

MINUTES – APRIL 1, 2013

The Caswell County Board of Commissioners met in regular session at the Caswell County Historic Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, April 1, 2013. Members present: Kenneth D. Travis, Vice-Chairman, William E. Carter, Nathaniel Hall, Larry G. Hamlett, Jeremiah Jefferies and N. Kent Williamson. Absent: Cathy W. Lucas, Chair. Also present: Kevin B. Howard, County Manager, Brian Ferrell, County Attorney, and Angela Evans representing The Caswell Messenger. Paula P. Seamster, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

Vice-Chairman Travis opened the meeting with a Moment of Silent Prayer.

PLEDGE OF ALLEGIANCE

The Board of Commissioners and all the guests in the audience recited the Pledge of Allegiance.

APPROVAL OF AGENDA

Commissioner Jefferies moved, seconded by Commissioner Williamson to approve the agenda as presented. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Jefferies moved, seconded by Commissioner Hall to approve the Consent Agenda. The motion carried unanimously.

The following items were included on the Consent Agenda:

- A. Approval of Minutes of March 18, 2013 Regular Meeting

PUBLIC COMMENTS

Vice-Chairman Travis asked if there was anyone that would like to speak during Public Comments. With no comments Vice-Chairman Travis declared Public Comments as closed.

2013-2014 HEALTH BENEFITS RENEWAL

Mr. Mark Browder with Mark III Brokerage stated “We appreciate the opportunity to come before you this evening. The information that I am going to share with you is on this handout and on the screen.” Mr. Howard added “And you have an updated handout at your seats.” Mr. Browder continued “I just wanted to point out that North Carolina Association of County Commissioners got out of the business a couple of years ago. After that we started a direct contract with the County with Cigna. There was a 5% increase in last year’s numbers for the current year’s plan. The plan is running really well now, it is trending great so the renewal that

you got back from Cigna was a flat renewal. The upcoming year renewal will be no increase whatsoever. That gives us some flexibility. One of the things we wanted to talk about and what we talked about last year was the possibility of adding a second plan option, health savings account. Today this is the plan we have today: 2012-2013 In-Network - \$30/\$50 for PCP/Specialist Visits, 100% Preventative Care, \$1250 deductible for single and \$2500 for family. On the Pharmacy there is \$0 for the first tier, \$45 for the second tier and \$60 for the third tier brand. The renewal that we received from Cigna is the same as what we had last year and this is a good thing to have. Also we looked at implementing a health savings account. Last year this option bumped up the renewal for the plan itself so we sort of scratched that for the 2012-13 year. For the health savings plan this year the deductible will be \$1500 for single and \$3000 for family. Today the insurance has a co-pay for doctor visits and pharmacy with the HSA everything will apply to that deductible first but they will be given money in a health savings account and the county will contribute \$750 to offset those costs. The total exposure is \$3500 for the single and \$7000 for family. With this there would be no increase at all. Another thing we wanted to talk to you about is what a lot of our clients are using. We work with about 30 counties across the state and that is implementing wellness strategies. The good thing this year is you can implement a health savings plan or a wellness program. So you have some options without having the pain of having an increase premium amount. You can put the wellness plan in for 2013-14 and potentially put in the HSA plan for 2014-2015. We have 22 clients that have side by side HSA plans and their current plan and we have some clients that have total HSA plans in this current year. Last year one of those clients was the City of Washington which is about your size and they went with the HSA and they ended up with a 43% increase and this year they are seeing a 9% increase. The other is Cleveland County and they are total HSA and they are seeing a mid-teens increase this year with the total HSA. In our experience the most important factor is the health of the population. You will see a lot of wellness initiatives. Some are using screenings. Some are using Health Risk Assessments. Some are using coaching. Some use on-site clinics but that is not a good one for you all. Some have on-site pharmacies. Some put in tobacco usages for non-users and users. Some, this year, are using the Accountability strategy where they set goals for the employees. It has been an interesting year where the employers have realized that the employees need leadership and they need help from someone to help them reach their goals and help them improve their personal health status. To sort of revisit how the health of the U.S. population has changed, as you can see over the past few years the obesity trends have been rising more and more and this is having a significant impact on the plans. Most people see tobacco has having high claims but actually obesity is the real problem. Access to care can have an impact on someone's health. Certainly genetics has an impact on it. The environment has a play in it as well. At least 50% and I have seen numbers as high as 75% of healthcare demand is driven by behavior. Do we exercise? How do we consume food? How do we take care of ourselves? We are not really trying to keep people from going to the doctor when they need to but we are trying to keep them from going when they don't have too. This is the wellness program we talked about earlier. First of all you have to have an economic incentive to get people to participate. You have to put some money at stake. One of the strategies to do this is a premium contribution. If employees do not want to participate they will have to pay \$40 towards their health. The ones that want to participate will go through biometric screens to get a biometric baseline. The biometrics is typical done by a third party. Everyone that gets a screening will know where they are at. Most of the people will know the problems they have but the screenings will show what problems the people have that

they did not know and it is an opportunity for them to address those issues. Going in the fall of 2014-2015 if employees improve then they will receive an economic reward. To me I would wait until the next year to implement the HSA. I would implement the wellness program first. A variety of our clients use the Health Department as a clinic resource. When implementing the wellness program there would be four risk factors to look at: Waist Circumference, Blood Pressure, Cholesterol Ratio and Hemoglobin A1c. What we are trying to do is to move people to a better place. We are trying to prevent strokes and heart attacks. The question people are asking about cholesterol and high blood pressure is what if I am taking medication to get my levels below the thresholds. That is fantastic. All you have to do is meet 3 out of the 4. You do not have to meet all of the four. There are a couple of options that you have in front of you. We gave information to the commissioners last year about the HSA. I would recommend implementing the wellness strategy this year and to implement the HSA the next year. If you want to implement the HSA this year and not implement the wellness strategy we certainly understand that but the recommendation is to focus on the health of the population and then implement the HSA and to use the cash incentive as part of the structure with the HSA. I have thrown a lot at you. Any questions for me at all?"

Commissioner Hall asked "Let's go back to the wellness strategy, you probably covered it but on this page where it shows what other folks are doing you have several things. Tell me what basically are the wellness initiatives are? There is the screenings, the assessments, coaching, clinic." Mr. Browder responded "Yes and I apologize I did fly over that. What the screenings are is what I sort of described to you today, taking the biometric measurements from a third party organization. The company would come in, usually in the morning; it will be a finger prick or a venial puncture. They will be measuring for cholesterol, measuring for glucose, taking blood pressure and they will either be doing waist circumference versus BMI. The problem with BMI is that there are several things that come into play. If you are heavily muscular it is going to blow up the BMI chart. Even when I was in my best shape according to military standard I was overweight. Today I am still overweight. BMI I am not a fan of because highway patrol, fireman and other would be overweight but according to the weight circumference they would not be overweight at all. The screenings will set a baseline and use them to track progress over time." Commissioner Hall asked "Who pays for that?" Mr. Browder responded "It is the employer, the county." Commissioner Hall continued "Okay the county pays for the wellness screenings?" Mr. Browder responded "Yes. Health Risk Assessments are a questionnaire. What you are doing is basically getting the employee's perspective of their health. You will ask a series of questions usually it is 20 or 25. They will talk about health habits, safety habits, and so forth. That is typically what a health assessment consist of. The challenge with the health risk assessment is people tend to answer it in a way that they think people want to see it answered. We did a biometric screening with tobacco in the City of Monroe and difference between what employees reported with tobacco use versus what the actual result was somehow different. They said on the questionnaire that they were not using tobacco but when the blood work came back they were actually using tobacco. This is an opportunity to elude yourself. I think the biometrics are the real objective answers of the real health status of what the employee is. Coaching is a healthcare professional for the population. You can go see a registered nurse, a dietitian or someone who is registered in health to sit down with the employee and talk about what their issues are and what kind of strategy you can employ to actually improve their health. It is a resource for the employee to help them to have a guide, a coach, to help them work out

strategies to try to improve diet, exercise and so forth. Clients are typically simply health care. It will typically address sniffles, colds, running noses, the real simple types of service. They can be a wellness resource but typically you will see clinic with employers with at least 500 employees and up and usually not below 300 employees. On site pharmacy is where the county actually purchases the medication. Again you will need to be an employer of about 800 employees before it could be economical viable. Tobacco is do they have tobacco or non-tobacco incentives and the accountability is what I just described such as creating standards and rewarding employees for improving to the standard or meeting the standard. In this case we talked about meeting 3 out of the 4 standards.”

Commissioner Carter asked “Where does that money come from? Does the county pay for that?” Mr. Browder responded “Out of the county budget, correct and we are talking about the 2014-2015 year and not the 2013-2014 year.”

Commissioner Williamson asked “Could the screening be done on a yearly physical?” Mr. Browder responded “It can but the challenge with it is trying to collect the data administratively. It is very difficult to get all of that information back from a physical. It is less expensive for the plan if you do a screening versus a physical. The average claim for a wellness visit will be around the couple of hundred dollars range and this screen will run typically around \$45 or \$50. It is less expensive to run everyone through the screening process than to have everyone run to see their primary physician. Maintaining the baseline and maintaining the data you will need a third party and not county staff to maintain that information and track the progress after a period and time and report back to the county how it is going.”

Commissioner Hall stated “Our current providers, drug stores, etc., we don’t have any local ones included in that I don’t think.” Mr. Browder responded “I am not aware of the local pharmacies not being a part of this. This will be first that I have heard of this.” Commissioner Hall asked “Kevin am I right or wrong or Ms. Mindy?” Ms. Mindy Satterfield responded “I am not sure. I will check on it.” Mr. Howard responded “It is my understanding that the local pharmacies are in the network. I have used Yanceyville Drug myself.” Commissioner Hall stated “Okay.”

STATE OF THE COUNTY HEALTH REPORT PRESENTATION

Jennifer Eastwood stated “Good evening. I am sure that all of you know that every 4 years we have to do a community health assessment and I came last year and presented the results of that but in the interim years we have to give you a State of the County Health Report. The purpose is to update you on anything that has changed since that last community health assessment. We feel like it is important for us to share this information with you because you are the decision makers and because you are stakeholders in our county’s health. We want to make sure that we are all working together towards the same goals. You have in front of you the printed copy of the State of the County Health Report. There aren’t any big changes as far as the demographics go. If you look at the cancer rates, our death rates for prostate and breast cancers are still higher than the State but it could be a little misleading because our population is so small. It is really difficult to see if there is any significant statistical information from that. It can be a little unreliable. As far as communicable disease there really was not anything too out of the ordinary. We did have one case of Creutzfeldt-Jakob disease which is very, very rare but it is a fatal

disease and we did a death as a result of that. The thing to look at when you are looking at a communicable disease report is that each and every one of these cases represents hours of health department staff time because each one has to be investigated. Whether it turns out to be an actual case of that disease or a probable case or whether it is nothing at all there is still hours that the communicable disease nurse spends in investigating and calling contacts and gathering information that is required by the state. When you look at that and look at all those cases that is the significant thing for you to remember.”

Commissioner Hall asked “Jennifer what is this Creutzfeldt-Jakob?” Ms. Eastwood responded “Remember that I am not a nurse. It is thought to be caused by a virus or bacteria that is in the brain fluid and spinal fluid. Most often it is acquired by some part of procedure from healthcare either having probes inserted into the brain that maybe was not sterile or sterilized but is like 1 in one million. There are only 200 cases in the United States so it is very, very rare. They don’t really understand all of the implications and all of the reasons behind it. That it happened in Caswell County is sort of unbelievable. The Community Transformation Grant, I am sure all of you have heard about that. This is money that was given to the State of North Carolina from the CDC and I am on page 4 now. The state was split up into regions and the money was given to the regions. Our region, you can see the list of counties that are in our region, but every region has to have a rural county and we are that rural county for our region and we are the only one for our region. You can see on page 5 their objectives. At the time that this report was put together back in December they were just kind of hiring staff and getting their feet wet and they had not really done anything. You have probably noticed ads in the paper; they have been spending a lot of time over the last few months with the farmers market in town and with farmers with roadside stands and that is where their focus has been to this point. In the coming months they will start to look at joint use agreements with churches, schools, fire departments for physical activity. We will begin to see that take shape and hopefully I will be able to report something back to you soon about that. You all have been very gracious with approving plans and construction for the trails project and I noticed on the agenda tonight that you are going to have a presentation of the master trails plan and I would just encourage you to continue to support that effort and we can continued to report success in that. On page 6 there is an update on something called the Prostate Cancer Ambassadors program. Have any of you heard of that? It is actually a research project that the county is involved in, that they are piloting here, and what they have done is to come in and train lay people in the community about prostate cancer, the symptoms with issues of the prostate, and the anatomy of it, the theology of it so that the lay people understand so when they are talking with somebody in the general public or in their community they are educated on how to advise them about how to handle the problem that they are having. So we are really at the Health Department interested in seeing how this goes because it could be a model that we use to educate the public and our community from here on out about other health issues like hypertension, cholesterol, obesity, so we are anxious to see the overall impact of that project is. The last page is sort of an update of our priorities and just to give you a reminder; the priorities that we identified were obesity, hypertension, lack of mental health services, and a health educator. Obesity – our focus was really working with the Danville Regional Foundation in some of their efforts. They have a lot going on as far as obesity. They are working with Virginia Tech and because we are in that region we are able to tap into all of those resources and studies. The other thing was to encourage the larger employers which are the County and the School System to adopt a Health and Wellness Plan for their employees. I know that is a touchy

subject and I know you just had a presentation on that because you probably think it is none of your business to what somebody does and how they live and it is not. It not your business that Joe your employee is 100 lbs. over weight and has chain smoked since he was 16 years old and has a daughter that is giving him problems at home and he is under a huge amount of stress. It is easy to think that is none of your business but when his wife calls you and tells you that he has to have quadruple by-pass surgery and he is out of work it becomes your business. Your insurance premium rates goes up, your productivity decreases so it becomes your business. I would encourage you to think hard about moving in that direction to have some type of meaningful wellness program for the employees. It goes beyond the health fair because they don't have any kind of impact on anybody. Health fairs are really not effective at all. Thank you very much for allowing Dr. Moore to add a half time educator position because at this point we don't have anybody at the Health Department that can get these priorities done so we are anxious to get that person hired and to have somebody that is dedicated and focused to making sure that these priorities are addressed and that the next Community Health Assessment has a better outcome. Does anybody have any questions?"

Commissioner Hall asked "Under Mental Health I noticed that it says that the Health Department is starting investigating tele-mental and found that it had too much of a liability?" Ms. Eastwood responded "It was the Medical Center." Commissioner Hall continued "Oh, the Caswell Family Medical Center, I am sorry. What kind of liability did they see in doing that?" Ms. Eastwood responded "Now I am quoting Shirley Deal in this. This is what she told us. I think it has to do with not actually having a provider on site and they are relying on a telecommunication link to address issues and imagine that that is why but I don't know for sure." Commissioner Hall stated "The whole reason for tele-med is because you don't have a provider on-site." Ms. Eastwood responded "I know but with mental health I can see where that could get a little well depending on the patient and what their problems are that could get a little dicey. I don't know. Can you think of anything?" Mr. Ferrell added "I can imagine issues that can come up with the tele-medical series. I have not looked at it in particular to see if there are specific issues that have risen in a legal context from handling patients that way so I don't have anything to add." Ms. Eastwood stated "I think their focus has shifted to trying to get someone on site like what they have done for the oncology. Just to get somebody there seeing patients maybe a day or so a week. Since December I don't know what kind of progress they have made on that."

Commissioner Hall asked "What other types of mental health issues are they seeing or that they need? It says substance abuse and tele-med are they the only two?" Ms. Eastwood responded "Substance abuse is one that has been, it keeps coming to the forefront, illegal drugs and prescription drug abuse are issues that we face. Really in the whole of North Carolina since they have overhauled mental health we don't have the access to it that we used to have. I know a lot of the patients that come into the Health Department and they really need mental counseling and we really don't have anywhere to send them."

Commissioner Hall stated "Mr. Chairman I just really want to make one comment for the record. The folks that are providing the mental health services here say we have more than we have ever had." Ms. Eastwood responded "I have heard that too and they may be right. We may not be accessing them correctly. There could be an access problem. It could be not a lack of resources but a lack of access, if that makes sense."

Commissioner Carter asked “Where do the folks go if we don’t have anything in Caswell County for them?” Ms. Eastwood responded “We do have somewhere for them to go but I think it is inundated with people who need it.” Commissioner Carter continued “Do we have anywhere in Caswell County?” Ms. Eastwood responded “We do, I think.” Mr. Ferrell added “PBH formally, now Cardinal is the provider of mental health, substance abuse and Medicaid services to county residents. The County also funds through maintenance of effort dollars some additional non-Medicaid reimbursable services that over the years the County has seen fit to provide. My question to you is are you linked in to the Community Oversight Board that is established for Cardinal where local officials and appointees to the board meet and talk about the provision of mental health and substance abuse services?” Ms. Eastwood responded “Not that I am aware.” Mr. Ferrell continued “It might be a great place to start to identify what is currently being provided and what is available because there is this transition that the Board is well aware of that is taking place in the provision of mental health and substance abuse services this year and last year. I think there is quite a bit of room to see what is there and improve upon what is being provided as this transition takes place. The Community Oversight Board of Cardinal Innovation that meets in Caswell and Alamance County. I know they would love to hear from you and talk with you about those services.” Ms. Eastwood responded “Okay. Thank you.”

DETENTION CENTER UPDATE

Mr. Dennis Foster stated “Good afternoon. I would like to say first that I have grown to love Caswell County. I have been here a while and it feels like home here. Okay for the update. We have water in the building. We complete the water tap and the testing went well so the water is on and working.” Commissioner Travis asked “Do we have any leaks?” Mr. Foster responded “I will get to that. First things first. The lift station/muffin monster – we excavated the holes and set the box on Friday. The inner workings on the thing will be here tomorrow. We should have that up and running within two weeks or so given conditions. We have the pipe from the lift station itself to the manhole without tearing up the Sheriff’s communication system and that was a good thing. The muffin monster box is set so it is a matter of hooking up from the building to that and turning on the equipment. The panel delivery. I have this from the source; it will be delivered April 12th. It will take four or five days to install. This is my latest update. I have that in writing so we will see what happens there. Paint in the building, interior and exterior, is 90% complete. We had some trouble with the red and yellow paints adhering to the metal. This is a contractor issue. We had reps from Sherwin Williams in here last week and they have a product that will fix it. It is up to the contractor to get this paint and get it on there and bring it up to standard. The millwork, cabinets are 100% installed. We are waiting for the countertops which will be one of the last items in the building. We did install one up in the control room so we could put the monitors on and start to hook up the security, lock system, TVs, cameras, alarms and that entire deal. Once Simplex, our contractor on that gets started he estimates two to two and a half weeks to check out the system and run it down. I think that is a little optimistic considering the complexity of the thing but this is what they told me. As I said the millwork is installed and looks good and the countertops will be in towards the end of the job. The administrative part is 99% complete. We have the doors hung, the paint on the walls and they are going back to touch that up now, carpet is installed, tile is installed. Today we started the installation of the space saving equipment for the evidence room, property storage and

records room. They will be on site tomorrow until the stuff is in so it is going in as we speak. The security locks are being installed. We still have a little bit of cutting and grinding to do back in the housing areas. They are now sweeping the floors, cleaning the floors to get them ready for the concrete seal finish to go on. As we roll along we will put these locks in and start testing them within the next week or two. We have a couple of outstanding COs that should come to fruition very quickly. We have to widen a door opening on the south end of the building where the ramp comes down. There was a mix up between contractors and suppliers on that but we do have a CO out there and it is very minimal to make the door bigger. We have a frame on site that will fix it. We just need to make the hole bigger and stick it in there and wire it up and we are good to go. At the third floor at the stairs tower we have a CO out for that again a minimal charge to patch it in. We are going to do that so in the future if you decide to utilize it, it will be patched in such a way it will take fairly little effort to take that patching out and use that as a door. The kiosk or the touch screens where the inmates get their goodies are being installed in the housing units now. We have five of these units going in and that is where the grinding comes in. We did some grinding so they would meet ADA compliance so they would be accessible to everyone. So we have the method it is just the matter of getting them in there. All of your heating units, heating and air conditioning units, are up and running. We had problems with a circuit board on one of them. That should be here and installed this week. We have 12 out of the 13 up and running at the moment. The sidewalks, I know you noticed where they cut through the sidewalks coming up to the courthouse; the contractor is totally responsible for those. He will fill in the voids and fix it as it was or better than he found it before he goes away from here and grade and reseed the grass areas up there. Final grading and paving – they are ready to start on it but we are waiting to get the lift station in. We have a little digging to do beside the Sheriff's Department and then we will pave it. Fire alarms are 99% installed. Smoke evac is 100% in and the finishers are going in. We had to wait until we got all the ceilings in so we could test these things in real life situations so it is just a matter of setting these systems. We have already done some testing on the HVAC units. Again we had to have the ceilings in. In the kitchen the fire suppression system was installed last week. This is the one that goes over the gas stove. If you pull the handle it will take all the air out of it. I already mentioned furnishings. Now to the other part. Right now our main concern is probably the high performance coating in the kitchen, the showers in the housing units, and the laundry. We have been going round and round with contractors about this. We have a solution. They put the wrong rock filler on the wall and we keep bugging them about taking it off. They keep making suggestions that they can't find any paint company that will warranty the high performance coating putting it on the latex rock filler. We have instructed them on numerous times to take it off the wall and get with it. They have not done it yet but we are still working with them. That is the big one to getting out of here. It takes about 30 days to install this stuff and we are not going to let them put it there and have it fail down the road. We also have the chain length fence at the sally port that is one of the later things. We do need to get some handrails at the loading dock. The other handrails for the walls should be here this week to get installed. There were some discussions about who was going to run the cable for the TVs. I looked through the plans and specs and found that it happens to be in our electrician's contract so they will install the cables for the TVs throughout the building. The video visitation walls were completely taken down, redesigned and reinstalled and I dare you to push one over now. We still have to come to a conclusion on retaining walls again at the south entrance coming down into the stairwell. We are working on a solution and we will present it when we get a little more details on it. We did get some bids on it

but they all were high, outrageous in fact so we are working on it to mitigate the cost on that. That is my brief update. Do you have any questions?"

Commissioner Travis asked "What is the status on the metal that will go around the building, where the plastic is? Has it got here yet?" Mr. Foster responded "It will be and this I have in writing, it will be here April 12th of this year and it will take four to five days to install it." Commissioner Travis continued "Yes but look at the rain that has rained in that thing. I know the plastic is not staying on or keeping it covered up. How many times has it rained in it?" Mr. Foster responded "A number of times and we have pointed that out to the contractor on numerous occasions. I have taken pictures where the plastic has come up." Commissioner Travis stated "Every time I come by there I see the plastic blowing up in the air." Mr. Foster responded "It does flap up in the air. I have this documented: days, pictures, the entire deal and they are on the hook if that brick, fluorescents or whatever you call that, the white stuff starts coming out of the bricks they are on the hook for that. Yes sir it is documented."

Commissioner Hamlett asked "How many days will it take to put it up?" Mr. Foster responded "Four to five days." Commissioner Travis stated "I thought you said 45." Mr. Foster responded "No sir, four to five days." Commissioner Travis continued "To put the metal up?" Mr. Foster responded "Yes sir. They already have the frame for it up there. It comes in pieces so they just sit it up there and screw it on. Maybe that is optimistic but it depends on the crew they put out here. These are the metal panels for the entry way."

Commissioner Travis asked "On that door, is that the door on the side of the Sheriff's Office now?" Mr. Foster responded "Yes sir, at the courthouse." Commissioner Travis continued "The one we looked at where the door was already sat down there that the hole was not big enough for it?" Mr. Foster responded "That is correct. Somehow early on in the process, I did not have knowledge of this, but they got their wires crossed and got a smaller door speced to be in there and then the company sent that big door frame." Commissioner Travis asked "It was supposed to be in there right?" Mr. Foster responded "Originally, yes sir. What happened after researching this matter is the security lock would not fit in a 2" jamb, it had to have a big one and someone dropped the ball back there so the specs went out there to build the wall at this size. It will work. All we have to do is cut out some bricks and stick it in there."

Commissioner Hamlett asked "Are you still shooting for opening it on May 1st?" Mr. Foster responded "We are still hoping. The high performance coating is the big thing. If I could get these guys off their loins to go ahead and do some of this stuff. It is like pushing a rope sometimes." Commissioner Hamlett continued "It looks like the contractors have done a lot of work within the last couple of weeks or at least it sounds like it." Mr. Foster responded "Well yes. There are two men on the job and the pressure is on. We are working with some of our staff civil engineers who did not get it right to start with so we are still here protecting you interest. It is not over yet. There is a lot of paperwork to do."

Commissioner Travis stated "I guess we will see you in two weeks." Mr. Foster responded "Yes sir I will be here. Should I bring a Kevlar vest next time?"

Commissioner Hall asked “How long did you say it would take that high performance coating to be put on once they get started?” Mr. Foster responded “One of the systems we were looking at was 28 days. The thing is this is a different system of equal strength but we have a trench drain that goes in the kitchen, it is the one that takes a big kettle that tips over into it, we did not have the detention center specs when we built the thing so that big trench in there we have to fill that with concrete and we have to leave that at least 21 days before we can put this coating on it. It has to cure.” Commissioner Hall continued “So that has not been done yet?” Mr. Foster responded “It has not been done yet. The Sheriff’s Department has not ordered the trench drain that fits down it there so we had to have that drain itself to position it to pour the concrete around it.” Commissioner Hall asked “So 21 days?” Mr. Foster responded “Well 21 days and the time it takes to put the coating on.” Commissioner Hall continued “So 21 days to do the trench drain?” Mr. Foster responded “To let the concrete cure.” Commissioner Hall stated “That is what I mean, to let it cure. After it cures how many days to put that high performance coating in?” Mr. Foster responded “Well that is just one floor in the kitchen so they can have everything else done...” Commissioner Hall asked “How many days?” Mr. Foster responded “They can paint that on there in one day. It is just a floor and it is a one application system.” Commissioner Hall asked “Is that the one you said was a biggy? You said early on that this is a biggy when you were talking about problems.” Mr. Foster responded “Well this is our main time consuming issue.”

Commissioner Travis asked “It is not just this one thing. From what I understand it is several things in the whole jail that has to be done right or did I misunderstand you?” Mr. Howard responded “It is all showers.” Commissioner Travis continued “Right it is not just one thing. It is all the showers.” Mr. Foster responded “Right it is all the showers in housing, the laundry and then the kitchen. We have the walls, the floor. We have six areas.” Commissioner Hall stated “I was just thinking you said it would be 20 some days from the time we start a process on one of those biggies until it is completed, whatever it was.” Mr. Foster responded “They can start in the other areas.” Commissioner Hall stated “Where ever they start does not matter. Something you said was it would take 28 days from start to finish.” Mr. Foster responded “That is what I was estimating for pouring this concrete in this hole in the kitchen floor.” Commissioner Hall asked “So now you are going back to 21 days?” Mr. Foster responded “Well in that particular area. They can start elsewhere. The whole process should take three weeks or less to do the entire thing. If we could start them back in housing unit B and bring them around by the time they get to that kitchen floor it will be ready to go.” Commissioner Hall stated “Okay.”

APPROVAL OF THE CASWELL COUNTY HERITAGE TRAILS MASTER PLAN

Mr. Howard stated “Chad Hall came and presented this to you at the last meeting. I just had it put back on the agenda to see if you wanted to approve that plan as it was presented. There is no monetary requirement for that. All you are doing is approving that plan so if we want to apply for grants in the future we have a master plan to work with for those applications.”

Commissioner Hall moved, seconded by Commissioner Jefferies to approve the Caswell County Heritage Trails Master Plan. The motion carried unanimously.

APPROVAL OF PAVING CATS/EMS PARKING LOT

Mr. Howard stated “We received three quotes to pave the CATS parking lot and also to do the section in front of EMS between the concrete pad area and the road. The low bid for that was Art Stanley Paving at \$33,800. We had budgeted this year to do the CATS parking lot. We actually budgeted \$40,000 for that. Their price was \$28,900. It came in well under what we had estimated. I would like to do EMS at the same time so that we can make it all one smooth, continuous paving and that would be \$4,900. We can possibly absorb that in our Maintenance budget this year. If not I will have to take it out of the Capital Outlay fund.”

Commissioner Travis asked “Where is this company out of Kevin?” Mr. Howard responded “Danville.”

Commissioner Williamson asked “Have we used them before?” Mr. Howard responded “I think they have done work for the School System.”

Commissioner Travis asked “Where is the next one out of?” Mr. Howard responded “Adams Construction is out of Danville as well and Alamance Paving is out of Burlington.”

Commissioner Travis continued “There is not a lot of people around here that does paving is it?” Mr. Howard responded “No Sir.”

Commissioner Hamlett moved, seconded by Commissioner Jefferies to approve Art Stanley Paving to do the work at CATS and EMS.

Commissioner Carter asked “Does this cover CATS or EMS as well?” Commissioner Hamlett responded “Both of them.” Commissioner Travis stated “The total is \$38,900.”

Upon a vote of the motion, the motion carried by a vote of five to one with Commissioner Williamson voting no.

APPROVAL OF WEBPAGE DESIGN SERVICES

Mr. Howard stated “We sent a RFP out for webpage design services and we got six responses back. Some were extremely low. GovOffice was \$5,525 and some were extremely high such as CivicPlus at \$29,289. IT and myself, we went through all the proposals and looked at what they were offering based on their prices. Municipal CMS for their price offered the most of what we were looking for. It is a much easier site to use. Rockingham County’s website is done by Municipal CMS. It is easier for staff to use to update. It also has a documents section to it so it will make it easier for us to add our documents on the website such as the ordinances and budget which is the way we wanted to move to, to have more options to add to the website itself. One thing they offered that no one else did was that every four years they would do an update. They would redo the site for us every four years, an update to the site every four years.”

Commissioner Travis asked “What does it cost us to update it?” Mr. Howard responded “There is no charge for that. That is included.” Commissioner Travis continued “Just one time or how many times?” Mr. Howard responded “Every four years as long as we are using them and as

long as we have this website they will update it at no cost.” Commissioner Travis asked “But there is going to be a fee every year right?” Mr. Howard responded “Right. There is an annual of about \$2200 to host it.” Commissioner Travis continued “In other words when you pay this \$13,900 and the next year you pay \$2200 and the next year \$2200 as long as we stay with them. What are we paying for this now?” Mr. Howard responded “Right around \$1000 a year for what we have now. This site is going to have more to it and for information on it and it will take up more space to host it.” Commissioner Travis asked “The people that we are working with now can’t do this?” Mr. Howard responded “Not like this no sir. They don’t have the capabilities to build a site like we need. They do very basic sites like the one we have now. We update our website and maintain it now. Also Municipal CMS will actually move the current content from the current website to the new website. GovOffice would not do that. We would have to do that in house. My recommendation based on the quantity and quality for what we are paying for would be to contract with Municipal CMS at \$13,900.”

Commissioner Williamson asked “Is this in the budget?” Mr. Howard responded “We budgeted \$10,000 for it. My recommendation is we have held off on the budget money to do the Personnel Policy update is to use money from that and put that back in the budget for next year and start that in July, the Personnel Policy update.”

Commissioner Hamlett moved, seconded by Commissioner Travis to table until the first meeting in May so more information can be gathered.

Commissioner Hamlett stated “That is a lot of money right now. I know we need to do something and we need an update but \$2200 a year is a lot.”

Commissioner Hall asked “I was just wondering, the information that Commissioner Hamlett needs is there any of that that staff can help you get?” Commissioner Hamlett responded “I had a computer man come by my office today and I just wanted to talk with him.”

Upon a vote of the motion, the motion carried unanimously.

APPROVAL OF LAW ENFORCEMENT EXTENDED SERVICE BY BRENNAN

Mr. Howard stated “You have a letter from Jim Brennan in your packets spelling out what he would charge, including March until the project is finished. It is \$25,500 a month for architectural services and general conditions for the construction management portion. I will let Brian talk as far as the contract. This contract is set up if this project goes over as he mentioned in the meeting to where he would charge us and we would be able to back charge the contractors as part of their liquidated damages.”

Mr. Ferrell stated “We had a telephone conversation with Mr. Brenna and essentially what he said is the budget that he has been paid for the services that he has provided is over essentially so the monthly payments that he has received according to the contract have expired if you will and so now we are couple months into having some additional staff on site to finish out the project that was not contemplated in the original scope. Mr. Brennan asserts that he does need a change

order for the additional services. The provisions in the contract allow for these payments and that is essentially what is before you here this evening. The contract does provide for additional services to be provided and paid for at the rate of two times the cost essentially but you see how Brennan estimates the charges to be paid for the next few months for the close out.”

Commissioner Travis asked “Does he want an answer on this now?” Mr. Ferrell responded “I believe so. He brought this up to you when he was before this Board that he was going to be bringing this forward. That was several weeks ago when Mr. Brennan was here himself and since then he has clarified the amounts that he anticipates charging which was one of the things that was not included in his initial request to you. The county manager asked him for some definite figures and it is in this letter outlining his request. He has done that so this is a continuation of what he mentioned to you when he was before you several weeks back. I am not exactly sure of that date.” Commissioner Travis continued “I can’t see us paying anything until this thing is through with.” Mr. Howard responded “That was brought up in conversation and he said that he could not continue to work without being paid during this process. What would happen if we were not to pay him is he would pull off the job and under his contract he can do that legally and we would have to find another architect to finish the project.”

Commissioner Williamson asked “So we are looking at \$25,500 a month?” Mr. Howard responded “At the most and he would back charge the contractors.”

Mr. Ferrell stated “I can’t tell you that I necessarily agree with what the county manager said which is he would be legally entitled to pull off the job with no ramifications but the county manager has heard from him and that is what he would have to do because he would not be able to pay his people so the practical effect may be just that and it would be left to another day to look at the legal consequences of that pull out.”

Commissioner Williamson asked “Can we go back over some of the items that he made mistakes on? Is it possible for him to pay some of this back also?” Mr. Howard responded “They are in process and it should go out this week and I should get a copy of it. They are sending a letter to the civil engineer the errors that we discussed on the civil engineer’s site plan on the project. They are going forward with that motion with getting funds back. We would be able to get some funds back from the contractors. Obviously they are way over due on the completion of this project and there are obvious short falls in getting it completed.”

Mr. Ferrell stated “Brennan’s scope of work does require them at project completion to provide you with a schedule of delays and a list of who they believe is responsible for those delays. Brennan’s take has been and I believe he mentioned this to you when he was here that they would like to focus on the completion of the project right now and assess the liquidated damages at the end of the project and that process would still be available to the county at the closing.”

Commissioner Hamlett stated “We are caught in a hard place I know that. This ain’t our fault and we should not be penalized for this either. It ain’t right and everybody knows it ain’t right.”

Commissioner Hall stated “Mr. Chairman I remember Mr. Brennan making the comment that he would like to focus at the end on who is responsible for what and it seemed that he had made a

decision that that was the way he was going to handle it but if we are going to do that then my position is let's wait until the end to see what we are going to pay him because I am not 100% sure in my mind that his organization was not responsible for some of these delays. To say I want my money, I want my money and I will figure out who else is responsible later just does not sit too well with me." Mr. Ferrell responded "All I will say is during our telephone conversation that idea which is you collect when the county collects on the liquidated damages was discussed and the problem expressed by Mr. Brennan was the cash flow to keep his people on site." Commissioner Hall stated "I understand." Mr. Ferrell continued "I just want you to know that the manager has pursued options in just that regard." Commissioner Hall responded "I understand that too."

Commissioner Travis stated "With this thing here he started out with \$13,500 and then down in the next paragraph it is \$12,000." Mr. Howard responded "The \$13,500 is payment for Mr. Foster and other staff to be here. The other \$12,000 is architectural services. He said we would do those by an hourly basis. \$12,000 he estimated would be a maximum on that, it would depend on how much time the architect would have to spend until the end of the project clarifying everything and part of this is working on getting our money back from the contractors." Commissioner Travis asked "So in other words he went from \$27,000 a month down to \$25,500 a month?" Mr. Howard responded "No sir the \$27,500 a month was to have two people on site. What he is saying is he will half that to \$13,500 for the last two or three months." Commissioner Travis continued "And then you have down in the next paragraph there is \$12,000 there." Mr. Howard responded "We had two contracts. One was for general condition which was to pay for the onsite staffing of Mr. Foster and the other gentleman that was here and I cannot remember his name off the top of my head and the other is for architectural services which is for drawings, clarifying drawing and making corrections or changing drawing or anything of that nature as part of the project." Commissioner Travis stated "But the bottom line is it is still \$25,500 that is the bottom line." Mr. Howard responded "Yes sir." Commissioner Travis continued "It does not matter how you say it that is how much he wants a month." Mr. Howard responded "Yes sir." Commissioner Travis stated "Well based on what you said he said if we don't pay it he will pull them out." Mr. Howard responded "Probably not in those exact words but that was the impression we were given." Commissioner Travis continued "He ought to be here standing here in front of us now and tell us this is what he is going to do and this is not what he is going to do. That is the way I feel about it." Mr. Ferrell responded "I believe he was rather clear when he was here before and that he was going to bring this back before you." Commissioner Travis continued "He did mention it when he was here." Commissioner Hamlett asked "Where was the recommendation then?" Mr. Ferrell responded "He put it in a letter that was put at your desk that night and it did not happen at that time because you did not have a chance to look at it because it was just given to you but that letter was clarified by the second letter that is in the packets tonight with the actual dollars. The first letter did not have the dollars in it."

Commissioner Williamson asked "Do we have any money left in the account to finish up the jail?" Mr. Howard responded "Yes sir we have held some money back." Commissioner Williamson continued "Will we pay them everything?" Mr. Howard responded "No sir we will hold one payment back until they are finished with the project."

Commissioner Travis asked "How many months do we owe him for now?" Mr. Howard responded "Just one month. It is set up to pay monthly."

Commissioner Hamlet asked "Is that for January and February?" Mr. Howard responded "For March."

Commissioner Carter asked "How much money do we have left in that project?" Mr. Howard responded "Assuming we do not get the front reimbursed in this that is an assumption but I think we will be, the sales tax refund of this project is more than enough to cover these additional services. We have been keeping track of that during the project and it is well in excess of \$100,000 that we will get back just in sales tax refunds." Commissioner Carter continued "How much do we actually have now Kevin?" Mr. Howard responded "There is no money in the project to cover this cost. There is about \$800,000 left in the project, most of that will go out to contractors. There is \$230,000 for the connector but there is no money to cover the \$70,000." Commissioner Carter asked "Where would this money come from?" Mr. Howard responded "That is why I was saying we have sales tax refunds that we can get back where contractors have spent during the project on materials, we can get a refund on that and that is now in excess of \$100,000."

Commissioner Travis asked "How much money do we have left on the connector? We have not spent any?" Mr. Howard responded "There is \$230,000 still left for the connector portion of it." Commissioner Travis continued "Just because we have the money does not mean we have to spend it."

Commissioner Carter stated "What worries me though is if we don't pay them we won't have anybody overseeing the project." Mr. Howard responded "I am not sure we can finish the project without having an architect on site."

Commissioner Williamson moved, seconded by Commissioner Jefferies to go ahead and take care of this and pick up at the end of the project and then at least we are not the one's holding up this project. At the end we can sit down or our lawyer can sit down and get money back where ever we can to cover whatever we need to cover including this money.

Commissioner Travis stated "It is going to be sort of hard to get it back once you have paid the money." Commissioner Williamson responded "That is my motion."

Mr. Howard stated "My concern is just what Commissioner Williamson stated." Commissioner Travis responded "I understand but every time we do something the taxpayer get pulled over a barrel."

Upon a vote of the motion, the motion failed by a vote of three to three with Commissioners Hall, Hamlett and Travis voting no.

Mr. Howard stated "My concern is and I understand the Board does not want to do this, I don't want to do it but we run the risk by not continuing the project of delaying caused by the county and then how does that affect it. I don't know how that would affect our claims on these

contractors at the end of the project. That is my number one concern with this. I understand completely about paying them, I don't like the idea any more than you do but I want to finish the project as quick as possible and at the lowest prices possible."

COUNTY MANAGER'S REPORT AND UPDATES
DOT's Request for 2013 Resurfacing List

Mr. Howard stated "I wanted to bring the DOT's request back up to you about resurfacing roads in the county. I have received a couple. If anyone else has any more please get those to me. There is still time for this."

Commissioner Travis stated "It is sort of hard to bring you a list back because every road in this county really needs to be paved. I hope surely they work on 62 over here. It is all to pieces coming into Yanceyville but that is not the only one."

Commissioner Hall asked "Do you know what kind of budget they are working with for Caswell?" Mr. Howard responded "No sir but they will be at the next meeting." Commissioner Hall continued "They could still tell us couldn't they I mean before they get here?" Mr. Howard responded "I will find out." Commissioner Hall stated "I don't think we should have to wait two weeks to know that."

United Way Fundraiser Request

Mr. Howard stated "This is included in your packets. They will use the jail and from what the Sheriff has said they will use this as part of the testing of the facility. They will actually be booked in the jail. They will be given uniforms, feed them and have them test the plumbing. They will actually incorporate this into the testing of the facility if the Board was to decide they could use it."

Commissioner Travis asked "When is that fundraiser going to be?" Mr. Howard responded "It would be before we actually opened up the facility. We have to test the systems before we open so it would be sometime in May. We would use this fundraiser to test the facility. One thing we want to do is flush all the toilets at the same time."

2013 County Assembly Day

Mr. Howard stated "County Assembly Day will be held on May 22nd. If you would like to attend please let us know by May 15th."

Caswell County Law Enforcement Plaque Approval

Mr. Howard stated "You have a copy of the plaque for the interior of the building. I need to know if you want all the commissioners listed on here from the start of the project to the finish. We have three options. The one included has commissioners listed from the start of the construction. We can include all the commissioners from start to finish or we can list the commissioners at the end of the project."

Commissioner Travis stated “To me I think all the commissioners need to be listed. That is the way I see it. I don’t know who the rest of the commissioners feel. If you are going to do a plaque I would say put everybody on it. What do you all think?”

Commissioner Hall stated “Why don’t you do a mock up of some sort so that we will have something to vote on.” Mr. Howard responded “There is a drawing in your packet.” Commissioner Hall continued “With the options. Is there a drawing in here with the options?” Mr. Howard responded “I will get that.” Commissioner Hall stated “That will make it a whole lot easier.” Commissioner Travis responded “I just gave you an option.” Commissioner Hall stated “You said what do you all think. We can’t vote on what we think.”

Commissioner Travis moved, seconded by Commissioner Williamson to include the names of the commissioners from the start of the construction through the completion of the project. The motion carried unanimously.

Guilford Mills Office Space Request

Mr. Howard stated “I had a request to use an office space at Guilford Mills. It is not tied into mental health. We have space available. We can lease that space out to someone with the contingency that they have to move out within 30 days after notice.”

Commissioner Travis asked “How much space do we have over there that we are not using?” Mr. Howard responded “There are 2 or 3 offices. I think there are 3 offices that we are not using right now.” Commissioner Travis continued “Are they the offices that mental health uses?” Mr. Howard responded “Yes. My thought was to let somebody use them to get some income off of it.” Commissioner Travis stated “That is right, get some income off of it. Do you need a motion on that?” Mr. Howard responded “If you are okay with me doing that I am okay with moving forward with it.”

Commissioner Hall stated “We have three vacant offices. How many providers do we have in there?” Mr. Howard responded “Five or six.” Commissioner Hall continued “And you are considering renting these out. Are you considering renting them at market rate or reduced rate like we are giving to mental health?” Mr. Howard responded “The rate we have in there is not a reduced rate. It is a market rate based on where I looked when we started the process two years ago. I plan on looking at it again before the budget year this year.” Commissioner Hall stated “So you are saying market rate?” Mr. Howard responded “Yes sir.” Commissioner Hall continued “I am fine with that. I would not rent to somebody and then say you have to get out within two or three days.” Mr. Howard responded “There would be a 30 day notice. The current lease calls for a 30 day notice.” Commissioner Hall asked “From day one? You mean I rent from you and a few weeks later you say I have 30 days to get out.” Mr. Howard responded “I am sure the current lease calls for a 30 or 60 day notice.”

Public Hearing

Mr. Howard stated “At the next meeting we will have a public hearing on the Dan River watershed amendment. A representative from DENR’s office has offered to come to meeting. I would like to know if the Board would like this person to come.”

Commissioner Hamlett stated “I think they should be here. They can clear up some stuff.”

Commissioner Carter stated “I researched the DENR website. I know there are some questions and stuff but the state representative can answer these when they come up on the 15th I know there were some farmers here at the last meeting but the buffer requirement is the same for the WS-II as it is for the WS-IV which is 10 feet from the stream. The only change on the WS-IV is if you build the buffer is a little bit more stringent than a WS-II. If anybody would like to see a copy I have it from the Division of Water Quality.”

ANNOUNCEMENTS AND UPCOMING EVENTS

- A. NCACC District Meeting – Wednesday, April 3rd 5:30 until 8:00 p.m. – AVS Catering & Banquet Center, Asheboro, NC
- B. Meeting with School Board – Monday, April 8th @ 6:30 p.m.
- C. Town Hall Meeting with Senator Mike Woodard – Thursday, April 11th 6:30 -8:30 p.m. – Historic Courthouse
- D. Heritage Day – Saturday, May 18th 9:00 a.m. until 2:00 p.m.
- E. County Employee Family Picnic on June 22, 2013 with a rain date of June 29, 2013

CLOSED SESSION

Commissioner Carter moved, seconded by Commissioner Hamlett to discuss matters relating to economic development (NCGS 143-318.11(a)(4)) and to preserve the Attorney/Client privilege – Triumph, LLC v Alamance-Caswell LME, an Area Authority/Local Management Entity, Alamance County, and Caswell County, Alamance County v PBH d/b/a Cardinal Innovations, John P. Paisley, Jr., Jandy Andrews and National Digital Forensics, Inc., Alamance County File No. 12CvS1365 (NCGS 143-318.11(a)(3)). The motion carried unanimously.

REGULAR SESSION

Commissioner Hamlett moved, seconded by Commissioner Williamson to resume regular session. The motion carried unanimously.

Commissioner Hall stated that he would like to get a report that tells the total amount of people that have been served through mental health from January through March of this year. He would also like to get the total number of providers and how many people are they seeing. Then he would like to compare those numbers to last year.

ADJOURNMENT

At 8:15 p.m. Commissioner Williamson moved, seconded by Commissioner Hall to adjourn.
The motion carried unanimously.

Paula P. Seamster
Clerk to the Board

Kenneth D. Travis
Vice-Chairman
