

MONDAY JULY 19, 2010 MINUTES

The Caswell County Board of Commissioners met at the Historic Courthouse in Yanceyville, North Carolina at 6:30 pm on Monday July 19th, 2010. Commissioners present: Chairman George W. Ward, Jr., Vice-Chairman Kenneth D. Travis, Erik D. Battle, William E. Carter, Nathaniel Hall, and Jeremiah Jefferies. Also present: Kevin B. Howard, County Manager, Michael Ferrell, County Attorney, and Angela Evans, Caswell Messenger. Absent: Gordon G. Satterfield. 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 would like to move Item Eight to Item Nine and move Item Ten to the August 2nd, 2010 meeting. The Board would like to add into Item Ten a report from PTCOG by Commissioner Hall. Commissioner Travis moved, seconded by Commissioner Jefferies to approve the agenda. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Hall stated that he would like to suggest a correction to the July 6th, 2010 Minutes. On page three in the last paragraph where it says Commissioner Jefferies stated that Hodges Dairy Road did not want it put there, it should be included that this happened eighteen years ago. Commissioner Jefferies moved, seconded by Commissioner Travis to approve the consent agenda with the addition to the minutes. The motion carried unanimously.

PUBLIC COMMENTS

John Claggett, Providence, NC, came before the Board to comment on North Carolina Open Meetings Law. Mr. Claggett stated that the law is extended to all public bodies including the Board of County Commissioners, all committees of the Board whether standing or ad hoc, all groups established through the action of the Board of Commissioners such as Planning Board, Board of Adjustment, Human Relations Commission, along with all committees composed of members of such groups. All official meetings of public bodies, including the Board of County Commissioners and any of its committees are subject to the Open Meetings Law. Mr. Claggett stated that Open Meetings Law requires that full and accurate minutes be kept of the meetings of other public bodies that are part of county government. Included are all boards, committees, and other bodies of the county that perform legislative, policy-making, quasi-judicial, administrative or advisory functions. Mr. Claggett stated that if you recall, Chairman Ward approved your appointments to these boards and committees over seven months ago. Gentlemen, are the dates and times of the various board and committee meetings that are part of county government available to the public this evening or anytime for that matter? If not I would like to recommend that future agenda packages contain that information as I believe it would serve as a means for the Board to better make informed decisions and curb redundancy. The motivation for my

question comes from the lack of information presented on page 21 of your agenda package which is the amplifying information associated with agenda item 9 of this evenings public meeting.

Dee Ballard, Blanch, NC, came before the Board to comment on the noise ordinance and its enforcement with respect to Third Degree Tactical Firearms Institute that is located near her property. Ms. Ballard handed out a GIS map showing the location of her property and the property the gun range is located on. She also handed out information on Appleseed, a patriot group who support the second amendment, who are coming for a two day shoot. She presented to the Board a copy of the Caswell County Disturbing the Peace Ordinance and a copy of the Environmental Impact Ordinance #54 per the North Carolina Environmental Policy Act. She has expressed her concerns with the Sheriff's Department. She made a comment that all the neighbors on which this facility is located purchased their land over 25 years ago and they want to be able to enjoy the peace and quiet and they are unable to do so.

Anthony Stewart, Blanch, NC, came before the Board to comment on the noise ordinance. He had a couple of questions concerning why taxes would be raised two and a half percent (2 ½%) but yet the property values will be devaluated because of such type business. As far as the noise goes there is a neighbor that has a couple of horses on seventeen acres of land but she has to lease someone else's land for the horses to roam on. He stated that this does not affect him personally but he did not agree that someone should have to pay someone else so they can enjoy their pleasure at the expense of someone else's pleasure.

Anthony Pinchback, Blanch, NC, came before the Board to comment on the noise ordinance. I support that this facility needs to be moved or shut down. I understand that this facility has ties to an Al Qaeda Training Camp and I do not want this type of facility in Caswell County.

Ada Stone, Blanch, NC, came before the Board to comment on the noise ordinance. The noise of the heavy artillery in the community can be heard for miles. This noise is happening during the night while people are sleeping. It is not appropriate for our community. We did have the Blanch Prison Camp in our area but it was never as disturbing as this facility.

Annie Harrelson, Blanch, NC, came before the Board to comment on the noise ordinance. She stated that she can hear the noise from the guns all the time. It goes off late at night, early in the morning and in the middle of the day. Something needs to be done.

Deloris Mitchell, Blanch, NC, came before the Board to comment on the noise ordinance. She lives diagonally from where this facility is located. The shooting goes on all the time. She has her grandson on the weekends and she fears for the safety of children. No one knows where the bullets will go. At times it sounds like automatic weapons are being used and she knows that this should be illegal here in this County. She stated that she wishes the Board would do something about this facility. She has fear for the children and others. If this was a positive thing it would not have to go on at night.

Lorene Garland, Blanch, NC, came before the Board to comment on the noise ordinance and the type of people we are bringing into Caswell County. The noise sounds like dynamite going off.

He was there when the Blanch Prison was built and never had many prison breaks but they never heard any noise like they do now. The County Commissioners should bring in people that can help our children that will grow up in this community.

Lutricia Pyles, Blanch, NC, came before the Board to comment on the noise ordinance. The noise is so loud that she is scared to go outside. She has a grandbaby and is scared to allow her to go outside to play. Shooting is going on all day and all night. When outside she is scared of where the bullets are flying. She also wishes the board would close it down.

David Pyles, Blanch, NC, came before the Board to comment on the noise ordinance. He is the son of Lutricia Pyles and as his mother said this is very disturbing. He is scared as well. Please close this facility down.

Stella Graves, Blanch, NC, came before the Board to comment on the noise ordinance. The noise is like a machine gun going off. It is disturbing as well as scary. Please consider closing down this facility for us.

County Manager, Kevin Howard, stated that he would get with the County Attorney to discuss the facts at the first meeting in August.

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

RECESS

The Board held a brief recess.

REPORT ON STAFF VISIT TO CONSERVATORS' CENTER

County Manager, Kevin Howard, presented to the Board a report from staff on their visit to the Conservators' Center. They visited the Center on July 13th and they are working on a larger report on what they saw. There is a perimeter fence around the facility and each animal is kept in its own cage. The perimeter fence is not set up to keep the animals in; it is up to prevent other wild animals from getting in. Their policy is that if an animal gets out of its cage it is automatically tranquilized. If an animal gets outside the perimeter fence it is automatically killed.

Commissioner Travis inquired as to whether that has happened. Mr. Howard reported that it has not happened. Commissioner Travis also asked if guards were set up at all times. Mr. Howard stated that there is someone at the facility twenty-four hours a day. The employees check the cages and perimeter twice a day to ensure that the animals are up. If an animal is missing the whole facility is shut down until the animal is found. The USDA performs secret visits. The USDA comes twice a year according to the guidelines. Each animal has an ID number and every animal has to be accounted for.

Commissioner Hall questioned how many animals have they put down since they have been there. Mr. Howard responded that they have not had to put any down. Commissioner Hall

added that citizens of the community have stated that they have seen animals outside of the compound. Commissioner Hall suggested to Chairman Ward that the USDA come and meet with the Board after they perform an inspection so we can address these issues and ask them all of the relevant questions so we can address the citizens correctly.

Commissioner Hall questioned the County Manager as to who went to the Conservator. Mr. Howard responded himself, Animal Control and Environmental Health. Commissioner Hall questioned if anyone from the Sheriff's Department went. Mr. Howard responded no.

Commissioner Hall inquired as to whether the perimeter of the compound was walked. Mr. Howard responded that the entire inside perimeter was walked.

Commissioner Battle inquired if the USDA had requirements on housing these animals. Mr. Howard responded that yes they do provide requirements on the housing of the animals.

Commissioner Carter inquired as to what kind of animals were at this facility. Mr. Howard responded lions, tigers, leopards, etc.

Commissioner Hall stated that this is a serious matter and that the board needs to investigate it further. We do not want our citizens in harm's way.

Commissioner Battled asked if the Conservator had an emergency plan.

Chairman Ward asked that Mr. Howard follow up on the contingency plan from the Conservator.

BUDGET AMENDMENT 18

Mr. Howard presented the last Budget Amendment for the last fiscal year to the Board. The revenues are revenues that came in on top of what was budgeted. All of them have not come in.

Chairman Ward questioned what the County had to take out of the Appropriated Fund Balance for \$55,875.00. Mr. Howard stated it was for the PCC roof. Commissioner Carter moved to accept the Budget Amendment as presented, seconded by Commissioner Jefferies. The motion carried with a vote of five to one with Commissioner Travis voting no.

BUDGET TRANSFER 8

Mr. Howard stated that a budget transfer had to be done to balance out the funds from the Budget Amendment 18. Commissioner Jefferies moved to accept the Budget Transfer as presented, seconded by Commissioner Carter. The motion carried with a vote of five to one with Commissioner Travis voting no.

DISCUSSION OF WORKPLANS FOR BOARD APPOINTED EMPLOYEES

Mr. Howard presented to the Board the General Statutes for the duties of the County Manager, Clerk to the Board and County Attorney. Also attached were copies of various evaluation forms.

Chairman Ward suggested that Mr. Howard speak to other county managers to see what they have for the Tax Director.

Commissioner Hall stated that the Tax Director, Clerk to the Board and the County Manager should know the General Statutes that pertain to them. Commissioner Hall commented that he liked the forms and what they contain.

Commissioner Hall also stated that within a month these procedures should be finalized.

Chairman Ward added by the 1st of September to have the criteria for the evaluations.

APPOINTMENT TO BOARDS AND COMMISSIONS

Chairman Ward presented to the board the new policy concerning appointing employees to boards.

Commissioner Hall added that the County Attorney was going to draft two policies: one that was for and one that was against county employees being appointed to boards. He is against employees being appointed to boards. Other citizens should be able to be appointed to these boards to give some diversity on the boards. He previously raised the issue of whether the time is considered as overtime or as comp. time. Commissioner Hall also raised the issue if it was good public policy. That is the decision that the board needs to make first. What is the Board most comfortable with? Commission Hall moved that it is the policy of this Board that current employees of the County shall not be appointed to any of the boards and commissions over which this Board has the power of appointment unless such an appointment is specifically allowed or mandated by statute of other authority. Seconded by Commissioner Travis. The motion carried unanimously.

Chairman Ward stated that the Board had made the request as to when the boards are meeting or if they have met. For instance, the Local Emergency Planning Committee has not met officially in over one year.

Commissioner Hall stated that the Board needed to make a decision on how to handle this. If a committee is not meeting is this committee necessary. It may have been necessary when it was established but not anymore. We need to find out. If it is necessary we as a Board need to contact the chairman of that board and make some changes. Chairman Ward directed Mr. Howard to take the list and look into this issue.

Chairman Ward questioned when the Transportation Advisory Board met since it only states "Has met in last year". Commissioner Hall added to make a note of how many times. Commissioner Hall stated that the dates and times need to be confirmed and need to know the membership and the chairs of each of following boards: Transportation Advisory Board, Civic Center Committee since they have not done anything in the past two years.

Commissioner Travis stated that if the boards are not meeting at least twice a year then we do not need them. Some of the boards probably need to meet quarterly. Commissioner Hall agreed that the boards need to meet at least quarterly. For example, the legislative just changed the rules on how the 911 monies can be spent. Someone should know this.

Commissioner Hall stated that the Industrial Facilities and Pollution Control Board is not on the list. It is listed on our web page but is not listed here. Need to know when they meet and how often.

Commissioner Battle questioned the Piedmont Conservation Council. Commissioner Hall stated that we do not appoint to that board, they recruit themselves.

Chairman Ward stated there are two vacancies on the Agricultural Advisory Board. Need five members and only two people applied. Commissioner Ward moved to appoint William "Earl" Nelson and John M. Shumaker to the Agricultural Advisory Board, seconded by Commissioner Jefferies. The motion carried unanimously.

Commissioner Hall questioned if there is no one who applies to take the place of a person whose term has expired are they still appointed to that board. Chairman Ward acknowledged with a yes. Chairman Ward added that someone needs to get in contact with these people and find out if they want to be on the board. This needs to be done by telephone and not in written form. If they do not want to be on the board then we need to start trying to find someone as a replacement.

Commissioner Travis made the recommendation to put the people who applied for the boards on them and then re-advertise for the positions that were not applied for.

Commissioner Jefferies moved to re-appoint Ethel Gwynn to the Alamance/Caswell/Rockingham LME Board of Directors, seconded by Commissioner Travis. The motion carried unanimously.

Chairman Ward tabled the Board of Health appointment until August 2nd.

Commissioner Travis moved to appoint Sylvia Banks and Brenda Long to the Caswell County Joint Nursing Home/Adult Care Home Community Advisory Committee, seconded by Commissioner Jefferies. The motion carried unanimously.

Commissioner Travis moved to appoint Joyce Corbett Robinson to the Economic Development Board, seconded by Commissioner Jefferies.

Commissioner Hall questioned why the Board would appoint someone to a board that is not meeting. Chairman Ward responded by saying the Board should still appoint this person and then get in touch with the chairman to address the meetings. Commissioner Travis withdrew his motion until new guidelines are discussed for the Economic Development Board.

Commissioner Carter moved to appoint Dennis Kopec to the Farmer Lake Board, seconded by Jefferies. The motion carried with a vote of five to one with Commissioner Travis voting no.

Commissioner Travis moved to re-appoint Betsy C. Watlington to the Hyoconeechee Regional Library Board, seconded by Commissioner Jefferies. The motion carried unanimously.

Commissioner Carter brought to the Board's attention that Betsy Watlington was chosen last week out of three counties to be the Chairman of the Hyoconeechee Regional Library Organization.

This is the first time there has been a chairman from our County.

Chairman Ward tabled the Juvenile Crime Prevention Council until the 2nd of August.

Commissioner Travis moved to re-appoint Gail F. Stilwell to the Piedmont Community College Board of Trustees, seconded by Commissioner Carter. The motion carried unanimously.

Chairman Ward tabled the Planning Committee for Services to the Elderly until the 2nd of August.

Commissioner Travis moved to appoint Barry K. Smith, Kathleen Wandscher, Susan Merritt, Joyce Corbett Robinson, and Sarah Satterfield to the Recreation Commission Board, seconded by Commissioner Jefferies. The motion carried unanimously.

Commissioner Hall moved to appoint Odessa Gwynn to the Senior Center Advisory Committee, seconded by Commissioner Travis. The motion carried unanimously.

Commissioner Carter moved to appoint Edith Gentry, Fred Smith, David Cannon and Jean Vernon to the Senior Center Advisory Committee, motion died with no second.

Chairman Ward moved to appoint Edith Gentry, Fred Smith, David Cannon and Diane Frederick to the Senior Center Advisory Committee, seconded by Commissioner Carter. Commissioner Carter brought before the Board that David Cannon has his house for sale and will be moving out of the County. Chairman Ward moved to switch David Cannon with Shelby Badgett, seconded by Commissioner Carter. The motion carried with a vote of five to one with Commissioner Battle voting no.

Commissioner Jefferies moved to appoint Marylene S. McCain to the Social Services Board, seconded by Commissioner Travis. The motion carried unanimously.

PTCOG UPDATE

Commissioner Hall presented to the Board a report from the Piedmont Triad Council of Government. The PTCOG has been approached several times over the past years regarding the PTCOG and the Northwest Council recombining. They split about thirty years ago. The big push is to recombine to be combined as one regional COG. A year or so ago The PTCOG contacted Northwest COG and they were not interested. The Executive Director asked them

again this year and there was some interest expressed. The Chairman of the PTCOG and the Chairman of the Northwest COG appointed a Joint Merger Task Force to meet and to investigate further. Commissioner Hall was appointed to that Task Force. They met on May 12th for an exploration meeting and did agree to meet again. They met again on June 13th and the staff put together a paper of benefits of the merger and recombining the two COGs. There were a lot of positive interests from both COGs. They will meet again on July 28th to further look at the structure they are going to have. The key stopping point from the Northwest COG was that since they represent five counties and the PTCOG represents seven counties we would dictate who the executive director would be. Both COGs like their executive directors. The PTCOG's Executive Director retired as of June 30th. We knew he would be retiring and had placed an advertisement for a replacement. Once the merger came back upon the table the PTCOG stopped the advertisement and we informed the Northwest COG that we had done this. The two combined task forces will make a recommendation to the executive board which will go to the full board, if approved there, then each individual member of the organization will have to vote on it. Could happen in three months, six months, or could not happen. In Commissioner Hall's opinion there is more positive than negative that we will explore combining the two COGs. The Northwest COG members represent rural counties and are concerned as to how things will be handled and Commissioner Hall is also concerned since Caswell County is a rural county as well. Commissioner Hall asked if there were any questions or concerns that the Board wanted him to present to the Task Force.

Chairman Ward stated that the Board appreciates everything that Commissioner Hall does on that board.

MANAGER'S BUSINESS

Chairman Ward asked County Manager, Kevin Howard for an update on the LME meeting. Mr. Howard asked if that could be discussed at the end.

Mr. Kevin Howard, County Manager, presented that Life Enhancement Services has requested three offices that were left vacant when Easter Seals moved out of the building. This will leave three more offices that are vacant but there is some interest in one of them.

Commissioner Hall suggested that the Board discuss Item B before discussing these leases since that will impact what the Board will do. Mr. Howard stated that an inspection was performed on the Guilford Mills Building. This was on the storage area and not the offices. The Building Inspector did find some major leaks throughout the building. There was a major bow in the side wall. There were cracks in two corners. The lead paint is cracking and there is a crack in the firewall on the exterior of the building. This area is just used for storage. There should be no problem with leasing the offices.

Commissioner Travis commented that the biggest problem is the roof. The roof will cost \$135,000 to replace. Chairman Ward asked about the major bow and the floor issue. Mr. Howard responded that there have been several contractors who have looked at these two issues and state they can be corrected.

There was no motion to accept the leases. It was tabled until Mr. Howard can get a cost to make sure that the office spaces are safe to lease. Mr. Howard responded that these people will have to move out since they were a renewal of leases.

Commissioner Carter moved to approve the Guilford Mills leases as presented. Motion died due to lack of a second. Mr. Howard was informed to ask the renters to leave.

Commissioner Hall stated that the building issues need to be dealt with to make sure that it is safe for someone to rent and safe to work in.

Mr. Howard asked the Board if they would give him the authority to get a structural engineer out to assess the building to see if it is safe or not. If the building is deemed unsafe he would have the renters moved out.

Commissioner Hall moved to give the County Manager the authority to get a structural engineer out to inspect the building by Thursday of this week to see if it is safe for habitation, if it is not safe the County Manager will have the people moved out of the building, seconded by Commissioner Travis. The motion carried unanimously.

ADJOURNMENT

At 8:44 p.m. Commissioner Travis moved, seconded by Commissioner Carter to adjourn the meeting. The motion carried unanimously.

Matthew Smith
Clerk to the Board

George W. Ward, Jr.
Chairman
