

MINUTES – NOVEMBER 2, 2009

The Caswell County Board of Commissioners met in special session at the Historic Courthouse in Yanceyville, North Carolina at 5:00 p.m. on Monday, November 2, 2009. The purpose of the meeting was to discuss land use planning for Caswell County. Members present: Jeremiah Jefferies, Chairman, George W. Ward, Jr., Vice-Chairman, Erik D. Battle, William E. Carter, Nathaniel Hall, Gordon G. Satterfield, and Kenneth D. Travis. Also present: Kevin B. Howard, County Manager, Michael R. Ferrell, County Attorney, Brian Collie, County Planner, and Planning Board Members Melvin Butler, Chairman, Leon Richmond, Russell Johnston, Keith Blalock, Skip Rowland, and Ray Shaffner, 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.

LAND USE PLAN

Mr. Brian Collie, County Planner came before the Board and reported that the Caswell County Board of Commissioners adopted a County Land Use Plan when Mr. Mike Cusimano was the County Planner. Mr. Collie added that in talking with Mr. Cusimano, he was told that there was no zoning map adopted when the Board adopted the Land Use Plan.

Mr. John Morck, with the North Carolina Division of Community Assistance, Central Regional Office in Raleigh came before the Board to explain the process involved in adopting a Land Use Plan and to answer questions of the Board. Mr. Morck stated that he and Mr. Darren Rhodes of the Winston-Salem Office, came to Caswell County a couple of years ago and they worked with Mr. Cusimano, County Planner, when there was some interest in developing a Zoning Ordinance for the County. Mr. Morck added that the Board had adopted a Land Use Plan.

Mr. Morck informed the Board that when he was in the County working with Mr. Cusimano, the County had approximately 12 separate Ordinances already in place, and it appeared that the only thing that the Board did not do was zoning districts. Mr. Morck reported that he recommended at that time that if the Board wanted to adopt zoning districts in a Zoning Ordinance, that a very simple Ordinance be developed with only four districts, which included Industrial, Residential, Commercial, and Business. Mr. Morck added that it was also recommended that all of the County's current Ordinances be reviewed and updated to make sure that they are current with State Statutes and they could be combined into one document. Mr. Morck noted that with the addition of the four zoning districts, this is all that the Board would need to do. Mr. Morck stated that basically the County was doing what zoning does, but it did not have the actual districts. Mr. Morck stated that when he was in the County previously, a land use map was prepared for the County and added that this map could be used in developing proposed districts. Mr. Morck added that preparing a draft Ordinance and holding public meetings to gain citizen input would be the next step. Mr. Morck noted that when he was in the County previously, the

County was in the process of beginning to hold public meetings and he was not involved in this step.

Mr. Morck stated that the County Manager contacted him and informed him that there may be some interest by the Board in pursuing this again and would like to know what would be involved in doing this.

Commissioner Ward questioned why the zoning districts couldn't just be agricultural and industrial. Mr. Morck answered that this could be possible because Caswell County is mostly agricultural anyway. Mr. Morck noted that it also depends on how the districts are defined and what uses are allowed in those districts.

Commissioner Ward stated that his problem with zoning before was when the process started, it was perceived by the citizens that they were being told in what they could live.

Upon questioning from Commissioner Ward, Mr. Morck answered that if the Board wanted a fairly simple document and most of the zoning is agricultural and one more district, it should be accomplished in one year.

Mr. Melvin Butler, Planning Board Chairman, came before the Board and stated that when the Planning Board worked on the Land Use Plan, they held a tremendous number of meetings and brought people in from all over the State, with a lot of hours put in by a lot of people to develop the Land Use Plan. Mr. Butler added that when the Plan came before a vote of the Board, the Plan included the word "zoning" in two different places, and noted that the room was full of people who were against zoning, therefore, the word "zoning" was removed from the Land Use Plan. Mr. Butler noted that the Land Use Plan was passed. Mr. Butler reported that later the Board continued to talk about zoning, so he and Mr. Mike Cusimano, who was County Planner at the time, developed a slide presentation, took the map previously referred to, and visited civic organizations, fire departments, and community centers all over the County to educate citizens about zoning. Mr. Butler stated that the largest number in attendance was at Leasburg, and then in Providence, and as the meetings progressed attendance got smaller and it finally got down to one in attendance. Mr. Butler stated that finally they went to the Board of Commissioners and asked about abandoning the project because they did not feel there was an interest. Mr. Butler added that before they spend a lot of time and money on this again, the Board needs to find out if this is what the public wants.

Commissioner Satterfield stated that he can recall attending meetings as mentioned by Mr. Butler and also 15 years earlier when Mr. Ryland Farmer was Planning Board Chairman and held meetings throughout the County. Commissioner Satterfield added that he felt that the County has been well educated on the subject and the time has come to do something and move forward.

Upon questioning from Commissioner Carter as to the location of the maps referred to, Mr. Collie answered that he has a lot of documents in his office from when the Land Use Plan was adopted.

Commissioner Ward stated that he was against a section in the Plan referring to the location of manufactured homes. Commissioner Ward added that people in his area are asking for protection as far as businesses.

Mr. Butler stated that according to the analysis that was done, in order to enact the Zoning Ordinance in Caswell County, it was determined that it would require two people to enforce the Ordinance and one Clerk, as well as automobiles and equipment, and it would have been an expensive undertaking.

Commissioner Hall stated that he was on the Board of Commissioners during the time of all of this discussion and the 33 meetings held, and what went awry was that the majority of the Board did not support zoning. Commissioner Hall added that as far as educating people, what the Planning Board got back was people's personal preferences, and this is not the way to develop a Zoning Ordinance. Commissioner Hall stated that the Board needs to look at the big picture of what they want to do for all the citizens of Caswell County, and he did not think they could do this by just having two zoning districts. Commissioner Hall added that he felt that it is the Board's responsibility to look at a Zoning Plan that is in the best interest of everyone, lay out the framework, and design something that is livable, and noted that still everyone will not be happy with it.

Chairman Jefferies stated that it may be good to appoint two individuals from each district in the County and appoint a committee to work with the Planning Board to come up with a plan that will be suitable to most of the citizens in the County.

Commissioner Hall stated that the Board needs to be proactive and suggested that staff conduct some research on a table of permitted uses.

Commissioner Satterfield stated that the Board needs to move forward on this and start with a simple Zoning Ordinance that can grow as the County grows and be amended by other Boards. Commissioner Satterfield added that the Board is doing a disservice to the citizens of the County, young and old, by not having a Zoning Ordinance, especially to the farmers who have worked for years to accumulate some land. Commissioner Satterfield stated that developers are afraid to come into Caswell County because they do not know what could come in next to the land they want to develop. Commissioner Satterfield added that this is also true for individuals who want to come into Caswell County and build a half million dollar house because they do not know what could come in next door to them. Commissioner Satterfield stated that the County has got to plan for growth and start moving on this project.

Mr. Leon Richmond stated that zoning needs to be presented to the citizens of the County in a way that they can understand it. Mr. Richmond added that he never thought he would have been for zoning, but he has changed his mind and realizes that the County needs it. Mr. Richmond suggested starting with a simple Ordinance.

Mr. Ray Shaffner stated that when he moved to Caswell County he bought land in an area that had land use covenants and built a house. Mr. Shaffner added that if it had not been for the land use covenants, he probably would not have bought land in Caswell County and built a house.

Chairman Jefferies instructed the County Manager to work with Mr. Morck in continuing the process to develop a proposed Zoning Ordinance for the County.

THE ADJOURNMENT

At 5:55 p.m. Commissioner Ward moved, seconded by Commissioner Travis to adjourn the meeting. The motion carried unanimously.

Wanda P. Smith
Clerk to the Board

Jeremiah Jefferies
Chairman
