

MONDAY AUGUST 2, 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, Gordon G. Satterfield and Jeremiah Jefferies. Also present: Kevin B. Howard, County Manager, Michael Ferrell, County Attorney, and Angela Evans, Caswell Messenger. Kevin Howard, County Manager, recorded the minutes.

MOMENT OF SILENT PRAYER

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

APPROVAL OF AGENDA

Commissioner Travis moved, seconded by Commissioner Jefferies to approve the agenda adding a Report on the 2010 Census from Commissioner Hall at Item 11 moving other items down. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

No items to approve.

PUBLIC COMMENTS

David Powell, local attorney spoke on Courthouse security and the need for the Board of Commissioners to keep it in the forefront as an issue as they discuss the construction of the new detention center. Currently courthouse security is non-existent.

APPOINTMENT OF CLERK TO THE BOARD

Commissioner Travis moved, seconded by Commissioner Carter to appoint Ms. Paula Seamster as Clerk to the Board of Caswell County Commissioners, at an annual salary of \$38,000, effective August 9, 2010. The motion carried unanimously.

THIRD DEGREE TACTICAL – NOISE ISSUE

County Attorney, Michael Ferrell, gave overview of citizens concerns as he understood them. He stated that our current ordinance does not apply as written due to the fact that the facility is legal and allowed use of the property. Chairman Ward questioned if actually occurred at night could that affect the application of the ordinance. Mr. Ferrell stated it could but no complaints have been made during the period of 11 PM and 7 AM when the ordinance would apply.

Commissioner Battle stated that he was concerned with the safety of the range since it is not large enough for certain caliber of bullets and he had concerns for the safety of adjoining property owners. Commissioner Battle also questioned if the Board would institute regulations

to set criteria that could address the safety concerns. Commissioner Carter added we need to address concerns with noise. Commissioner Satterfield stated the County needed zoning because we have another case where a business was in a bad location due to the lack of zoning. Commissioner Satterfield added that he also talked with residents who thought they heard automatic weapons. He felt the Board needs to address this issue. Chairman Ward asked the County Attorney for guidance. He asked since we cannot exclude the facility can it be regulated?

Mr. Ferrell stated due to not having zoning we cannot exclude the business from locating in a certain area but we can establish regulations under our general health and safety powers. Commissioner Satterfield questioned if the ordinance could limit hours of operation. Mr. Ferrell responded yes. Chairman Ward directed the County Attorney to prepare a draft ordinance and get copies to the Board for review. Commissioner Carter questioned if the Sheriff's department could perform inspections of the business. Mr. Ferrell responded they needed to have probable cause.

RELOCATION OF CONVENIENCE CENTER

Chairman Ward recognized Mr. Tim Smith, Solid Waste Director, to explain the proposed location of the new convenience center. Mr. Smith presented a location on Cherry Grove Road as the recommended site. Commissioner Hall questioned how this location was determined. Mr. Smith responded he only had two property owners who had shown interest in hosting the site. Commissioner Hall and Chairman Ward discussed that the Board had requested an in depth study on sites and to propose new sites based on the population near the centers and the convenience of the centers. Mr. Howard stated staff had looked at population and they felt out of the two sites they had as options this was the better of the two sites He also stated they needed to keep a site open in the area where the convenience center was being closed.

Commissioner Satterfield questioned if the County needed to purchase the land for the convenience center. Maybe we need to move to county owned and operated sites. We would have a better chance of locating the sites closer to preferred locations.

After much discussion Commissioner Jefferies moved to put convenience center on Cherry Grove Road location, seconded by Commission Carter.

The Board discussed the safety of entering and exiting the site due to where it was located on Cherry Grove Road. Mr. Smith explained the site on Wagon Wheel Road was in a worse location for entering the road and the difficulty of setting up the site on Wagon Wheel Road due to the geography of the site.

The motion carried by a vote of five to two with Commissioner Battle and Commissioner Hall voting no.

Mr. Smith was charged to conduct a study for the entire County and to make a recommendation on where the convenience centers are needed to better serve the citizens. Some questions that need answering are: Does the County need additional sites? Would it be better if the sites are

County owned? Should the sites be managed by the county or unmanaged? Provide a detailed safety analysis for proposed sites. The Board would like the report provided by November 1, 2010.

HEALTH DEPARTMENT EMPLOYEE SALARY ADJUSTMENTS

Dr. Fred Moore, Health Director, presented to the Board a request for salary adjustments for three positions in the Health Department. Commissioner Jefferies questioned if the positions were reclassified by the State. Dr. Moore responded that the State did not change the classification but the State did recommend that the positions receive adjustments within the salary range for the increase of duties. Commissioner Jefferies added that he did not support due to other employees not getting salary increases this year. Commissioner Hall asked for an explanation of the normal process for employees to get salary adjustments. Mr. Howard explained employees normally get adjustments as a merit increase or a cost of living adjustment (COLA). He continued that Caswell County has not historically provided the funds to give merit increases and the employees have not received a COLA in a couple of years. Commissioner Hall expressed concern over the fairness of giving an increase to a few employees. We have a lot of employees being asked to take on additional duties and not being compensated due to the economy.

Commissioner Travis moved to deny request for salary adjustments, seconded by Commissioner Battle. The motion carried by a vote of six to one with Satterfield voting no.

BUDGET AMENDMENT

Mr. Howard presented budget amendment #19 for FY 2009-2010 and asked the Board if they had any questions.

Commissioner Carter moved, seconded by Commissioner Hall to approve as presented. The motion carried unanimously.

Commissioner Battle requested a breakdown of the Senior Services/United Way Activities line item.

DISCUSSION OF HIRING AN ARCHITECT FOR NEW DETENTION CENTER

Chairman Ward asked the County Manager to give an overview of where we are in the process. Mr. Howard responded that Commissioner Jefferies and Commissioner Satterfield visited both facilities in Pamlico County and Montgomery County. Both agreed that the Pamlico County facility was a better fit and recommended Brennan & Associates due to how the facility was set up in Pamlico County. After much discussion, Sheriff Welch approached the Board to state the urgency of moving forward on the new detention center. He had great concern for the strong possibility the State would shut down the Caswell County Detention Center. Commissioner Carter moved to enter into contract negotiations with Brennan & Associates and to bring back the contract to the Board for their approval, seconded by Commissioner Satterfield. The motion carried unanimously.

Chairman Ward asked Mr. Howard to present financing options when the contract was brought back to the board.

2010 CENSUS UPDATE

Commissioner Hall updated the Board on the 2010 Census. We had a good response rate and had increases in all categories from the 2000 Census. Training on how to use the data will occur in the county, you can see Mr. Howard or Commissioner Hall for application forms to attend the training. The Board of Commissioners will have the opportunity to pick the date to receive information.

MANAGER'S BUSINESS

Kevin Howard, County Manager, presented a report to the Board where Dewberry & Davis, Inc. performed a limited structural review of the Guilford Mills Building on Thursday, July 22, 2010. In reference to the major bowed in the side wall, Dewberry & Davis did not feel it presented a safety concern but did recommend that the loose brick on the face of the building be removed and replaced because that did present a safety issue. On the 2nd floor drop Dewberry recommended monitoring the condition over time to determine if any movement. The 1/8" crack in both corner walls was not considered a safety issue, but did recommend any loose bricks be removed and replaced. The crack at firewall did not represent any safety concern either. Dewberry did highly recommend the repair of existing roof leaks.

Guilford Mills Leases. Commissioner Travis moved, seconded by Commissioner Jefferies to approve leases as presented. The motion carried unanimously.

LME Consolidation Process Update: County Manager Kevin Howard updated the board on the status of the merger of Alamance/Caswell LME as directed by the state. Mr. Howard reported that he and Craig Honeycutt, Alamance County Manager, would be meeting with three other LME's to discuss the possibility of merger. They would be meeting with Sandhills on August 11th and would be meeting with Centerpoint and Guilford Center on August 18th. Commissioner Hall asked that the County Manager present a report outlining the positives and negatives of each organization and give a recommendation of which organization would be a better fit for Caswell County at the next meeting. He stressed the need for us to be proactive and to be ready to make a decision because we have to merge by June 30, 2011.

ANNOUNCEMENTS

Commissioner Battle reminded the Board that Firing Range Safety Standards are a big priority. Commissioner Satterfield questioned what the IT policy was passed. Commissioner Carter stressed we need to work on County wide zoning.

CLOSED SESSION

Commissioner Ward moved, seconded by Commissioner Battle that the Board enter into closed session to prevent the disclosure of information that is privileged or confidential pursuant to the law of this state of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes (NCGS 143-319.11(a)(1)) and to discuss matters relating to the location or expansion of industries or other business (NCGS 143-319.11(a)(4)). The motion carried unanimously.

REGULAR SESSION

Commissioner Carter moved, seconded by Commissioner Battle to resume regular session. The motion carried unanimously.

ADJOURNMENT

At 10:40 p.m. Commissioner Travis moved, seconded by Commissioner Jefferies to adjourn the meeting. The motion carried unanimously.

Kevin Howard
County Manager

George W. Ward, Jr.
Chairman
