

MINUTES – AUGUST 5, 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, August 5, 2013. Members present: Cathy W. Lucas, Chair, Kenneth D. Travis, Vice-Chairman, William E. Carter, Larry G. Hamlett, Jeremiah Jefferies and N. Kent Williamson. Absent: Nathaniel Hall. Also present: Kevin B. Howard, County Manager, Brian Ferrell, County Attorney, and Gerri Hunt 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

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

APPROVAL OF CONSENT AGENDA

Commissioner Jefferies moved, seconded by Commissioner Travis to approve the Consent Agenda.

Chair Lucas asked “I have a question about the Budget Amendment on Section XIX-B pertaining to the Detention Center Project Fund operations can we get an explanation on what that is?” Mr. Howard responded “That is balancing out those line items. It is adding money to Administration and Engineering and Construction Management that was due to an increase in do you remember back when we had the incident with the soils where there was an increase in fees when they had to come out and do inspections, part of that is that and the rest is the extra charges that have been paid to Brennan through the end of May.” Chair Lucas continued “On the two, the \$19,041 and the \$115,249 are they in the negative amount?” Mr. Howard responded “No ma’am we are just taking money from those two places to balance the other. The budget has to balance out at the end of the fiscal year and that is just to balance the line items in the budget. It is not adding any more money to the project. It is just balancing out the line item in the budget.” Chair Lucas asked “So we are actually moving Loan Origination Fees and money out of Construction to cover Administrative, Engineering and Construction Management?” Mr. Howard responded “To balance out the budget, yes ma’am.” Chair Lucas continued “I just needed to get an understanding on that.”

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

The following items were included on the Consent Agenda:

- A. Approval of Minutes of July 1, 2013 Regular Meeting
- B. Approval of Minutes of July 15, 2013 Regular Meeting
- C. Approval of Minutes of July 18, 2013 Special Meeting
- D. FY 2012-2013 Budget Amendment #8

PUBLIC COMMENTS

Chair Lucas opened the floor for public comments.

Mr. John Claggett made the following statement:

“My name is John Claggett and I reside at 108 Jaye Lane, Providence, NC. My comment this evening is in reference to the Caswell County Board of Adjustment portion of the Unified Development Ordinance which is on tonight’s agenda. The North Carolina General Assembly has recently rewritten portions of NCGS 160A-388 which pertains to “BOARD OF ADJUSTMENT”. Please allow me to read paragraph (e1) of the statute: A member of the board of any other body exercising quasi-judicial functions pursuant to this Article shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision matter. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member’s participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection. How can this one paragraph be compiled with when direct contact between a citizen and his or her commissioner is the norm? Allow me to refresh your memories with the words of the County Attorney so eloquently put while addressing the Board of Commissioners during the June 3rd Commissioners’ Meeting. “What I would say to you is I think this is an important issue to talk about and think about and I will mention one other area the Planning Director hit on which is potential conflicts that I think is certainly something that you want to consider and that is that generally this body sits as a legislative policy making body not a quasi-judicial or fact finding permitting process that is common in the planning arena so when citizens are interested in talking to their elected representatives on policies or legislative decisions including something that you only have in one area of the county and that is zoning, zoning decisions, citizens can lobby you as part of the process. They can ask you directly. They can call you. The contact that is permitted on a due process perspective in a quasi-judicial capacity is different and that is there is not supposed to be for due process reason ex parte communication between a citizen and the decision maker”. Mr. Ferrell continues “Because this Board of Commissioners sits so regularly in its’ legislative capacity it is not always easy to separate the duties out when you are asked then to sit in a quasi-judicial capacity.” He goes on to say “I think that is a significant reason that many jurisdictions have taken the approach that has been recommended by your Planning Board. I think quite frankly it’s certainly worth considering as you go forward.” In my mind to not have a representative that resides within the only zoned area of the county on the Board of Adjustment is of the same irresponsible genre and could lead to similar legal ramifications as having a sitting

County Commissioner residing outside of the county. On April 23rd of this year the Caswell County Planning Board passed a motion with a vote of 6 to 2 to recommend to the Board of Commissioners to have an independent Board of Adjustment that does not include members from the Planning Board or the Board of Commissioners. As a taxpayer and a citizen with constitutional rights to an impartial decision maker I urge the Board of Commissioners to take that recommendation. It is your responsibility to us at the very least to attempt to comply with the statute the state has set forth. Thank you.”

With no further comment Chair Lucas closed public comments.

APPROVAL OF PIEDMONT TRIAD RPO MEMORANDUM OF UNDERSTANDING UPDATE

Mr. Jesse Day stated “Thank you Chairwoman Lucas and thank you members of the County Commissioners. My name is Jesse Day and I am a Senior Regional Planner with the Piedmont Triad Regional Council and we also house the Piedmont Triad Rural Planning Organization in which Commissioner Williamson sits on the Transportation Advisory Committee, the governing board of that body. I come here tonight for a basic update to our Memorandum of Understanding which is basically an agreement between our member counties that includes Caswell, Rockingham, Randolph and Montgomery County and the Piedmont Triad Regional Council as well as the North Carolina Department of Transportation where 80% of the annual budget for the RPO comes from and 20% comes from local support including Caswell County. I wanted to take this opportunity to just cover the nuts and bolts of that memorandum of understanding update but also bring you a quick update to the state transportation legislation that was passed in the General Assembly this year. Just covering the details of the MOU at this point, Davidson County was reclassified in the 2010 census into an urban area so what they have done is they have basically been annexed for lack of a better word, that is probably not a good choice of words but they have become a part of the High Point Metropolitan Planning Organization so they are leaving the RPO so we need to update our MOU based upon that fact and then remove a NC DOT Division 9 from membership and then also add the North Carolina Department of Transportation member as a voting member of the Transportation Advisory Committee of which Mr. Williamson sits on and that individual is Cheryl and I forget her last name. There is a Division 7 rep. and there is also a rep. At-Large and Andrew Perkins is the rep. At-Large that is going to sit on our Transportation Advisory Committee. Those are some of the three changes to the memorandum of understanding. There is no real impact in the terms of Caswell County except the local Sheriff funding did increase a small amount or will do so next year. I don’t have those numbers right in front of me at this point but they have been shared with Mr. Howard as he goes through the budgeting process. Moving on the handout that I have put in front of you and I apologize a lot of this stuff has been changes over the past couple of weeks as the legislature has wrapped up. I included an 11 x 17 sheet at your place as well as a small 8½ x 11 that has some funding figures, historical funding figures for Caswell County and the Department of Transportation’s Division 7 in which Caswell County sits in with four other counties. So what I want to point to you first is the map that shows this new thing called the Strategic Mobility Formula and you see there are a few different categories of roads that have been classified in the new Strategic Mobility Formula. This Strategic Mobility Formula discusses major transportation improvement program projects so it is really how the highway trust fund gets spent in North

Carolina which is about 1/5 of NCDOT's overall budget. I am going to attempt not to confusing but to inform you so please interrupt with any questions as I go forward. What is shown in blue are Statewide category funds. What is shown in red are Regional category funds and I will get into what funds are available in these categories in just a second and what is in gray is your Secondary roads and those are eligible for Division level funds. The RPO provides long range local and regional transportation planning services, project prioritization and it really facilitates public participation in the rural transportation planning process. If you flip over to the other side we will talk a little bit about that project prioritization process going forward into the future. How the strategic mobility formula works is basically you have three different pots of funding. The first pot, the blue pot, Statewide Mobility, gets 40% of the funds, \$6 billion over about a ten year period from 2016 to 2025 and those are basically the RPO and the County has no input really on where those priorities are. It is completely a data driven process which is a little bit difference than in the past where there was a Board of Transportation that picked projects but it is a shift in mindset over the past several years that's really not been put into legislation. It is 100% data driven and your eligible routes as you can see US 158 would be one and US 29 coming through Caswell County. Now Regional Impact would be 30% of funds or \$4.5 billion over the 2016 through 2025 period. 70% of that is a data driven process and when I say data driven I am talking about congestion score, talking about access to economic development scenarios. There are details of what that data is and this is still being worked out so I have not provided that to you but I can with follow up with Mr. Williamson or through staff if you would like once that is finalized in mid-August. That is when it will be finalized. Then 30% of that is local input which is where the RPO comes into play. The way our process works is you can see in the upper right hand corner. We established a local prioritization process and we are waiting for NCDOT to approve that process but essentially it is a very open process done at the county level where the top projects are ranked. We are also going to do ranking projects not just for roads and highways but also for bicycle/pedestrian improvements, improvements to the airport in the northern part of the County; we will be assigning priority points to that as well so it is all notes. You can see the funding on the regional basis there it is split up into seven funding regions across the state and Caswell County is in Division 7 and it is paired up with Division 9 and there is about \$86 million per year over that 10 year period that can be spent on the red roads on the map, so 62, 150, 119, and 86 would be eligible for that regional funding categories. The last pot is the Division level needs funding and that is going to include all of those gray roads and that is an equal share across the state for \$34 million per year. Just talking about the funding just for a second on how it compares in the past. A lot has been shifted around and again I am trying not to confuse you but just provide some basic understanding and we can get into more detailed information later as we go through the project prioritization process. Essentially some of it is the impact is that much more is going to be spent in those blue and red categories than what is going to be spent on your secondary roads going forward. One thing to also mention is that bridge replacement projects that were traditionally through the transportation improvement program are now from the maintenance budget. The small sheet that I provided shows you the historical perspectives of funding, just to highlight that over the past 5 years. On average annually Caswell County about \$6.4 million was spent on maintenance type projects, paving of unpaved roads, repaving projects and your basic highway maintenance, roadside projects and then about \$2.4 million on construction projects. How that is linked to the specifics I am not going to get into right now but on a division percentage share that is 11% of the maintenance funding on average and 1% of the construction funding. As you can see Guilford County has a

significant portion of the construction funding due to some large highway projects in the county. I wanted to provide that has a historical perspective as we look to the future. I don't claim to understand all the ins and outs of this new strategic mobility formula but just keep in mind that this is just one piece of the transportation funding for TIP type projects. For example you still have your maintenance funds for repaving funds that are not included in these numbers. Also I have included a timeline of prioritization scheduled called 3.0 another name is the SPOT. Basically this fall we are going to try to work on preliminary discussions on transportation improvements at the county level working with staff but we really need the DOT to sign off on our prioritization process before we can move forward with that and assign those points at the RPO level. I wanted to provide that information. I hope that is helpful and I will be happy to answer any questions that may have come up and I also ask for approval of the memorandum of understanding update."

Commissioner Carter asked "You mentioned the airport, is that a building of the airport or what?" Mr. Day responded "I would be any improvements with access to the airport or functioning of the airport. It could be a new airport too but essentially it is pulling from the division level funds so you will not be able to build a new one. You access to funding is fairly limited but you know roads leading into the airport that may need improvement could qualify under that category." Commissioner Carter continued "We have one in the county. It is on the division maps. The other question I had is on the 158 improvements." Mr. Day responded "The existing TIP number, it has been on the TIP unfunded for several, several years. Is that what you are referring to Mr. Carter? It is currently unfunded in the existing TIP. I will say for areas that you may travel across the region if there is a project that is going to start construction before July of 2015 those projects are not subject to this new formula. We are sort of looking beyond that but in the case of Caswell County we don't have any funded major TIP projects."

Commissioner Williamson asked "The funding that is not used in one year does it carryover into the next year?" Mr. Day responded "I am pretty sure that the funds would carryover. They are state level funds. There is a sunset on federal funds if you don't use those but you have 5 years from the time you say you are going to spend it. If you don't spend it at the end of those 5 years then in terms of federal funding you would have to return that funding."

Chair Lucas asked "Mr. Day when you say work in each county to choose the top list of improvements by mode what specifically?" Mr. Day responded "We have and again the details are being worked out. We have a certain number of points we are given at the state level and we need to share those across different modes so it could be a road improvement project. It could be an improvement to the airport. It could be a bicycle/pedestrian project, a sidewalk or a trail project." Chair Lucas continued "And when you mentioned that the local funding share is increasing what do they base the increase upon?" Mr. Day responded "Well I just mentioned that since Davidson County dropped out this current fiscal year and the budget has dropped some from the state based upon that but it does not make up the difference from Davidson County leaving so it is a slight increase. It is very minimal for Caswell County. I think it is less than 5%. It is more so of an increase on a dollar basis for Rockingham County and Randolph County." Chair Lucas asked "Kevin do you have anything to add to that?" Mr. Howard responded "No ma'am, I am not sure what that number is off the top of my head. I mean our total was less than \$2,000 a year I think." Chair Lucas stated "I understand that."

Commissioner Carter moved, seconded by Commissioner Williamson to approve the Piedmont Triad RPO Memorandum of Understanding Update. The motion carried unanimously.

LETTER OF SUPPORT FOR CASWELL COUNTY HISTORICAL ASSOCIATION
SIGN GRANT APPLICATION

Mr. Cy Vernon stated “Good evening. The Historical Association is applying for a grant from the Danville Regional Foundation and you have that information in your packet. The goal of the grant is to inspire revitalization and to do some things to make the Town of Yanceyville specifically at this point a more desirable destination and also to give people new signage so the people will see what the possibilities are for them downtown and we have a few things downtown that we feel are worth folks stopping and seeing and when that happens they may buy a meal or buy some gas or do some other things to help our economy. As part of the grant process we would be hiring a consultant firm. The firm is the Center of Creative Economy and it is the same firm that helped the Town of Yanceyville with some information and some way that they could improve some things going on here downtown especially specifically at this point early on for tourism and we would be using the same group. Of course all of what we are trying to do is based on studies that have said that history and tourism are our major attraction for our county. You know we don’t have a lot of businesses. We don’t have a lot of industry so tourism at this point is one of our better things. What we are asking this group to do is to sign a letter of support and what this letter of support does see the Historical Association is taking the point on this. We are going to look after it. We are going to take care of it and we are going to keep everybody informed. We are also going to ask the Town of Yanceyville to do the same thing. What we want is for everybody to be on the same page. We want for example if we come up with a plan for signage for out on the highway and for downtown you know we don’t want in the future for somebody to decide that they don’t like the signage that is there and they want to change it around. Because of that when we get the report back from the consultant firm we are going to involve representatives of this Board and the Town board and the Historical Association so that we will all be together on this so hopefully we will come to some kind of an agreement. Basically what we are asking this Board to do is to approve a letter of support and to sign a letter of support for us to move forward with this project knowing full well that you will be kept informed all the way with it. Basically Madam Chairman that is what we are asking for.”

Commissioner Jefferies moved, seconded by Commissioner Travis to approve the letter of support for the Historical Association’s sign grant application.

Commissioner Williamson asked “Is Milton included in this or do they have any participating in it?” Mr. Vernon responded “We are not going to leave them out because they also are an important part of historical tourism for the county. At this point we are going to include them in this as well. Of course, we have some representatives from Milton here.” Mayor Brandon stated “Milton is applying for something similar separately.” Chair Lucas asked “Did I understand that Milton is applying separately for this or they are just supporting this effort?” Mr. Vernon responded “They are applying separately.”

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

MIDDLE BORDER FORWARD UPDATE

Ms. Rhonda Griffin stated “Good evening. Almost a year ago the Danville Regional Foundation gathered a group of citizens throughout Pittsylvania County, Caswell County and Danville. These mentors selected or help to select and nominate 50 people under 50 years old who they saw as future leaders in our region. Some of the people who are our mentors were Lucindy Willis, Yancey Smith and George Daniel from Caswell County. There were others from Danville and Pittsylvania County. Back in March the fellows were selected throughout Danville, Pittsylvania and Caswell and we have since been working in workshops with a consultant that the Danville Regional Foundation hired and what we are doing with these consultants in the workshops is they have broken us up into smaller groups and we each have projects that we are working on. The consultants are assisting the Danville Regional Foundation in developing a new regional initiative aimed at improving the economic prosperity of citizens in all three counties in southern Virginia and northern North Carolina. The effort center on developing a new generation of community leaders who will launch a new initiative call “Middle Border Forward”. The Goals will help the community work with a new generation of leaders committed to equitable regional growth, provide these leaders with the knowledge and practical skills necessary to help guide a regional initiative and develop an effective action plan to allow the regional initiative the opportunity to meet its goals. They keep mentioning regional; they want to include Caswell County. They focus on Caswell, Danville and Pittsylvania County and we want to make sure Caswell County is included. We have already had several workshops and there were like I said 50 people who were selected throughout the region. Some of the projects that we are working on include a Shop Local campaign. Jerry Potter is working on that with Caswell County. Brian Collie is one of the fellows. No one was selected from elected office or any kind of management or administrative positions from any of the city or counties. We also have an elevator pitch through the Launch Place and Jake Daniels is working on that for Caswell County. There is also a project increasing secondary students’ knowledge of health. Penny Crumpton is on that and Shelley Stone is also helping students to learn more about continued education. My project is working on tourism, developing a regional tourism initiative. I am on the Historical Association in Caswell County and two of the members that are also on my team are members of the Danville Historical Society. Our goal is to create a regional draft tourism plan. I am using the Historical Association’s driving tour so in our own areas we are researching different historical sites and history that can be placed on a map. One of the goals is the create a map of what we call Tobacco Row and that is 29 starting in Chatham going all the way down through Prospect Hill through Caswell County. Our map would have different historical places that people could visit when they come to Caswell County and Pittsylvania County. We are thinking that tobacco is what links our areas together. This is not something that was thrown together last month. This has been a long term goal that the Danville Regional Foundation has put a lot of time and energy and effort into making these projects happen and so what I am asking is they are having a Social tomorrow night and it is at Caswell Pines from 5:30 to 7:30. They are having this to meet some of the 50 people that were select of the 50 under 50 fellows. You were supposed to have RSVP by Friday but don’t worry I told them that I was inviting you tonight so they are expecting some of you and if you can’t make it tomorrow they are also going to have one August 22nd at Danville Regional Foundation. The Danville Regional Foundation has

supported Caswell County quite a bit and I think we should show our support and gratitude to them so I would appreciate anyone who could attend would attend. Thank you.”

APPROVAL OF CONSULTANT FOR COMPREHENSIVE PLAN

Mr. Brian Collie stated “Good evening Commissioners. I am coming before you tonight to go over the request for proposals that we have received for the comprehensive plan. Before I get into that I would like to introduce you to Ms. Jami Eckemoff. She is an intern for the County this summer. She will be starting school at the University of Chapel Hill in the fall. Her time with the Planning Department she has worked on a couple different projects but she is going to do a presentation tonight telling you some benefits of having a comprehensive plan.”

Ms. Jami Eckemoff stated “Good evening. My name is Jami Eckemoff and as Brian just described to you I am interning for Caswell County to gain experience and knowledge from the Finance, Planning, Library, and Human Resources departments for the duration of this summer. My subject today is Comprehensive Planning and I will be focusing on the benefits of implementing the plan. I would like to start with our quote “Our Vision: Preserving the Past, Embracing the Future.” There is no better way to follow that vision than to have a Comprehensive Plan. A Comprehensive Plan is a benefit for the long run. The current land use plan focuses on land development management, which is only one goal for a comprehensive plan. A comprehensive plan not only focuses on land use at present and future, but it also focuses on the details of the county, such as: demographics, people and their involvement, quality of life, health and wellness planning, environment/natural hazards, housing, transportation opportunities, cultural resources, growth management, fluctuating budgets, capital improvements, economic development, future possibilities. I would like to present to you three points that exemplify the need for the comprehensive plan: detail orientation, economic development, and the opportunity for more grants. First, I want to focus on this county’s benefits and greatest aspects. The biggest and rawest resource this county has is its history, which is very well preserved and known to many. The rural nature of this county also makes it peaceful. These are the two things that the citizens and employees of the county love about it. A comprehensive plan not only focuses on what to do in the future, but how the county was in the past and is at present. Every detail about the County is important for the County’s benefit and growth. I have read over the land use plan and I admire its depth of research and thoughtful input. One of two downsides to the land use plan is that it was adopted approximately nine years ago, and communities tend to grow out of plans after a decade. A comprehensive plan in that respect is no different – it will have to be rewritten a few times and redone every decade or two. However, having to redo such a plan every now and again should and would be exciting when the plan helps this county which is already so great to be even greater. The other downside to the current land use plan is that it is only focused on land development. It will not only focus on land use but it will study each aspect of the county for the purpose of managing and expanding it. With a broader knowledge of how the county will grow and prosper, business owners and future business owners will have a better idea of what to expect and how to manage expenses effectively. Future business owners will more easily be able to choose the perfect location, especially with so much space in the Industrial parks of Pelham and Yanceyville. Let us focus on economic development within a comprehensive plan. The land use plan considers “Caswell County’s Heritage as a basis for economic development”. That is a great thing to base

development on; however, the definition of economic development spans much further than that. Economic development is the gradual improvement of many aspects of human life, including culture, ease of access, as well as entertainment. Because a comprehensive plan focuses on all details about the county, that gives future business owners a singular and large resource to consider when creating a business plan, rather than finding information in scattered locations. My next point also considers the fact that the comprehensive plan implemented in this county will be encouraging to grant providers, which in turn will be encouraging for business owners to feel comfortable opening. Another benefit of having the plan in place is that it is encouraging to grant programs to provide funding. A plan could explain why the appropriate funds are needed, or assure the grant programs that funds will be spent and/or disbursed in an appropriate manner. In this way, the county will know where it stands and confidently be able to make quick and effective decision. So not only will it be easier to create the budget, potential funds will allow the budget to expand and possibly add new programs to be able to fund. The North Carolina Community Transformation Grant which is funded by the CDC have given \$25,000 to fund this project. That will cover 83% to 100% of the cost for a plan depending on the planning firm chosen and any customizations, which is a great opportunity to take advantage of. I would like to conclude in saying that I very much appreciate the opportunity to experience my favorite County and I will remember and take each skill that I have learned with me through my future career. I thank Gwen Vaughn, Brian Collie, Rhonda Griffin and Mindy Satterfield for teaching me and allowing me to have this opportunity. I also thank the County Commissioners for allowing me to come forth today and for taking time to listen to my presentation. Thank you.”

Mr. Collie stated “As Jami just told you and you probably already know from talking several months ago that the North Carolina Community Transformation Grant fund has awarded us \$25,000 to go towards this project. In the memo you received tonight are the request for proposals to do this project. We received three proposals: Holland Consulting Planners, Piedmont Triad Regional Council and Clarion Associates. As you all know, currently Holland Consulting Planners is working with the County on the Unified Development Ordinance. In your proposal, in the Unified Development Ordinance we have had great results with working with Holland Consulting. They are very knowledgeable, timely, and accurate. They are always available and they have done everything that the county has currently asked of them. They are the firm that actually told me that these funds were available to do a project like this. The second was Piedmont Triad Regional Council. Their proposal was complete and they seem to have great experience. All their references that were call had nothing but good things to say about them. Both Holland Consulting and Piedmont Triad came with a total project at \$30,000, to not exceed \$30,000. Clarion Associates was the third. Their proposal was complete but I am not sure if they have ever implemented any projects with these CGT funds. They seem to have great experience but they came in a little bit higher at \$35,000. Based on what my recommendation is and it is solely based on prior work with Holland Consulting is to go with them again with this project but Piedmont Triad Regional Council had a very nice proposal and everything from them looked good as well. They are both tied at \$30,000. I am not sure if any of you got to take a look at these proposals prior to the meeting but if you have any questions I will try to answer those.”

Chair Lucas asked “Since there is a distinction what the land use plan is that is already adopted for the County and a comprehensive land use plan. The fact that we are doing the UDO what

would the impact be if we don't update our land use plan to the UDO?" Mr. Collie responded "There is not an initial impact. Our current land use plan would just be a small portion of it. I think that having a comprehensive plan goes out far beyond a plan development like what Jami just explained." Chair Lucas continued "The additional money for the project where would that come from?" Mr. Howard responded "From out of Fund Balance unless it could be absorbed in the budget itself."

Commissioner Hamlett asked "You have \$25,000 plus \$5,000, did they come in that way or did they come in \$25,000?" Mr. Collie responded "No, with Holland Consulting they said \$25,000 up to an additional \$5,000 to implement graphics and maps and whatnot. They gave us an example from Columbus County. I think you all may have seen a copy of that in the past. I suggest if we do go with Holland to get them to do the extra graphics and maps to make it more user friendly." Mr. Howard added "They gave a basic quote of \$25,000 if you just want to spend the grant money and they can do all this extra stuff for an additional \$5,000 if you want to add the graphs and the maps and make it a more user friendly product." Chair Lucas stated "So we have a \$25,000 grant already awarded to the county for this purpose?" Mr. Howard responded "Yes ma'am." Chair Lucas continued "And it could feasibly be done for \$25,000 but the other would enhance it if I understand what you are saying?" Mr. Howard responded "It could be done for \$25,000 but we are recommending that you spend the extra \$5,000 to get a better product. It is going to have maps and graphs and it will be much more user friendly." Chair Lucas asked "Could we consider negotiating with Mr. Holland and seeing if he would do it for \$25,000 since he is already working with the county?" Mr. Collie responded "Like Mr. Howard just said they can do the project for \$25,000 yes but they are saying if the county would come out of pocket and additional five thousand they would be able to enhance it more. I am not sure they will do that." Mr. Howard added "We can entertain that if the Board wishes. If you want to pick them then we can negotiate the cost."

Commissioner Williamson stated "Since we are part of the Piedmont Triad and they are working with Planning in the adjoining counties and also they plan for Caswell County transportation wise and other things it looks like that would be even a better choice and we would get a perspective of a different planner looking at the total picture in which they have already presented total pictures of the region but just doing it for Caswell County it would benefit us to have them."

Chair Lucas asked "Brian you said that you have the proposals, I did not look at the proposals. Did any of the other commissioners get an opportunity to see all those proposals?"

Commissioner Williamson moved, seconded by Commissioner Carter to use the Piedmont Triad Regional Council with the grant money we have and negotiate the extra \$5,000 with them.

Commissioner Hamlett asked "Are we doing at \$30,000 or \$25,000?" Commissioner Williamson responded "We are going with Piedmont Triad and negotiating the extra \$5,000." Commissioner Hamlett continued "So we are going \$25,000?" Commissioner Williamson responded "We are going \$25,000 and we are negotiating the extra \$5,000."

Chair Lucas stated “Having served on the Planning Board and having worked with Mr. Holland through the UDO process my preference would be to continue on with him with this because he is so adept with what is going on with the UDO. That is my thought on it.”

Mr. Howard stated “What we will do is we will come back at the next meeting, we will try to negotiate with the COG if they won’t come below the \$30,000 we will come back to the next meeting with that cost or whichever one the Board decides on.”

Commissioner Hamlett asked “It is going to be \$25,000 or \$30,000?” Mr. Howard responded “Whoever you pick we will negotiate the cost and if they will not do it for less than \$30,000 we will come back to the commissioners at the next meeting with that negotiated price.”

Commissioner Jefferies asked “So your motion is just for \$25,000 right?” Commissioner Williamson responded “For \$25,000 and to go with Piedmont Triad and my reasoning behind that is we are a part of them and we pay them money to do planning for us and transportation is part of that.” Chair Lucas stated “But we have also just contracted with Mr. Holland to do this other process as well.”

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

UNIFIED DEVELOPMENT ORDINANCE DRAFT

Mr. Brian Collie stated “As you all know we have contracted with Holland Consulting to do the UDO project. The Planning Board has been working on this for the past 10 or 11 months. At our last meeting they finalized their recommendation and their final draft that you have in your agenda packet. I don’t want to go through that tonight. I would like to ask you to please take a look at that. There is a summary that tells you exactly the main changes and points that were looked at in this ordinance and with this project. The 19th which is your next meeting Mr. Holland, myself and the Planning Board members will be at the meeting and hope that you would have taken a look at it and have comments, questions or concerns at that time that we will be able to address.”

REQUEST FOR CASWELL COUNTY TO BE THE FISCAL AGENT FOR CASWELL FAMILY SERVICES AND THE CASWELL PARISH FUNDS FOR THE BoS (BALANCE OF STATE)

Ms. Shanna Poole stated “Good evening. My purpose here this afternoon is to ask the County of Caswell to be the fiscal agent for HUD monies for Caswell County Family Services and for the Caswell Parish. We were approached about 18 months ago from a young lady who is a housing specialist from Cardinal Innovations that there has been approximately between \$16 and \$18,000 that was allotted to Caswell County every year to help with homelessness. That money has been out there for many years. To be able to access this money we had to become a part of our state and we had to have a continuum of care. With continuum care we could have piggy back on area counties and at the time Person County was going through the same thing. Rockingham County was not accepting with having someone to piggy back with and we did go to Alamance County

and asked Alamance County and Alamance turned us down. We went through the necessary process to have continuum care here in Caswell County and we are registered now as a continuum care in Caswell County and we are called CHI, The Caswell Homeless Initiative and we are registered under the Balance of State. Now that makes us eligible to apply for federal HUD money to help and prevent homelessness. My main interest in the HUD funding is for the domestic violence shelter, to help some of the clients that we have at the DV shelter and to prevent homelessness if necessary if we have someone that comes through Family Services. An example would be if someone is getting ready to become homeless because they are behind in a rent payment or if they are in an apartment complex and their lights are going to be turned off and they would become homeless and they would have to move out we would have funds there to help them. Those are some of the same things that the Caswell Parish does now. They too are partnering with us to receive this money. Basically what we need now is a fiscal agent, someone who would manage the money for the Balance of State and administer the money out to our two agencies.”

Chair Lucas asked “So the question is you need someone to administer the funds and that is what you need the County to do?” Ms. Poole responded “Yes ma’am.”

Commissioner Williamson asked “Have you talked with the County Manager as far as him administering that plan or made any efforts with that?” Ms. Poole responded “Yes sir, he told me that I would need to come before the Board of Commissioners to see if you all were willing. With these funds that we would be getting from HUD I do want to make you aware there is a match but it is not a match that would come from any county funds, the match with which we would use would come from other grants. Also there would be in kind and what Family Services is going to use is to use our volunteer hours so approximately and please don’t quote me on this but approximately \$18,000 would be split between Caswell County Family Services and the Caswell Parish so it would be approximately \$9,000 a piece that we would be able to use to prevent homelessness here in the county.”

Chair Lucas asked “So the total amount is?” Ms. Poole responded “Approximately \$18,000.”

Mr. Ferrell stated “Madam Chair being a fiscal agent on a grant often carries with it a number of compliance requirements over and above simply just writing checks and receiving money. I am not familiar with this particular program. It certainly sounds like that has some worthwhile components to the community but I would encourage the Board and the manager to consider talking with the finance officer in conjunction with the details of the actual grant and see what the compliance looks like for the receipt and disbursement of those funds, to see what the compliance piece is going to entail for county staff who will certainly be responsible for these funds if you decide to be the fiscal agent. I just have not seen the program materials and would like to if you are interested in moving forward it may be beneficial to have the finance officer to take a look at those requirements.” Ms. Poole responded “If I may, I understand what you are saying. I talked with the finance director unofficially about this several months ago and from what we have somewhat understood so far and it kind of makes sense to us it is somewhat similar to what they would do at DSS if someone comes in for assistance with an electric bill and DSS approves it or whatever, the finance office actually calls from my understanding the power company. This is my understanding and I apologize. It would be for an example, if Susie Jones

came and she needed her electric bill paid because she is about to lose her house if her electric bill is not paid and she came to us. We would meet as a committee and if we approved it then what we would do is contact Piedmont Electric and say hey we are going to cover her electric bill and they would not turn her lights off and that money would have to come from the finance department and they would send a check to Piedmont Electric. I think it is something similar to what DSS would do with the energy assistance.” Mr. Ferrell stated “I know that when there are federal monies involved often there are pages and pages and pages of certifications that the county has to send back to the federal government before you can use those federal funds and essentially the county would be partnering in some respect to potentially making certifications on behalf of these other organizations. I just think that there are probably some recording requirements and some other things that the county would want to know about.” Chair Lucas responded “I agree.” Ms. Poole responded “With the Domestic Violence Shelter and with Family Services we will not have to do any reporting in regard to that because of the privacy with the domestic violence victims. In regards to the Caswell Parish there is a reporting system that would come out of that same granting system that is basically like applying for a general loan, they would have to do a reporting system and the grant money actually pays for the to set up the Chance system and it also pays for someone to run the Chance system as well.”

Chair Lucas asked “Ms. Poole did we have this in our agenda information because I overlooked it if we did. I did not have anything.” Mr. Howard responded “The actual grant is not in there.” Ms. Poole responded “I actually forwarded that...” Chair Lucas continued “Okay the planning that went into initiating this program, when did the planning start?” Ms. Poole responded “The grant application just opened approximately maybe a week and a half ago.” Chair Lucas asked “Do you have a board in place at present?” Ms. Poole responded “Yes ma’am.” Chair Lucas continued “When were they established?” Ms. Poole responded “Our board was established in February.” Chair Lucas asked “And it is for the Homeless Initiative?” Ms. Poole responded “The Caswell Homeless Initiative, yes ma’am.” Chair Lucas asked “Can you tell me who serves on that board?” Ms. Poole responded “Yes ma’am, I am the regional lead for the Balance of State. Our chairman is Bernard Turner. Our co-chair is Racquel Hughes. Our secretary is Angy Turner at Section 8 Housing. Would you like to know the other members on the committee as well?” Chair Lucas asked “How many members do you have?” Ms. Poole responded “I want to say at our last meeting we had approximately 15 there. We have 12 that are actually registered and the last 3 are actually a separate team through the Balance of State through Cumberland County and they purchased the Old Baptist Home here at the next block up.” Chair Lucas asked “Do you have a Yanceyville representative on your board?” Ms. Poole responded “Yes ma’am.” Chair Lucas continued “And we don’t have one because you were going to approach us about this? Is that the reason why we don’t have a commissioner representative?” Ms. Poole responded “No ma’am, it was brought up. I talked with the county manager about actually having the Board of Commissioners endorsing us. Actually we have been endorsed by the Town of Yanceyville and by the State of North Carolina and he never got back with me on that. I would love to have one of you on the committee.”

Commissioner Hamlett asked “Do you have a time limit?” Ms. Poole responded “Yes sir we have to have this in by the 21st of August. They gave us less than a month to get the application in.”

Chair Lucas asked “When is our next commissioners’ meeting?” Ms. Poole responded “The 19th right before it is actually due.” Chair Lucas continued “Personally I would like to see the application and a list of the board members and maybe entertain the possibility of having a commissioner representative on the board.” Ms. Poole responded “I thought I had forwarded that to you last week, the actual application. I received an email that you were requesting the actual application. It is several pages long so what I forwarded was the email where you could get the attachments and also a list of people who were on the actual committee.”

Commissioner Williamson moved, seconded by Commissioner Carter to table this issue until August 19th pending further information from the county manager and the county attorney.

Commissioner Hamlett asked “Would that be enough time?” Ms. Poole responded “I guess so and if it is okay I would like to go ahead and try to complete the application and put you all in as the fiscal agent just in case instead of having to rush those last two days to have to do it.”

Commissioner Hamlett stated “I think that is a good thing.” Ms. Poole continued “We will not send it in of course until we get the final notice.”

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

DETENTION CENTER UPDATE

Mr. Howard stated “Just to brief you on what is going on. I think since our last commissioners meeting some site work has been done to get ready for some paving. That was done last Friday. They are continuing that sometime over this week. The painters have been back and working on their punch list on the admin section. This morning on the high performance coating and they said it would probably take seven days to complete that section. They are doing all the grinding and putting the finish coat on. This Friday I was told that the Watchstopper which is the company that is doing the management system will be tying all the HVAC and everything in together for the computer system. They will be here Friday to do that. That is kind of where we stand right now.”

Commissioner Williamson asked “Did we fix the fire hydrants?” Mr. Howard responded “Yes and I am hoping to schedule the testing for the first part of next week for that.”

Chair Lucas asked “And what exactly was that holding up, the paving?” Mr. Howard responded “No the fire hydrant was holding up the sprinkler system. You have to have the site utility contractor, the plumber and the sprinkler system to be there the same day to charge the system and sign off on the system.”

Commissioner Travis asked “When do you think it will be done?” Mr. Howard responded “The building itself if the contractors perform we can be occupying it in 2 to 3 months. That is actually occupying the facility if everything goes well.”

Chair Lucas asked “Kevin for information purposes would you review what you did with the engineers that came. Just basically hit the highlights for public information purposes.” Mr. Howard responded “They came and did a walk through for the Board which we will go over in

closed session.” Chair Lucas continued “And for the record they are here tonight and we will be having a closed session for that purpose.”

UPDATE ON PETITION FOR RECLASSIFICATION OF THE DAN RIVER

Mr. Ferrell stated “Madam chair since the last time we were last together we receive a correspondence from the state acknowledging receipt of Caswell County’s letter to NC DENR notifying them of the County’s intent to petition for reclassification on certain portions of the Dan River located within Caswell County from a WS-IV to a Class C water body. One of them is a WS-IVca, critical area and one of them is a WS-IV; two components of that river. The state has acknowledged receipt of the County’s notice of intent and you can see the substance of the response from the state. I have been continuing to work on the petition itself. As recently as today I was in touch with some folks at the state level regarding a map index number. We had some conflicting information from the state over the map index number for the actual portions of the river that we are asking to be reclassified and that had to do with the way the mapping changes were done on their end following the 2012 changes to the WS-IV. That is the long way of saying we are putting the finishing touches on the petition itself that should be ready to go to DENR shortly and I will provide you with copies of that once I have dotted the I’s and crossed the Ts on the petition. I am happy to answer any questions.”

JOB DESCRIPTIONS FOR TAX DIRECTOR, COUNTY MANAGER AND CLERK TO THE BOARD

Chair Lucas stated “There was discussions previously at a meeting that we needed to make sure that we had copies of all those jobs that directly answered to the Board of Commissioners and Paula was gracious enough to pull those together for us and I hope everybody had an opportunity to look at those and review them. We are not going to take any action on them tonight. I thought what we would is let the Personnel Committee take a look at them and then bring them back to the Board of Commissioners.”

APPROVAL TO PURCHASE A 2013 f-250 FROM SOLID WASTE FUND

Mr. Howard stated “During the budget process we discussed this, the estimate that we had or that we were was based on quote on contract pricing for \$24,000. As we actually started to try to look for the trucks since we are at the end of the model year and the state contract runs out at the end of October we called the dealership who houses those and they did not have any more left and they said if we want to get one it would be a 2014 on the next new contract and they were not sure what that would be. We did find one at Piedmont Truck Center in Greensboro. It is actually \$26,023. It has some features on there that we would not have bought because we were buying the basic truck. The idea is to go ahead and purchase the truck now based on the 2013 pricing so I am asking the Board to approve the additional \$2,023 which will come out of the Solid Waste fund to pay for that truck.”

Commissioner Jefferies asked “Why are we getting a 250 rather than a 150?” Mr. Howard responded “The main purpose is to tow the new tractor we are getting and the equipment on it.

The total weight for all of that is going to be right around eleven or twelve thousand pounds. I just prefer to have a heavier duty truck to tow that. It is going to have the front end loader on it.”

Commissioner Carter asked “Kevin I know Capital Ford handles a lot of state contracts, you were not able to find one there?” Mr. Howard responded “Capital Ford is actually the one in Wilmington and they were the contact under the state contract and they did not have any left on the dealership site and if they had to order one it would be a 2014 model year.” Commissioner Carter continued “What is the price going to increase on the 2014 year model?” Mr. Howard responded “We would not know those numbers until October when it is redone.” Commissioner Carter asked “Is this something that you can hold off until then?” Mr. Howard responded “We can hold off but we are in the process of buying the tractor now and we won’t be able to tow it anywhere. I would not be comfortable doing it with a 150.” Commissioner Carter continued “I think we need to wait a couple months and buying a 2014 instead of buying one a year old. I don’t know how the others feel.” Mr. Howard responded “We could only find one. They had plenty 350s but they only had one 250.”

Commissioner Williamson stated “Is the price for the 350 more than the 250?” Mr. Howard responded “Yes sir.”

Commissioner Hamlett asked “And the money is coming from where?” Mr. Howard responded “Solid Waste.”

Commissioner Carter asked “Are you needing this truck before October?” Mr. Howard responded “It is my opinion that we need an F-250 to tow the tractor. The purpose of buying the tractor is to mow and bush hog and maintain Farmer Lake, Pelham Industrial Park and any other county property. I don’t feel comfortable towing it with the ½ ton truck we have.”

Commissioner Williamson stated “We could actually lose \$2,000 between now and 2014 just doing the projects on the lake and industrial parks and things like that.”

Commissioner Williamson moved, seconded by Commissioner Hamlett to approve purchasing the F-250 for the additional \$2,023.

Chair Lucas asked “Who negotiated this price, the \$26,000?” Mr. Howard responded “Colon did. The actual state contract price was \$27,408 and he got it down to \$26,023.”

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

COUNTY MANAGER’S REPORT AND UPDATE

Mr. Howard stated “I just have two items. I will just pass this around for the second item. We received bids on Wednesday for the Pelham Industrial Park final phase which is relocating the lift station so that it can be gravity feed to that lift station. We have approximately \$400,000 in grant funding. Those bids came in right at \$700,000 so we are going back and looking at that and we will make a formal presentation at the next meeting to see how I can make that project

work. The final grant monies are with the Golden Leaf so I will need to discuss it with them and we will come back to the Board with some kind of recommendation on the process. What I just passed out, I think everybody is aware we have requested to be on the Wildlife's list to get a new pier or a dock out at Farmer Lake. We are on that list now and that is some drawings that they have done and probably we should have one sometime this spring. I just wanted to let you know where we stand on that. It is actually about a year ahead of what they have been telling us."

Chair Lucas stated "I want to go back to the Pelham project, give me the dollar amount again." Mr. Howard responded "We have about \$400,000 left in grant funding. This was based on an estimate that was done about 2 or 3 years ago. The actual cost came in at about \$700,000. What the engineers are telling me is the way the bid was done the biggest issue is the rock. The way the bid was written they priced more the cost of the rock so we may be able to get the price down by be willing to pay a per ton amount on the rock as they try to dig those lines. We only got 1 bid. We actually bided it out and no bids were turned in the first of July. Then we thought we had 3 bidders and on the last day two of them called in and said they were not going to submit bids so we only received one bid."

ANNOUNCEMENTS AND UPCOMING EVENTS

- A. 106th Annual NCACC Conference – August 22-25th – Guilford County
- B. Board of Commissioners, Town of Milton and Town of Yanceyville Joint Meeting – Thursday, September 12th at 6:00 – Historic Courthouse

CLOSED SESSION

Commissioner Williamson moved, seconded by Commissioner Hamlett to enter into closed session to preserve the Attorney/Client privilege – Linda Palmer, Administratrix of the Estate of Crystal Truitt vs. Caswell County, North Carolina; Sheriff Michael L. Welch; Deputy Cole Edwards; Deputy Chelsea Warren; Lieutenant A. D. Rainey; Lieutenant T. Durden; Sergeant Mable Gunter; Corporal Young; and the Ohio Casualty Insurance Company 1:13-cv-492 (United States Middle District of North Carolina) and Triumph, LLC v Alamance-Caswell LME, an Area Authority/Local Management Entity, Alamance County, and Caswell County, Alamance County v PBH d/b/a Cardinal Innovations, John P. Paisley, Jr., Jandy Andrews and National Digital Forensics, Inc., Alamance County File No.12CvS1365 (NCGS 143-318.11(a)(3)), to prevent the disclosure of information that is privileged or confidential (NCGS 143-318.11(a)(1)) and to consider the compensation, terms of appointment and performance of an individual public officer (NCGS 143-318.11(a)(6)) also to invite Kevin Lugo and Steven Anske into a portion of the closed session pertaining to the attorney/client privileges. The motion carried unanimously.

REGULAR SESSION

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

Commissioner Williamson state that he would be out of town for the rest of the week but he could be contacted by cell phone.

Commissioner Hamlett stated that there was a pot hole in the parking lot at the post office.

Commissioner Carter stated that he had received a call from DENR in the Winston-Salem office asking him about the 86 water line status. He stated that the state wants to get the trailer park on 96 on that line. The trailer park has \$28,000 in administrative fees for being out of compliance with the state. DENR was asking if the Town of Yanceyville was going to take over that line. Commissioner Williamson made the recommendation to add this issue to the next agenda. Mr. Howard stated that the City of Danville is willing to come to a meeting to discuss this issue. Chair Lucas asked Commissioner Carter when he had spoken with DENR. Commissioner Carter responded that he spoke with Jeff Bryant on Wednesday.

Mr. Ferrell stated that on September 1st he would be joining with a new law firm. There will be 10 attorneys at that firm. The rates for the county will remain the same and nothing will change. The main office will be located in Durham but he will still maintain his office in Chapel Hill. Chair Lucas congratulated Mr. Ferrell.

ADJOURNMENT

At 8:50 p.m. Commissioner Travis moved, seconded by Commissioner Jefferies to adjourn. The motion carried unanimously.

Paula P. Seamster
Clerk to the Board

Cathy W. Lucas
Chair
