

MINUTES – MARCH 16, 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, March 16, 2009. Members present: Jeremiah Jefferies, Chairman, George W. Ward, Jr., Vice-Chairman, Eric D. Battle, William E. Carter, Nathaniel Hall, and Gordon G. Satterfield. Absent: Kenneth D. Travis. Also present: Kevin B. Howard, County Manager 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 Battle moved, seconded by Commissioner Ward to approve the agenda as presented. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Ward moved, seconded by Commissioner Battle to approve the Consent Agenda as presented. The motion carried unanimously.

The following item was included on the Consent Agenda:

- 1) Tax Director's Monthly Report for February, 2009

Total Amount of Taxes Collected for February, 2009	\$508,706.37
2009 Prepayments	\$ 3,627.16
Tax Maps/Cards	\$ 138.75
County Maps	\$ 15.70
NSF Charge	\$ 267.01

PUBLIC COMMENTS

Chairman Jefferies opened the floor for public comments.

There were no public comments made.

PUBLIC HEARING – 2009-2010 COMMUNITY TRANSPORTATION PROGRAM GRANT APPLICATION

Commissioner Ward moved, seconded by Commissioner Battle that the Board enter into a public hearing to receive comments on transportation needs and the 2009-2010 Community Transportation Program Grant Application. The motion carried unanimously.

Ms. Melissa Williamson, Caswell Division of Transportation Director, came before the Board and stated that CDOT is required to complete the Community Transportation Grant Application for Fiscal Year 2009-2010 by March 31, 2009. Ms. Williamson added that it is required that a public hearing be held on the proposed project to allow members of the community the opportunity to comment on the transportation needs and the grant application.

Ms. Williamson informed the Board that all local matching funds required are transportation dollars. Ms. Williamson added that no ad valorem tax dollars are required for the operation of CDOT as it is operating as a stand-alone enterprise fund.

Ms. Williamson reported that the Community Transportation Program provides assistance to coordinate existing transportation programs operating in Caswell County as well as provides transportation options and services for the communities within this service area. Ms. Williamson added that these services are currently provided using demand response and trip referral and noted that services are rendered by the usage of CDOT vans.

Ms. Williamson reported that the total estimated amount requested for Administrative for the period of July 1, 2009 through June 30, 2010 is \$134,322, with \$20,148 being the local share which comes from CDOT transportation revenues.

Upon questioning from Commissioner Battle as to what locations CDOT transports, Ms. Williamson answered that CDOT transports most anywhere when there is a referral and added that they have set days to transport to particular locations, and those include Burlington, Roxboro, Reidsville, Greensboro, Chapel Hill, and Durham.

Commissioner Hall stated that he has received inquiries from citizens as to the availability of CDOT to provide transportation to Piedmont Community College, especially for those citizens living in the Milton area. Ms. Williamson answered that one-on-one transportation is not in keeping with the consolidation of transportation, but if there is a group from a particular area, they would try to work with them in providing transportation. Ms. Williamson noted that Piedmont Community College pays for some transports from CDOT, based on criteria.

Chairman Jefferies welcomed comments from the public.

No public comments were made.

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

Commissioner Satterfield moved, seconded by Commissioner Battle to adopt the following *Community Transportation Program Resolution*. The motion carried unanimously.

# COMMUNITY TRANSPORTATION PROGRAM RESOLUTION

## Section 5311

### FY 2009-2010 RESOLUTION

Applicant seeking permission to apply for Community Transportation Program funding, enter into agreement with the North Carolina Department of Transportation and to provide the necessary assurances.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, Caswell County hereby assures and certifies that it will comply with the federal and state Statutes, regulations, executive orders, Section 5333(b) Warranty, and all administrative requirements which relates to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U.S.C.

NOW, THEREFORE, be it resolved that the Caswell County Board of Commissioners is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

### PUBLIC HEARING – CDBG ECONOMIC DEVELOPMENT APPLICATION

Commissioner Hall moved, seconded by Commissioner Battle that the Board enter into a public hearing to explain the proposed Community Development Block Grant application and obtain citizen input. The motion carried unanimously.

Mr. Skip Green, Grants Writer and Consultant, came before the Board and stated that this is the second required public hearing on a proposed Small Cities Community Development Block Grant (CDBG) – Economic Development Application to be submitted to the Commerce Finance Center, North Carolina Department of Commerce for funding consideration.

Mr. Green stated that this CDBG application will seek a \$150,000 CDBG-ED grant (10% of project) to be used with a \$100,000 NC Rural Center Grant (14% of project); \$454,578 Industrial Development Fund grants (44% of project); \$322,672 Golden Leaf Grant (30% of project costs), and \$17,750 local funds (2% of project) to construct a 300,000 gallon elevated water storage tank in the Pelham Industrial Park. Mr. Green noted that the entire project cost is \$1,045,000 with a ten percent contingency.

Mr. Green reported that the project will provide NorAg Technology, LLC, a new business locating in the Pelham Industrial Park, with sufficient water flow, pressure, and quantity to meet its fire protection requirements, as well as provide fire protection for the entire Pelham Industrial Park. Mr. Green added that the CDBG-ED project will enable the Company to create 10 new full-time jobs, of which at least 60% of the new jobs will be filled by individuals from households having low and moderate incomes. Mr. Green noted that as discussed earlier in the various Performance Agreements as far as payback, NorAg has agreed to five jobs and if there is a shortfall between the six to ten jobs, it would be the responsibility of the County for payback. Mr. Green added that for each job that there is a shortfall there would be a payback of \$30,000. Mr. Green reviewed the time frames for the various grants and answered questions of the Board regarding the grants.

Chairman Jefferies requested comments from the public.

No public comments were made.

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

Commissioner Carter moved, seconded by Commissioner Satterfield to approve: 1) the submittal of Commerce Finance Center – Industrial Development Fund, Rural Center Economic Infrastructure Program, and Small Cities Community Development Block Grant – Economic Development (CDBG-ED) applications; and 2) CDBG-ED Program Policies and Procedures through the following Resolutions.

*Applicant Government Resolution of Action authorizing IDF applications*

<p style="text-align: center;"><b>RESOLUTION REGARDING CASWELL COUNTY APPLICATIONS FOR INDUSTRIAL DEVELOPMENT FUND UTILITY ACCOUNT AND REGULAR ACCOUNT PROGRAM FUNDS</b></p>
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**WHEREAS**, the Caswell County Board of Commissioners desire to assist in economic development efforts within the County including the development of Caswell County's Pelham Industrial Park;

**WHEREAS**, NorAg Technology, LLC, a new company locating in the Pelham Industrial Park requires that its facility be sprinkled to meet fire insurance standards;

**WHEREAS**, the water main serving the park cannot provide sufficient flow, pressure and quantity to provide required fire protection; and,

**WHEREAS**, the Caswell County Board of Commissioners wishes to pursue grant funds to help finance the construction of an elevated water storage tank meet the park's fire protection needs including North Carolina Department of Commerce Industrial Development Fund – Utility Account and Industrial Development Fund – Regular Account program fund.

**NOW, THEREFORE BE IT RESOLVED**, by the Caswell County Board of County Commissioners that Jeremiah Jefferies, Chairman, and successors so titled, is hereby authorized to execute and file Industrial Development Fund – Utility Account and Industrial Development – Regular Account applications on behalf of Caswell County with the North Carolina Department of Commerce for the construction of the project described above.

Adopted March 16, 2009, Yanceyville, North Carolina.

S/Jeremiah Jefferies  
Jeremiah Jefferies, Chairman

SEAL

S/Wanda P. Smith  
Clerk

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**AUTHORIZING RESOLUTION BY THE CASWELL COUNTY BOARD OF COUNTY COMMISSIONERS**

Economic Infrastructure Grants Program

**WHEREAS**, The North Carolina General Assembly passed House Bill 1352 authorizing the making of grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, that will result in job creation, and

**WHEREAS**, Caswell County has need for and intends to construct or rehabilitate a publicly-owned treatment works or an alternate wastewater system, for wastewater

collection systems or for water supply and distribution systems, project described as the NorAg Technology Water Tank Project; and

**WHEREAS**, Caswell County intends to request grant assistance from the Economic Infrastructure Grants Program for the project;

**NOW THEREFORE BE IT RESOLVED, BY THE CASWELL COUNTY BOARD OF COUNTY COMMISSIONERS:**

That Caswell County will arrange financing for all remaining costs of the project, if approved for a grant.

That Caswell County will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Jeremiah Jefferies, Chairman, and successors so titled, is hereby authorized to execute and file an application on behalf of the Caswell County with the NCREDC (Rural Center) for a grant to assist in the construction of the project described above.

That Kevin Howard, Manager, and successors so titled, is hereby authorized and directed to furnish such information as the Rural Center may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That Caswell County has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this the 16th day of March, 2009 at the Town of Yanceyville, North Carolina.

S/Jeremiah Jefferies

Signature

Chairman

(Title)

**ATTEST:**

S/Wanda P. Smith  
Clerk (Seal)



**RESOLUTION REGARDING CASWELL COUNTY  
APPLICATION  
FOR COMMUNITY DEVELOPMENT BLOCK GRANT  
ECONOMIC DEVELOPMENT FUNDS**

**WHEREAS**, the Caswell County Board of Commissioners has previously indicated its desire to assist in economic development efforts within the County; and,

**WHEREAS**, the Caswell County Board of Commissioners has held two public hearings concerning the proposed application for Community Development Block Grant funding to benefit NorAg Technology, LLC; and,

**WHEREAS**, the Board of Commissioners wishes the County to pursue a formal application for Community Development Block Grant funding to benefit NorAg Technology, LLC and will invest monies in the amount of \$1,045,000 (\$150,000 CDBG-ED grant; \$454,578 IDF Grant; \$100,000 RC Grant; \$322,672 Golden Leaf; and \$17,750 local funds) into the project as committed to in the application.

**WHEREAS**, the Caswell County Board of County Commissioners certifies it will meet all federal regulatory and statutory requirements of the Small Cities Community Development Block Grant Program,

**NOW, THEREFORE BE IT RESOLVED**, by the Caswell County Board of County Commissioners that the County of Caswell is authorized to submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant for Economic Development to benefit NorAg Technology, LLC.

Adopted March 16, 2009, Yanceyville, North Carolina.

S/Jeremiah Jefferies  
Jeremiah Jefferies, Chairman

SEAL

S/Wanda P. Smith  
Clerk

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**A RESOLUTION TO ADOPT  
POLICIES AND GUIDELINES FOR  
CASWELL COUNTY'S  
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT**

**Whereas,** Caswell County is applying for federal Small Cities Community Development Block Grant (CDBG) funds administered by the North Carolina Department of Commerce, and

**Whereas,** the use of these funds requires that specific policies and guidelines be used.

**NOW THEREFORE BE IT RESOLVED BY THE CASWELL COUNTY BOARD OF COUNTY COMMISSIONERS THAT:**

1. Caswell County adopts the following policies and guidelines it adopted the 18<sup>th</sup> day of August, 2008 for Caswell County's CDBG Scattered Site Owner-Occupied Housing Program
  - Code of Conduct
  - Fair Housing Plan
  - Residential Antidisplacement and Relocation Assistance Policy
  - Section 504 Compliance Officer/Grievance Procedure
  - Procurement Policy
  - Equal Opportunity and Procurement Plan
  
2. Caswell County adopts the following attached policies and guidelines for Caswell County CDBG – Economic Development Program projects.
  - Citizen Participation Plan
  - Section 3 Plan
  - Section 519 Policy
  - Property Acquisition Policy
  - Labor Standards Officer
  - Assessment Policy

Adopted March 16, 2009.

S/Jeremiah Jefferies  
Jeremiah Jefferies, Chairman

SEAL

S/Wanda P. Smith  
Clerk

*Resolutions*

**COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
CITIZEN PARTICIPATION PLAN  
FOR CASWELL COUNTY, NORTH CAROLINA**

I. INTRODUCTION AND STATEMENT OF INTENT:

In accordance with Section .1002 of the North Carolina CDBG Regulation Caswell County (County) has adopted the following procedures to ensure that citizens have a written citizen participation plan, including a complaint procedure for its Small Cities Community Development Block Grant program.

II. SCOPE OF PARTICIPATION:

2Citizen participation shall include involvement in the identification of community needs that can be addressed by the CDBG program; the development of CDBG applications; any amendments to the CDBG program; and assessing the performance of a CDBG program upon its completion.

III. STANDARDS OF CITIZEN PARTICIPATION:

All public hearings shall be conducted with freedom of access for all citizens. If citizens require technical assistance to understand any aspect of the CDBG program they are to contact the County. As a part of this assistance the County shall maintain a list of individuals to serve as translators for any non-English speaking resident requiring a translator to understand or comment on the CDBG program.

IV. CITIZEN PARTICIPATION:

Citizens shall be involved in the determination of priorities and community needs. The views and proposals of citizens concerning community needs and priorities, especially the views of low and moderate income persons and members of minority groups shall be solicited through two public hearings held prior to the submission of a CDBG Application. During these public hearings citizens shall be encouraged to submit views

and proposals regarding community needs. Comments may be either oral or written. Written comments may be presented at the public hearing or they may be mailed in for consideration prior to the hearing. In any case, written comments must be received no later than the date and prior to the time of the public hearing. The County shall respond in writing to written comments within ten (10) calendar days after the receipt of the comments. The response shall outline the action taken regarding the comments and the reasons for the action.

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*Resolutions*

All comments should be addressed to:

Kevin Howard, Manager Caswell County 144 Court Square Yanceyville, North Carolina 27379
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Adequate notice of public hearings shall be provided in a timely manner and in such a way as to make them accessible and understandable to all citizens. Notices for required public hearings shall appear in the nonlegal section of a local newspaper at least once prior to the date of the public hearing. Notices shall be published not less than ten days nor more than twenty-five days before the date fixed for the hearing. Such notices shall indicate the time, date, place and a brief description of the topic of the public hearing.

Citizen participation for a CDBG project shall include the following public hearings.

<b><u>REQUIRED PUBLIC HEARINGS</u></b>
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| <ol style="list-style-type: none"><li>1. <b><u>Planning Stage.</u></b> Prior to the preparation of an application a public hearing shall be held to explain the CDBG program and obtain views and proposals of citizens in regard to community development needs.</li><li>2. <b><u>Application Stage.</u></b> Prior to the submission of a CDBG application a public hearing shall be held to explain the CDBG proposed application's activities, design, impact and costs. Citizen views and comments obtained at this public hearing will be considered for incorporation into the final CDBG application.</li><li>3. <b><u>Amendment Process.</u></b> A public hearing will be held in accordance with North Carolina Department of Commerce, CDBG Rule .0910 of Subchapter 13L prior to the submission of an amendment if it is required by the Commerce Finance Center.</li></ol> |
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4. ***Project Closeout.*** During the grant closeout period the County will hold a public hearing to access the program's performance.

*Resolutions*

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V. AVAILABILITY OF COMMUNITY DEVELOPMENT RECORDS:

As provided in Rule .0911 of Subchapter 19L, North Carolina Community Development Block Grant Program Regulations, the County shall make public Community Development records and information consistent with applicable State and local laws regarding personal privacy and obligations of confidentiality. Documents shall be on file for public inspection in the County.

**TYPES OF DOCUMENTS AVAILABLE FOR REVIEW**

1. Mailings and promotional materials;
2. Records of public hearings; Key documents including the application, letters of approval, grant agreement, written Citizen Participation Plan, performance reports, other reports required by the Commerce Finance Center.
3. Copies of the regulations, notices, transmittals, and issuance's governing the CDBG program; and
4. Documents regarding other important program requirements such as contracting procedures, environmental policies, fair housing, and other equal opportunity requirements, relocation provisions, and the A-95 review process.

***Copies of these documents are subject to a copy fee of .25 cents per page.***

All information contained in CDBG files other than the preceding listed information, **NAMELY information pertaining to the employment, income, bank deposits and other assets, martial status, and total assets of beneficiary (ies) employees (seeking employment, hired and/or retained) and the economic development beneficiary (ies), will be maintained in accordance with the requirements of G.S. 160A-168 and will be open to public inspection only in the following cases:**

1. The Chairman of the County Commissioners, County Commissioner, County Manager, and County Attorney may examine all materials on file.
2. By court order of competent jurisdiction, designated person may examine all material on file.

3. An official of an agency of the State or Federal government, or any political subdivision of the State, may inspect any portion of the file when such inspection is deemed by County Officials as listed above as necessary and essential to the pursuance of a proper function of the inspecting agency.

*Resolutions*

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***Each individual requesting access to confidential information will be required to submit satisfactory proof of identity; and a record will be made of each disclosure and placed in the respective file.***

VI. GRIEVANCE PROCEDURE:

The County will use the following procedures to process citizen complaints. Citizens may make comments at any point in the program including planning, implementation and closeout. The County will respond in writing to written citizen comments. Citizen comments should be mailed to:

Kevin Howard, Manager Caswell County 144 Court Square Yanceyville, North Carolina 27379
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The County will respond to all written citizen comments within ten calendar days of receipt of the comments.

If the citizen is dissatisfied with the local response, they may write:

- a. The North Carolina Department of Commerce, Commerce Finance Center, 310 North Wilmington Street, 4301 Mail Service Center, Raleigh, North Carolina 27699-4318.
- b. The North Carolina Department of Commerce, Division of Community Assistance, P.O. Box 12600, Raleigh, North Carolina 27605-2600 concerning other Small Cities Community Development Block Grant projects.

The State will respond only to written comments within ten calendar days of the receipt of the comments.

All complaints received by the County and all responses shall be maintained in a complaint file.

Adopted March 16, 2009.

S/Jeremiah Jefferies  
Jeremiah Jefferies, Chairman

SEAL

S/Wanda P. Smith  
Clerk

*Resolutions*

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<p style="text-align: center;"><b>CASWELL COUNTY SECTION 3 POLICY</b></p>
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It shall be the policy of Caswell County (County), in conducting its Small Cities Community Development Block Grant (CDBG) program, to take all possible affirmative actions to assure that minority firms, women's business enterprise and labor surplus area firms are used when possible. To achieve this, the County will do the following.

1. Include on all mailing lists for goods and services disadvantaged firms located within a reasonable area of the work to be performed.
2. When advertising for goods or services, place an advertisement in a paper with general circulation in the area and include a specific reference requesting that disadvantaged firms apply for the work.
3. Make available plans and specifications at locations such that disadvantaged firms may have reasonable opportunity to review them during the hours specified for review.
4. Require that the prime contractor on public facility work include this policy as a requirement for it and its subcontracts.
5. Retain on file documentation all efforts made in regard to this policy and assure that such information will be made available for the purpose of determining whether the County has met these policy goals in connection with this grant.

Adopted March 16, 2009.

S/Jeremiah Jefferies  
Jeremiah Jefferies, Chairman

SEAL

S/Wanda P. Smith  
Clerk

*Resolutions*

**CASWELL COUNTY  
RESOLUTION TO PROHIBIT EXCESS FORCE  
BY LAW ENFORCEMENT - SECTION 519**

**WHEREAS**, Caswell County is applying for a Small Cities Community Development Block Grant; and

**WHEREAS**, the Small Cities Community Development Block Grant Program requires that the County has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies in accordance with Section 519 of Public Law 101-144, (the HUD Appropriations Act).

**NOW THEREFORE BE IT RESOLVED BY THE CASWELL COUNTY BOARD OF COUNTY COMMISSIONERS THAT:**

1. As policy Caswell County prohibits the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations and will enforce this policy as permitted by applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within its jurisdiction in accordance with Section 519 of Public Law 101-144, (the 1990 HUD Appropriations Act).

Adopted March 16, 2009.

S/Jeremiah Jefferies  
Jeremiah Jefferies, Chairman

SEAL

S/Wanda P. Smith  
Clerk

Section 519 Certification

Caswell County

144 Court Square, Yanceyville, North Carolina 27379  
Grantee's Address

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Grant Number

I hereby certify that Caswell County has adopted and will enforce a  
(city, county, County name)  
policy prohibiting the use of excessive force by law enforcement agencies within its  
jurisdiction against any individuals engaged in non-violent civil rights demonstrations  
and has adopted and is enforcing a policy of enforcing applicable state and local laws  
against physically barring entrance to or exit from a facility or location which is the  
subject of such non-violent civil rights demonstration within its jurisdiction in accordance  
with Section 519 of Public Law 101-144, (the 1990 HUD Appropriations Act).

Jeremiah Jefferies, Chairman  
Typed Name and Title of Certifying Official

S/Jeremiah Jefferies  
Signature of Certifying Official

March 16, 2009  
Date

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**CASWELL COUNTY  
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT (S)  
PROPERTY ACQUISITION POLICY**

**WHEREAS**, Caswell County is applying for a Small Cities Community Development Block Grant, and

**WHEREAS**, the acquisition of real property, easements, and rights of way are eligible activities under the rules and regulations regarding the Community Development Block Grant Program administered by the State of North Carolina.

**NOW THEREFORE BE IT RESOLVED BY THE CASWELL COUNTY BOARD OF COUNTY COMMISSIONERS THAT:**

1. Caswell County will follow the procedures outlined in Section .0301 of the North Carolina Community Development Block Grant Program Regulations (15 NCAC 13L) to acquire property using Community Development Block Grant funds.

Adopted March 16, 2009.

S/Jeremiah Jefferies  
Jeremiah Jefferies, Chairman

SEAL

S/Wanda P. Smith  
Clerk

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**LABOR STANDARDS OFFICER**

**Whereas,** Caswell County is applying for federal Small Cities Community Development Block Grant (CDBG) funds administered by the North Carolina Department of Commerce, and

**Whereas,** the use of these funds requires that Federal Davis Bacon requirements be met on construction activities financed all or in part using CDBG funds.

**NOW THEREFORE BE IT RESOLVED BY THE CASWELL COUNTY'S BOARD OF COUNTY COMMISSIONERS THAT:**

1. Skip Green, Skip Green and Associates, Inc. is designated as Caswell County's Labor Standards Officer to review and check for Federal labor compliance as required by CDBG regulations.

S/Jeremiah Jefferies  
Jeremiah Jefferies, Chairman

SEAL

S/Wanda P. Smith  
Clerk

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**CASWELL COUNTY CDBG-ED  
PROJECT PUBLIC FACILITY ASSESSMENT POLICY**

Caswell County (County) is required, as a condition of a Community Development Block Grant for Economic Development (CDBG-ED) to construct water improvements to adopt an assessment policy. The assessment policy delineated herein is designed to give the County a mechanism to equitably provide water service to future users as a result of CDBG-ED funding.

1. Future users connecting to the County's CDBG-ED assisted water improvements shall be required to pay the County an assessment fee of \$500 to connect to the water improvements located in the Pelham Industrial Park. This fee shall be paid in full prior to connection to the designated water facilities.
2. The assessment fee required in Section 1 shall not be imposed on any business that is owned by low and moderate-income individuals, or any residence that is owned or occupied by low and moderate-income individuals. This assessment fee shall be waived by the County for any business that ties into the service that presently employs greater than 60% low and moderate-income persons and/or will create new jobs of which low and moderate-income persons will fill 60% of positions.
3. The County reserves the right to reduce the assessment fee charged to any future users based on the economic impact on the County's overall economy.
4. All revenue generated by this assessment policy prior to completion of the project shall be used to reduce the amount of the CDBG-ED funds. Fifty percent (50%) of all revenue generated by the assessment policy thereafter shall, for a period of five (5) years, be returned to the CDBG Program at the Commerce Finance Center for funding of future economic development projects. The fifty percent (50%) retained by the County shall be used to finance future capital improvements to the County's water or water systems with priority placed upon improvements to benefit persons of low and moderate income.

Adopted March 16, 2009.

S/Jeremiah Jefferies  
Jeremiah Jefferies, Chairman

SEAL

S/Wanda P. Smith  
Clerk

Commissioner Hall stated that it needs to be clear to the Board that if it votes for the project that it is obligated for the second set of five jobs which could cost the County \$150,000 if the jobs do not materialize or the County does not take action to create these jobs.

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

### HEALTH DEPARTMENT

Dr. Fred Moore, Health Director, came before the Board to present the *Caswell County Annual State of the County Health Report*. Dr. Moore stated that every four years the Health Department goes through an extensive process of evaluating the health of Caswell County and then prepares a report entitled, the *Community Health Assessment*. Dr. Moore added that each year in between those four years the Health Department prepares a *State of the County Health Report*. Dr. Moore informed the Board that the purpose of the *State of the County Health Report (SOTCH)* is to relate current information on the health status of Caswell County and to measure progress the County has made since the last *Community Health Assessment*, which was completed in 2007. Dr. Moore stated that the *SOTCH* helps local officials develop strategies to meet health needs and it is also a way to solicit help from the community in meeting goals related to health issues.

Dr. Moore informed the Board that the top ten leading causes of death in Caswell County are as follows:

- 1) Heart Disease
- 2) Cancer
- 3) Chronic Lower Respiratory Disease
- 4) Cerebrovascular Disease
- 5) Unintentional Injury Deaths
- 6) Unintentional Deaths from Motor Vehicle Accident Injuries
- 7) Nephritis
- 8) Pneumonia
- 9) Diabetes
- 10) Suicide

Dr. Moore reported that the 2007 *Community Health Assessment* identified the following key issues and informed the Board of steps taken by the Health Department to address them.

- 1) Obesity
- 2) Diabetes
- 3) Recreational Opportunities
- 4) Formation of Healthy Carolinians Partnership
- 5) Caswell County Board of Health Passes Smoking Rule

Dr. Moore requested approval of a professional services contract between the Caswell County Health Department and Ms. Paloma Vega for language translation services which will aid the

Department, as well as in its accreditation process, not to exceed \$500. After discussion, Commissioner Satterfield moved, seconded by Commissioner Ward to approve a professional services contract with Ms. Paloma Vega for language translation services as presented. The motion carried unanimously.

#### REQUEST BY BOARD OF EDUCATION FOR USE OF ADM FUNDS

Dr. Douglas Barker, Caswell County Schools Superintendent, came before the Board on behalf of the Board of Education to request use of ADM funds. Dr. Barker informed the Board that the ADM funds would be used to construct a building, along with two additional classrooms, to replace the old welding shop and classroom that is currently being used at Bartlett Yancey High School. Dr. Barker stated that the Board of Education received a grant in the amount of \$580,000 from the Golden Leaf Foundation to assist in construction of this building and they would also be using some of the lottery funds they have been given over the last two years, along with the requested ADM funds. Dr. Barker added that completion of this building would require no County matching funds.

Upon questioning from Chairman Jefferies, Dr. Barker answered that upon successful completion of the welding test required by the State, the welding students would receive a certificate. Dr. Barker noted that the welding shop would be used by Piedmont Community College at night and by Bartlett Yancey High School during the day.

Upon questioning from Commissioner Hall, Mr. Howard answered that there is \$116,785 in the ADM Medicaid Hold Harmless Fund.

After further discussion, Commissioner Ward moved, seconded by Commissioner Satterfield to approve the use of ADM funds by the Board of Education in the amount of \$116,785, as presented. The motion carried unanimously.

#### BUDGET AMENDMENT NO. 21

Mr. Kevin Howard, County Manager, presented and reviewed Budget Amendment No. 21 for Fiscal Year 2008-2009. After discussion, Commissioner Carter moved, seconded by Commissioner Hall to approve Budget Amendment No. 21 for Fiscal Year 2008-2009 as presented. The motion carried unanimously.

#### COUNTY MANAGER'S REPORT

Mr. Kevin B. Howard, County Manager, gave a status report on the New Senior Center and noted that the County would be moving into the new facility this Wednesday. Mr. Howard announced that the Grand Opening would be held on Wednesday, April 1, 2009, at 10:00 a.m. Commissioner Satterfield expressed concern about the landscaping and mud at the new Senior Center. Mr. Howard informed the Board that some of the funds from the Fit Community Grant will be used to prepare a landscape design plan and the contractor will be seeding the grounds.

Commissioner Battle questioned the status of the cabinets at the Senior Center and Mr. Howard answered that the new permanent cabinets have been installed.

Mr. Howard reported that the NC 401(k) Plan, through the Board of Trustees, Department of State Treasurer, and Prudential Retirement as third-party administrator, are responsible for assuring that participating employers operate in compliance with the provisions of the Plan and should have a Participation Agreement on file for each employer that participated in the Plan. After discussion, Commissioner Ward moved, seconded by Commissioner Battle to approve the *Supplemental Retirement Income Plan of North Carolina, Employer - Third-Party Administrator Agreement* as presented. The motion carried unanimously.

Mr. Howard stated that the Board of Commissioners expressed interest at its Retreat in meeting jointly with the Yanceyville and Milton Town Councils. Mr. Howard noted that he has spoken with the Mayors of Yanceyville and Milton and they are also interested in meeting jointly. The Board scheduled a tentative date of April 27, 2009, to hold this joint meeting, if it is suitable with the Towns.

Mr. Howard reported that he was approached by Ms. Michele Love, formerly with the North Carolina Association of County Commissioners Insurance Pool, about becoming the County's Insurance Broker. Mr. Howard provided a summary of what services she could provide. Mr. Howard added that Ms. Love's fee would be \$20,000 and the County would be one of three or four clients. Mr. Howard noted that he felt the County would receive a much higher level of service than its current broker, however, the fee would be higher than the current annual amount of \$6,000. Mr. Howard requested input from the Board and was told to proceed with Requests for Proposals.

Mr. Howard provided for the Board's approval a *Memorandum of Agreement Between the North Carolina Department of Crime Control and Public Safety, Division of Emergency Management and County of Caswell* for the Department of Homeland Security Fiscal Year 2008 training grant in the amount of \$2,900, which can be used by various agencies in Caswell County. After discussion, Commissioner Carter moved, seconded by Commissioner Ward to approve the *Memorandum of Agreement Between the North Carolina Department of Crime Control and Public Safety, Division of Emergency Management and County of Caswell* as presented. The motion carried unanimously.

#### ANNOUNCEMENTS

Commissioner Carter reminded everyone that the next meeting of the Board of Commissioners, April 6, 2009, would be held at the Courthouse located at 139 East Church Street.

Commissioner Ward asked Mr. Howard if he still felt comfortable about the County's budget, taking the State shortfalls in consideration, and he answered that he did feel comfortable with the County's budget.

Commissioner Battle questioned the reason for the high amount of overtime hours reported for the Jail. Mr. Howard answered that he would check with Sheriff Welch on this and report back to the Board, but usually it is because of vacant positions or transportation issues.

Commissioner Satterfield referred to the February, 2009 Revenues Report which was printed on March 12, 2009, and questioned whether all ad valorem taxes collected as of the end of February, 2008 are posted on this report. Mr. Howard answered that he would discuss this with the Tax Director to determine if the amount collected is correct. Commissioner Satterfield stated that he would like to see a change in the format of the Tax Director's Monthly Report so that it would show what is owed in all prior years back to the tenth year and the amount of taxes applied to each year rather than being grouped as Prior Years Taxes. Mr. Howard answered that he would have the Tax Director prepare a monthly spreadsheet showing the outstanding taxes in all ten years. Commissioner Satterfield added that the Tax Director could begin this new format with the 2009-2010 Fiscal Year. The Board was agreeable to this.

Commissioner Carter stated that Commissioner Travis and he are members of the Farmer Lake Board and there has not been a meeting in six or seven months. Commissioner Carter requested that the County Manager check on this.

Commissioner Carter questioned whether the damaged EMS ambulance unit has been repaired. Mr. Howard answered that the unit has been repaired, he has received a report from the Ford Dealership on this unit, and he would be providing a copy to the Board.

Chairman Jefferies questioned whether the Solid Waste Director has provided the County Manager with information on the Prospect Hill Solid Waste Convenience Center Site. Mr. Howard answered that the Solid Waste Director is still looking at possible sites and would present this to the Board at its next meeting.

Chairman Jefferies questioned Board members about a date to meet with the Board of Education. After discussion, Chairman Jefferies scheduled a special joint meeting with the Board of Education on Monday, March 30, 2009, at 5:30 p.m. at the Whitley Administration Building.

THE ADJOURNMENT

At 7:45 p.m. Commissioner Carter moved, seconded by Commissioner Ward to adjourn the meeting. The motion carried unanimously.

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Wanda P. Smith  
Clerk to the Board

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Jeremiah Jefferies  
Chairman

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