

MINUTES – JUNE 4, 2012

The Caswell County Board of Commissioners met in regular session at the Historic Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, June 4, 2012. Members present: Nathaniel Hall, Chairman, Cathy W. Lucas, Vice-Chair, William E. Carter, Jeremiah Jefferies, Gordon G. Satterfield, Kenneth D. Travis 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

Chairman Hall opened the meeting with a Moment of Silent Prayer.

PLEDGE OF ALLEGIANCE

Chairman Hall asked the Board of Commissioners and the citizens present to stand for the Pledge of Allegiance.

APPROVAL OF AGENDA

Commissioner Jefferies moved, seconded by Commissioner Satterfield to add the PBH Joint Governance back to the agenda. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

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

The following items were included on the Consent Agenda:

- A) Approval of Minutes of May 21, 2012 Regular Meeting

PUBLIC HEARING – ROAP FY 2012-2013 GRANT APPLICATION

Commissioner Travis moved, seconded by Commissioner Jefferies that the Board enter into a public hearing to receive comments on the ROAP FY 2012-2013 grant application. The motion carried unanimously.

Ms. Melissa Williamson, CATS director, came before the Board and made the following statement:

“Good afternoon. Before you tonight is the 2012-2013 ROAP application. This is a grant where we get the E&D, which is the Elderly and Disabled funds, Employment funds, and Rural General Public funds to help provide transportation in our county. The application is due to the NCDOT by June 20th. It is required that the Board of Commissioners hold a public hearing to receive

local input regarding the sub-allocation of these funds. At this hearing we will need for the Board of County Commissioners' Chairman, the County Manager and the Finance Director to sign the certified statement which basically stipulates that we will do all the things that are required in applicable federal and/or state legislation. The period of performance for this project will remain July 1, 2012 – June 30, 2013. The EDTAP funds, like I said before, they are to provide transportation services for anyone that is 60 and over. The Employment funds are to assist folks who are off or have transitioned off the Work First Program or TANF for at least 12 months. The Rural General Public funds are intended to provide transportation services to individuals who are not human service agency clients. We will receive a total of \$121,381.00 in ROAP funds this year. EDTAP funds that we will be allocated are \$53,452.00. Employment Transportation Assistance Program we will get \$10,583.00 and RGP we will be allocated, which is the Rural General Public funds, \$57,346.00.”

Chairman Hall asked “So In summary we are talking about 4 different categories?” Ms. Williamson responded “It is three. The E& D is Elderly and Disabled. That provides services for anyone that is 60 and over or has a disability. The Employment Transportation Funds is for anyone who has already transitioned off of the Work First or TANF program through the Department of Social Services. If they have been off of it for 12 months and they have some problems that come up instead of going directly back to DSS to sign up for Work First, it may be something that is kind of a temporary thing they need some help with, we can use those funds to help them there. The RGP, which is the Rural General Public, these funds are available to anyone who is not able to get assistance with one of our human services agencies. Therefore we are able to serve everyone.”

Chairman Hall asked “Is that clear to everyone, the commissioners and for everyone here since this is a public hearing. Does anyone have any questions or comments?”

Commissioner Lucas asked “Transportation on weekends is that provided?” Ms. Williamson responded “No, it is not.” Commissioner Lucas continued “It stops at Friday at 5:00?” Ms. Williamson responded “Typically it stops at 5:00 but they still may be a little later coming in with some of their routes but it typically does stop at 5:00.” Commissioner Lucas asked “So it has never been available on weekends?” Ms. Williamson responded “We did at one time do dialysis some for Saturdays but then the interest kind of dwindled because most people have their own transportation and we were done to only taking one person on Saturdays.”

With no public comments Chairman Hall declared the Public Hearing closed.

Commissioner Carter moved, seconded by Commissioner Williamson to approve the ROAP grant application. The motion carried unanimously.

PUBLIC HEARING – PROPOSED BUDGET FOR FY 2012-2013

Commissioner Jefferies moved, seconded by Commissioner Travis that the Board enter into a public hearing to receive comments on the Proposed Budget for FY 2012-2013. The motion carried unanimously.

With no public comments Chairman Hall declared the Public Hearing closed.

PUBLIC COMMENTS

Chairman Hall opened the floor for public comments.

Ms. Carolyn Hoskins came before the Board and made the following statement:

“Good evening. Caswell County Board of Commissioners thank you for the opportunity to speak briefly tonight. My name is Carolyn Hoskins and I have been a resident of Pelham for over 25 years. My husband, Wesley, is a native of Caswell County. I have twin boys with developmental disabilities who have been a part of the Caswell County School System for over 16 years. It is my understanding that you were provided information about the PBH Governance model at the last two commissioner meetings. A workshop was held to develop this model and Caswell County was represented by Ms. Ethel Gwynn. Ms. Gwynn, Ms. Ethel Fuller and Mr. Jeremiah Jefferies represent Caswell County on the current PBH board. Pam Shipman was also involved in the development of this model and serves as a consultant to the General Assembly in the drafting of the state model. Ms. Shipman was involved as a consultant for the PBH Governance model that was presented to you. It is very unlikely; she is the expertise for the General Assembly and what comes out of the General Assembly is probably going to look very familiar to what we are going to do as a governance model because she is involved with it. It is also my understanding that some of the commissioners want to wait until the General Assembly comes out with a model before voting on this. I spoke with one of my patients who was a state representative from another county about the current short session. Many of the items on the floor, not the least of which, deal with budgetary items. At this point they are not even sure what will be done before this session ends. Regardless of this I have several concerns. The joint governance is not, it is not, a PBH document but a 15 county document including Caswell County. Law 122C-118.1 allows us to form our own governance and flexibility even if the state governance passes. In my opinion, the 15 counties are the leaders in the state by taking the ‘bull by the horns’ per se and taking the initiative in developing our own governance. Not passing this resolution will not affect the services that PBH provides to Caswell County but will have negative repercussions. I was asked last year to serve on the Alamance/Caswell Consumer Family Advisory Committee known as CFAC as a representative of Caswell County. At this time I am the only representative of Caswell County. We are working on getting some people from our county to serve. We are mandated by state law under 122C-170 to review and advise about service, quality and budget to the local COC and local oversight board which is going to be put together soon. I recently agreed to serve on the regional CFAC which includes the 15 counties under PBH representing Alamance/Caswell in the area of developmental disabilities. If you do not pass our governance I will lose all voting privileges on both CFACs. I may not be the best voice for Caswell but I am a voice. In addition Caswell County cannot appoint members to the governance board without passing the joint governance resolution. Again, others will be making decisions for our county without representation. None of us are sure when the state will be able to pass their resolution. All I am asking tonight is for our county to be part of the leadership in the state and for you to vote yes to our governance. Thank you for your time.”

With no other public comments Chairman Hall declared Public Comments to be closed.

STATE AID TO PUBLIC LIBRARIES

Ms. Rhonda Griffin, County Librarian, stated “Included in your packet is our application for state aid for the first time as an independent county library. As you see listed in the state aid application there were several requirements that we had to meet. We have met all of them pending the approval of the budget and the signature of our state application. I am here tonight requesting approval and signature on our state aid.”

Commissioner Carter moved, seconded by Commissioner Travis to approve the state aid request as presented. The motion carried unanimously.

Commissioner Carter stated “Ms. Griffin I appreciate your help on the grant you did for Farmer Lake.” Ms. Griffin responded “Thank you Commissioner Carter.”

BOARD OF ELECTIONS

Ms. Terri Young, Interim Elections Director, stated “I am here tonight to make you aware of the need for the county to enter into a maintenance agreement to cover the maintenance of the voting machines and the software licensing for the machines and the other programs we use. I think you have in your packet a copy of the maintenance agreement. It has three different options for payment based on the term of contract you want to enter into. The state says we have to have an agreement and as of the end of this contract term which ends June 30th the state HAVA grant has paid for this in the past those monies will no longer be available so the county will have to pay the cost of maintaining the voting equipment.”

Chairman Hall asked “Mr. Manager, do you or the Finance Officer have a recommendation of the three options that were presented?” Mr. Howard responded “The 5 year term is the cheapest of the three options. The one year term is for \$10,410.52. The three year term is \$9,914.52 and the five year term is \$8,923.07.” Ms. Young added “I am not sure if you are aware but on the second page of that are the costs for software and hardware licensing and that is an additional to the cost of maintaining the equipment on the first page.” Chairman Hall continued “So the total for five years would be?” Ms. Young responded “For five years it would be \$17,494.19.”

Commissioner Lucas asked “Did I understand you to say this is the only company available to do maintenance on these machines?” Ms. Young responded “That is correct because they have the license on the software and they are the ones that build the equipment. They are the only ones that we have the option or to contract with.” Commissioner Lucas continued “So this is a totally new contract? We have not entered into a contract previously with them?” Ms. Young responded “I don’t know if the county had to sign an agreement before. I know there was contract but since it was paid for by grant money I don’t know if the state just handled it all. I really don’t know how it was handled in the past. This is a new agreement.”

Mr. Howard stated “She was talking about HAVA funds. Right now there is money in the house budget to receive HAVA fund for the next fiscal year but there is a clause in there that states that this will end July 1, 2013. They will no longer put state or federal dollars in the county Board of Elections fund for voting machines.”

Chairman Hall asked “During our budget process we will need to include this?” Mr. Howard responded “Yes sir. It is included in the budget right now. We actually include it every year because we have always questions if we would receive HAVA funds. It is not spent if we receive those grant funds.”

Commissioner Lucas asked “How often do we upgrade the software?” Ms. Young responded “I don’t know. It has not been done since I have been here so I don’t know.” Mr. Howard added “Every election cycle they come in and do tweaks and everything. It was probably done prior to her coming on board back in December or January. Every election cycle they do make changes to the software and obviously program the ballots in the machines.”

Mr. Ferrell stated “That is the question I would have with a five year term. What if the state switches and we are locked into an agreement for five years. There is a clause that you can terminate the agreement if the state decides to switch vendors or if you choose new equipment. There are also some claw back provisions in the agreement about discounts you get for a multi-year agreement if you don’t fulfill the entire term on having to reimburse for those discounts if you will so while if the state switched and the county decided to go with a different direction with approval from the state it could end up costing you more on a long term basis to get out of an agreement. I just don’t know enough about the state to know if they are taking bids anytime soon, do you know, for new equipment or new software.” Ms. Young responded “At the meetings I have been to recently they have not talked about a definite switch. They say the expected life on the voting equipment we have is about 5 more years. There has been nothing definite about what we would go to or if they had anything in mind.” Mr. Ferrell continued “There are other provisions in the agreement I would attempt to negotiate on behalf of the county for instance a one year statute of limitations clause is just one example of vendor favorable terms. Given this is a one shot, there is no competitor if you will, I don’t know the response we would get but to the extent that the Board is going to approve the agreement I would like the opportunity to try to work on some of these terms on behalf of the Board and approving subject to final review and approval by the county attorney would do that. There are really technical pieces that I am working on. Obviously the financial terms are what you see in front of you.”

Chairman Hall asked “Do we really need to approve this tonight?” Mr. Ferrell asked “I don’t know what your deadlines are?” Mr. Young responded “I know we have to have a contract in place before July 1st. The state board has asked me to send a signed contract as soon as possible but they have not given me a date other than to have it done before July 1st.” Mr. Ferrell stated “We will have at least one more meeting and that would give me a few weeks to feel some of these issues out. I feel like I can do that in the interim if the vendor is responsive.”

Commissioner Satterfield moved, seconded by Commissioner Travis to table the Board of Elections Maintenance Agreement for Voting Equipment until the next meeting. The motion carried unanimously.

APPROVAL OF RFPs FOR UNIFIED DEVELOPMENT ORDINANCE

Mr. Brian Collie, County Planner, stated “Good evening. The first item I have before you tonight is the approval of the RFP that was submitted for the Unified Development Ordinance. The Board approved this RFP, I believe, back in April of this year. The due date for the proposals to be turned in was May 18th. We received 4 proposals from Brough Law Firm, Holland Consulting Planners, Planning Works and Uwharrie Planners. Last Tuesday, myself, the County Manager Kevin Howard and County Attorney Brian Ferrell all met to talk about getting a recommendation to come before the Board. We looked at several factors from the proposals such as the firm background, staff experience, the scope of work they presented, the proposed schedule, cost and breakdown, their insurance, fee schedule and their references of prior work. Out of the four we decided to recommend Holland Consulting Planners for the job based upon they were the only proposal received that was complete. Complete being that they addressed everything completely from the RFP. This group, as far as we can see, has a very good track record and experience. They have completed several projects of the same magnitude in North Carolina. They are also located in North Carolina. Of the four they were the cheapest as far as the cost for the project. If there are any questions about this I will be happy to answer them.”

Chairman Hall asked “For the record could you tell us what that proposal amount was?” Mr. Collie responded “Their total for Task 1 was \$25,600 and for Task 2 it was \$18,000.” Mr. Howard added “If you combine both tasks together they will deduct \$8,000 from the total cost. So that would be a total cost of about \$35,000 to do both tasks.”

Commissioner Satterfield asked “What kind of time line are we looking at Mr. Collie?” Mr. Collie responded “The Holland Consulting Planners projected about 6 months for Task 1 and about 6 months for Task 2 so a total of 1 year for both tasks.”

Commissioner Jefferies asked “Is this total \$48,700 for the whole year?” Mr. Collie responded “No sir that was for a different firm. Are you asking for the total price for the recommended firm? It will be \$42,600 but like Mr. Howard said if we combine Task 1 and 2 into one project they will deduct \$8,000 off of that.”

Commissioner Lucas asked “Where is the money coming from?” Mr. Howard responded “That is something that we will have to discuss in the budget process. We did not have these numbers when the budget was put together so I do not have them the proposed budget for the next fiscal year.” Commissioner Lucas continued “So it is not in the proposed budget?” Mr. Howard responded “No ma’am.”

Chairman Hall asked “So the commissioners have this information but we don’t need to act until after we deal with the budget issue, is that correct?” Mr. Howard responded “That will be fine. We can that as a part of the budget process.”

Mr. Ferrell stated “I will just point out that we have several time talked about the Department of Commerce. I talked with them again today that option is off the table. There is going to be no free assistance for a Unified Development Ordinance for Caswell County from the Department of Commerce in the next several years.” Commissioner Lucas responded “Chairman Hall that is

disturbing to me. When we first started discussing this issue that was the position we were moving forward from.” Mr. Ferrell stated “I totally agree.” Commissioner Lucas continued “When I look at \$40,000 to do this I just seems unreasonable to me.” Mr. Ferrell stated “Many of us were here when Betsy came from the Department of Commerce. She outlined the project and the time line and was working towards doing this on behalf of Caswell County as a service of the Department of Commerce. Since that time her division that does this type of work, this planning work for the Department of Commerce, lost she told me today 5 out of 30 positions. Her office in Raleigh is down 2 positions in her 5 person office so their workload has just exceeded their ability to dive in and do projects like this on behalf of Caswell County. I think that it is too bad that budget cuts have left this service out but there is no relief from the Department of Commerce coming on this.”

Chairman Hall stated “Thank you Mr. Collie. What we will do is address this during the budget process.”

PBH JOINT GOVERNANCE RESOLUTION

Commissioner Jefferies moved, seconded by Commissioner Satterfield to approve the PBH Joint Governance Resolution.

Chairman Hall asked “Mr. Jefferies what has changed since the last meeting?” Commissioner Jefferies responded “Nothing has changed. When I tabled it I had some misunderstandings. When I tried to get pass it at the last meeting but we had a 3-3 tie so it did not pass. I wanted to bring it back because all the other counties have passed this but us. What will we lose? We can gain but we won’t lose anything. It is going to help the county and that is the way I look at it.” Chairman Hall continued “I am going to disagree with you. This was scheduled for debate last week by the House and the Senate and they pulled it because the Association of County Commissioners had several commissioners around the state had some concerns about that governance policy. There are some concerns about having more consideration about having more commissioners on this board. So instead of it getting less concern it is receiving more concerns. It is scheduled to be put back on this week for discussion. I don’t know the schedule. Is there anyone else following this?” Mr. Ferrell responded “I did not look at it today but I did know it got some attention last week. There was a bulletin from the NCACC that came out Friday mentioning that it was a live debate but I don’t know the schedule.”

Commissioner Lucas asked “May I address Ms. Hoskins Chairman Hall since she spoke on this issue?” Chairman Hall responded “Sure.” Commissioner Lucas continued “I know you follow this in the legislature, what is your understanding as to where we stand with this?” Ms. Hoskins responded “I don’t know the current update. As far as I know, like I said there are so many items for the short session specifically when I spoke with this person it was not resolved. Here is my concern; this is going to go forward with or without you. I understand Chairman Hall’s concerns, I do but here is the concern I have. If there is a debate and it is not passed in short session 13 out of 15 counties have voted for it, Union County I think is going to vote for it tonight, life goes on and this is going to keep going. I am a member of the CFAC and I came at the time when all the changes were occurring, it is moving at the speed of light and there are lots of changes going on if we don’t vote for the governance it is still going to have a governing

board and it is still going to keep going even until the session gets back together and votes. What my concern is when the state finally, when the dust settled and they say this is the policy we can adapt, we can change, we can do whatever the state needs us to do, mandates us to do of course but as of right now this is going to keep going forward with or without Caswell County.”

Chairman Hall stated “Let me say this. PBH will be a LME. A LME can only exist by state statute and they cannot move forward until the legislature finishes this. They will not be an LME until the state says they are an LME. At that time they will decide the board make-up.” Ms. Hoskins asked “What about 122C-118.1 which allows us to form our own governance and gives us flexibility? The state model, Pam Shipman is very involved in this and the model that we have they are the expertise that the legislatures are looking at. I know there is debate and there should be debate about everything. I don’t think anything should pass without some type of debate. What I am saying is this, the governance board part under the state law they can do that.” Mr. Ferrell responded “I might be able to clarify this a little.” Ms. Hoskins stated “Please.” Mr. Ferrell continued “You are correct. State law sets out a default governance make-up, board of LME board make-up. The legislation allows the constituent members to opt out of that default, if you will, and create your own structure that presumably meets the needs of your organization. That is essentially what we have here. My point in bringing to your attention the legislative process several meetings ago when this first came to you was that the best practices we currently being debated in the legislature as to how these new entities should look going forward and that debate continues. While there may be statutory authority to change the governance system if all the counties agree to do that my view was let’s see what these bright minds that have been wrestling with these governance issues come up with as a recommendation before we get out in front of that. Of course what we heard is this is a leadership effort getting out in front and proposing a model that the LME believes that will work very well. I have talked with the general counsel with PBH and he had indicated the same thing we have heard tonight that the train is leaving the station with or without Caswell because everybody is on board. I question that. I question that because it is my view that all the constituent counties have to agree on a new system before it can be implemented. I think that is different from what PBH’s take is. I think they are moving forward with a new structure based on the fact of critical mass and in their view Caswell County will not have voting rights going forward because we are the only ones who have not gotten on board, if you will. I don’t know if that clarifies anything or not but I want to be clear that the county has the authority to change governance structure of the LMEs in conjunction with all of its constituent members.”

Chairman Hall stated “I think the comment that I asked was the discussions presented by the Association suggest that whatever we end up with have more commissioner involvement across the state. It is not just this organization; it is about all the organizations that propose to do this. This was one of my sticky points all along that PBH would establish a governance policy with two commissioners that they choose to serve on that board. One of those things that was submitted in these amendments to the senate was that the commissioners be more involved and I don’t know how they can do that when all the counties will not be presented. The commissioners need to be involved in their county’s representation.” Ms. Hoskins responded “Currently my understanding and someone can correct me; the proposed membership for this board is one member from each committee oversight board, 2 at large county commissioners from among the counties. I have been on CFAC for a year and the learning curve is huge, please don’t misunderstand me, I am still learning at every meeting but at every meeting they talk about

commissioner involvement and county involvement. They had a hard time getting someone to serve on CFAC from Caswell County, I am not saying I am the best but at least I am a voice.”

Chairman Hall asked “Tell us what CFAC is?” Ms. Hoskins responded “CFAC stands for Alamance/Caswell Consumer and Family Advisory Committee. We are mandated by the state to serve in three areas: service, quality and budget. We are like the watch dogs, the advocates for the county.”

Commissioner Lucas asked “How long have you been doing this?” Ms. Hoskins responded “I have been doing it for one year. I was asked a year ago to serve.”

Ms. Debra Welch stated “Chairman Hall somewhere there is a misconception about the board. PBH does not decide which 2 commissioners will service. The power will be with all the commissioners that serve in the 15 counties. They are the ones that will decide who will go. The power will be with Jeremiah and the other commissioners to decide who will go.” Chairman Hall responded “I think you are right and that is what is proposed but the original information we received did not say that.” Ms. Welch stated “Well Jeremiah knew about that.” Chairman Hall responded “I am just saying the document we received did not say that.”

Upon a vote of the motion, the motion carried by a vote of six to one with Chairman Hall voting no.

DISCUSSION OF BOARD APPOINTMENT TO THE PLANNING BOARD

Mr. Ferrell stated “This agenda item was brought to my attention by the Planning Director when he raised the question to me that had been raised in a Planning Board meeting of commissioner voting, commissioner membership on the Planning Board. He question to me specifically was is there a distinction between a board of commissioner ex-officio, if you will, member of the Planning Board and the other members appointed by the board of commissioners. Let me answer that question first. A member of this Board that was appointed to the Planning Board has the same rights, interest, title in voting at the Planning Board as any other member as it stands right now. Let’s be clear about that. Now let’s discuss the Planning Board Ordinance. The Planning Board Ordinance is from the 1960’s vintage originally, amended a couple of times to change the numerical make-up of the board. I think it was 3 then it went to 5 and then 7 and most recently 9 members. I want to go back and look at the membership roster. My understanding is that there are potentially 10 members of the Planning Board right now and according to the ordinance there is a 9 member limit. So I need to do some work...” Chairman Hall asked “Slow down. Mr. Collie can you tell us who is on the board? Do we have 10 members on a 9 member board?” Mr. Collie responded “Apparently yes. There has always been, well since I have been here, a designated ex-officio that was appointed by the commissioners, a commissioner that sit on the board as ex-officio. I don’t think that one has ever been counted for some reason in the number. When I first started working here it was a 7 member board, the ex-officio would make 8. Now it has been brought up to a 9 member board and the ex-officio makes 10. That one has never been counted for some reason.”

Mr. Ferrell stated “So there needs to be some clarification of the board membership. That then begs the question of whether or not the county commissioners wants to send a member of its own to sit as a voting member of the Planning Board. Right now Commissioner Lucas holds that responsibility in that job. We talked briefly about this matter as well obviously she has an interest and so what I am prepared to do if this Board would like is talk to you a little bit about some of the potential negative consequences that could arise for having a member of this Board serve as a voting member of the Planning Board. I am happy to talk about that a little bit if you would like to hear about the unique nature of the Planning Board that makes the dual office holding if you will which is legally permissible but potentially problematic.”

Commissioner Lucas stated “Having said that I have been thinking about it. It applies to other boards that commissioners serve on say for instance the DSS board with Commissioners Travis and Jefferies, Health Board with Commissioner Satterfield. Now it is not a quasi-judicial board situation but should the director of either one of those departments be terminated or let go for some reason and it turned into a personnel issue and then it turns into a court case would they not be subject to the same situation as a commissioner member of the Planning Board?” Mr. Ferrell responded “So the question is does the appointment to other boards rise to the same set of due process issues which is what I was doing to talk to you about?” Commissioner Lucas continued “Yes if it were adverse conditions.” Mr. Ferrell continued “If you look at the way our personnel system goes and the level of appeals potentially the commissioners could be looking at a hearing on a grievance or challenge. There could be a potential for that if the commissioner had formed an opinion from their involvement down below. There may be a similar due process issue, I don’t doubt that but the nature of the work that is done at the DSS board and the Board of Health is fundamentally different in my view than what the role of the Planning Board is. Let’s take this ex-officio, you know we have been talking about this ex-officio and it may complicate, I had to look it up to make sure that I was paying attention to the right word, let’s put it that way. An ex-officio member is someone who holds membership by virtue of their membership in another body. That is in essence what it is. In this case there was an actual appointment of Commissioner Lucas by the Board of Commissioners to the Planning Board. It is not a liaison role as maybe the past practice, if you will, there was an appointment made which perhaps gives rise to some of the confusion. But I understand that is probably how it as happened in the recent past if not consistently throughout the Planning Board’s history. In response to a question I have tried to work through it by saying in my view Commissioner Lucas was appointed to the Planning Board just as any of the other members were with the same voting rights, etc. at present. Second, it raises the issue of the make-up right now if indeed it is not a liaison but an official membership role we have a numbers issue. Third, would the Board want to consider whether it wants one of its members to serve on the Planning Board? Those are the three questions in my mind if the issue was discussed with them.”

Commissioner Jefferies stated “I was appointed by the state and not by the county commissioners. I was on that board before I became a county commissioner. Commissioner Travis was appointed by the commissioners.”

Mr. Ferrell stated “And again it is the, and I have not gotten into this but I am happy to talk about it a little bit now. It is the quasi-judicial nature of the work that ultimately comes to this Board for decisions and planning issues that makes this a little bit unique in its application and in your

decision going forward as to whether or not you will appoint a commissioner to the Planning Board. There is no state law that specifically prohibits a commissioner from serving on the Planning Board. There are some questions about whether or not it could potentially create some issues and the issue is this when this Board sits in a variance appeal or an appeal from one of the ordinance provisions from the manufacturing housing siting or whatever it may be one of your land use ordinances. It sits in a quasi-judicial capacity which means you are a fact finder and part of the due process requirement is that you have a mutual fact finder to ultimately pass judgment on the quasi-judicial question in front of you. The issue that I can potentially see if there was participation by a commissioner as a voting member of a lower board then has a vote on record or participates in discussion of a matter and then there is a referral from the Planning Board up to the commissioners and say the applicant does not get the relief or the variance they are looking for just to use an example there could be a question about did I get a fair shake, did I have an impartial decision maker because one of the decision makers already voted or already made some input at the Planning Board level and essentially they formed a fixed opinion. There are ways to rehabilitate a commissioner etcetera but in many jurisdictions they decide well the Planning Board should not have a commissioner because they are going to hear appeals from the Planning Board. While there is no prohibition that I could find it does raise the question in the quasi-judicial hearing about the impartiality of the decision maker. It could raise that question. An applicant could have that argument at the next level.”

Commissioner Lucas asked “The same as it could in a personnel grievance?” Mr. Ferrell responded “That very well could be true. I do not disagree with Commissioner Lucas on that point.”

Commissioner Travis asked “What would be the difference with me serving on the DSS board and when we get ready to vote on this budget and I vote for the DSS budget, what is the difference?” Mr. Ferrell responded “That gets into the fundamental difference. That is the difference between a legislative decision and a quasi-judicial decision. The budget that this body ultimately passes and most everything it does you do in a legislative capacity. In a legislative decision making capacity even if it is in a rezoning capacity, you don’t have zoning but if you were to have zoning, a rezoning is a legislative decision. Even though it is a land use you could be politics. You could be lobbied by applicants for or against there is no problem there. Let’s say it was a permitting decision. That gets you in the quasi-judicial process and you can’t talk to anybody about it without risking partiality. Commissioner Travis you brought up a situation of a legislative decision. I have no problem with any commissioner participating in a legislative decision at any point in the process. It is only in this unique quasi-judicial capacity where the fundamental due process rights kick in that you have to worry about the role of the decision maker.”

Chairman Hall stated “We have a member of the Planning Board who would like to make a comment.”

Mr. John Claggett stated “First let me say that I am not speaking on behalf of the Planning Board. I am a tax payer and pretty much a permanent member of the audience. It is my understanding that all the commissioners have ethics training and it is my understanding that the county has an ethics policy so if there is a commissioner that is appointed to the Planning Board

in an ex-officio capacity and has the ability and a right to abstain from a vote and they have been ethically trained and the county has an ethics policy what is the problem?" Mr. Ferrell responded "It's not, in my view, it's not a question of ethics whatsoever. I think that a commissioner could do everything right, refuse themselves down below but short of not going to that meeting where this item was discussed you are going to take in information that was presented in a different process that you are going to have to make another review of on behalf of this body." Commissioner Lucas stated "I think that may be where the problem lies because commissioner representatives in the past typically have not attended meetings and I plan to attend the meetings and have done so. Apparently there is a problem with that." Mr. Ferrell responded "I asked Mr. Collie in researching this issue to go back through the Planning Board meeting minutes and look for whether or not commissioners voted on subsequent questions before the Board. What did you find about?" Mr. Collie responded "It is correct or in the past recent years that the member has not really been present at the Planning Board meetings. Since I have been here I can verify that none have voted on any issues. One of the other issues we have come across in the process of this is in my office I have Planning Board minutes dating back to 2001 and in those that I have recovered I could not locate where a commissioner serving on the Planning Board had voted. The Planning Board has been in existence since the 70s and the minutes prior to 2001 were kept in the clerk's office in a notebook. I could not locate those. We have all looked for them and could not locate those minutes to verify within 1970 to 2001 whether or not one voted or not. As far as researching back to 2001 I couldn't verify that one had ever voted."

Commissioner Lucas stated "Chairman Hall if I may I went back and found some minutes dating back to 2002 that I just happened to have copies of and how you would know whether a commissioner voted or not because it does not name who voted or who did not vote. It just says who made the motion, seconded and it carried unanimously. It does not say who votes or doesn't vote." Mr. Collie responded "In a lot of cases you are correct. I like to state in the minutes now the vote when it is not a unanimous vote but the only way to verify that would be to go back and listen to the tapes of each meeting."

Chairman Hall stated "If I recall when we first start this conversation we had three issues. The first issue was does an appointed commissioner have the right to vote? I would have to say certainly yes. The second issue had to do with the number of the board members. I understand how that could happen however it has never been my intention to appoint an ex-officio member. Whoever was doing the counting somewhere got off. Any of us could show up as an ex-officio member because we are commissioners but this board appoints members so that shows how we got more members than what we should probably have. The third part of the discussion had to do with the attorney's thought, comments and somewhat the attorney's recommendations on how he feels on the pros and cons of county commissioners being on the Planning Board. This is not an issue that we want to address tonight. Let me deal with what we have and that is the first two issues. I think the first issue is clear, as an appointed member to the Planning Board they have the right to vote. The second issue we will have to deal with but we will have to do a little research. We need to get the board aligned with the approved number of that board. We cannot assume that because they are ex-officios that they don't count toward the total number so we will have to deal with that."

Commissioner Carter asked "Why did we go from a 7 member to a 9 member board?"

Commissioner Lucas responded "There was a question about one of the applications, the timing I think at the last appointment, wasn't it?" Chairman Hall responded "It was appointment before last. There was a question as to the timing of an application and the board acted and increased the number of this board and maybe we should deal with that."

Mr. Ferrell stated "I would like to work with the Planning Director on this numbers issues. Find out what our make-up is, is the next step. Again I just mentioned some of these pros and cons certainly in no way of making a recommendation one way or the other about proceeding. I wanted to mention some of the issues I have looked at as I have dealt with the question."

Commissioner Carter asked "Do you have someone coming off the Planning Board this year?" Commissioner Lucas responded "Yes in December. Two or three." Commissioner Carter continued "Well that would be the simple way, to not fill one of the positions." Chairman Hall stated "I think that is one of the options when the Board needs to make that decision."

Commissioner Lucas stated "I would appreciate some decision being made before the next Planning Board meeting concerning the issue on whether I vote or not." Chairman Hall responded "We have already made that decision. You have the right to vote." Mr. Ferrell added "And if there is some issue that has a quasi-judicial component we can talk about how we can make sure we do not prejudice that process. We can certainly work through that independently." Chairman Hall continued "I say that based upon my opinion. Now if the full Board has a different feeling and feels we need to take a vote on it we can do that. Based upon the way this Board makes appointments this board does not appoint any ex-officio members."

Commissioner Lucas asked "As far as the issue of an even number of votes could there be a recommendation maybe that the chair not vote until we get this settled as far as membership?" Mr. Ferrell responded "There is a Planning Board Ordinance that you have now that talks about a quorum and voting requirements and some of that is statutory for the Planning Board. It is not as easy as that but I will say that an even number can be the majority you just need one more person right to get a majority of the voters present assuming everybody shows up." Chairman Hall stated "I would say that we need to continue to move forward until December. I know that is not ideal."

Mr. Collie asked "Speaking about the Planning Board Ordinance should we propose an amendment to that to state that it is a 10 member board versus 9?" Chairman Hall responded "No." Mr. Collie continued "I just don't want to be in violation." Commissioner Lucas responded "We are in violation now." Chairman Hall stated "What I am going to suggest is that the general counsel work with you and the county manager to put some action together for the Board to take and it may be a combination of things. We may need to do something now and we may be able to wait until the end of the term in December. I think since we have made it this far we can make it until December. We may need to act before but I would like to wait until December if at all possible. That is my general feeling about it. This Board may want to suggest something else." Commissioner Jefferies responded "I will go along with that."

GOVERNING BODY GOALS & OBJECTIVES

Chairman Hall stated “Was I clear at the last meeting on what we are trying to accomplish?” Commissioner Lucas responded “You were clear. I think for me personally I would be in a better position after we get through the budget process to talk about goals and objectives forthcoming. Let’s just get through the budget process.” Chairman Hall continued “Sometimes the goals and objectives drive the budget process.” Mr. Howard added “It is part of the budget process to set the goals and objectives for the budget.” Chairman Hall stated “We will talk about this during the budget workshop. This came from the Finance Officer. This is not something that we have done before. We need to provide the Board’s accomplishments and the goals and objectives for the proposed budget year. There are no wrong answers. We can work through this. We did not have any concrete examples to work with.”

Commissioner Satterfield stated “Mr. Chairman. I did write down a couple of things on the major accomplishments for this fiscal year and hopefully for the proposed budget year next year. I think one of the greatest things this Board has done in a long time was in this current fiscal year when we passed a specific capital improvement plan for county buildings. We had let the county buildings get into a pretty sad condition. I am hoping that the Board of Commissioners continue down that road and not only on a one year plan as we did this year but I hope that the Board of Commissioners will have the foresight to look at a five year or a ten year or a twenty year capital improvement plan because if you don’t know where you are going it is kind of hard to stir the boat that way. I think in the past all of the Board of Commissioners have been somewhat lax in that capital improvement area. I hope that this year the Board can continue with some type of capital improvement plan and to be specific about what they are going to do and hold somebody’s feet to the fire to get it done. That has been another problem. We have talked about getting things done but a lot of things it gets put on the back burner and I think it is time that we stop putting it on the back burner. When we say we are going to do something let’s do it. Thank you.”

Chairman Hall stated “Thank you Mr. Satterfield. I have something similar but we can talk about it at the budget workshop.”

RECESS

The Board held a brief recess.

NC DEPT OF HEALTH AND HUMAN SERVICES AUDIT CORRECTIVE PLAN

Chairman Hall stated “What I wanted to do is go through this briefly because many of these audit findings have been repeats and they said that in the audit. Under Internal Control – Segregation of Duties. They say there is a lack of segregation of duties among county personnel. The governing board will become more involved in providing some of these controls was our response. What I am bringing this to everyone’s attention for is once we agree the expectation is that we take some sort of action. We do not know what it is tonight. I want to go through these and take a look and where we said we agreed to the findings even though they did not ding us too hard once this is put in writing it goes to all the federal agencies and eventually someone is going

to call us on it. Material weakness – Preparation of Financial Statements. Management should obtain additional training to become proficient with the rules of GAAP and its application to the financial statements. The County agrees. I think those were the two basic items. These are repeats so again when we say we agree we are expected to follow through. One thing we can do is we can get with staff, county manager and finance officer, and ask them what they propose this Board to do. We do need to get involved so when it comes times for the next audit they won't be able to site the same things.”

Commissioner Lucas asked “Chairman Hall can you be more specific about what these issues are or what the actual weakness is?” Chairman Hall responded “Well the segregation of duties, they did not cover it. For example if we have someone in accounting approving timesheets for payroll and processing payroll. We may have someone approving disbursements and then processing disbursements. In the perfect situation the duties would be separate where one person would do one thing and another person would follow up with the checking writing or something like that.”

Commissioner Satterfield stated “Mr. Chairman I think if you look at anybody's audit I don't care whose it is you are going to find these same findings on everybody's audit. It is a good way for the accountant to cover his or her rear end. Even state agencies, my son's audit down at the Clerk of Court's office every year he is written up that he needs for help because of segregation of duties. This is a state agency and it is written up with the same findings that we find right here on ours but yet they won't hire any more help. The only answer to this is to hire more help probably and that is not a good answer. I don't care how much help you hire you will still probably end up with that finding.”

Chairman Hall stated “We have seen this before. When this Board says I agree we are supposed to do something. I understand there are other boards and agencies out there with similar situations but when I say I am going to do something I am going to try to do it and it will not be because someone is doing it. Again, I just wanted to bring this to the Board's attention.”

Commissioner Lucas asked “Chairman Hall part of it was segregation of duties but a lot of it also is knowledge. I am reading it out of the audit and it says that there needs to be Corrective action: management personnel will obtain additional training to enhance their knowledge of GAAP in the preparation of financial statements so that is my question how much more training do they need.” Chairman Hall responded “The question should not be how much more it should be how much do we provide.” Commissioner Lucas continued “Has it changed or does it change from year to year?” Chairman Hall responded “Yes.” Commissioner Lucas asked “The accounting principles change from year to year?” Chairman Hall responded “Yes they do and I think that is the point that some of us miss. I know that because I am an accountant. CPAs know that every year the GAAP changes.” Commissioner Lucas continued “Well part of it is just doing your job.” Chairman Hall responded “I agree but you can't do the job without the training. If you hire someone and you don't train them you can't expect them to do the job.”

Commissioner Williamson asked “Chairman Hall could we not request the departments that this affects to review this and give us their thoughts even if they feel like what they are doing is okay? At least we would have reviewed it and received some recommendations from them. It is

not for us to sit here and determine how much training they need at least from my point of view as not being an accountant. I would like to receive the recommendation from them as to what they can do to keep this from reoccurring.” Chairman Hall responded “Sure we can ask them. That is not a problem. Again, I am bringing this up because we already agreed to these findings. I think we should have investigated this before we agreed. At one point we attempted to do that by having an Audit Committee so that we could meet with the auditors and hash these things out. The last two Boards decided that they did not want an Audit Committee. The last audit report we received I got a call and they wanted to review it over the phone. That was the extent of our meeting. My point is we have to take an active role in this thing and understand up front what it is that we should try to do. I think for many if you look at training I will use the example of EMS. We would not expect anyone to do paramedic work without having paramedic training but we go to other departments and expect them to do things without any training. Other thoughts or comments on this? We did have one suggestion from Mr. Williamson and I do think we need to get recommendations from the departments.”

Mr. Howard stated “The second one on here about the financial statements. A big part of that is because we don’t do those in house. The auditing firm does those for us. Like Mr. Satterfield said with counties our size and with the same staff do the same thing. That is part of what the auditing firm does on our behalf. It is not necessarily a lack of knowledge on how to do it but having the time to do it. That is something that I wanted to clarify.”

Commissioner Lucas asked “So you are saying the auditors actually do the financial report?” Mr. Howard responded “What they actually call the GAAP, the actual financial report. The idea is for us to do it in house. We don’t have the staff to do that size of a report in house. Most cities and counties our size contract with an auditing firm to do that report. They already have the numbers so they can compile it for us. We have been doing it that way for years.”

Chairman Hall stated “Here again, most accounting firms will tell you the small counties do not prepare their own financial statements. The expectation is that we prepare our own financial statements. Larger organizations prepare their own financial statements because they have the staff to do that. We can move forward and start the training process. We will start with Commissioner Williamson’s recommendation to get some recommendation from staff.”

COUNTYWIDE BUILDING USE POLICY

Mr. Howard stated “You have a copy of the actual facility use policy. The only thing missing from this is a matrix of the county building and what uses they would have, I should have that finished within the next day or two, and a fee schedule. What I will do is provide you with the old fees and update those for what we think the fees should be for each building going forward. I would like to see if there are any questions or comments to the facility use policy as it would apply to each building.”

Chairman Hall asked “So what you are saying is this plan does not have a fee schedule included in it tonight?” Mr. Howard responded “Right. This is a pretty comprehensive plan. I will have that by the end of the week and send it out to you so that you will be able to review it before the next meeting. I received a lot of information last Friday but I have not been able to get it into

one format yet.” Chairman Hall stated “I would like to see it complete before we take a vote.” Mr. Howard responded “I am not asking for a vote. I am asking for comments on the plan itself or if there are any questions about how we worded some of the stuff in this plan.”

Commissioner Satterfield stated “I have a comment. Reading this and I don’t know if it was a recommendation of yours or the committee that is look at this or what but anyway there was something in there about whether or not a member of staff should be present and a fee charged for that staff person. In my opinion I think it should be. If we are talking about security issues and we have a deputy sheriff standing back there tonight for security if this building is used for anything anybody can bring anything they want to in this building and nobody is going to know anything about it unless we have some type of security person present during those events. They kind of monitor the use of the buildings. I think that is a good idea.”

Chairman Hall stated “Once we get the fee schedule we will go through and make sure that all suggestions, comments and changes are included and then we will move forward. And this covers all categories?” Mr. Howard responded “Yes sir.” Chairman Hall asked “We will have this back on the next agenda for the next meeting right?” Mr. Howard responded “Yes sir.”

COUNTY MANAGER’S REPORT Detention Center Water/Sewer Update

Mr. Howard stated “This was presented to the Town of Yanceyville and they have approved that. Everything is working on that end. You have a report in here from Brennan on the construction status, where we stand on each item. If there are any questions about that I will try to address those. The project is moving forward. Some ways we are behind schedule and in some ways we are ahead of schedule. We still plan to be open and operating by January 1 which was the original plan.”

Commissioner Lucas asked “I have a question about the water/sewer, what is the cost of that?” Mr. Howard responded “We are working on that right now. We were given an estimate from the Town of around \$56,000 for the water tap. I am still waiting on a cost estimate for the sewer lift station. I will have that shortly. The water/sewer tap was already included in the construction contract so there should be no issue with that part of it.” Commissioner Lucas continued “We are constructing a totally new lift station is that correct?” Mr. Howard responded “What we are going to propose is that the lift station just serves the detention facility. It will be county owned and operation. We already have one in the industrial park that we operate now. So we do have some knowledge about how to operate one.” Commissioner Lucas asked “So the one that is there now, what will it serve?” Mr. Howard responded “It will still serve the county building such as the Health Department, DSS, actually the kitchen of the facility will still go there according to the layout but the main addition which will be the jail facility itself, the showers, etc. will do to this new proposed lift station.” Commissioner Lucas continued “And the reason we decided to go with a new lift station was what?” Mr. Howard responded “This would be significantly cheaper than up-fitting the Town’s lift station and they just up-fitted it a few years ago. It still has a lot of life left in from my understanding from talking with the town manager.” Commissioner Lucas asked “The old lift station?” Mr. Howard responded “Yes the current lift station.”

Chairman Hall asked “So you are saying it is cheaper to put in a new one than to upgrade?” Mr. Howard responded “The one we are putting in is significantly smaller than the one there. If we were to up-lift that station it would be larger to serve this facility to everything else it would have to serve. By putting one in just to serve this building it will be a significant cost reduction and I will have those two costs for you when we look at this.”

Pelham Water Tank Update

Mr. Howard stated “The issue I brought up at the last meeting about the design has been corrected. They actually started filling the tank again this afternoon so it should be back on line. Any questions about that project? While we are talking about the Pelham Industrial Park, within the next 2 to 3 week there will be going out for bids the upgrades to the water pump station up there. This will be covered by the money left over from the grants to increase the water pressure.”

Commissioner Carter stated “They guy from DENR was up here last week and inspected the 29 system and the school system. His concern was the same as before the low residuals of the chlorine on the 86 system in which the school is the only system on the Danville line. I think the day we were out there we got a .02 reading. He was going to contact Barry Dunkley with the City of Danville.” Commissioner Lucas asked “How often are those lines flushed?” Commissioner Carter responded “The Danville line is just flushed periodically. When I call him about low chlorine he will come out. In the summer time I have to flush the hydrants over there next to the school and flush the hydrants over at the Welcome Center. The school is the only system on that line and the Welcome Center and NORAG are the only systems on the other.”

BEE KEEPERS ASSOCIATION

Mr. Howard stated “The last item was a request from the Bee Keepers Association. They would like to put 2 or 3 beehives at the back of the arboretum kind of out of the way as a kid of educational tool. They have talked with the Caswell County Horticulture Club and they like the idea because it is kind of what they are doing back there. They are seeking permission to put 2 hives back there. They will man them and take care of them. They will put signs up out there.”

Chairman Hall asked “Can they have one of their beekeeper experts to come before this Board to answer some of our questions about the safety and security and about bees running away and that kind of stuff?” Mr. Howard responded “I will ask about that. Mr. Williamson is a member of that association he may want to try to answer those.” Chairman Hall asked “Are you an officer Mr. Williamson?” Commissioner Williamson responded “No I am not an officer.” Chairman Hall stated “I just think it would be good to have someone to come.” Mr. Howard responded “I am sure he will be glad to come.”

TAX OFFICE AND CREDIT CARD TRANSACTIONS

Chairman Hall stated “I was in the Tax Office back in December a couple people in the line ahead of me requested to use their credit card to make their payment and they were told quite

bluntly that they did not have the machines in their office to take credit cards. So hearing that when I got to the window I asked for a further explanation. The explanation was well we don't have the machines here. We contract with someone but you have to go online. Naturally I went home and went online to check it out. For the tax bill I was going to pay if I had of done it online it would have cost me an additional \$85.00 and I thought about that. I think that we need to talk to the tax director about getting a machine in there to accept credit cards. I thought that fee was ridiculous yet we advertise that we take credit cards. I went online and you can't do multiple accounts. You have to do each transaction separately and you pay a fee each time. I think this is something that we need to get with the tax director on and get him moving to get credit card machines and get the folks trained so the citizens can use their credit cards to pay their tax bills."

Mr. Howard stated "The Finance office has been researching this possibility for the past 2 or 3 months. We are looking at 2 or 3 areas. We are looking automatic deposit services, which is a machine that takes checks and are deposit right then. We are looking at credit card machines. We are possibly looking at having an ATM in the courthouse for folks that come in to pay their bills and they have to have cash. Also looking at procurement cards instead of using credit cards. By July 1 we could have credit card machines in the offices."

Chairman Hall asked "How can the finance office do that when the tax director reports directly to us?" Mr. Howard responded "We were going to bring this to the Board during the budget process. If the Board wants to move this way we have already gotten the research done. When the Board is ready to move forward and directs the proper staff we are ready to do that." Chairman Hall continued "Okay. I think I understand. Commissioners I think what he is trying to say is if we make a decision to go this way they have done the research and if we want the tax office to do this we can communicate that to the tax director." Mr. Howard stated "What we were looking at was the Health Department, Tax Office and Building Inspections. Those are the largest areas we have the most money coming in and where people ask if they can use a credit card."

Commissioner Travis stated "I think it would be a good thing to do especially in the Tax Office."

Chairman Hall stated "What I think we need to do is we need to communicate with Tax office on this. For the other offices the county manager can contact the departments under him and see which ones will need this type of service. Would we include the Register of Deeds?" Mr. Howard responded "We can call to see if they need this in their office." Chairman Hall continued "We will ask the county manager to have a written proposal at the next meeting on what the anticipated cost will be. We want to make sure that we cover all the ground work so we can start this rolling." Mr. Howard responded "The only cost we have is the cost to buy the equipment, the card readers. There are no fees charged to us because that is part of our package at Fidelity Bank. Some places you have to pay 1% or 2% for each credit card transaction we will not have to do that." Commissioner Williamson responded "That is wonderful." Chairman Hall stated "Put that in our proposal for the next meeting. Again check with the Register of Deeds to see if she desires to have this service. I don't think the Sheriff's office would need this but check with them as well. This will cut down on the cash being handled." Mr. Howard responded "What we were looking at were the departments that handle large amounts. We did not think we

should include Recreation because those are not huge amounts.” Chairman Hall responded “Go back to the audit you may want to because that is a way to control internal controls.

TOWN OF YANCEYVILLE/TOWN OF MILTON ISSUES

A. Town of Yanceyville/Town of Milton Meeting in July Dates

The Board suggested holding the next joint meeting on July 12, 2012. The clerk was instructed to contact the Town of Yanceyville and the Town of Milton to see if this date would be good.

B. Inter-local Agreements

Chairman Hall stated “On tax collections we do not have a written agreement with Milton and we need to update the one for Yanceyville. There may be others. We will need to discuss them before the meeting in July.”

C. Yanceyville Municipal Parking Lot Lease

Chairman Hall asked “I think they asked us to review the parking lot lease, is that correct?” Commissioner Satterfield responded “Yes.” Commissioner Carter asked “How much are they requesting on this?” Mr. Howard responded “I will check with Haynes. I think he said it would be under the same terms but I want to double check that.”

D. Code Enforcement Agreement

Chairman Hall stated “I think the Town may have addressed that but I am not sure.” Mr. Howard responded “I will find out.”

Chairman Hall stated “I just want to make sure that we address these before the next meeting so that we will have meaningful discussions with the Town of Yanceyville and the Town of Milton. We will need to get a summary of the interlocal agreements and the cost for Milton and Yanceyville. We will need this put on the agenda for the next meeting. We will find out about the code enforcement.”

ANNOUNCEMENTS AND UPCOMING EVENTS

- A. NCACC County Assembly Day – May 30, 2012
- B. NACo Annual Conference in Pittsburgh – July 13-17, 2012
- C. Farmer Lake Board Cook Out – July 17, 2012 @ 6:00 p.m.
- D. NCACC Annual Conference at Raleigh Convention Center – August 16 – 19, 2012

Commissioner Satterfield asked “Question for the manager, did HM Kerns send you anything today?” Mr. Howard responded “Yes sir.” Commissioner Satterfield continued “I talked with him on Sunday and he thought everything was finished on it. He said he would make sure that you got it today.” Mr. Howard responded “I got it today. We will discuss it at the next meeting. Well we will actually talk about it during the budget process.”

Commissioner Satterfield asked “Did you by chance get in touch with the people with the North Carolina Historical Association?” Mr. Howard responded “I called them and I talked with the gentleman that represents this area and he said he would get a list together but I have not received it yet. I will call him back this week to see if he figured out anything.”

Commissioner Lucas asked “Do you recall what the amount was?” Mr. Howard responded “For this building it was right around \$100,000. That includes fixing where the plaster fell. There is extra cost in there just in case they run into something but we will not be charged if they do not run into those issues.” Commissioner Lucas continued “Do you have a copy of that for everybody?” Mr. Howard responded “I can get that.” Commissioner Lucas asked “And we just checked with one company, HM Kerns?” Mr. Howard responded “No ma’am proposals went out to four or five companies. This is the only one I have received back.”

Commissioner Lucas asked “Chairman Hall I just have a question, talking about the parking usage. Have we addressed what we are planning to do with the old jail house, the old facility down there? Talking about the usage of buildings and what we are going to do.” Chairman Hall responded “We have not.” Commissioner Lucas continued “Are you going to keep it or should we take it down?” Mr. Howard responded “That is something for consideration from the Board.” Commissioner Lucas continued “With parking such an issue maybe that would be a consideration just removing it because it does not serve a purpose.” Commissioner Satterfield responded “Commissioner Lucas I think we really need to look at that facility for storage, pure storage. We have a problem up at Guilford Mills where we store a lot of stuff.” Commissioner Lucas stated “So there are already plans in process for that building?” Commissioner Satterfield responded “No I am telling you we have a storage problem at Guilford Mills. We have a, I am not sure if you have been in there or not, but we have these cages up there with welded wire and we have information up there from, I am sure, from DSS and Health Department that could involve HIIPA records and things like that.” Commissioner Lucas stated “I thought we were going with a paperless system and those things probably need to be destroyed after so long of a time.” Commissioner Satterfield responded “Well you can’t destroy some of that stuff for a long period of time. You have the same problem with the Clerk of Court.” Commissioner Lucas continued “Well it certainly is not secure where it is now and it has not been an issue.” Commissioner Satterfield responded “Not is has not. It is definitely not secure I can agree with you on that. Somebody could go up there and get into one of those things in a flash. I don’t know we may need to put a roof on that.” Commissioner Lucas stated “I just did not think it was suitable for use.” Chairman Hall stated “We can put this on the agenda at some point to discuss.”

Chairman Hall stated “I will announcement that today Fox 8 News came to Yanceyville and took a tour of the Courthouse and the Jail for their edition of ‘Our Town’. They were here a couple of hours. Sterling Carter and I took them on the tour. They told us that it would only view about 1 ½ minutes. It can be viewed Wednesday morning at 5:20 a.m. and then again a little after 7:30 a.m.”

CLOSED SESSION

Commissioner Williamson moved, seconded by Commissioner Jefferies that the Board enter into Closed Session to preserve the Attorney/Client privilege (NCGS 143-318.11(a)(3)). The motion carried unanimously.

REGULAR SESSION

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

ADJOURNMENT

At 8:36 p.m. Commissioner Travis moved, seconded by Commissioner Jefferies to adjourn. The motion carried unanimously.

Paula P. Seamster
Clerk to the Board

Nathaniel Hall
Chairman
