

MINUTES – JANUARY 10, 2013

The Caswell County Board of Commissioners met in special session at the Yanceyville Municipal Building in Yanceyville, North Carolina at 6:00 p.m. on Thursday, January 10, 2013. The purpose of the meeting was to discuss various issues with the Yanceyville Town Council and the Milton Town Council. Members present from the Board of Commissioners: Cathy W. Lucas, Chair, William E. Carter, Nathaniel Hall, Larry G. Hamlett, Jeremiah Jefferies and N. Kent Williamson. Absent: Kenneth D. Travis. Members present from the Yanceyville Town Council: Curtis Davis, Mayor, Alvin Foster, Mayor Pro-Tem, Margie Badgett-Lampkin, Odessa Gwynn, and Ray McGuire. Members present from the Milton Town Council: Mayor Harriet Brandon, Helen Hooper, Cathia Stewart, John Williams and James Upchurch. Also present: Kevin B. Howard, County Manager, Haynes Brigman, Town Manager, and Angela Evans representing The Caswell Messenger. Paula P. Seamster, Clerk to the Board, recorded the minutes.

Mayor Davis thanked the Board of Commissioners and the Town of Milton for coming. He opened the meeting with a Moment of Silent Prayer.

Mayor Davis introduced Mr. Barry Lynch, EM Coordinator.

Mr. Barry Lynch informed the boards that he had scheduled a Public Officials Workshop on February 8th at 10:00 a.m. Joe Wright or Mike Spraberry will be putting the class on. They will go over things that each governing body would be responsible for in the event of a disaster. It will last about 1 ½ hours. This workshop will be held at the Historic Courthouse. Mr. Lynch stated that if any of the board members have any questions to please give him a call at his office.

Mayor Davis called the Yanceyville Town Council meeting to order. Council Foster moved, seconded by Councilman McGuire to call the meeting to order. The motion carried unanimously.

Chair Lucas called the Board of Commissioners meeting to order. Commissioner Jefferies moved, seconded by Commissioner Williamson to call the meeting to order. The motion carried unanimously.

Mayor Brandon called the Milton Town Council meeting to order. Commissioner Williams moved, seconded by Commissioner Hooper to call the meeting to order. The motion carried unanimously.

The members of all three board introduced themselves as well as Carol Kline and Kenny Flowers from East Carolina University.

STATUS REPORTS – COUNTYWIDE ECONOMIC DEVELOPMENT BOARD

Chair Lucas stated “From the County’s perspective we did discuss it at a Board meeting but we did not take any action it. That is basically what has happened thus far with the County on this particular issue. I don’t know if anyone else would like to add anything else to that or not.”

Commissioner Hall stated “I think what is important to us is at the last meeting the issue of cost came up, what it was going to cost if the three boards decided to move in this direction, so we asked our attorney to look at the options and our attorney reported to us that general statutes provide for local governments to form a joint economic development board without any costs through a joint resolution.”

Chair Lucas asked “When did we find that out, this Board, because I don’t remember hearing about that. I just got the statutes today. I don’t remember getting these before.” Commissioner Hall responded “I missed the meeting in December and I asked the County Manager to send this information. I know the county attorney sent the information to the clerk or the county manager one so I asked them Monday night to forward it to everybody.” Chair Lucas stated “I am not sure if the other commissioners got their emails but I just got mine today.”

Mayor Brandon stated “Milton is the same way. We have not really spent any time on it. There are some issues that we need to address in that direction and some of us are working on that.”

Mr. Brigman stated “I think from the Town’s perspective we have not discussed it formally. At our last meeting I think we had a unanimous yes as far as proceeding forward with working out the details and how it was left at our last meeting was Kevin and I were to together to start pulling these details together on what it would cost. Kevin you may have an update for them as far as what you found out as far as sample resolutions and what other people are currently doing.”

Mr. Howard stated “I was hoping to have a sample resolution for everybody to look at for a joint resolution that could be adopted by each board. I have not found one yet. Most counties now have gone to the non-profit separate organization to do this so I am still working on that part of it. Like what Commissioner Hall said with the joint resolution basically each board would adopt a resolution forming a separate body and that resolution would determine how many board members you would have, how many members each individual board could appoint, if there would be any funding at all and how it would be divide, if you would have staff. It really lets you do it from very basic as far as establishing a board all the way to up whether you want to fund it and have staff and offices and so forth so it would be up to these three boards to determine how they would want to do that. With a joint resolution we would be able to get involved with it without having a lot of cost in it. It would still operate basically the same way as far as having the board and who we would want to appoint to those boards.”

Mr. Brigman stated “There are certain limitations on it if you do not have a 501c3 as far as acts that you can take as a board. There is an expense in obtaining the 501c3 but we did not see it as a large expense that we could not handle.” Mr. Howard added “I kind of got an estimate from our attorney which is between three to five thousand dollars depending on how much work he did. If Haynes and I do a lot of the filling out of the paperwork that would bring that price down and if we had him to do it all it would drive that price up. That is when he came back and said actually you can just do it this way and not really have an expense at all in it.” Mr. Brigman stated “It would be my recommendation if we would move forward to obtain a 501c3 and that is just from my perspective.”

Chair Lucas asked “Can we just go back and kind of summarize exactly what this EDC would do for us because we have a new commissioner on board and just summarize what it is?”

Commissioner Hall stated “When we or when I brought this before this board the idea was to form a countywide economic development group or organization or commission or whatever you want to call it to push economic development for the county. We have three governments in the county and I thought it would be good if we were to go in and work together. What I have heard tonight in our discussions is first out Town Manager thinks we should move forward as a 501c3 and become a non-profit organization. What we have from our attorney is for us to move forward with a joint resolution. When we talked at the last meeting I visualized doing something without having to have a lot of money because we don’t have any money in the budget this year. We were trying to find a good way to get the ball rolling. The idea was just to form an organization where the three local governments can work together. Right now there is no one thing that we are looking at; it is just an idea to move forward.”

Commissioner Williamson stated “We received different statutes that North Carolina has already approved to help us create this body. I think it says somewhere in there that we can have anywhere from three to nine members as a committee and this committee would report back to the commissioners, town or city. If we set up a committee like that then they would be able to move forward with this and if we wanted to go with the non-profit then all of us would not have to sit as the committee, it would be like a working committee.” Commissioner Hall responded “I think it would give us time to do homework and as we form a joint committee by the resolution it does not cost us anything and they can start working. The first thing we need to look at doing something within the next year that requires a 501c3 then the boards can say let’s move forward with getting the 501c3. We have not talked about staffing or anything.”

Mr. Howard stated “I think the joint resolution was the original way they put these things together and they kind of morphed or expanded into the 501c3 so they could do more things. One thing is they can own property and sell property as a 501c3. They can’t do that with a joint resolution because they don’t have that authority.”

Mr. Brigman stated “Just as a example if we just operated off of a joint resolution and the three entities decided that there was a piece of property out there that was a valuable asset that was underutilized or about to be broken up the three board could come together and agree that it would be in the best interest to purchase that property. Then you would go out and look for private investors, private developers and you would not be able to do that with just having a joint resolution in developing an economic development board you would have to have a 501c3 in order to do that. That is where the monies come in from each community and we would set up a standard as far as how much each body puts into the pot so to speak so you could have monies to operate the website, travel and training for board members, purchases of property or whatever. That is where the money would come in.”

ENTREPRENEURIAL SURVEY

Mayor Davis asked Commissioner Hall to introduce the guest from East Carolina University.

Commissioner Hall stated “We have with us Carol Kline and Kenny Flowers and I will let them tell you the various departments that they work with at the university. They are willing to do an entrepreneurial survey and how they will lay the ground work for gathering information for this type of organization for the county.”

Mr. Kenny Flowers stated that he was the Director of Economic Development at East Carolina University and that he was very excited about being at the meeting. He stated that DEEDS and the Town of Yanceyville had participating in program that was a partnership between the Department of Commerce and the University. Mr. Flowers stated that Commissioner Hall had participated in the program over the past year. The Department of Commerce invested \$50,000 to the Town of Yanceyville to partner with DEEDS to participate in the ECU program. The program lasted 12 months for four hours a month. The program provides training in grant management and administration, local government management and administration, non-profit management and administration, entrepreneurship and sustainability, plus a number of other programs that are discussed in this program. He stated that they were very pleased with the ability to connect communities with the Department of Commerce to offer the training through the ECU facility and staff. ECU is willing to provide support long term. ECU offers a lot of support through their programs from economic impact analysis, feasibility studies, survey assistance and grant writing assistance. Mr. Flowers stated that he would send Commissioner Hall a list of all the products and services that the Economic Development office provides at ECU. Mr. Flowers stated that 15 communities had participated in their program since 2009 and they are actively assisting 34 communities. The Department of Commerce has invested \$2.4 million in 20 of those communities. He encouraged the communities to apply for the CDBG grants through the Department of Commerce that are available.

Ms. Carol Kline stated that they work all over the state of North Carolina as well as outside the country. She added that she worked through the Cooperative Extension through the Tourism program and worked every county in the state of North Carolina. She stated that she worked in Caswell County doing some agri-tourism development. She was impressed by the three bodies actually meeting together and she congratulated the boards for having this relationship. Entrepreneurship is one of her favorite things as well as tourism. She stated that everywhere in the world has natural assets, every areas has human assets, and every area has cultural assets and that is what everyone outside the county wants to come to see. She stated that Commissioner Hall wanted her to come and briefly speak about our entrepreneurial product and about tourism. She added that she had been working with rural tourism for 25 years. Ms. Kline stated that if tourism was an economic strategy that the county wanted to assess they could come in and do an assessment. They could do some long and short terms strategies for economic development.

Councilwoman Badgett-Lampkin asked “How long does this entrepreneurial survey usually last and how do you get to the participants?” Ms. Kline responded that meetings are an option. They use different sampling strategies. The attend meeting like with the Chamber of Commerce, Ag Extension. Sometimes they go to a community event and they also have a survey online. She stated the goal is to hear from as many people as possible.

Mr. Brigman asked “At the end of your assessment and you identify the barriers does it end there or do you offer suggestions on changes, samples or what other people do or what?” Ms. Kline responded yes.

Commissioner Hall stated “I thought it would be interesting for the group if Kenny could tell us some of the types of CDBG grants that Commerce funds.”

Mr. Flowers stated there are a number of programs such as infrastructure, facilities, and housing, there are grants that have low income families that can’t tap onto the water system based on the cost so there is a Water Tap on Program. The Department of Commerce is in the process of changing a lot of the programs such as the scattered site and housing programs. He stated that any economic development funding that the county needs Commerce has them. Mr. Flowers worked for the Department of Commerce for 5 years prior to going to ECU. ECU has a great relationship with USDA. He encouraged the governmental bodies to use ECU as a resource for putting together applications.

Councilwoman Badgett-Lampkin stated “Henry McCoy works with our organization, the North Carolina Black Elected Leaders and he always makes it clear to get in contact with the Department of Commerce and I made that real clear to my council. He made it very clear that the Department of Commerce is willing to help areas especially rural areas.”

Chair Lucas asked “Is he still with the Department of Commerce?” Ms. Badgett-Lampkin responded “He is not but he was at our last meeting in October.”

Commissioner Hall thanked Kenny Flowers and Carol Kline for attending the meeting and for sharing their information.

TALENT ENHANCEMENT CAPACITY GRANT

Commissioner Hall stated “I just wanted to mention and I have copies of the letter, the program that I was involved in will be at least one more year and that is this year, they reopened the grant application period. The original period ended in November and they extended it to February 19th. If the Town of Milton and Yanceyville want to apply now is the time to do that.”

GENERAL UPDATES FROM LOCAL GOVERNMENTS

Chair Lucas stated that she would be attending the NCACC Legislative Goals Conference on January 23rd – 25th.

Mr. Howard informed the boards that the Librarian is working with the Historical Association to organize a walking tour throughout the county. She is applying for a grant to get iPads to have at the Courthouse, the Richmond-Miles Museum and in Milton at the Thomas Day House that will tell a story. PCC is working with part of this. If the grant is approved PCC will put together some short skits that will be taped and put on the iPads for people that come to the courthouse and they can view skits on Chicken Stephens and the trial of Henrietta Jeffries. They are hoping to start out with this a hopefully expand on it future.

Commissioner Hall stated that the Historical Association is working with the Dan River Basin Association to develop a driving tour. He stated that it was completed within the last week or so. He stated that he would make sure that copies of the driving tour would be shared with everyone.

Mayor Brandon stated that Milton is still having sewer problems and they are still working on them. The town's lawyer is meeting with the engineers and she is hoping that the town will get some satisfaction from this. The water rates have been raised to the point that they can go any higher. The man she found that has taken over the upkeep on the system has found what the problems are and she is hoping that the engineers will settle with the town.

Mr. Brigman stated that the Town of Yanceyville is proceeding with the installation of an emergency water connection to North Elementary School. They are in the engineering phase now with the construction phase in May. They are hoping to have it all completed by the end of the calendar year. He recommended that the county look at what it cost the county to operate the system at North Elementary School and possibly turn over that water system to the Town.

Chair Lucas asked "How many potential customers are on that route?" Mr. Brigman responded "Up to 50 potential new customers."

Commissioner Jefferies asked "Will the Town be able to furnish water to the Industrial Park in Pelham?" Mr. Brigman responded "That is a long way away from where our lines will go. Do we have the capacity? Probably but that is a long way away."

Commissioner Carter stated "It would be beneficial for the Town to take the school over because it is the only customer the county has on that line. It has very low chlorine residuals because it is the only thing on that Danville line. You are still required to have a distribution operator to test all the lab analysis that is required by the state. If the County were to turn it over to the Town then the County would not be responsible for doing all of this lab analysis."

Commissioner Jefferies stated "We just put a big tank over there in the Industrial Park and the City of Danville supplies the water over there we don't want to ruin our relationship with the City of Danville because that is our bread and butter that we are planning to get on 29. That is something that we want to look at." Commissioner Carter responded "You have two water systems. One on 29 and one on 86 so there are two different water systems. The only thing on the 86 line is the school. DENR is hoping that the trailer park across from the school will tie into the line."

Mr. Brigman stated "The City struggles with the North Elementary line because they are the only user on it. They struggle to keep the quality of water at the level that is needed. It just would make sense to add everything on to one line and the Town would be responsible for maintaining and operating that line."

Commissioner Hamlett asked "What Jeremiah is trying to say is it going to make Danville mad because we cut the water off?" Mr. Brigman responded "We will want to check with them on that but again they struggle with it. Because it is so difficult it might be a relief to them to have

it come off and they will still provide water for you guys at the Industrial Park and the Welcome Center. It would definitely be something that we need to research and talk with them about. I think it would be a good idea for Kevin and I to get some information as a possibility since we are moving forward we just want to make sure that we do the best for everybody.”

Mr. Brigman asked “I would like to speak to the County and see what the Milton official think as well about the recent action taken by the North Carolina Supreme Court to ban Sweepstakes stores and what the County’s perspective is on that, the Sheriff Department and the DA as far as their actions on those. Is there any update that you can provide?” Mr. Howard responded “I have not spoken with the Sheriff or the DA about it. We spoke on this once because but they were waiting on some kind of ruling from the Attorney General’s office before they did anything. We do not have privilege licenses so we don’t have any recourse in the county to shut them down. We depend on the Sheriff’s office to enforce it.” Mr. Brigman continued “We don’t have privilege licenses either so it is really going to fall on the Sheriff’s office to do something.” Mr. Howard stated “Some of them have already shut down. The one on 86 shut down.” Mr. Brigman responded “They have reopened.” Commissioner Hall stated “The operators and the owners are up on the law. All they have to do is change their software. They will close for a week and then reopen once they have updated their computers.” Mr. Brigman asked “How do we know that?” Commissioner Hall responded “Word of mouth. You just have to keep you head down to the street and you will hear that kind of stuff.” Mr. Brigman asked “Has the Sheriff’s Office visited them because it is the responsibility of law enforcement to keep up with it. I want to make sure that this has happened. I am asking if the county can take any lead on directing the Sheriff’s office to do that.” Mr. Howard responded “I can’t direct the Sheriff to do anything, I can ask him to. My understanding from the Sheriff was the day the Attorney General’s office gave them some direction to allow them to enforce it they would. A lot of places were waiting on some kind of...” Mr. Brigman stated “The Attorney General said that he was going to issue any kind of statement.” Mr. Howard responded “It has been over a week since I talked with the Sheriff.”

Mr. Brigman stated “From the Town’s perspective we need to go in together to approach the Sheriff.” Mr. Howard responded “I think they have every intention to do something from talking with him.”

Chair Lucas asked “Haynes could you just give us a brief update on the Roxboro water project?” Mr. Brigman responded “To my knowledge, you are putting me on the spot here, this started long before I was here, from my understanding is when it went before the board, the board approve it but there was an opportunity for people to write in opposition of it. They have a certain number of letters for opposition and it transitioned over to the legislature in the short session. There was no bill brought to the floor during that short session and no bill objection to the reclassification of it and so to my understanding that when the short session ended it fell back to the board decision to approve the classification. That is my understanding from speaking with Roxboro and Person County.” Mr. Howard added “That is correct. That is where it stands now.”

Commissioner Hall stated “I don’t want us to leave it hanging on where we want to go with the Economic Development Board I think we seriously need to consider making some kind of decision and not just leave it hanging.”

Mr. Brigman stated “Can I make a recommendation that we establish a joint resolution and that each board take a look at that resolution and then once we have that in place we can talk about the possibilities of wanting a 501c3 and get a cost analysis of that and go from there.”

Commissioner Hall responded “That is kind of what I had in mind.”

Mayor Davis asked “Shouldn’t we study this thing more?” Mr. Brigman responded “Well the joint resolution would not cost any of the entities any money. We can set out a list of objectives but I think it would be really broad. I think we can get an outline of the assets that we have, simple and basic things like that. I think all of us have agreed to do something like this at this meeting and the past meeting. The joint resolution would only establish an economic development board made up of a certain number from each entity.”

Mr. Howard stated “What I will do is put together a sample based on somewhere else. Probably the biggest thing we need to do if we are not funding it is the board make up, how many are you going to have on there, what would be the authority and how many each board would appoint to it.”

Mr. Brigman stated “We discussed those details in the last meeting, Kevin and I can use that to develop something and we can shoot it out to our board members and the Town of Milton and kind of get everybody’s feedback from there and maybe within the next two to three months we can have an agreed upon resolution.”

Councilman Foster asked “What kind of a time frame are you and Kevin looking at as far as having a resolution for the board to look at?” Mr. Howard responded “I would say by the first meeting February.”

Commissioner Williamson stated “You may also want to share the state statutes.” Mr. Howard responded “We sent those out in December when we first got them and we sent them out again on Monday. We can send those out again to everybody to make sure that everybody got them.” Commissioner Hall asked “Did you not send those to the other boards?” Mr. Howard responded “They were sent to Haynes and Mayor Brandon.” Commissioner Hall asked “When we asked for those to be sent out we did not send those to individual members?” Mr. Howard responded “We don’t have their email addresses. We sent them to Haynes and Mayor Brandon.”

Commissioner Williamson stated “Those statutes really give you an idea of what we can and can’t do and how to create a 501c3.”

Chair Lucas asked “Should each board develop one individually?” Mr. Brigman responded “I think we would want to develop one universal document.” Mr. Howard added “If I understand what you are asking, the joint resolution will not have the name listed. It will say how many members will come from each board or how we would break that down and then each board would appoint that number of members to the joint economic development board. It does have

some authorities and we can touch on that briefly and if they have a budget they can hire staff and they can manage grants. The biggest draw back on not being a 501c3 is they cannot own property or dispose of property. They can rent or do whatever it takes to have a physical office.”

SCHEDULE NEXT MEETING

The next meeting will be hosted by the Town of Milton on Thursday, March 14, 2013 at 6:00 p.m. at the Thomas Day House.

ADJOURNMENT

At 7:25 p.m. Councilwoman Badgett-Lampkin moved, seconded by Councilwoman Gwynn to adjourn the Town of Yanceyville’s meeting. Commissioner Williams moved, seconded by Commissioner Stewart to adjourn the Town of Milton’s meeting. Commissioner Jefferies moved, seconded by Commissioner Hamlett to adjourn the Caswell County Board of Commissioners’ meeting. The motion carried unanimously.

Paula P. Seamster
Clerk to the Board

Cathy W. Lucas
Chair
