

PERSON COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

JUNE 4, 2018
OTHERS PRESENT

Tracey L. Kendrick
Gordon Powell
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, June 4, 2018 at 7:00pm in the Auditorium of the Person County Office Building.

Chairman Kendrick called the meeting to order. Commissioner Clayton offered an invocation. Chairman Kendrick asked the boys scouts of Boy Scout Troop 223 under Scout Master Jim Davis, who were present in the audience, to lead the group in the Pledge of Allegiance.

DISCUSSION/ADJUSTMENT/APPROVAL OF AGENDA:

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve the agenda.

PUBLIC HEARING:

APPROPRIATION OF COUNTY GENERAL FUNDS TO PERSON COUNTY BUSINESS AND INDUSTRIAL CENTER, INC. TO ASSIST PROJECT RE TO LOCATE IN PERSON COUNTY WITH A FINANCIAL GRANT INCENTIVE OVER A 10-YEAR PERIOD AT AN ESTIMATED TOTAL COST OF \$850,000:

A **motion** was made by Commissioner Puryear and **carried 5-0** to open the duly advertised public hearing for an appropriation of County General Funds to Person County Business and Industrial Center, Inc. to assist Project RE to locate in Person County with a financial grant incentive over a 10-year period at an estimated total cost of \$850,000.

Economic Development Director, Stuart Gilbert presented a request for an appropriation of County General Funds to Person County Business and Industrial Center, Inc. (PCBIC) to assist Project RE to locate in Person County with a financial grant incentive over a 10-year period at an estimated total cost of \$850,000. Mr. Gilbert explained the proposed financial grant incentive was for a manufacturing company that is considering Person County; this company will bring 263 jobs, a net new tax base assessed over a 5-year period of \$32.5M. Mr. Gilbert outlined the number of jobs as follows:

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Year 1	22 total jobs,
Year 2	74 total jobs,
Year 3	131 total jobs,
Year 4	192 total jobs, and
Year 5	263 total jobs

Mr. Gilbert said the financial incentive was estimated based on capital investment at the proposed tax rate of .6818. Mr. Gilbert noted the company would pay its taxes prior to the first year of the cash grant would be paid. County Manager, Heidi York clarified the structure of the incentive payments based on the total of \$850,000 would be adjusted based on the tax rate adopted by the Board noting there may be some variation in the annual payment depending upon the tax rate.

Mr. Gilbert further noted the financial agreement would be with PCBIC; the county funds would be appropriated to PCBIC and PCBIC would in turn pay the annual payment to the company.

There were no individuals appearing before the Board to speak in favor or in opposition to the appropriation of County General Funds to Person County Business and Industrial Center, Inc. to assist Project RE to locate in Person County with a financial grant incentive over a 10-year period at an estimated total cost of \$850,000.

Commissioner Jeffers asked about the claw back agreement. Mr. Gilbert said a claw back provision would be included in the financial agreement with PCBIC.

A **motion** was made by Vice Chairman Powell and **carried 5-0** to close the public hearing for an appropriation of County General Funds to Person County Business and Industrial Center, Inc. to assist Project RE to locate in Person County with a financial grant incentive over a 10-year period at an estimated total cost of \$850,000.

CONSIDERATION TO GRANT OR DENY REQUEST TO APPROPRIATE ESTIMATED \$850,000 TO PERSON COUNTY BUSINESS AND INDUSTRIAL CENTER, INC. TO ASSIST PROJECT RE TO LOCATE IN PERSON COUNTY:

A **motion** was made by Commissioner Puryear and **carried 5-0** to approve an appropriation of County General Funds to Person County Business and Industrial Center, Inc. to assist Project RE to locate in Person County with a financial grant incentive over a 10-year period at an estimated total cost of \$850,000.

PUBLIC HEARING:

REQUEST BY THE PERSON COUNTY ADDRESS COORDINATOR TO ADD RED FIELD LN TO THE DATABASE OF ROADWAY NAMES USED FOR E-911 DISPATCHING:

A **motion** was made by Commissioner Puryear and **carried 5-0** to open the duly advertised public hearing for a request by the Person County Address Coordinator to add Red Field Ln to the database of roadway names used for E-911 dispatching.

GIS Manager, Sallie Vaughn stated that on May 15, 2018, the owner of parcels A75 162 through 165 approached the GIS Department and asked if they could elect to name this roadway which will service the noted four parcels. Ms. Vaughn said the property owner provided a name of Red Field Ln which was compliant with the County's local ordinance noting the addition of this road would not affect any adjacent property owners or existing addresses.

North Carolina General Statute 153A-239.1(A) requires a public hearing be held on the matter and public notice to be provided at least 10 days before the hearing in the newspaper. The required public notice was published in the May 19, 2018 edition of the Roxboro Courier-Times. A sign advertising the public hearing was placed at the proposed roadway location approximately two weeks prior to this public hearing.

Ms. Vaughn requested Board action to approve the recommended roadway name.

There were no individuals appearing before the Board to speak in favor or in opposition to the request by the Person County Address Coordinator to add Red Field Ln to the database of roadway names used for E-911 dispatching.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to close the public hearing for a request by the Person County Address Coordinator to add Red Field Ln to the database of roadway names used for E-911 dispatching.

CONSIDERATION TO GRANT OR DENY REQUEST BY THE PERSON COUNTY ADDRESS COORDINATOR TO ADD RED FIELD LN TO THE DATABASE OF ROADWAY NAMES USED FOR E-911 DISPATCHING:

A **motion** was made by Commissioner Jeffers and **carried 5-0** to approve Red Field Ln to be added to the database of roadway names used for E-911 dispatching, as presented.

PUBLIC HEARING:

ESTABLISHING THE PERSON COUNTY FIRE PROTECTION SERVICE DISTRICT:

A **motion** was made by Commissioner Puryear and **carried 5-0** to open the duly advertised public hearing for establishing the Person County Fire Protection Service District.

Tax Administrator, Russell Jones presented a certification of mailing of fire tax notices. Mr. Jones certified that the mailing was completed and his certificate was conclusive in the absence of fraud.

As requested by the Person County Board of County Commissioners on April 23, 2018, the Person County Tax Administrator prepared and mailed notices of public hearing for the proposed fire service protection district for all unincorporated areas of Person County.

The notices mailed were in the form of a postcard. The mailing list included names/addresses of all affected property owners per the current tax office mailing address list for all owners of taxable property in the proposed district. In addition, a second mailing list included names/address from the last 12 months of "invitation to renew" notices from the North Carolina Department of Motor Vehicles. The two separate mailing lists were combined, where appropriate, to save on postage and avoid sending duplicate notices. This resulted in the printing/mailing of 19,732 postcards. The postcards were sent to the printing vendor on April 26, 2018. The print job was completed and mailed on May 1, 2018. The mailing was prepared and mailed 34 days prior to the public hearing scheduled for June 4, 2018 at 7:00pm. The requirement was at least four (4) weeks prior to the public hearing. Mr. Jones noted a hotline was set up to accept calls from citizens to which there were 28 phones calls answered by the staff of the Tax Office and the County Manager's Office. In addition, a web site was created for information. Mr. Jones said there were some citizens who came in person to ask questions. He added that a very low percentage, i.e. 2% of the mailers were return undeliverable. The Clerk of the Board of Commissioners placed the proper advertisement of the public hearing in the Wednesday, May 23, 2018 edition of the local newspaper.

Mr. Jones asked the Board to determine if:

1. There is a demonstrable need for providing one or more of the services in the district,
2. It is impossible or impracticable to provide the services on a countywide basis,
3. It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies; and
4. There is a demonstrable demand for the proposed services by persons residing in the proposed district.

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Speaking in favor of establishing the Person County Fire Protection Service District were the following individuals:

Mr. Tony Rush of 540 Willie Gray Road, Timberlake encouraged the Board to establish a fire tax. Mr. Rush said the volunteer fire departments (VFDs) have needed additional funding for a long time. He acknowledged the one-time state funding in the amount of \$100K to be included in the proposed \$1M funding and asked how the county would replace that \$100,000 in a future budget year.

Mr. Mike Smith of 543 Hillsborough Road, Timberlake stated support of the fire tax noting it was nice to not raise taxes but sooner or later the needs will catch up with the county. He added without designated money the VFDs could not have long range plans and goals.

Mr. Daniel Tizon of 667 Weldon Painter Road, Timberlake, an 18-year old volunteer firefighter with the Timberlake VFD stated his support for a fire tax noting he signed up to give back to the community.

Mr. James Poole of 6070 Leasburg Road, Roxboro asked questions specific to his address and the responding fire district(s). Mr. Martin Rimmer, Hurdle Mills VFD Chief, who was present in the audience, confirmed Mr. Poole's address was within the Hurdle Mills dispatch area however, it was not within the 6-mile range for the lesser insurance premium. Commissioner Jeffers commented that there are some pockets of "no man lands" within Person County which means residents will pay a higher premium for fire insurance (10 rating vs. 9s) as they are not within the 6-mile radius of a fire department but confirmed fire departments will respond to fire calls, it just may take a little longer for the VFD response time.

Ms. Ashley Fletcher of 685 Clay Long Road, Hurdle Mills, and a Captain with the Timberlake VFD stated VFDs were working off a household budget and playing catch up. She added it was not fair to cut county services to fund fire services. Ms. Fletcher stated as a member of the Timberlake VFD, their Chief was put in a position to send in a firefighter with noncompliant air bottles and gear to respond to fire calls which was not right. She encouraged the Board to fully fund VFDs as they deserve and noted her opposition with the concept that no increase in taxes was the way to go.

Speaking in opposition to establishing the Person County Fire Protection Service District were the following individuals:

Ms. Rachel Obie-Winstead Warren of 1084 Bowmantown Road, Roxboro said she was not opposed to the VFDs or to fully funding the VFDs. She said she did not understand the fire tax. She suggested to the Board to consider instead of adding a fire tax to assess the homeowners' insurance by 1% to fund expenses for the VFDs.

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Mr. James Cole of 33 Cole Circle, Timberlake stated his concerns related to increasing tax for retiree residents on a fixed income. If the fire tax is passed, he wanted it to be fair and equitable with the VFDs to open their books to be audited by the county or an independent audit firm.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to close the public hearing for establishing the Person County Fire Protection Service District.

CONSIDERATION TO ADOPT A RESOLUTION ESTABLISHING THE PERSON COUNTY FIRE PROTECTION SERVICE DISTRICT:

Chairman Kendrick explained the Board was not adopting a fire tax rate at this time; the fire tax rate would be further discussed at the budget work session. Chairman Kendrick noted the concept of establishing a Fire Protection Service District by adoption of a resolution was before the Board.

Tax Administrator, Russell Jones requested the Board's consideration to adopt a Resolution Establishing the Person County Fire Protection Service District based on public comments provided and the Board's determination if there was a demonstrable need, if it was an impossible or impracticable to provide the services on a countywide basis, if it was economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies; and there was a demonstrable demand for the proposed services by persons residing in the proposed district.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to adopt a Resolution Establishing the Person County Fire Protection Service District.

**A RESOLUTION OF THE PERSON COUNTY BOARD OF COMMISSIONERS
ESTABLISHING THE PERSON COUNTY FIRE PROTECTION SERVICE DISTRICT**

WHEREAS, Article 16 of N.C. Chapter 153A, of the North Carolina General Statutes, authorizes counties within North Carolina to define service districts in order to finance, provide, or maintain for the districts one or more of the following services, facilities and functions in addition to or to a greater extent those finances, provided or maintained for the entire county; and

WHEREAS, N.C. General Statute § 153A-301(a)(2) provides that the county may define a service district for the purposes of fire protection; and

WHEREAS, there is a demonstrable need to provide a predictable and continuing means to finance, provide, or maintain for fire protection services within the proposed Person County Fire Protection Service District as defined herein (the "District"), and

WHEREAS, acting in response to a need for action in order to protect structures, property, and lives of those within the boundaries of the District, the Person County Board of Commissioners have determined that the creation of a fire service district will be for the benefit of those properties, residents and public commuters within the District boundaries; and

WHEREAS, pursuant to N.C. General Statute § 153A-302(b), the Person County Board of Commissioners caused to be prepared a report containing: (1) a map of the proposed district showing its proposed boundaries; (2) a statement showing that the proposed district meets the standards set out in subsection (a) of N.C. General Statute § 153A-302; and a plan for providing one or more of the services listed in N.C. General Statute § 153A-301 to the district (the "Report");

WHEREAS, a copy of the Report is attached hereto as Exhibit A and incorporated herein by reference, and

WHEREAS, the Report was available for public inspection in the office of the Clerk to the Board for at least four (4) weeks before the date of the public hearing referenced herein below; and

WHEREAS, pursuant to N.C. General Statute. § 153A-302(c), the Person County Board of Commissioners held a duly noticed and advertised public hearing on the proposed Person County Fire Protection Service District on June 4, 2018 prior to adopting any resolution defining said district.

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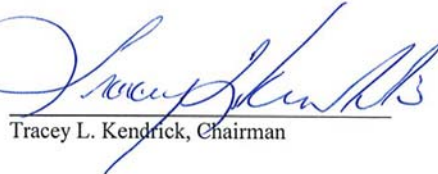
NOW, THEREFORE, BE IT RESOLVED BY THE PERSON COUNTY BOARD OF COMMISSIONERS that:

1. Person County has fully complied with each and every requirement of Article 16 of Chapter 153A, of the North Carolina General Statutes, necessary for the creation of a fire protection service district and determines and finds same as fact.
2. There is a demonstrable need for providing fire protection services in the District as shown by the overwhelming majority of speakers that provided comments at the June 4, 2018 public hearing.
3. It is impracticable to provide fire protection services on a countywide basis because: fire protection services can most economically and efficiently be served through the County's current system of community volunteer departments instead of a unified County owned and operated fire service.
4. It is economically feasible to provide fire protection services in the District without unreasonable and burdensome annual tax levies given the current County tax rates in the District as shown in the Report; and
5. There is a demonstrable demand for the fire protection services within the District by Persons residing in the District as shown by the overwhelming majority of residents speaking in support of the creation of the District at the June 4, 2018 public hearing.
6. The Person County Fire Protection Service District does in fact meet the standards set forth in N.C. General Statute §153A-302.
7. Person County Fire Protection Service District for the purpose of fire protection is hereby established and created with the boundaries set forth on that certain map attached as Exhibit A to the Report incorporated herein by reference, to which reference is made for a more complete and accurate description of the boundaries of the Person County Fire Service District.
8. Person County may levy property taxes within the service district in addition to those throughout the County in order to finance, provide or maintain for the District, fire services provided therein, in addition to or to a greater extent than those financed, provided or maintained for the entire County.
9. This resolution shall take effect at the beginning of fiscal year starting July 1, 2018.

Adopted this the 4th day of June, 2018.

Attest:


Brenda B. Reaves, Clerk to the Board


Tracey L. Kendrick, Chairman

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EXHIBIT A

COPY OF: REPORT

IN THE MATTER OF:

THE PROPOSED CREATION AND ESTABLISHMENT OF PERSON COUNTY FIRE
PROTECTION SERVICE DISTRICT AS PROVIDED FOR BY NORTH CAROLINA
GENERAL STATUTES ARTICLE 16, CHAPTER 153A.

IN THE MATTER OF:

THE PROPOSED CREATION AND ESTABLISHMENT OF PERSON COUNTY FIRE
PROTECTION SERVICE DISTRICT AS PROVIDED FOR BY NORTH CAROLINA
GENERAL STATUTES ARTICLE 16, CHAPTER 153A.

Counties are authorized to and may define any number of service districts in order to finance, provide, or maintain for such districts services, facilities and functions related to fire protection pursuant to North Carolina General Statutes Article 16, Chapter 153A.

Fire protection services in Person County have traditionally been provided through service contracts between the County and a number of volunteer fire departments and rescue squad operating within the County. The Person County Fire Chiefs' Association are of the opinion that such services can best be delivered in the future via existing community volunteer fire departments and rescue squad that provide fire protection services acting as multiple-source, full service and comprehensive responding agencies.

The County desires to continue participating in the provision of fire protection services to the residents of Person County. In response to the need to provide a predictable and continuing means to finance, provide, or maintain for fire protection services in the proposed Person County Fire Protection Service District, the Board of Commissioners directed that this report be prepared as required by said Article 16 prior to the public hearing concerning the matter of establishing the Fire Protection Service District.

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A. PURPOSE

The purpose of the proposed new Fire Protection Service District would be to define an area within the County that has a need for fire protection services not currently supported by a dedicated source of tax revenue, and provide an economically feasible revenue stream sufficient to allow for the County to contract with and provide financial support for the volunteer fire departments and rescue squad providing fire protection services within the Fire Protection Service District. The creation of the new Fire Protection Service District for Person County will offer a uniform taxing structure for property owners within the proposed district, as well ensuring multiple source response through the continued viability of the exiting volunteer fire departments and rescue squad.

B. BOUNDARIES

The Fire Protection Service District area includes all property lying and being within the unincorporated boundaries of Person County (excluding the incorporated limits of the City of Roxboro, unless the incorporated entities pass a resolution to accept the Fire Protection Service District as provided by applicable law). A map of the proposed Fire Protection Service District is attached hereto as EXHIBIT B.

C. POPULATION

The proposed district lies in Person County. The current resident population in the proposed district is approximately 31,022 which is about 78 persons per square mile.

D. COUNTY TAXES IN THE DISTRICT

The present tax rate levied County-wide are at a rate of .7000 per \$100 valuation. There are no city taxes or special use district taxes in the proposed district.

E. THE ABILITY OF THE PROPOSED DISTRICT TO SUSTAIN ADDITIONAL TAXES

A county service district created in accordance with Chapter 153A, Article 16 is not subject to the Chapter 69, Article 3A cap, but is instead limited as provided by N.C. General Statute § 153A-307. That limit is up to a combined rate of one dollar and fifty cents(\$ 1.50) on the one hundred dollars (\$100.00) appraised value of property subject to taxation in accordance with N.C. General Statute §153A-149. The tax rate is set by the Person County Board of Commissioners.

There is no reason to find that the residents of the new proposed Person County Special Fire Protection Service District could not support and pay a service district tax.

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G. PLAN FOR PROVIDING SERVICES

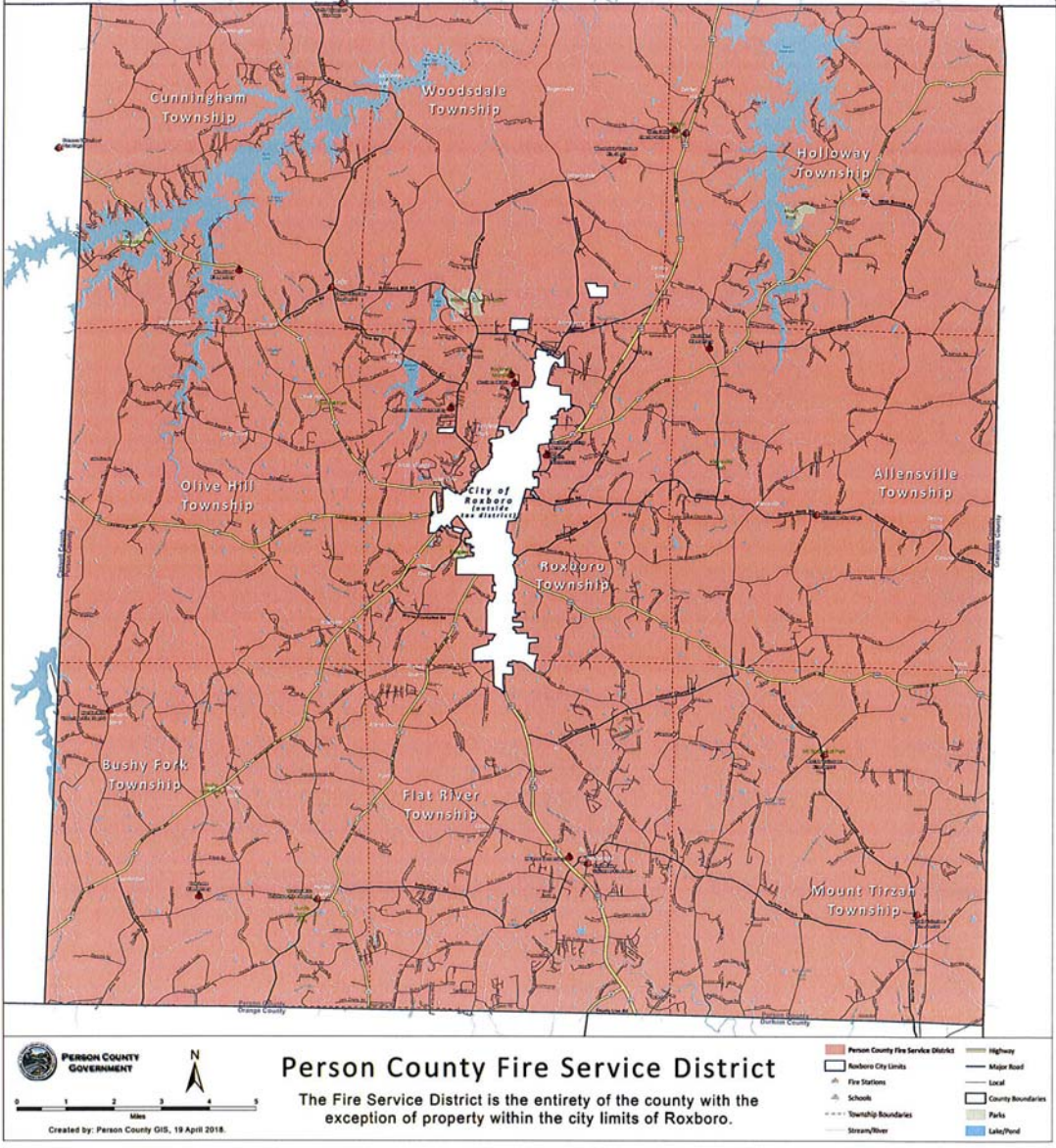
The proposed Fire Protection Service District consists of an area that is approximately 397.76 square miles in size. There are currently eight (8) volunteer fire departments, one (1) rescue squad, and four (4) sub-stations in the proposed district that are staffed with by volunteer personnel and equipment at each station. The stations are strategically located to ensure the appropriate equipment and response times are for the best of the community that it serves. Each station is equipped with at least one engine company and one tanker that are staffed by volunteers to provide protection from all fires in the district.

The County proposes to enter into services contracts with each volunteer fire department and rescue squad to provide fire protection services within the proposed district. Performance standards and accounting transparency will be addressed in each contract. All operational plans for providing services in the district shall be in compliance with Standard Operating Guidelines compiled in accordance with the Office of the State Fire Marshal.

EXHIBIT B

Proposed Person County Fire Protection Service District Boundary Map

Person County Fire Service District



PUBLIC HEARING:

FISCAL YEAR 2018-2019 RECOMMENDED BUDGET:

A **motion** was made by Vice Chairman Powell and **carried 5-0** to open the duly advertised public hearing for the Fiscal Year 2018-2019 Recommended Budget.

There were no individuals appearing before the Board to speak in favor of or in opposition to the Fiscal Year 2018-2019 Recommended Budget.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to close the public hearing for Fiscal Year 2018-2019 Recommended Budget.

INFORMAL COMMENTS:

There were no comments from the public.

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. Approval of Minutes of May 21, 2018,
- B. Budget Amendment #17,
- C. NC Education Lottery Application for School Painting at North End and Woodland Elementary Schools in the amount of \$145,000, and
- D. Adoption of Uniform Guidance Policies,
 - 1) Uniform Guidance Procurement Policy,
 - 2) Uniform Guidance Conflict of Interest and Gifts Policy

Commissioner Jeffers requested the results of the Person County Schools' Facility Needs Assessment referencing the schools' request to draw down lottery funds for the purpose of painting. Finance Director, Amy Wehrenberg noted it was the Schools' authority to request lottery funds for projects such as painting. Assistant County Manager, Sybil Tate said she would follow up with the Schools' Superintendent for an update on the study and get that information to the Board.

CHAIRMAN’S REPORT:

Chairman Kendrick had no report. He thanked the boy scouts and the citizens taking time to attend the Board’s meeting and to provide input to the Board.

MANAGER’S REPORT:

County Manager, Heidi York reported the Board scheduled its first budget work session for June 6, 2018 starting at 9:30am in the Board’s usual meeting room 215. If needed, a second budget work session will be held on June 13, 2018 at 9:00am. She asked the Board to send along to her any topics for further discussion.

COMMISSIONER REPORT/COMMENTS:

Vice Chairman Powell had no report.

Commissioner Jeffers reported at a recent NACo meeting, he learned about a new program called U.S. Communities. U.S. Communities is the leading national cooperative purchasing program, providing world-class government procurement resources and solutions to local and state government agencies, school districts (K-12), higher education institutions, and nonprofits looking for the best overall supplier government pricing. He asked staff to obtain a list of the stores for distribution to the VFDs and other nonprofits in the County.

Commissioner Clayton reported recent opportunities to promote Person County at economic update meetings in Raleigh. He thanked Stuart Gilbert for his efforts, in particular with Person County’s Mega site.

Commissioner Puryear reported a Granville County horse farm that serves as a therapeutic resource for JCPC noting he reached out to John Hill and other members of JCPC for a potential visit. Commissioner Jeffers stated Person County Group Homes has a similar resource at their site known as the Farm in Leasburg.

CLOSED SESSION #1

A **motion** was made by Vice Chairman Powell and **carried 5-0** to enter into Closed Session per General Statute 143-318.11(a)(4) at 7:41pm for the purpose of discussion of matters relating to the location or expansion of industries or other businesses in the county as well as per General Statute 143-318.11(a)(3) for the purpose to consult with the county attorney in order to preserve the attorney-client privilege 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, IT Director, Chris Puryear and Consultant, Joe Freddoso. Chairman Kendrick announced the Closed Session would be called to order in the Board's usual meeting room 215 following a brief recess.

Chairman Kendrick called the Closed Session to order at 7:53pm.

A **motion** was made by Commissioner Jeffers and **carried 5-0** to return to open session at 8:44pm.

ADJOURNMENT:

A **motion** was made by Vice Chairman Powell and **carried 5-0** to adjourn the meeting at 8:44pm.

Brenda B. Reaves
Clerk to the Board

Tracey L. Kendrick
Chairman