

MINUTES – JULY 20, 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, July 20, 2009. 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. 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.

APPROVAL OF CONSENT AGENDA

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

The following items were included on the Consent Agenda:

1) Approval of Minutes of May 12, 2009 Special Meeting and May 18, 2009 Regular Meeting

2) Tax Director's Monthly Report

Total Amount of Taxes Collected for June, 2009	\$260,657.51
2009 Prepayments	\$ 3,898.58
Tax Maps/Cards	\$ 160.00
County Maps	\$ 41.60
NSF Charge	\$ 25.00
EMS for June	\$ 233.22
Beer License	\$ 95.00
Wine License	\$ 50.00

PUBLIC COMMENTS

Chairman Jefferies opened the floor for public comments.

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

“My name is John Claggett and I reside at 108 Jaye Lane, Providence, NC. I thank the Board of Commissioners for the opportunity to once again address them.

A formal letter of complaint dated January 23, 2009 was sent to every member of the Board regarding the non-compliance of the Caswell County Outdoor Storage Ordinance.

I received a letter from the County Manager dated February 16, 2009 stating that “the County is in the process of enforcing the Outdoor Storage Ordinance against any violations, including Hayes Iron and Metal (Hayes)”.

At the Commissioners meeting held on May 18<sup>th</sup> the citizens were told in error that penalties were being imposed against the violators of the Outdoor Storage Ordinance.

At the Commissioners meeting held on July 6<sup>th</sup> the process of imposing the penalties contained within the Ordinance was questioned due to conflicting processes explained by the County Planner and the County Manager. The County Attorney explained the process at that time, as well as provided the Board of Commissioners with a memo dated July 7<sup>th</sup> explaining the enforcement of this Ordinance.

The Ordinance, as explained verbally and in writing by the County Attorney has the mechanism embedded for enforcement, the enforcement that has supposedly been ongoing according to the County Manager since February.

Since the Ordinance is very clear regarding compliance and non-compliance as well as enforcement, I can't imagine that a motion has to be made and seconded, followed by a vote whether to enforce or not to enforce. But if that's the case would one of you Commissioners please make the motion.

If that's not the case, why is this issue being neglected?"

Ms. Karen B. Chandler came before the Board and stated that she resides in the Anderson area and would like for the Board to please reconsider its decision concerning bringing in the ambulances that were in the outlying areas of the County based on the distance that the residents are from care. Ms. Chandler informed the Board that twenty-five years ago she lost a father and brother within an hour of each other and questioned where the County would be twenty-five years from now as far as assistance.

Mr. Harry Bray, President, Providence Fire and Rescue, came before the Board and stated that there are quite a few citizens present from the Providence community and they are here with the hopes that the Board will reverse its decision and place the ambulance units back in the Anderson and Providence communities.

Mr. J. C. Powell of Providence, NC came before the Board and stated that he sees no reason to put all of the ambulances back in Yanceyville when the response time can be cut in half by having units in Providence and Anderson. Mr. Powell added that this could mean a life and questioned what kind of value is being put on a human life.

Mr. Armstead Hodges of Providence, NC came before the Board and stated that he has been in the fire and emergency medical services for 25 years serving the people of Caswell County, and

served two years with the Caswell County EMS. Mr. Hodges added that he knows the County very well, has been on every highway and back road in the County, and is aware of what it takes to get from the EMS base to each area, and to the hospital. Mr. Hodges stated that having the ambulance units in the outlying areas in the County are a plus because it cuts response time in half. Mr. Hodges added that he felt that it was a disservice for the ambulances to be taken out of the Anderson and Providence areas last month because there is a need for those units to be there. Mr. Hodges stated that he has witnessed a lot in 25 years and he felt that the Board needed to put the ambulance units back where they need to be.

### PUBLIC HEARING – ROAP GRANT

Commissioner Ward moved, seconded by Commissioner Carter that the Board enter into a public hearing to receive comments on the proposed Rural Operating Assistance Program Application to be submitted to the North Carolina Department of Transportation. The motion carried unanimously.

Ms. Melissa Williamson, Director, Caswell Division of Transportation, came before the Board and stated that the Rural Operating Assistance Program (ROAP) is a state funded public transportation grant program administered by the North Carolina Department of Transportation, Public Transportation Division (NCDOT/PTD). Ms. Williamson noted that the period of performance for the project will remain July 1, 2009 – June 30, 2010, regardless of the date on which ROAP funds are disbursed to the County.

Ms. Williamson informed the Board that the programs included in the Rural Operating Assistance Program application are:

1. The Elderly and Disabled Transportation Assistance Program (EDTAP), originally enacted by legislation in the 1989 Session of the North Carolina General Assembly, provides operating assistance funds for the transportation of the state's elderly and disabled citizens. This transportation assistance allows these individuals to reside for a longer period in their homes, thereby enhancing their quality of life. For the purposes of EDTAP, an elderly person is defined as one who has reached the age of 60 or more years. A disabled person is defined as one who has a physical or mental impairment that substantially limits one or more major life activity, an individual who has a record of such impairment, or an individual who is regarded as having such impairment.
2. The Work First/Employment Program is intended to provide operating assistance for transitional Work First and general public employment transportation needs. Work First/Employment funds should first be used to support the employment transportation needs of individuals that are not eligible to receive benefits from the Temporary Assistance of Needy Families Program.
3. The Rural General Public Operating Assistance funds are intended to provide transportation services to individuals who are not human service agency clients.

Ms. Williamson reported that Caswell County will receive a total of \$84,101 in ROAP Funds, with EDTAP being allocated \$42,643, Work First being allocated \$5,315, and RGP being allocated \$36,143. Ms. Williamson informed the Board that she would be applying for Supplemental ROAP Funds again this year and noted that Caswell County will receive \$38,410 in Supplemental ROAP funds. Ms. Williamson added that she is requesting \$24,410 in EDTAP funds and \$14,000 in RGP funds. Ms. Williamson stated that supplemental funds are intended to provide new services and serve new clients.

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

Commissioner Ward moved, seconded by Commissioner Carter to authorize the County Manager and Chairman to execute the Certified Statement for the Rural Operating Assistance Program Grant. The motion carried unanimously.

### PELHAM INDUSTRIAL PARK WATER PROJECT

Mr. Skip Green, Grants Consultant, came before the Board to request approval of submission of a North Carolina Rural Center Economic Infrastructure Application and Community Development Block Grant Agreement for NorAg Technologies Water Project. Mr. Green informed the Board that the County has received both the grant offer and funding approval for the CDBG Agreement for NorAg Technologies Water Project in the amount of \$150,000.

Mr. Green reported that with the receipt of the Community Development Block Grant, the County now has all the funding required to proceed with the design and construction of the water tank. Mr. Green informed the Board that the North Carolina Rural Center has reserved \$100,000 for the project and with the acceptance of the CDBG grant, the Board can now authorize the submittal of the formal Rural Center application. Mr. Green stated once this is done, within three weeks the County will receive a grant offer for the Rural Center.

After further discussion, Commissioner Carter moved, seconded by Commissioner Hall to proceed with the Rural Center Grant application as presented and to adopt the following *Authorizing Resolution by Governing Body of the Applicant – NC Economic Infrastructure Program*. The motion carried unanimously.

### **AUTHORIZING RESOLUTION BY GOVERNING BODY OF THE APPLICANT**

#### NC Economic Infrastructure 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**, the County of Caswell 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 NorAg Technology/Pelham Industrial Park Elevated Water Tank project; and

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

That the County of Caswell 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 County of Caswell with the NCREDC (Rural Center) for a grant to assist in the construction of the project described above.

That Jeremiah Jefferies, Chairman, 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 Kevin Howard, Manager, and successors so titled, is hereby authorized and directed to serve as the local government's contact.

That the County of Caswell 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 20<sup>th</sup> day of July, 2009, at the Town of Yanceyville, North Carolina.

S/Jeremiah Jefferies  
(Signature of Chief Executive Officer)

Chairman  
(Title)

ATTEST:

S/Wanda P. Smith  
Clerk (Seal)

## EMERGENCY MEDICAL SERVICES

Mr. Jim Gusler, Emergency Medical Services Director, came before the Board and provided a copy of a letter from the EMS Medical Director in response to comments made by Mr. Leonard McFarling at its last meeting concerning the use of epipens. Mr. Gusler stated that an epipen is an automated delivery device that contains epinephrine for use by patients who are experiencing a severe allergic reaction. Mr. Gusler added that if this medication is given in the right amount of time at the right time frame and given correctly, it can be life saving. Mr. Gusler stated that the issue at hand for EMS is that it is not currently written into their system plan; but in the fall when they review their protocol this will be incorporated. Mr. Gusler added that in response to the request by Providence Fire and Rescue personnel to use epipens, EMS' protocol does not allow anyone below an EMT-Intermediate to administer this drug. Mr. Gusler stated that this is EMS' guidelines and on what the Medical Director has signed off. Mr. Gusler provided the Board with a copy of what the law states about this, the protocol of Caswell County EMS, and the issue of allowing the general public to administer epinephrine.

Mr. Gusler stated that he was not in attendance at the Board of Commissioners' meeting when the vote was taken by the Board to remove the ambulances from the Providence and Anderson areas and bring them back to Yanceyville, and one of the things that concerned him was that there was misinformation. Mr. Gusler added that he wanted to make sure that the Board is very much aware as to why and how he came about moving the ambulance units to the Providence and Anderson areas.

Mr. Gusler provided the Board with a map documenting district lines which was drawn in 2007 and has been in service since then, and stated that they were drawn after quite tediously measuring miles and roads, and looking at best access to different areas. Mr. Gusler stated that they spent many hours looking at this to make sure that with the three units they had, that they could cover the most amount of people in the quickest amount of response time.

Mr. Gusler provided the Board with a map that showed the response times from the different areas of the County in the daytime, which is when the units are in place in Providence and Anderson, and showed how much the County is actually being covered in a much less response time than it would be normally.

Mr. Gusler informed the Board that when this plan was started, it was not started to be able to cover everyone in the County at one time, rather it was started as a footprint to move forward and look in the future at covering areas such as Semora, whose response time is greater than 15 minutes. Mr. Gusler stated that the original plan was to try to get medical care to everyone in the County during the daytime, in the quickest response time. Mr. Gusler noted that the time frame for these units were 9:00 a.m. to 9:00 p.m. when it is difficult to get volunteer emergency help. Mr. Gusler stated that originally he was trying to get medical care for everyone in the County within 15 minutes. Mr. Gusler added that he is aware that it costs more money to have those units placed in Anderson and Providence, but EMS is looking first at getting care to people in the shortest amount of time, which is not always the most cost effective. Mr. Gusler noted that most of their calls are run in the daytime.

Mr. Gusler stated that his rationale for locating the ambulance units in Providence and Anderson was to cover the most area, the most people, the most time with the resources that they have, and this continues to be his focus. Mr. Gusler added that he is looking at standards and timelines and trying to move response times down.

Commissioner Ward stated that he has always understood Mr. Gusler's rationale for locating the ambulance units in the Providence and Anderson areas.

Upon questioning from Commissioner Battle, Mr. Gusler answered that the first two areas they look at first, as far as covering the most area, most people, and most calls is first, the Yanceyville district which covers Yanceyville, west of Casville, and Leasburg area, and then the Providence district which covers Pelham and Milton. In answer to questions from Commissioner Battle, Mr. Gusler stated that at 9:00 p.m. the units in Providence and Anderson return to the Yanceyville EMS Base because the call demand goes down greatly after that hour. Mr. Gusler noted that the entire County is covered by two units after 9:00 p.m.

Mr. Gusler reported that he is very aware that there needs to be a third ambulance unit into service and provided the Board with a proposal that demonstrated how EMS can increase its staff pattern to add a third daytime unit at, hopefully, no additional cost but it will require a change in the current staffing pattern. Mr. Gusler stated that currently EMS is staffed with a Director, two Operations Managers, Medic Truck, and two transports. Mr. Gusler added that his proposal addresses the Operations Managers positions, which are administrative exempt positions and puts these two personnel back into Shift Supervisor roles. Mr. Gusler reported that his proposal moves the current Operations Managers to Shift Supervisors. This proposal eliminates one Operations Manager position and converts the other to an Assistant Director/Administrative Training Officer for Emergency Services. Mr. Gusler stated that this would be using the same amount of personnel and monies budgeted, and would increase part-time EMT Basics positions to staff the third unit. Mr. Gusler added that the additional cost of approximately \$4,227 would not affect the County. Mr. Gusler stated that this increases their staffing to three daytime units and nighttime staffing will remain at two.

Mr. Gusler provided documentation of what was approved in the budget by the Board of Commissioners for FY 2009-2010, showed the conversion and what is entailed, the changes that will need to be made, and the current and proposed Organizational Chart.

Mr. Gusler stated that he has tried to come up with a plan to staff what is needed, and not only cover EMS, but also Emergency Management. Mr. Gusler emphasized that Emergency Services is EMS and Emergency Management, and Emergency Management takes a tremendous amount of time for planning and preparedness.

Mr. Gusler stated that Emergency Services, for the last few years, has consistently stayed within its budget and that is what he plans with this proposal.

After further discussion, Commissioner Ward moved, seconded by Commissioner Carter to accept the Emergency Services Director's proposed Organizational Chart to implement the three staffed ambulance units in the County as presented.

Upon questioning from Commissioner Hall as to how long it will take to put this process into place, Mr. Gusler answered that he should be able to implement this plan within a month.

Commissioner Battle questioned the Board as to where the money will come from in the years to come to keep funding Emergency Services at the current rate. Commissioner Battle stated that he has no problem with this plan, but the money has to come from somewhere, and the Board cannot keep planning the way it plans and keep providing these services at a minimum expense.

Commissioner Ward stated that his three priorities are Emergency Services, Sheriff's Department, and Schools.

Mr. Gusler stated that he feels that he is very prudent with the funding that is allotted Emergency Services by the Board and in comparison to other counties of comparable size, Caswell County provides as much and more services at a tremendous cost savings. Mr. Gusler added that their revenues equal 60 to 65 percent of expenditures, which is very uncommon in Emergency Services in the state.

Commissioner Travis stated that the Board needed to look at the whole county because one community deserves the same amount of protection as another community. Commissioner Travis added that the motion that was made by the Board at an earlier meeting was that this issue be brought back when the County could afford to treat everyone alike.

Mr. Gusler stated that his original plan was to get everyone in the County covered within 15 minutes, and he knew when he moved the units out in the County that there would be areas that would have better coverage than others. Mr. Gusler added that he is trying to cover everyone at some level and then work towards covering all the other outlying areas, but he is trying to use the resources available to cover as many people as possible right now. Mr. Gusler agreed that they need to provide the same coverage for everybody in the County.

Upon a vote of the motion, the motion carried by a vote of five to two with Commissioners Battle and Travis voting no.

Commissioner Hall noted that the monies for this is not in place until the Board takes action, which needs to be done now, and added that even if revenues are increased these actions have to be taken.

After further discussion, Commissioner Carter moved, seconded by Commissioner Ward to fund an additional amount of \$4,227 to Emergency Medical Services to implement the Reorganizational Plan as presented by the EMS Director, to be appropriated from Contingency.

Upon questioning from Commissioner Hall concerning additional training, Mr. Gusler clarified that he felt very confident that with the current EMT and Paramedic levels, he did not foresee an increased need for additional EMT and Paramedic training at the present time.

Commissioner Satterfield stated that he continues to hear horror stories about people being picked up by EMS and the drivers of the unit not knowing how to get to the hospital. Mr. Gusler requested that the Board inform him of any incidents like this and added that new drivers, as part of their orientation, go through a session that includes familiarizing themselves with maps of the roads in the County, the hospitals and where they are located, and best routes to the hospitals.

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

Upon questioning from Commissioner Hall as to whether the ambulance units are GPS equipped, Mr. Gusler answered that they have had an issue with their laptop computers as far as battery life that they are currently addressing and noted that these computers have streets and maps on them. Mr. Gusler added that they are also in the process of implementing a system that will track the units.

Mr. Gusler requested that the Board release a full-time Paramedic position and two full-time EMT positions from the hiring freeze. After discussion, Commissioner Ward moved, seconded by Commissioner Carter to release a full-time Paramedic position and two full-time EMT positions from the hiring freeze. The motion carried unanimously.

### RECESS

The Board held a brief recess.

### CASWELL COUNTY SHERIFF'S OFFICE

Sheriff Michael Welch came before the Board and requested that they release a Detention Officer position and one Deputy position from the hiring freeze. Sheriff Welch noted that these positions are funded in this year's budget.

Commissioner Hall questioned the need to continue with the hiring freeze. It was noted that the Budget Ordinance would need to be amended to change this.

Commissioner Battle questioned why there is money budgeted for positions in the Sheriff's Office when the positions have not been approved yet. Mr. Kevin Howard, County Manager, clarified that every year when the budget is prepared, vacant positions at that time in a department are budgeted for with the anticipation of them being filled.

Commissioner Satterfield stated that he has noticed a lot of overtime in the Sheriff's Office and Detention Center and asked if the release from the hiring freeze will reduce the overtime pay. Sheriff Welch answered that in his plan to implement the five patrol zones in the County, a considerable amount of overtime and part-time funds was utilized due to the hiring and training process for the positions for these patrol zones. Sheriff Welch noted that the five patrol zones should provide benefits to the entire county such as better coverage, decrease in response time,

as well as a decrease in the amount of patrol miles driven in the County. Sheriff Welch stated that the plan has been designed to improve services, as well as provide cost savings.

After further discussion, Commissioner Carter moved, seconded by Commissioner Travis to release a Detention Officer position and a Deputy position from the hiring freeze. The motion carried unanimously.

Sheriff Welch reported that he and the County Manager have a meeting with the architectural firm of Moseley Architects on the Jail Project. Sheriff Welch informed the Board that he has secured two quotes for repairs to the video/camera system and intercom system and is awaiting a third quote for plumbing and smoke fan exhaust repairs. Upon questioning from Commissioner Battle concerning the video and intercom systems, Sheriff Welch answered that these are the result of new mandates from the State. Sheriff Welch reported that he received the following quotes:

1) Surveillance Consulting, Inc. Burlington, NC	\$5,000.00
R&R Electric of North Carolina, Inc. Yanceyville, NC	\$5,398.00

Sheriff Welch informed the Board that the quotes include upgrading, waterproofing of the housing on the outer parts, relocating one existing camera, including monitors, remote access, and includes complete installation, labor, wiring, and connections. Sheriff Welch stated that it would be his recommendation to consider the proposal submitted by R&R Electric in Yanceyville because they are familiar with the Sheriff's Office system and has done other work that is compatible within the Courthouse.

Upon questioning from Commissioner Battle, Mr. Howard answered that the funds for these improvements would come from Contingency.

After discussion, Commissioner Carter moved to accept the recommendation of Sheriff Welch and approve the quote submitted by R&R Electric of Caswell County, in the amount of \$5,398.00 for jail improvements, to be appropriated from the Contingency Fund. The motion died for lack of a second.

Mr. Kevin Howard, County Manager, stated that the Board would be required to accept the low bid. There were some questions from the Board on the issue of not being able to accept the low bid, after which the County Manager was directed to get clarification and report back to the Board at its next meeting.

Upon questioning from Commissioner Battle as to whether the Jail Inspector gave a timeframe as to when he will be returning, Sheriff Welch answered that he has to provide a written report when all of the corrective action is completed and added that they will be back for their next quarterly Jail Inspection in October.

## CASWELL COUNTY HEALTH DEPARTMENT

Dr. Fred Moore, Health Director, came before the Board to request approval of a Professional Services Agreement with Larson Allen, LLP. Dr. Moore reported that the Home Health Agency is required by Medicare and Medicaid to have an annual Cost Report that is submitted to Medicare and Medicaid. Dr. Moore added that they have been retaining the services of Larson Allen for approximately five years and the contract is to renew the same services that they have been providing in previous years. Dr. Moore noted that the contract was submitted to the County Attorney for his review and he recommended a few changes, which was agreeable with Larson Allen.

After further discussion, Commissioner Hall moved, seconded by Commissioner Satterfield to approve the Professional Services Contract between the Caswell County Home Health Agency and Larson Allen, LLP as presented. The motion carried unanimously.

## UPDATE ON OUTDOOR STORAGE ORDINANCE VIOLATORS

Mr. Brian Collie, County Planner, came before the Board to give an update on violators of the Outdoor Storage Ordinance. Mr. Collie provided the Board with a list of the 17 properties that are in violation of the Outdoor Storage Ordinance, noting that four of those properties have come into compliance, 10 properties are out of compliance, but are making efforts to clean up, and one property is out of compliance and showing no improvement. Mr. Collie informed the Board that in talking with the County Attorney and County Manager, there is an appeal process once he sent the letters for demand for payment to those out of compliance from June 18, 2009. Mr. Collie stated that he has received four letters of appeal which will come before the Board of Adjustments at its August 3, 2009 meeting for its review. Mr. Collie added that after that appeal process, then he will be able to take the violators that are still in violation since June 18<sup>th</sup> to court to collect the fines.

Upon questioning from Commissioner Ward as to the status of the variance request by Hayes Iron and Metal, Mr. Collie answered that Mr. Wright contacted him the day after he appeared before the Board of Commissioners and informed him that he wished to withdraw his request for a variance.

Mr. Collie noted that June 18, 2009 was the deadline for violators of the Outdoor Storage Ordinance to come into compliance.

Commissioner Hall noted the importance of continuing to bring others in the County that are in violation of the Outdoor Storage Ordinance into compliance. Commissioner Hall added that inoperable junked mobile homes and inoperable farm equipment also need to be addressed under the Outdoor Storage Ordinance. Mr. Collie stated that he was of the understanding that inoperable farm equipment does not come under the Outdoor Storage Ordinance. Commissioner Hall requested that this issue be placed on the Board's next agenda.

Commissioner Travis stated that abandoned houses and tobacco barns that have partially fallen in look just as bad as junked cars and the County needs an Ordinance to clean them up.

Mr. Collie stated that there are tons of abandoned mobile homes and junked vehicles in the County, but this is a start in trying to clean up some of the bigger properties that have junk in the County. Mr. Collie added that since he began as Planner, he has worked on a complaint basis because there is no way he can get everyone into compliance at once.

Commissioner Satterfield stated that he would like to think that all County agencies would be familiar with County Ordinances and as they ride through the county as a part of their job duties could bring violations to the attention of the Planner.

Commissioner Hall noted that there are some Board members that did not feel that a County Planner was needed, but in order to enforce these Ordinances and do their job, the County has to hire staff and keep them in place.

### TAX DIRECTORS' REPORT

Mr. Thomas Bernard, Tax Director, came before the Board and submitted the following Monthly Report for June, 2009.

#### Foreclosure Process – All Files

1,732 accounts turned over to Attorney  
34 parcels sold  
1,166 accounts – paid in full  
155 accounts entered into payment plan  
20 bank-attached by county  
36 that are in debt set off  
42 entered into bankruptcy  
279 files moving forward

The collection rate for the 2008 tax year is 96.02% as of 6/30/2009. This is .59% ahead of the 2007 tax year collection rate.

Mr. Bernard provided the Board with a summary of Property Tax Collections for FY 2008-2009, which showed the month in which the taxes were paid (July 1, 2008 – June 30, 2009), and for which tax year the taxes are being paid.

Upon questioning from Commissioner Hall as to whether anyone on the delinquent taxpayer list for 2007 or earlier paid their 2008 taxes, Mr. Bernard answered that he is sure that this has occurred.

Commissioner Satterfield asked Mr. Bernard what the law is concerning a taxpayer coming into the Tax Office that owes 2007 and 2008 taxes and tells the Tax Clerk that he wants to pay only the 2008 taxes. Mr. Bernard answered that by law the Tax Office has to take the payment on the 2008 taxes and it has to be designated where the taxpayers stipulates.

Upon questioning from Commissioner Hall as to the positions to which he is appointed for the County, Mr. Bernard answered that he is appointed Tax Collector and Assessor. Commissioner Hall questioned Mr. Bernard as to the last time he was appointed, and Mr. Bernard answered that he was not certain. Commissioner Hall asked Mr. Bernard if he is in compliance with all the requirements for those appointments, after which Mr. Bernard answered that he is in compliance with all requirements for Tax Collector/Assessor and he keeps his certifications current.

#### RENEWAL OF SOLID WASTE CONVENIENCE CENTER OPERATION CONTRACTS

Mr. Tim Smith, Solid Waste Director, came before the Board to request approval of renewal of the County's Solid Waste Convenience Center Operation Contracts. Mr. Smith reported that the Board had requested that the County Attorney revise the language in the current Solid Waste Convenience Center Operations Contract. Mr. Smith informed the Board that the major change is in Section 9, which now reads, "This contract is not assignable by the Operator without the express written consent of the County, which consent may be granted or denied in the sole discretion of the County."

Upon questioning from Chairman Jefferies as to whether the solid waste convenience center is open in Prospect Hill, Mr. Smith answered that the store in Prospect Hill is not open to the public yet, but the storeowners are there seven days a week and operating the convenience center. Chairman Jefferies expressed concern that the store is not open to the public, since the storeowners told the Board it would be open in 30 days and that time has passed.

Commissioner Travis reported to the Board that he has had a convenience center operator come to him and ask that the Board approve closing the convenience centers on Sundays. Mr. Smith stated that six of the eight operators have asked him to come before the Board and request that they consider allowing them to close the convenience centers on Sundays. Mr. Smith added that he has checked with other counties in the State that have solid waste convenience centers and Caswell is the only county that allows their sites to operate seven days a week from 7:00 a.m. to 7:00 p.m. Commissioner Hall suggested that a public hearing be held to gain public input from county citizens on the closing of the solid waste convenience center sites on Sundays.

Mr. Smith informed the Board that he has an issue with two of the solid waste convenience center sites. Mr. Smith stated that the County prepared a new contract with revised language and presented it to the operators with two of them writing in their own language under a certain line in the contract and questioned whether the Board is going to approve a contract like this.

Commissioner Hall stated that a contract is a negotiation and if the other party writes in something, then it should be taken back to the County Attorney for his review and recommendation to the Board.

Mr. Kevin Howard, County Manager, stated that he would have the County Attorney review the contract and bring it back before the Board at its next meeting.

Mr. Smith reported that the property on which the solid waste convenience center is located at Four Points in the Leasburg Community is owned by Mr. Long Dennis and he has closed the store there. Mr. Smith stated that the store has been closed for approximately six weeks and Mr. Dennis is paying Mr. Harry McGee to operate the convenience center site. Mr. Smith added that he has talked with Mr. Dennis as to when he will be reopening the store and he did not know when and also asked if Mr. Dennis would continue to have Mr. McGee continue to operate the site if the store is leased and he did not know, but he would like to keep the contract to operate the convenience center. Mr. Smith stated that if the Board renewed Mr. Dennis' contract based on the current information, he would recommend that it be awarded on a six-month trial basis.

Commissioner Hall stated that this is also an issue that needs to go back to the Attorney for further review and to make sure that there is something in the contract that addresses the site operator ceasing to operate the store.

Chairman Jefferies directed the County Manager to place this item on the Board's next agenda.

#### DESIGNATION OF VOTING DELEGATE TO NCACC ANNUAL CONFERENCE

Commissioner Ward moved, seconded by Commissioner Travis to appoint Commissioner Battle as the Board's voting delegate to the North Carolina Association of County Commissioners' Annual Conference to be held in Catawba County on August 27-30, 2009. The motion carried unanimously.

#### BUDGET AMENDMENT NO. 28

Mr. Kevin Howard, County Manager, presented and reviewed Budget Amendment No. 28 for Fiscal Year 2008-2009. After discussion, Commissioner Carter moved, seconded by Commissioner Ward to approve Budget Amendment No. 28 for Fiscal Year 2008-2009 as presented. The motion carried unanimously.

#### BUDGET TRANSFER NO. 20

Mr. Kevin Howard, County Manager, presented and reviewed Budget Transfer No. 20 for Fiscal Year 2008-2009. After discussion, Commissioner Ward moved, seconded by Chairman Jefferies to approve Budget Transfer No. 20 for Fiscal Year 2008-2009 as presented. The motion carried unanimously.

#### COUNTY MANAGER'S REPORT

Mr. Kevin Howard, County Manager, presented a request on behalf of the Caswell County Chamber of Commerce to use the County Square during the Annual Bright Leaf Hoedown to be held on Saturday, September 26, 2009. After discussion, Commissioner Carter moved, seconded by Commissioner Travis to allow the Caswell County Chamber of Commerce to use the County Square during the Annual Bright Leaf Hoedown to be held on Saturday, September 26, 2009. The motion carried unanimously.

Mr. Howard announced that the Goodwill Store in Yanceyville, NC will be holding its Opening Ceremonies on Wednesday, July 29, 2009, at 9:00 a.m.

Mr. Howard reported that currently all space is leased in the Guilford Mills Building and he has obtained Lease Agreements with Easter Seals, Youth Haven, Inc. and Life Enhancement Services. Mr. Howard added that the annual income will be \$15,750 if the offices stay occupied for the entire year.

Mr. Howard presented a request from Ms. Kathy Upchurch, Library Director, Gunn Memorial Library for the release of a temporary part-time Page position from the hiring freeze. After discussion, Commissioner Battle moved, seconded by Commissioner Travis to approve the release of a temporary part-time Page position at Gunn Memorial Library from the hiring freeze. The motion carried unanimously.

Mr. Howard reported on a meeting that he attended in Rockingham County concerning a regional approach to a broadband application. Mr. Howard added that they would be meeting again in August to discuss this further. Commissioner Hall stated that the County needs to submit an application for the fifty billion dollars in the first round of stimulus money that is available to rural areas. Mr. Howard stated that the County does not meet the guidelines and grant requirements to receive stimulus money for broadband in rural areas and noted that the maps prepared by Connect NC are not correct. Commissioner Hall stated that the County needs to prepare a proposal for a broadband project even if the maps are not accurate. Chairman Jefferies directed the County Manager to prepare a broadband project application to be submitted to receive stimulus funds from the federal government.

Mr. Howard reported that he met with Mr. Skip Green and engineers for the NorAg Water Project and full funding for the project has been acquired. Mr. Howard informed the Board that it would take 90 days for the bid process, 30 – 45 days for construction to start, and noted that it would take ten to twelve months to build the water tank, with completion estimated for December, 2010.

Commissioner Battle questioned the status of the Senior Center and Mr. Howard answered that the Senior Center is complete except for some cabinetry work that had to be redone.

Commissioner Battle questioned why it has taken so long to get a rate structure for Mr. Ed Carter's waterline request and Mr. Howard answered that it is because he has been working on other projects.

Mr. Howard reported that he will be out of the office on August 7 – 14, 2009.

Mr. Howard reported that he will be attending a seminar on August 25, 2009, concerning application for stimulus funds and added that he and Dr. Barker, Caswell County Schools Superintendent have been discussing the possibility of applying jointly for Energy Conservation Grants for the County and Schools.

ANNOUNCEMENTS

Commissioner Satterfield asked the County Manager if he has a final figure on how much 2008-09 revenues exceeded expenditures. Mr. Howard answered that the Finance Officer should be able to provide this information at the Board's next meeting.

Commissioner Ward stated that he would like to thank the Sheriff's Office, Emergency Medical Services, and Cherry Grove Volunteer Fire Department for its efforts and involvement in the meth lab that was recently discovered in the County and would like this conveyed to each group. Commissioner Ward added that he also appreciated their joint efforts in saving the County \$10,000 in clean-up costs that was avoided.

Commissioner Hall requested that the County Manager have the Senior Center Sign at the old location removed. Mr. Howard stated that he would have the sign removed.

Chairman Jefferies questioned whether the Building and Grounds Subcommittee has met and Commissioner Hall answered that this committee has not met.

Commissioner Carter reported that he brought a Radio Shack lapel mike to the meeting and is obtaining costs for them also from Mendenhall.

Chairman Jefferies provided the Board with a copy of a letter from Ms. Dot Poteat Wrenn to Sheriff Welch in reference to an incident that involved her son, Mr. Michael Poteat, and which occurred in July 28, 2007.

THE ADJOURNMENT

At 9:30 p.m. Commissioner Carter moved, seconded by Commissioner Battle 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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