

MINUTES – MAY 6, 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, May 6, 2013. Members present: Cathy W. Lucas, Chair, Kenneth D. Travis, Vice-Chairman, William E. Carter, Nathaniel Hall, Larry G. Hamlett, Jeremiah Jefferies and N. Kent Williamson. 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

Chair Lucas 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

Chair Lucas stated “We have a change to our Agenda. We need to add Mr. Thomas Wright between Item 13 and 14.”

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

APPROVAL OF CONSENT AGENDA

Commissioner Travis moved, seconded by Commissioner Williamson to approve the Consent Agenda. The motion carried unanimously.

The following items were included on the Consent Agenda:

- A. Approval of Minutes of April 8, 2013 Special Meeting
- B. Approval of Minutes of April 15, 2013 Regular Meeting

PUBLIC COMMENTS

Chair Lucas opened the floor for public comments.

Ms. Jessica Jones, 559 Marshall Terrace, Danville, VA made the following statement:

“Thank you for the opportunity to talk with you today. I am concerned about teacher supplements. I am a seventh grade language arts teacher at Dillard Middle School. I am not exactly sure when you guys will be discussing and voting on the School Board budget but I wanted to bring up the item of teachers’ supplements. It has come to my attention that we are

losing top notch teachers to other counties that offer a supplement. For example Person County offers an 8% supplement; Rockingham has a 5%, Guilford a 10% and Durham 14%. Caswell County needs to become competitive with other counties in order to compete for teachers and to recruit teachers. I was in a situation where in the hallway that I work in this year there was a girl who was hired and agreed to work in Caswell County and ended up getting a job elsewhere and with her leaving there were five substitutes who came into the classroom before we could get someone hired. The money that would be provided to the teachers as a supplement would be cycled back into the community with purchases at Wal-Mart, Food Lion, Dollar General, gas station and local restaurants. I am just concerned that Dillard and Bartlett Yancey is going to be a revolving door for teachers just to gain experience and if we want to stay competitive I think it is a necessary need to get supplements for teachers. Thank you.”

Chair Lucas asked if there was anyone else who would like to speak during Public Comments. With no further comments Chair Lucas closed Public Comments.

BOARD OF EQUALIZATION AND REVIEW

Chair Lucas stated “Our Board will now sit as that Board of Equalization and Review and we have to take our oath according to the Clerk and I think also Mr. Bernard will need to be sworn in as well but we will do that separately.”

Mr. Ferrell stated “That is correct. The Board members have a separate oath.”

Ms. Paula Seamster, Clerk to the Board, administered the following Oaths of Office to the Caswell County Board of Equalization and Review.

OATH OF BOARD OF EQUALIZATION AND REVIEW

I do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and I will faithfully discharge the duties of my office as a member of the Caswell County Board of Equalization and Review, and that I will not allow my actions as a member of the Board of Equalization and Review to be influenced by personal or political friendships or obligations, so help me God.

S/Cathy W. Lucas
Cathy W. Lucas, Chair

Kenneth D. Travis
Kenneth D. Travis, Vice-Chairman

William E. Carter
William E. Carter

S/Nathaniel Hall

Nathaniel Hall

Larry G. Hamlett

Larry G. Hamlett

S/Jeremiah Jefferies

Jeremiah Jefferies

S/N. Kent Williamson

N. Kent Williamson

Subscribed and sworn to
before me this 6th day
of May, 2013.

S/Paula P. Seamster

Paula P. Seamster

Clerk to the Board

Title

Mr. Bernard stated "Good evening Madam Chair and Commissioners."

Chair Lucas stated "Thomas I think you need to be sworn in as well." Mr. Ferrell responded "If Mr. Bernard is just going to introduce this year's Board of Equalization and Review Agenda he can go forward and at the point where he testifies about a particular taxpayer appeal it would be appropriate for you and anybody else offering evidence to be sworn in."

Mr. Bernard stated "What I have on the agenda for this evening is I have one gentleman, I don't know if there is anybody in the audience. It is David Andrews at 355 Crystal Cove Lane, Yanceyville. He submitted a lot of evidence. We received it this morning. We have not had a chance to go through it and Mr. Andrews is in the audience right here. What we would like to do is the Tax Office would like to go through all the evidence that we have received to make a decision to give to the Board at the next meeting." Chair Lucas responded "I think that sounds reasonable if you have not had the opportunity to look at it. Is that the only one?" Mr. Bernard stated "That is the only one I have. I don't know if there anybody in the audience or not."

Chair Lucas stated "Just out of curiosity what is the basis of that appeal? Do you know?" Mr. Bernard responded "The basis of the appeal is the value is higher than what it is worth or what he paid for it. Am I in the ballpark?" Mr. David Andrews responded the value of the land has diminished. Chair Lucas stated "We just don't need to get into it right now until the Tax Office has an opportunity to look at it. I was just curious as to whether the value was higher or lower."

Mr. Ferrell stated "Madam Chairman there are several ways the Board can proceed this evening. Any taxpayer has the ability to appear before the Board of Equalization and Review and file an

appeal as you sit in that capacity so the fact that he just got it yesterday is not atypical. I think what the tax director has said is he has not had an opportunity to evaluate and make a recommendation to the Board of Equalization and Review in regard to the appeal. Certainly if the taxpayer is here and the Board wanted to hear from him at this stage since he is here tonight you can certainly do that of course knowing there will be additional information forthcoming. It is just a matter of convenience for the Board and the taxpayer as to whether you want to wait to hear it all when it is together or whether you want to hear from the taxpayer now so that Mr. Bernard could potentially address any questions. It is certainly up to you. Mr. Bernard and I talked about the scheduling of you sitting as the Board of Equalization and Review and if you will talk just a little bit about your scheduling and adjournment of the Board of Equalization and Review so everybody can have an idea of what is coming.”

Mr. Bernard stated “What we are looking at is adjourning I think the first meeting in June to give taxpayers the opportunity to come before the Board at the next meeting. We should have everything done and then we can adjourn at the next meeting following.” Mr. Ferrell stated “So the adjournment will be the first meeting in June, this Board’s first regular meeting in June.”

Chair Lucas asked “Mr. Ferrell if Mr. Andrews wanted to speak would he have to be sworn in to be a part of this process?” Mr. Ferrell responded “Yes I think so and he could present evidence to you and he would be sworn in just like any other witness and the Clerk can certainly handle that.” Chair Lucas asked “Mr. Andrews would you care to address the Board tonight?” Mr. Andrews responded “I am happy with how Mr. Bernard is moving forward with it. It is a lot of information. I really did not come prepared to present any information tonight.”

Commissioner Hall stated “This not being a reval year there are not many issues that we would be looking at. I think it would be in the best interest of the Board and the citizen if he comes and presents the information and we can get a recommendation from the tax assessor whenever he has the time.”

Chair Lucas asked “So Mr. Andrews would you mind addressing the Board tonight with your information?” Mr. Andrews responded “I am not ready. I did not bring my presentation. I have charts, maps and notes to present. I would like the staff to review it first.” Chair Lucas stated “Well if that is your preference and that is what you prefer to do then that is fine.”

Chair Lucas asked “Any questions at this point?”

Commissioner Hamlett moved, seconded by Commissioner Travis to recess the Board of Equalization and Review until the next meeting on May 20, 2013 at 6:30 p.m. The motion carried unanimously.

Mr. Ferrell stated “Just to be clear for the record, we are continuing the Board of Equalization and Review until the next regular scheduled Board of Commissioner meeting which is the third Monday of this month. That will be the next that the Board of Equalization and Review will meet and the schedule is that the Board will adjourn on the first regular Board meeting in June.” Chair Lucas asked “And those are properly advertised?” Mr. Ferrell responded “Yes and the

advertisement for this meeting has gone out. The tax director is going to advertise for your next meeting and also for the adjournment. I understand he is going to do that this week.”

FY 2013-2014 HEALTH BENEFITS RENEWAL

Ms. Tracy McCarthy, Mark III, stated “Your first option is that you maintain your current plan. Your current plan has no increase on it so it is a good year to consider putting in wellness for your employees. I know in a previous meeting you heard about the wellness program basically it would mean doing biometrics this year that would create a baseline. You would be looking at cholesterol, you are looking at waist circumference, you are looking at blood pressure, those things that affect the health of all of us you know that can lead to heart disease or a stroke. You would do that this year. What that ends up costing you and this is a rough estimate, it may not be this much per employee but I am been very conservative with the \$50 but for all employees that participate it would be \$12,750 that you would need to build into this fiscal year. We would have a medical provider to provide those biometrics. Just so you know Mark III, we manage over a hundred public sector clients, over thirty counties, we have a huge amount of clients that do biometrics and some have done it for years. This year and the past year had clients that implement additional standards with that. This is a good way for you to start so your employees can get a feel if they don’t really know what kind of condition they are in and if they are not going to see the doctor this would be one way to get them assessed. It would be their information and it would be completely confidential. If you decided to do the full wellness program then you would have an incentive of \$500 that would be awarded in the fall or winter of 2014 that they could use for whatever they wanted to use it for. We have clients that do different things but this has become more population because it is an easy thing and it would cost you less money than doing a health reimbursement account where you would have to actually pay for the administration of that account. We recommend and again it is just a recommendation that you put it in this year’s budget so that you have it for next year because you don’t have a renewal increase on your medical plan. This is the year to do it. Next year if you got hit with a 20% increase on your medical plan you wouldn’t have that money. That represents \$127,500 if all employees qualified; again I have given you a conservative number. All the employees are not going to hit all the measures. You would do your baseline this year. Next year you would do another biometric screening and they would see where they stand. We have about 9 counties putting that into place this year and doing that very thing. They will do the screening and next year they will actually give those rewards if folks actually hit their measures or make a 5% improvement. I have put the measures for you at the end of the presentation. I was not going to review those because you have already had those but if you have any questions specific to it just know that those come from the American Heart Association, Diabetic Association and there is somewhere in between where a medical provider would say that these are not as strict as they need to be. We are not trying to build Olympic athletes. We are trying to give your employees something to shoot for especially if they haven’t made any change themselves. We have quite a few doing this. This year as long as they participate they don’t pay anything additional. Now next year if they did not hit it then they would pay additional. The thing is this year whether you want to approve the full program or you just want to approve the biometrics you could do that and then next year the incentive but you have to decide if you are going to implement it, that standards, because you need to give the employees a full year to try to meet the goal. If you don’t communicate it this year then you are putting off another year. That is option 1. Option 2 – you

could do a dual option plan which would be your current plan that you have now alongside a consumer driven plan with an HSA account put into place, a health savings account and that is a way for them to budget and save for future qualified expenses. It would be pre-taxed. Again this is a rough estimate based on the rates for 64 people who could possibly participate but that is no guarantee. That would cost you \$48,000 for 64 people to fund it with \$750. The majority of our clients and we have over 24 or 25 that offer consumer driven plans with HSAs fund 50% of the deductible which is what we are recommending here. The consumer driven plans drive behavior because they are all deductible and co-insurance. We had someone down in Little Washington whose child needed a MRI. They shopped for the MRI and the cost was anywhere from \$800 to \$2000 and they ended up traveling because they knew it was coming out of their pocket out of the HSA account and they did not want to spend anymore than they possibly had to. It encourages folks to be better consumers. The last option is that you could do a dual option of your current plan alongside a consumer driven plan that would be paired with a health savings account and implement the wellness. That is \$750 for every employee enrolled that chooses the consumer driven plan in which our estimate is that 64 would enroll and you would do your biometrics and do the \$500 cash reward which would hit in late 2014 and that would be \$127,000 if everyone qualified but everyone is not going to qualify. That is just a conservative estimate. This just spells out the cost for you. This is option 1. Okay if you do nothing but renew your current plan you have no increase whatsoever. However what we recommend is that you do the biometrics and that most that it is going to cost is the \$12,750 and that is an estimate based on what the screenings would cost per individual. That would come out of this year's budget for sure. If you approve a full wellness program that would set up standards then the most that it would cost you if every single employee qualified addition would be the \$127,500. That gives you a total of \$1,719,000. This I personally think is the best recommendation because it gets you started on wellness and it renews your current plan. If you have a rough year next year you are going to need the additional funds. Right now you are having a really good year. When you are having a good year that is when we recommend that you put in some wellness. There are other things that the staff can do in addition to this but this pulls in more participation and accountability from the employees. The second option is you could do the dual option with both plans. Anyone that want to take the consumer driven plan can take it and you would put the \$750 in the health savings account for them. They can use it for any qualified expense that is going to help them with the deductible. They can save it for future. There is no force distribution at retirement and you are looking at a total of \$1,574,757. The last option would be that you do a dual option with the traditional plan and the consumer driven plan, funding a savings account through the Credit Union and that would be \$750 for any employee that takes that option and you install wellness. I have broken this out for you but basically I have broken it out for your contribution for if 64 people participate which is \$131,226.45 that basically gets you even with the renewal if it worked out that way based on your current plan. The biometrics are \$12,750. If everyone qualified in 2014 again and not in 2013 you would be looking at \$127,500 on top of that. When you add all of that together it is basically \$1,714,967.40 with the wellness costing you about \$140,250. I am not going to review your last slide but you have it in your packet but basically those are the standards that we had recommended that are being used by a lot of our clients and they vary here and there but there is discussion with a medical provider with a staff and again we are not trying to make folks athletes it is just something to give you a goal to shoot for. Those are your options. Do you have any questions? I would encourage you soon to make a decision because we are very close to your renewal date."

Chair Lucas asked "On the listing for the current plan, am I overlooking what we are paying for that? Is it included on this page?" Ms. McCarthy responded "The total for your current plan is \$131,612.11 monthly." Chair Lucas continued "Do you have an annual total?" Ms. McCarthy responded "No I did not annualize it there." Mr. Howard responded "It would be \$1,579,000." Chair Lucas asked "On the Option 1 the employees pay \$40 addition if they do not participate in the voluntary screenings so for anyone that does not participate that would be their additional pay?" McCarthy responded "Exactly. Mr. Ferrell stated "Madam Chair if the Board is interested in implementing a wellness plan this year I would like to work with the consultant on the plan. There are legal issues surrounding the implementation of wellness programs for local governments and the North Carolina Association of County Attorneys has put out some publications and done some presentations on that recently and the piece you just picked up on particular is the one I would like to look at. When you offer incentives i.e. when it does not cost the employee anything but they are incentivized to have behavior or results that is less a concern that when you propose a penalty." Ms. McCarthy responded "It it may be the way it is listed." Mr. Ferrell continued "I know they have probably done it across the state. Just to let you know that if you are interested in doing that I would like to be included and be able to consult on that. Make no mistake other counties are implementing these programs." Ms. McCarthy responded "About two years ago we got legal opinion from our attorney on it because we had a county that was rolling it out. They are in their second year on rolling out the standards. I think discounted rate is the terminology that you would use. You get a discounted rate if you participate."

Chair Lucas stated "I think we need to talk about doing some type of group polling through the department heads and the employees. I know it is ultimately our decision but if we could get some type of feel by doing that or did we do a poll." Mr. Howard responded "Yes Mindy has some results from that." Ms. Satterfield stated "We did do a poll. Out of the 238 employees we received back 112 responses. 68% of those like the PPO where it was. 9% would like to consider the health savings account and about 22% for the wellness program. That was just a brief poll. We did not go into a lot of detail so kind of take that on the surface."

Chair Lucas asked "Do we have a recommendation for the Board?" Mr. Howard responded "I think long term we will do the wellness. We have talked to a lot of counties and they are seeing a reduction in their increased cost year after year. We have been fortunate the last two or three years, we had 0% this year and I think 5% last year and the previous year. Other counties are seeing 20 and 40% annually and they are trying to put discounted programs in place to try to bring those cost back in." Chair Lucas asked "How soon do we need to take action on this?" Mr. Howard responded "If you don't make a decision tonight I would like to have a meeting sometime later this week. If you need more time to think about it we can meet later this week and discuss it again."

Commissioner Hall asked "What is the renewal date that we are working with here?" Ms. McCarthy responded "July 1 with Cigna." Commissioner Hall continued "I would like to see staff, the attorney, human resources and the county manager of course to take a look at these options from every perspective. Long term I am concerned about the cost, \$1,500,000 or \$1,700,000 is a lot of money and we need to start looking at ways to try to reduce the increases."

I would like to see staff take a good long hard look at it and come back to the Board with the options in a summary form, impact option by option.”

Commissioner Hall moved, seconded by Commissioner Jefferies that staff, including the county attorney, gets with the consultants and take a look at the options long term to try to find a way to mitigate the increasing premium costs and get back to this Board with a summary report and recommendations. The motion carried unanimously.

Commissioner Travis asked “When will we get this information?” Mr. Howard responded “We can meet this week. Maybe Wednesday or Thursday evening?” Chair Lucas stated “Not for the Board to meet. We have until July 1st.” Mr. Howard responded “We have to get it into place because if you change what we are doing we have to have time to inform staff and make them aware of what is going on.” Commissioner Hall stated “We can’t wait until July 1 to get all of this in place but I think that if staff can meet this week...” Mr. Howard responded “We actually have to meet the June 14th payroll if there are any changes in order for it to be effective next year. That is probably the biggest reason to have it as quickly as possible.” Chair Lucas stated “So we will meet at the end of the week.” Mr. Howard responded “Yes we can have it ready for you by the end of the week.” Chair Lucas continued “And this Board could make a decision at our next board meeting?” Mr. Howard responded “No ma’am I would like for the Board to meet. If you could meet again say Thursday evening we would bring it back to you to review.” Commissioner Hall stated “From my personal position and I don’t have my calendar but I don’t know that I can get back or recommend that the Board get back by Thursday but certainly staff can meet and then the Board can figure out a time for next week sometime when we can best meet to get this summary report and recommendation.”

Ms. McCarthy stated “One thing you need to think about is the healthcare reform; you are already beyond the deadline. If you may any significant changes, material modifications to you plan you are supposed to communicate that within 60 days of your renewal date. You are already beyond the renewal date, I mean that 60 days.” Commissioner Hall asked “So what you are saying really is we can’t make any changes with what we had last year?” Ms. McCarthy responded “No.” Commissioner Hall continued “You are suggesting probably what we can do.” Ms. McCarthy responded “I am saying you have safe harbor. They are giving everyone a safe harbor and giving you time. I am telling you that you are already beyond the 60 days. I would not put it off beyond this week, I wouldn’t. If you decide to implement a HSA you need to be rolling now. I wouldn’t put it off.”

Chair Lucas stated “According to the statistics that we were given...” Ms. McCarthy responded “No one is interested.” Chair Lucas continued “No one is interested in the HSA.”

Commissioner Hall stated “See Madam Chair that is why I want staff to get together and look at these things along with the legal to make sure that we comply with everything because in the end, I will try to say this so it won’t sound so, it is the one million five and the one million seven that is growing every year that concerns me and staff may not understand that.” Mr. Howard responded “The long term to reduce those costs is the wellness program. If you look at statistics the HSA does not reduce that long term cost. What we have seen in other places is the wellness programs reduce those costs. The people start to go to doctors to get the biometrics done and

finding out what their health problems are and finding out ways to work on them before they get too serious. That is what is bringing down that healthcare cost.”

Ms. McCarthy stated “Your claims drive the cost up ultimately. You could just renew the current plan and then talk about the wellness. If you don’t do the screenings until later in the summer you don’t have to communicate that yet.”

Mr. Ferrell stated “It sounds like if HSA is something that the Board is considering then the rollout for that will need to happen quickly but you are considering a wellness component in addition to the PPO that could happen after this meeting and still potentially rollout in time for the next premium year.”

Ms. McCarthy asked “When were you thinking about doing the biometric screenings?” Ms. Satterfield responded “Per our conversation in August.” Ms. McCarthy continued “So you have time for payroll and everything else. You would just have to communicate it after, I mean you have time.” Chair Lucas asked “Excuse me could you inform us on what you are discussing?” Ms. McCarthy responded “I was just asking when she was thinking about doing the screenings. If it is August then you have time on the screenings to make a decision.” Chair Lucas stated “That is in the event that we go with the wellness component...” Ms. McCarthy stated “If you are not making any plan changes again if you are making no plan changes you are okay on the 60 days. It is just making plan changes.” Chair Lucas stated “The decision is do we leave our plan as it is. The recommendation has been given that staff will go ahead and get with our legal counsel and get back with the Board and preferably next week to make that happen. That was your motion right?” Commissioner Hall responded “That was my motion.” Mr. Howard asked “Do you still want the option of the HSA to be presented? We still have the option to keep the same plan at the same cost.” Ms. McCarthy responded “The regulations say if you are making a material modification that you are supposed to communicate it. You are supposed to provide the SBC which is the federally required summary that Cigna would require within 60 days. Technically you are supposed to give them the HSA, the consumer driven plan to the SBC within 60 days of the effective date. Now the reality is right now some of the carriers are having nine pages when it is supposed to be eight pages, this is a safe harbor time where they are letting everyone work through it but conservatively I would not want to keep pushing the date out because then it is like you know it will be like how much effort have you made to try to meet their deadline. That is all.”

Chair Lucas asked “Do you want to establish a timeline on when to meet?” Commissioner Hall responded “No, like I said I don’t know everybody’s schedules.”

Commissioner Travis stated “From what they are saying they want an answer to this tonight or we will not have any insurance.” Commissioner Hall responded “That is not what they are saying.” Commissioner Travis continued “The time is going to run out. We can leave it as it is and still add the other to it later.” Commissioner Williamson asked “The wellness?” Commissioner Travis responded “Right.” Chair Lucas stated “I would like for the clerk to get with the commissioners to establish a date for a meeting for next week in order to save time tonight.”

Commissioner Hall asked “One other thing on clarification with counsel the stuff that you mentioned. That would only be something other than the wellness program, is that correct?” Mr. Ferrell responded “It is applicable to the wellness program. I did not mean to confuse the Board. Wellness programs are being conducted in various counties across the state. It is just the details and the wording and the implementation of the rewards and that sort of thing that will bring up a legal issue. Make no mistake the wellness program, if that is the way the Board wants to go, the details I would like to work out but it certainly can be done legally in the state of North Carolina. If I left any confusion on that part I am sorry. Now I definitely have information I can give to this Board on what those programs look like and what are some of the issues with the rollout, I am happy to do that as quickly as you need it. I can get that material together. If that is the direction you are going you can do it, it is just the details.”

Mr. Howard stated “If the Board is considering the wellness you can approve the renewal option tonight if you want to and we can implement the other part of it once you have had time to look at it and discuss it because that could be implemented and do the biometrics in September or October or whenever we can to that conclusion. My recommendation is if we want to affect the long term rise in our healthcare cost the wellness plan is the best way to do that.” Chair Lucas asked “But we are going to give us some numbers to show us how that would work?” Mr. Howard responded “Yes.” Commissioner Williamson asked “And that could be added at any time?” Mr. Howard added “Can that be added after July 1 or does it need to be prior to?” Ms. McCarthy responded “I would like to get everything together.” Mr. Howard continued “But it is not affecting the employees cost until that goes into effect in August or September or whenever. The issue for us is if we change to the HSA because there is education that is needed because the benefits will change. There is an education time frame and that would affect payroll for July 1.”

Commissioner Travis asked “If I understand her right we can vote this plan 1 in tonight and add the wellness to it down the road. Am I right or wrong?” Mr. Howard responded “Within a reasonable amount of time, yes sir.” Ms. McCarthy responded “The main time is, is it going to impact the premiums.” Commissioner Travis stated “We would need to know before we pass the budget on if we are going to add or leave it alone.” Mr. Howard stated “Preferable on the wellness component we would want to know as soon as possible.” Commissioner Travis continued “Nobody has answered my question. Can we or can we not pass this option 1 and add this down the road even if it is in July?” Mr. Howard responded “Yes sir.” Commissioner Hall stated “They are skirting the issue. Technically the answer is no because technically there are certain things we have to do.” Mr. Howard stated “Correct me if I am wrong under the new national healthcare plan when it goes into a full effect you have 60 days. This is the first year that it goes into affect but everybody has some leeway in it because they know that everybody is trying to adjust to the new policies. We have some leeway this year but we just don’t want to push that too far down the road. If that makes any sense.” Commissioner Travis asked “What I am trying to get at is say we wait two weeks before we give them answer and they say you had to do this within 60 days what are you going to do then?” Ms. McCarty responded “The federal government does not have it set up to monitor it. The other thing you can do, this is what some other counties have done for the first year because they were where you are. You can renew the current plan. You offer the biometrics. You encourage folks to do this and you don’t punish them, I hate to use those words, if they don’t do it.” Mr. Howard added “The incentive would start next year.” Ms. McCarthy continued “Yes the incentive would start next year if you are

going to do it. That is a very easy, soft approach into getting the folks used to doing the biometrics. That is what a lot of our clients have done. They don't have any discounted rates the first year. It is like hey we are doing this for you because we care about you as employees. We want you to get your biometrics then you truly have not added anything to the plan that is going to be a material modification. You are just offering something with no money attached to it. That buys you some time, if you do the traditional plan and you make no plan changes. That is another option. I think that is an easier option for you."

Commissioner Travis moved, seconded by Commissioner Williamson to pass the option 1 plan on the health insurance and look at the wellness program at a later date.

Commissioner Hall asked "Did we vote on the earlier motion?" The Clerk responded yes. Commissioner Hall continued "So we voted and now we are going to ignore the earlier motion." Commissioner Williamson responded "We are going to add it into this one." Commissioner Travis responded "We are still going to check on the earlier motion." Commissioner Hall stated "But if you go ahead and vote on something then there is no need of meeting and them telling us anything next week. Our consultant has said that this is the easiest way and you might be looking for the easier way but I am looking at \$1.5 to \$1.7 million. We are already inside of the 60 days so what is another week going to cost us inside the 60 days? Let's get some information and move forward. None of this is easy, what we are trying to do but this is a big chunk out of our budget and I don't think we should take the easy way out just so we can go ahead and move on to the next item on the agenda." Commissioner Travis stated "It is going to be hard to cram all of this down the employee's throats in just 2 or 3 weeks time." Commissioner Hall responded "We are not cramming anything down on the employees." Commissioner Travis continued "Most of them don't want it." Commissioner Hall responded "Mr. Travis I tried to say this as politically correct as I could before this is not about what they want. This is about \$1.7 million that we are paying. Many places around the country employees pay for part of their insurance. We are paying for 100% of their insurance. We have to start looking at things differently."

Upon a vote on the motion, the motion failed by a vote of two to five with Commissioners Carter, Hamlett, Hall, Jefferies and Lucas voting no.

DISCUSSION AND APPROVAL OF SIGMA ENGINEERED SOLUTION PROPOSAL FOR HVAC AT THE MAIN COURTHOUSE

Mr. Massoud Eftekhar stated "First of all I would like to thank you for choosing Sigma. I have with me Fred Haynes one of our senior engineers with me who would be helping me with the project. A couple of weeks ago I came here to see Mr. Howard to discuss the exact scope of the project and to know if there are any other issues that you may have with the building and if there are any issues with the heating and air conditioning that the employees are complaining about. He asked me a few questions and I got a little more detailed information and he asked me to attend this meeting and to respond to any questions that the members of the Board may have. What I would like to describe to you right now before I open it up to questions is to explain what you have right now for the heating and cooling of that building and explain what the scope of the services are today. The building as you all know was built sometime in the 1980s and it is about 20,000 square feet with the two stories together. The HVAC system consists of, in a simple

term, electrical heating with refrigerant cooling. The cooling system is pretty much shot. It is gone. There is a lot of rust on the equipment sitting outside and the electric heating costs quite a bit of money to heat it. The technology that has been used in the building is the technology of the 80s. That was a long time ago. It is gone and no longer available. Although you have a VAV system available, a volume system, it is really not up to today's standard. It was the very first attempt at the volume system. The ductwork that you have in the building is what everybody used to use without paying too much attention back in the 80s and that was linings inside the ductwork, a duct liner for sound restriction and to give you the insulation value. Unfortunately the duct liners have proven to be a bad idea because they collect dust, mold and mildew and cause sick buildings basically or sometimes they fall apart. Nobody has really determined the effects of the particles of fiberglass in people's lungs but sooner than later somebody is going to find out. Hopefully we will not have another thing like asbestos on our hands. But nevertheless the ductwork that we have has duct liner inside and it is some twenty some odd years old. Most likely it has never been cleaned and most likely there is a lot of dust and mold and debris inside of it. The scope of services that Mr. Howard and I have talked about was to replace the air handling unit, replace the cooling unit that is sitting outside and add a gas water to generate heat for the building. When I started talking with Mr. Howard a few things came up that you ought to know because I don't know if you have enough in your budget or have the idea that you really need to do that. The boiler that we are going to install will basically replace the electric heat that is inside the air handling unit that provides basically heating for the interior of the building. The exterior of the building underneath the windows you still have those baseboard heaters which are electric so at certain times of the year you could be providing cooling to the interior of the building and heating to the exterior of the building which is not uncommon that one is generated by electricity and the other part by gas. It is not the most efficient way of heating and cooling the building. You also have a mechanical means of controlling how much air is provided to the building. In other words changing the air flow is by mechanical means rather than by electronic means that are very common today. As it stands our project scope includes replacing the air handling unit, replacing the air conditioning unit outside, installing a boiler, and that is pretty much it and some controls that are related to running the air conditioning and the boiler and so forth. I sent an estimated cost to Mr. Howard and I am sure you have it. What you may want to look into is to look into the possibility of replacing the entire heating and cooling system and maybe having somebody to look into how bad the ductwork is and how dirty it is inside of it to give you some advice on that to see if the duct liners are falling apart or not and if they are dirty or if they have any mold or mildew in it. Look to see if you have any possibility of having mold and mildew on the exterior walls of the building because if you do not have sufficient outside air coming into the building quite often you will see in the winter time that your windows fog up and that causes condensation and then you have mold and mildew built up behind the wallpaper or behind the baseboard heaters and so forth. So with that I will be more than happy to answer any questions that you may have, but that is basically what we have right now."

Commissioner Carter asked "Converting over to natural gas would that be a savings to the county versus the power cost now?" Mr. Eftekhar responded "It normally is sir. It depends on your gas rate and your electrical rate of what you are paying right now. You will use gas to generate hot water through the boiler and it is easier to modify the temperature of the hot water as the weather outside changes. As the outside weather gets colder you generate more hot water

and as the outside air increases you reduce the hot water temperature to heat the building with. There is a savings on that. With the electric heat you really don't have much of an option especially when the temperatures changes. You have one or two steps of heating and that is it either on or off and that is it. There will be some savings but I just can't tell you how much." Commissioner Carter continued "I am looking long term down the road."

Commissioner Travis asked "What you said is you all did not check the ductwork inside?" Mr. Eftekhar responded "We looked at it but we did not look inside the ductwork. You will have to get somebody to cut the ductwork, look inside of it, take samples of it and then make sure that the ductwork is sealed and put back together to get you the results." Commissioner Travis continued "So really you don't know if it really needs to be replaced or not?" Mr. Eftekhar responded "No sir but experience tells me that ductwork that old with the duct liner inside is usually dirty but I can't tell you what is inside of it."

Chair Lucas asked "Mr. Eftekhar did you have any sort of plans or anything to go by or did you just do a site visit? Did you have any of the previous information on the system that is there?" Mr. Eftekhar responded "I just looked at the building that you have and Mr. Haynes had some drawings." Mr. Haynes stated "I have some drawings of the system."

Commissioner Hall asked "Let me ask the County Manager what did we ask or what did we put in our RFP?" Mr. Howard responded "Our RFP was to look at replacing the HVAC on the cooling system and an additional to replace the heating system as well. It was a two part so we could get an idea of the cost just to do the air conditioning and how much it would cost to add a boiler to that as well." Mr. Eftekhar stated "But remember the boiler would only replace the electric heat that is inside the air handling unit. You have multiple baseboard heaters that are sitting on the perimeter of the building. If you want to change from electrical heating to hot water boiler then you need to run piping to them. Which mean you will need to run piping to them. We will replace the unit and run piping to the baseboard heaters and that means that you ceiling will need to come down and you lights need to come down. There is a lot of more work involved than just replacing those." Commissioner Hall continued "So these two quotes that we see here are they stand alone for the two things that we asked for? Cooling and heating?" Mr. Howard responded "Yes the first one is just for cooling and the second would change the electric heating to a boiler." Commissioner Hall asked "Just a general question sir, for a building of that size, you said it was 20,000 square feet, to do everything roughly what would that cost?" Mr. Eftekhar responded "Well you should also consider soft cost, in other words..." Commissioner Hall continued "Just give me a ballpark." Mr. Eftekhar continued "Well I don't want to include that but I probably should include the cost of the removal of the ceiling and the lights and doing it in phases because you will have employees in the building. Again you probably would not be able to move everybody out so you will have to sectionalize the building. I would say somewhere in the neighborhood of \$35 to \$40/ft. not knowing exactly how many people could be moved around. That is what it is going to cost you." Commissioner Hall stated "I can't do that type of calculating. I just want to hear a figure." Mr. Eftekhar responded "I would say around three quarters of a million dollars." Commissioner Hall stated "That is what I needed to know, thank you." Mr. Eftekhar continued "And that is to get enough over and beyond what you already have budgeted." Commissioner Hall stated "At this point I just wanted to hear the figures not necessarily what we have budgeted." Mr. Howard asked "That figure was to do

everything that you talked about that might need to be done correct?" Mr. Eftekhari responded "Yes there are other options. I don't know if you have recently changed your lights from the T12 to the T5 to be 25% or more efficient and that is something you really need to look at. I don't know what you pay on the electrical cost but that would save you a good 25 to 30% if you change the lights to a T5 or T8. On the ceiling, I don't the shape of your ceiling tiles are but quite often when you take the ceilings down to run piping around and take the old ductwork out you don't want to put the old ceiling tiles back. The tiles could be broken or there is a mismatch. Regardless of how much you tell a contractor to be careful you are not going to be happy in the end so you need to allow for \$2.00 per square foot for replacing the ceilings. Those are all the numbers I have put together."

Commissioner Carter asked "Mr. Manager, do we have enough in the budget to cover both of these?" Mr. Howard responded "Not the \$700,000. We can make changing out the units work." Commissioner Carter continued "What I am talking about is what is listed here, the \$200,000 and the \$330,000?" Mr. Howard responded "Oh yes sir." Commissioner Carter asked "So we have that amount budgeted?" Mr. Howard responded "What we would have to look at doing is if you want to go with the \$700,000 my recommendation would be to finance that over a five or six year period." Commissioner Carter continued "Well that \$750,000 would be on top of this?" Mr. Howard responded "No sir." Mr. Eftekhari responded "No sir those quotes are included in that."

Commissioner Williamson asked "With the quotes that we have would the controls control the old heating system that you left in there, the baseboard that you were talking about leaving in there?" Mr. Eftekhari responded "No I would take those out." Commissioner Williamson continued "You would take them out?" Mr. Eftekhari responded "Yes take them all out and put the heating system back into the air handling unit so you would not have anything on the perimeter of the room to provide heating. It will all be using hot water to provide heating and also may handle the dehumidification that you are having some problems with."

Mr. Howard asked "I think I may have missed something. This proposal that you gave me the other day this is included in that?" Mr. Eftekhari responded "No." Mr. Howard continued "That is in the \$750,000?" Mr. Eftekhari responded "Yes. The proposal that you have is exactly on your RFP." Mr. Howard stated "That is what I thought but I wanted to make sure."

Commissioner Williamson stated "It says that you would maintain the electric heat strips." Mr. Eftekhari responded "Based on the proposal right now, yes." Commissioner Williamson continued "Yes right now that is what I am speaking of. You don't have a proposal for none of that?" Mr. Eftekhari responded "Yes we will keep the heating strips in place. The only area that the heating will be changed with water will be the electric heat strips that are inside the air handling unit. We will take that out and replace it with hot water coils that are being fed by the boiler." Commissioner Williamson asked "My question was would the controls that you are going to replace control those heating strips along with the unit that you are going to install?" Mr. Eftekhari responded "No sir. The only controls would be controlling the new equipment." Commissioner Williamson responded "Thank you."

Chair Lucas asked “On the proposals where it says the OH&P at 35% what is OH&P?” Mr. Eftekhar responded “Overhead and profit for the contractors usually.”

Chair Lucas asked “Any other questions for Mr. Eftekhar? Kevin this was just for informational purposes, that is my understanding, tonight?” Mr. Howard responded “Yes ma’am.”

Mr. Ferrell stated “And what you will see at your next meeting is the contract for the engineering services. Tonight he mentioned what he really wanted to do is increase the scope of what he is going to do and design a complete new system. We can build that into his agreement but the RFP was just to replace, as this Board has approved and awarded is just to replace the existing system with these two options that you see in front of you. If you really want to have a new scope of work you can build that into the contract but as it sits what you will see at your next meeting is a contract for the services that went out to bid.”

Chair Lucas stated “Thank you Mr. Eftekhar for your time.”

FY 2013-2014 BUDGET PRESENTATION

Mr. Howard stated “You have some of the budget in the books before you and we sent some of the backup information to your iPads. I am just going to hit a few highlights of the budget tonight and we can discuss it in detail at the budget workshops. The total recommended budget...”

Chair Lucas asked “Kevin just for clarification purposes for the commissioners. I have not talked with each individually but part of our information is in the book and the justifications for the budget from the department heads are on your iPad. I am not sure if everybody is aware of that or not.” Mr. Howard responded “The thought behind that is you can look at the budget while we are working on it and pull up the justifications on the iPad instead of going back and forth. We can figure out if this works or not when we are getting information to you.” Chair Lucas stated “My request is to have all of it in the books and I don’t know how the other commissions feel about that but go ahead.”

Mr. Howard stated “I am going to hit the highlights of the budget. What I am looking at is the Budget Overview that is sitting in front of you. The total recommended budget is \$26,602,397. That is the total budget including all funds. That is a decrease of 2.72% of the current fiscal year of 2012-2013 adopted budget. The general fund budget is \$22,150,405 and is an increase of 2.15% over the current fiscal year budget. What I am presenting to you is a balanced budget. The proposed budget does not include any county tax levy increase leaving the current tax levy at 65.9 per \$100 valuation. The budget is based largely on current salaries, benefits, mandated services and operation expenses and it includes no cost of living increase for the employees. We have a proposed contingency in the budget of \$150,690. We will talk about the recommendation for that in the budget discussions. The general fund budget does not include any general fund appropriated fund balance. It does include fund balance appropriation for Public Health administration in the amount of \$260,692. That is an increase of \$4,166 over the current fiscal year appropriated budget. Some things that happened this year in the budget that is new because of changes in state law: Local Government Employees’ Retirement System effective July 1 the

amount we pay increased by approximately 0.33% per employee and that was a total of \$43,793. Risk management cost is a significant fixed cost and we actually have a proposed reduction of \$21,085 for that. That is based on a projection. We have not received the actual numbers from Workers' Comp or our Property Liability Insurance. Local government unemployment insurance due to changes in state law effective July 1, we have a requirement to establish an unemployment insurance account to contribute 1% of quarterly taxable wages. The proposal budget amount is increased by \$33,300 from the previous fiscal year in order to cover the estimated cost of \$73,300. The two largest departments I will kind of touch on those. The first is Public Health with includes a proposed budget contribution of \$401,715. That is an increase of \$14,425 over the current fiscal year. The Department of Social Services proposed budget includes a general fund contribution of \$1,334,932 which is a decrease of \$28,894 over the current fiscal year. Basically the proposed recommended budget from the manager is a balanced budget with no tax increase. We will break out all of that during the budget workshops."

Chair Lucas asked "Is that everything?" Mr. Howard responded "Yes ma'am." Chair Lucas continued "Any questions for the county manager?" Commissioner Travis responded "Not at this time." Mr. Howard responded "I really did not expect for you to have any tonight with you just getting this information." Chair Lucas stated "We need to establish our budget timeframe for workshops. I think in an effort to save time we will do that before we end our meeting. Is the Board in agreement with that or would you prefer to do it now? Okay we will move on."

Mr. Howard stated "Just like I said we will plan to have a public hearing at the first Board meeting in June." Chair Lucas asked "Will those workshops be advertised?" Mr. Howard responded "Yes."

Ms. Gwen Vaughn asked "Do any of the Board members want the information on the iPads printed?" Five commissioners wanted their information printed for their books. Those commissioners were Carter, Hamlett, Jefferies, Lucas and Travis.

RESOLUTION DELAYING THE EFFECTIVE DATE OF A REAPPRAISAL OF PROPERTY IN CASWELL COUNTY

Mr. Thomas Bernard, Tax Director, stated "Good evening again. I come before you tonight to bring a resolution delaying the revaluation until the effective date of January 1, 2016. The reason being and I would have done this earlier but I just got the reports back from the Department of Revenue. Our sales ratio is coming in for all the sales from 2012 and we got it in the middle of last month it is coming in at 97.95 so it is just about 98% below what the market is going. I feel like and the Department of Revenue feels like and it is their advice to put off the revaluation until 2016. When I say 2%, it is 97.95 so we are hitting real close to 98% so our values across their reports are coming in at 2% of what the market is doing as an average. Last year's was close to 99% and Kevin and I kept base and they were late getting their results of the sales ratios studies out this year."

Chair Lucas asked "Thomas would you mind explaining the sales ratio?" Mr. Bernard responded "The sales ratio, what they do is the Department of Revenue will request deed book and page numbers at random for the quarter, for each quarter. There are four quarters in a year.

It is approximately roughly 400 deed book and page numbers and they randomly select them. At the end of the year we give them, I have to check next door at the Register of Deeds the last book and page number and then they at random select those deed book and page numbers. We fill out the information on what the sales are, what our assessed value is and what it was sold at.”

Commissioner Hall asked “How many sales did that represent for Caswell?” Mr. Bernard responded “We send in about 400 a year. Those sales are probably running in the range of \$200 - \$300,000 for the year.” Chair Lucas asked “For our county per quarter?” Mr. Bernard responded “For the year right. I am not talking about gift deeds or anything like that. I am talking about actual sells.”

Commissioner Hall asked “So why did they pick 2016?” Mr. Bernard responded “Because we are only basically only 2% below and it is going to take a year and a half to get a revaluation company in to do it. It takes about a year and a half to do that and as high as our sales ratio was last year and this year they just recommend that we go to the full extent of 2016.” Commissioner Travis asked “So in other words with our time schedule we have to do a reval in 2016?” Mr. Bernard responded “Yes sir. If the sales ratio had been coming down and before 2008 normally it would have and within that four year period that sales ratio comes down and in that third year that sales ratio may come in at 93 or 94% or something of that nature. The way the downtime and the market did six months after January of 2008 when we saw things go down and now we are seeing things climb back up. We were last year just about 1% below the 100% and this year about 2% below 100% so that is why they recommend to go until 2016 and hopefully the market will improve also and keep improving.” Commissioner Travis stated “What you are talking about is starting in 2016 and not 2015.” Mr. Bernard responded “No sir it becomes effective 2016 and start in the middle of 2014. The reval will be done...” Commissioner Travis asked “So the reval will start in 2014 and will be effective 2016?” Mr. Bernard responded “Yes sir. What we are doing is delaying the reval for 8 years. The cost of the revaluation is what I have to look at and I think that costs around \$250,000 or \$275,000.”

Commissioner Hall stated “Let me stop you there because up onto this point your recommendation was based on the recommendation from Raleigh at 98% ratio that is what you said. Now you are going to inject a cost. Let’s not consider the cost for a second. Is it all based on the ratio?” Mr. Bernard responded “That is what I am basing it on with the Department of Revenue. You also have to consider cost also.” Commissioner Hall continued “Let me ask you another way. The only thing you are telling us is that the department in Raleigh said to delay it. That is what you are telling us.” Mr. Bernard responded “They recommend that and I agree with them. For the amount of difference between 100% and 97.95% I don’t it is justification to the County and everything to do a revaluation right now.”

Chair Lucas asked “It is based on 200 sales is that right?” Mr. Bernard responded “I am saying between 200 and 300 sales or whatever of actual good sales. If we had more there would be more. Things have been slow.”

Commissioner Carter stated “If you done the reval now the property value would be down now. Like you said the housing market is coming back. By the time you wait until 2016 it is coming

up now and it will be higher as opposed to if you were to do it right now.” Mr. Bernard responded “Yes sir.”

Chair Lucas asked “Do we have money set aside for the reval for this year?” Mr. Howard responded “Yes ma’am.” Chair Lucas continued “What amount, do you know?” Mr. Howard responded “If I remember correct we have \$35,000 in the budget. We put money aside every year to go towards the revaluation. I think this is the last year we would need to do that as far as having the full amount to fund it. When we were going the four year cycle we were putting in \$70,000 each year to cover the revaluation.” Chair Lucas continued “So if we started this year it would become effective 2014, is that right?” Mr. Bernard responded “No we would have to get bids. It has been up so and I keep conferring with Kevin. If we were to do that it would be effective in 2015 and it would need to be started now.” Commissioner Carter asked “But it would not become effective until 2016 right?” Mr. Bernard responded “Well that is what I am recommending that we wait until 2016 and that way we can look around and get some good bids in and start in the middle of 2014.” Commissioner Carter stated “We would be better off as far as the market value.”

Commissioner Hall stated “Mr. Carter the Board controls what the taxes are. So the market value in the end really does not matter.” Commissioner Carter responded “But if you reval now it will not be as much as the last time.” Commissioner Hall continued “But we control the rate. My question had to do with if the state or those folks in Raleigh are recommending that everybody puts there off generally speaking what kind of rate will we get in 2015 when all of the contractors are busy versus if we do it a year early?” Mr. Howard responded “Everybody is on a different schedule. It will not be everybody at the same time.” Commissioner Hall stated “When I say everybody I don’t mean literally but those folks that are on the schedule that we are on from what I am hearing they have been recommending to hold off. I don’t have a problem with that because I think I finally grasp what we are doing here. Like I said Mr. Carter we control the actual cost to the citizens whether the rate is up on housing or the rate of valuations is up or down we control the rates so we can make adjustments for that. So my next query is will it be to our advantage or disadvantage to be ahead of those folks that are going for 2016?” Mr. Bernard responded “I think it would be to our advantage because we can look around and I can get some contractors that are willing to come in here and do a good job. I had nothing to do with the last reval company because it was signed in the contract in 2006 or before I think. What we want to look at and I know that each and every one of you have had people complain that they did not come visit my property. I have already been talking with several reval outfits and what I have told them is we want pictures of every resident and every property that they go to take a picture. It updates our files and then if somebody comes in and says well they did not come to my property we can pull the picture up and say is this your house and is this your child’s bicycle sitting in your yard or whatever. That gives us better information. There are several companies out there with good people that are looking to do some business.”

Commissioner Hamlett moved, seconded by Commissioner Jefferies to approve the resolution delaying the effective date of the reappraisal of property in Caswell County until January 1, 2016.

Commissioner Travis asked "So that motion would mean that it would go into effect January 1, 2016 and the reval will start in 2014 right?" Mr. Bernard responded "That is correct."

Chair Lucas asked the Clerk to restate the motion.

Commissioner Hall asked "Technically how soon or how early can we start?" Mr. Bernard responded "I guess we could start at the beginning of 2014 if we need to. It is whenever the Board desires us to start." Commissioner Hall continued "Well if you are going to do an appraisal as of a certain period I think somewhere there has got to be a begin date." Mr. Bernard responded "Right and I am going to say the spring of 2014 for them to come in, whoever the company is we decide on. Start pulling everything together in January, February and March because we have about 15,500 parcels which will take about a year and a half to do the whole thing, complete thing."

Upon a vote of the motion, the motion carried by a vote of 6 to 1 with Chair Lucas voting no.

TAX DEPARTMENT UPDATE

Mr. Bernard stated "The first thing on that I would like to give you an update on the new motor vehicle billing system called the North Carolina Vehicle Tax System. This system was supposed to go into effect in July and it is going to be delayed now until September. What this system does is when an individual goes to renew or put tags on a vehicle, say their renewal comes up in September when they go to the tag off we will work those. It is called an invitation to renew, we are going to work those in June, send them to the Department of Motor Vehicles and then they will send out an invitation to renew and what it will include is the tax bill and the tag amount no matter if it is for a car, a trailer, a truck or whatever. All of that will be included in that bill. When the DMV send that to the DOR in Raleigh they will send that back to the designated county they are in. The rates are already included in the bill. They will send the County's portion of the tax bill to us. They are going to charge us, we are paying the mail and everything now, they don't know exactly what those costs are going to be to mail that bill out but we are going to have to pay a portion of that and any other fees that are incurred when someone pays that bill with a credit card or whatever. That is kind of it in a nut shell as far as that Vehicle Tax System. From now until I am going to say December we are going to be using two systems and this is really confusing because for March renewals, in the old system we will be handling March renewals and we will bill those in July. This is the scheme of things that we are on right now. For April renewals we will bill those in August. May in September, June in October, July in November and August in December. Now we are also going to be working on at the same time for September renewal, we have already worked June, July and August in the system but since they delayed it we are going to have to do it again in the old system. We don't have any control over that. In the new system at the same time during the month of June we will be working September's renewals, if that makes sense. The month of June we will be working the September renewals. In other words if your tags comes up for renewal in September you will be working that batch of bills in the new system in June. July for the October renewals, this is the tag renewals. Now we have to work them in advance in order to get those bills to DOR so they can bill them to the DMV and we will be doing that all the way through December."

Commissioner Travis stated "To me it is not saving a thing." Mr. Bernard responded "We will not save labor. The good thing that is going to come out of here hopefully is we will get pretty close to 100% on motor vehicles in which we have a problem with." Commissioner Travis continued "You will never do it." Mr. Bernard responded "I will tell you why when you say we will never do it is because what happens to those people that don't renew is they drive without tags. Hopefully we will have more cooperation with law enforcement as far as looking for that information. Instead of having to pay \$28 for a car they may pay \$68 for tax and tags." Commissioner Travis asked "What is going to happen if they people don't pay their taxes and don't buy their tags, what is going to happen then?" Mr. Bernard responded "They will be riding around without tags." Commissioner Travis continued "I mean what is going to happen to the tax dollars for that vehicle?" Mr. Bernard responded "We are not going to know that until we get reports and compare. We will have to run reports and compare this September to next September." Commissioner Travis stated "So it will be sometime next year before you find out that I did not pay my taxes." Mr. Bernard responded "That is right. Or tags." Commissioner Travis continued "The County is going to actually lose money." Mr. Bernard responded "Well we don't know yet. Hopefully not. We will not know the results until this thing goes on down the road." Commissioner Travis asked "You are going to have to pay the tag people money to handle it aren't you?" Mr. Bernard responded "Yes the county is going to have to pay them to handle it." Commissioner Travis continued "And you don't know how much that is going to be?" Mr. Bernard responded "Not yet. They are talking about \$1.69 to mail everything but I don't know what it is going to be for the transaction." Commissioner Travis stated "So in other words if I go to Caswell Tire and get my tags after this thing goes into effect we don't know right now what we have to pay Jerry Potter now for handling the County's money?" Mr. Bernard responded "Right now, we don't. I can't tell you an exact figure. It is like we are trying to say to them we want an exact figure on what it is going to cost the county so I can put it in the budget. I had to give a ballpark figure." Commissioner Travis stated "If you lose \$3.00 on every transaction for paying them or paying Raleigh the County has already lost." Mr. Bernard stated "Well my thinking is if we do that then the state needs to share some of that loss with us." Commissioner Hamlett stated "Maybe we need to be talking with the state on this." Mr. Bernard stated "I am hoping to get some of these answers." Chair Lucas stated "Maybe we will get to talk about this more during our budget." Commissioner Travis stated "I don't think we are going to collect 100% because you have to take out what we are going to lose for the transactions." Mr. Bernard responded "That is right."

Commissioner Hall asked "What are our unpaid automobile taxes today?" Mr. Bernard responded "We collect last year somewhere around 84%." Commissioner Hall continued "No, no the dollars. How much do we have unpaid?" Mr. Bernard responded "I don't know the dollar amount." Commissioner Hall stated "The last time I looked we had two or three hundred thousand dollars not collected." Mr. Bernard stated "I am going to say a certain percentage; I am going to say that is not quite 10% of each month's billing is out of state. We have no way to control how these people get tags in the state of North Carolina and say that Caswell County is their siter's address and they are out of state. I don't know how they do it. We send a number of bills to Maryland, to Washington, to Virginia, to South Carolina; I don't know how they do it. I don't know the DMV does not check this to see if they still live in North Carolina. It does not make sense to me but they have us tied at about 10% before we even get out the door."

Commissioner Carter stated “What it is they give them a North Carolina address and then they move.”

Chair Lucas asked “Do the commissioners have any other questions for Mr. Bernard? If not, then thank you Thomas.” Mr. Bernard responded “Have a good evening.”

UPDATE ON UNIFIED DEVELOPMENT ORDINANCE (UDO)

Mr. Brian Collie, County Planner, stated “Good evening Commissioners. What I am going to do here is just give a brief update of the UDO process, where we are at now and I will be happy to answer any questions that you might have. As you all are aware we started the UDO back in August of 2012. On August 20th the Board approved a contract for \$35,000 to Holland Consulting for the project to start in August. Since then we have had 9 meeting at the Planning Board level with discussion on this and an Open House meeting. We have a website with a link on Caswell County’s homepage as well as the Planning Department page. So far we have had almost 1700 hits on that website. Basically to address some questions that we currently have: The UDOs primary function was to reorganize the County’s eleven existing development ordinances and to streamline those or consolidate those into one document. Most of the changes are a result of current state statutory requirements or inconsistencies and duplications in existing ordinances. Concerning site plans, there has been some talk about site plan changes; we have basically streamlined that process of site plans. We are not requiring you to apply for a site plan to clear your property. It is only for site plans that we currently require like if you were to open a manufactured home park or a RV park, you would have to submit a site plan. To clean your property up you do not have to get a site plan to do that. There have not been any changes as far as what is required. There has been a lot of talk about a general statute that we have added that concerns the clear cutting of property. This clear cutting provision only applies to development activities. Farming and agriculture are exempt. That is a general statute. That is the state law. We put it in there to make it apparent to the citizens, to the staff that this is a law. There have also been talks of, how do I state this, of giving priority to county-owned property for businesses to first locate to county-owned property versus private property. The only reference of that is with the wireless communication facilities. It is a current requirement in an existing ordinance that states that tower companies that are looking to locate in the county should first look to Caswell County owned property before going to private property. That is an existing requirement. But other than that we have a final draft. If you have not seen it I can get you a copy or you can look at Caswell County UDO webpage at caswellcountyudo.com. The final draft is on there. It was presented to the Planning Board at last month’s meeting. We are one month behind based on the initial timeline but the Planning Board was not comfortable at last month’s meeting in forwarding it to you. We will come back this month and hopefully submit a final draft in the next meeting after that. That is kind of an update and if anybody has any questions I will be happy to answer those. Mr. Claggett has some things that he would like to add.”

Mr. John Claggett, Planning Board Chairman, stated “Good evening as far as the UDO is concerned I don’t have anything to add except this past 18th of April the County Planner along with Holland Consulting Planners held an open house for the public and basically gave an overview of the UDO and extended a question and answer period at the end. For me it was very

informative and certainly I wish there could have been a greater attendance. It might have quelled some questions. As far as the Planning Board is concerned at the April 2013 meeting the Planning Board unanimously to recommend to the Board of Commissioners to oppose amending the Dan River Watershed Ordinance and to petition NC DENR to rescind their July 3, 2012 Dan River WS-IB classification decision due to the overwhelming public opposition displayed at the April 16, 2013 Public Hearing. Also because of the unpublished notification and location of a March 2011 Public Hearing announcement in which only one representative from the county was present due to a last minute discovery that the unpublicized meeting was being held while there were 7 representatives from the state, 5 individuals/landowners from Caswell, 3 representatives from Yanceyville, 8 representatives from Roxboro/Person County, 2 representatives from the Roanoke River Basin Association and one representative from Danville. Additionally, on May 10, 2013 the Board of Commissioners made a resolution to act on behalf of the Caswell County citizens to protect our natural resources in which a copy was sent to NC DENR that Roxboro/Person County currently has two water sources and Yanceyville is currently pursuing another source of an emergency water supply via Danville.”

Chair Lucas asked “Mr. Claggett is that just an update from the Planning Board on what the Planning Board’s recommendation was? Is that what you were giving us?” Mr. Claggett responded “Right.”

Chair Lucas asked “Brian back to you on the UDO, did you say the website has had 1700 hits, is that right?” Mr. Collie responded “Yes. I check it this afternoon, it was 1,646 and there is a comment section on there where you can leave any comments on the website, feedback or questions. We have had no responses on there at all. We are trying through the website and through advertising through the paper and at the open house. I sent flyers to all departments trying to get this out there as much as we can to try to make it apparent to the citizens about what we are trying to do. We would like as much feedback as possible but like any other process we have not had much yet. If you have any questions about it or if you don’t tonight if you will take a look at it online and shoot me an email or give me a call and I will be happy to talk to you about it.”

Chair Lucas asked “Do any of the other commissioners have questions for Brian or Mr. Claggett?”

Commissioner Williamson asked “I have one for Mr. Claggett. What is the date of that, did you say March of 2012?” Mr. Claggett responded “March of 2011 at North Elementary School.”

Commissioner Hall stated “I would like to make a comment. You made a comment that the State rules regarding clear cutting was included in there and that it only impacted development.” Mr. Collie responded “Yes.” Commissioner Hall continued “So that is with timber. So all the other Soil and Water Conservation rules whatever they may be, are you putting those in there? Are they mentioned or anything since this is a unified ordinance?” Mr. Collie responded “It is mentioned in there for development purposes if you are disturbing over an acre of land you have to get an erosion control plan at that point.” Commissioner Hall stated “I don’t think you follow me. What I want to make sure of is whatever we have in there that applies to agriculture if it is a state rule or regulation or statute that we just reference that statute.” Mr. Collie responded “No

sir. The applicability at the beginning of the UDO states that no provisions in this ordinance are of any affect to agriculture so all bonafided farms are exempt because this is a development ordinance and because it is not development it is exempt.” Commissioner Hall continued “Okay but you mentioned earlier that you had put something in there that is why I am asking. You mentioned something about clear cutting.” Mr. Collie responded “Yes it is a general statute for clear cutting. That is mentioned in here because if your land is considered forestry land and you go in there with the best management practice and clear cut that property and then 2 years down the road you come to the county and want to develop that property to make a major subdivision or a minor subdivision. You cannot do that you have to wait 5 years after it is clear cut. That is why it was put in here to just give people a heads up to that.”

Chair Lucas asked “Brian, am I correct, that is a state law that has been in affect that we have not had in any of our local ordinances?” Mr. Collie responded “That is right. It does not have to be in here. If it is going to cause controversy we can remove it. Whether it is in here or not it is still a general statute. We are just trying to give people a heads up to it.”

Commissioner Williamson stated “Also I think from comments that were made at our last meeting during the public hearing, all of the farm changes as far as streams and putting in things, all of that is volunteer. I think that a lot of people looked at the farmers and said they had to do these things but all of it is volunteer. That is all over the state of North Carolina. I think we need to understand what we are presented as a Board and not just the information that is coming across. If you listen to some of the farmer it was like they were going to lose their whole farm and they need to understand that this is volunteer if they decide to do it but they are not going to be made to do it.” Chair Lucas responded “I think that is right initially but some of the concerns were that regulations may be imposed stronger down the road. I think I did hear that concern. Any other questions for Mr. Collie or Mr. Claggett?”

Chair Lucas asked “Brian I would just like to say on the UDO website and what everybody needs to understand is these are our land use ordinances that we currently have in place. We are just unifying them into one ordinance and we will get a list of changes, and there are a very few, like adding the state statute which I think is important to have.”

Mr. Collie stated “The major changes as you will see is currently out of those 11 development ordinances that we have each one of them has a different set of definitions. Each one of them has a different variance process. Each one of them has a different set of rules and procedures. We are streamlining all of those into one set of each to make it easier for citizens, to make it easier for staff to understand, to use, to utilize. Along with that general statute changes there are other requirements where it is just confusing to understand, I mean I may read it one way and you may interpret it another way and in those cases we want to make it as easy as possible to understand.”

Chair Lucas stated “I am just thinking that the 1600+ people that have gone to the UDO website I would say a majority of those folks have not read any of our land use ordinances so they may get the impression that we are putting a lot in place at one time and they have always been there.” Mr. Collie responded “You are right. We have all the existing ordinances on the website

as well and what we are changing, what the UDO encompasses. We are trying to make it transparent as possible.”

Mr. John Claggett stated “One thing I would like to mention, I think the Board will find this interesting as well as the County Attorney, it has been brought to the Planning Board’s attention that there is some question as the authenticity to your current formation of the Board of Adjustment because there is one area in the County that is zoned and there is no representation on this Board for that zoned area.”

Chair Lucas stated “That is a really important point because right now the Planning Board is discussing through this process as to whether to leave the Board of Adjustment as it currently is with the Board of Commissioners or to change it to either be the Planning Board or a combination of the two or a separate board all together.”

Mr. Claggett stated “A recommendation will be forthcoming from the Planning Board.”

Chair Lucas stated “We will be hearing more about that later.”

DETENTION CENTER UPDATE AND CONTRACT APPROVAL

Mr. Dennis Foster stated “Good evening. I will run over some things and you can ask some questions. As you can observe we have the steel panels going on the roof. It rained us out today. We should have been finished but they should be finished by next week. We ran into some cracks in the floor in there. I had Bordeaux Construction in there today jack hammering out the slab in eleven areas. They are taking the concrete completely out and replacing it. There were some unsightly cracks so we go them out of there. HM Kern has put the mud bed in the showers and all the voids in the floor and is ready for the high performance coatings. We got a product that sets up in six days so by next Tuesday or Wednesday we should be able to paint the high performance coatings on. Over in the administrative part they, I guess it is called balances it is the things that cover up the blinds at the top they installed some of those. I had them come in and take those down and adjust them. The muffin monster and lift station – all the mechanical components are installed. We have to clean up the dirt pile over there. We have the vaults in, all the pumps, the machinery is in, and all the pipes are hooked up. We need to hang two control panels on the wall and get it wired up and we should be able to fire it up. The kiosk, this is the video vending machines we need to get the contract.” Mr. Ferrell responded “Yes just to update you on that. I have talked with the vendor on that. There is a series of five interrelated contracts that relate to the commissary kiosk. Evidently the kiosks are there now.” Mr. Foster stated “They are in the warehouse.” Mr. Ferrell continued “I am working on various agreements that relate to not only the installation and service and maintenance but also how the money works in these kiosks that will be used to purchase things in the commissary so I have been in touch with the vendor and we are working on some contract language in these agreements. Obviously he does not want these installed until we get those finalized so...” Mr. Foster stated “Yes that is what he told me. We are ready for them now.” Mr. Ferrell responded “Got you. It is certainly something that is on my list to get done.” Mr. Foster stated “Okay. 90% of the computer equipment is in there and we are doing the final testing on intercoms. We should have a pretty good handle on it by the middle of next week. We will have all the cell doors working and

everything up and running. They are getting all the parts and pieces together so you can actually do the stuff. We are still testing on the HVAC system is underway. They are probably about 60%. In the very near future they will do the final testing and get all the doors in and cells in and all of that so they can set it up. We will have the smoke evac test. We have a system in there that is supposed to clear the smoke out of the building within 2 minutes so we have to get these guys in here to throw a smoke bomb to make sure this is working. On site today we had, well HM Kern had 3 crews, some on the roof, some doing the restrooms or showers and others various tasks. Bordeaux Construction was out there and they had eight people on the job getting rid of their punch list. They want to get out of there. We are working on the landscaping. We have a list of plants and trees. I am hoping to speak with Yancey Smith tomorrow about this as far as placement and what types of plants and that sort of deal. Rolling along we worked Saturday and we will continue to do that and see if we can get the Sheriff in his new building.”

Commissioner Carter asked “Do you anticipate moving in at the first of the month?” Mr. Foster responded “I anticipate moving the Sheriff’s Department in. For our C of O we have state inspections. We have to get the local inspector to give us a temporary C of O and then we have DHHS, the Department of Health and Human Services. The boiler inspector is due anytime. He has been contact but they come on a schedule. They will come to check the water heaters and they have to get the state boiler inspector to look at it and then any DOC inspections. As far as physically getting in the building and being able to use portions of it. I think we can make it. I am fairly certain we can make it by the end of May given contractor cooperation.”

Commissioner Hamlett asked “Did you get that door in, the one we were replacing did you get it back up?” Mr. Foster responded “The CO or the directive has gone out. The mason was there today but it rained so hard it could not cut on it. If you noticed the window on the third floor we have the block in there and he will be back to put up the bricks and close that up. When he comes back to do that he will work on the door. We have Norment I just need to give them a call and they will install the door and locks and everything. The wires are in there. It is just a matter of sticking it in there and hooking it up.” Commissioner Hamlett continued “No water leaks?” Mr. Foster responded “It has not been coming in there. We have a 6” drain out in the ramp and we have hay bales there so it has not been coming in the building. That is another item, the retaining walls at the ramp at the back the architect is working on a plan for that today. I think we are going to go with the original plan with those landscaping blocks. I think as far as what we have there it is effective and it is economical. I should have that plan in here tomorrow or the next day and we can roll with that.” Commissioner Hamlett asked “At one time you had a water leak but you said you had fixed that one right?” Mr. Foster responded “That one was a small pin hole up in the security storage or control room. It was a little bubble in the solvent and it was just a little drip. It took about 3 weeks to show up but it has been repaired. I did not see any leaks in there today either.” Commissioner Hamlett stated “Well if it did not leak today than it is alright.”

Chair Lucas asked “Dennis you said part of the building would be of use?” Mr. Foster responded “My intention is to get the Sheriff’s Department into the administrative part. I am not sure how it works but I don’t think we can have inmates until all the state inspections are done and the Department of Corrections and the Department of Health and Human Services and that deal.” Chair Lucas continued “So how soon do you think they will be moving in? Did you say, I

may have missed it?" Mr. Foster responded "We are shooting for the end of May." Chair Lucas asked "For administrative?" Mr. Foster responded "We are working on the signs, the lettering now. We have the metal panels to go on the front. The lights are all working. We have a few little details here and there." Chair Lucas stated "You said they were working on cracks in the concrete. Do you know what caused the cracks in the concrete?" Mr. Foster responded "I think it was when they packed the dirt down, the concrete is going to crack and it just cracked in the wrong places. I have this that shows the areas that they are removing and replacing." Chair Lucas continued "So that is where it has been replaced?" Mr. Foster responded "Yes they were in there jack hammering today. They will be taking it out very neatly and squarely and with the joints that were in there so it should look like it was supposed to in there. It may be a little bit difference in color."

Commissioner Carter asked "How much percentage is it complete now? 95% or what?" Mr. Foster responded "At least. We are starting to get the last little things in, taking care of some cosmetics and this and that. I have to get my tile guy back. He disappeared on me so we will get somebody to finish that up." Commissioner Carter continued "I image the jail inspectors from Raleigh have to come up and inspect this anyhow before you can move in?" Mr. Foster responded "Yes sir. On the smoke evac system the fire marshal will have to come and inspect that." Commissioner Carter stated "Well if you have any problems with the county fire marshal let me know and I will light a fire under him."

Chair Lucas stated "The second part of this is a contract approval."

Mr. Howard stated "We received two quotes. I received a third quote after the agenda went out and it was higher than what you have here. What this is to terminate the data cables. They are all installed in the building. This is just to put the ends on in the offices. The low quote was \$11,226.61 from Davenport Communications and we just recommend the Board approving that contract. Most of this is in administration."

Chair Lucas asked "I think I asked initially wasn't this part of the mechanical or electrical bid?" Mr. Howard responded "Normally a construction project all the cabling and data line installation is part of the FF&E part of it. In this project the actual cables were installed as far as the electrical contractors bid. We were under the impression early on that this part of it was as well but as we got into the project it was not part of the electrical contractor's bid to do the terminations. They were just to install the data lines. So we now have to come back now at this stage and bid this part out to get somebody to come in and do it."

Commissioner Travis asked "Is this new money?" Mr. Howard responded "It is all part of the construction budget but it was not included in the electrician's bid because it was not part of the scope. We were misinformed." Commissioner Travis continued "Is this coming out of the money for the jail project?" Mr. Howard responded "Yes sir." Chair Lucas stated "They were misinformed as far as it being a part of the original electrical contract."

Commissioner Hamlett moved, seconded by Commissioner Jefferies to approve the phone and data terminations contract to Davenport Communications for \$11,226.61. The motion carried by a vote of six to one with Chair Lucas voting no.

MR. THOMAS WRIGHT

Mr. Thomas Wright stated “Good evening. I have all the pages numbered so we can follow along together. If you would turn to page 3. All the numbers are in the left corner. This right here is a foreclosure notice that I got in the mail December 27, 2007. This is what this is all about. Now go to page 39. This is the dismissal that I got on this property on February 13, 2013. I don’t know how familiar you are with voluntary dismissals without prejudice but I want you to go to page 52. Down there where it has #6 that is a voluntary dismissal right there. I got one before that with a dismissal without prejudice and that is what I got. It states that this dismissal will not bear any new suits that the plaintiff might later bring on the same cause of action. Now over here on this voluntary dismissal it states that all the money has been paid. You got all the money so I want to know what this without prejudice means unless they are leaving it open for them to go in another bank account. They have already been in one bank account and took money out.”

Chair Lucas asked “Mr. Wright could you just back up just a minute and give us a summary of what this is about. I know you have gone through and given us various page numbers.”

Mr. Wright stated “This is about a foreclosure that happened in 2007. The taxes were not paid for 2006 so they foreclosed in 2007. There were not taxes owed on this property prior to 2006. The lady did not buy the property until 2006 so from January 4, 2006 until the 5th of January of 2007 they became delinquent. It was foreclosed on December 27, 2007 so really it was only delinquent for one year for it was foreclosed on. Well after they foreclosed on it the lady decided that she did not want the property. She told me that she did not want any more property in Caswell County. She did not get any notice. She did not even get a bill. The only letter that I was able to get was this one. I don’t even know if they even sent that letter or not. They don’t have any receipt for it. The only receipt they have for a letter is the foreclosure and that is over on page 8. That is the only letter that I don’t that he sent because she signed for it.”

Chair Lucas asked “Are you related to Ms. Lucas?” Mr. Wright responded “No. I sold a lot of property. I cut off a lot of property and I have sold a lot of property and this is the only one. This lady was out of county, she did not live here.” Chair Lucas continued “So she made a purchase from you?” Mr. Wright responded “Yes she bought it from me. She lived in Maryland. She bought the property. He said he sent her a letter to Maryland and according to his letter here on page 1 he said he did not get no response. He sent her another letter to Timberlake also in 2007 and he got a response. Well I don’t know if he got a response but he sent the letter to Timberlake but she was in Timberlake because the one that she signed for that is where she was. He sent another letter in 2007 back to Maryland and he knew she was not there because the letter that she signed for was down there in Timberlake. He sent her one in 2008. This dismissal is what I got a problem with. If you got the money what is all this tied up without prejudice, what is that? How did he do that? Somebody had to give him permission to do this. If you look at it, if you read the transcript somebody gave permission to do it. He can’t come and do it without, because the County is the one funding the foreclosure against me. The County is the only somebody that can dismiss it. Now he dismissed it without prejudice. Somebody that

had authority gave permission to dismiss it. I can't see nobody but the tax director." Chair Lucas asked "I am sorry?" Mr. Wright responded "I can't see nobody but the tax director."

Commissioner Hamlett asked "Are the taxes paid on it now?" Mr. Wright responded "Yes the taxes are paid." Commissioner Hamlett continued "Is it paid up?" Mr. Wright responded "It is paid up."

Commissioner Hall stated "I am a little bit confused Mr. Wright, on the 2006 taxes, I think that is the subject, how much was those taxes?" Mr. Wright responded "\$86.00." Commissioner Hall asked "\$86.00?" Mr. Wright responded "\$86.00. It went from \$86.00 at the beginning of 2007 to \$1277.43 by December 7, 2007 and I don't know what kind of contract he has or what he is supposed to be charging but according to state statute he is only supposed to be charging 20% of the overall taxes. That is on page 33."

Mr. Ferrell asked "Mr. Wright, I don't have the information in front of you, in front of me excuse me but it seems like you are asking why there is a voluntary dismissal without prejudice versus a voluntary dismissal with prejudice, is that really what you are asking? It sounds like you have paid the bill, right, so it is not a money issue, is that correct? Is there more money owed or are you?" Mr. Wright responded "No, it is not a money issue." Mr. Ferrell continued "Okay, is your question the difference between a voluntary dismissal without prejudice and a voluntary dismissal with prejudice?" Mr. Wright responded "Yes with the voluntary dismissal without prejudice. With that the county can come back at any time and say that there is something else. I cannot sell the property with that in there." Mr. Ferrell stated "When a court action is dismissed with or without prejudice that action has terminated. You are correct that there could be a subsequent filing of a new action on the same issue if something is dismissed without prejudice whereas if it is dismissed with prejudice there cannot be the same action brought on the same issue, there is a principal that would apply to that. The important thing to know is if an action is dismissed whether it is with prejudice or without prejudice a new action would have to be filed and you can't just revive the old action you have to start over. I am not sure if I am addressing your question. I just heard that when you were speaking earlier." Mr. Wright asked "Why would a new action be filed, you go the money?" Mr. Ferrell responded "Again I don't know the facts of your case whatsoever to know really why it was brought in the first instance but what I am saying is to the extent that there is additional money owed or fees owed or something that could be the basis of a new action if there is such a thing. But as to the present action if indeed it was voluntarily dismissed by the petitioner, I imagine in this case the County that action is over." Mr. Wright stated "Okay a voluntary dismissal without prejudice, then down here in the bottom of it says please take note that the County hereby prudent to Rule 41A. Rule 41A..." Chair Lucas asked "What page is that Mr. Wright?" Mr. Wright responded "53." Mr. Ferrell stated "And again that is a citation to the rules of procedure that talk about the difference kinds of dismissals that can be taken in a given case and what I would say to you is it would be typical for a county to take a voluntary dismissal without prejudice because then if something subsequently is discovered they would still have a right to proceed under the statutory right to collect, etc. If taken with prejudice that impedes your ability to bring an action in the future of the same thing and I don't think it would be common in a foreclosure setting but I just want to make sure, is that really your concern?" Mr. Wright responded "My concern is without prejudice is I sold the property for \$17,000 and the property is worthless. It is worthless now."

With this on it how is going to buy it? The county can put something against it who would buy property like that? I can't get \$3,000 for the property." Mr. Ferrell stated "Well what I would say to you is if there was a dismissal of the foreclosure action that action is dismissed and a title search would reveal that a foreclosure action was begun but dismissed and so there is no judgment right?" Mr. Wright responded "No judgment but the property can come up." Mr. Ferrell asked "Have you talked to a lawyer about this?" Mr. Wright responded "I have talked with several lawyers." Mr. Ferrell continued "Well I am not going to ask you what your legal advice was but I think that is something that I would want to talk about if I were in your shoes and had these questions I would want to talk to a lawyer." Mr. Wright asked "Why not a voluntary dismissal and let it go at that? I did not do anything to the county." Mr. Ferrell responded "All I can tell you is that is an extremely common way to dismiss a court action. It happens every day. With a voluntary dismissal the present petitioner will say I am not moving forward with this right now maybe in the future I might want to or have cause to bring this again but for now I am dismissing it and this action is over. That is a very common way to dispose of a court action." Mr. Wright stated "When you dismiss that and you go out there any try to sell that property to somebody and they look in there and see that the county can come back against this property at some time they are not going to buy it." Mr. Ferrell responded "I think when you are doing the title search just generally speaking I do these for folks in different counties, you get a statement from the tax assessor that says that the taxes are paid current through a given period of time. So if I were doing a title search I would go down and check the receipts and make sure that the property that I was searching the tax assessor says you are paid in full through 2012. The 2013 bills are not out yet so the best you can do is find out that you are paid through 2012. If you are paid through 2012, paid current according to tax records and any other records you find out there that is as good as you get, a paid current date. I don't know if your property is paid current or not but as a title searcher what you are looking for is that paid current, no judgment and it does not sound like you got a judgment and it sounds like you are paid current. So again I'd encourage you to talk with a lawyer but from my perspective I just wonder what if there is would devalue your property based on what you have said tonight." Mr. Wright responded "That without prejudice. At the bank, there is no money; I can't borrow no money on this property. The bank told me that it has an effect on credit scores." Mr. Ferrell stated "Now your credit score is something entirely different. I can't tell you anything about the effect of this lawsuit or a court action may or may not have on your credit score." Mr. Wright continued "Anything that you do out there as far as money wise will affect your score." Mr. Ferrell responded "They are very sensitive these days and..." Mr. Wright stated "And it is in the courthouse, this voluntary dismissal is down there in the courthouse. When the courthouse sent it out there they are going to get it. It has done affected mine and it affected the lady that bought it because he went into the bank in her bank account and levied her bank account. Took what he could. All she had in there, he took that and the rest of it he let it go. Now he is saying all the taxes have been paid but they ain't because he did not get but \$500.00. According to the dismissal they paid it. So what he done is he left it open right there so he could reach back in there to get somebody else's. I don't know if he told you all anything about this, about going in her bank account. It is there. It shows on that paper. It shows where he went in there. He went in there and took eight hundred and twenty some dollars. Now what about this 20%?" Mr. Ferrell responded "The statute allows a collector of delinquent taxes to get paid for attorney's fees associated with that collection; I assume that is what it is for." Mr. Wright stated "It says right here the amount of the collection assistance fee is 20% of the overdue taxes bill. So she owed \$86.00 how did they get \$1400.00

when it was supposed to be 20% of \$86.00?” Mr. Ferrell responded “You know there are interest and penalties...” Mr. Wright continued “The interest is in there.” Mr. Ferrell continued “What is important to note is there are various remedies available to a county when they collect ad valorem taxes. This particular situation I don’t have any knowledge of. Perhaps the county’s contractor that does this can provide you a memo about what happened in this particular case. I am a little confused as to what the issue is if it is the voluntary dismissal or if there is still money owed and perhaps the firm that works for the county can help straighten that out.”

Chair Lucas asked “Mr. Wright is there still money owed at this point on the taxes?” Mr. Wright responded “According to the dismissal there is none owed. In the dismissal he is saying that all is paid.” Mr. Ferrell stated “That is not necessarily true. There could be a dismissal taken for various reasons and still be money owed. That certainly could be the case. I don’t know that to be the case but it could be.”

Commissioner Hamlett asked “Are you getting the land back or do you have the land?” Mr. Wright responded “Yes I have the land back. That is how I got the land back really.”

Commissioner Travis asked “When you sold the land to her to start with the taxes had to be paid before you could sell it right?” Mr. Wright responded “I paid the taxes. The taxes were always paid. The taxes for 2005 were paid.” Commissioner Travis continued “Before you could buy it back from her the taxes had to be paid.” Mr. Wright responded “It has been paid up to date. I have been paying them every since 2007.” Commissioner Travis stated “Well if it had been paid up to date before she bought the property there should not have been any taxes owed on it. That is what I am trying to get at.” Mr. Wright responded “I did not buy it back. When she bought the land the taxes were paid up for 2005. She bought the land and the taxes started on her in 2006, the first of 2006.” Commissioner Travis asked “What day did she buy the land?” Mr. Wright responded “She bought the land in 2005 and the taxes were paid.” Commissioner Travis continued “If she bought the land in 2005, the day she bought it she owed the tax director for the rest of that year.” Mr. Wright responded “She will not pay them. I had paid the taxes for 2006.”

Commissioner Hall stated “Part of the situation here is how the transactions occurred. He sold the property when the taxes became due it was her responsibility. A foreclosure was forced upon her. On a foreclosure he gets it back clean. That is just the way the law works. When the judge or whoever handles the foreclosure they go on the person that owns it at the time and then he gets it clear.” Mr. Ferrell stated “At a tax foreclosure sell that is absolutely correct. I think Mr. Wright, did she owe you money? Did you sell that property to her and take a deed of trust?” Mr. Wright responded “Yes.” Mr. Ferrell continued “So it is not a tax foreclosure sale by which he took title, she owed him money. He was the bank so he got it back because she did not pay on the note, right? She walked away from the note without paying it.” Mr. Wright responded “She did not want the property. She gave the property back.” Mr. Ferrell stated “What Mr. Travis is saying with a typical sales transaction the county has this legislation that...” Mr. Travis stated “So what he is saying is he repoed it.”

Mr. Wright asked “So why is this dismissal without prejudice put on me?” Mr. Ferrell responded “I can’t give you any legal advice.”

Chair Lucas asked "Mr. Wright you said that you have talked with several attorneys was the advice from those attorneys to come before this Board?" Mr. Wright responded "Yes to come before this Board." Chair Lucas asked "For what specifically did that attorney want us to do?" Mr. Wright responded "The problem I have with it is how the \$86 turned into twelve hundred and some dollars in 12 months when she did not owe but for 12 months. She was delinquent from January 5, 2007 to December 27, 2007 and how could it turn into \$1286.00. Now I am looking at this 20% here. I see it there. It wasn't but \$86.00 owing. If you owe \$86 that is the wrong route to go in. He should have collected the money instead of hiring somebody because it is not enough money there to do that. That is 1400% on that \$86 and it turned into twelve hundred and some dollars."

Commissioner Travis asked "Who is responsible for that money there? Her?" Mr. Wright responded "Yes, she was responsible for when it was on her. She did not pay, I had to pay it." Commissioner Travis asked "What?" Mr. Wright responded "If she did not pay, I had to pay it." Commissioner Travis asked "Did you pay it?" Mr. Wright responded "No. They went to her bank account and took \$820 out and after they got that they left it alone. I went to them because I figured I would have to pay the money and to get my property back. When I got back to him he said it was already dismissed. So when I went down there to get the title done that is what I found a dismissal without prejudice with a 41A. All that is telling you is you found these letters and things. I have given you proper notification and you can't do nothing about it here in district court. And he said that you said it. That is the way it read ain't that right?" Mr. Ferrell responded "Well I am looking at your page 39. First of all you want to know how it got from \$300 to \$1100. The bill was due in 2007 and it was paid in 2013. You have 5 years..." Mr. Wright stated "No, no, no. This bill came out in December of 2007, December 27, 2007 he said we owed \$1277 for 2006. Now 2006 did not go delinquent until January 5th." Mr. Ferrell responded "I don't know the specifics of the case. All I see is this voluntary dismissal did not happen until February 13, 2013. It is a fairly recent dismissal." Mr. Wright stated "The last time they got any money was 2009. He knew he was not going to get any more money so he should have dismissed it then." Mr. Ferrell responded "Again this Board has not been involved in a specific collection action that I know of and I have not been in any to know again what the particulars are. Your predecessor paid the bill right so it is not a money issue for you. You are having trouble borrowing money on this property because of..." Mr. Wright stated "I am going to tell you what I have problem with. I had 100 acres of land. I broke it up and sold 30 acres of it. The 30 acres that I sold you probably would get \$30,000 equity off of it, tax revenue. When I sold it you would probably get over \$300,000 tax revenue off or it. This particular piece of property I sold for \$17,000 and it ain't worth \$17,000 now." Mr. Ferrell responded "Okay this is a completely separate issue now. What you are talking about is an appeal of the tax valuation on the parcel that you own. You have a statutory right to appeal the value of your property if that is what you want to do. You are timely if that is what you want to do because this Board and you may have heard earlier tonight is sitting as the Board of Equalization and Review for its next two meetings and if your problem is a valuation issue that is the context in which to appeal it. Again I have to admit I am a little confused about your issue."

Mr. Howard stated "I think we have two issues. One issue is you feel you can't sell the property because of the foreclosure." Mr. Wright responded "The way it is I can't sell it." Mr. Howard

continued "And the second is the value of the property is higher than what it is worth." Mr. Wright responded "That is correct."

Commissioner Travis stated "What he is saying is you would not take less than \$17,000 for it?" Mr. Wright responded "I can't sell it. There ain't nobody that wants to buy any property with a dismissal like this. You can't sell property that is dismissed like this." Mr. Ferrell stated "This is what I would recommend, if indeed you want to appeal the valuation of your property you go to the tax assessor tell him you want a form to appeal your valuation. That then can be brought forward just like that other gentleman that was here tonight, I know you were sitting in the audience, he had an appeal and the tax assessor was looking into it and was going to make a recommendation to the Board of Equalization and Review. File that appeal and bring back to this Board as it sits as the Board of Equalization and Review at its next two meetings. You only have two meetings left to do that so if you want to appeal that you can come back and do it when this Board is sitting as the Board of Equalization and Review."

Commissioner Travis stated "But the way I understand it he wants this other thing addressed." Commissioner Hall responded "We can't address that." Mr. Ferrell added "That is right. And adding to the other thing I have never heard that a voluntary dismissal with prejudice of a foreclosure action impacts a lenders ability to make a loan. I have never heard that. I have dealt with a lot of filing issues and when I see the voluntary dismissal I do not even report it as an exception of title because that action is gone and dismissed. I have never heard that. I am not saying it doesn't occur but what I would recommend that you do is consult with a lawyer and look at that because I don't think it is an exception on a title once the action is dismissed. I am not advising you about what you should do or shouldn't do but generally speaking that is what I see." Mr. Wright responded "Well go to this 41A and explain that to us." Mr. Ferrell stated "41A?" Mr. Wright responded "On page 40." Mr. Ferrell stated "I appreciate you numbering these pages because it does make it a lot easier to go through. Now I am just going to read it. This is a document in File # 07 so it is a 2007 file case, CBD which means that it is the civil division of superior court, 581 and it is captioned voluntary dismissal without prejudice and it is in the case of Caswell County versus Doressa Lucas and spouse..." Mr. Wright asked "Are you on page 40?" Mr. Ferrell responded "Yes well it is not numbered there. Do you want me to read 5400.6 dismissal of action?" Mr. Wright responded "Yes." Mr. Ferrell continued "Okay the problem with this is a federal rule of civil procedure that you have copied here." Mr. Wright asked "So you don't think that is no good with this notice?" Mr. Ferrell responded "There is a difference between the North Carolina rules of civil procedure and the federal rules of civil procedure. I am not sure exactly where this quote comes from but it is clearly, the plaintiff has an absolute right under FRCP that is federal rules civil procedure, the federal rules of procedure just don't apply. What I would look at is the rule 41A of the North Carolina rules of civil procedure and I hate to admit I don't have my rule book in front of me. There are a lot of cases that the federal rules and state rules are the same..." Mr. Wright responded "That is right. You are going to see the same thing." Mr. Ferrell asked "What is your question?" Mr. Wright responded "My question is why do you need a rule like that right there. I can't even go to district court to do nothing about this. I have to file an action against this county for them to do something." Mr. Ferrell stated "The action was dismissed. There is no action." Mr. Wright stated "For me to get to the man that filed this dismissal, that did this voluntary dismissal, I am going to have to take the county to him. I am going to have to take action against the County to

make the County to take action against him. I can't get to him." Mr. Ferrell asked "What remedy do you want?" Mr. Wright responded "Okay I will tell you where I want to go to. I will tell you exactly where I want to go to. Right here on page 45." Mr. Ferrell asked "You want somebody to be held responsible for a Class I Misdemeanor?" Mr. Wright responded "The person that does not follow this state statute 105.259 that is the punishment for it." Mr. Ferrell continued "Well here you go. This Board has nothing to do with criminal law." Mr. Wright responded "I know they don't. I know they don't the State Attorney General does and they are the ones responsible for this. That is the reason why I am here. I know that this Board cannot be held responsible but I am going to go to the state or something to have something done to them. In order for me to do anything I am going to have to take action against the Board."

Mr. Ferrell stated "Madam Chair what I recommend is that you let me look into this with your tax foreclosure counsel and to give you a brief report on where it stands. In the meantime I would encourage you to take whatever action that you deem as necessary."

Chair Lucas stated "Mr. Wright, thank you for your time tonight." Mr. Wright responded "You are welcome." Chair Lucas stated "You wanted your paper back is that correct?" Mr. Wright responded "Yes." Mr. Ferrell stated "Mr. Wright it would help me with talking with Mr. Thomas if I could keep one of these packets if that would be okay." Mr. Wright responded "Everything in there I got from the courthouse. All that stuff is there." Mr. Ferrell stated "It is up to you. I was just trying to help."

PROCLAMATION IN RECOGNITION OF
CHIEF WARRANT OFFICER BERNARD SATTERFIELD

Commissioner Jefferies moved, seconded by Commissioner Hamlett to approve the proclamation in recognition of Chief Warrant Officer Bernard Satterfield. The motion carried unanimously.

PROCLAMATION
In Recognition Of
CHIEF WARRANT OFFICER BERNARD SATTERFIELD
May 6, 2013

WHEREAS, throughout our history, courageous men and women have donned the uniform of our Armed Forces and built a noble tradition of faithful and dedicated service to our County, State and Nation in order to preserve our freedoms and Chief Warrant Officer Bernard Satterfield is one of those courageous men; and

WHEREAS, Bernard Satterfield attended and graduated from Bartlett Yancey High School in 1973, Yanceyville – Caswell County, NC; and

WHEREAS, Private Bernard Satterfield entered active duty in September 1973 at Fort Jackson, South Carolina for Basic Combat Training; and

WHEREAS, he served in various mechanical maintenance positions supporting an array of Army units including tours in Germany (2), Korea (2), Panama, South West Asia-Kuwait, Saudi Arabia & Iraq (3), and posts across the United States; and

WHEREAS, in 1984, CW5 Satterfield was appointed to the Warrant Officer Corps. His first assignment was with the Sergeant York Test Battery at Fort Bliss, Texas, where he served as Battery Maintenance Technician. Next, he was assigned to the 233d Transportation Company (Heavy Equipment Transport) as the Unit Maintenance Technician; and

WHEREAS, CW5 Satterfield is a Life Member of Veterans of Foreign Wars Post 7316 in Yanceyville – Caswell County, NC; and

WHEREAS, from 1987 – 1999, CW5 Satterfield served in Republic of Panama, Fort Bragg, Operations Desert Storm/Shield, Republic of South Korea, and Camp Doha, Kuwait; and

WHEREAS, from 1999 to Retirement, CW5 Satterfield served in Kuwait, Republic of South Korea, Ft. Bragg, Fort Lee, and Al Asad Air Base in Western Iraq; and

WHEREAS, as of July 2013 CW5 Satterfield will end his career of over 40 years as a Staff Logistician with the Forces Command (FORSCOM) Fort Bragg, North Carolina; and

WHEREAS, CW5 Satterfield's military education includes the Logistic Management Development Course, Inspector General's Course, certified Acquisition Life Cycle Logistics (Level I), and the Contracting Officer's Representative Course. He holds a Bachelor's degree in Management from the University of Maryland and a Master's degree in Public Administration from Webster University. Certified as a Demonstrated Master Logistician (DML)-SOLE-The International Society of Logistics; and

WHEREAS, his military awards and decorations include the Legion of Merit, Bronze Star, Meritorious Service Medal, Army Commendation Medal, Army Achievement Medal, Good Conduct Medal, National Defense Service Medal, Arms Forces Expeditionary Medal, Southwest Asia Service Medal, Iraqi Campaign Medal, Global War on Terrorism Service Medal, Korea Defense Service Medal, Armed Forces Service Medal, Humanitarian Service Medal, NCO Development Ribbon, Army Service Ribbon, Overseas Ribbon, Kuwait Liberation Medal (SA), Kuwait Liberation Medal (KU), Army Superior Unit Award, the Parachutist Badge and the German and Belgium Airborne Proficiency Badges; and

WHEREAS, CW5 Satterfield is the recipient of the General Brehon S. Somervell Medal for Excellence as a multifunctional logistician & the Ordnance Order of Samuel Sharp for service to the United States Ordnance Corps and an active life member of the U.S. Army Ordnance Corps Association, the U.S. Army Warrant Officer Association Bragg Silver Chapter, the Veterans of Foreign Wars and Disabled American Veterans; and

WHEREAS, CW5 Satterfield is married to Deirdre Daley and has one son, Steven, who lives in Fayetteville, North Carolina; and

NOW, THEREFORE BE IT PROCLAIMED, that the Board of County Commissioners, on behalf of the citizens of Caswell County, commends and congratulates Chief Warrant Officer Bernard Satterfield on his retirement; and

BE IT FURTHER PROCLAIMED, that the Board of County Commissioners of Caswell County expresses its appreciation to Chief Warrant Officer Bernard Satterfield for over 40 years of faithful and dedicated service in the Armed Forces for our County, State and Nation.

This the 6th day of May, 2013.

S/Cathy W. Lucas
Cathy W. Lucas, Chair
Caswell County Board of Commissioners

ATTEST:

S/Paula P. Seamster
Paula P. Seamster
Clerk to the Board

DISCUSSION ON MATH AND SCIENCE TEST SCORES

Commissioner Hall stated “Madam Chairman and fellow Commissioners on May 8th we met with the School Board to discuss budget items as we prepare for next year’s budget. I will not enumerate all the things that we talked about but we talked about the waterlines, Senate bills, ROTC, safety issues, etc. when we got to the end I asked the School Board about our Math and Science scores. I mentioned it this way because they did not bring it up. Looking at the School’s report card I think it was the middle school, well we looked at the middle school and the high school. The middle school we talked about and I asked them specifically about math and they said that 63% of the students were at grade level and I have some concern with that because that means that 37% of the students are failing. They seemed satisfied with that because that was a statewide average.” Commissioner Hamlett added “They were content.” Commissioner Hall continued “They were content. I am still a little concern about it. I looked at the high school’s report card and in Algebra I 55% of our students are at state level or at grade level. I think Ms. Lucas asked about Algebra II and they said that Algebra II was no longer tested but I can assure you if you can’t pass Algebra I you are not going to pass Algebra II. So my concern is that and I will use Mr. Hamlett’s words they seemed to be content and I don’t think they should be and I don’t think we should be. So I asked them what is your plan and they did not have a plan. They made some comments about we needed to give them more money. I went back and read the minutes some of the board members made some comments about more money. We finally go to the point where one of the board members just changed the subject all together and started talking about that we were not attending graduation. Now there was a young lady here tonight from the school system and I did not know she was going to be here talking about supplements and the issue of supplements has been on the table for four or five years. I went back and got some numbers and the time got away from me because it has been several years since we included supplements in their budget. I think we are at the point that I would suggest that this Board ask the School Board again to come up with a plan. I think that it is critical that we have math and science teachers. I know that it is important that everybody be paid well. I know that, I don’t deny it but to not have a math teacher or a science teacher like this lady mentioned about having 5 substitutes then we are short changing the kids for the rest of their lives and not for just one year or two years. If they don’t get it now chances are they won’t get it. Again my suggestion is the Board asks the School Board to come up with a plan to deal with these deficiencies as I see them in math and science and if that plan includes supplements for math and science teachers then at least we need to consider it as we go through the budget process. We have one middle school and one high school. No math in the middle school, not getting it in the high school we are short changing six hundred and some kids at the middle

school and eight hundred in the high school that is fourteen hundred and some kids. 37% of 1400 kids are getting left behind. I don't think we can just sit by and be content with it."

Commissioner Travis asked "What about the rest of the schools?" Commissioner Hall responded "Well all the other elementary schools I did look at their report cards but they did not seem as bad." Commissioner Travis continued "Did you notice tonight when she was talking she did not mention anything about the teachers at the other schools about getting supplements she only mentioned the middle school and high school." Commissioner Hall responded "I took it that she was talking about supplements in general because that is the way we used to do it. Right now I am talking about supplements of math and science teachers specifically."

Commissioner Williamson asked "We can't dictate that though right?" Commissioner Hall responded "No we can't but what we can do like we used to do is we put monies in budget to supplement math and science teachers only and they can choose to spend it or not spend it and then when we look at the report card in another year and we still see our schools failing and they left monies in the budget then the public will know that the schools are responsible. They had the money. It does not make sense to come in here and ask, well at least not sense to me, we want supplements for everybody or nobody, math and science is too important. A kid can't count leaving the 8th grade, can't count leaving the high school, they will not be able to count for the rest of their lives and they will not get a good job and we will be paying for them some other way."

Commissioner Jefferies stated "I think it is a good idea, I think what you are saying is true but I think we need to have a meeting with the School Board and get their ideas on what they are going to do about it." Commissioner Hall responded "I asked them Jeremiah and they did not an idea, that is why I am bringing it back to this Board and ask the Board to ask them for an idea. Obviously they were not going to listen to me. They ignored me but this Board as a body can ask them to give us an idea on what you are going to do to address this problem."

Chair Lucas asked "Mr. Hall do we want to direct staff to inquire from the School Board..." Commissioner Hall responded "No, I want this Board to communicate with that board." Chair Lucas continued "Okay, in a meeting?" Commissioner Hall responded "However this Board deems appropriate but we can schedule a meeting and another meeting and it will be time to pass the budget and we will be into another year with 37% of 1300 or 1400 kids failing and we would have done anything. It might make us feel good to hold a meeting but we are not accomplishing anything." Chair Lucas asked "What about at the time when we deal with the School's budget would that be the appropriate time?" Commissioner Hall responded "That will be too late, if they don't have a plan." Chair Lucas continued "That was my question, are we going to request the county manager to talk to the school superintendent?" Commissioner Hall responded "No, no, no." Chair Lucas continued "to talk to the School Board to come up with a plan for this Board?" Commissioner Hall responded "At this point it is board to board. The superintendent was sitting here and that superintendent is leaving at the end of the month, next month. He is as good as gone. He is not going to bring anything to the table and in the end that School Board will say the Commissioners' Board did not give us what we asked for."

Commissioner Travis stated “Well I am going to tell you, you can give them all the money you want to give them it still does not mean we will get any better scores than what we have right now.” Commissioner Hall responded “Well I am going to disagree with that Mr. Travis. I believe that with qualified teachers teaching these courses our kids will do better. I don’t believe our kids are that dumb that we can’t teach them. I don’t believe that. I will not accept that. We have to have the teachers that teach those subjects.” Commissioner Travis stated “They have more subjects in school than those two things you mentioned.” Commissioner Hall responded “They do but those are the two that I am passionate about tonight. That is what I am bringing before this board.” Commissioner Travis stated “I had a call this past weekend about a school bus. I was asked to call the School Board about what is going on the school buses.” Commissioner Hall responded “Mr. Travis I don’t give a crap about the school buses, education is what the schools are all about. We fund money to the schools to teach kids.” Commissioner Travis stated “We fund money for the school buses too.” Commissioner Hall stated “They have somebody to handle that. We already met with the board and they don’t have a plan to handle the failings in math and science.”

Chair Lucas asked “Mr. Hall how exactly do we want to handle this?” Commissioner Hall responded “Well so far no one has talked but me.” Commissioner Williamson responded “One solution would be to send a letter from the Board here to the Board of Education requesting that the question be answered that had been asked by one of our commissioners in the joint meeting. Do you see what I am saying on that? That is one way I think we could handle it. That is just a suggestion.” Commissioner Carter added “And give them a time frame too.” Commissioner Hamlett stated “We know what they are going to say though.” Commissioner Travis responded “Send us some more money.” Commissioner Williamson stated “That is not a plan.” Commissioner Hamlett responded “But that is going to be their solution so they can hire better teachers.” Commissioner Hall stated “It might be a plan if they put it together. I believe that our kids can learn. I believe you can’t teach a child what you don’t know. If you hire math teachers and science teachers and we know that costs money make that your plan.” Commissioner Hamlett stated “I hear it all the time we lose good teachers because we don’t pay a supplement. That is where the money is at. I hear it all the time.”

Chair Lucas stated “Okay a letter will be sent to the School Board’s specifically to the Chair of the School Board.” Commissioner Williamson responded “We need a majority on that now.” Commissioner Hall stated “Whatever is decided it has to be a vote on it.” Commissioner Williamson responded “Right.”

Commissioner Carter moved, seconded by Commissioner Jefferies that this Board sends a letter addressing the School Board concerning the math and science scores as presented by Commissioner Hall and Commissioner Williamson.

Commissioner Hall added “And specifically the question being please present a plan of action to the commissioners so that we can consider it during our budget process.”

Commissioner Carter moved, seconded by Commissioner Jefferies to send a letter to the School Board Chair specifically to present a plan of action to the commissioners for discussion during

the budget process to specifically answer to answer the questions from the joint meeting concerning math and science scores. The motion carried unanimously.

Commissioner Hall stated "From my point I think we need to be prepared to get a non-response." Commissioner Hamlett responded "I think you will get one but it is going to be that." Commissioner Hall continued "That is what I mean by a non-response or a response in general saying just give us more money. When I say a plan and if they say give us more money or give us x number of dollars for supplements for math and science. Don't just say we have to have another \$250,000 because that will not address the issue."

APPROVAL OF DESIGNATION OF AREA AGENCY ON AGING WITH PIEDMONT
TRIAD REGIONAL COUNCIL WITH LEAD RESPONSIBILITY FOR THE COUNTY
FUNDING PLAN

Mr. Howard stated "Currently the Piedmont Triad Regional Council handles our Aging grants. Most of the grants the Senior Center operates on comes through this program. This is just for the next fiscal year or you can do indefinitely but I would not recommend no more than 3 years to designate them back as the lead agency."

Commissioner Hall asked "What are the options?" Mr. Howard responded "We don't have any other options."

Commissioner Hall moved, seconded by Commissioner Williamson to approve the Piedmont Triad Regional Council as the designation of the Area Agency on Agency. The motion carried unanimously.

Commissioner Hall stated "As it relates to this Area on Aging we were informed at the last meeting last week that there probably will be a significant cut in our Meals on Wheels funding." Mr. Howard asked "Is that still at 9%?" Commissioner Hall responded "I don't know. All I know is it is supposed to be cut."

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

Mr. Howard stated "I wanted to ask one more time before I send the stuff in to them to make sure there are none left. I have two or three on the list and we actually discussed those with the DOT at a previous meeting. I just wanted to make sure that there was no more that needed to be added. I will probably send that in the first of next week."

Chair Lucas stated "I am concerned about the parking lot at the post office. Has anybody noticed that? There are huge potholes over there." Mr. Howard responded "That is our responsibility. When we discuss the budget we will be discussing several parking lots that need to be paved."

2013 County Assembly Day – May 22nd – Raleigh, NC

Mr. Howard stated “County Assembly Day is May 22nd. I think by the 15th we need to have who will be attending. There is a \$95.00 fee for that. In the past we went down as a group. We have a county van so we can go down in the county van.”

Chair Lucas asked “How many times have you done that?” Mr. Howard responded “We have not gone in the past couple of years but for the first three years I was here we had about 3 or 4 go down and then we would take them out to dinner.”

Chair Lucas asked “Is there any interest from the Board members?” Mr. Howard stated “It begins at 9:00 a.m. If you pre-register before May 15th it is \$95.00, registration on site is \$125.00.” Commissioner Hall stated “I have a meeting the next day.” Chair Lucas responded “So you could go early.” Commissioner Hall stated “I would have to spend the night.” Chair Lucas responded “That would be okay.” Commissioner Hall stated “I don’t have that kind of time.” Mr. Howard stated “Speaker of the House, Tom Tillis, and Senator Phil Berger will both be speaking at the joint meeting that morning.” Commissioner Hamlett asked “What day is that on?” Mr. Howard responded “Wednesday.” Chair Lucas stated “I would like to see everyone go.”

Canoe and Kayak Lake Rally on Farmer Lake

Mr. Howard stated “We had a letter come in from Ms. Pat Anderson; she lives on Lake Pointe Drive, about having a canoe and kayak lake rally on Farmer Lake. It is a type of fundraiser. Initially she said this was something that she would be willing help the county put on. Since the packets went out she has kind of felt like the lake board or the recreation commission could take on as a fundraiser. I know the Lake Board discussed it and was not too keen on the idea at their last meeting as far as trying to do it this summer. They felt they did not have enough time to do that. Is this something that the Board would be interested in sponsoring to have one of those organizations putting this on?”

Chair Lucas asked “What is she asking for from the Board?” Mr. Howard responded “She was just saying it was a good opportunity for have a fundraiser for the lake, to put some money into the lake property. We have had an interest to put some new stuff down there.” Chair Lucas stated “I think we need more activity at the lake myself.” Mr. Howard stated “If the Board is interesting in looking into this I will be glad to approach the Lake Board or Recreation Commission to see if they have a desire to help put this on.”

Commissioner Hall stated “DEEDS is going to sponsor a Health and Wellness Day on Farmer Lake this coming Saturday. The will be canoeing and kayaking and other physical activities for kids ages 7 through 18. You all are welcome to come out and bring your kids and grandkids and we will serve lunch.”

Chair Lucas stated “Before we leave the lake issue I did have a request about the possibility of opening up the second gate at the lake.” Commissioner Travis responded “No.” Chair Lucas asked “What is the issue?” Commissioner Travis responded “Everyone was entering the lake for

free. They would get the combination, open the gate and go in there and fish for free. We don't need to open that thing back up." Chair Lucas continued "It is residents that live on that side of the lake that are having to drive all the way around." Commissioner Travis responded "We have gone through this before. Everybody needs to go where they can be checked in." Chair Lucas stated "All I am saying is these people are really good stewards and they clean up Boy Scout Camp Road and take care of that area over there." Commissioner Travis stated "I am just telling you how I feel about it. There are 6 more people on this Board." Commissioner Hamlett stated "I heard the same thing that Travis said." Commissioner Travis stated "Lisa had a fit about it. She understands the reason why we did it."

Commissioner Carter stated "I have had a request from several residents since we are talking about Farmer Lake, several of them have asked about sail boats to rent out. Lake Townsend has them."

Caswell County Law Enforcement Center Plaque

Mr. Howard stated "You have a copy of what the plaque would look like. What I have handed out is basically the wording based on what we discussed at the last commissioners' meeting. I called everybody and talked about it and there were some concerns about all of that on there. I just wanted to bring it back before the Board to show you kind of what it would look like and get your input. What I have given you is the wording for the commissioners in that handout."

Commissioner Hall stated "Madam Chair I was one of them that had some concerns and I will go ahead and speak up. I think it is a normal routine when you do a building you put the current officers and commissioners on the plaque and that is what I am more comfortable with. If the building opens in 2013 then the current officers and commissioners go on that plaque as of 2013. If for some reason there is a need to had previous commissioners I think that I can kind of sort of agree to put them in at the end but I think the current of officers and the current commissioners should be what goes up there and that is what I would support." Chair Lucas responded "Commissioner Hall I agree with you. I think that is more procedure to include the current Board."

Commissioner Carter stated "I noticed on the iPad you did not list you as the County Manager or the Sheriff or the architects." Mr. Howard responded "All I was showing you is how the commissioners would be done." Commissioner Carter stated "That is fine with me. I agree with what Commissioner Hall said." Mr. Howard stated "If the Board is okay with that then that is what we will do."

Schedule

Mr. Howard stated "There is one last thing that is not listed on there. This is a schedule that I am going to pass out. The Town got a grant to have a strategic plan done. It is an architectural assessment to kind of come up with ideas on how to improve the downtown. They will be looking at it from three areas: the Square here, how to make improvements to that. Then looking at Yanceyville as a whole and the third one we are looking at is how the county resident and the town residents can tie together. They are having workshops on Monday, May 20th and

Tuesday, May 21st and this is a schedule of those. They have asked the County Commissioners to attend the first session on May 20th if you can. We have a meeting during the second session which is at night just to give input and to find out what is going on. Tuesday, May 21st is the third session and that is when they will have a wrap up session and they will present the ideas on what was discussed.”

Commissioner Hall asked “What are they trying to do?” Mr. Howard responded “They are looking for ways to improve the court square. One thing would be what to do with the building across the road, whether to tear it down or find grants to improve. What they want is input from the citizens and other officials on what they would like to see. These are planning sessions. An example would be do you want a farmer’s market downtown and things of that nature.

ANNOUNCEMENTS AND UPCOMING EVENTS

- A. JCPC Annual Community Awareness Meeting – Wednesday, May 8, 2013 at 8:30 a.m. – Central Caswell Ruritan
- D. Heritage Day – Saturday, May 18th 9:00 a.m. until 2:00 p.m.
- C. County Employee Family Picnic on June 22, 2013 with a rain date of June 29, 2013

Commissioner Carter stated “Madam Chair I would like to mention something about Heritage Day. I think it would be good for the Caswell County Commissioners sponsor something whether it would be a meal ticket from so and so or us donating \$5.00 a piece from the Caswell County Commissioners and give it to Rhonda or Paula and it would be from the Caswell County Commissioners. Over hear a Watlington’s at 1:00 we will have an auction. We have different things from the lawyers and all kinds of stuff to auction off. I think since it is Heritage Day it would be good to have something from the Caswell County Board of Commissioners.”

Mr. Howard stated “What he is talking about is an auction. The whole thing is a fundraiser for the Historical Association and the Library is participating as well. They will be auctioning off different things donated by various businesses in town.”

Commissioner Carter stated “It is going to be a different kind of auction because we have things like a lawyer has given time; a teenager has donated two hours of babysitting time. Instead of auctioning goods it will be different things.”

Chair Lucas asked “Do you have any suggestions? Commissioner Hamlett responded “\$5.00 would be good.” Commissioner Carter stated “I was just saying it would be nice since it is the first Heritage Day and we hope to make it an annual thing every year but it would be nice to have something from the Caswell County Board of Commissioners. Instead of money you might want to give something else.” Commissioner Travis stated “Paula can come up with something to give.” Commissioner Hall stated “Make sure it is more than \$5.00.”

Commissioner Lucas stated “I have another item I would like to discuss, a letter was sent to the Board of Commissioners from a Rose M. Cobb. I would like to thank you in advance for your consideration of the following proposal. My husband which is now deceased was William G.

Cobb or Greg. He was well known and volunteered in our community and lived and worked here for 17 years. He loved the people here especially the long chats with Hugh Webster a long time friend. Last summer Greg suffered a fatal heart attack while driving home from work. His truck landed and ended up in the creek on Underwood Road. Residents there keep the area clean and take care of flowers brought in. I feel compelled to do something lasting for my husband that would mean a lot of me as well as our community. Our request is for a road sign in memory of William G. Cobb be placed at the bridge. My idea is being well received and we are hoping that it will be approved. Please advise me as to the correct protocol towards this endeavor. All of us would welcome your efforts on our behalf. Rose M. Cobb. I think she is in Commissioners Travis' district. Have you spoken with her?" Commissioner Travis responded "This is what I think about this. I don't think we can put stuff up like that where everybody gets killed. A lot of people get killed on the roads. The only thing I think she can do is if that road has not been adopted as far as picking up trash, she can adopt that road in memory of Mr. Cobb. I think that is the best way to handle it."

Mr. Ferrell stated "Actually the counties don't own the roads." Commissioner Travis responded "That is right. She would have to go to the DOT to get this done. I think a letter should be sent to her or call her and tell her she can adopt the road and that is all she can do." Mr. Ferrell stated "Even if the Board really wanted to do something for Ms. Cobb unfortunately because it is a state road you would not be able to put the sign out there." Commissioner Travis responded "Even if we could, could you imagine what the county would look like with signs all up and down the roads. The only way I think it would be done is like I said she could adopt the road in memory of Mr. Cobb." Chair Lucas stated "I will call her and make that recommendation to contact the DOT."

Chair Lucas stated "The last thing I think we need to do is set dates for our budget workshop. We have a meeting on the 20th of May. Any suggestions?" Commissioner Travis stated "I will not be here the 15th through the end of the week." Mr. Howard stated "I think everyone should be at the first meeting. We will do the overview of the Revenues and Expenses." There was a lot of discussion. The first Budget Workshop is set for May 21st at 3:30 p.m.

Commissioner Hamlett stated "Relay for Life is having a raffle dinner. They will give away \$5,000. The cost is \$50.00/couple."

Commissioner Jefferies stated "I went to the Mental Health meeting last Tuesday night. We discussed the lawsuit that Triumph has. I think we need to let Alamance handle this lawsuit. The judge is not ruling in our favor." Mr. Ferrell added "I will in the last court appearance where the parties were called where the judge heard a motion to stay the proceeding and action in Durham County. Alamance County opposed the LME's motion to stay the proceeding pending the outcome of the county's sovereign immunity appeal to the Court of Appeals and Alamance opposed that motion. We did not oppose it. The judge ruled in favor of the LME that the proceeding in the case should stop pending a full resolution of the sovereign immunity issue that is now pending before well it is not pending yet but the record will be settled shortly as that case progresses to the Court of Appeals. I am happy to bring this back to you in closed session. We have not talked about it in a few meetings. I am happy to give you my view. I think that Commissioner Jefferies says is important for this Board to really consider which is where the

case is, how much it is going to cost you in legal fees to get to the end of the road on this one and what your exposure is if you were to look to an earlier resolution. I prefer to do that in closed session. I think that is the appropriate time to do it. There is nothing pressing between now and the next meeting that will incur significant legal fees. There may be some short phone calls. You are not going to run up a significant legal bill between now and the next meeting.” Chair Lucas stated “We will have it for discussion at the next meeting.”

Commissioner Travis asked “What is the deal out there with the water? It is worse than what it was.” Mr. Howard responded “Last week they came in and added some pavement. I think the intent was to raise it up. The water would flow out around the curb. They did not accomplish that.” Chair Lucas asked “Did they do anything with the pipe?” Mr. Howard responded “They covered it up.”

The Clerk announced that the FFA Banquet would be May 21st at 6:30 p.m. at the Civic Center.

ADJOURNMENT

At 10:11 p.m. Commissioner Travis moved, seconded by Commissioner Hamlett to adjourn. The motion carried unanimously.

Paula P. Seamster
Clerk to the Board

Cathy W. Lucas
Chair
