

MINUTES – SEPTEMBER 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 Tuesday, September 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 Travis moved, seconded by Commissioner Jefferies to approve the agenda. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

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

The following items were included on the Consent Agenda:

- A. Approval of Minutes of August 20, 2012 Regular Meeting
- B. FY 2012-2013 Budget Amendment #1
- C. Resolution Commemorating the 225th Anniversary of the Signing of the Constitution of the United States

**RESOLUTION
COMMEMORATING THE 225TH ANNIVERSARY OF THE SIGNING OF THE
CONSTITUTION OF THE UNITED STATES AND RECOGNIZING THE
CONTRIBUTIONS OF THE NATIONAL SOCIETY OF THE SONS OF THE
AMERICAN REVOLUTION AND THE NATIONAL SOCIETY OF THE DAUGHTERS
OF THE AMERICAN REVOLUTION**

WHEREAS, the American Revolution secured the independence of the United States of America and made possible the vibrant system of self-government of the United States;

WHEREAS, the supporters of the American Revolution, through their vision and determination, enhanced the lives of countless individuals and made possible the system of equal justice, representative government, and the rule of law that exists in the United States;

WHEREAS, the people who fought in the American Revolution made great sacrifices for their new country;

WHEREAS, the 55 delegates who attended the Constitutional Convention in Philadelphia, Pennsylvania, 225 years ago, and the 39 delegates who signed the Constitution of the United States at the Constitutional Convention, irrevocably changed the course of history;

WHEREAS, the Constitution of the United States, a revered and living document— (1) Provides important rights to every citizen of the United States; (2) secures “the Blessings of Liberty to ourselves and our Posterity”; and (3) sets the standard of democracy for the world;

WHEREAS, the delegates to the Constitutional Convention in 1787 established the imperative precedent of compromise;

WHEREAS, the Constitution and the subsequent 27 amendments to the Constitution outline the freedoms and the principles of representative government that are as strong today as they were on that momentous occasion in 1787;

WHEREAS, September 17, 2012, marks the 225th anniversary of the signing of the Constitution of the United States, which is the supreme law of the land and the document by which the people of the United States govern their great country;

WHEREAS, to venerate the immeasurable importance of the Constitution and the day on which the Constitution was signed, it is essential to continually educate people about, and celebrate, the principles and legacy of the Founding Fathers; and

WHEREAS, members of organizations such as the National Society of the Sons of the American Revolution and the Dan River Chapter of the Sons of the American Revolution play an important role in promoting patriotism, preserving the history of the United States, and educating the public about the rights and responsibilities of citizenship:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD COMMISSIONERS OF CASWELL COUNTY, — (1) commemorates the 225th anniversary of the signing of the Constitution of the United States on September 17, 2012, and remembers the sacrifices made by the people who made the signing possible; and(2) applauds the continuing contributions made by the members, volunteers, and staff of historical, educational, and patriotic societies of the United States, such as the National Society of the Sons of the American Revolution and the Dan River Chapter of the Sons of the American Revolution in promoting patriotism and the values embodied in the Constitution of the United States.

This the 4th day of September, 2012

S/Nathaniel Hall
Nathaniel Hall, Chairman
Caswell County Board of Commissioners

ATTEST:

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

PUBLIC COMMENTS

Chairman Hall opened the floor for public comments.

Mr. John Claggett came before the Board and made the following comments:

“Good Evening, my name is John Claggett and I reside at 108 Jaye Lane, Providence, NC.

I again thank the Board for the opportunity to again comment publically regarding the Caswell County Vehicle Use Policy. Some of you Commissioners may not realize that some of us taxpayers get advanced copies of our meeting agenda just like you because it’s our right, and unlike some of you Commissioners we take the time to read OUR agenda prior to the meeting.

Your agenda this evening contains the “Caswell County Vehicles Use Policy” as it did at the last Commissioners meeting, and again I’d like to draw your attention to the last paragraph of page 5 of that policy, or page 41 of your agenda package, which is entitled **POST ACCIDENT SUBSTANCE ABUSE TESTING**.

The content of this paragraph is totally inconsistent with zero tolerance. Zero tolerance means exactly that “ZERO”. A true zero tolerance policy means an employee who is involved in an accident or incident resulting in property damage and/or injury should have to submit to mandatory testing immediately. How is the County Manager, Department Head, or Human Resources Officer qualified to determine if an accident or incident no matter how serious or minor was drug induced or not. The first sentence of this portion of the “Caswell County Vehicle Use Policy” should be changed to read **will be tested** vice will be considered for testing. Either Caswell County has a zero tolerance policy or it doesn’t. Mandatory testing immediately following an accident and/or incident takes all of the guess work out of the issue. It doesn’t invite possible fraud in the form of favoritism, which our relatively new Fraud, Waste, and Abuse policy addresses even in this type of scenario. Immediate testing is ethically sound and doesn’t discriminate. It’s not based on an interpretation of events, which has the possibility of wasteful and expensive litigation. It’s clear, concise, and to the point. It is true zero tolerance, and that’s what we all, including our county employees deserve. My colleagues and I believe that the Fraud, Waste, and Abuse Policy should work hand in hand with the Vehicle Use Policy or be one in the same, and be more than a piece of paper or a check mark against a list of documents to be created so the county can call that being compliant. After all we provide the means to purchase those vehicles, the means to pay the drivers of these vehicles to include the

means of providing the insurance for the vehicles as well as the drivers. As I stated before, the content of this paragraph is totally inconsistent with the meaning of zero tolerance and as currently written describes Caswell County as being sometimes, maybe, possibly, on occasion, claiming to be zero tolerant depending on if it's convenient on that particular day or not. Thank you."

Chairman Hall asked if there was anyone else that would like to speak during Public Comments. With no further public comments Chairman Hall declared Public Comments closed.

APPROVAL OF EMS RATE INCREASE

Mr. Jeff Sicz, EMS Director, stated "Good evening. You should have in your packets some information that I received and helped to put together from NRG concerning our rates for ambulance services. As you can see, the demographics were taken from counties surrounding us. I asked and NRG would not provide me with the names of the counties, it is against their policy. I said we need to know which counties and they said we don't do that."

Chairman Hall asked "Would you tell us sir what NRG stands for?" Mr. Sicz responded "It's our billing company. National Recovery Group, I think." Chairman Hall stated "Okay it is our billing company so now we will know who we are talking about."

Mr. Sicz continued "As you can see except for mileage we are well below the standards of the counties around us and I was told that 1, 2, 3, 4, 5, 6 red numbers there 3 of those counties there have demographics relatively similar to ours. That is another point I made with NRG, I said don't pick Greensboro or Charlotte or something, pick something relative to us. He assured me that those demographics were close to ours. Again I inquired which counties and he would not tell me. We are investigating changing from NRG to a company called EMS MC who is another billing company. They also provided some demographics and information and it is relatively the same. This is information from two separate billing companies. In the document you have you should see an increase proposal by Caswell County EMS under EMS Proposal and then an increase proposal by NRG under NRG Proposal. Either one will suit me fine. I am just not a greedy person."

Chairman Hall stated "For this Board to act I think it is only appropriate that we take recommendations from our staff and that would be from the County Manager and EMS. We are really not concerned with what somebody else proposes unless that is your proposal. But it is not, for my purposes at least, I only want to see one proposal and that is what staff is providing us and how that is relevant to Caswell County." Mr. Sicz responded "And that would be under the EMS Proposal. It is Description, Current and then EMS Proposal."

Mr. Howard asked "Isn't the mileage what is allowable from Medicare/Medicaid, is that correct?" Mr. Sicz responded "Yes sir."

Chairman Hall stated "I think for my purposes then if this is a proposed increase I will ask staff to start at the top with the EMS Proposal and give us a quick justification as to why we need an increase or decrease or nothing by line item." Mr. Sicz responded "The mileage is relatively

equal to the surrounding areas so I see no need to change that. The BLS non-emergency is basically a transport or sick call where there is no advanced life support intervention performed. A \$40 increase is what I recommend. As you can see that is well below the agency average by almost \$300. A \$40 increase would be fine as far as I am concerned sir.” Chairman Hall continued “Other than it not being equal to what is in the region, I suppose, with other agencies what would be the other justifications for an increase there?” Mr. Sicz responded “Simply addition revenue that we are well behind our counterparts in receiving, significantly behind. It is also my understanding that we have not had a rate increase since 2009.” Chairman Hall stated “That answers my question.” Mr. Howard added “We have made adjustments to keep us comparable to Medicare/Medicaid but not an increase outside of that since 2009. There may have been one to bring us up so we could get the minimum match for Medicare/Medicaid reimbursement. No adjustments outside of that.” Chairman Hall asked “Are the current rates within Medicaid?” Mr. Howard responded “Yes sir, I think so. They will not pay anything above their maximum rate. A lot of places charge a whole lot more than their maximum rate because when they send to a private provider that will pay up to that rate or a negotiated amount possibly. That is what will be billed out. Then Medicare/Medicaid will pay their maximum payout as well as private insurance providers.” Mr. Sicz added “That is correct.”

Commissioner Satterfield asked “What is the Medicare reimbursement rate?” Mr. Howard responded “I am not sure of the exact figure.” Commissioner Satterfield continued “What about Medicaid?” Mr. Sicz responded “I don’t know off the top of my head either sir.” Commissioner Satterfield stated “I know it is nothing like this. It is nothing like that amount.” Mr. Howard responded “The last time we adjusted we were \$20 over the maximum for Medicare/Medicaid.” Commissioner Satterfield continued “Just for information purposes, maybe by the next meeting, can you get what the normal Medicare/Medicaid reimbursement rate is?” Mr. Sicz responded “Yes sir.” Commissioner Satterfield stated “I know if you charge \$400 they may not pay but \$225. I don’t know what it is but I know they are not paying this rate.”

Commissioner Travis asked “Mr. Sicz this mileage you have listed here is that \$10.50 a mile?” Mr. Sicz responded “Yes sir.” Commissioner Travis continued “Is that round trip or one way?” Mr. Sicz responded “That is with the patient onboard. If we travel to Pelham to pick up a patient and we take them from Pelham to DRMC it is from Pelham to DRMC.” Commissioner Travis asked “So you don’t charge anything for the travel back or for going to the call?” Mr. Sicz responded “No sir.”

Mr. Sicz stated “ALS non-emergency is advanced life support. All definitions of each category are written below but it is basically where we do minor things like start an IV or do a heart monitor. Those require that an ALS provider, an advanced life support provider, be in the back of the truck with the patient. The current rate is \$250 and we would like to raise it \$50 to \$300. Again, it will come more in line with the maximum that we can receive from Medicare/Medicaid. BLS emergency is transporting a patient that needs care of some sort but not advanced life support. A broken leg, something where an IV or advanced life support techniques or a heart monitor are not involved. ALS 1 emergency is treatment resulting from immediate response to a 911 call or emergency response requiring ALS intervention. This is where we provide medicines, where we do IVs, where we do heart monitors and in some cases depending on the severity of the case we may have two people in the back and a first responder

driving for example. ALS 2 emergency is what we call a code. The person does not have a heartbeat and we are doing everything we know possibly how to do in the back of a truck. There are definitely 2 of us in the back of the truck. We are pushing all different kinds of medicine to get the person's heart started again. And then specialty care, we very, very seldom do specialty care. That would be a situation for example if we go to DRMC and the patient that we have in the ambulance needs advance care that we are not capable of doing and the doctor gets in the back of the ambulance and we drive to Baptist or we drive to Duke. I can never ever remember doing one since I have been here since 2006. That is what specialty care is. That is more like the critical care type that UNC gives or Duke gives in their special trucks." Chairman Hall asked "So why would we propose to increase it?" Mr. Sicz responded "Just in case sir. One of my standard models is I would rather have it and not need it than to have it and not have it."

Chairman Hall stated "As I look at these I am thinking more of the citizens that are impacted." Mr. Sicz responded "Yes sir and that is why the increases that I proposed are still well below the surrounding area including ones that have our same demographics." Chairman Hall continued "My concern is not for the citizens in the surrounding areas. My concern is for the citizens of Caswell and the cost burden. I guess that is what I am trying to say. Other than the fact that other people are charging more I am trying to get at why we want to. Do we have a basis? Do we have some type of cost analysis?" Mr. Howard responded "Obviously our costs have gone up. Fuel costs are twice what they were a couple of years ago. Medicine costs have gone up." Chairman Hall continued "That is what I am getting at. Can we tie these into our increased costs?" Mr. Howard responded "Yes because if you look at our budget, what we charge now and with the new fees it does not cover the total cost to operate EMS. It will not cover the full burden." Mr. Sicz added "That is correct." Chairman Hall asked "Have we ever?" Mr. Howard responded "No sir. I am just saying I don't think our intent is to cover all the costs but it will help to cover some of these increases by increasing the fee of those who will actually be using the service."

Commissioner Jefferies asked "How is it coming with the people, who do not pay, that are being sent to collections? Has that increased or decreased? We need to know this before you go up on your rates." Mr. Sicz responded "If you are asking if we are collecting more from people who have not paid yes sir we are making an effort to do that. We have also started the debt set off policy. The answer to your question sir is yes we have made extra efforts to collect from people who are not paying." Commissioner Jefferies continued "My thing is, here in Caswell County, people don't have a lot. My concern is we don't want to carry this thing out of proportion just because they do it in Guilford County." Mr. Sicz responded "The alignment of what we can legitimately receive from Medicare and Medicaid this would put us in a better alignment with that. Right now we are receiving less actually."

Commissioner Lucas asked "Do we bill for the difference?" Mr. Howard responded "No we don't bill for the difference. Whatever the insurance company provides or the provider provides they don't bill for the difference in those. Say for example of Blue Cross Blue Shield pays less than \$250 on the bill we would not bill the difference in that cost." Now if this is a person that does not have insurance, Medicare or Medicaid they will be billed directly the \$250." Mr. Sicz added "That is correct."

Chairman Hall asked “Statistically can you tell me over the past year how many of our citizens had insurance and how many had none?” Mr. Howard responded “We would have to get that for you.” Chairman Hall continued “The burden would fall on the ones with no insurance.”

Commissioner Satterfield asked “Did I understand you to say if someone has private insurance and their ambulance bill is \$500 and the insurance pays \$300 you don’t send a bill for the difference?” Mr. Howard responded “I probably misspoke on that one. Medicare and Medicaid we don’t bill the difference between what they will pay and what the actual bill is. With the private insurance the private insurance pays so much and we bill the difference in that.”

Commissioner Satterfield continued “I know you can on Medicare but you cannot on Medicaid. If you accept an assignment on Medicaid you can’t bill them anymore that is the reason a lot of doctors will not see them anymore. Medicare is not like that. If I am on Medicare and you bill me \$500 and they only pay 80% of that then I am responsible for the other 20%.” Mr. Howard responded “It is probably just Medicaid. We can get that for you to make sure for the next meeting. I apologize on that.”

Chairman Hall stated “I think it is important that we know what our current practice has been also. Number one what the laws allow and then what the county has been doing. It is important that we know both of those. Again, I would like to get some statistical figures because I would hate to see us increase these rates on the folks with no insurance or the ones with just private insurance and leave someone out. I think there is a balance somewhere that we need to reach in there.”

Commissioner Satterfield asked “Mr. Chairman I would like to say one more thing about it. We have not gone up on any rates since 2009 other than the adjustment for Medicare and Medicaid is that what you are saying?” Mr. Howard responded “It was not increased more than what it would take to meet the minimum of Medicare and Medicaid.” Commissioner Satterfield continued “Right. You have to have a certain amount because they will use that as a basis to pay. If you stop and think about what has happened since 2009 I doubt that \$50 will cover the increase in diesel fuel much less medicine and things like that. Diesel fuel since 2009 has more than doubled. I doubt it would even cover your diesel bill for an average trip.” Chairman Hall responded “That is why I was asking for the justification other than what is happening in the region. We need to tie it down to what it is costing us here in Caswell. At some point and soon the Board needs to decide where we are going to be percentagewise and how much we are going to support EMS through tax revenues. In other words, do we want the department to raise 80% of its funds through rates and we do the rest or 70% or 50%. We need to have some kind of standard that we are shooting for other than we are just going to increase the rates. It might be well justified. It might be that we need to go higher but I think we need to know that.”

Commissioner Satterfield asked “Have we ever had anyone to do any type of study on what the actual cost or average cost per dispatch is?” Mr. Howard responded “No sir, probably not. Well not since I have been here.” Commissioner Satterfield continued “So we don’t have any idea really what it is costing us every time an ambulance moves out other than taking the budget and taking the number of calls and dividing.” Mr. Howard responded “Other than taking the budget and dividing by the number of calls.” Commissioner Satterfield stated “You get some type of cost by doing that I guess but that would not taken into consideration the depreciation of the

equipment and stuff.” Mr. Howard responded “Maybe we can talk to NRG to see if that may be something that they can do for us.” Commissioner Satterfield continued “Well we know the average life of a vehicle is x number of years, probably 5 or 6 years so you take that number and divide it over the number of years and add that depreciation back into your budget. Take the number of calls and you can come up with a number pretty close.”

Chairman Hall stated “I asked the County Manager a question earlier last week and this week and it will really play into the next one but I will raise it now and that is there are some other costs out there that we need to take into account. I asked about mileage logs. I will ask while staff is here, do we keep a mileage log on our vehicles?” Mr. Sicz responded “On the daily check off list.” Chairman Hall continued “Not a check off list just a mileage log. When I come on shift and I come in at 7:00 in the morning and get my assigned unit do I record the mileage until I go off shift?” Mr. Sicz responded “On the daily check off list, yes sir. The started mileage on the truck is recorded daily.” Mr. Howard added “It is not broken down, for that it is driven 100 miles that day. It is not every time when they leave and where they go is recorded.” Chairman Hall stated “That is alright. That gets me back to one of the things that I wanted to see. I would assume that we also have call sheets for when units are dispatched?” Mr. Sicz responded “Yes sir.” Commissioner Hall continued “So there is enough information in our system to answer my questions. For example, if I see Unit 92 and I see the daily log starts off with 20 miles and comes back at the end of the shift with 100 miles that is 80 miles and then I look at the call log and we only did 2 calls to my neck of the woods and that is 70 miles then we have lost 10 miles in there.” Mr. Sicz responded “Actually Chairman Hall we keep mileage a different way too. On each run, the ticket for that run, we put the starting mileage at the base; the mileage arrived at the incident scene, the mileage from the incident scene to the hospital and the mileage for where we return back to the base.” Chairman Hall stated “That is even better. That is more than what I was hoping for because what I was trying to get at is did we have that information. That is even better.” Mr. Sicz responded “It is on each sheet, yes sir. When you mentioned a log I thought you meant one book with all that in there not each sheet.” Commissioner Travis stated “Each driver should keep a daily log in order to bill for the service.” Chairman Hall responded “True, but only from, what he said, it was just from the citizen’s house to the hospital. I just did not know that this existed. I have been asking for the last week or two for that.”

Chairman Hall stated “Okay we got off here a little but back to the rate increases. We have had a couple of questions raised. Are there any other questions about these rate increases?”

Commissioner Williamson asked “Did NRG give you any justifications on why they wanted to raise rates?” Mr. Sicz responded “No sir. They are in the business of making money. I am not going to beat around the bush they are in the business of making money. The more money we make the more money they make. Maybe that is too honest but that is the bottom line.”

Chairman Hall stated “We would have figured that out. I am glad he just asked the question. That is why we need to kind of look at these figures and that is why I said to you earlier on that we were not really concerned with NRG’s proposal you are concerned about your proposal or the staff proposal and how we can support those as it relates to our citizens.”

Commissioner Carter stated “The problem we are facing is the economy and where it is. We are still in a recession and the citizens of Caswell County are suffering and don’t have the money to pay extra for things.” Mr. Howard responded “I think this comes back to what Commissioner Hall said, what percentage do you want from the tax dollars and what percentage do you want the fees to cover for the services. Either way the citizens of Caswell are paying for this either through direct fees or through taxes.” Commissioner Satterfield stated “You are exactly right.” Commissioner Travis stated “No necessarily. Everything someone is taken to the hospital they are not necessarily from Caswell County.” Mr. Howard responded “That is true too.” Mr. Sicz added “And not every time the ambulance moves does anyone get charged either.” Commissioner Travis stated “That is right. The county pays for that.”

Commissioner Travis asked “I don’t know why all of these fees would not be the same amount? I mean \$0, \$50, \$50, \$50, \$25 and \$50?” Mr. Sicz responded “It’s the number that I felt would get us in line with Medicare/Medicaid and not overburden the taxpayers.” Chairman Hall stated “So with the question and comment Mr. Manager could we have the Medicare/Medicaid rates so we can compare it to this schedule?” Mr. Howard responded “Yes sir.” Commissioner Travis asked “Say we raise these rates up and someone has a wreck out here and they don’t have insurance what are you going to bill them? You are going to bill them \$600. The county is not going to write off \$200 where the insurance company would have written off. When we adjust these rates we need to think about the guy who does not have insurance.” Chairman Hall responded “That is why I asked for the statistical information on the folks that we have served. How many have we served with insurance and without insurance right across the board and back to Ms. Lucas’ question what has been our practice in the way we will for these services. What the law allows first with Medicaid/Medicare as Mr. Satterfield mentioned is different and then what has been our practice. We want to make sure what our practice has been. It might be that we need to adjust our practices also as we look at these rates if we are not billing everybody.”

Commissioner Lucas asked “How long have we been using NRG?” Mr. Howard responded “We started with him last year, last June I think.” Commissioner Lucas continued “Now are they the same company?” Mr. Howard responded “No, NRG bought out EMS Source.” Commissioner Lucas asked “Are they the same people?” Mr. Howard responded “Some of the people are the same.” Commissioner Lucas continued “How long have we outsourced the EMS billing?” Mr. Howard responded “About 7 or 8 years.”

Commissioner Travis stated “They should be able to give you a month by month record of who has insurance and who has insurance.” Mr. Howard asked “How far back? Do you want this to go back 3 years?” Chairman Hall responded “I am thinking about Ms. Lucas’ question about the collection rate. At the minimum we need to look at 3 years just to get a feel. We can compare it to the current economy and that will tell us something. Is that okay with everybody? Here again we are talking about the collection rate now. Mr. Travis I think you were talking about more detailed information.” Commissioner Travis responded “I was talking about the people with no insurance and the ones on Medicare and Medicaid. They should be able to give you based on each month how many people there were with insurance, how many without insurance, how many with Medicare and how many with Medicaid. I don’t think we need to go back 3 years on that.” Chairman Hall asked “Does everybody understand what Mr. Travis is saying? Okay for staff if we can get that for 1 year or 6 months because we are talking statistical information. We

don't need the names." Mr. Howard responded "So you want that broken down on what Medicare paid, what Medicaid paid, what the private insurance paid and then what the private citizen had to pay?" Chairman Hall responded "Right."

Commissioner Travis stated "We don't know how much we are not paid just on the trucks going out." Chairman Hall responded "Well we do now based on what he just said with those logs. If we dig into those logs..." Mr. Sicz responded "What we would have to do is to take the call sheet where we did not transport and did not provide and medication because we may go to a scene where a diabetic is seen and give defib to get the person back and we don't transport there will still be a charge for that medicine. What I will have to do is go back through each log in each run and see which ones we did not transport and which ones we did not provide medicine. It would be a task but it could be done." Commissioner Travis stated "What I am saying about setting these rates is you really don't know how much money you are spending on those dry runs versus the runs that you are making money." Chairman responded "I understand what you are saying." Commissioner Travis continued "I would say 25% of the calls there is no money coming in for them." Mr. Sicz responded "I think it is more than that sir." Chairman Hall stated "That is again the statistical information that you all can provide to us. Just tell us. You don't have to tell us how you get it but be able to support it. We went back and looked and whatever the percentage is there was no revenue generated because of this is the way we do it. We made the call and the person did not want to be transported, they did not need any meds so we returned to the base." Mr. Sicz responded "Yes sir."

Commissioner Satterfield asked "Mr. Sicz let me ask you a question so I can understand a little better. When your people get a call and they go out to the home, I don't care if they transport or don't transport or whatever they have that trip ticket that they made out, I assume when the shift changes over they give that trip ticket to someone, a supervisor or somebody?" Mr. Sicz responded "It is reviewed by the supervisor but it maintained in the server at a place called EMS charts." Commissioner Satterfield asked "Is it entered into a software package with that person and that trip and what happened on that trip is inserted in some type of software package?" Mr. Sicz responded "Yes sir that is all part of the report." Commissioner Satterfield continued "If you have all of that in a software package you ought to be able to generate some kind of report each day or each month on how many calls were made and what the charges were or if there were no charges and stuff like that, wouldn't you?" Mr. Sicz responded "Yes sir. Whether or not we provided any medication is in a part that we cannot draw data from. It is designed that way for HIIPA rules. We can do run times, run dates, mileages on the runs, locations of the runs, as a matter of fact the article that you see in the newspaper "Where we go" is how we get it. We do certain filters and it tells us the zip codes we went to." Commissioner Satterfield stated "Certain people on your staff should have HIIPA access. They should be certified where they can look at the material that comes under HIIPA. Somebody in your organization ought to be able to." Mr. Sicz responded "The rules for HIIPA and I am sure you can explain more than me are pretty specific. You can only exchange information of that nature when it is Medicaid necessary. Is that a fair generalization?" Mr. Ferrell responded "That is generally right. The rules are technical and there are business associate agreements internal external groups that can share this information. I would not know why your organization, certainly somebody in your organization can access that." Mr. Sicz responded "I can access that but..." Commissioner Satterfield stated "You can't divulge names." Mr. Ferrell continued "There is no reason why internally you can't

access that information.” Commissioner Satterfield stated “You can’t come in here and gives us names or anything but you can tell us you made 30 trips and...” Mr. Sicz responded “I understand what you are asking.”

Chairman Hall stated “Again we are talking statistical information so we can make policy decisions. So to answer your question the information is available.”

Commissioner Satterfield stated “You can just look at all that information and it should be all readily available. You can pretty well come down with a cost per trip. You may not be able to include the depreciation of the building and all but you could the vehicles because you know about the life span of the vehicles and how much they cost so you can add that right in as a yearly fixed cost and come up with some type of cost per trip so we will have a little bit better idea of what it is costing us every time that thing moves or costing the taxpayers.”

Chairman Hall stated “I agree. I think also even if you don’t get down to the basic actual cost for the Board as a policy making board we need to have a general working idea as we are looking at rate decisions. If we know it is close to x number of dollars we can generally say okay we need to move into this direction or that direction.” Mr. Sicz responded “For future reference I will provide you will one of our blank reports and that way all of you will have the data that we do collect in case you need it for some other reason.”

Chairman Hall stated “We will keep this on the agenda for the next meeting.”

VEHICLE USE POLICY

Chairman Hall stated “I did a short, informal poll right before the meeting to see if the rest of the Board members were ready to move on this policy. I will do it formally now around the table and I will start with my comments. Unless there were some major changes I am still not comfortable with the policy as proposed. Mr. Manager from the time this was presented earlier have we had any major changes in this?” Mr. Howard responded “No sir. I did not make any changes because the Board was still reviewing the whole policy. I did not want to make any changes to cloud anything up.” Chairman Hall continued “I wanted to say that to let everyone know. There are quite a few things here that I am just not comfortable with. I guess my question to the Board is how do we move forward? It is almost going to take a kind of page by page review. I want everybody to be prepared. It may take a workshop but I want everybody to be prepared when we start this process to offer up suggestions, recommendations or have reasons why you support or don’t support a particular portion of the policy.”

Commissioner Jefferies stated “I think it is a very long policy and I think the best thing for us as a Board is to have a workshop so we can go through the policy item by item rather than to sit here and say change that. I think we need a special meeting on this policy.”

Chairman Hall asked “We have one suggestion of a special work session on this policy any other thoughts?”

Commissioner Williamson asked “Shouldn’t this be part of the Caswell County Personnel Policy manual to make sure that it lines up with it? I know that we have hired someone to review that.” Mr. Howard responded “We have not hired them yet but it will be happening in this fiscal year.” Chairman Hall responded “I would say yes. Whatever the policy is it should be codified to our personnel policy and all the policies that cover county employees.” Commissioner Williamson continued “So that we won’t have two policies out there. There is some information in our personnel policy that covers vehicles as of now.” Mr. Howard responded “Yes sir.” Chairman Hall stated “And how inclusive is all of that is what we need to look at.” Commissioner Williamson stated “It needs to be updated.” Chairman Hall responded “Right.”

Commissioner Satterfield asked “Mr. Manager let me ask a question if I can on the drug test. How much does it cost the county for a drug test?” Mr. Howard responded “I can’t give you an exact figure. I think it is around \$75 for a drug test.” Commissioner Satterfield continued “Can you find out?” Mr. Howard responded “Yes sir. I can give you that at the workshop.”

Commissioner Lucas asked “When was the last time we gave a drug test?” Mr. Howard responded “I don’t have an exact time. I will have to get that information for you as well.”

Chairman Hall asked “This goes back to the question Commissioner Williamson asked about on our personnel policy. I think somewhere in our personnel policy we do have a policy for drug testing across the board.” Mr. Howard responded “Yes sir.” Chairman Hall continued “And there are certain departments that it would impact more than others.” Mr. Howard responded “Correct.” Commissioner Williamson added “And also if you have a commercial driver’s license you are in a random drug test.” Mr. Howard responded “The state does a random drug test.” Commissioner Williamson continued “They send you the names of the people and tell you that they have to be drug tested. You don’t have any control over that.” Mr. Howard responded “Correct.”

Chairman Hall stated “We know all of this so we need to get with the various departments and see not only what our policy is again we need to see what our practices are.”

Commissioner Travis asked “How many people do we have that have a commercial driver’s license?” Chairman Hall responded “We know the CDOT people should have them.” Mr. Howard added “And the guys at the landfill. Those are the two departments that the vehicles require it.” Chairman Hall stated “But we want to know for sure?” Commissioner Williamson asked “Our ambulance drivers don’t have them, a commercial driver’s license?” Mr. Howard responded “No sir.” Commissioner Travis asked “How much does an ambulance weigh?” Mr. Sicz responded “I don’t know. I know that we don’t have commercial driver’s licenses.” Chairman Hall stated “Again, as we raise these questions and issues this is a good time for staff to get ahead of us on this work session. Now it may be for some of those things for some of these departments whether the state requires it or not the county might need to look at and say we think it is in our best interest to upgrade the qualifications of these departments.”

Commissioner Lucas asked “Can we get a list of all the county vehicles by department?” Chairman Hall responded “That is relatively easy to do. I am sure we can do that.”

Chairman Hall stated “County Manager, Mr. Travis asked about the weight of the vehicles so if you would get us the requirements from the state so we will all have the same information. And Commissioner Williamson mentioned the personnel policy on the random drug tests. We need to know what the state policies are related to the CDL and how they impact the county. Otherwise we will find out that we are not doing what we are supposed to be doing. It is okay to confer with our general counsel on these things. Anything else? So the only thing we need to do now since there is a consensus on this work session is to set a time.” Mr. Howard stated “I just want to remind the Board that I am on vacation starting tomorrow and I will be back next Wednesday.” Chairman Hall stated “We are not going to do it that quick. We have to have time to look at our various schedules. I would not suggest that we set a time tonight anyway. We need to look at our schedules and we need to get a feel about how much time we are talking about and we need to have time for the departments to see which departments need to be involved. You need to have time to talk with those departments and let them know that this work session is coming up and somebody might need to be available to answer some questions. So what we will do is move forward in the next week or so and I will ask our Clerk to contact the various commissioners and ask you how much time you think we will need and County Manager you can also give us your thoughts on that and then we will start looking at times: mornings, evenings, weekends, whatever, we need to schedule this. We probably would also like for someone to take a look at the personnel policy and see the parts there that impact this.”

Commissioner Lucas asked “Kevin I know you said the personnel policy would be updated, who are you planning to have do this?” Mr. Howard responded “The COG has agreed to come in and facilitate with the department heads and myself to update the personnel policy and then we will bring that before the Board for approval.” Commissioner Lucas asked “Do they charge us for that?” Mr. Howard responded “Yes they charge us for that. It is a fee based service. Some of the things they do are free but that is one of the things that have a fee base.” Commissioner Lucas continued “Do you have a time frame?” Mr. Howard responded “What I would like to do is to hire the HR position first. That person should be hired by the end of this month and then that person will be the liaison with the COG in order to put that policy together.”

Chairman Hall stated “So what I am hearing is it might take a little while but I still think we need to get started.” Mr. Howard responded “Yes, this will be something that we incorporate in it when it is put together.” Chairman Hall continued “We will get back with everybody to schedule a date for this work session to start looking at all that needs to be done on this Vehicle Use Policy.”

NCACC ANNUAL CONFERENCE REPORT

Chairman Hall stated “I got a report prepared. I attended as the voting delegate and I did not get it completed in time for Ms. Seamster to get it out in the packets so I asked her this afternoon to make copies so that you would have it in front of you. I wanted to hit some of the highlights because I thought it was a pretty good conference. One of the opening sessions, Mr. Dan Heath a Senior Fellow at Duke University’s Center for the Advancement of Social Entrepreneurship discussed the four villains of decision making. They are and I just want to hit these quickly. Narrow framing and that is being blind to choices. Confirmation bias and that is looking for information to support what you already believe. Short term emotion, that is making decisions to

soon, not getting all the facts. And Over confidence, not being prepared to be wrong. Not that we are guilty of any of these but I thought it was a good session. There was another session on thinking outside of the box. There were three or four presentations that I thought were pretty interesting. The Sheriff of Gaston County discussed an Offender Based Investigative mapping tool. In this mapping tool he said because most offenders were repeat offenders the mapping tool focuses on where the offenders live as opposed to where the crimes are actually committed. They have experienced a lot of success because what they do with this tool is go straight to some of the perpetrators. If you are a perpetrator and you live in this community and you have a history of burglary and when there is a burglary in that community they already have you outlined, they already have in the computer. The officers can immediately say this perpetrator has a history of doing this we can go ahead and start this investigation right away with what the possibilities are. Another presentation that was interesting was by Forsyth County. They did an Automated Reval System. They were able to reduce the time and manpower required to do revals by updating and integrating the Tax Department's information with the county's GIS system. Some of the reval work could actually be done from the office because the GIS system had current maps, had current pictures, had all of the things that you most of time have to send someone out in the field to do. I think they used the term of a savings of thirty to fifty thousand dollars. I did not write that down because I was not sure. There were several GIS vendors at the conference and of course they wanted to sell their wares. I did talk with one who asked if they could come down and make a presentation to the Board. I thought it would be interesting for the Board to see just how advanced and much the technology has moved in the last couple of years. The third presentation was by Catawba County and they showed how their Building Inspections Department integrated QR codes into their inspection process. QR codes are those little gray and black looking things that you see on everything everywhere you go now. They are about 1" by 1" square. They use those codes to tie in directly to your webpage so with their inspections department if you have a contractor or citizens that wants to know that status of a building permit you can go right up with your smart phone, scan that code and it will immediately go to the webpage and tell you the status of building permits at that time. It is pretty nice and it is a good way to get information out. QR codes are so inexpensive now. It was just a few dollars involved to get them to do this. If you go over to PCC and they just put this up in the last week as you walk up the walkway to the main entrance to the Caswell Campus there is a big poster in the middle of the walkway. If you take your smart phone out and scan that QR code it will take you to PCC's website. It is a very good way to communicate with people now with the new technology. The fourth presentation was by the Town of Winterville. I meant to look up with PEG and somebody who knows technology can tell me but they instituted an online PEG Channel. This allows you to get information out quickly. What they did was broadcast their commissioners meetings and other special events on something called Ustream.TV or on YouTube. They said the cost of this software is very little they almost give it away. Almost everybody has access to YouTube and Ustream is relatively inexpensive. It is a good way to broadcast to let the community know what is going on. We can do that and we can get PCC, I understand they have a video program. We could get them to come over and set up the equipment and broadcast these meetings and they would see democracy at work right away. Wouldn't that be great?" Commissioner Williamson responded "That would be one way to get the information back out to the community." Chairman Hall continued "Again the technology has moved so fast we can really get information out to the community quickly and very inexpensively if we do something like that. One of the other things that happened at the

conference, for the third year the Association held a Youth Conference in conjunction with the state conference. The purpose of this conference is to get young people involved early in their local governments and to help build future leaders. This year they had over a hundred and some youth there. They worked on four different cases or scenarios of things that could happen in the counties. Two of those had to do with EMS. One had to do with a chemical fire and this was an actual fire that happened in Raleigh. The fourth had to do with a hurricane. Then the youth presented their information to the Association. They did an excellent job of doing the analysis and making suggested solutions to these problems. This was the third year and the first two years Caswell County had a representative there. We did not have a representative there this year. I don't know what happened but I will check with our department that usually handles this. It was quite disappointing when I went looking for Caswell County and we did not have anybody there. Then one of the last things was through an initiative by the outgoing president, Kenneth Edge, a Guide to Employee Wellness Initiative for North Carolina Counties was developed by a Healthy Living Task Force that he appointed. This workplace initiative is a plan employers can implement to promote the health and well being of employees and their families. Their research suggests that cost of \$3.00 to \$5.00 can be expected for every dollar spent towards a comprehensive worksite wellness program. I have a copy of this guide and I will turn it over to the Clerk so that anybody who wants to review it can. Finally, ever since I have been on the Board of the Commissioners here we have been a member of the North Carolina Association of County Commissioners. I expect much longer than that. However we have never had a member of this Board to be an officer or a state president in the North Carolina Association. We have never had a member on the national board. Person County has never had a member to be president of the state association. Next year Person County will have a commissioner that was elected in 2008 to be the state president for the North Carolina Association of County Commissioners. I think that if we are to get the benefits of belonging to this organization we need to be involved. We need to go to the meetings. We need to serve on commissions and we need to make ourselves available to serve on national boards. That concludes my report on that.”

Commissioner Jefferies stated “That was a good report Mr. Chairman.”

GRANT ADMINISTRATION ISSUES

Mr. Howard stated “This is just for information to make the Board aware. You have a memo in your packets concerning some housing administration issues we have had. As you are aware Hobbs, Upchurch & Associates has managed our scattered sites and other housing grants for the last several years. Their entire grant staff resigned this past Friday. I am not sure what reasons were given. I just know that everyone is gone now. Our contract was with Hobbs, Upchurch and not with individuals who were working for them. Right now Hobbs, Upchurch manages our grants but they don't really have a staff in place. I sent an email to Mr. Hobbs to talk over with him. He is in the process of putting a staff in place. As soon as they have done that we will be getting at information about that staff. Hopefully it will come this week. My understanding is the grants administrator they are looking at used to work for them and they went to work for Moore County and retired. They also do some work with DENR. I hope to have that information before the next commissioners meeting so we can make some decisions. What I am getting at is when Hobbs, Upchurch hired someone we have to have the state to approve or sign off on who those administrators are. Even though our contract is with Hobbs certain

administrators are listed on the grant contract and on the grant paperwork. They have to approve those and make sure that they have experience working with the particular grant that it is for. Once I get that information from Hobbs I will submit it to the state to get their approval and then this Board will discuss how we will move forward.”

Chairman Hall stated “I think it might be helpful to this Board if we get that information prior to going to the state because we need to know what is going on. Is everybody clear on what Mr. Howard just said?”

APPROVAL OF CAPITAL NEEDS PROJECTS Capital Projects Fund

Mr. Howard stated “You have a breakdown of the projects we have done so far out of the Capital Project Fund that you set up over a year ago. It tells you what has been spent out of it and what the remaining balance is, which is \$452,694. Any questions about that document?”

Commissioner Lucas asked “I notice on the budget amendment that it mention the Board of Education’s contribution on the tennis courts, did we actually get the full amount on that?” Mr. Howard responded “The \$50,000 yes we did, yes ma’am.”

Commissioner Satterfield asked “These expenditures at the top of this list are capital improvement projects?” Mr. Howard responded “Yes sir that is what we have spent out of that fund. We did other stuff last year out of regular maintenance budget, the smaller items.” Commissioner Satterfield continued “That is what I was going to ask. I know we did the steps down at the house down there.” Mr. Howard responded “We did the wooden walkway. That has been redone. The only thing we have not done on that list is we have had someone to come out and give us a bid but they have not come to do the project for the concrete work there going into Section 8. They gave us a bid but we can’t get them to come out and actually do the work. We actually had 2 bids. That is a top priority. Since we have gotten the Board of Elections moved Maintenance is working on that project.” Commissioner Satterfield asked “The money for that was just taken out of Maintenance.” Mr. Howard responded “We will pay for that out of Maintenance as the normal budget. The cost will be a couple thousand dollars for that. That is what our bids were to do that.” Commissioner Satterfield continued “I am talking about the wooden ramp and everything.” Mr. Howard responded “We did that in house. Maintenance used some of the inmates that they have been getting. We did that in house.” Commissioner Satterfield stated “I was wondering where the money was coming from. And we voted to take ambulance repairs out of the capital improvement project fund?” Mr. Howard responded “Yes sir, I think you did vote to do that.” Commissioner Satterfield stated “That is kind of a strange thing to take out of a capital improvement fund.” Mr. Howard responded “I will go back and double check that but I am pretty sure that is what was done. That is when you replaced the motor in an ambulance.” Commissioner Satterfield continued “I knew what it was for but I thought that it was kind of strange that it came out of this pool of money. It is certainly not a capital improvement project. Well I guess it is they got a new engine.”

Commissioner Lucas asked “The roof repair at the Health Department is that the same company that you are talking about using for the Guilford Mills building?” Mr. Howard responded “No ma’am. The company we are looking at has never done any work for us.”

Historic Courthouse

Mr. Howard stated “I called Progressive Contracting and they sent me four references. I specifically asked for historic projects. You can see them in your packets. They have done an extensive amount of work the Department of Cultural Resources and other local governments that have historic structures. Everything I got back was excellent work. The quality of work was there and the cost associated with it was good. I would recommend if we want to proceed with this project that we contract with Progressive Contracting in the amount of \$77,300.”

Chairman Hall asked “Now we have done the RFP?” Mr. Howard responded “Yes sir we sent it out and requested prices, yes sir. I received 3 responses.” Chairman Hall continued “I guess what I am asking is, we didn’t just request information, and we did an actual RFP?” Mr. Howard responded “We sent out proposals to seven different contractors that do historic work and we received 3 back.”

Commissioner Satterfield moved, seconded by Commissioner Jefferies to accept the County Manager’s recommendation and award the contract to Progressive Contracting.

Commissioner Williamson asked “Looking at what you received back on the recommendations, I noticed that on all the contracts the starting price was lower than the finishing price. Is that a normal practice? Will they have that on this particular project?” Mr. Howard responded “Probably not on this particular one. The other projects were larger projects had contingency built in. This is actually a small contract for them compared to the other work they have been doing.”

Commissioner Lucas asked “Under 14 where they excluded the carpentry work and wood repairs to the courthouse including but not limited to soffits, fascias, windows, etc. A unit price can be given for the cupola woodwork repairs as requested once scaffolding is in place and a proper evaluation can be made. Do we know how much that will be?” Mr. Howard responded “They will do some caulking but I will bring that back to the Board before that is done. I requested a price on that. They did not give it. The difference in the price is not going to be that much.”

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

Guilford Mills Roof

Mr. Howard stated “The next is the same. We contacted all the references that were given by Baker Roofing. It is the same thing, their jobs were larger. Some of them were universities, but the quality of the job was good. The pricing was always the best. One of them referred to them as a preferred vendor. That was a private group and they said they did not have to bid out so that is who we use for all of our work and they do a quality job. My recommendation would still be if you still want to repair the Guilford Mills roof with Baker Roofing at \$165,905. If you are

interested in knowing if you approve this project we will still have \$279,059 left in the Capital Improvement Fund.”

Chairman Hall stated “So it seems to me that you are proposing this in two parts. It sounds like you are saying if we are interested.” Mr. Howard responded “No my recommendation is to fix the roof. We have issues over there and that would be to contract with Baker Roofing for \$165,905.”

Commissioner Satterfield stated “Mr. Chairman if we are going to continue to occupy the building or have anything in it the roof is going to have to be fixed. It is either that or tear the building down. It would cost more to tear it down than it would be to put a roof on it I am sure.”

Commissioner Satterfield moved, seconded by Commissioner Jefferies to accept the County Manager’s recommendation to award the contract to Baker Roofing. The motion carried unanimously.

GUILFORD MILLS RENTAL REQUEST
Task, Inc.

Mr. Howard stated “We have a request from Task, Inc. for one office space at Guilford Mills. I am just requesting the Board to approve that lease.”

Chairman Hall stated “We have a recommendation from the County Manager to lease an office space at Guilford Mills for a mental health provider.”

Commissioner Lucas asked “What is Task?” Mr. Howard responded “They work with the court system and other organizations to help place some of the folks in some of the programs. I am not 100% sure what they do but they do mental health work.” Commissioner Lucas continued “They are mental health providers?” Mr. Howard responded “Yes ma’am. Anything I bring you for those offices are for mental health.”

Commissioner Jefferies moved, seconded by Commissioner Travis to accept the recommendation of the County Manager on the lease.

Commissioner Lucas asked “Does this include utilities?” Chairman Hall responded “So far we have made our lease agreements all the same for the tenants in Guilford Mills. They pay us.” Commissioner Lucas continued “And we pay the utilities.” Mr. Howard responded “I am in the process of working with PBH to pay that portion of the utility bill over there. PCC pays for their portion. They told me that they would do the same thing but I have not received a formal agreement yet for the Board to look at.” Commissioner Lucas asked “How many offices are left over there?” Mr. Howard responded “Four offices are left.”

Commissioner Satterfield stated “Mr. Chairman it just seems that this \$6.00 per square foot has been the same since I have been on this Board. I would suggest that it be reviewed this coming budget year because I am not sure at \$75.00 a month if they could go out here their light bill would be that much.” Mr. Howard responded “Part of the issues we have is like Task they only

want the office for a couple days a month.” Commissioner Satterfield continued “You have minimum light bill you have to pay so it does not make any difference if the lights are on or not and that is about \$20.00 a month. It seems like cheap rent to me.”

Commissioner Carter asked “Is Maintenance still planning to move into Guilford Mills.” Mr. Howard responded “They have moved in over there.”

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

Chairman stated “I will get back to Commissioner Satterfield’s comment I think we talked about it briefly this year before or around budget time we will put it on our list to study that and make some decisions before this year is up.” Mr. Howard responded “We will probably do that about April. When you make a decision on that we can send out the leases” Chairman Hall continued “What I would suggest is we get on that, April I think is a bit late if we are going to renew leases we need to notify people but we need to get it done this year. April may be okay but I would not want to wait until April to get started.” Mr. Howard responded “I think we can have a decision by April so we can let the folks know.”

Approving Manager’s Authority

Mr. Howard “My other request is does the Board want to consider giving me the authority to approve these leases to get them moved in quicker instead of having to wait to have a commissioner’s meeting and then bring them to you so you will know who is moving in at the next meeting.”

Chairman Hall stated “The County Manager put this on at my request because he mentioned it to me and as the County Manager when we first started this relationship with the LME to whole idea was to provide space to get mental health providers into Caswell County. It if meets the criteria that the Board has set and within the lease agreements I personally don’t see a reason to have the County Manager to move forward when a provider comes forward and then he will bring it to this Board as information. I think that is something that is a Board’s decision.” Commissioner Jefferies stated “I don’t have a problem with that.” Commissioner Lucas stated “I have a problem with it with our current situation. I would like to know more about the mental health providers. I thought we were losing mental health providers in Caswell County but it seems like in every meeting we are renting more spaces to mental health providers.” Chairman Hall responded “He brought this before the Board tonight for Task what do you know now more than before he explained it to us?” Commissioner Lucas continued “I have a call into Debra Welch and I have not received a call back.” Chairman Hall stated “Again I think at some point the County Manager needs to be able to determine that they are bonafide mental health providers and they are the only ones we are providing space for. If they are not he should do his homework to call whoever he is supposed to call.” Mr. Howard responded “The process in the past has been that I called the LME or PBH to prove that they are an approved mental health provider and that they can receive reimbursements.”

Commissioner Carter moved, seconded by Commissioner Williamson to give the County Manager authority to approve the leases at Guilford Mills and then report to the Board for

information as they occur. The motion carried by a vote of six to one with Commissioner Lucas voting no.

COUNTY MANAGER'S REPORT

Mr. Howard stated "This is for the Board's information. A Detention Center contractor failed to include the impact fees for the Town in his bid. It was supposed to be included in their bid. They want to bring back a change order request to get this reimbursed to them. It is about \$20,000. I am not inclined to bring that to you but I wanted to mention it to you. Like I said it was part of their contract to pay those fees when they bided on the project and they failed to do so."

Commissioner Carter asked "I understand the water tap has not been done yet?" Mr. Howard responded "No sir." Chairman Hall added "That is what he is speaking of." Commissioner Carter continued "I don't understand the mix up." Mr. Howard responded "Everything else is done except for the water tap itself." Commissioner Carter asked "So what you are saying is they want us to reimburse them for the \$20,000 tap fee?" Mr. Howard responded "No it is the impact fee. The total tap on fee is around \$53,000 which includes the cost of installation and the tap fee."

Commissioner Lucas asked "So the full story is what?" Mr. Howard responded "The total tap fee including installation is fifty-three thousand and some I don't have the exact number. What I was saying is the contractor left out the fee of \$20,000. It is just the impact fee. That is just the fee to tap onto the system. That does not pay for anything other than the ability to tap onto the system." Commissioner Lucas continued "Did they leave out the other cost as well?" Mr. Howard responded "No there was a cost in there. There is a difference in there from what the Town charges."

Chairman Hall asked "The fees that they included in their contract was how much, roughly around \$53,000?" Mr. Howard responded "No that is the actual cost. The thing with the contract was between twenty-five and twenty-eight thousand dollars." Chairman Hall continued "What did they fail to include?" Mr. Howard responded "A \$20,000 impact fee." Chairman Hall stated "Okay we are trying to get the full report here. Some fees were there but the \$20,000 was not." Mr. Howard responded "Correct." Chairman Hall stated "That tap on has not happened because the contractor has not paid the \$20,000. We are saying to the contractor you were supposed to include that when you bided, you did not and we are not going to pay it."

Commissioner Carter asked "Has the Town approved the work?" Mr. Howard responded "There are no issues with that." Chairman Hall stated "They have approved it. Somebody has to pay the bill. That is where we are at right now, the writing of the check."

Commissioner Lucas asked "So this is a change order?" Mr. Howard responded "No ma'am. He is asking the Board to consider a change order."

Chairman Hall stated "Let me repeat this for Mr. Jefferies. What the County Manager has said is there is a tap on fee of \$20,000 due to the Town of Yanceyville. The contractor failed to include

that fee in his bid proposal and does not want to pay it now. The contractor is coming to us saying you all need to go ahead and pay it. The County Manager said that he is not inclined to recommend to the Board that we pay it. So that is the problem. Now that is the first step in the problem. The step that this Board is really going to have to deal with one day is the water is going to have to be turned on. When we get to the end of the line and the water has to be turned on who suffers the most if the water is not turned on.”

Commissioner Jefferies asked “Have we paid the contractor his last payment? He can suffer some too.” Chairman Hall stated “I understand. I am just saying that this is where it is going or it could go. All I am saying is this is not over yet.”

Mr. Howard stated “Mr. Brennan will be at the next meeting. We have this scheduled to deal with the various issues that are outstanding and hopefully we will come to some kind of conclusion including this at the next meeting.” Chairman Hall responded “This is not necessarily a meeting issue. At some point the water has to be turned on. You are not going to get an occupancy permit without it. I just wanted to let you know from this report that this may not be over. I am sure it is not over.”

Commissioner Jefferies asked “What do you think County Attorney?” Mr. Ferrell responded “I talked to the County Manager about this issue. I concur with the position that he has presented to you as being the appropriate course. To the extent the extent that we need to talk further about contract interpretation or contract remedies or anything like that I will do that at the appropriate time. I think the County Manager was just raising this issue that is still a live issue and there is no resolution as of now and to the extent that there is more stay tuned.”

Commissioner Lucas asked “On a different note, do you have a written report on the connector?” Mr. Howard responded “That will be discussed at the next meeting.” Commissioner Lucas continued “What has been done thus far?” Mr. Howard responded “I have met with the architects and they are working on the details to help provide information for that report. They are coming to the next meeting to present a report; you will have that in your packets.” Commissioner Lucas asked “Are they moving forward on it?” Mr. Howard responded “No ma’am what is happening right now is they have put out drawings on the original connector we discussed and then the proposed change and the prices on both so the Board would have the prices on both.”

Commissioner Satterfield asked “Mr. Chairman I was just going to make a suggestion. If this project is going on and there seems to be other things that need to be discussed perhaps we would be better suited to have a special meeting on this jail construction with Mr. Brennan rather than having to hurry through something in a regular meeting especially with how heavy our agendas have been in the past.” Mr. Howard responded “To deal with some of these issues it will be a big chunk of the meeting at the next meeting.” Chairman Hall stated “We will either do that or we will have to finesse the agenda to have ample time. It might be that we can finesse the agenda to have ample time.”

Mr. Howard stated “I think I already reminded you one time but I am on vacation from tomorrow and I will be back next Wednesday.”

ANNOUNCEMENTS AND UPCOMING EVENTS

- A. County Employee Picnic at Farmer Lake – September 18, 2012 at 5:30 p.m.
- B. Dates in October for meeting with Town of Yanceyville & Town of Milton

Chairman Hall stated “We have the County Employee Picnic on September 18th at 5:30 p.m. We also need to schedule our October meeting with the Town of Yanceyville and the Town of Milton.” We also need the location as well right?” The Clerk stated the October meeting will be held at the Historic Courthouse.” Mr. Howard stated “I will have to bring back the contracts at the next meeting for Progressive, the contractor for this building. We will be out of this room for at least 2 meetings. It will take at least 30 days to do everything inside and out, 30 – 45 days. I will have a schedule for that and where we will be meeting for those 2 meetings.” Chairman Hall stated “Let do this, let’s look at our calendars and look at preferable days and days. If Ms. Seamster does not hear from you she will be calling you.”

Commissioner Carter stated “We do have to cook at the picnic.” Chairman Hall stated “Mr. Carter was just reminding us that we do have to cook at the picnic. This was an assignment that we received from Ms. Seamster and other chores that we will have.”

Commissioner Satterfield stated “I have a couple of questions. When we were going through our Capital Improvements list you said we had about a couple thousand left.” Mr. Howard responded “About \$280,000.” Commissioner Satterfield continued “I would like to ask a question because when we did the priorities one of the priority items because of the amount of money we are spending each month on utilities. Where are we at on the courthouse HVAC?” Mr. Howard responded “We are finishing up the RFP to get that out. It has taken a while. The projected cost, there is still enough money to do that project to have an engineer to come in and to do the construction costs.” Commissioner Satterfield asked “Where are we at on it?” Mr. Howard responded “We are finishing the RFP up.” Commissioner Satterfield continued “That has not been sent out yet?” Mr. Howard responded “No sir.” Commissioner Satterfield stated “When we look at the percentage of use repaid back to us for the courts using the square footage down there at the courthouse now with the Board of Elections gone they have more square footage.” Mr. Howard responded “I will get that back to you at the next meeting.” Commissioner Satterfield continued “We also need to look and see how much reimbursement we can get out of the court facility fund each year to repay this money back for the a/c going down there because they are going to be using about 90% of it, the cost of the equipment. We should be able to get our money and put it back into the Capital Improvement Fund out of that court facility fee. That is supposed to be generating more money this year. I am not sure if it is or not.” Mr. Howard responded “I don’t have the number but I can get all of that for you.”

Commissioner Jefferies stated “The only thing I have for the County Manage is Mr. Bigelow what about the mileage rate that he had not been paid for? He said he asked you about it but you had not gotten back to him.” Mr. Ferrell responded “This sounds like a personnel matter to me for a particular payment issue for an employee. If this needs to be something that the Board needs to discuss before we find out any more I will need to cut you off when you start talking

about particular personnel situations in open session. It may not be but it sounds like it very well could be a closed session item.” Chairman Hall stated “It probably is based on what I heard. What I am going to suggest is County Manager you did hear the question right?” Mr. Howard responded “Yes I know what he is talking about.” Chairman Hall continued “If you will get with counsel and have a response for Commissioner Jefferies at the next meeting and we will have a closed session on the agenda.”

Chairman Hall stated “The only other thing that I will report is as a member of the North Carolina/Virginia Bi-State Commission we met in Boydton, Va. last week. North Carolina supported a resolution that Virginia put forward asking to maintain the moratorium in Virginia on uranium mining. I did not bring a copy of that resolution but I know I can get my hands on it. That was one of the things we did and the thinking was in North Carolina is most of the uranium mining talk has been in and around Danville, Va and all the major rivers and streams are all downstream of Danville run through North Carolina. There is a big concern about uranium and what could happen if the river got contaminated.”

ADJOURNMENT

At 8:10 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
