

MINUTES – OCTOBER 3, 2011

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, October 3, 2011. Members present: Kenneth D. Travis, Vice-Chairman, William E. Carter, Jeremiah Jefferies, Cathy W. Lucas and Gordon G. Satterfield. Absent: Nathaniel Hall, Chairman and Erik D. Battle. Also present: Kevin B. Howard, County Manager, Brian Ferrell, County Attorney, and Angela Evans representing The Caswell Messenger. Paula P. Seamster, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

Vice-Chairman Travis opened the meeting with a Moment of Silent Prayer.

APPROVAL OF AGENDA

Mr. Howard stated “I would like to add a Closed Session for Economic Development.”

Commissioner Lucas asked “Did you get the information we needed for the Redistricting?” Mr. Howard responded “Not yet. I am still waiting on some of that.” Commissioner Lucas asked “What specifically was it?” Mr. Howard responded “The portion I am waiting on is the legality of the questions that came up about the other plan and I don’t have all those answers yet. The questions about the prison being in or out I don’t have all those answers yet.” Commissioner Lucas continued “So it was more than one question?” Mr. Howard responded “One was how long it would take the Board of Elections to make the changes and there was another question on the legality of prisons being taken out or not.” Commissioner Lucas asked “Do you have a time frame?” Mr. Howard responded “I will have it definitely by the next meeting. There was just not enough time to get those answered before getting out this agenda.” Commissioner Lucas stated “I just thought that time was of the essence.” Mr. Howard responded “That would be the latest I would have the information. We should be able to make a decision by the end of this month.” Vice Chairman Travis stated “You should have it by the next meeting.” Mr. Howard responded “Yes sir.”

Commissioner Jefferies moved, seconded by Commissioner Carter to approve the Agenda as amended. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Jefferies moved, seconded by Commissioner Carter to approve the Consent Agenda as presented.

Commissioner Lucas stated “On the minutes on Page 41 the word should be “scrape” instead of “scrap”.

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

The following items were included on the Consent Agenda:

- A) Approval of Minutes of September 6, 2011 Regular Meeting
- B) Approval of Minutes of September 19, 2011 Special Meeting
- C) Approval of Minutes of September 19, 2011 Regular Meeting
- D) Lease Agreement for Guilford Mills

PUBLIC COMMENTS

Vice-Chairman Travis opened the floor for public comments.

Vice-Chairman Travis asked if there was anyone who would like to speak at this time. Vice-Chairman Travis declared the Public Comments as closed.

PROCLAMATION FOR NATIONAL LONG-TERM CARE RESIDENTS

Ms. Brenda Long, Chair of the Caswell County Joint Nursing Home/Adult Care Home Community Advisory Committee, came before the Board and made the following statement:

“I want to thank the commissioners for taking the time to recognize patients in long-term care facilities. October is National Long-Term Care Residents’ Rights month, a time to acknowledge the contributions and sacrifices many long-term care residents have made to better our community and to call attention to the rights of residents in long-term care facilities. This year’s theme *Welcome Home: Creating Connections Between Residents and the Community* calls attention to the fact that residents of long-term care facilities are still an important and valuable part of our community. They are the backbone of the communities where we live and our communities are due in part to their hard work and contributions. As a community we need to involve residents in our activities such as Boy and Girl Scout functions, community forums, election rallies, and annual community events. During Residents’ Rights month we recognize the Long-Term Care Ombudsman Program staff and the Joint Nursing Home/Adult Care Home Community Advisory Committee volunteers who work daily to promote residents’ rights, assist residents with complaints, and provide information to those who need to find a long-term care facility. In Caswell County the Ombudsman Program serves one nursing home and twenty-eight adult and family care homes. As Caswell County celebrates residents’ rights I encourage everyone to visit those they know in a long-term care facility, volunteer in a facility, participate in Residents’ Rights month events, or inquire about becoming a member of the Community Advisory Committee. Your assistance and attention helps to ensure that the voices of long-term care residents do not go unheard and demonstrates to residents that they have not been forgotten. Again, I would like to thank the Caswell County Board of Commissioners for recognizing the residents of long-term care facilities in Caswell County.”

Commissioner Carter moved, seconded by Commissioner Jefferies to accept the National Long-Term Care Residents’ Rights Month Proclamation. The motion carried unanimously.

**National Long-Term Care
Residents' Rights Week 2011
Proclamation**

**Welcome Home: Creating Connections Between Residents and the
Community**

Whereas, there are more than 1.6 million individuals living in 16,000 nursing homes; and 1 million individuals living in 50,000 board and care/assisted living facilities in the U.S.; and

Whereas, the federal Nursing Home Reform Act of 1987 guarantees residents their individual rights in order to promote and maintain their dignity and autonomy; and

Whereas, all residents should be aware of their rights so they may be empowered to live with dignity and self-determination; and

Whereas, we wish to honor and celebrate these citizens, to recognize their rich individuality, and to reaffirm their rights as community members and citizens, including the right to have a say in their care; and

Whereas, individuals and groups across the country will be celebrating Residents' Rights Month with the theme –“Welcome Home: Creating Connections Between Residents and the Community”– to emphasize the importance of affirming these rights through facility practices, public policy and resident-centered decision-making that impacts quality of care and quality of life.

Now, therefore, I, Kenneth D. Travis, Vice-Chairman of the Caswell County Board of Commissioners, do hereby proclaim October 2011 as **National Long-Term Care Residents' Rights Month**, in the County of Caswell, and encourage all citizens to join me in these important observances.

Signed this 3rd day of October, 2011

S/Kenneth D. Travis _____, Vice-Chairman

COMMUNITY FOUNDATION GRANT REQUEST

Ms. Rhonda Griffin, County Librarian, stated “I would like to request permission to submit a grant to the Community Foundation for the Library to purchase e-readers that can be checked out to the public. I did submit a letter about a month or so ago and we made it through the first round. Now I am requesting permission to submit the full application.”

Commissioner Satterfield moved, seconded by Commissioner Lucas to grant permission to seek the grant from the Community Foundation to purchase e-readers for the Library. The motion carried unanimously.

AMENDMENT TO FY 2011-2012 BUDGET ORDINANCE

Ms. Gwen Vaughn, Finance Director, stated “Good evening. Item #7 is the Amendment to the 2011-2012 Budget Ordinance and it begins on page 80 but the actual change is on page 89. Section XXIV: Solid Waste Management Fund. The Availability Fees have been recalculated at a rate of \$84 per household changing the amount that was adopted. The adopted amount was \$688,500. It would change it to \$680,358. It’s in bold print on page 89 at the bottom. The difference in that is \$8,142. That is on the revenue side. On Section B on the expense side, the Operation Expense was reduced by the same amount \$8,142. You will notice that in bold as well. On page 9, Section XXVII, Item C. you will notice the household solid waste fees for the Solid Waste Management Fund are hereby levied at \$84 per household based on an estimated collection rate of 95.75%. That was adopted at \$85 and it was changed to \$84. Are there any questions?”

Commissioner Lucas asked “I understand the changes in the actual budget ordinance but how are we going to make the change to the taxpayers?” Mr. Howard responded “It will be a prepayment for next year’s taxes.” Commissioner Lucas continued “It will. We are not going to any expense to refund any money.” Mr. Howard responded “The way I understand it to work is the Tax Office will be cut one check and they will go in and manually apply the money to each taxpayer’s account as a prepay for next year’s taxes. They may be able to adjust the people who are coming in and paying but the majority will be done this way.” Vice-Chairman Travis asked “Has that been checked on?” Mr. Howard responded “If we did a credit we would have to cut a check to everybody. We would have to reimburse that dollar. By doing it this way we will be able to do a prepayment for next year and we will not have to cut a check for each tax bill.”

Commissioner Lucas moved, seconded by Commissioner Satterfield to amend the Budget Ordinance for Fiscal Year 2011-2012 to reflect the change in the Solid Waste Fee which was voted on by the Board of Commissioners during the budget session for \$84, to change it from \$85 to \$84. The motion carried unanimously.

DETENTION CENTER PROJECT ORDINANCE

Ms. Vaughn stated "Item #8 the Project Ordinance for the Detention Center is actually the Construction Ordinance on page 93. It gives Section 1 through 7 the details. In Section 4 the authorization of the project. The new construction total cost and the project cost. The construction total cost is \$7,463,367. The total project cost is \$8,467,994. Section 5, the County Manager is authorized to approve change orders up to \$10,000 and present documentation of change order to the Board of Commissioners at the next scheduled board meeting. Section 6, the Finance Director shall prepare budget amendments as needed to be presented to the Board of Commissioners for final approval. Do you have any questions?"

Commissioner Lucas stated "On page 93, the \$10,000 amount, I just have a problem with that. I think that any change order needs to come before the Board." Mr. Howard responded "The issue with change orders like that is sometimes it could hold up construction and cause a lot more expense than that \$10,000 would entail." Commissioner Lucas asked "In our budget what are you authorized to spend?" Mr. Howard responded "\$5,000." Commissioner Lucas stated "That is my recommendation here, \$5,000 rather than the \$10,000. How did you come up with the \$10,000?" Mr. Howard responded "That is very low compared to what most places do in projects of this size. I will give you an example, going in and us finding unsuitable soil that could be thirty, forty or fifty thousand dollars in unsuitable soils depending on what is going on with that." Commissioner Lucas stated "The other question I had was about the contingency amount, the \$344,000." Mr. Howard responded "The Board would have to vote to take it out of that and to put it into the project." Commissioner Lucas asked "So the ten thousand is that not to be allowed in the contingency amount?" Mr. Howard responded "It would be. Anything over ten thousand would come before the Board before it would be done. Right now we actually have a credit of \$98,000 from the project, from what the actual project costs."

Commissioner Jefferies moved, seconded by Commissioner Carter to accept the Finance Director's recommendation on the Capital Project Ordinance Detention Center Construction Project. The motion carried by a vote of four to one with Commissioner Lucas voting no.

BUDGET AMENDMENT #2

Ms. Vaughn stated "Budget Amendment #2 is on page 94. It follows the Project Ordinance. It has the complete amount that was budgeted for the Detention Center project \$8,567,000. The difference in this is that the loan origination fees, \$99,006 is added. I don't expect all of that will be loan origination fee. That is the amount that was estimated, so we have it here in the budget ordinance."

Vice-Chairman Travis asked "So in other words what you are saying is this is going to be added to the bottom line, right?" Ms. Vaughn responded "Yes sir. If you take out the \$99,006 you will have the same amount as the project ordinance. The only difference is the loan origination fees. The fees for the project are added on to Budget Amendment #2 because it is not construction. It pays for the bond counsel, the financial advisor, the local government commission and arbitration and any fees that we may incur. So far we have almost eliminated all of those fees."

Commissioner Lucas asked "What are General Conditions?" Mr. Howard responded "The general conditions are what we are paying to have the construction managers on site for the project and all the cost with that." Commissioner Lucas asked "It is for construction managers on site?" Mr. Howard responded "Yes ma'am, their salaries. The equipment they have and everything. There are several things that they are purchasing that we will be able to keep at the end of the project, computers and stuff like that." Commissioner Lucas continued "So that is part of the construction manager's part of the general conditions and then you have Construction Management Cost." Mr. Howard responded "That is the architects. The Construction Management Cost is the architects, their part of the project in managing the construction, the role they will play." Commissioner Lucas asked "So the architects are separate from the General Conditions which are the construction managers?" Mr. Howard responded "Yes, basically the manager and the site supervisor." Commissioner Lucas continued "And the Transfer to General Fund, the \$420,946, is that what we have already spent to date?" Mr. Howard responded "Yes ma'am. That is what was spent for design cost and for going out to bid and all of that up to the point that we accepted the bid." Commissioner Lucas asked "So that is what we have already paid out of our general fund and you are going to reimburse that back?" Mr. Howard responded "Yes ma'am."

Commissioner Carter moved, seconded by Commissioner Jefferies to approve Budget Amendment #2 as presented. The motion carried by a vote of four to one with Commissioner Lucas voting no.

BEACON TOWERS LAND LEASE PROPOSAL

Mr. Brian Collie, County Planner, stated "Beacon Towers is proposing to locate a 250 foot tall communication tower on the landfill site owned by Caswell County. They have met with myself, the county manager and the county attorney several times. I believe the county attorney has a lease agreement that they have been working with for the site. The Planning Board reviewed the application packet and that should be in your agenda. On September 27th they approved it with a unanimous vote. Since this proposal is for county owned property, on page 5 of the Communication Ordinance Section 1.42, you probably do not have this in your packet but,

concerning public property it says that ‘antennas or towers located on property owned, leased, or otherwise controlled by the County of Caswell shall be exempt from the requirements of this Ordinance, provided a license or lease authorizing such antenna or tower has been approved by the governing authority after a public hearing and adjoining owners notification.’ The adjoining owners have not been notified and tonight is not a public hearing so if you choose to have that public hearing I would need to notify those adjoining property owners.”

Vice-Chairman Travis asked “So what you are saying is we will have to have a public hearing before we can even vote on this, right?” Mr. Ferrell responded “Well what is before you tonight is this. What is proposed is this application in the first instance but more importantly from the county’s perspective it’s a lease of its property by this company Beacon Towers to erect this 250’ telecom tower. Because of the term for which the tower company wants to lease this property, it is greater than 10 years in fact it is substantially greater, it is a 50 year proposed lease. It triggers the public sell notice requirements and bid requirements just as if the county was going to sell this property to Beacon Towers because of the length of the initial lease term which is 5 years and the option period which would run for 45 years for a total of 50. Because of that what the Board is faced with is determining whether or not it intends to proceed with the lease. If it gives an indication tonight that it would entertain entering into this lease agreement with Beacon Tower the terms of the lease then have to be put out for public bid, upset bid. We have negotiated a lease right now with Beacon Towers, if you like the basic terms of the lease and indicate your intent to proceed with the lease tonight then it would trigger an upset bid process by which other potential leasees could come in say well we are willing to match or we are willing to beat that offer and put more money in and so you will have an upset bid process that could go on until the higher bidder is finally located. Brian Collie can tell you a little bit more about what the tower application is for and the specifics of the tower but I have the essential terms that Kevin and I have been talking to Beacon Towers about over the course of several weeks that would be the financial terms, the length and some other relevant provisions of the lease that we would talk about. We received Friday afternoon after going back and forth on the lease agreement what is the latest version of the lease so it is not in your packet because we got it Friday afternoon in final form at least in its present form. I will go through the essential terms with you here this evening. What is being asked of you really is do you intend to proceed with this lease. You are not obligated to proceed with the lease once the upset bid process is finalized but you have to indicate if you are interested or if you intend to proceed tonight. To the extent that and I will look into this public hearing issue but to the extent that there would need to be that public hearing and notice that could be done in conjunction with the actual approval of the lease which would not come for some time in the future after this upset bid process was finalized. I know this was a long winded explanation but I am happy just to talk about the general terms of the lease that Beacon Towers is willing to agree to whenever you are ready.”

Vice-Chairman Travis asked “So what we are looking at tonight is whether we are interested in leasing or not?” Mr. Ferrell responded “Do you intend to enter into a lease on these basic terms. That is right.” Vice-Chairman Travis stated “The way I look at it this on this land there is nothing else we can do with it. This tower is not going to hurt anything. This is a way the county can use the land.” Mr. Ferrell responded “It is the closed landfill.” Vice-Chairman Travis stated “I know where you are talking about.”

Commissioner Lucas stated "I think it would be incumbent upon the Board to have a copy of the lease agreement and to be able to look at it prior to making a decision on whether we intend to do it or what because we are talking about a 50 year lease. That is a pretty serious..." Mr. Ferrell added "That is a very long time. There is no doubt about it." Commissioner Lucas continued "Money is an issue here and that is part of the agreement and just to have it thrown out here and to make a decision tonight I am not prepared to do that. The rest of the Board may be able to do that but I would not feel comfortable with it." Vice-Chairman Travis responded "I may not understand but I don't think we are entering into a contract tonight." Commissioner Lucas stated "But we are giving the company the impression that you are intending to." Mr. Ferrell responded "That is correct. You would be giving the impression that you would intend to enter into it but you would not ultimately be obligated to enter into the lease agreement but at the end of the process you can reject all of the bids." Vice-Chairman stated "That is right. All we are doing is just seeing what is out there and what we can get. That is the way I see it." Commissioner Carter added "That is the way I see it." Vice-Chairman Travis stated "When it comes down to the last of it we would probably have to have a public hearing. Well we are not that close so we don't need to talk about that now." Mr. Ferrell responded "Well the upset bid does not require it. It requires a public notification of the essential terms certainly. You put in the paper the basic terms of the lease if you can meet or exceed those financial terms or have a sweeter deal for the county then put it forward. There would not necessarily be a public hearing on a lease."

Mr. Ferrell stated "Let me go through this, it is important that the public notice provision to at least have inserted into that public notice the essential terms by which a potential upset bidder would have to meet or exceed. Let me just go through generally this lease. I can hand this out. I know that this is not something that you can read through now so I am just going to hit the highlights for you. The proposal is to lease approximately 10,000 sq.ft. of space within the closed landfill. This lease also contains an agreement that the county will assist in allowing for utilities to be run to this site. The term of the lease is an initial 5 year term with renewal periods of 5 years each that can be exercised at the discretion of the tenant. Again, it would be a 5 year renewal period for a total of 45 years and a 5 year initial term. The rental rate would be \$800 per month during the initial 5 year term. That \$800 will increase by 15% each subsequent renewal term. So year 6 through 10 the lease rate would increase by 15% and then in years 10 through 15 the lease rate will increase again 15% and so on and so on through the initial term. The agreement can only be assigned by Beacon Towers to an entity that has a higher net worth than they have or any subsequent bidder. They would have to show that the assignment would go to an entity with higher net worth. If the lease was terminated for any reason the tower company would be obligated to remove the equipment from the site at their own expense. The tower company is responsible for complying with all laws, regulations, FCC compliance, etc. in order to have the tower permitted. There is a co-location requirement that the county would be required to or allowed to locate its emergency communications facilities on that tower at no cost assuming there is no technical interference with the county's equipment going on the tower. The tower would also have to be available to other co-location tenants at commercially reasonable rates. This is all from the ordinance. This is standard language that is coming from the ordinance about the co-location, etc. The termination provision is also important. The way this termination provision reads the tower company would be able to terminate the lease if essentially it does not have a commercial tenant anymore and it has discretion to terminate the lease really at

its own will. Of course, it has the obligation to remove the equipment but it does have the ability to terminate the lease essentially at will. That was talked about quite a bit with the tower folks and the concern there was with the advance of technology there just may not be a need for such a large tower in the future so for their commercial purposes they need the ability to terminate it at their will. The insurance requirements are in here, a one million dollar liability insurance requirement, FAA compliance as well. One key provision in this lease and would be important to include in any terms that would be made available for bid is this is not a speculative tower. The tower company in this instance has a national carrier ready to go on and locate on this tower and so it is important that any subsequent bidder that may come in also have a carrier ready to locate on the tower so that there is actual improvement in coverage for the residents of the county and that is clause 25. That is the basic terms of the lease. Unfortunately the representative from the tower company, I got an email today that he was sick and was not able to be here this evening to answer specific questions about the project. I am sure the county manager and the planning director can tell you what they know and I am happy to as well. That essentially is what is proposed here to locate this tower on landfill property.”

Commissioner Carter asked “I had one question Brian that kind of raised a flag when you were talking about the tower company had the right to remove the tower. My question would be what if we had our 911 antennas or the sheriff’s department’s antennas over there on that Beacon tower. How would that affect the county on the antennas?” Mr. Ferrell responded “I think that is a good question and that is something that I talked to them about quite a bit about this unilateral right to terminate and the response was they need to make this commercially viable for them to have the ability to terminate essentially at will. If the county had location space on that tower for its facilities at the termination, the lease would required the tower company to remove the equipment so that would mean that our equipment would come down.”

Commissioner Lucas asked “Did I understand you, Attorney Ferrell that any competitive bidder would have to have more of a net worth than this company?” Mr. Ferrell responded “That is incorrect. If the company that is ultimately successful in the bidding process and this negotiated offer is with Beacon Towers, if they were to assign the lease, so in year 6 for instance AT&T said to Beacon Towers we would really like to be the owner of this lease rather than rent from you anymore. We are just going to take on the lease itself and they wanted to assign this lease to AT&T or any other tower company or Beacon Towers got purchased by another company and they wanted to assign this lease as part of that purchase. The way the lease reads they can assign the lease with a third party as long as that third party has a net worth equal to or greater than Beacon. The point that we want to avoid is an assignment of this lease to the ultimate tenant to a company that is perhaps smaller or newer to the market or their existence is less certain. That is the idea there. It has nothing to do with the fact that a new bidder would have to have a net worth equal to Beacon.” Commissioner Lucas asked “Who is the commercial tenant?” Mr. Ferrell responded “AT&T.” Commissioner Lucas continued “So should Beacon Towers agree to assign the lease to AT&T we would still be locked into the same terms for 50 years?” Mr. Ferrell responded “That is exactly right. Upon assignment the terms would continue for the county’s purposes just as they are now. That is right. It is a very long time and this something that I have talked with them quite a bit about. The response I got on let’s reduce that and I was hoping that the representative would be able to be here to speak on this directly but I will tell you the response I got from their lawyer was when I said what about 20 years, what about 25 years is

this. That is these folks are going out and marketing the site to AT&T and others based on the fact that it is going to be there for a long enough time for them to establish their coverage networks up and down 86 in this case and to the extent that there is a reduced term in 15 years only there is question about whether or not they want to invest in the equipment on these towers for a relatively short term in their time period. That is the response that I kept getting on the question about what about doing a shorter term.”

Commissioner Lucas asked “And the County is to share in some of the capital expenses incurred?” Mr. Ferrell responded “That is incorrect. There will be no capital costs to the county for the equipment whatsoever. Beacon Towers is completely responsible. What it will be asked to do is to consent to perhaps allowing an electrical easement to come into this tower site to the extent that there is no power there now to get the utilities installed. There would be no cost to the county. There is a cooperation requirement for utilities to the extent that they will need to get power out to the site and I don’t know what other utility will be necessary.”

Commissioner Lucas asked “Do we know what the standard rate is for towers like this?” Mr. Ferrell responded “That is a very good question too. The financial side is not something that I focused on heavily although I will mention one piece that I did push on which is I do know that the value to the tower company increases with each tenant they get on the tower. So I made a proposal to Beacon that they would consider increasing the lease rate, if they get another tenant for instance the lease rate will go up by some amount. The response that Kevin and I heard from the tower company was well this is what we can offer right now and we will allow the upset bid process and if somebody else can give you a better deal in the upset bid process then so be it. This is what we are willing to offer right now. That is the response we got. As to the \$800 per month perhaps the county manager has some more information on that. I did not look behind the financial details other than saying okay what if another carrier would be available.” Mr. Howard stated “The going rate varies. What most folks do is like he mentioned you have a base rate and then as they add tenants you add another one hundred or two hundred dollars a month to it based on the increased number of antennas on the tower. They were not willing to do that in our discussions. A little bit more information, correct me if I am wrong Brian, this is going to be one of two towers that they are proposing for AT&T in the county or is it three?” Mr. Collie responded “This is the second proposal and they also have some co-locations as well for antennas on existing towers.” Mr. Howard stated “Basically this is an effort by AT&T to increase the coverage in Caswell County. If I am not mistaken they want each one to create a loop in the county to create this coverage from 86 up to 62 on up to VIR. This is just not one place they are looking to locate and to do something in the county. It is one of several.”

Commissioner Carter stated “Someone like Verizon could come in and upset the bid.” Mr. Howard responded “They could. It is more likely for Verizon to come in and locate on the tower as well. That is what Beacon Towers is trying to do.” Commissioner Carter stated “That would be nice because with Verizon the coverage from Yanceyville to Danville has dead spots.” Mr. Collie added “On this tower they are proposing 5 different antenna locations so that is potentially 5 different companies that could put antennas on this tower.” Commissioner Carter asked “Whether it is 1 or 5 we are just going to get \$800 a month right?” Mr. Ferrell responded “That is right. If that is something that the Board is interested in us going back to the tower company about that is an option that you have. We did ask that specific question and the specific response

we got was they were not prepared to do that at this time.” Commissioner Carter stated “What I am saying is Beacon Towers, if they get five customers, then the more they get the more money they will get.” Mr. Ferrell responded “There is no doubt about that at all.” Commissioner Carter stated “I think we should share part of that too.”

Vice-Chairman Travis stated “I don’t think they get that much money from the people who use those towers now. I don’t know how much they pay but I don’t think it is \$800 a month. What we need to move on tonight is do we want him to move forward with this or do we want to forget about it.” Commissioner Carter responded “I would like to see this extra revenue coming in for the county.”

Commissioner Satterfield asked “What is the tax value on the tower?” Mr. Ferrell responded “There will be two components. This property will be leased to them so there will be a real property ad valorem tax component for this ground lease they will have and they will have personal property taxes on the structure itself. That is how the tax director told me he would handle the taxes. I don’t know what the value is but there will be taxes assessed based on the lease and on the equipment and infrastructure of this tower.” Mr. Howard asked Mr. Collie “Did they give you a cost estimate on the application?” Mr. Collie responded “No.”

Commissioner Lucas asked “How long have we been negotiating with Beacon Towers?” Mr. Ferrell responded “I don’t know when it started, a few weeks ago. The actual lease terms have been back and forth I think 3 times to get where we are today.”

Commissioner Satterfield asked “What you are needing from us tonight to get the process started is a motion of our intentions to lease the land for a tower site? We don’t necessarily have to speak to Beacon on it or anything, do we tonight?” Mr. Ferrell responded “The process we are following is the negotiated offer and the upset bid process. So yes the motion would be an intent to enter into a lease with Beacon Towers subject to the upset bid process so that is correct.”

Commissioner Satterfield moved, seconded by Commissioner Lucas to table this lease until the next meeting to give the Board the opportunity to look over the lease since the Board did not receive it until tonight.

Mr. Ferrell responded “Obviously the tower company is interested in this as quickly as possible but...” Commissioner Satterfield stated “Perhaps the gentleman could be at the next meeting.” Mr. Ferrell responded “I think that would be extremely helpful so you could hear from the tower representative.”

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

911 SYSTEM UPGRADE

Mr. Harvey Rudd, E-911 Director, stated “Good evening. What I have come here tonight for is get the approval on upgrading our 911 system and recording system. The current system we have has been in since approximately 2002. It has given us good service but we are getting to the point within the next year that they are not going to support us with parts for it so we have to

make a move to get something newer in. We have a long standing relationship with CML which has changed to Cassadian. We have had three systems with them, this will be the third system. We started out with Liberty and then we went to the Rescue Star and this is the Patriot. What we are proposing is a "piggyback" bid off of Stanley County. We were planning on a "piggyback" off of Carteret County but we could not get our research finished before that point but we actually saved \$4,000 by waiting and piggybacking off Stanley County. I have kept Kevin in touch on this and the price we have now is fifty to sixty thousand dollars cheaper for the same equipment that we were pricing a year ago so it has paid us to research. The whole system, what we are talking about, I think you have a copy of the proposal, the total proposal is \$162,538 and that is including software upgrades for five years and the maintenance and so forth for the system. There is another page where it shows the comparison with Stanley County. The only difference is our technical engineered design in Caswell is a little bit different than in Stanley County. The equipment that is included in the price would have to be purchased to meet the design of it. That is really the only difference. We have checked with the state 911 board to get their blessings on the piggyback bidding. I think that Kevin has been in contact with them and they gave us their blessings on that. What they do on the piggyback bidding is someone has already put it out for bids and they take the lowest bid. CenturyLink did get the bid on it. We have a long standing relationship with CenturyLink. We have been dealing with them since 1992. They have a service repairman that works in Person and Caswell Counties so we can get someone on it soon if we have problems with it. The system we are looking at is redundant. It has two units. If one goes down it goes to the backup."

Vice-Chairman Travis asked "What kind of warranty is on that equipment?" Mr. Rudd responded "It will be covered for 5 years under this package." Vice-Chairman Travis continued "So we should not have a maintenance fee or anything if something happens to it?" Mr. Rudd responded "Not for 5 years. They will take care of it, any software upgrades is covered in this. It will take up into the next generation IP base 911 system and that is the direction they are headed in now. Counties around us have it installed: Person County, Vance County and naturally Stanley County. The CML has very reliable equipment and we have not had any problems with them."

Commissioner Lucas asked "How will this be different from what you have now? I know it will be touch screen." Mr. Rudd responded "One thing is it is getting us prepared for is we will be able to transfer data, we will be able to accept texting, and I think they even said video feeds from one county to the other. So it is really going to push us to be able to get more information." Commissioner Lucas asked "Will it help with speeding up our time?" Mr. Rudd responded "I cannot guarantee that it is going to do that. One difference we will be able to tell, is where now we have to punch in the lines and actually talk to the people, we will actually be able to tell where the call is coming from. Say we have 10 calls coming in at the same time, we will be able to look at the locations and kind of prioritize our calls. If we can tell if they are in the same location you will know that you have already received that call." Commissioner Lucas asked "When the changes are made at the Sheriff's Department I guess you will be moving to the new jail is that correct or will you be utilizing that building totally for 911? Is there going to be a difference with doing this now or would it be better to wait until the change is made or? I am just wondering if you are going to encounter something down the road once that change is made." Mr. Rudd responded "I have already talked to the guy who will actually be installing it

and he said that if we have to do some moving due to renovations or something it would not be that difficult. All they would have to do is run cable.” Commissioner Lucas continued “But will there be an added cost?” Mr. Rudd responded “It will probably be some added cost but I have no idea what it would be but here is the thing it would be covered under 911 funds. All of this we are talking about is covered under the state 911 funds. It won’t come out of the county funds.” Commissioner Lucas asked “I was just wondering if time is a factor? Is this something that you need to get done right away?” Mr. Rudd responded “Well my biggest problem is the availability of spare parts because they are going to stop making them for the system we have now. That is really going to be the problem. I got a notice that they are going to stop supporting the system we have within the next year.” Commissioner Lucas asked “Do you know how long it is going to take to get everybody moved?” Mr. Howard responded “We are looking at another 12 to 13 months before they get moved out.” Mr. Rudd added “They have been able to get parts but it is getting harder and harder. They have spares sitting around where they have taken out of other centers but it is getting harder to find those parts.”

Vice-Chairman Travis asked “This thing is not going to be put in within the next few months. If you were to order it tomorrow it still would not be up and going for how many months?” Mr. Rudd responded “They say they have a 60 to 90 day turn around on this equipment. From the time it is ordered they have a 60 to 90 day turn around in getting it installed.” Vice-Chairman Travis stated “If you were planning on changing rooms over there at 911 you could order this thing now and not install it until you make a decision on how you are going to rearrange the building.” Mr. Rudd responded “The good thing about this system is you can put one unit at one place and put another unit in another place. It has two separate computer units and you can put them in different locations.” Vice-Chairman Travis continued “In other words what you are saying is if you move a person to another office all you would have to do is change the cable?” Mr. Rudd responded “Right, run the cables over there and sit the phones over there. They have assured me that they would work with us when we go to doing this.”

Commissioner Lucas asked “You would not separate your console would you? You would have all of that together.” Mr. Howard responded “What he is talking about is if they have to make a change in the layout they can have one operating while they are setting the other one up maybe on the other side of the building or whatever. I don’t know what it is going to look yet and still operate because it is a redundant system. Then they will move the other system over there once the renovations are complete and they are up and operating. This is something we have talked about. We could make much better timing once the Sheriff’s Office is moved out and the building rearranged we just did not feel like we had the time to do that.” Commissioner Lucas stated “So you would like to do it now instead of waiting.” Mr. Howard responded “Yes ma’am and to be honest with you at every General Assembly session they look at 911 funds and how much you have in the bank and they make changes every year. They want you to spend them down, not recklessly but we need to spend on what we need to buy.”

Commissioner Satterfield asked “The 911 advisory board has been involved in all of this?” Mr. Rudd responded “It has been approved. It took us a while for us to do our research and like I said it has saved us about fifty or sixty thousand dollars by doing the research.” Mr. Howard added “During the budget process we discussed that we were trying to have it done in the last fiscal year but it did not work out and we had to move it over into this fiscal year.”

Commissioner Satterfield moved, seconded by Commissioner Jefferies to accept the 911 director's recommendation as well as the 911 Advisory Board's recommendation. The motion carried unanimously.

911 RECORDING SYSTEM

Mr. Rudd stated "The update on the recording system upgrade is a separate part. You should have a quote on the recorder."

Commissioner Carter asked "What is the dollar figure on that Harvey?" Mr. Rudd responded "\$49,983."

Vice-Chairman Travis asked "Does this go with what we just voted on or is this something separate?" Mr. Rudd responded "This is a recording system that is different but they work hand in hand. I record all of the calls that come in, all of the radio traffic. What we are running into is we are getting a lot of digital and we have some analog stuff in the recording system I have right now and it will not accommodate both of them. This recording system will accommodate both of them. Right now we have on our handsets we have a device on there and they are not very reliable. They fall off. We have to call them more on that in which we have them under contract but we are beginning to have problems with our recorder. It is 6 years old. This will work hand in hand with our phone system. This recording system, they have changed the public records and this would comply with it on some of the things you have to do and as for now we are not."

Commissioner Carter asked "This will come out of 911 funds right?" Mr. Rudd responded "All of this is coming out of 911 funds. I have it already allocated in the budget." Commissioner Lucas asked "So this was included in your budget for this year?" Mr. Rudd responded "Yes." Commissioner Lucas continued "So it was discussed during the budget?" Mr. Howard responded "Yes, ma'am. We talked about it during the 911 upgrades." Commissioner Lucas asked "What is the balance in the 911 budget?" Mr. Howard responded "It is around four or five hundred thousand dollars." Mr. Rudd added "It is somewhere around four or five hundred thousand but this is separate from that." Commissioner Lucas asked "Gwen do you know?" Ms. Vaughn responded "Little over \$712,000. A portion of that is allowed to be spent for public safety. Harvey is talking with the Sheriff on this." Commissioner Lucas asked "What are those plans?" Mr. Howard responded "They are not finalized yet. Some of the money we have to spend before June 30th because the General Assembly changes it every year." Commissioner Lucas asked "How much is state funds?" Mr. Howard responded "100%." Vice-Chairman Travis asked "All of this is state funds?" Mr. Howard responded "Yes sir, for the 911 fund." Commissioner Lucas stated "But a percentage of it is used for public safety." Mr. Howard responded "Of the seven hundred thousand, yes ma'am." Commissioner Satterfield stated "None of this is state money. It is user fee." Mr. Howard responded "Yes it is the user fees but it comes from the state 911 fund." Mr. Rudd responded "That is what it is. It is the user fees."

Commissioner Carter moved, seconded by Commissioner Jefferies to approve the 911 Director's quote of \$49,983 to purchase a recording system.

Commissioner Lucas asked "Harvey did you get more than one bid before you submitted this?" Mr. Rudd responded "I checked with a couple of different places and like I said we have been dealing with this company for probably 8 or 9 years." Commissioner Lucas asked "What is the life on this recording system?" Mr. Rudd responded "Five to six years." Commissioner Lucas asked "Will it be part digital and part analog or will it be all digital?" Mr. Rudd responded "It will be part digital and part analog where we would have to add to the system we have now to make it work. This will accommodate for both of them."

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

EMS PREVENTATIVE MAINTENANCE SCHEDULE

Mr. Jeff Sicz, EMS Director, stated "Good evening. What you have before you is the plan that I promised you about the preventative maintenance for the ambulances. The initial sheet of paper you have, I believe you have received one already, but it is a breakdown of the trucks where they are, their mileage, total engine hours, cost to date that we have spent on the individual truck and then comments off to the side as to where they are right now. In case you get a little confused as we go along that may be able to help answer your questions. Caswell County EMS Preventative Maintenance System. The first sheet of paper that you may see is actually three things. Schedule A is what will be done relative to Schedule A and I will tie this all in shortly. Those are all the tests that will be done during a Schedule A maintenance. If you turn to the next page that will be a Schedule B maintenance. What I would like for you to notice is the first line where it says Services in Schedule A plus Schedule B. So that first page will be done and these things on the top of the second page will be done. As you go down the sheet of paper you will see Schedule C. Schedule C includes everything on A and B plus the items on C. A is basically your standard stuff: change the oil, kick the tires, change the fluids. B is a little more in depth and then C is considerably more in depth. If you would like a time frame with each. With Schedule A we are allowing one day. What we are saying is the ambulance will be gone for a day. The test will probably take 2 to 4 hours but we are allowing the ambulance to be away from us for a day. Schedule B is roughly 3 days and Schedule C is roughly 5 days. If you go to the next sheet it has 400, 500 and so forth on it. This is a PMI. This touches on relatively everything. We have an advantage on having an individual we think we are going to use to do these checks because they are qualified in electrical and electronics. If you will go the test you will see that it is basically every possible item relative to the truck. Seatbelts are checked, handles are checked, hinges are checked, the actual ambulance part is check also. Wiring, heating, air conditioning, lights, those are also checked. The cab floor is checked. The undercoating is checked. Suspension is checked. This is a relatively intense check. We allow 7 days for this one. So we have a 1 day check, a 3 day check, a 5 day check and a 7 day check."

Commissioner Carter asked "You will start out with one unit, we will say 207 for example. You will go through the A list. Will one unit be done at one time or will you just do the A list on one and then another and so forth? How will this work?" Mr. Sicz responded "If you will indulge me for a moment and we can go through a couple more sheets of paper I will show you how the schedule will work."

Mr. Sicz stated "The next sheet of paper has dates, days and numbers across the top and across the bottom you will see I and C. In order to have a properly run maintenance system everything has to be gotten to a base line so what I intend to do starting in November is as you see it on this schedule, 202 will go in for an I and a C. That truck will be out of service for 7 days. The next week truck 203 will go in. We do not have a 204 but I will give you a quick update on 204. It has been taken to Southwest. They are working on the box right now. The International chassis should be in tomorrow. Then 205, 206 and 207. Medic 1 is the pickup truck. You will notice we do not have the inclusive all intensive for the ME1 van and the car. If things go the way I plan those two will be short lived. They will not be around much longer, especially the car. Now to answer your question Commissioner Carter if you go to the next sheet, it looks a little graphic or a little cryptic but this is the schedule. This is how the schedule will work. You may have it going through your mind well how will these be done? I will indicate that to you shortly. This is actually the PMS schedule. What is unique about this and I don't know if anybody has seen anything like this let's say that we have to delay a week or advance a week. We annotate on here by drawing lines to say that this will be done the next week. It can be moved with some flexibility based on the engine hours and the mileage. It can be adjusted. This schedule will be posted in our office and in the garage that we are going to use to make sure that we stay on schedule. Not only will we be doing our daily checks of mileage and engine hours this will be in our office to say that this truck is due to be done this way at this time. We plan to do our checks. It is planned maintenance and not emergent repairs. As you review what is going to be checked we will be able to say two months down the line we will say we need new brakes or we need new tires. The chemical composition of the radiator coolant is down and we need to get that changed. These are some of the things that are being checked with this maintenance plan. The depth of tires, the alignment, the rotors all of this is being checked. We should be able to say at any given time that a truck will have to be down for this amount of time for this maintenance. Now why do we allow 7 days for example? If something is discovered it will be fixed immediately. But if 207 needs brakes in a month Mr. Harris will be overseeing this program initially can say we will schedule 207 to be out of service for that amount of time to have the brakes done. It will not be a surprise for anybody. It will also allow us to better plan our budget. We should be able to tell within reason an estimated amount of money we are going to need actually for repairs because these checks will tell us that this will need to be done within a certain period of time. To answer the question on when, you have the next sheet of paper that gives an indication of when the checks will be done. The next sheet of paper that says Caswell County Fleet Service Schedule. We are monitoring 2 things, not only engine mileage but engine hours which are very important. The initial sheet of paper I gave you has hours on it. You will see that the hours, with one exception, out number the mileage. Hours are much more important than mileage. Our trucks sit idle and that builds up hours on the engine which tears down the fluids and everything else that is involved. We are monitoring it by the mileage and by the hours. Always what is important in everybody's mind is cost. The last sheet of paper in that packet breaks down the cost for each A, B, C, and I and specifically the cost for each truck because each truck is different. Some are newer therefore the cost is different. The top is the cost. The estimated annual cost is based on the amount of checks we do. I hope that the Board will consider that this is a flexible living document. This is the first time to my understanding that anything of this magnitude has been tried around here so obviously there is going to be some changes. It has almost triple redundancy right now to make sure that we catch the little problems so we can prevent anything from happening in the future. I think it is safe to say that the

problems we have had in the past would have been certainly discovered much earlier if this was in place. Cost – overall estimated cost and remember this is a living document is roughly \$25,000 for a year. Please read the notes that are on the bottom this includes such things as oils, oil filters, topping off the fluids, coolant test, fluid analysis, wiper blades, lubricants and shop supplies. What it does not include are things that we should provide: air filters and things of that nature. Obviously if we discover a brake job needs to be done that cost is not included either. Our budget for maintenance this year is roughly \$50,000, it is actually \$50,016 I am not quite sure how we got the 16 but that includes service and parts and the maintenance. Currently to date we have spent \$18,000 which leaves us roughly \$32,000 so if we initiate this immediately the savings is obvious. It will be around \$7,000 hopefully.”

Vice-Chairman Travis asked “Are you saying that all of this here, the \$25,000 is labor?” Mr. Sicz responded “No, it is labor and parts. Anything above and beyond like a brake job is not included in there. The standard stuff such as oil, oil filters, coolant test, fluid analysis, shop supplies, that is all included in there. Anything that has to be fixed obviously is not in there.” Vice-Chairman Travis continued “I don’t see where it says what kind of filters they are going to use.” Mr. Sicz responded “We will use the filters indicated by the manufacturer. That is a given. That is an understanding that is unchangeable. All items for example radiator coolant there are certain types that have to be used based on viscosity. Oil, oil filter, fuel filters they will all be what the manufacturer recommends to be used.” Vice-Chairman Travis added “Even when they are out of warranty you should still use these parts.” Mr. Sicz responded “Yes sir. I agree 100%. It will be the manufacturer’s suggested parts, fluids, everything.”

Commissioner Carter stated “Since I have been on this Board this is the first maintenance schedule I have seen out of any department. It appears to be a good maintenance schedule.” Mr. Sicz responded “Thank you. Like I said, Mr. Harris had a part and a few other people played a part in it too.” Commissioner Carter continued “I am like Commissioner Travis I think we need to use the filters that are recommended by the manufacturer.” Vice-Chairman Travis responded “I am not sure the filter caused the problem. I think he understands about the filters and things.” Commissioner Carter stated “I think it is a good plan.” Mr. Sicz responded “Thank you very much.”

Commissioner Lucas asked “What is the total overall cost?” Mr. Sicz responded “The total overall cost is the cost since we have had the vehicles. I don’t believe this cost includes the \$17,000 that we paid for the new engine and it does not include the cost hopefully that the Board will approve to fix 203 tonight.”

Commissioner Carter asked “How many of these vehicles have the warranty still on them?” Mr. Sicz responded “207 still has the warranty.” Vice-Chairman Travis added “The one we just replaced the engine on has a warranty.” Mr. Sicz responded “Two years. That is correct.” Commissioner Carter asked “Which one is that?” Mr. Sicz responded “205.” Commissioner Carter stated “So 205 and 207 are the only ones with warranty and when you get the International which is 204, right?” Mr. Sicz responded “Yes that will be 204.” Commissioner Carter asked “This \$25,000 is that in your budget for this year?” Mr. Sicz responded “We have \$32,000 left in the budget so that should cover it. That is a year’s cost and we only have 9

months left in the year. It will definitely be less than \$25,000 because it is less than a year and we will start in November.”

Commissioner Satterfield asked “This new International, did you check on what type of engine is coming in that unit?” Mr. Sicz responded “It is a Max Force engine. International had an agreement with Ford Motor Company for a long time and they started realizing that the Ford engines were not up to their standard so they have contracted with a company in Germany to construct the engine. I got that straight from I think the Senior Vice President of International. I am not sure of his title but he was the big dog.”

Commissioner Carter asked “Do we need to adopt this?” Mr. Howard responded “You can adopt it but what we have discussed is this will be a living document for a while. I don’t see where there is a necessity for the Board to adopt it but that would be up to the Board. This is a type of administrative thing on the maintenance. This is something we are looking at to possibly incorporate this with the other county vehicles as well. It will be countywide over the next couple of months.” Vice-Chairman Travis stated “I don’t think it is necessary.” Mr. Sicz stated “Just so the Board is clear the first truck will start the baseline the first week in November.”

EMS AMBULANCE REPAIR FOR 203

Mr. Sicz stated “I went to Piedmont today and got an exact breakdown on what the repairs are going to be. It will be roughly \$9,200. That was my error, I did not figure in the cost for the labor for the brake repair. I did not figure in that cost. It was an oversight on my part. They will remove the cab. Replace the pump. All the injectors will be cleaned and realigned. The fuel tank will be taken off and realigned. They will check the rocker arms for excessive wear. It just says check the rocker arms because the last time the engine was redone on this truck those were replaced. There is the possibility that there may be more but they don’t believe so. That is what Jerry Ballard at Piedmont told me. The labor for the parking brake repair is what I left off when I estimated the cost the last time. It is roughly \$9,487.82 and they are waiting on your blessing to start.”

Vice-Chairman Travis asked “What is the warranty on this work?” Mr. Sicz responded “12 months, 12,000 miles.” Vice-Chairman Travis continued “But all of that is not on the labor.” Mr. Sicz responded “That is correct. My understanding is that is pretty standard.” Vice-Chairman Travis stated “There is no warranty on any of the labor. I want this Board to be aware of that. The only warranty is on the parts that they use.”

Commissioner Satterfield moved, seconded by Commissioner Jefferies to accept the recommendation of the Emergency Services Director to have Ambulance 203 repaired.

Commissioner Lucas asked “Where will this put us on units available to respond to calls?” Mr. Sicz responded “That will give us 5 now ma’am.” Commissioner Carter stated “That is after this one is repaired.” Mr. Sicz responded “That is correct. Right now we have 4. That would put us back up to 5. There is a plan that I will get to the County Manager and that will be that we will end up with 5 trucks and not 6. We will get rid of 202, that was mentioned the last time.”

Vice-Chairman Travis asked "How many miles are on that truck?" Mr. Sicz responded "It should be on that form I gave you sir." Commissioner Satterfield responded "122,000." Vice-Chairman Travis stated "When they do an estimate like this it would be nice to have it on here."

Commissioner Lucas asked "Will this money come out of the repair budget, is that correct?" Mr. Howard responded "We can try to absorb it in that in this fiscal year if you would like but we may have to come back to you at the end of the year and ask for more funds." Commissioner Lucas asked "So you are not sure where it will come from?" Mr. Howard responded "If it does not come from there it will come out of the capital fund." Commissioner Carter stated "I thought that was where we agreed to take it from." Mr. Howard responded "One thing to make note of on the ambulance you approved one hundred and seven thousand and some odd dollars the actual purchase price was \$101,000, the new ambulance you approved at the last meeting." Vice-Chairman Travis asked "So it was \$6,000 less than what we approved?" Mr. Howard responded "Yes sir." Vice-Chairman Travis asked "Why don't we take that \$6,000 and put it on here." Mr. Howard responded "That is what I was saying. This is out of the capital fund." Vice-Chairman Travis added "Then take the rest out of his budget and then we will see where we are at the end of the year."

Mr. Sicz stated "We also got a \$3,000 stretcher thrown in on this and we definitely needed a new stretcher." Vice-Chairman Travis asked "I guess this truck will be a backup because you will not be running it everyday." Mr. Sicz responded "No sir, 206 will be the backup truck. 206 presently has 15 error codes and we are using it. It is our backup truck."

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

DISCUSSION ON POLICIES AND PROCEDURES FOR TAX DEPARTMENT

Vice-Chairman Travis stated "We talked about this a couple months back. Kevin bring us up to speed on this."

Mr. Howard stated "Several meetings ago you talked about the possibilities of the Board making changes to the policies and procedures the Tax Office uses for collecting taxes. I think that would include foreclosures and how we go about that process whether to continue with the ones we have or to make changes. That is one of the things we discussed."

Commissioner Satterfield stated "Mr. Chairman I think the discussion that came up was more so if I remember correctly was how prior years taxes were applied." Mr. Howard responded "Yes sir that was part of it as well." Commissioner Satterfield continued "I think that was a question Mr. Travis that you had in the past. I think Mr. Bernard came up and explained that one time but what I would suggest is that we have Mr. Bernard to come back and explain that again as to why the prior years taxes are applied the way they are and whether we can change it or not change it. If we can change it fine and if we can't change okay."

Vice-Chairman Travis stated "I think before we bring him back we probably need to have the county attorney to check on that before we make the decision on what we can do. If a guy owes five years of taxes and he comes in and pays, where do you apply it?" Mr. Ferrell responded

“When I looked at this previously one of the conclusions was that if someone comes in and says I am paying a tax bill for a particular tax year you have to apply that payment to that tax year. I remember that piece of it. I think what you are talking about possibly is if they don’t specify. If they come in with a check and they say here is a check for taxes, what year do you apply that payment to. Is that the question?” Vice-Chairman Travis responded “Yes, say I owe 5 years of taxes, I wrote the county a check for \$200 and I did not put on there the year it was for. It should go to the oldest one.” Mr. Ferrell stated “That was the discussion that the Board and I won’t speak for the tax director but it was a collection rate issue is ultimately why he decides to do what he does. I will not say anything else but that was my recollection of that.” Mr. Howard added “Currently if someone comes in and does not specify they pay the most recent tax off first and then apply it to the oldest year to keep it both ways.” Vice-Chairman Travis stated “But all that does is makes it look good for the tax department. It is not helping us a bit as far as collecting back taxes. If we could collect some of these taxes like I am talking about we would not have to carry that stuff over there to the attorney.” Mr. Howard responded “I think if you would have Mr. Bernard to come in and explain or to give an update on how the back taxes have been collected that should be part of the discussion to see if it is bad and how bad is it as far as old years. How much are we losing each year if any?” Mr. Howard stated “Part of the discussion was about after 10 years it was written off.” Vice-Chairman Travis responded “The way I see it, even after 11 years I am not going to write it off.” Mr. Howard stated “That is what he explained, we don’t write them off. We have a collection process, it may drop off of the audit but it does not drop off all together.”

Commissioner Satterfield stated “I know at one time he said that no personal property was ever written off before the tenth year came up it was in foreclosure. The only thing that may go off might be some personal property.” Mr. Howard responded “Vehicles, maybe.” Commissioner Satterfield continued “If no one could be found. If he is coming back before us, Mr. Chairman I think he needs to do some research with some other counties or whatever and see how generally these taxes are applied. Do they apply the prior years first or current year and then prior year or whatever.”

Vice-Chairman Travis stated “Do you know what Alamance County is doing as far as taxes on vehicles? They are towing the vehicles in and they are paying the taxes plus the tow bill and all.” Commissioner Satterfield stated “We have been doing some of that too.” Vice-Chairman Travis responded “I don’t think we have towed any, have we?” Commissioner Satterfield responded “Yes sir.” Mr. Howard added “I know that there has been an extensive effort to collect the taxes. I don’t know. I have not seen any of the bills or anything so I can’t answer it one way or the other. We can report that back at the next meeting but I know he has been working with the Sheriff to go out and do this.” Vice-Chairman Travis stated “Maybe what we need to do is talk about this maybe at the next meeting and make a list of what he needs to find out about. Then have him to check on that before he brings it to us.” Commissioner Satterfield responded “That will be fine.”

Mr. Howard asked “Do you want the Tax Director to be here for discussion?” Vice-Chairman Travis responded “No. We need to come up with what we want him to answer before he comes.”

RECESS

The Board held a brief recess.

DOCUMENT MANAGEMENT REQUEST FOR PROPOSAL

Mr. Howard stated "I just wanted to bring back the contract and the cost for your review. You have the contract in your packets. There is one slight change to the contract we noticed, this contract called for automatic renewal. That has been taken out. There is no automatic renewal to the contract. We would both have to agree to renew it after 1 year. The estimated cost for the year is \$2,045 for all departments and that has been included in the budget for this year."

Vice-Chairman Travis asked "We have already budgeted this?" Mr. Howard responded "Yes."

Commissioner Lucas asked "Didn't we budget for a shredder?" Mr. Howard responded "No ma'am. We talked about it and looked into doing the shredder but the shredder was going to cost five or six thousand dollars." Commissioner Lucas continued "I thought it was more than that and we talked about it when we were talking about the courthouse." Mr. Howard responded "It may have been more. We can do this because the shredder may last two years and this costs less than the five thousand. Plus we can pay for this out of solid waste recycling for recycling expenses because the paper will be recycled." Commissioner Lucas stated "That was one question I had. Will this company come around and recycle the shredding too? So they will make money off of what we shred?" Mr. Howard responded "That is a possibility, yes." Vice-Chairman Travis stated "That is how it works." Commissioner Lucas responded "I understand but I think we need to share in our own recycling." Mr. Howard stated "The cost goes up and down on that for paper especially. Aluminum has a pretty good market and glass fluctuates. Paper fluctuates. The cost we looked at was for the shredder that cost \$5,000 to possibly handle all of the departments. The time and effort to move the stuff to the shredder or to move the shredder to each department versus having a truck to come in and they pick up everything and it costs us a couple thousand dollars a year. This does include a one-time cost to come in and do anything that is backlogged right now. So it will actually go down next year."

Commissioner Jefferies moved, seconded by Commissioner Carter to accept the recommendation of the county manager.

Commissioner Satterfield asked "How long is the contract?" Mr. Howard responded "One year. That will give us a chance to see if we like it. If we do not like it after this year and we decide to buy a shredder next fiscal year we can do that."

Upon a vote of the motion, the motion carried by a vote of three to two with Commissioners Lucas and Satterfield voting no.

NCDOT DIVISION OF PRISONS INMATE LABOR CONTRACT

Mr. Howard stated "During the meeting we had discussing the various capital projects we were looking at doing I was asked to bring this back to the Board for consideration. If we want

inmates to help on any of these projects or any projects that may come up we have to have a contract with them. A copy of the contract is in your packets. It costs us a dollar per day per inmate to have them on site. We plan to use them at the landfill extensively, a couple out there every day keeping it cleaned up, picked up, sorting the recyclables and use them in various departments as needed in various projects. They will still follow the same rules that applied when we had the work crews. If they are working with recreation and children come out there to play if they cannot maintain the distance they are supposed to maintain they will be taken away. Most of the time we would use them out there on off days and off times of the year when the park is not used a whole lot. That is what we had to do with the work crews in the past.”

Commissioner Carter stated “I only see one thing wrong, the wording needs to be changed “Town of Caswell.” Mr. Howard responded “Yes, they gave me an actual paper document so I could not go in and change that. That will be changed.”

Commissioner Lucas asked “What about the dates?” Mr. Howard responded “The dates will start when you approve it. They usually start it on June 30th. We will probably do it on a fiscal year basis.” Commissioner Lucas asked “This says from 4/1/11 through 6/30/2011, is that what we are approving?” Mr. Howard responded “No ma’am. They want to do it on a fiscal year basis as well. When we first started talking about this was the last part of April of May so they did it through the end of their fiscal year.” Commissioner Lucas continued “We don’t have to name any specific projects we want them to work on?” Mr. Howard responded “No ma’am. We give them an estimate on how many we want to have but we are not held to that.”

Vice-Chairman Travis stated “When we used them before it saved the county money.” Commissioner Lucas asked “What about the steps over there?” Mr. Howard responded “That is something we can look at. There is a safety concern with that. That is a very heavy thing if not given the proper equipment to take them down.”

Commissioner Carter asked “Didn’t we use them over at Farmer Lake?” Mr. Howard responded “Yes we used them to clean off the dam. That was one of the things they did for us every year back when the work crews were in effect. We may have the same possibility of putting together skilled crews to do painting, carpentry work and things of that nature as well. We will probably use them when we do the work for the Board of Elections.” Vice-Chairman Travis asked “I wonder if we could use them to do this ceiling?” Mr. Howard responded “That is a possibility. We have scaffolding to reach it.” Vice-Chairman Travis continued “I think that is something that we need to check on.” Commissioner Carter asked “That brought a question to my mind. I think that was a different crowd of prisoners that did the fishing pier over at Farmer Lake.” Mr. Howard responded “That was the Wildlife Commission that builds the piers statewide, the prison labor helped to build it but we purchased it through them. It was not built by a work crew from Dan River.”

Commissioner Carter moved, seconded by Commissioner Jefferies to approve the contract from the Department of Corrections with the wording changed.

Commissioner Lucas asked “On the job code, what does that mean, H01002?” Mr. Howard responded “That is probably the code they use for us.”

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

LICENSE AGREEMENT BETWEEN CASWELL COUNTY AND PROTESTANT
EPISCOPAL CHURCH IN THE DIOCESE OF NORTH CAROLINA

Mr. Howard stated "This is a lease agreement between the county and Protestant Episcopal Church. This is to use their parking area for Piedmont Community College when they use the Guilford Mills building."

Commissioner Jefferies asked "All we have to do is the upkeep of the parking lot, right?" Mr. Howard responded "Yes sir. We will maintain the grounds and keep the parking lot up. There is no monetary exchange."

Commissioner Jefferies moved, seconded by Commissioner Travis to accept the License Agreement between Caswell County and Protestant Episcopal Church. The motion carried unanimously.

RESTORATION OF THE CASWELL COUNTY CONFEDERATE MONUMENT

Mr. Howard stated "This item, you have a copy of the email I received in your packets from the Roxboro Grays, the Sons of Confederate Veterans, Camp 1932 in Roxboro. They are asking permission to come and clean and restore the statute on the Square at no cost to the county. This is one of the things they do, go around the state to help maintain and make improvements to different monuments."

Vice-Chairman Travis asked "What if something happens?" Mr. Howard responded "We would do some type of contract with them but this is just to see if you are interested in having them come out and then I will start discussions with them on the project." Vice-Chairman Travis continued "As far as I am concern I don't have a problem with them coming out but we don't want to get into any kind of liability." Mr. Howard responded "We can discuss that and bring it back to you." Commissioner Carter stated "I think it would be a good idea."

Commissioner Satterfield stated "Mr. Travis I would like to make sure that the Historical Association could help us with this and that they know exactly what they can and cannot do with that as far as what kind of chemicals can be used and things like that. I don't know what kind of expertise these people have in cleaning things that old but they need to know what they are doing." Mr. Howard responded "It was my understanding that they actually hire a company to come in and clean it and they will pay for it. They don't clean it themselves. They provide the funds to have a company to come in and clean it. It may be that they give us a donation or whatever and we hire a company to come in and clean it. I have not gotten that far with them."

Commissioner Lucas moved to approve to have the Roxboro Grays to come in and restore the statute on the Square.

Commissioner Satterfield stated "I don't have a second for that. I think we need more information on it Commissioner Lucas before we approve anybody to clean it. We need to know who is going to do it and how they are going to do it and all of that stuff." Commissioner Lucas responded "This is what this organization does. I am sure that they would not go to this expense

without knowing what they are doing.” Commissioner Satterfield stated “I would like to see something in writing on what they are going to do. Whether they are going to do it or whether they are going to hire a company to do it.” Commissioner Lucas asked “Did you talk to Karen about this?” Mr. Howard responded “I have not talked with her about it. She knew that they would be calling me. That is all we talked about.”

Vice-Chairman Travis stated “Why don’t we let the historical people investigate them and bring it back.” Mr. Howard responded “I can investigate this for you. At the next meeting I will have the information on what the process will be.”

Commissioner Satterfield stated “This letter does not really get specific about who is doing what.” Mr. Howard responded “That was just to see if we had an interest in doing it.” Commissioner Satterfield stated “I don’t have a problem with them doing it. I just want to know who is going to do it and how it is going to be done. I don’t have a problem with someone cleaning it.” Commissioner Lucas responded “I find that very interesting because there is another monument on the Square that the commissioners gave their blessing to change the verbiage on the monument and you did not have a problem with that. I guess it is just a matter of who is making the motion. That is fine. Go ahead.” Commissioner Satterfield stated “I don’t have a problem with the motion Ms. Lucas. I just want a little more detail before doing anything.” Commissioner Lucas responded “I would have preferred that the verbiage not be changed.”

COUNTY MANAGER’S REPORT

County Project Updates

CATS Expansion

Mr. Howard stated “They are inside now doing the final detailed work. That should be done within the next 3 or 4 weeks.

Detention Center

Mr. Howard stated “There is not a whole lot to report now. You still see them moving the dirt. They are starting to prepare the foundation and everything. I was talking with the construction manager today and he plans to be at the next meeting to give a detailed report on where we stand and any problems that they have ran into. There were a couple issues where we had some unsuitable soils that showed up due to a landfill being under the parking lot. There were some tires and some metal so we had to take some extra soil out that we had not planned on and some other small issues. He will go over those when he comes to the meeting.”

Pelham Water Tank

Mr. Howard stated “The tank is under construction. They have not started to paint it yet due to the weather the past few days. They have completed construction. It is erected. The finish date for that is in January.

Tennis Courts

Mr. Howard stated "They have come in and taken the fences down. They were planning on being here last week to start but the rain obviously got in the way of that. They are hoping to be here this week."

Commissioner Lucas asked "Can you go back to the Detention Center because I missed what you were saying?" Mr. Howard responded "There is a set fee in the contract for unsuitable soils for anything that is not compacted. When they dug up the parking lot they found old tires, metal, and different things that were buried and also there was a large area of clay soil that can't be used so that is having to be taken out."

Commissioner Carter stated "The concrete that was taken out from the water fountain, that was a lot of concrete." Mr. Howard responded "The sidewalks were eight inches thick all the way through. That was enough concrete to do two sidewalks today. That was where all the concrete came from."

Commissioner Lucas asked "We are not going to get into trouble with the EPA on the soil are we?" Mr. Howard responded "No ma'am. Unsuitable means they cannot compact it to build on. That is all it means. There was nothing in there that was bad. It was just tires and metal. From what I was told by my contractors on site and Brennan is that when a building of this age from the 60s and 70s was finished they would dig a hole, dumped everything in it and covered it up and put grass on top of it or put a parking lot on top of it, which is what happened here. During the era that this building was built that is how they disposed of everything left over from the project."

ANNOUNCEMENTS

Commissioner Carter asked "Will we vote on the redistricting at the next meeting or when will that be coming up?" Mr. Howard responded "The next meeting."

The Clerk to the Board read two Thank You cards from the families of Ms. Tammy Riggs, Register of Deeds, who lost her brother and Ms. Rhonda Griffin, County Librarian, who lost her father.

CLOSED SESSION

Commissioner Carter moved, seconded by Commissioner Jefferies that the Board enter into Closed Session to discuss a proposed economic development project (NCGS 143-318.11(a)(4)). The motion carried unanimously.

REGULAR SESSION

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

ADJOURNMENT

At 8:35 p.m. Commissioner Jefferies moved, seconded by Commissioner Carter to adjourn. The motion carried unanimously.

Paula P. Seamster
Clerk to the Board

Kenneth D. Travis
Vice-Chairman
