

**PERSON COUNTY BOARD OF COMMISSIONERS**  
**MEMBERS PRESENT**

**JUNE 5, 2012**  
**OTHERS PRESENT**

Jimmy B. Clayton  
Kyle W. Puryear  
B. Ray Jeffers  
Samuel R. Kennington  
Frances P. Blalock

Heidi York, County Manager  
C. Ronald Aycock, County Attorney  
Brenda B. Reaves, Clerk to the Board

The Board of Commissioners for the County of Person, North Carolina, met in recessed session on Tuesday, June 5, 2012 at 8:30 a.m. in the Commissioners' meeting room in the Person County Office Building.

Chairman Clayton called the meeting to order. County Attorney, Ron Aycock was present until 9:15 am.

With no further discussion or public comments related to the Budget Public Hearing, Chairman Clayton called for a motion to close the Budget Public Hearing.

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Blalock and **carried 5-0** to close the Public Hearing for the Fiscal Year 2012-2013 Manager's Recommended Budget.

County Manager, Heidi York indicated the County Attorney would be in attendance for a short period of time and asked if the Board would like to have a discussion related to Stormwater while he was present.

County Attorney, Ron Aycock provided the Board with a tentative opinion on the motion for a moratorium on the enforcement of the Falls Watershed Stormwater Ordinance for New Development until the Board can obtain further information from Raleigh (State of NC) noting he would be doing more research and providing a written opinion. Mr. Aycock stated he was 99% sure that there is no substantial, legal distinction between failure to adopt the land use ordinance and failure to enforce thereby subjecting the county and the Board members to penalties. Mr. Aycock further noted Person County is required to enforce the law by July 15, 2012 and can not put a date limitation or a condition for a moratorium. Mr. Aycock added the recently adopted moratorium to suspend enforcement of the Planning Ordinance applied to a locally authorized, non-mandated planning law differs from NC law for stormwater regulations.

Commissioner Kennington stated the Board does not want to jeopardize Person County but sought alternatives, if any. Commissioner Kennington noted the general public needs some type of information meeting related to the ordinance and the impact on contractors, stormwater maintenance of future subdivisions, lawyers, and many others that will be affected. Commissioner Blalock stated the need for the Board and the public to know the fees imposed for a study, a stormwater plan, etc. for new construction. Ms. York stated she would ask the Planning Director to join the group to offer an opinion.

Chairman Clayton stated it was the consensus of the Board at its last meeting to create the utility without any fees or taxes being imposed upon the residents of Person County. Chairman Clayton added the Utility Ordinance would create the mechanism to work cooperatively with the other jurisdictions to share resources at a costs saving noting an Interlocal Agreement would be forthcoming for the Board's consideration.

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Commissioner Kennington asked the County Manager if she could cut \$250,000 from the recommended budget or would the stormwater utility expenses need to be paid from the county Fund Balance. Ms. York recommended a Fund Balance appropriation. Ms. York stated based on the fee structure, \$236,855 which includes salary and wages, stormwater administration, wastewater remediation, contracted services, and dues projected by the consultant.

A **motion** was made by Commissioner Kennington, **seconded** by Vice Chairman Puryear, to appropriate up to \$250,000 for the Stormwater Fund from Fund Balance.

Commissioner Jeffers asked for the impacts on the county fund balance by the appropriation. Ms. York stated worst case scenario with zero growth, the fund balance would at 24% noting staff are projecting some revenue growth so she would estimate the fund balance would be approximately 26%. Commissioner Jeffers reminded the Board the appropriation would be a recurring cost.

An **amended motion** was made by Commissioner Kennington, **seconded** by Vice Chairman Puryear, to appropriate \$236,855 for the Stormwater Fund from Fund Balance and to request a monthly financial report on that fund and a monthly statement from Person County's House of Representative on the progress being made in the legislature.

A **substitute motion** was made by Commissioner Jeffers, **seconded** by Commissioner Blalock, to take \$135,000 from the CIP Approved projects for paving the driveway and parking lots at Animal Control, PW maintenance and Mayo as well as to direct the County Manager for a recommendation for the other \$100,000. The **substitute motion died for lack of majority 2/3** with Chairman Clayton, Vice Chairman Puryear and Commissioner Kennington casting the dissenting votes.

A second **substitute motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Kennington, to take \$135,000 from the CIP Approved projects for paving the driveway and parking lots at Animal Control, PW maintenance and Mayo, \$65,000 from the CIP Approved projects for the Phase I Walking Track Repaving and Repairs, and \$36,000 from the Recommended Merit Program. The **second substitute motion died for lack of majority 1/4** with Chairman Clayton and Commissioners Kennington, Blalock and Jeffers casting the dissenting votes.

A **motion** was made by Commissioner Kennington, **seconded** by Commissioner Blalock, and **carried 5-0** to table the amended motion to appropriate \$236,855 for the Stormwater Fund from Fund Balance and to request a monthly financial report on that fund and a monthly statement from Person County's House of Representative on the progress being made in the legislature.

Ms. York asked the Planning Director, Paula Murphy for the typical, individual landowner study fee related to the Stormwater. Ms. Murphy compared the fee to Butner's phase II at approximately \$800 to draw the stormwater plans noting Person County does not have an engineer on staff. Ms. Murphy stated the utility sharing of resources would aid in that process without the homeowner having additional costs.

Ms. York outlined to the Board follow-up items from the May 29, 2012 budget work session related to an updated compensation study, a comparison illustrating permitting fees to

other counties, a detailed listing of all the buildings that the County is currently leasing and details on the rental rates. Ms. York followed up regarding the School Maintenance Facility which the Schools plan to construct at the new bus garage in Fiscal Year 2017 CIP noting the plan is to revert the old facility to the County. Ms. York stated the study to estimate the costs to bring the old Helena property up to code at \$9,000-\$10,000. The remaining follow up item related to the Roxboro Development Group (RDG) funding would be discussed at the joint meeting with the City of Roxboro on June 7, 2012.

A **motion** was made by Vice Chairman Puryear, **seconded** by Commissioner Kennington, and **carried 3-2** to remove the merit pay option from the 2012-2013 budget. Chairman Clayton and Commissioner Jeffers cast the dissenting votes.

Ms. York asked the Board if they would like to review any other options for employee compensation. It was the consensus of the Board to not review any other options for inclusion in the budget related to employee compensation.

Ms. York illustrated for the Board that the unified fees with benchmarked peer counties indicated Person County had lower fees in many cases than Granville, Durham, Orange, and comparable with Franklin and Vance.

Ms. York discussed with the Board county leasing agreements noting the Chamber, PCC, Freedom House and the Museum all located in county buildings pay minimum or no rent while the PI main facility is owned by the county with the land owned by others at a cost. Ms. York confirmed the Library House is currently being rented out and reviewed for disposal by selling with the proceeds going to the Library trust fund. Commissioner Kennington noted at the end of the Health and Human Services building lease agreement, there is an option to purchase the building at the current market value.

It was the consensus of the Board to include in the upcoming budget \$10,000 for a study to evaluate the old Helena School property. Commissioner Kennington stated the opportunity the old Helena property study with the new Person Future's Plan. Ms. York told the Board that a visioning committee related to the possible uses of the old Helena School property would be created after the budget was completed.

Chairman Clayton recessed the Board for a brief break at 10:17 am. The Board reconvened at 10:23 am.

Ms. York reviewed the requests that were made by individuals at the Budget Public Hearing:

\$36,000	RDG	\$16,245 in recommended budget
\$ 3,500	RAMA	(Roxboro Area Merchants Assoc.) Decorations
\$ 2,000	Chamber	Personality
\$50,000	PCGH	Generations Day
\$50,000	Drug Court	
	DSS	need for additional positions

Ms. York stated that Dr. Cartner, Person County Superintendent, has requested Board re-consideration for \$485,000 in one-time appropriation projects to fund laptops at \$400,000, helmets at \$60,000 and \$25,000 in narrow band radio upgrades.

Due to the changes with the State reversion and Person County Schools due to have \$1.3 million restored, it was the consensus of the Board to not re-consider additional funding.

Commissioner Kennington stated and the Board members agreed that consideration of non profits was not prudent with the decision to cut the employee's merit pay program. It was the consensus of the Board to not fund PCGH or the other DSS county positions and wait until the joint meeting with the City of Roxboro to further discuss RDG, RAMA and the Chamber requests. Commissioner Jeffers reiterated his principle to not consider non profits unless the process is open up to all non profits.

Chairman Clayton asked the Board's consideration to Judge Galloway/District Attorney's one-time request. It was the consensus of the Board to grant the one-time \$50,000 appropriation for the Drug Court administrator. The Board directed Ms. York to follow up with Judge Galloway related to the specifics of the appropriation.

Commissioner Blalock stated her preference to enter into a contract with the schools at some point to educate the community about increasing recycling with incentives to share in the revenues. Commissioner Blalock advocated for a recycling ordinance.

Chairman Clayton told the group the Board of Commissioners will be meeting jointly with the City of Roxboro on June 7, 2012 at 6:00 pm in the Auditorium.

Ms. York stated the Board would be meeting jointly with the Planning Board on June 14, 2012 at 6:00 pm in the Board room. It was the consensus of the Board to have another budget work session at 7:00 pm on June 14, 2012 in the FEMA room. The Board elected to stream the budget work session on the June 14, 2012 and not the joint meeting with the Planning Board.

A **motion** was made by Commissioner Kennington, **seconded** by Vice Chairman Puryear, and **carried 5-0** to un-table the amended motion to appropriate \$236,855 for the Stormwater Fund from Fund Balance and to request a monthly financial report on that fund and a monthly statement from Person County's House of Representative on the progress being made in the legislature.

The **amended motion** made by Commissioner Kennington, **seconded** by Vice Chairman Puryear, **carried 4-1** to appropriate \$236,855 for the Stormwater Fund from Fund Balance and to request a monthly financial report on that fund and a monthly statement from Person County's House of Representative on the progress being made in the legislature. Commissioner Jeffers cast the one dissenting vote.

**RECESS:**

A **motion** was made by Vice Chairman Puryear, **seconded** by Chairman Clayton, and **carried 5-0** to recess the meeting at 11:07 am until June 7, 2012 at 6:00 pm in the Auditorium to meet jointly with the City of Roxboro.

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Brenda B. Reaves  
Clerk to the Board

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Jimmy B. Clayton  
Chairman

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