

PERSON COUNTY BOARD OF COMMISSIONERS

January 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
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, January 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.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

County Manager Carpenter informed the Board that a Closed Session would be necessary in order to consult with the County Attorney.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Clayton and **carried** to adopt the agenda as amended.

INFORMAL COMMENTS:

Patrick Riley – Addressed solid waste issues.

Barry Matherly – Vice President, Bushy Fork Booster Club – thanked the Board for support for six additional seats on Recreation Advisory Board.

Bayard Crumpton – Addressed smoking in the Courthouse – Urged Board to make Person County government buildings smoke free.

Carla Sturdivant – Addressed issue of Parks & Recreation draft policy – her child is upset with change of team and uniform that has been issued to him.

APPROVAL OF MINUTES:

A **motion** was made by Commissioner Bowes, **seconded** by Commissioner Puryear, and **carried** to approve the minutes of November 19, 2007 and December 3, 2007.

ADMINISTRATIVE REPORTS:

The following Administrative Reports were received and accepted by **motion** of Commissioner Yarborough, **second** by Commissioner Puryear: Detention Center, Emergency Medical Services, Inspections, Person Industries Annual Report, Public Library.

APPEARANCE TO DISCUSS “A LITTLE BIT OF EVERYTHING”:

Flora Peed appeared before the Board to discuss various landfill related issues.

APPEARANCE TO DISCUSS “HEINOUS” CRIMES SANCTIONED:

Betty Blalock – appeared before the Board to discuss various issues related to the landfill.

* Commissioner Yarborough addressed the need for improved recycling efforts in the county. He said the Board has heard and learned much about recycling through public meetings and the trip to Horry County. A lot of ideas of ideas have been promoted and he would like to possibly explore better recycling center hours, the feasibility of satellite recycling areas, what it would take to make the centers profitable, and also the feasibility of pick-up of recyclables.

* A **motion** was made by Commissioner Yarborough, **seconded** by Commissioner Puryear and **carried** to direct the Solid Waste Advisory Committee to explore ways to improve the recycling rate in the County. He also asked assurances from fellow Commissioners to be committed to improve recycling in the county.

DISCUSSION OF LACK OF FUNDING FOR THE SCHOOL SYSTEM:

Joan Hodges – Spoke to the Board on behalf of parents about the lack of funding for schools. She said parents value education and think it is the number one priority in the county. She said the Board of Commissioners need to show that they value education through the budget. Ms. Hodges also stated that in the past eleven years services have decrease and needs have increased and that it was the Board’s job to find money to fund those needs.

Commissioner Clayton responded that school budget cuts are coming on the State level, not the County level. He said over the past three years, the county has increased the schools continuing budget by nine percent (9%) over the three years. He said approximately thirty percent (30%) of the property taxes goes to the Board of Education. Commissioners have no control as to how the school system spends their allocation.

County Manager Carpenter explained that the Board of Commissioners has increased, not cut, school funding every year for the last three years. In the current budget year, Person County ranks 28th in the State, paying \$1530 per student. The average of what local governments commit to education this year statewide is \$1354. Tax growth has been between three and five percent each year. The County’s Fund Balance has been reduced from approximately \$24 million down to the \$20 million level. The Commissioners have met the demand for education capital construction. As funding for capital construction increases, the ability to fund current expense decreases. It is the County’s obligation to fund school capital needs, and as much current expense as it can

afford. It then becomes the Board of Education's responsibility to use those resources as they choose. School population is decreasing and when the population drops, State and Federal funds decrease. He said Person County is fairly funding schools. If the community wants additional school funding, the tax rate will have to be raised.

Commissioner Yarborough disagreed that the County has not adequately funded the schools and it is not reflected in the budget. He stated that millions have been spent on school capital projects, have borrowed money to improve facilities. New tennis courts were built at the high school and a new school bus garage is under construction. The amount of money contributed to the operational expenses of the school system increased by more than 11% each of his first two years on the Board. Person County is above the state average for local funding due to this aggressive funding, ranking 28th out of 100 counties. The County only provides 25% of the school operational funding, most is provided by the State.

Commissioner Puryear agreed that the County needs to find as much non-tax revenue as possible. He felt that the Board of Commissioners need a better relationship with the Board of Education in order to be able to better understand and meet their needs.

DISCUSSION OF DESIGNATION OF COURTHOUSE AS A SMOKE-FREE FACILITY:

Clerk of Court Deborah Barker and Attorney Danny Long appeared before the Board to request that the Courthouse be designated as a smoke-free facility. They spoke of the extensive amount of smoke in certain areas of the building. Mr. Long presented a signed petition requesting that smoking not be allowed in the building. He reiterated that the smoke is unbearable.

Health Director Janet Clayton supported the request. She also requested that a fifty (50) foot buffer around the Human Services Complex be designated smoke-free. She further recommended that all county buildings be smoke-free.

County Manager Steve Carpenter informed the Board that a County Ordinance would only have power over buildings outside the city limits. The City controls public buildings within the city. City Council meets on Tuesday and will discuss this issue at that time. The Board of Health has statutory authority to take action, both inside and outside of the city limits of government buildings. He also told the Board that a decision would have to be made relative to smoking inside of the detention center. The Sheriff has been contacted and will make that determination. Mr. Carpenter suggested that the Board of Health include a county wide smoking ban in public buildings on their agenda.

A **motion** was made by Commissioner Yarborough, **seconded** by Commissioner Bowes to ban smoking in all public buildings by Ordinance of the Board of Health and that the Sheriff be granted the flexibility to regulate smoking or non-smoking in the Detention Center. The motion **carried** unanimously.

County Attorney Aycock informed the Board that some issues relating to exceptions due to the structure of the law that may have to be brought back to the Board for consideration.

CONSIDERATION OF PROPOSAL FROM HALL'S AGRI-BUSINESS RELATIVE TO RENOVATION OF OLD MAXWAY BUILDING:

Lacy Winstead presented a proposal from Hall's Agri Business for the renovation of the old Maxway building for the Person County Register of Deeds and Person County Tax Offices. The term of the lease is for 15 years with an annual rent of \$9.50 per square foot (approximately 12,800 square feet-exact square footage to be determined by architectural drawings).

It will be the responsibility of the landlord to maintain the outside of the building (including roof) and adjacent sidewalk, and will be responsible for repairs to HVAC systems and plumbing repairs of more than \$1,000.

The tenant will be responsible for all utilities (including electricity, gas, water, sewer, trash disposal, telephone and computer systems) and janitorial services. Tenant will pay all taxes and insurance on the building. Tenant will change the heating and air filters on a schedule recommended by the heating and air company. Tenant will keep building clean, painted and in First Class, or Class A condition.

Tenant will be allowed access to the building to install telephone and computer wiring and systems at County expense during construction. This should be done in a timely manner as not to hold up the construction schedule.

The costs of renovation and architect will be paid by landlord.

The lease will be renegotiated at the end of the lease.

The Lessor's Agent is Lacy Winstead, Jack Reynolds and Associates.

County Manager Carpenter stated previously had an issue with a 15 year lease, however, the County Attorney has assured him that would not be an issue. He said this document would be a starting point for discussion and no action would be expected on the matter today.

Chairman Lunsford indicated that a Commissioner committee would negotiate the lease proposal and get back in touch with Mr. Winstead.

APPROVAL OF REVISED *PARTF* GRANT APPLICATION FOR MAYO PARK ENVIRONMENTAL EDUCATION AND COMMUNITY CENTER:

Recreation, Arts and Parks Director Mitch Pergerson & John Hill appeared before the Board and requested consideration and adoption of the Revised *PARTF* Grant Application, 2008 Revised Site Master Plan for Mayo Park and the 2005 Person County Master Plan. He advised that an additional \$25,000 has been committed from TDA Funds for match toward the cost for the Environmental Education and Community Building.

Mr. Pergerson told the Board that a pre-conference meeting was held today with the consultant from N.C. State Recreation Resources Services. The consultant advised that by combining two additional projects, the Mayo-restrooms, playground, ADA accessible fishing pier (\$130,000) and the Mayo Picnic Shelter/restrooms (\$75,000) with the Environmental Education and Community Center project, the application point system would be enhanced and have a greater chance of receiving grant funding. He also pointed out that the two additional projects would probably not be grant funded if they were a stand alone project.

Mr. Hill said the two additional projects would total \$205,000, with a match from Person County of \$102,500 to be funded over the next two budget years. Both items already are included in the Person County Capital Improvement Plan for Planning Years 2007-08 and 2008-09. Construction would need to be completed by 2011. Grant awards for the Environmental Education Center are expected to be announced in May.

The total projected cost for the Environmental Education and Community Building is \$450,000; Mayo restrooms, playground, ADA accessible fishing pier-\$130,000, picnic shelter with restrooms -\$75,000 for a total of \$655,000. the *PARTF* grant will fund one-half-\$327,500.

Funding sources will be: \$327,500 from Person County, \$200,000 already earmarked for the project and \$25,000 from TDA.

A **motion** was made by Chairman Lunsford, **seconded** by Commissioner Clayton and **carried** to approve Revised *PARTF* Grant Application to include the additional two items, the 2008 Revised Site Master Plan for Mayo Park and the 2005 Person County Master Plan.

APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT ADVISORY COMMITTEE:

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Puryear and **carried** to appoint the following individuals to the Community Development Block Grant Advisory Committee:

Julie Kelly – City of Roxboro; Froncello Bumpass – Roxboro Housing Authority; Pattie H. Kapp – USDA, Rural Development; Erica Bryant – Department of Social Services; Sandra Hicks – Council on Aging; Mary Smaw – Former Grant Recipient.

APPOINTMENTS TO VARIOUS BOARDS AND COMMITTEES:

Adult Care Home Community Advisory Committee

A **motion** was made by Commissioner Yarborough, **seconded** by Commissioner Puryear and **carried** to appoint Eva McDougal to a three (3) year term and Stephen Johnson to one-year (1) initial term on the Adult Care Home Community Advisory Committee.

Airport Commission

No applicants – To be re-advertised

Nursing Home Advisory Committee

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to appoint Stephen Johnson to a one (1) year initial term on the Nursing Home Advisory Committee.

Orange-Person-Chatham Area Mental health Board

No applicants – To be re-advertised

Person Area Transportation System Board of Directors

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to appoint Corlis Green to a three (3) year term on the Person County Transportation System Board of Directors.

Recreation Advisory Council

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Yarborough and carried to appoint Barry Matherly to a one-year on the Recreation Advisory Council representing Bushy Fork Athletic Club.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to appoint Anthony Horton to a one (1) year term on the Recreation Advisory Council representing the Hurdle Mills Booster Club.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Bowes and **carried** to appoint Phillip Burton to a one (1) year term on the Recreation

Advisory Council representing Helena Booster Club. Prior to the meeting Mr. Burton and Mr. Randy Teasley, the only other applicant, participated in the Board interview process.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Yarborough and **carried** to appoint Doug Crutchfield to a one (1) year term on the Recreation Advisory Council representing the Roxboro Reds Booster Club.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Yarborough and **carried** to appoint Benjamin Taborn to a one (1) year term on the Recreation Advisory Council representing the Person County Starz.

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Yarborough and **carried** to appoint Kirk William Redman to a one (1) year term on the Recreation Advisory Council representing Zion Christian Academy.

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Puryear and **carried** to appoint Bertha McGhee and Millard Thacker to three (3) year terms on the Region K Aging Advisory Council.

A **motion** was made by Chairman Lunsford, **seconded** by Commissioner Puryear and **carried** to appoint Shirley Julian to a three (3) year term on the Tourism Development Authority representing a Motel/Hotel/Bed & Breakfast.

A **motion** was made by Commissioner Puryear, **seconded** by Chairman Lunsford and **carried** to appoint Herman Gentry, Jr. to a three (3) year term on the Tourism Development Authority representing the general public. Prior to the meeting both Mr. Gentry and Ms. Stacy Thomas, the only other applicant, participated in the Board's interview process.

CHAIRMAN'S REPORT:

Chairman Lunsford asked the other members of the Board if they had an preference of Committee on which to serve.

Chairman Lunsford asked if there were changes the Board wished to make to the Rules of Procedure as adopted on February 13, 2007. There were none.

ADOPTION OF RULES OF PROCEDURE:

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to re-adopt the Rules of Procedure as originally adopted on February 13, 2007.

100 YEARS OF COUNTY UNITY:

A **motion** was made by Commissioner Clayton, **seconded** by Commissioner Puryear and **carried** approving Person County's participation in the 100 Years of County Unity program as designed and outlined by the NCACC.

MANAGER'S REPORT:

- ▶ Health Director Janet Clayton updated the Board regarding water pollution on Halifax Road-Hwy 49. She stated that water sampling and resampling is continuing by the Health Department Environmental Health staff and the EPA. Some results of the resampling varies. She said currently there are twenty-one homes on bottled water; seven of those are on point of entrance systems. These systems filter the water where it comes into the residence. Those seven have had follow-up water samples to ensure the systems are working properly, therefore they will be removed from the bottled water list and fourteen will remain. The EPA will continue to furnish water to those who have wells contaminated with solvents. The underground storage tank division in Raleigh will continue to provide bottled water to homes who have wells contaminated with petroleum products. The Superfund from DEHNR will begin work in the next week with EPA on the sites.

Commissioner Clayton complimented the Health Director and the Environmental Health staff for their outstanding work with all the coordinating agencies.

- ▶ Transportation Improvement Program meetings have been scheduled for February 20th and 21st of February
- ▶ Annual Report from Person Industries - BeeLine Designs – in each Commissioner's packet
- ▶ Joint meeting with Yanceyville, Caswell County, City of Roxboro, Person County will be at 7:00 p.m. on January 16, 2008 – the location to be determined
- ▶ Audit reports will be out soon. Local Government Commission to give approval and will most likely be presented by the auditor at the mid-January meeting
- ▶ Snow removal – NCDOT policy this year will be that DOT equipment from Person County will be sent to Durham County to help with snow removal on the major highways, i.e. interstates, then will return to Person County to clear road, beginning with , US 158, then other secondary roads. NCDOT officials have been notified that this is not an acceptable plan for Person County. Members of the public, as well as officials, were urged to contact Mr. Brandon Jones at 220-4600.

COMMISSIONER REPORTS/COMMENTS: None

CLOSED SESSION:

A **motion** was made by Commissioner Puryear, **seconded** by Commissioner Bowes and **carried** to go into Closed Session at 9:13 p.m. pursuant to **G.S.143-31811(3)**-consultation with attorney.

ADJOURNMENT:

At 9:35 p.m., the meeting returned to open session with no public statement and was adjourned by motion of Commissioner Clayton with a second from Commissioner Bowes.

Faye T. Fuller, CMC
Clerk to the Board

Johnny Myrl Lunsford
Chairman