

PERSON COUNTY BOARD OF COMMISSIONERS

AUGUST 5, 2013

MEMBERS PRESENT

OTHERS PRESENT

Jimmy B. Clayton
Kyle W. Puryear
B. Ray Jeffers
Frances P. Blalock
David Newell, Sr. - ABSENT

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 regular session on Monday, August 5, 2013 at 7:00 pm in the Commissioners' meeting room in the Person County Office Building.

Chairman Clayton called the meeting to order, led invocation and asked Vice Chairman Jeffers to lead the Pledge of Allegiance. Commissioner Newell was absent from the meeting.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

Chairman Clayton stated a need to add an agenda item for a commissioner alternate to the Work Force Development Board.

A **motion** was made by Vice Chairman Jeffers and **carried 4-0** to add the agenda item for a commissioner alternate to the Work Force Development Board and to approve the agenda as adjusted.

PUBLIC HEARING:

FINANCIAL GRANT INCENTIVE FOR PROJECT LINE5 ESTIMATED AT \$1,074,290 OVER TEN YEARS:

A **motion** was made by Vice Chairman Jeffers and **carried 4-0** to open the recessed public hearing related to a financial grant incentive for Project Line5 estimated at \$1,074,290 over ten years.

Economic Development Director, Stuart Gilbert stated Project Line5 is a code name of a business that is interested in establishing a new manufacturing operation in Person County. Mr. Gilbert noted a public hearing notice has already been provided and a public hearing was originally scheduled for May 20, 2013 at which time the Board took action at the request of the company representatives to recess the public hearing on May 20, 2013, June 17, 2013, and July 15, 2013 to August 5, 2013. Mr. Gilbert informed the Board that Project Line5 company representatives have modified the actual net new investment to \$6 million in new real estate and \$29 million in new capital equipment investment. Based on these slight changes, Mr. Gilbert outlined the new estimated financial grant incentive to be decreased to \$1,011,966.00 over ten years.

Mr. Gilbert requested Board consideration to authorize a motion to approve \$1,011,966.00 over ten years to Project Line5 in financial cash grants based on net new investment in the amount as follows:

Year 1: 85%, Year 2: 85%, Year 3: 85%, Year 4: 80%, Year 5: 75%, Year 6: 50%, Year 7: 25%, Year 8: 20%, Year 9: 15%, Year 10: 10%, and authorize Person County Board of Commissioners' Chairman, Jimmy B. Clayton and County Clerk, Brenda B. Reaves to affix their signatures to documents outlining this financial cash grant investment by Person County based on the hiring of 40 new jobs at an average annual salary of \$42,000 by 2016 and the creation of \$35 million dollars of net new investment by 2016. Furthermore, the Board of Commissioners authorize Person County officials to submit a One NC application to the NC Department of Commerce and pay the required match out of the financial cash grant investments outlined above.

There were no individuals appearing before the Board to speak in favor or in opposition to the financial grant incentive for Project Line5.

A **motion** was made by Vice Chairman Jeffers and **carried 4-0** to close the public hearing related to a financial grant incentive for Project Line5.

CONSIDERATION TO APPROVE FINANCIAL GRANT INCENTIVE FOR PROJECT LINE5:

A **motion** was made by Commissioner Blalock and **carried 4-0** to approve \$1,011,966.00 over ten years to Project Line5 in financial cash grants based on net new investment in the amount as follows:

Year 1: 85%, Year 2: 85%, Year 3: 85%, Year 4: 80%, Year 5: 75%, Year 6: 50%, Year 7: 25%, Year 8: 20%, Year 9: 15%, Year 10: 10%, and to authorize Person County Board of Commissioners' Chairman, Jimmy B. Clayton and County Clerk, Brenda B. Reaves to affix their signatures to documents outlining this financial cash grant investment by Person County based on the hiring of 40 new jobs at an average annual salary of \$42,000 by 2016 and the creation of \$35 million dollars of net new investment by 2016. Furthermore, the Board of Commissioners authorize Person County officials to submit a One NC application to the NC Department of Commerce and pay the required match out of the financial cash grant investments outlined above.

INFORMAL COMMENTS:

There were no comments from the public.

APPROVAL OF MINUTES:

A **motion** was made by Vice Chairman Jeffers and **carried** to approve the minutes of July 15, 2013.

OLD BUSINESS:

REVIEW OF JUNKYARD ORDINANCE:

Aaron Holland, Joint City-County Planning Director reminded the Board at their July 15, 2013 meeting staff was requested to review current enforcement effectiveness and to review possible options for enforcement.

Currently, the Person County Sheriff's Office provides enforcement for both the Junkyard Ordinance and the Unregistered Vehicle Ordinance. It was stated that in the past, the court system has dismissed cases regarding ordinance violations due to lack of representation of the individual making the complaint. Mr. Holland noted a suggestion was made to amend the enforcement procedures to be similar to those found in the Person County Zoning Ordinance and allow for assessment and collection of civil penalties.

Mr. Holland outlined the proposed enforcement procedure would consist of a collaborative effort between the Sheriff's Office and the Planning Department. Once a complaint has been received, the Sheriff's Office would verify the complaint and advise the defendant of their options. If the complaint has not been brought into compliance by the designated date, the Planning Department will issue a Notice of Violation letter which will outline a deadline to initiate daily fines and filing of court charges. The Planning Department will represent the County as plaintiff, and both the Sheriff's Office and the Planning Department will be present in court if the complaint reaches court proceedings. The fines accumulated will be placed on the property as a lien (if possible).

County Manager, Heidi York stated no text amendments are needed to clarify enforcement and allow for collection of civil penalties. Instead, changes to the enforcement process will allow the Sheriff's Office and the Planning Department to collect fines more quickly. Ms. York suggested the Board authorize the new procedures noting after a one-year trial an evaluation could take place to consider changes to the ordinance(s) if warranted.

A **motion** was made by Vice Chairman Jeffers and **carried 4-0** to authorize the Planning Department and Sheriff's Office to work under the new procedures as presented.

It was the consensus of the Board for staff to issue a press release advising citizens of the new procedures.

NEW BUSINESS:

CDBG MONTHLY REPORTING:

County Manager, Heidi York presented to the Board the CDBG monthly activities report and a Monthly Performance Status Report for July 2013 that is due to be submitted to the Division of Community Assistance.

A **motion** was made by Commissioner Blalock and **carried 4-0** to accept the monthly report as presented.

BUDGET AMENDMENT:

Finance Director, Amy Wehrenberg presented and explained the following Budget Amendment.

Upon a motion by Vice Chairman Jeffers and majority vote (4-0), the Board of Commissioners of Person County does hereby amend the Budget of the General Fund(s) on this, the 5th day of August 2013, as follows:

<u>Dept./Acct No.</u>	<u>Department Name</u>	<u>Amount</u> Incr / (Decr)
<u>EXPENDITURES</u>	<u>General Fund</u>	
	Public Safety	60,000
	Human Services	19,854
	Education	(40,000)
	Culture and Recreation	40,000
<u>REVENUES</u>	<u>General Fund</u>	
	Intergovernmental Revenues	60,000
	Fund Balance Appropriation	19,854

Explanation:

Moving capital funds to Kirby Theater department for Kirby Rebirth project; appropriate DSS fund balance for temporary help for the conversion of all income maintenance files to NCFAST (\$19,854); and receive Hazard Mitigation Grant funds for purchase and installation of backup generator for Person County Emergency Operations Center (\$60,000).

COMMISSIONER ALTERNATE TO THE WORK FORCE DEVELOPMENT BOARD:

Chairman Clayton stated his reason to add this item to the agenda was due to a special called Work Force Development Board meeting for Thursday, August 8, 2013 at 5:30 pm to be held at the Kerr Tar Regional Council of Government (COG) office in Henderson and the fact Commissioner Newell, the commissioner representative on the Work Force Development Board is out of town and unavailable to attend. Chairman Clayton volunteered to attend the meeting.

A **motion** was made by Commissioner Puryear, and **carried 4-0** to appoint Chairman Clayton as the alternate commissioner representative to the Work Force Development Board.

CHAIRMAN'S REPORT:

Chairman Clayton bid congratulations to Vice Chairman Jeffers on his recent appointment to Chair on the NACo Rural Action Caucus Committee as well as his upcoming installation on August 24, 2013 to President of the NC Association of County Commissioners (NCACC). County Attorney, Ron Aycock stated the significant honor of Vice Chairman Jeffers becoming the youngest ever and first Personian to serve as the NC ACC President.

Chairman Clayton reminded the Board to submit their County Manager Evaluation Forms to the Clerk by August 9, 2013.

MANAGER'S REPORT:

County Manager, Heidi York reminded the Board of the open house and ribbon cutting for the Person County Learning Academy to be held on August 8, 2013 at 5:30pm in the new facility. Ms. York pointed out the new technical upgrades (two new screens, one each located at the front and back of the room) provided and installed by the IT and General Services' staff in the Commissioners' board room. Ms. York informed the group a white board will be added to the room as well following staff training.

COMMISSIONER REPORT/COMMENTS:

Commissioner Blalock stated her desire for representation at the Hoke County (Raeford) open house (ribbon cutting 11:00 am) and tour (up to 4:00 pm) of their school that is energy neutral scheduled for August 17, 2013. Commissioner Blalock also noted she would be attending a reorganization meeting for the Retry Program on August 8, 2013 with interested citizens at the Burris House.

Commissioner Puryear stated thanks to the Governor of NC for securing \$500,000 in grant funds for use in Person County for economic development. Commissioner Puryear asked for an update on the High Speed Internet/Broadband outsourcing bid process. Assistant County Manager, Sybil Tate responded that bids have been received with a selection committee review of bids scheduled for August 6, 2013. County Manager, Heidi York noted an update would be given to the Board at their next meeting along with a presentation from Andrew Cohill focusing on community collaboration, alternatives and innovative ideas related to broadband initiatives.

Vice Chairman Jeffers stated he would be speaking to the Rotary Club on August 8, 2013 regarding his new roles with NCACC and NACo.

Chairman Clayton stated a need for a committee to be formed for citizen input related to the old Helena School site potential uses. County Manager, Heidi York stated she would include on the next Board agenda a mission statement with a list of names of citizens interested in being a part of the revitalization of this county property. Chairman Clayton urged interested citizens to contact the County Manager.

Vice Chairman Jeffers requested the County Manager and the Finance Director to participate in a conference call on August 9, 2013 related to public/private partnerships.

CLOSED SESSION #1

A **motion** was made by Vice Chairman Jeffers, and **carried 4-0** to enter Closed Session per General Statute 143-318.11(a)(5) to consider the acquisition or lease of real property at 7:28 pm with the following individuals permitted to attend: County Manager, Heidi York, Clerk to the Board, Brenda Reaves, County Attorney, Ron Aycock, Assistant County Manager, Sybil Tate, General Services Director, Ray Foushee, Person Industries Director, Wanda Rogers, Person Industries Assistant Director, Becky Clayton and Summer Intern, Brittany Bennett.

August 5, 2013

A **motion** was made by Vice Chairman Jeffers, and **carried 4-0** to return to open session at 7:48 pm.

Following Closed Session #1, Chairman Clayton requested Board consideration of an Offer to Purchase and Contract received from Dansco LLC regarding property located at 2285 Durham Road, Roxboro containing 11.18 acres and warehouse and buildings on Tax Map 99 Lot #5 in the amount of \$1,520,000.

A **motion** was made by Commissioner Blalock and **carried 3-1** to accept the offer from the Seller subject to clarification of the offer as follows: 1) compliance with all county legally required procedures; and 2) \$20,000 deposit to be returned to the Buyer if the following conditions are not met: a) completion of rezoning from B-1 Highway Commercial to L-1 Light Industrial, b) railroad easement agreement, and c) environmental assessment related to certification of brownfield compliance. Commissioner Puryear cast the lone dissenting vote.

CLOSED SESSION #2

A **motion** was made by Vice Chairman Jeffers and **carried 4-0** to enter Closed Session per General Statute 143-318.11(a)(5) to consider the acquisition or lease of real property at 7:51 pm with the following individuals permitted to attend: County Manager, Heidi York, Clerk to the Board, Brenda Reaves, County Attorney, Ron Aycock, Assistant County Manager, Sybil Tate, General Services Director, Ray Foushee and IT Director, Gary Latta.

A **motion** was made by Vice Chairman Jeffers and **carried 4-0** to return to open session at 7:54 pm.

ADJOURNMENT:

A **motion** was made by Vice Chairman Jeffers and **carried 4-0** and **carried** to adjourn the meeting at 7:54 pm.

Brenda B. Reaves
Clerk to the Board

Jimmy B. Clayton
Chairman

August 5, 2013