

MINUTES – JANUARY 5, 2009

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, January 5, 2009. Members present: Jeremiah Jefferies, Chairman, George W. Ward, Jr., Vice-Chairman, Eric D. Battle, William E. Carter, Nathaniel Hall, Gordon G. Satterfield, and Kenneth D. Travis. Also present: Michael R. Ferrell, County Attorney and Angela Evans representing The Caswell Messenger. Wanda P. Smith, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

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

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

Chairman Jefferies opened the floor for public comments.

Mr. John Claggett of 108 Jaye Lane, Providence, NC came before the Board and made the following statements:

“I thank the Board for yet another opportunity to speak and I thank you Commissioner Satterfield for your phone call last week, now may I see by a show of hands as to what members of the Board of Commissioners has been to Hayes Iron and Metal within the last two weeks to look around.

Chapter 16 of the text, “County Government in North Carolina” which I’m sure every board member is aware of, if not intimate with, states:

To issue a variance, the board must conclude that all of the following conditions are true:

1. If the property owner complies with the provisions of the ordinance, the owner will be unable to enjoy a reasonable return from the property or to make reasonable use of it.
2. The hardship affecting the property results from the application of the ordinance (not from market conditions or the existence of private restrictive covenants).
3. The hardship is suffered by the applicant’s property (The applicant’s personal, social, or economic circumstances are irrelevant).
4. The hardship does not result from the applicant’s own actions.

5. The hardship is peculiar to the applicant's property and does not affect other properties in the same neighborhood (If a number of properties suffer the same problem, the council should consider amending the zoning ordinance).
6. The variance is in harmony with the general purpose and intent of the zoning ordinance and preserves its spirit. Use variances, which purport to authorize uses of land not otherwise authorized in the district, have been held by North Carolina courts not to be in harmony with the purpose and intent of a zoning ordinance and not to preserve its spirit.
7. By granting a variance, the board will ensure the public safety and welfare and do substantial justice.

Are all seven of these true in the case of Hayes Iron and Metal? I think not. Hayes Iron and Metal is not in compliance with the current governing ordinance (#44) as previously expressed to the Board of Commissioners. If you look at Ordinance #44, Section D, Paragraph 1 (Buffers), Paragraph 2 (Fencing) and Paragraph 3 (Natural and Planted Buffers) and compare that with the site on Walters Mill Rd. noncompliance is quite easily deduced, again I offer pictures. Let me add that Hayes Iron and Metal isn't the only establishment located in Caswell County covered by Ordinance #44 that is out of compliance.

By being out of compliance with the "Caswell County Outdoor Storage Ordinance" Hayes Iron and Metal currently poses a threat to public health, welfare, and safety, such as the possible entrapment of children or enabling them coming in contact with metal, glass, or other rigid materials not to mention property damage and the aesthetic quality of the environment to adjoining property owners. Hayes Iron and Metal's lack of concern for the ordinances that protect our citizens, property, and natural resources has become up close and personal due to the lack of enforcement by our county leadership.

Why are we at a public hearing to discuss amending an ordinance that isn't being and hasn't been enforced in the first place? Doesn't the board find this embarrassing?

What about the businesses having lost and continue to lose revenue due to being compliant with Ordinance #44? Doesn't the board find this discriminatory?

The County Manager and County Attorney met with Hayes Iron and Metal last spring to instruct them in what they need, to come before the Board to request a variance. Hayes Iron and Metal then decided to construct a new entrance, and continued to take themselves out of compliance with the current ordinance (#44). This is obviously a lack of enforcement, so who's governing whom? Remember those seven conditions I mentioned a few moments ago? I reiterate, the Board must conclude that all those conditions must be true.

Was there an investigation into why and how a tractor trailer overturned on this newly constructed road this past September? Does the regard for safety associated with Ordinance #44 strike a note? Didn't anyone in any of the seats before me even think ordinance compliance? I think not. Who's governing whom?

I asked the County Manager about enforcement of this very ordinance a year ago.

The Board's unilateral disregard for the safety and welfare of its citizens, by lack of code enforcement is appalling, and is absurd to even entertain the idea of amending an Ordinance that almost no one is currently in compliance with, nor has been since its adoption June 16, 2003."

Mr. Michael Ferrell, County Attorney, announced that the Board of Commissioners schedules a generalized *Public Comments* Section at the beginning of its meeting in which the public can come and speak on any topic, however since the Board has scheduled a public hearing on a particular topic, such as a proposed amendment to the Outdoor Storage Ordinance, those citizens who wish to speak on that topic should refrain from speaking until the opening of the public hearing.

Mr. Larry Watson, of 1318 Mt. Hope Church Road, McLeansville, NC, came before the Board and stated that he would like to discuss Ordinance No. 32, the County's *Hunting Ordinance* and how land is to be posted. Mr. Watson noted that the second paragraph of the Ordinance reads that land is to be posted at no more than 200 yards apart for each sign and at all four corners if they can be ascertained. Mr. Watson stated that 200 yards is way too far apart and sometimes you cannot see from one sign to the next and could walk onto someone else's land without knowing it. Mr. Watson added that the State statute calls for, upon conviction of trespassing, a \$50 fine, but the County's Ordinance calls for a minimum \$250 fine plus court costs, and/or 30 days in jail, and/or loss of hunting privileges in the County for one year. Mr. Watson requested that the Board consider changing the County's *Hunting Ordinance* requirements to state that signs are to be posted every 200 feet rather than 200 yards.

PUBLIC HEARING – PROPOSED AMENDMENT TO OUTDOOR STORAGE ORDINANCE

Commissioner Carter moved, seconded by Commissioner Satterfield that the Board enter into a public hearing to receive comments on a proposed amendment to Ordinance No. 44, the *Caswell County Outdoor Storage Ordinance*. The motion carried unanimously.

Mr. Brian Collie, County Planner, came before the Board and stated that the public hearing tonight is to consider an amendment to the Outdoor Storage Ordinance that would provide for a special use permit to the Variance Section of the Ordinance that would allow for the use of an Erosion Control Plan with engineer approval versus distance for facilities that are located near a flood zone.

Mr. Michael Ferrell, County Attorney, stated that the Outdoor Storage Ordinance imposes upon businesses that are operating as outdoor storage businesses or individuals that have outdoor storage materials a requirement that they obtain a permit to operate that business or maintain such materials on their property. Mr. Ferrell added that along with that there are certain requirements that they must meet such as buffer, fencing, and distance from stream requirements, etc. Mr. Ferrell informed the Board that the Ordinance currently contains within it a provision

for a variance which would allow an owner of a business under certain circumstances to operate a business that does not have to comply with each specific requirement of the Ordinance and there are certain findings that have to be made before the Board can do that. Mr. Ferrell emphasized that the Outdoor Storage Ordinance is not a Zoning Ordinance.

Mr. Ferrell reported that the proposal being presented tonight is to change the provisions for a variance and add an additional method that an owner of a business can utilize to obtain a variance from one provision in the Ordinance and that provision is distance from streams. Mr. Ferrell noted that currently the Ordinance has a requirement that a business that operates as an outdoor storage facility has to be 500 feet from a stream, and clearly the intent and purpose of this is to protect the streams. Mr. Ferrell stated that the proposal is that in addition to the distance requirement an applicant with a special use permit can come before the Board and request that they be allowed to utilize engineering devices to accomplish that protection of a stream as opposed to the distance requirement. Mr. Ferrell added that the applicant must come before the Board and apply for a special use permit or variance and show that: 1) they cannot enjoy the intended use of their property if the literal terms of the Ordinance are met; 2) that the action has to provide evidence that they can sustain substantial compliance with the intent of the Ordinance by alternate means such as engineering devices; and 3) the applicant can satisfy the Board that they can maintain those engineering devices in a manner which will maintain the integrity of those devices to protect the streams and any failure in the future to maintain those devices would be grounds for revoking the permit.

Mr. Ferrell stated that the issue before the Board is not to grant a variance or special use permit to any business, rather the only issue being considered is whether the Board would like to change its Ordinance to allow an engineering solution to the stream protection requirement as opposed to simply a 500 feet buffer solution. Mr. Ferrell added that if the Board decides to approve this amendment, then a business would have to come before the Board with a permit that addresses all of the requirements that are contained in this amendment. Mr. Ferrell stated that the Board needed to consider it if feels that it is good public policy and does it desire to put into the Outdoor Storage Ordinance a process whereby a property owner operating such a business can provide engineered solutions to stream protection in addition to the current Ordinance requirements that rely only on distance.

Chairman Jefferies opened the floor for public comments.

Mr. Bobby Jones, of 130 Walters Mill Road, Providence, NC came before the Board and stated that his concern is Hayes Iron and Metal. Mr. Jones thanked Commissioner Satterfield and the other Commissioners who visited the Walters Mill Road and saw the conditions there after the last Commissioners' meeting and added that he was going to address the water situation there. Mr. Jones informed the Board that Hayes Iron and Metal is located on the old Guthrie Farm and noted that this land is poor land, shell rock land, it will not absorb water, and it is difficult to get that land to perk.

Mr. R. G. Crumpton, of 71 Annie Compton Road, came before the Board and stated that he has a list of items that was addressed with Sheriff Welch on April 26, 2007, dealing with the situation on the Walters Mill Road. Mr. Crumpton shared with the Board a bag of items that was picked

up by his next door neighbor in his driveway which included pieces of metal. Mr. Crumpton added that some of the items discussed with Sheriff Welch were: punching holes in gas tanks, private property, state right-of-way, unsecured loads falling into the metal yards, overweight large tractor/trailers operating in a residential area, traffic backed up to the metal yard, liquids, crushed vehicles and appliances leaking into the soil and water table, awful smell, mud and dirt in the highway, and metal being brought into the highway causing flat tires. Mr. Crumpton noted that metal is also brought in from Virginia and most of this metal comes off in the driveways on Annie Compton Road. Mr. Crumpton asked that before the Board rules on this amendment, that the members visit the area. Mr. Crumpton added that he grew up in the area and walked the Walters Mill Road when it was a dirt road and it is worse now than when it was a dirt road, and the smells and issues being dealt with affect the property values and their way of life. Mr. Crumpton recommended that Hayes Iron and Metal be relocated to an industrial park. Mr. Crumpton added that the owner of Hayes Iron and Metal is a nice man, has a good business, and has tried to resolve some of the problems, but some are caused by those coming into the yard, and some issues can be and have been addressed by the Sheriff's Office. Mr. Crumpton asked for the Board's help in resolving this issue.

Ms. Kelly Parrott, of 2497 Walters Mill Road, came before the Board and stated that she lives across the street from Hayes Iron and Metal. Ms. Parrott added that Hayes Iron and Metal could be a valuable business to the community, but there are a lot of problems including property values that have decreased, noise from 5:30 in the morning at times until 9:00 at night. Ms. Parrott asked the Board to consider giving Hayes Iron and Metal land off of a major highway so that it can expand and this would be a good future for employment, taxes for the County, and the people on the Walters Mill Road. Ms. Parrott stated that she was very concerned about the quality of the water. Ms. Parrott thanked Commissioner Satterfield for visiting the area on the Walters Mill Road.

Mr. David Sloan, of 2961 Walters Mill Road, came before the Board and presented a map showing the location of his property, Hayes Iron and Metal and where they want to extend, and noted that Hogan's Creek is on that property. Mr. Sloan stated that water on the Hayes Iron and Metal property drains into Hogan's Creek and his property is the first farm that is occupied downstream from this. Mr. Sloan noted that there are four fields that flood regularly and Hogan's Creek floods also. Mr. Sloan expressed personal concern about the possibility of any hazardous materials such as petroleum products leaking from a junked car or a tank and that it may run downstream into the creek and then be carried in a flood onto his property making it unfit for the horses on the farm or for cutting hay. Mr. Sloan informed the Board that Hogan's Creek Bridge is currently being rebuilt and in building a detour bridge, that will disturb the vegetation downhill between Hayes Iron and Metal and the stream, so if there is a distance rule, it should be considered because there will not be vegetation to slow anything down. Mr. Sloan asked that the Board consider the effect of this construction because it will be going on for approximately a year. Mr. Sloan pointed out that Hayes Iron and Metal has addressed the mud and traffic by a flagman and sweeping, but there are still a lot of times that he has to drive over football size chunks of mud in the road. Mr. Sloan asked for help and consideration from the Board of Commissioners.

Ms. Gail Megginson, of 2539 Walters Mill Road, came before the Board and stated that she lives approximately 250 feet across the street from Hayes Iron and Metal and has a nice paved driveway that stays completely filled with mud all the time and three vehicles that are constantly covered in mud. Ms. Megginson added that on Saturday mornings there are sonic booms that wake them up at 7:30 in the morning and on any given holiday Hayes Iron and Metal is in full operation and there is traffic in and out. Ms. Megginson stated that it is not safe for her children to ride their bicycles in the driveway and she is unable to come home from work for lunch because of the traffic that is backed up.

Mr. Johnny Bullock, of 1098 New Walters Mill Road, came before the Board and stated that his concerns are the same that have already been said about Hayes Iron and Metal. Mr. Bullock added that it has cost him \$175 for tires in the last year and the situation is just a nuisance.

Mr. Ernest Crumpton, of 2238 Walters Mill Road, came before the Board and stated that he grew up in the area, bought a home twenty years ago, and then built a new home before Hayes Iron and Metal expanded. Mr. Crumpton informed the Board that from problems with the mud, flat tires, and traffic, the State erected signs that trucks stay off and not park on the pavement. Mr. Crumpton added that he is concerned about his property values, water table, and all of the metal and fluids coming from the cars. Mr. Crumpton stated that mud, flat tires, and metal falling off of uncovered loads are issues that are a danger to traffic that need attention and hoped that the Board would address them.

Mr. Kevin Strader, of 73 Annie Compton Road, came before the Board and stated that he owns property across from Hayes Iron and Metal with the intention of moving there and renovating an existing house on the property, but after he realized the volume and type of traffic there, he has only used it for farming because it is not a residential area with Hayes Iron and Metal being there. Mr. Strader added that the Walters Mill Road community is a residential community with a business that has expanded beyond the capacity of where it sits. Mr. Strader asked that the Board consider providing Hayes Iron and Metal with land so that it can expand in a location that is industrial and not residential so that they will not be interfering with traffic conditions. Mr. Strader informed the Board that major issues are quality of life, noise pollution, water pollution, and soil pollution. Mr. Strader stated that approving an amendment that would allow Hayes Iron and Metal to expand will only create further opportunities for them to degrade the quality of life for those in the Walters Mill Road community.

Mr. Peter McMullin, of 3286 Walters Mill Road, came before the Board and stated that everyone is present tonight because of a proposal to get around a 500 foot barrier that was put in place for a good reason. Mr. McMullin asked the Board to consider the consequences and ramifications on the local people, water table, and well water if the proposed amendment passes tonight and the project is built and later the engineered way fails.

Mr. Curtis Taylor, of 444 New Walters Mill Road, came before the Board and stated that he owns and operates a business on Walters Mill Road. Mr. Taylor added that his concerns are safety, mud, debris, and the school buses that run on that road. Mr. Taylor questioned whether everyone was waiting on someone to be killed on that road before anything is done. Mr. Taylor informed the Board that he started talking to them three years ago about this situation and

nothing has been done, he has talked to law enforcement and nothing has been done. Mr. Taylor stated that his business has been drastically hurt due to the mud and debris because his customers will not come down Walters Mill Road to his business. Mr. Taylor added that he does not want to put Hayes Iron and Metal out of business, he just wants them to be a good neighbor. Mr. Taylor stated that people in the community are suffering and they need help, and told of a situation involving his wife in which she ran over a piece of metal with her automobile and tore up a tire and rim. Mr. Taylor added that Hayes Iron and Metal paid for the damage, but it could have been a lot worse. Mr. Taylor asked that the Board really look at this situation and try to correct this problem. Mr. Taylor stated that the people in the community are begging the Board to help them.

Mr. James Ronald Gilliam, of 533 Walters Mill Road, came before the Board and stated that there is surely a problem with the mud and other issues, but Hayes Iron and Metal also provides a way and means of life for approximately 39 employees. Mr. Gilliam added that it is good to have a business that provides a tax base for Caswell County and a way for people to go out and pick up scrap items and make some money. Mr. Gilliam stated that he appreciates Hayes Iron and Metal being there, agreed that some issues need to be cleaned up, but they are providing employment. Mr. Gilliam added that Hayes and Iron should be given the opportunity to correct their problem, and everyone should remember that they are providing jobs.

Ms. Donna Robbins, of 99 Lawson Road, came before the Board and stated that she is concerned with the proposed amendment being considered tonight, but would also like for the Board to take a look at the big picture which is a lot of compliance issues regarding Hayes Iron and Metal. Ms. Robbins referred to questions from EPA's standard check list which included issues about batteries and oil. Ms. Robbins noted that this spillage drains into Hogan's Creek and questioned how it will affect the nearby residents in the future.

Ms. Elaine Claggett, of 108 Jaye Lane, came before the Board and stated that the issue as she understands it from the Attorney is changing the Ordinance to add an exemption for Hayes Iron and Metal. Ms. Claggett added that the Ordinance currently is not being enforced and what is the outcome if the Ordinance is changed and questioned whether it would be enforced then or is it just being changed to allow Hayes Iron and Metal to expand. Ms. Claggett stated that it is pointless to change the Ordinance because with no enforcement there is no significance and it is certainly detrimental to the people who live in the area, as well as the environment. Ms. Claggett asked that the Board enforce the current Ordinance first, then see if it needs to be changed because noncompliance is the issue.

There being no further comments, Chairman Jefferies declared the public hearing closed.

Commissioner Travis moved, seconded by Chairman Jefferies to table the proposed amendment to the Outdoor Storage Ordinance and enforce the current Ordinance as written before making any changes.

Commissioner Travis stated that there are a great number of individuals that are not in compliance with the current Outdoor Storage Ordinance which is not being enforced.

Commissioner Travis added that if necessary the Board needs to hire someone to enforce this Ordinance instead of changing it and it not being enforced.

Mr. Michael Ferrell, County Attorney, stated that many of the concerns discussed tonight by the public are not addressed by the County's Outdoor Storage Ordinance. Mr. Ferrell added that nothing in the County's Outdoor Storage Ordinance addresses mud on the road, unsecured loads, and the puncturing of gas tanks. Mr. Ferrell noted that these concerns are regulated by the State and added that a lot of the concerns such as the puncturing of gas tanks are done off-site and of which the owner of Hayes Iron and Metal cannot control. Mr. Ferrell stated that the issues brought before the Board tonight are legitimate concerns, but the County's Outdoor Storage Ordinance does not address these problems.

Commissioner Satterfield reported that he visited the Hayes Iron and Metal facility and talked with Mr. Charlie Wright, Manager of the site, and also talked to residents of the area. Commissioner Satterfield stated that Mr. Wright could not control the cost of the price of scrap metal which increased his business. Commissioner Satterfield added that it looks as though Mr. Wright is trying to correct some of the problems experienced in the past by acquiring additional acreage, yet noted that he was wrong in being out of compliance with the Ordinance, such as fencing. Commissioner Satterfield stated that Mr. Wright has assured him that he would bring his business in total compliance prior to being granted a variance. Commissioner Satterfield agreed that it would be best if Hayes Iron and Metal was in an Industrial Park, but it is not and there is nothing the County can do about it since it has no Zoning Ordinance. Commissioner Satterfield stated that zoning has been an issue in Caswell County since the 1970's, and the time has come for zoning in the County to help protect some other neighborhood from having a similar problem. Commissioner Satterfield added that in dealing with the current situation they have got to try to figure out the best way to correct it. Commissioner Satterfield urged the public to talk to Mr. Wright who is present tonight and has plans available to show how he is trying to correct the problems noted and reach a solution. Commissioner Satterfield noted that the longer the Board puts off amending the Outdoor Storage Ordinance, the longer it will take for Hayes Iron and Metal to start getting its facility in the right kind of condition to come before the Board to ask for a variance.

Upon a vote of the motion, the motion failed by a vote of four to three with Commissioners Carter, Hall, Satterfield, and Ward voting no.

Commissioner Satterfield moved, seconded by Commissioner Carter to adopt the proposed amendment to the Outdoor Storage Ordinance as presented. The motion carried by a vote of five to two with Commissioners Battle and Travis voting no.

Commissioner Satterfield asked the County Planner if he has the authority to enforce Ordinances and Mr. Brian Collie, County Planner, confirmed that he does have the authority to enforce Ordinances. Commissioner Satterfield added that it is a matter of the employee understanding his duties and enforcing the Ordinances. Commissioner Satterfield noted that the former County Planner wrote citations for violators of the Outdoor Storage Ordinance and when the violator came before the Board of Commissioners fines were reduced, etc. Commissioner Satterfield

stated that if Ordinances are adopted, then they need to be enforced and fines assessed or the Ordinances are no good.

RECESS

The Board held a brief recess.

TAX DIRECTOR'S REPORT

Mr. Thomas Bernard, Tax Director, came before the Board and submitted the following Monthly Report for December, 2008.

Foreclosure Process – All Files

- 1,622 accounts turned over to Attorney
- 29 parcels sold
- 1,037 accounts paid in full
- 262 accounts entered into payment plan
- 11 bank attached by county
- 27 accounts that are leasehold properties that are in debt setoff
- 42 entered into bankruptcy
- 23 in-rem foreclosure procedure
- 191 files moving forward

The collection rate for the 2007 tax year is 95.43% as of 6/30/2008.

Mr. Bernard reported that collections is 2.38% ahead of last year at this time.

TAX OFFICE - REVALUATION CONTRACT

Mr. Thomas Bernard, Tax Director, reported that at the Board's last meeting he provided them with a list of vendors and their proposals for appraising the County's New Construction for 2008 and the Board had requested that the proposals be broken down on a per unit basis. Mr. Bernard provided the following information:

Pearson Appraisal Services

New Houses

Stick built	42 @ \$32.00	\$1,344.00
Modular	33 @ \$28.00	\$ 924.00
Double Wide	26 @ \$22.00	\$ 572.00
Single Wide	26 @ \$20.00	\$ <u>520.00</u>
	Subtotal	\$3,360.00

Revisits of Partially Completed Houses

Stick built	22 @ \$24.00	\$ 528.00
Modular	7 @ \$20.00	\$ 140.00
Double Wide	4 @ \$20.00	\$ 80.00
Single Wide	8 @ \$18.00	\$ <u>144.00</u>
	Subtotal	\$ 892.00

New Miscellaneous Improvements

Docks, Decks, Storage, etc. 140 @ \$18.00 = \$2,520.00

Revisit Miscellaneous Improvements

Docks, Decks, Storage, etc. 60 @ \$15.00 = \$900.00

TOTAL PROPOSED COSTS: \$7,672

Mr. Bernard noted that this would be an average of \$21.70 per parcel.

Gary Piner Appraisal

\$375 per day

20 parcels or more per day – average of \$18.75 per parcel

June Dailey

\$25 per parcel

Wampler & Eanes

All building permits - \$22 per parcel

Commissioner Satterfield asked if someone has to be a certified real estate appraiser to perform these appraisals and Mr. Bernard answered that they do have to be a certified real estate appraiser. Upon questioning from Commissioner Satterfield as to whether he or anyone else on his staff was a certified real estate appraiser, Mr. Bernard answered that both he and Ms. Sylvia Johnson are certified real estate appraisers.

In discussing past procedures, Mr. Bernard stated that new construction was picked up by Mr. Jimmy Davis, a contracted real estate appraiser and who performed the County's revaluation, and after that Ms. June Dailey was contracted to perform the appraisals. Commissioner Satterfield informed Mr. Bernard that prior to that the appraisals were performed in-house by Tax Office staff member, Mr. Bill Grizzle.

Upon questioning from Chairman Jefferies as to how far behind they were on new construction, Mr. Bernard answered that they are behind by 368 parcels. Chairman Jefferies questioned Mr. Bernard as to whether he or Ms. Johnson could pick up the new construction, and Mr. Bernard answered that they could not at this time because this is the Tax Office's busiest time.

After further discussion, Commissioner Carter moved, seconded by Commissioner Hall to contract with Ms. June Dailey for a period of 90 days to appraise the County's New Construction for 2008 at a cost of \$25 per parcel .

Commissioner Battle stated that he did not have a problem with contracting with Ms. Dailey, but felt that in the future this could be done in-house. Commissioner Battle added that there may be considerable time spent in appraising a house, but a deck or shed should not take long and this would be a chance to save the County some money as opposed to contracting this out. Commissioner Battle stated that the new construction for 2008 needs to be done now, but from now on this needs to be done in-house and contracting needs to be limited.

Upon questioning from Commissioner Hall, Mr. Bernard answered that he felt that the County Manager did request from the vendors that their proposals be broken down by parcel.

Commissioner Hall questioned Mr. Bernard as to how long it would take a contractor to appraise the 300 plus parcels and Mr. Bernard answered that it would take approximately 20 to 30 days.

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

After further discussion, Commissioner Carter moved, seconded by Commissioner Hall to reconsider the motion. The motion carried unanimously.

Commissioner Carter moved, seconded by Commissioner Hall to contract with Ms. June Dailey to conduct appraisals on the 350 to 372 properties for which building permits were issued for new construction for the year 2008 prior to December 31, 2008, at a cost of \$25 per parcel and that all appraisals be concluded within 90 days. The motion carried unanimously.

Mr. Ferrell questioned where the funds would come from to pay for these services. Upon questioning from Commissioner Hall, Ms. Gwen Vaughn, Finance Officer answered that there was nothing budgeted to pay for these services.

NC SENIOR TAR HEEL LEGISLATURE

Mr. Don Bush, County delegate on the Piedmont Triad Council of Governments' Senior Tar Heel Legislative Committee, came before the Board to request its support of the Committee's 2009 Legislative Priorities that have been presented to the North Carolina General Assembly for adoption. Mr. Bush reviewed the following 2009 Legislative Priorities.

North Carolina Senior Tar Heel Legislature

2009 Legislative Priorities

- **Provide funding to sustain Project C.A.R.E. (Caregiver Alternatives to Running on Empty).** Project C.A.R.E. provides information, referral, consultation, and linkage to caregivers of persons afflicted with Alzheimer's disease. By helping families keep a loved one in the home longer, less time will be required for institutional care. The resulting savings in public funds are substantial. We recommend that \$1,000,000 in recurring funds be appropriated to sustain Project C.A.R.E. in the 14 counties it now serves and to expand it into other counties.
- **Increase funding for home and community based services for older adults by increasing the Home and Community Care Block Grant by \$5 million.** Home and community-based services include home-delivered meals, adult day care, health care, in-home aid and other services that help impaired older adults stay in their homes. These services are less costly than institutional care. The rapidly growing population of older adults is increasing the demand for these services. There are thousands of people on the waiting list for Home and Community Block Grant services.
- **Increase funding for senior centers by an additional \$2,000,000 in recurring funds for a total of \$3,265,316 a year.** Senior centers provide programs and services that enhance the health and wellness of older adults and support their efforts to remain independent. The 163 senior centers currently in operation or under development serve 97 counties. The requested increase in recurring funds would enable these senior centers to expand their services to meet the needs of a growing population of older adults.
- **Implement practical and cost-effective steps to address concerns related to the mixing of populations, including younger adults with mental illness and frail older persons residing in long term care facilities. These steps would include specialized health training for facility personnel.** Approximately 40% of persons residing in adult care homes have a diagnosis of mental illness. With the recent focus on mental health reform, deinstitutionalization, and the placement of persons with mental illness in the least restrictive environment, many problems related to the mixing of populations exist in long-term care facilities.
- **Establish a cap on the increase in the assessed value of property determined during revaluations for persons over the age of 65, eligible for the Homestead Exemption.**

After discussion, Commissioner Satterfield moved, seconded by Commissioner Ward to support the 2009 Legislative Priorities of the North Carolina Senior Tar Heel Legislature as presented. The motion carried unanimously.

Mr. Bush requested that the Board send letters supporting the 2009 Legislative Priorities to Representative Bill Faison and Senator Tony Foriest.

There was some discussion on the priority concerning establishing a cap on the increased assessed value of property determined during revaluations for persons over the age of 65, eligible for the Homestead Exemption.

Mr. Bush informed the Board that he has been working with Mr. Tony Roper with Alamance County Community Services Agency and in their last Tarheel meeting it was discussed what could be done for senior citizens in reference to their homes, cooling and heating problems, etc. Mr. Bush stated that Mr. Roper is willing to work with them to develop a program for senior citizens on home repairs. Mr. Bush stated that he will continue to work on this.

PURCHASE AUTHORIZATION FOR MATKINS GOLDEN LEAF FOUNDATION GRANT

Mr. Joey Knight, Cooperative Extension Service Director, came before the Board to request authorization to purchase equipment for Matkins Meat Processors under The Golden Leaf Foundation Grant guidelines. Mr. Knight stated that \$435,700 was received in grant funds from The Golden Leaf Foundation to place value-added equipment at Matkins Meat Processors. Mr. Knight added that this is an agreement with private enterprise, County government, and NC State Cooperative Extension Service and it is under his supervision to make sure that this equipment is placed into the facility and records are kept according to the grant.

Mr. Knight reported that the following bids were received for each of the value-added equipment:

Vacuum Stuffer Equipment

KOCH Equipment, LLC	\$65,875.00
KC Industries, Inc.	\$75,000.00
Jim Henry Enterprises, Inc.	\$75,000.00

Vacuum Tumbler Equipment

KOCH Equipment, LLC	\$11,985.00
KC Industries, Inc.	\$12,580.00
Jim Henry Enterprises, Inc.	\$12,580.00

Pickle Injector Equipment

KOCH Equipment, LLC	\$22,500.00
Jim Henry Enterprises, Inc.	\$25,000.00
Robert Reiser & Co., Inc.	\$41,325.00

Mr. Knight noted that KOCH Equipment, LLC had the lowest bid for all three pieces of equipment which included packaging and freight costs, with the total bid for these three pieces of equipment totaling \$100,360.00.

Mr. Knight requested the Board's approval of the bids submitted by KOCH Equipment, LLC so that he could go ahead and order this equipment. Mr. Knight added that this equipment will enable livestock producers in the county and surrounding counties to generate additional revenues, which is estimated at \$2.2 million. Mr. Knight noted that the equipment will be

owned by the County and after six years, then Matkins Meat Processors can meet with the Board of Commissioners, assess the value of the equipment, and Matkins can pay the County the value of the equipment. Mr. Knight added that for six years, Matkins Meat Processors will not realize a profit from the use of this equipment by farmers.

Upon questioning from Commissioner Satterfield, Mr. Knight answered that Mr. Jerry Matkins of Matkins Meat Processors will install the equipment. Mr. Knight explained the benefits of this value-added equipment to the farmers. Upon questioning from Commissioner Travis as to what would happen in case of a fire and the equipment was destroyed, Mr. Knight answered that Matkins Meat Processors has insurance to cover the equipment and added that if Matkins Meat Processors decided to sell, the equipment is still owned by the County and the buyer would have to abide by the same regulations.

Commissioner Ward stated that it was his understanding at the beginning that this was just a pass-through grant for the County.

Mr. Michael Ferrell, County Attorney, requested that if the Board chooses to enter into a Sales Agreement with KOCH Equipment, LLC to purchase this equipment, that the language of the Agreement be subject to his approval because there are provisions in there that he would change on the County's behalf.

After further discussion, Commissioner Satterfield moved, seconded by Commissioner Ward to approve the bids for value-added equipment as submitted by KOCH Equipment, LLC, at a total cost of \$100,360.00, and accept the Sales Agreement contingent upon approval of the language by the County Attorney. The motion carried unanimously.

RECREATION DEPARTMENT PROPOSALS

Ms. Ashley Williams, Recreation Director, came before the Board to request approval for proposals for the Recreation Department.

Ms. Williams stated that in 1980, the USA Volleyball Association divided the states into regions to better serve the growing number of participants playing volleyball, with North Carolina being in Region Five. Ms. Williams added that as the sport of volleyball continued to grow in popularity, individual states began to develop their own associations to accommodate growth of the sport within their states, and in 1990 North Carolina developed the Carolina Region Volleyball Association. Ms. Williams stated that the Carolina Region Volleyball Association has continued to grow and expand and offers coaching clinics, player clinics, quality tournaments, and facility improvements.

Ms. Williams reported that currently Caswell County and surrounding areas such as Alamance, Person, and Pittsylvania Counties have a membership with the Carolina Region Volleyball Association, which consists of approximately 65 girls of all ages that compete and travel to different areas for volleyball competitions and tournaments. Ms. Williams stated that the Recreation Department has been approached to partner with CRVA because they need a facility for teams to practice and offer tournaments. Ms. Williams added that the CRVA is willing to

purchase a volleyball netting system (including standards, competition net, standard pads, antennae and floor sleeves) to install in the Recreation Department Gymnasium. Ms. Williams noted that the volleyball systems range in cost from \$1,500 to \$3,000. Ms. Williams stated that the Recreation Department can use the system to attract tournaments, bring in participants and revenue from surrounding areas, and use the volleyball system to expand youth and adult volleyball leagues, which are currently not being utilized.

Ms. Williams requested that the Recreation Department be allowed to partner with the Carolina Region Volleyball Association, allowing them to purchase the volleyball netting system to install in the Recreation Department Gymnasium and added that there would be no cost to the County.

Upon questioning from Commissioner Battle as to whether volleyball would be a seasonal or year-round sport, Ms. Williams answered that it would actually be a year-round activity. Upon questioning from Commissioner Battle as to whether the volleyball schedule will interfere with other activities going on in the gym, Ms. Williams answered that she has already explained to the Carolina Region Volleyball Association that the Caswell County Recreation Department activities will take precedence over any CRVA activities.

Ms. Williams informed the Board that she would like to propose that the Caswell County Parks and Recreation Department charge a gate fee of \$1.00 per spectator for all the sports events at the facility. Ms. Williams stated that the gate fee would increase the amount of revenue for the Parks and Recreation Department and would also allow the Department to keep quantitative data to represent how many people are attending sporting events. Ms. Williams added that the data could be valuable in planning future recreation events and projects by the Recreation Department. Ms. Williams discussed the possibility of issuing family and seasonal passes also.

Mr. Michael Ferrell, County Attorney, stated that if the Board is considering imposing a gate fee, it may be better to have a proposal presented to them that contains more detail. The Board agreed with this. Chairman Jefferies requested that Ms. Williams prepare a proposal for charging a gate fee for sporting events at the Recreation facility containing more detail to be presented to the Board at a later date.

Commissioner Ward moved, seconded by Commissioner Travis to approve the request by the Recreation Director to partner with the Carolina Region Volleyball Association, with the Association purchasing the volleyball netting system to be installed at the Caswell County Recreation Department Gymnasium at no cost to the County, as presented. The motion carried unanimously.

TAX OFFICE – REVALUATION CONTRACT

Ms. Gwen Vaughn, Finance Officer, stated that she would like to address the revaluation contract for new construction for 2008 that was approved earlier in the meeting, and which there were questions as to from where this will be funded. Ms. Vaughn noted that the contract for new construction for 2008 would be for 375 parcels at \$25.00 per parcel and would total \$9,375. Ms. Vaughn informed the Board that there is approximately \$43,000 in Revaluation Reserve at this time, and \$73,312 that is budgeted in this year's budget to go into Revaluation Reserve which

goes into the payment for the four-year revaluation. After discussion, Commissioner Travis moved, seconded by Commissioner Battle to approve an appropriation of \$9,500 from the \$43,000 in Revaluation Reserve to pay for the Revaluation Contract for new construction for 2008. The motion carried unanimously.

Commissioner Battle reiterated that this action is for this year only and the Board needs to make sure that this does not happen again.

Commissioner Hall stated that the County needs to have a contract prepared for the specific contractor performing the appraisals for new construction for 2008 which is consistent with the Board's motion. Mr. Ferrell informed the Board that he would prepare this contract for the Board.

BUDGET AMENDMENT NO. 14

Ms. Gwen Vaughn, Finance Officer, presented and reviewed Budget Amendment No. 14 for Fiscal Year 2008-2009. After discussion, Commissioner Carter moved, seconded by Commissioner Satterfield to approve Budget Amendment No. 14 for Fiscal Year 2008-2009 as presented. The motion carried unanimously.

BUDGET AMENDMENT NO. 15

Ms. Gwen Vaughn, Finance Officer, presented and reviewed Budget Amendment No.15 for Fiscal Year 2008-2009. Ms. Vaughn noted that included in the Budget Amendment is expenses for Equipment and Supplies for FY 2006-2007 and FY 2007-2008 for the Parks and Recreation Department and her office has received invoices for this equipment and supplies ranging from September, 2006 to May, 2008. After discussion, the Board agreed that there are a number of questions that need to be answered concerning this Budget Amendment before it can be considered for approval.

Commissioner Hall recommended that the portion of the Budget Amendment dealing with Parks and Recreation Equipment and Supplies for FY 2006-2007 and FY 2007-2008 be removed from this Budget Amendment and incorporated into a separate Budget Amendment.

It was agreed to have the Finance Officer prepare two separate Budget Amendments to be considered at its next meeting.

BUDGET TRANSFER NO. 12

Ms. Gwen Vaughn, Finance Officer, presented and reviewed Budget Transfer No. 12 for Fiscal Year 2008-2009. After discussion, Commissioner Ward moved, seconded by Commissioner Travis to approve Budget Transfer No. 12 as presented. The motion carried unanimously.

RECESS

At 9:15 p.m. Commissioner Travis moved, seconded by Commissioner Battle to recess the meeting until Saturday, January 10, 2009, at 8:30 a.m. at the Caswell County Senior Center. The motion carried unanimously.

Wanda P. Smith
Clerk to the Board

Jeremiah Jefferies
Chairman

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