

## MONDAY JUNE 21, 2010 MINUTES

The Caswell County Board of Commissioners met at the Historic Courthouse in Yanceyville, North Carolina at 6:30 pm on Tuesday June 21, 2010. Commissioners present: Chairman George W. Ward, Jr., Vice-Chairman Kenneth D. Travis, William E. Carter, Nathaniel Hall, Jeremiah Jefferies, and Gordon G. Satterfield. Also present: Kevin B. Howard, County Manager and Angela Evans, Caswell Messenger. Absent: Erik D. Battle. Matthew Smith, Clerk to the Board, recorded the minutes.

### MOMENT OF SILENT PRAYER

Chairman Ward opened the meeting with a moment of silent prayer.

### APPROVAL OF AGENDA

Chairman Ward stated that the Board will not discuss appointees to Boards and Committees but instead discuss Boards and Commissions and how they were advertised. Commissioner Travis moved, seconded by Commissioner Jefferies to approve the agenda as presented. The motion carried unanimously.

### APPROVAL OF CONSENT AGENDA

Commissioner Jefferies moved, seconded by Commissioner Travis to approve the consent agenda. The motion carried unanimously.

The following items were included on the consent agenda.

1. Approval of Minutes of June 7, 2010 Regular Meeting.
2. Financial Report – July 1, 2009 – May 31, 2010.

### PUBLIC COMMENTS

Chairman Ward opened the floor for public comments.

Ms. Diana Ballard of Blanch, NC came before the Board concerning a lack of zoning that allows a gun range to operate directly behind her property. The issue of concern is the disturbance of the peace as they start shooting on Saturdays at 9 am and continues to whenever. Ms. Ballard stated that the Sheriff's Department has informed her they can shoot at the range until 10 pm and that does not constitute a disturbance of the peace. Ms. Ballard wants to know how it was approved before the zoning board and why was she not given legal notice for a zoning change for this kind of business. Ms. Ballard stated that Mr. Howard told her husband this was a heavy industrial area and her husband asked Mr. Howard for an example and Mr. Howard said not right now I will call the Sheriff and return your call on Thursday. Mr. Howard never returned the call. Ms. Ballard asked, "When you made this decision did you consider the effects it would have on the property owners and the valuation of their property. Ms. Ballard stated she does not like the

zoning and asked if the Board thought anyone would buy their property after this decision. She stated that six years ago when they purchased the property the gun range was not there. Ms. Ballard asked, "Have you considered the quality of our life in that area when we have to listen to gunfire every day?" If we need a gun range in the County then as business people the gun range owners should construct a building that is soundproof and not disturb the peace of others instead of bulldozing a ditch and firing into it. Ms. Ballard stated they cannot sit outside in peace and quiet and enjoy their dream. She continued by saying their horses will not go into the back pasture and only graze on two of the 17 acres they have. The range not only shoots handguns but they also shoot high powered rifles up to fifty calibers and on occasion have shot semi-auto guns. Ms. Ballard stated that her father went to war to fight for our freedoms and that it seems like we lose them more every day. I'm sure you gentlemen will do the right thing I believe you should do the right thing, and reconsider this.

Cathy Lucas of Pelham, NC came before the board to address the proposed budget. Ms. Lucas stated she was here at the last meeting for the public hearing on the budget with full intention to speak but the Board got ahead on the agenda time as she was here ten minutes ahead of schedule and the public hearing had passed already. She also had another issue with two public hearings scheduled for the same time. Ms. Lucas stated that she cannot fathom with the economy the way it is that the Board would even consider a tax increase on the people of the county. It is unimaginable and I understand that you are in a difficult spot with the sales tax shortfall. Ms. Lucas stated that Chairman Ward said he could not find \$60,000 to cut. Ms. Lucas said they are cuts to be made in the governing body and administration departments and she also pointed out that nothing was done to anyone's travel. Ms. Lucas stated it is not business as usual in Caswell County this year. She stated that tough cuts need to be made this year. Ms. Lucas stated that as a former Commissioner one thing she worked hard on was the audit contract for the County is back up to \$45,000 while the school board's cost \$26,000 and that she wonders about contracts like that and the savings that could be had. Ms. Lucas stated that with 140 bank foreclosures, 20 tax foreclosures, and unemployment at 12.5 percent, a tax increase is not the answer. Ms. Lucas asked that the Board please keep the struggling property owners in mind when you pass the budget.

Dr. Barker of Caswell County Schools came before the board to address the proposed cuts to the school system. Dr. Barker stated that he hopes that if everyone has to take cuts that everyone take an equal amount of cuts. If there is any money to spread around then everyone gets some of that money in equal amounts. Dr. Barker stated that school kids need that money to learn and improve and to work and make wages. Dr. Barker is not asking the Board not to cut but that if the Board does cut that it is done in an equal manner across all departments.

#### DISCUSSION OF HIRING AN ARCHITECT FOR THE NEW DETENTION CENTER PROJECT

Kevin Howard, County Manager, stated that members of the Board have been to see two jails, one in Pamlico County and the other in Montgomery County. Mr. Howard reminded the Board the next inspection for the jail will be sometime in September. Commissioner Carter stated that the jail in Pamlico County would fit the County's needs and was sort of a scaled model of what the Board wanted. Commissioner Satterfield stated that he did not see the need for both

architects coming back as a lot depends on the proposed budget for next year and what is going to happen down in Raleigh. The jail depends on what happens in Raleigh. Commissioner Travis stated he was in agreement with Commissioner Satterfield. Chairman Ward suggested having both architects come to the first July meeting.

#### HEALTH DEPARTMENT REQUESTS

Dr. Frederick Moore, Health Department Director, came before the Board to get approval of the Contract with Good Health Services. Dr. Moore stated that Good Health Services is a staffing agency the Health Department has been using for 10-15 years now and every year they renew the contract with the rates stated. This year's contract is essentially identical to the current fiscal year contract. Dr. Moore stated there is no increase in services over the contract in place currently. Commissioner Hall asked if the attorney has seen the contract this year as he has some concerns that there are requirements in the contract that would cross the line between consultant and employees of the County. Commissioner Hall pointed out that if you have a contract with a consultant and they have to follow your procedures they could be looked at as your employees. Commissioner Satterfield stated that Good Health Services acted as a temp service in case of emergencies. Chairman Ward tabled the contract decision to the first meeting in July for the attorney to review.

Dr. Moore requested permission to unfreeze a vacant position for a social worker in the Community Alternatives Program. Dr. Moore stated that the Board of Health has approved lifting the hiring freeze to fill the position. Commissioner Carter moved, seconded by Commissioner Hall to lift the hiring freeze for the social worker position. The motion carried unanimously.

#### APPROVAL OF RENOVATIONS TO EMS BUILDING

Jim Gusler, EMS Director, came before the Board to present two quotes on renovations to the EMS building. Mr. Gusler stated that the renovations are a prerequisite to the work that will be done next year for CDOT. Commissioner Carter asked if there was money in the EMS budget for the project and Mr. Gusler replied that there was. Commissioner Satterfield suggested that this project should be combined with the CDOT expansion project and bid out as one job. Mr. Gusler stated that this project is to make their facilities more appropriate and functional for the two departments. They have no storage space at the base and their outside storage space is unsafe at the present time. Commissioner Satterfield stated that he is not in favor of spending \$17,000 on this project in light of the current ambulance situation. Commissioner Hall stated that CDOT and EMS project plus filtration system should have been combined for the bid process. Commissioner Hall asked if an official RFP bid process was conducted and Kevin Howard, County Manager, responded that Sam Hamlett, Maintenance Director, conducted the RFP process. Commissioner Hall asked about the official RFP as there are discrepancies in the number of doors in the two bids.

Commissioner Carter thinks this \$17,000 should go for a new EMS chassis as that is more important than updating the building. Commissioner Carter stated that he is also in agreement with Commissioners Satterfield and Hall in combining the bids for CDOT and EMS.

Commissioner Carter also stated that the Board needs to consider that if they build a new jail like the one in Pamlico County, the existing Sheriff's Department will become vacant and the Board can move EMS and CDOT over there. Mr. Gusler stated that this is a project that they have asked numerous times for and have heard we are going to move you somewhere else for years. Commissioner Hall moved, seconded by Commissioner Carter to combine CDOT and EMS building renovations with the EMS filtration project. The motion carried unanimously.

#### BUDGET TRANSFER NO. 7

Kevin Howard, County Manager, presented Budget Transfer Seven. Commissioner Satterfield stated that some travel appears to be reimbursement for money already spent. Mr. Howard confirms that in most cases the travel money has already been spent. Commissioner Satterfield asked what happens if the Board denies the transfer. Commissioner Carter moved, seconded by Commissioner Hall to approve Budget Transfer Seven. The motion carried 4:2 with Commissioners Satterfield and Travis opposing.

#### APPOINTMENTS TO BOARDS AND COMMITTEES

Chairman Ward stated there was a question about the process of advertising by Commissioner Jefferies and Commissioner Hall. Commissioner Jefferies had questions about the Social Services Board as he informed a citizen that they did not have to apply until July 1<sup>st</sup>. Commissioner Hall had a question about the term end date as some were listed as ending 6-30-10 while others were listed as pending. Commissioner Hall stated that some boards have required positions and some do not. Commissioner Hall asked, "What is the Board's policy on County employees serving on certain Boards that are not covered under the statutes?" Commissioner Hall stated the Board needs to be really clear before appointing County employees to a Board. Commissioner Satterfield stated that he remembered reading in some minutes were a previous board discussed the issue either in January or June of 2001 or January or June of 2006. Commissioner Hall stated that current members and others who wanted to be considered were not made aware and that because of this the Board needs to look at the advertising process. Commissioner Hall noted that the Board appointed someone to a board this past winter and that board did not meet and had not met in years. Commissioner Hall stated that the Board should get annual reports from the boards they appoint citizens to. Commissioner Satterfield stated it was advertised and that the Board did not need to re-advertise. Commissioner Carter suggested moving forward with appointing someone to the ABC Board since they are in need of a Chairman and stated that if no one else wanted to do it he would like to. Chairman Ward stated that the earliest appointments would be July 6<sup>th</sup>, 2010. He followed by adding that the County Manager would bring back to next meeting information on whether or not a Commissioner can sit on the ABC Board. Commissioner Hall stated he would like staff to find out how many Boards have met in the current year from July 1<sup>st</sup>, 2009 – June 30<sup>th</sup>, 2010. Chairman Ward tabled the appointments until the July 6<sup>th</sup>, 2010 meeting.

## MANAGER'S BUSINESS

Kevin Howard, County Manager, presented a request to lift the hiring freeze for a part time position at Gunn Memorial Library. Commissioner Travis moved, seconded by Commissioner Jefferies to lift the hiring freeze for the part time position. The motion carried unanimously.

Mr. Howard presented a Chamber of Commerce Hoedown request. Mr. Howard stated that he had clarification on the request. The Chamber wanted to reserve parking on the left of the Courthouse behind the jail if needed for overflow. Commissioner Travis moved, seconded by Commissioner Satterfield to approve the request. The motion carried unanimously.

Mr. Howard presented leases for Guilford Mills building for approval. The two leases presented are renewals. Commissioner Hall asked a question regarding who pays utilities and Mr. Howard responded that the LME pays utilities for that part of the building and Orange Enterprises pays for the utilities in their part. After further discussion on changes, the lease agreements were tabled until the next meeting. Commissioner Satterfield stated that as a safety standpoint the Board needs to have someone assess the Guilford Mills building because if they lease it to someone and it is structurally unsound and something happens he does not know what kind of liability issue the County would be looking at. Mr. Howard stated that staff is working on it. Chairman Ward asked Mr. Howard to update in the next meeting's manager's report.

Mr. Howard presented an office space request from Division of Community Corrections. They are asking the Board to consider letting them combine into one building and move Section 8 housing down to the other house. Mr. Howard stated this would work out better for them security and operations wise. Commissioner Carter asked if Mr. Howard was talking about moving Section 8 down to the brick house as in the past they have had some sewer problems at the brick house. Commissioner Hall asked if anyone had talked to Section 8 and about what they want and their needs and is this practical for them.

Mr. Howard presented a meeting request from CenturyLink. A bill was introduced that would give Caswell County authority to own and operate a broadband system within the County. The bill went to committee last Wednesday and there have been some amendments added to it that weaken the County's authority to the point that if there is an existing cable system or comparable broadband system then the County would not be able to do it. Mr. Howard stated that once that bill was introduced, CenturyLink requested a meeting with him on what they have in the county and they want to come and meet with the Board and talk about what they have done in the last year as far as upgrading since taking over from Embarq. After discussion, July 15<sup>th</sup>, 2010 at 5 pm at the Historic Courthouse was decided as the meeting time.

Mr. Howard presented the Caswell Community Transportation Service Plan for the Board's information.

## ANNOUNCEMENTS

Commissioner Satterfield thanked Ms. Ballard for coming and informed her that there is no zoning in Caswell County however the Board has discussed looking at land use planning and zoning and hopes that will occur sooner than later. There are lots of citizens with complaints about the facility Ms. Ballard referenced and another similar facility in Prospect Hill. Commissioner Satterfield stated that until the Board does something about zoning these issues will continue as things like this continue to move into the County.

Commissioner Jefferies stated that he got a call today from a Patricia Watkins about a peewee dog that was put out in Alamance County and a lady that runs a rest home on Cherry Grove Road claimed the dog after the dog was cared for by Ms. Watkins and shown on FOX 8 news. The lady from Caswell County that claimed the dog said it only had spots on one side when the dog had spots on both sides. Mr. Howard stated that Animal Control investigated and that the lady on Cherry Grove Road produced documentation where she adopted the dog from a shelter.

Kevin Howard, County Manager, stated that there was a request from the last meeting from Mr. Hahn from the LME for some letters between the LME and OPC with regards to the merger and those are in front of you.

Commissioner Travis stated that the same lady called him about the dog and asked if the Sheriff's Department and Animal Control went over and took the dog away from Ms. Watkins. Mr. Howard stated that Alamance Animal Control came and checked her house here and our Animal Control went out and checked the house and there was paperwork where she adopted the dog. Commissioner Travis said Alamance County is investigating where they threw the dog out in the creek.

Commissioner Hall stated that he received a call from the Census department. They want to come out and give the Board an update on where they are. He would like the Clerk to contact everyone and the meeting will probably take about an hour to update the Board.

Commissioner Carter stated that he would like to thank Ms. Ballard for coming tonight and reaffirmed what Commissioner Satterfield said about zoning and that he appreciated her coming.

Commissioner Satterfield asked Mr. Howard to have the Sheriff to look into possible noise violations as that is the only thing that he knows that could help Ms. Ballard and others around that facility. He has heard the same thing about automatic weapons being fired there and that he does not know who can own automatic weapons. Commissioner Satterfield stated that he would like the Sheriff to come before the Board the next meeting and inform the Board about what they know is going on there.

## ADJOURNMENT

At 7:59 pm Commissioner Travis moved, seconded by Commissioner Satterfield to adjourn the meeting. The motion carried unanimously.

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Matthew W. Smith  
Clerk to the Board

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George W. Ward, Jr.  
Chairman

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