otherwise be sold on GovDeals. Chief Torain stated that Battalion Chief Wrenn, who is also a Hurdle Mills volunteer fireman, will use the

vehicle for structure fire responses in the County as well as the City. The vehicle would become property of the City, but would be used in the county also.

Assistant County Manager/Engineer Paul Bailey informed the Board that the value of the vehicle is approximately \$5,000. County Manager Carpenter said the exchange would somewhat impact the County's vehicle replacement program.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Bowes and **carried** to approve the transfer of a 2000 Ford Explorer to the City of Roxboro to be used by the Roxboro Fire Department

**AUDIT PROPOSAL FOR FISCAL YEAR ENDING JUNE 30, 2008, 2009, 2010:**

Winston, Williams, Creech, Evans & Company, LLP presented a proposal to perform the annual audit for Person County for the fiscal years ending June 30, 2008, 2009, 2010.

Two options were presented. Costs for fiscal Year June 30, 2008, 2009 and 2010 were prepared two ways. The following costs assumes Person County Finance Office will prepare the Comprehensive Annual Financial Report (CAFR):

<u>6-30-08</u>	<u>6-30-09</u>	<u>6-30-10</u>
\$39,350	\$41,230	\$43,300

The following costs assumes Winston, Williams, Creech, Evans and Company will prepare the Comprehensive Annual Financial Report (CAFR):

<u>6-30-08</u>	<u>6-30-09</u>	<u>6-30-10</u>
\$44,500	\$46,700	\$49,035

Due to the upcoming retirement of the current Finance Director, County Manager Carpenter recommended that the firm of Winston, Williams, Creech, Evans and Company be awarded the contract for audit services for the three year period.

A **motion** was made by Commissioner Bowes, **seconded** by Commissioner Clayton and **carried** to approve the three-year contract as proposed with the firm of Winston, Williams, Creech, Evans and Company to prepare the CAFR.

**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 4th day of February 2008, as follows:

<u>Dept./Acct No.</u>	<u>Department Name</u>	<u>\$Amount</u> Incr/Decr(-)
<u>EXPENDITURES</u>	<u>General</u>	
	Public Safety	(-) 16,737
	Human Services	100,346
	Cultural & Recreation	700
<u>REVENUES</u>	<u>General</u>	
	Intergovernmental Revenues	69,681
	Other revenues	1,050
	Fund Balance Appropriation	13,578

**Explanation:**

Appropriate: additional Public Health grants \$27,335 and Social Services grants \$42,346 and donation to Social Services \$350 and carry forward fund balance unspent Healthy Personians grant monies \$13,578 for Human Services; insurance proceeds to Recreation \$700. Transfer from EMS (-) \$16,737 to Public Health \$16,737 (shared person required to be entire funded within Health Department)

**CHAIRMAN’S REPORT:**

- ▶ Chairman Lunsford read the **Human Relations Month Proclamation** from the State of North Carolina. A **motion** was made by Chairman Lunsford, **seconded** by Commissioner Puryear and **carried** to adopt same for Person County.

**HUMAN RELATIONS MONTH  
2008  
BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA  
A PROCLAMATION**

WHEREAS, the State of North Carolina believes in the dignity and worth of each individual, regardless of race, creed, gender, national origin, or handicapping condition; and

WHEREAS, the State of North Carolina promotes and maintains a spirit of goodwill, tolerance, and mutual respect among individuals, groups, races, and persons of differing social and economic status and religious beliefs; and

WHEREAS, the people of North Carolina work daily to build stronger communities through diversity; and

WHEREAS, the State and people of North Carolina have made tremendous progress in human relations in the years since the establishment of the Good Neighbor Council and its successor, the Human Relations Commission, and look forward to continued progress against the serious challenges that still face us; and

WHEREAS, the State of North Carolina owes its appreciation to all the citizens who have contributed, and continue to contribute, to the advancement of mutual understanding, fairness, justice, and equal opportunity for all; and

WHEREAS, the State and People of North Carolina embrace and celebrate change and diversity;

NOW, THEREFORE, I, MICHAEL F. EASLEY, Governor of the State of North Carolina, do hereby proclaim February 2008, as “**HUMAN RELATIONS MONTH**” in North Carolina and commend this observance to our citizens.

MICHAEL F. EASLEY

- ▶ Retreat on Thursday, February 8, 2008 at 7:00 p.m. Reminded Board to think about priorities for the upcoming budget year.
- ▶ County Manager Evaluation form presented to Board members and asked that it be completed by Thursday, February 8, 2008.

**MANAGER’S REPORT:**

- ▶ Retreat – Manager and Finance Director will begin meeting with a briefing on programs and financial predictions.
- ▶ Susan Hora – Appointed to OPC Mental Board but is ineligible because she is a contractor for Mental Health services. Position will be re-advertised.
- ▶ Mental Health service provider, Caring Family Network, will be out of the county facility by end of February. Replacement provider may be in place by then. Suggested that OPC be the sublesor and they negotiate with provider. Board agreed with the Manager’s proposal.
- ▶ Health insurance discussions underway. Expect quotes from 4-5 companies.
- ▶ Reminded the Board that two solid waste studies are required prior to a Special Use Permit is valid for the landfill expansion. Letters were sent out to companies that may have the capability and interest to present such studies. Three companies responded. A report will be given at the next Board meeting.

**COMMISSIONER REPORTS/COMMENTS:**

- ▶ Commissioner Puryear attended the OPC Retreat.
  
- ▶ Commissioner Bowes reported on negotiations of the contract for the Maxway building. He said the final draft of the contract will be presented to the Board for consideration at a later meeting.
  
- ▶ County Attorney Ron Aycock reported on the joint water meeting held in Caswell County with the counties of Person and Caswell and the municipalities of Roxboro and Yanceyville. He explained that an agreement is expected to be forthcoming.
  
- ▶ Non-smoking in city buildings will be considered by City Council next week – if city is in agreement, the same Ordinance will apply to both city and county. The Board of Health will meet last Monday in month to consider the issue.

**RECESS:**

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Bowes and **carried** to recess the meeting at 8:20 p.m. until Thursday, February 7, 2008 at 7:00 p.m.

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

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