

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

SEPTEMBER 19, 2016
OTHERS PRESENT

David Newell, Sr.
Tracey L. Kendrick
Jimmy B. Clayton
Kyle W. Puryear
B. Ray Jeffers

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, September 19, 2016 at 9:00am in the Commissioners' meeting room in the Person County Office Building.

Chairman Newell called the meeting to order. Commissioner Clayton gave an invocation and Commissioner Puryear led the group in the Pledge of Allegiance.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

Chairman Newell requested an additional Closed Session be added to the agenda to consult with the attorney.

A **motion** was made by Vice Chairman Kendrick and **carried 5-0** to add the requested Closed Session to the agenda and to approve the agenda as adjusted.

RECOGNITION:

RESOLUTIONS OF APPRECIATION:

Chairman Newell read and presented a Resolution of Appreciation to Person County Retiree, Cynthia Petty.

September 19, 2016

RESOLUTION OF APPRECIATION

WHEREAS, Lieutenant Cynthia Petty has served the people of Person County during her tenure working for Person County's Sheriff Department, most recently as the Sheriff's Deputy Division Supervisor; and

WHEREAS, Lieutenant Cynthia Petty has served the citizens of Person County with honor, integrity, sincerity and dedication, providing accurate, concise services from July 1987 - August 2016, retiring with thirty years of service; and

WHEREAS, Lieutenant Cynthia Petty has earned the respect and admiration of all who have known her and worked with her throughout her career; and

WHEREAS, the County of Person recognizes the many contributions Lieutenant Cynthia Petty has made to the County and offers her sincere best wishes for her retirement.

NOW, THEREFORE, I, David Newell, Sr., Chairman of the Person County Board of Commissioners, do hereby extend this Resolution of Appreciation to Lieutenant Cynthia Petty for continually striving to make Roxboro and Person County a better place to live and work.

Adopted this the 19th day of September, 2016.



David Newell Sr.
David Newell, Sr., Chairman
Person County Board of Commissioners

Attest:

Brenda B. Reaves
Brenda B. Reaves, NCCC, CMC
Clerk to the Board

September 19, 2016

A PROCLAMATION FOR THE AMERICAN CANCER SOCIETY'S RELAY FOR LIFE OF PERSON COUNTY:

Chairman Newell read and presented to Ms. Michelle Nance and Ms. Carmen Carden a Proclamation for the American Cancer Society's Relay for Life of Person County.

*A Proclamation for the American Cancer Society's Relay For Life
Of Person County*

Whereas, Relay For Life is the signature activity of the American Cancer Society and celebrates cancer survivors and caregivers, remembers loved ones lost to the disease, and empowers individuals and communities to fight back against cancer; and

Whereas, The American Cancer Society is a voluntary community-based coalition of local citizens dedicated to eliminating cancer as a major health problem through financial support and education awareness; and

Whereas, money raised during Relay For Life of Person County supports the American Cancer Society's mission of saving lives and creating a world with less cancer and more birthdays and financially benefits the American Cancer Society's research and patient support programs, and educationally benefits our local citizens; and;


Whereas, the color purple is the signature color of the American Cancer Society's Relay For Life events signifying the passion that cancer survivors and their families and loved ones feel for the eradication of this disease, and

Whereas, the American Cancer Society's Relay For Life in Person County is a community event that allows an opportunity to network with businesses, associates, family and friends, with the same goal of making a difference in the battle against cancer;


Now Therefore, the Person County Board of County Commissioners **Does Hereby Proclaim** September 26-30, 2016 as **Paint the County Purple Week**; and September 30-October 1, 2016 as **RELAY FOR LIFE** Days throughout Person County and urge all citizens to recognize and participate in this anticancer campaign held in our community.

Now therefore, the Person County Board of Commissioners also **proclaims** the recognition of the **RELAY FOR LIFE** event as the "PURPLE RIBBON CAMPAIGN" to show your support to those individuals living with cancer, and honor those individuals that have lost their lives to the dreaded disease of cancer.

Adopted this 19th day of September, 2016.


David Newell, Sr., Chairman

Attest:


Brenda B. Reaves, Clerk to the Board



September 19, 2016

INFORMAL COMMENTS:

The following individuals appeared before the Board to make informal comments:

Ms. Betty Blalock of 144 Tirzah Ridge, Rougemont illustrated how Orange and Durham Counties partnered to protect a large significant ecological area, now known as the Little River Park, noting she felt the citizens residing in the eastern part of the County, near the landfill, were deemed insignificant.

DISCUSSION/ADJUSTMENT/APPROVAL OF CONSENT AGENDA:

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve the Consent Agenda with the following items:

- A. Budget Amendment #6, and
- B. Tax Adjustments for the month of September 2016
 - a. Tax Releases
 - b. NC Vehicle Tax System pending refunds

UNFINISHED BUSINESS:

PERSON COUNTY ENVIRONMENTAL ISSUES ADVISORY COMMITTEE RECOMMENDATIONS AND REQUEST FOR THE BOARD OF COMMISSIONERS TO ADOPT A RESOLUTION FOR IMPROVING ROADSIDE CLEANUP IN PERSON COUNTY, A RESOLUTION FOR EDUCATION AND ACTION ON RECYCLE MATERIALS, A RESOLUTION TO RE-STIMULATE THE ADOPT A HIGHWAY PROGRAM AND A RESOLUTION FOR COUNTY-WIDE MANDATORY RECYCLING:

Commissioner Jeffers recognized two members of the Environmental Issues Advisory Committee, present in the audience, Ms. Frances Blalock and Ms. Sandy Pleasants.

Commissioner Jeffers presented and read each of the four resolutions that the Environmental Issues Advisory Committee requested the Board of Commissioners' consideration to adopt: A Resolution for Improving Roadside Cleanup in Person County; A Resolution for Education and Action on Recycle Materials; A Resolution to Re-Stimulate the Adopt a Highway Program; and A Resolution for County-Wide Mandatory Recycling

A **motion** was made by Vice Chairman Kendrick and **carried 3-2** to table the Board's consideration on the four resolutions presented. Chairman Newell, Vice Chairman Kendrick and Commissioner Puryear voted in support of the motion. Commissioners Clayton and Jeffers voted in opposition to the motion.

NEW BUSINESS:

MT. TIRZAH STORMWATER AGREEMENT:

Assistant County Manager, Sybil Tate stated the State of NC will meet the threshold for the stormwater regulations with the construction of a public safety tower at Mt. Tirzah. The disturbed area will be greater than 12,000 sq. ft., so the State will be required to engineer and construct a stormwater BMP. Ms. Tate said the State was requesting the County be responsible for maintaining and inspecting the BMP in perpetuity. Ms. Tate noted that the stormwater funds will be used to pay for such maintenance, which could include mowing, planting, and trash removal and inspections.

A **motion** was made by Vice Chairman Kendrick and **carried 5-0** to approve the County to be responsible for maintenance and inspections of the Mt. Tirzah public safety tower BMP.

FIRE AND RESCUE AUDIT PROPOSALS:

Finance Director, Amy Wehrenberg informed the Board that as allowed under the current terms of the special purpose audit proposal for the fire and rescue agencies, the County has negotiated with the current contracted auditor, Winston, Williams, Creech & Evans (WWCE) to provide audit services for FY2016 to eight volunteer fire departments. Please note that their proposal does not incorporate Woodsdale Volunteer Fire Department for which they had to exclude due to having a staff member that recently performed some financial services for this agency, disqualifying their firm from being able to offer an independent opinion of Woodsdale's audit for FY2016. WWCE's estimated cost per agency was offered at \$2,750 per report, which was the same amount they charged for the recently published FY2014 fire and rescue audits. Due to the independent opinion issue with Woodsdale, Person County submitted a request for proposal and received one from William L. Stark and Company located in Henderson, NC who has offered to provide the requested services for Woodsdale Volunteer Fire Department at a cost of \$2,950, slightly above the estimate from WWCE. Ms. Wehrenberg recommended that should both proposals be approved, that the total cost of \$24,950 be appropriated from fund balance to the contracted services line item in Governing Body, where the previous fire and rescue audit contracts were previously expensed.

Ms. Wehrenberg requested the Board to approve both audit proposals and funding as presented for the nine volunteer fire and rescue departments.

Commissioner Jeffers asked why the funding was recommended from fund balance and not the undesignated contingency to which staff replied their preference to hold the undesignated contingency for unplanned emergency use for the remainder of the fiscal year.

Commissioner Jeffers noted the volunteer fire and rescue departments felt rushed during the last audit to provide the requested materials. Ms. Wehrenberg agreed the last audit had a short turnaround for the auditors to complete the work but noted the FY2016 audit would allow more time noting they would have up to April 30, 2017 to provide the requested information to the auditors.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to approve both audit proposals and the funding source as presented.

REVIEW OF THE COUNTY'S REVOLVING LOAN FUND PROGRAM:

The Person County Revolving Loan Fund Program was established to support and promote economic development of small businesses in the County. County Manager, Heidi York stated the Board, at its August 15, 2016 meeting, approved an application for a business loan in the amount of \$50,000 at an interest rate of 1.75% (one-half of prime) for a ten-year term. Prior to that, two other loans were granted and successfully repaid. By action of the Board on August 15, 2016, the County Manager was instructed to review the Loan Program and bring back recommended updates and revisions.

Ms. York noted that staff has gathered materials from other jurisdictions that offer a similar small business loan program. A summary review of that information follows:

Franklin County:

- Program is managed by their Economic Development Commission and their Committee of 100
- Amounts: maximum loan of \$99,000 and a minimum of \$20,000
- Terms: depends on the use of the funds- Fixed Assets (10 years); Equipment (3-5 years); and Working Capital (1-3 years)
- Rates: maximum of prime rate with a minimum rate of 4%

Orange County:

- Amounts: maximum of \$50,000 and minimum of \$5,000
- Terms: maximum term is 5 years (except 7 years for the purchase or improvement of real estate)
- Rates: rate is based on the length of the loan term:
 - a. Up to 2 years Prime plus 2%
 - b. 2 up to 3 years Prime plus 2.25%
 - c. 3 up to 4 years Prime plus 2.5%
 - d. 4 up to 7 years Prime plus 3%

Roseboro, NC:

- Program was recently revised in August of 2016
- Amounts: maximum of \$25,000 and minimum of \$5,000
- Terms: depends on the use of funds (same as Franklin County above). All loans will not exceed 60 months
- Rates: maximum of prime rate with a minimum rate of 4%

Kerr Tar Regional Council of Governments (COG):

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- Program serves the five counties in the Kerr-Tar region, plan reviewed every 5 years
- Amounts: maximum of \$200,000 or 75% of the total project cost, whichever is lesser; minimum of \$25,000
- Terms: based on purpose and collateral offered:
 - a. land & building: 15 years
 - b. machinery & equipment: 10 years new, 7 years used
 - c. capital: 5 years
- Rates: minimum is 4% or 75% of prime

Ms. York told that Board that based on a review of the information gathered, Person County's current interest rate which is half of prime was not competitive and suggested setting a minimum rate and a maximum rate which was the norm.

Commissioner Clayton commented the COG's program was reviewed by a bank prior to being presented to the COG Board noting the COG small business program was available to all COG regional member counties and municipalities. Ms. York added that the COG reviews its program every five years to maintain competitive rates and terms.

Ms. York stated the Board did have some room related to the language for the County's Revolving Loan Fund Program interest rates and read "the interest rate shall be set at no less than 50% of prime" and that the practice has been that the loans were set at 50% of prime.

Vice Chairman Kendrick stated that in light of the COG program being available with dedicated staff to work on the small business applications, he opened discussion related to his preference to referring Person County residents to use the COG program.

A **motion** was made by Vice Chairman Kendrick to refer small business loan applicants to utilize the Kerr Tar Regional Council of Governments for small business loans in place of the County's Revolving Loan Fund Program.

County Attorney, Ron Aycock summarized that the Board could 1) repeal the County's Revolving Loan Fund Program or 2) place priority for small business loan applicants to use the Kerr Tar Council of Government's loan program before using Person County's program.

Commissioner Jeffers voiced concern and opposition to repealing the County's Revolving Loan Program.

An **amended motion** was made by Vice Chairman Kendrick and **carried 5-0** to refer small business loan applicants to utilize the Kerr Tar Regional Council of Governments loan program as a first resort, and if no other options are available, then the Person County's Revolving Loan Fund Program which would be modified to the same outline criteria as Kerr Tar Regional Council of Government with the exception that the maximum amount of a loan would be \$100,000. Person County's Revolving Loan Fund program criteria to be as follows:

- Amounts: maximum of \$100,000 or 75% of the total project cost, whichever is lesser; minimum of \$25,000
- Terms: based on purpose and collateral offered:
 - a. land & building: 15 years
 - b. machinery & equipment: 10 years for new; 7 years for used
 - c. capital: 5 years
- Rates: minimum is 4% or 75% of prime

It was the consensus of the Board to authorize the County Attorney and staff to fine tune the language of the County's Revolving Loan Fund Program and to bring back to the Board for review.

CHAIRMAN'S REPORT:

Chairman Newell reported the following:

- A special event to mark the completion of the Hall's Way project on Thursday, September 22, 2016 included a ribbon cutting at 5:30pm with Business After Hours to follow at 44 Gordon Street.
- A ribbon cutting to commemorate the opening of Person County's Veterans Park on Saturday, September 24, 2016 at 10:00am. The park is located next to the Person County Office Building.

MANAGER'S REPORT:

County Manager, Heidi York reported the following:

- Reminded everyone that the public hearing that was scheduled for this date to be held at 7:00pm was cancelled by action of the Board on September 6, 2016.
- A commissioner representative has been requested by Telamon to serve on its Community Services Block Grant board which will meet quarterly.
- Due to fuel shortage, Shell Quality Mart indicated that the County has a 'back-up' plan with them in the event that they have a prolonged shortage of regular gas and are holding 3,500 gallons of that fuel in reserve for County/City fleets.

COMMISSIONER REPORT/COMMENTS:

Commissioner Jeffers reported the NC Dept. of Transportation Litter Sweep Program was scheduled for September 17 – October 1, 2016.

Commissioner Jeffers asked Ms. Michelle Nance if she had any comments related to the Proclamation for the American Cancer Society's Relay for Life of Person County to which she thanked the Board for its recognition and noted Commissioner Jeffers would be serving as one of the judges in the "Paint Your County Purple" campaign.

There were no reports from Commissioner Clayton, Commissioner Puryear nor Vice Chairman Kendrick.

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CLOSED SESSION #1

A **motion** was made by Vice Chairman Kendrick and **carried 5-0** to enter Closed Session per General Statute 143-318.11(a)(5) at 9:33am for the purpose to consider the acquisition or lease of real property with the following individuals permitted to attend: County Manager, Heidi York, Clerk to the Board, Brenda Reaves, and County Attorney, Ron Aycock.

A **motion** was made by Chairman Newell and **carried 5-0** to return to open session at 9:41am.

A **motion** was made by Commissioner Puryear and **carried 5-0** to instruct the County Manager, on behalf of the County, to request a variance by application for a conditional use permit with the City of Roxboro's Board of Adjustment for authorization of a use of the Total Fitness property as a senior center.

CLOSED SESSION #2

A **motion** was made by Chairman Newell and **carried 5-0** to enter into Closed Session per General Statute 143-318.11(a)(3) for the purpose to consult with the county attorney at 9:42am with the following individuals permitted to attend: County Attorney, Ron Aycock, County Manager, Heidi York, and Clerk to the Board, Brenda Reaves.

A **motion** was made by Vice Chairman Kendrick and **carried 5-0** to return to open session at 10:15am.

Vice Chairman Kendrick shared with the group an innovative company, known as Organic Transit, may be considering location in Person County. Organic Transit manufactures an electric version of a bicycle that has no emissions. Vice Chairman Kendrick encourage his fellow commissioners to contact the company as a show of support.

ADJOURNMENT:

A **motion** was made by Vice Chairman Kendrick and **carried 5-0** to adjourn the meeting at 10:17am.

Brenda B. Reaves
Clerk to the Board

David Newell, Sr.
Chairman