

MINUTES – FEBRUARY 21, 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, February 21, 2011. Members present: Nathaniel Hall, Chairman, Kenneth D. Travis, Vice-Chairman, Erik D. Battle, William E. Carter, Cathy W. Lucas and Gordon G. Satterfield. Absent: Jeremiah Jefferies. Also present: Kevin B. Howard, County Manager, Brian Ferrell, Interim County Attorney and Angela Evans representing The Caswell Messenger. Paula P. Seamster, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

Chairman Hall stated “Before you join me in a moment of silent prayer I would ask that you would keep in your prayers the families of Sheriff Mike Welch and our Inspector Woodrow Bigelow. They have both had deaths in their families this week.

Chairman Hall opened the meeting with a Moment of Silent Prayer.

APPROVAL OF AGENDA

Chairman Hall requested that Item No. 8, Ground Lease Agreement and Sublease Agreement and Item No. 9, Tax Relief for Rainbow Day Care be removed from the agenda. He also requested to add after Item No. 15, Guilford Mills Lease Approval and before Item No. 16, County Manager’s Report, Solid Waste Director Request and to add a Closed Session for Attorney/Client privileges and for Personnel Issues.

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

APPROVAL OF CONSENT AGENDA

Commissioner Lucas stated “Due to the fact that I was absent from the February 7th meeting I would like to abstain from voting on those minutes.”

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

The following items were included on the Consent Agenda:

- A) Approval of Minutes of February 7, 2011 Regular Meeting
- B) Approval of Minutes of February 10, 2011 Special Meeting
- C) Tax Director’s Monthly Report

Total Amount of Taxes Collected for February 2011	\$1,578,315.12
Tax Cards/Maps	\$ 579.00
County Maps	\$ 19.80

2012 Prepayments	\$	3,142.89
Beer License	\$	10.00
Wine License	\$	50.00
D) Tax Director's Property Tax Collection		

PUBLIC HEARING – INSTALLMENT FINANCING AGREEMENT TO FINANCE A
PORTION OF THE COSTS OF A JAIL AND LAW ENFORCEMENT FACILITY CAPITAL
PROJECT

Chairman Hall opened the floor for public hearing comments.

There were no public hearing comments made.

PUBLIC HEARING – COUNTY'S WITHDRAWAL FROM THE ALAMANCE-CASWELL
LOCAL MANAGEMENT ENTITY

Chairman Hall opened the floor for public hearing comments.

(At 6:35 p.m. Commissioner Satterfield entered the meeting).

Ms. Debra Welch, Interim Director Alamance-Caswell LME came before the Board and made the following statement:

“Good evening Commissioners. Thank you for having us. I would like for everyone who is here for Alamance-Caswell LME to please stand. The folks that are here before you tonight are here to show their support not only of Alamance County and Caswell County but for Alamance and Caswell going forward as a LME merger with Piedmont Behavioral Health Systems out of Cabarrus County. The decision to go with PBH was made after visiting other counties and other entities: Center Point, Sandhills, Guilford, and OPC. Right now behavioral health in North Carolina is in tremendous trouble. The state is running out of money. The money has to come from somewhere. Where we believe the money is going to come from is from Medicaid. There is only one site in North Carolina and that is Piedmont Behavioral Health out of Cabarrus County that has been doing this for six years. They were a pilot program. In the last six years they have been able to bring back into their county, just last year, sixty million dollars through Medicaid. They have to do it with Medicaid because with the state monies going down the LMEs cannot survive in the way that they are now. We found them to be not only very caring for the people that they serve but they were also at the area board meeting Tuesday night and everyone was impressed with the way they put the heart into what was going on. A lot of people do not want to think about mental health or developmental disabilities or substance abuse. It is not a subject that everybody wants to talk about but everyone is touched in some way by these things. I think that Piedmont Behavioral Health gave the best example of an organization that is doing the very best they can for their consumers. The consumers that are Medicaid eligible actually stand to benefit the most. In our two counties, Caswell has the most Medicaid recipients. We would like to think as we go together, there has never been any doubt we would go together, in any of the other times we have spoken with the other LMEs, and it has always been Alamance-Caswell. Not just Alamance and not just Caswell. We have been together for over forty years. We are a

partnership and we feel like we are a family. We want you to know that we care and just because we are located down in Burlington doesn't mean we don't see your folks. There are some people here tonight that will kind of bring that home. I did want you to know that we are trying to do our very best for both counties. We have tried to do it in such a way that both counties will benefit and that we will go forward as Alamance-Caswell, which we have enjoyed for over forty years. Thank you very much."

Ms. Trina Powell came before the Board and made the following statement:

"Thank you Chairman Hall and the rest of the Board of Commissioners. My name is Trina Powell and I am the Care Coordination Director at the Alamance-Caswell LME. I just have some quick numbers for you guys tonight. I looked at our walk-in crisis clinic. I looked at the past year and a half and the citizens of Caswell County and how we have served them. From July 1, 2009 to June 30, 2010 we served four hundred and sixty-eight (468) events to Caswell County citizens. Of these four hundred and sixty-eight (468) events, one hundred and thirty-seven (137) were crisis; that is pretty self-explanatory. They needed to see a physician as soon as possible. We did one hundred and thirty-seven (137) of them in the last fiscal year. Hospital follow-ups and Bridge Community Services. Bridge means they needed to see a psychiatrist and there was not one available in the community. We did sixty-four (64) of those in the last fiscal year. This next number is a huge number. Medication checks – two hundred sixty-six (266) events. Those are the people that decided that they did not want to do the telemed option at the clinic here in Caswell that CBC does. It is where you go in and you look at a computer monitor screen and a psychiatrist talks to you from a remote location. So two hundred and sixty-six (266) times in the last fiscal year people in Caswell County said 'I don't want to do that'. Our last six months, July 1 through December 31, 2010 we did one hundred eighty-one (181) events for Caswell County citizens in our walk in crisis clinic in Burlington. Forty-one (41) of them were crisis events; that is self-explanatory. Twenty-eight (28) were hospital follow up events where you get out of the hospital and you need someone to check on you to make sure you are okay. Again, the med check events were one hundred and ten (110) in just six months. One hundred and ten times (110) citizens of Caswell County said 'I don't want to go talk to a computer screen; I won't to go talk to a real person.' They talk to Dr. Merino who is one of our psychiatrists. She used to work here at the clinic in Caswell County. A lot of these folks have gotten to trust her and know her and we have maintained that relationship with them. The final couple of things that I wanted to say are eleven percent (11%) of all of our events at the crisis center in the past six months has been for citizens of Caswell County. We provide free transportation to Caswell County citizens either through our vans or through one of the agent's cars. In addition, we have an account at North Village Pharmacy that we will pay for medication for people if they cannot afford it. Thank you for your time."

Mr. Mike Taylor came before the Board and made the following statement:

"Good evening Chairman Hall, Commissioners, Mr. Howard and Mr. Ferrell. Mr. Satterfield, I would like to say hello to you too. Thank you for coming the other evening. I am pleased to be here this evening. My name is Mike Taylor. I have been the attorney for the Alamance-Caswell LME for the past seven (7) years. I have also been the attorney for PBH, Piedmont Behavioral Healthcare for the past twenty-eight (28) years. It is kind of an unusual situation that I found

myself in here. I want to make it clear that I have a confidence waiver signed by both ends of the spectrum here by both board chairs. I did not do any type of hard sell at all. I simply talked with Ms. Welch and Mr. Carter and suggested that they would do themselves a disservice if they did not look at PBH. PBH, as Ms. Welch has said to you, is the only Medicaid waiver site in North Carolina. It has a 1915 BC Managed Care Waiver. It has two letters, B and C, because it covers both mental health and developmental disabilities services. It is public managed care. I think it is very important that I share that with you. This is not the case of a private company coming in here and milking the system and taking the dollars off to fatten the corporate treasury. In public managed care Medicaid dollars are carefully managed and then the savings are used to expand services. They have a very strong emphasis on crisis management and on crisis services. They can drive down hospital services. Essentially what the state has done is given them control over all of the hospital money. Both the private and public hospital money. Instead of the state sending millions and millions of dollars to a hospital, what they do is, PBH is a customer of the hospital. They have a bed rate set, and of course not only is hospital stays very expensive, but we know in mental health treatment people just do not get better if they are taken out of the community and go and sit in the state hospital. They are maybe stabilized but the move down the road toward recovery people need to be a part of the system where they need to have support of employment or housing. It is only in the mist of your community or your family and friends that you are going to be able to move down the road of recovery in the cases of mental health. This is what this whole system is set up to do. They have been on this waiver since 2005. It will be six (6) years this coming April. There is a bit of rocket science involved. I think that I can truly say that they have built a better mouse trap. They have had to agree on a calculated number. I am sure that you all have dealt with a manuscript company and rather than it being a fee for service arrangement where a provider charges so much per doctors' visit and that is billed back to the state. The state and PBH reached an agreement on a per member per month basis. There are negotiations on both sides and if the merger with PBH moves forward they will immediately be sending members into Alamance and Caswell to do studies on issues like your Medicaid population, your Medicaid penetration rate. The bottom line is it is better management of dollars. Making sure that the right services get to the right people and the right providers at the right time. One thing on the government side, I am sorry Mr. Hall I am sure I am running over just a little bit, they want to make sure they have a local presence. Well you are thinking well here we are and there are five counties down there and the nearest is Davidson. It is Davidson, Stanley, Rowan, Cabarrus and Union going down that way. You are sort of skipping over Guilford County and coming up here. That is a long way away. I hope that you all received the package on PBH and the overview. They have a plan so that there will be a local presence in each of the former LMEs. They want to make sure that you feel fully a part of the system. It is not a question of you coming in, I am sure that Mr. Howard and Mr. Satterfield may have shared with you, they are not planning to come in and tell people what is going to happen but to work together in a collaborative way. I have had a lot of experience with this system. I have been involved with this waiver for the past six (6) years. There are many aspects of it that I am not an expert on but I will be glad to answer any questions that you may have or try to or get you an answer."

Ms. Jandy Andrews came before the Board and made the following statement:

“Good evening. My name is Jandy Andrews and I am the finance director for the Alamance-Caswell Local Management Entity. As you are aware the Alamance-Caswell LME has made a decision to move forward with merger consolidation with PBH. PBH is a waiver site. They are the only waiver site in the state of North Carolina. They are able, as resources, to become more limited. It becomes more important to manage that resource which is what the waiver site does. Because they are the only LME in the state who has done that successfully there are several other LMEs in line that want to move forward to become a waiver site. It would take five years or more due to the complicated IT systems and the intricate details that have to be installed to get that up and running. So it is very important that you understand that if Caswell were to make the decision to pull away from the Alamance-Caswell LME thus not moving forward with PBH that is another five to ten years that you are going to be losing additional services that you could have. Who is to say the resources will be there in ten (10) years.”

(At 6:50 p.m. Commissioner Battle entered the meeting).

Chairman Hall stated “Mr. Taylor, the diagram that you had will you make sure that our County Manager has that. I don’t think we received that. He will get copies to us.”

Ms. Valerie Russell came before the Board and made the following statement:

“I am Valerie Russell. I am the Office Manager for the Caswell County Mental Health Clinic. It would be very detrimental if the Caswell Mental Health Center was not a part of the Alamance-Caswell Mental Health Entity. There are a number of Caswell County residents that receive services through the Alamance-Caswell offices. The majority of these clients do not have their own transportation. They have to rely on family members or public assistance transportation to take them to and from their appointments. The Alamance Mental Health Clinic will provide transportation for Caswell clients to the Alamance Mental Health Clinic who do not have their own transportation. They are not eligible for public assistance transportation and prefer to see a doctor in person rather than tele-psychiatry or if they do not have insurance to pay for the tele-psychiatry. They will also allow a family member or an Alamance-Caswell Mental Health staff member to ride with the consumers who need a familiar face with them. Making the mental health individual feel secure and comfortable is very important. The majority of the Caswell County consumers have a hard time adjusting to change as far as different doctors and going to different locations to see doctors. Once they adjust and build trust in a doctor or other staff members of a facility it is hard for them to accept that they cannot see the same doctor anymore. Having to open up and retell and relive a situation to a new doctor is very hard on a consumer. A lot of them would choose to opt out of receiving services in which they desperately need because they feel another change will come and they would have to start all over again. This is not good for a community. In the news recently, I am sure that we have all heard and seen what could occur when a mentally ill person is not being treated for his or her mental illness. Individuals with mental health issues have a hard enough time coping with their mental illness. Taking them out of a familiar setting only makes their situation worse. It is in the best interest of the Caswell County mental health consumers that the Caswell County Mental Health Clinic continues to be a part of the Alamance-Caswell Mental Health Entity. Thank you.”

Ms. Ethel Gwynn came before the Board and made the following statement:

“Mr. Chairman and County Commissioners. I am Ethel Gwynn and I have served on the Alamance-Caswell LME Board for many years starting off with John Moon as the director and now Debra Welch. As such, I have tried to represent Caswell County in a manner that it would be beneficial for Caswell residents. One of the things I am most concerned about is Caswell County monies and the consumers of these products. We do have a lot of consumers that need mental health. As far as the merger and talking about separating, I think it would be detrimental. As so many have already said we need the dollars to stay in the county and that is what PBH has talked about. Another thing we need serves for our clients here in the county that Ms. Russell mentioned and also we have use of the crisis center. It is a lot I could say but it is basically a ditto of what has already been said. As your representative I do wish to thank you for allowing me to serve on the board and it would certainly be my recommendation that we not separate from Alamance at this time. Thank you.”

Mr. Louis Williams came before the Board and made the following statement:

“Thank you for this opportunity. I am a retired guidance counselor and a member of the Alamance-Caswell CFAC for five (5) years. I am a grandfather of a severely autistic child. We know that Alamance and Caswell are both going to have to find another group to join. I think the state outlines being what they are and we should do it together because we can do it more efficiently together than separately. I think it would serve us both well together.”

Ms. Vanessa Jennings came before the Board and made the following statement:

“Good evening councilman. I am Vanessa Jennings and I am the Chair of the CFAC Committee for Alamance County. I am also on the board with NAMI which is the National Alliance of Mental Illness with Alamance-Caswell-Rockingham. I am here tonight to ask you guys to make sure that you keep your eyes on what is important, which are our consumers, clients, individuals, human beings that have a mental illness. Mental illness has a stigma. It shouldn't. It should be treated as any other illness. These people are very fragile. Change affects them in a way that would not affect you and me. When you are making this hard decision I ask that you keep it in the forefront of your mind what impact is it going to have on the members of your community that are affected by this. If these changes are not good changes or if these changes are not made in a timely manner that the consumers can handle there are going to be many, many people that will go into a crisis situation. That is not good. That is not what we want. I am here for one purpose only and that is for the consumer. I hope you keep this in mind when you are making your decisions. Thank you.”

Ms. Kathy Chrisco came before the Board and made the following statement:

“Hello, I am with the CFAC in Alamance County. I am also with NAMI the National Alliance of Mental Illness and I am also a mother of a child who has a mental illness. I support the continuation of Alamance and Caswell. The changes that you make and decide will affect the people that we love and that you advocate for. It would be detrimental to make a change like this. We should stick together. Together we can make changes and bring forth what needs to

happen. To merger with another company that is going to do the right thing. I ask that you think about people that you know that suffer with an illness before you make such drastic changes. I ask that you consider everybody that is speaking tonight and that our main concern is keeping the people in the best of health and keeping them in services. Thank you.”

Ms. Mary Hawk came before the Board and made the following statement:

“Good evening. I am a member of the Alamance-Caswell Consumer Family Advisory Committee (CFAC) and I am also a member of NAMI, the National Alliance of Mental Illness. I think it would be for the benefit of Caswell and Alamance to stay together. Thank you.”

Mr. Norman Melton came before the Board and made the following statement:

“It’s a privilege. I can’t hear a thing in this courthouse. I am deaf as a purse and this echo is driving me nuts. Do you have that problem too? My name is Norman Melton. I am on the Board of Directors of the Alamance-Caswell LME. I am also affiliated with an organization called the National Alliance on Mental Illness (NAMI). We have a presence in your county. Our affiliate covers Alamance, Caswell and Rockingham. I am telling you this; you need to know that I am qualified to say what I am going to say. I did not fall off the turnip truck. I know what I am talking about. My big concern here is not necessarily you guys if you spin off, it is your consumers and their families that live in this county who have been served by the home base in Burlington for as long as I can remember. I want you to think long and hard before you step away. I am an advocate. I don’t get paid for what I do. The Alamance-Caswell and I am still going to say those two together and I hope I can keep on doing it, has embarked on a path that to me looks like great things are going to happen for those in our counties that have mental illness and their families and that is important. Please think hard and long. I hope that you stay with us.”

Ms. Gloria Melton came before the Board and made the following statement:

“I am Gloria Melton. I am a member of CFAC which is the Consumer Family Advisory Committee. I am a volunteer like my husband. We have been doing this for a very long time and it is very fulfilling to us. We are on a mission with a passion. That is the way we feel about it. I hope it comes across that way. We do care a great deal about all the people, everywhere, no matter what is wrong or what they need. We are also members of NAMI, too. We would love it; love it if Alamance and Caswell could stay together please. Thank you.”

Mr. Terry Johnson came before the Board and made the following statement:

“Mr. Chairman and fellow commissioners, I am here tonight to speak to you on behalf of law enforcement. I also feel like Caswell is part of my home too because with over thirty years with the SBI I worked here as a criminal agent with Sheriff Poteat, Sheriff J.I. Smith and the best Sheriff ever, Mike Welch. He and I are different parties. We do not allow that to come into play when it comes to enforcing the laws of this land. I am here tonight to speak to you on

behalf of the Alamance-Caswell LME. Folks let me tell you something. We are elected to represent and to protect our citizens. If any of you have anyone in your family with mental health issues you will understand what I am saying. Our jail in Alamance County, a high percentage are in there because of mental health issues and it is going to get worse because the state of North Carolina is weakening down our mental health system and dumping it in our local's laps. But we must stand tall. We must understand that the recipients of these services, we have got to provide these services and we as elected officials have to provide the best possible services under the conditions that exist. I am telling you as Sheriff of Alamance County it has been an honor to have had Alamance and Caswell to have been together for over forty years in this endeavor. Right now I think it is working great. I say that in that every problem that we have encountered in law enforcement a good example is our deputies had to sit sometimes forty-eight (48) hours in the hospital emergency room with those individuals that needed mental health services. Thanks to Ms. Welch, NAMI and the rest of the group we have just recently brought on Langford Protective Services and they pay that individual in the emergency room. Our deputies can now drop those individuals off and go back to their patrol duties in our county. In a county like Caswell that does not have the luxury of a great number of officers, one officer means a lot to the sheriff on patrol, I can tell you that. I hate to see this marriage break up. I had the honor to work with your father, Mr. Bo Carter, a very honorable man when I was a young agent. I have a concern for Caswell County as well as I do for Alamance. I ask you commissioners tonight to think about this issue and who is going to be the winner and who is going to be the loser if we part. You never give up a good marriage especially one that is working. I tell you tonight it is working for us in Alamance County and I know it is working for you in Caswell because if we do not continue to provide these services the way we are providing them I can tell you right now you are talking about building a new jail it is going to be full. The officers are going to have to deal with these individuals because they are not getting these services. In the long run it is going to cost the county more. Folks we are elected to do what is best for our citizens. I encourage you tonight to search your soul and to look at that. I think if you do and you look at it in the right way Mr. Chairman I think that marriage will continue for another forty years. Thank you."

Mr. David Carter came before the Board and made the following statement:

"Good evening Chairman Hall and Commissioners. I am David Carter and I am the current chair of the board of the Alamance-Caswell LME. I have been with the board for over ten (10) years. This is my third or fourth time as chairman. Over those ten (10) years I have enjoyed a wonderful relationship with Caswell County. In the last two to three years especially I would like to say a word of thanks to the representatives that you have sent from Caswell County, Commissioner Jefferies and Ethel Gwynn which you heard speak earlier. They represent you and the citizens of Caswell County very well. They advocate on everything on your behalf as your representatives of the citizens here. I just wanted to say a public word of thanks for selecting them and for sending them to be a part of our board. A couple of things you have heard tonight were about the consumers and the other people involved. The reason why that is, as board chair, I have mentioned this numerous times to our board. We get caught up in the busyness of making decisions, passing laws, cutting budgets, making changes and sometimes we lose the fact that each one of these things are reflective upon an individual, a person. If you could imagine that every decision that is being made dealing with the Alamance-Caswell LME

represents someone out there in your community and my community that is receiving services or is not receiving services but we are trying to provide services for. That is so crucial. It is so easy to get caught up in the dollars and cents and the laws and those types of things we forget there is a human aspect to it. You have been hearing that all night. We talked about a merger with Piedmont Behavioral Health. They were just there and Commissioner Satterfield was there and Kevin and I appreciate those guys coming. They heard a presentation and as it was stated there to us publicly. Piedmont Behavioral Health said that you guys are not the only one that has asked to partner with us. OPC and Five County both has signed a memorandum of agreement and are working on merging as well with Piedmont Behavioral Health. If you were to merge with OPC and go through all the legal paperwork and everything associated with that you will have to turn around in a year or less or maybe a year and a half and do it all over again because they will be taken under PBH as well. PBH said to us, as Commissioner Satterfield was there, that they have moved the Alamance-Caswell LME to a priority. They have put us at the top of the list. They have put their merger talks with OPC and Five County on hold because they felt our need was more pressing and more urgent. We were encouraged by that. It was not discouraging to us but encouraging to us because we felt like that would ensure that the citizens of both counties would continue to receive seamless services that are very vital in the mental health practices in the mental health world as I think you have already heard mentioned tonight. I am encouraged by that. If you go with someone else as I mentioned possibly let's say Center Point or someone else out there Sandhills that we have talked to as well. If you were to look at going with those guys they do not have a Medicaid waiver yet. PBH has six years of experience in this. Basically you are looking at a one or two year lag there and you will be back doing this again. We think this is the best decision for our counties. We have put a lot of energy and a lot of effort in this and your representatives have done so as well. What I would like to say in closing is my hope is that we can continue in a productive partnership to ensure the best possible services in both of our counties. I think that is what we need. We don't want to see you guys go away. We have enjoyed that relationship for over forty years. We like you guys. We enjoy working with you. Our staff enjoys working with your staff here in Caswell County. What I hear from the citizens in both counties is that they are receiving top notch services. Some of those services you received in packets, if not, you will be getting that information. You have heard different department heads speak on it. One very important thing, we have the lowest re-admittance rate in the state of North Carolina back into the mental health hospitals. Out of one hundred counties that means we are doing something right in Alamance-Caswell. That means they are not going to Sheriff Johnson's jail in Alamance and not going to Sheriff Welch's jail here in Caswell. That means those people are receiving the services that they need and they are living a productive life with the aid or assistance of someone helping because they are not back in the streets causing a problem or creating a situation which would require them to be put in jail. As you make your decision I hope that you will review and listen to all the facts that have been presented tonight. Again, I would like to say we appreciate what your folks have done as your representatives. We look forward to continuing a relationship in the future. Thank you."

Mr. William Carothers came before the Board and made the following statement:

"Commissioners, I am a member of CFAC in Alamance-Caswell. I believe the counties need to stay together. I have been to the Caswell facility several times. It is a well run facility. I agree with what the Sheriff said. There are more problems coming down the road. We will have

veterans coming home from Iraq and Afghanistan that you are going to have to deal with. I believe that the counties need to stay together. Thank you.”

Ms. Clara Trollinger came before the Board and made the following statement:

“Good afternoon Chairman. Good afternoon to everybody in the building. My name is Volunteer Federal Marshal Clara L. Trollinger. I was affiliated with Washington from 1983-84. I have been a volunteer in this area with CFAC and an organization for the homeless in Alamance County. I have been with CFAC going on two years. I really enjoy the work. Everything they have done for me has been appreciated. For the community they have contributed a lot. I thank you all for that. Please continue to help us grow and to love one another. We need these people in our lives in Alamance and Caswell counties to get what needs to be done. I just thank you all for everything you have done and are about to do. Thank you.”

Lieutenant Mike Adkins came before the Board and made the following statement:

“Mr. Chairman, my name is Lieutenant Mike Adkins with the Caswell County Sheriff’s Office. I have the luxury of sitting on a subcommittee that is with LME, the Caswell County Community Collaborative. They have shown us Caswell County support in the schools with the DARE Program and also with our Great Program with providing funding for enhancements, self-esteem building, and also gang prevention throughout the communities and through the schools here in Caswell County. The LME sponsors and hosts training to deal with people who are in need. We have that luxury now but I feel like if this marriage does not continue like Sheriff Johnson stated that those enhancements for our children and for our community will not be possible. Thank you.”

Commissioner Satterfield stated “Let me say I had an opportunity, Mr. Chairman and fellow board members, to go with the Manager over to a board meeting last week. I just want to say how impressed I was with Mr. Carter and his performance and Ms. Welch and how much I was welcomed by all the board members. I appreciate that sincerely. Fortunately for me, not knowing a lot about the LME and how it operates I had the opportunity to listen to Mr. Kaufman from PBH. They had a wonderful presentation on PBH and how it operated and what they had done for the counties that they now represent. The one thing, I think, I was most impressed by was the comment that he made that when they had a board meeting all the county hats were checked in at the door as they came in. It was not a particular county. It was a group of board members serving all the consumers of that entire district. So no individual county stood out. The hats were checked at the doors and I thought that was very good. I thank you for having me at your board meeting and I appreciate the opportunity to be there. Thank you. Thank you Mr. Chairman.”

PUBLIC COMMENTS

Chairman Hall opened the floor for public comments.

There were no public comments made.

RECESS

The Board held a brief recess.

HEALTH DEPARTMENT BUDGET AMENDMENT #4 AND SALARY ISSUE

Dr. Fred Moore, Health Director, came before the Board to seek approval of a budget amendment. Dr. Moore stated "Good evening. I come before you today to present two items and to request your approval. One is a budget amendment and the other is a pay increase for one of our nurse practitioners. I have presented this information in this memo that, I think, was put into your packets. I will briefly talk about the highlights. The budget amendment has been approved by the Board of Health. It calls for a net decrease of one hundred twenty-seven thousand two hundred and thirty (\$127,230.00) dollars in the Health Department's budget. This is a response to the revenue shortfall that we became aware of last fall. It came before the Board at that point and you all gave the Health Department forty-two thousand (\$42,000.00) dollars of the Health Department's Fund Balance. That money allowed us to get to the end of December and gave us a few months to figure out what had happened. The primary thing that happened was basically a Medicaid shortfall due to a decrease in the number of patients that we were seeing in our clinic. There were several other confounding factors but that is the primary thing that happened. It basically boiled down to a scheduling issue. We have taken steps to remedy that and our numbers are starting to look better. But in the meantime in order for us to make it through to the end of the fiscal year we needed to take a hard look at our budget and see what we could afford and this budget amendment is the result of that. In order to get the budget to work we eliminated two positions. One through retirement and one through not filling a vacancy. Both of these were nursing positions. We also looked at our budget for anything that was optional and if at all possible moved the funds for that over to other parts of the budget so that we could make ends meet. In addition, we received an additional eighty thousand (\$80,000.00) dollars from state grant money for our Public Health Preparedness Program. We were able to move some of our staffing positions into that fund so they could be paid for by that fund. A combination of all of these factors enabled us to get to the point where we feel we can make it through this fiscal year."

Commissioner Travis asked "Dr. Moore, let me ask you a question so I can understand what you have here before us tonight. The way I understand this thing you are going to let two people go, right?" Dr. Moore responded "Yes, sir." Commissioner Travis continued "And then you want to turn around and give someone else a raise?" Dr. Moore responded "Well we want to hang on to a staff member that is being paid well below the going rate for that type of position. That position plays an important part in our efforts to try to maintain and keep up our case load at the Health Department."

Chairman Hall stated "I was hoping to deal with the first part which is the budget amendment and then we will go to the second part."

Commissioner Lucas asked "Is there any explanation as to why there was a decrease in the Medicaid?" Dr. Moore responded "As best we can figure that is a scheduling issue. A problem that faces Health Departments all across North Carolina is an extremely high "no show" ratio. We make appointments and the people do not show up. So one tactic in trying to solve this issue has been to overbook and then what happens when everyone shows up. It turns in to a disaster. So we were working with our scheduling system trying to figure out a way to deal with this and we have apparently been doing very well. When you look at our statistics over time our case load in our Medicaid clients started going down about a year ago. It was a lot of ups and downs. What we have done in the last two months is basically just opened the doors. If anybody calls in today we will do everything that is possible to see them today even if means some staff working late or working over, whatever. That has caused the curve to start to go back up again."

Chairman Hall asked "Dr. Moore, for my understanding and clarification. We are looking at a hundred and twenty-seven thousand (\$127,000.00) dollars in decreases in expenditures, right?" Dr. Moore responded "That is the net. Yes, sir." Chairman Hall continued "Now is that in addition to the forty-two thousand (\$42,000.00) dollars shortfall that we had two months back? What I am trying to get at is we are looking at one hundred sixty or one hundred and eighty thousand dollars short this year so far." Dr. Moore responded "Yes, sir. It is a little bit confusing because of the eighty thousand (\$80,000.00) dollars of new money that was put in there. But yes sir that is right."

Commissioner Satterfield stated "Let me say we have had numerous Health Board meetings on this issue. Dr. Moore and Sharon have been working extra hard trying to balance this budget. The best that we can determine, as a board, is we feel like this will be a good balance for this year if nothing unforeseen happens. It is a very tight budget. Dr. Moore will tell you that. They got down to the dollars and cents in some of these things. Not tens of dollars but dollars and cents. So it is a tight budget."

Commissioner Satterfield moved, seconded by Commissioner Carter to accept the Health Department's Budget Amendment #4.

Commissioner Lucas asked "Just a quick question. The two nursing positions that were cut. Has that already taken place?" Dr. Moore responded "Yes, ma'am. We had a vacancy that started, I believe, in October that we did not fill. The other one was a retirement that happened December 31st."

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

Dr. Moore stated "As stated in this memo we have one primary nurse practitioner that sees ninety-nine percent (99%) of the patients at the Health Department. When that nurse practitioner goes on vacation or does the required continuing education, she needs to leave the Health Department. So we have at some points, over the past several years, had as many as two or three nurse practitioners that we have used to fill in when our primary nurse practitioner was gone. We are now down to one. We have another one down in the books but she is doing some stuff in England and is only very rarely available to us. We have this one back up nurse practitioner that

probably on averages, over a length of time, about one day per week. So if our nurse practitioner takes off five days the backup nurse practitioner will fill in as her schedule allows because she has a job elsewhere as well. Her other job is teaching at Chapel Hill at their School of Nursing. We brought her in at what we knew was a very low rate compared to the going rate because she did not have a lot of clinical experience. She had a lot of book knowledge but not a lot of clinical experience. So we brought her in and have supervised her closely for the last four months and feel that she is doing well and can move to less supervision. With that we would like to increase her pay rate from \$30.00 an hour that we started her out at to \$38.00 an hour with the understanding that the market rate is around \$45.00 to \$47.00 an hour. We are still well below the market rate for this type of position. Having a nurse practitioner available to back up as much as they are able is an important part in maintaining the continuity of care with our clients and keeping our numbers up. This was discussed with the Board of Health and was approved by the Board of Health and I am coming before you to request your approval as well.”

Commissioner Battle stated “Dr. Moore there are two things that bother me about this request. This nurse practitioner has been working four months and also in here it says ‘she is now working independently but is not yet up to the capability of our full time nurse practitioner’ and we are asking for a pay increase.” Dr. Moore responded “By capability, I don’t mean her clinical skills; I mean the volume of patients that she is seeing. Our current nurse practitioner is making significantly more than that. Gaining that clinical experience takes a long time. Our current nurse practitioner has been at it for probably close to thirty years. You can’t wait thirty years to give somebody an increase in pay.” Commissioner Battle stated “I understand that but if you are working part time and you have not gotten to that point yet. She has only been working here four months. I don’t see how you justify asking for that in that short amount of time span.” Dr. Moore responded “She is seeing patients. She is not requiring someone to look at every client she sees. I am in the office most of the time and if she has any questions she comes and talks to me about them. But it only happens rarely because she can handle most of those things. I am not sure how to justify it to you.”

Commissioner Battle asked “Do you use any type of evaluation form for staff or a knowledge card or skill card to show your staff’s skills so I can say that this person A can do these set of skills and person B can only do these and that way you can compare them for what your staff capability is. Do you have anything like that?” Dr. Moore responded “For our staff we use the county provided performance evaluation sheet. It has its issues but that is what we use.” Commissioner Battle responded “Okay. Thank you. That is all I have Mr. Chairman.”

Commissioner Carter asked “Dr. Moore, how many nurse practitioners do you normally have? Do you just have one?” Dr. Moore responded “We have one full time nurse practitioner and this person that we are discussing here is a backup nurse practitioner that works on a part time basis. We currently have one other nurse practitioner who is another part timer but as I said she is working on a graduate program in London. She only fills in a couple times a year for us when she is back in this country.” Commissioner Carter continued “The only problem I have with this is we are right here at the end of budget time and we are just a few months from the end of the fiscal year. Another thing when you look at all the other county employees they have not had a raise in two years. I just cannot justify giving one employee a raise especially when none of the other employees have had a raise in two years.” Dr. Moore responded “But most of the county

employees come in at a hiring rate and then they get advanced up to a regular rate. This is a part time employee who does not really get involved with that process.” Commissioner Carter asked “Don’t you think that is a big jump from \$30.00 an hour to \$38.00 an hour? Dr. Moore responded “When the going rate for that position is \$45.00 an hour, no sir I don’t.”

Commissioner Satterfield stated “Mr. Chairman I would like to add some of discussions that have been going on at the Health Department about this if I could. As we understood it this nurse practitioner was hired on a part time basis to fill in because a nurse practitioner is able to go to any clinic that we have down there and perform their skills and bill for it. Now when our nurse practitioner is out that means when a person or client comes in, correct me if I am wrong Dr. Moore, they may not be able to be seen that day. It depends on what clinic they need to go to. A nurse practitioner can go to any clinic. Now this is a revenue source, ladies and gentlemen. This is a revenue source for the Health Department. The lady was started at \$30.00 an hour because she had to have direct supervision for four months before our nurse practitioner and Dr. Moore felt she was able to start seeing clients on her own. Now she is able to do that and was told when she was hired that after that period of time the board would try to give her a \$38.00 an hour rate which is \$7.00 an hour less than what we are paying the other lady. We know for a fact that a private practice here in Yanceyville has been trying to hire a nurse practitioner for \$50.00 an hour and they have not found anybody and that is a private practice. \$38.00 an hour even though that is a healthy increase in pay we should actually make money on the clients that this person is seeing. Without it, when our nurse practitioner is gone that is one revenue stream that dries up that day because we do not have anybody to do it.”

Chairman Hall asked “Let me ask as a follow up question. Was there a contract made with this nurse practitioner?” Dr. Moore responded “No, it was a verbal discussion.”

Commissioner Lucas asked “Was it to be addressed after a four month period? Is that what the agreement was with the employee that it would be reviewed after four months?” Dr. Moore responded “The term four months, I don’t believe was discussed. It was when we felt like she was able to function more on her own that we would address this issue.”

Commissioner Battle stated “I am just going by what we have just heard tonight. It was said that the full time nurse practitioner sees people ninety-nine percent (99%) of the time. I don’t know how much one percent (1%) is as far as visits. I have a problem with the time line that is the problem I have with this and the experience. If someone came to the Health Department as a nurse practitioner are they going to get the \$45.00 an hour rate right out the gate with no experience?” Dr. Moore responded “With no experience?” Commissioner Battle responded “Right, with no experience. Would I get paid that if I went to school for that?” Dr. Moore responded “Probably not.” Commissioner Battle stated “Okay. That is all I have Mr. Chairman.”

Commissioner Travis moved, seconded by Commissioner Battle that the Board deny the request to give the part time nurse practitioner a raise.

Commissioner Lucas asked “Do we want to deny the request totally or wait and look at it at the end of the budget year to see where we are with it?” Commissioner Travis responded “We can

bring it back up but I am talking about right now.” Commissioner Lucas stated “Maybe that could be added to the motion rather than just ending it totally.” Chairman Hall stated “I will give my personal thought. I think the Health Department in the past few years is the only department to come before us in the middle of the year and ask for raises. The rest of the staff has to wait until budget time. One of the things I asked Dr. Moore was if there was a contract and he said there was no contract. That is just my personal take on it.”

Commissioner Satterfield stated “Mr. Chairman, let me clarify one thing. Commissioner Travis the Health Board has not let anyone go.” Commissioner Travis stated “What it says in here is they have.” Commissioner Satterfield continued “One person quit and one person retired. We did not fill the positions. We did not let anybody go.” Commissioner Travis stated “Well there are two people gone and you have a cut over here on the budget and we are talking about giving a seven or eight dollar an hour raise. No.”

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

PIEDMONT COMMUNITY COLLEGE

Dr. Walter Bartlett came before the Board and made the following statement:

“Good evening Mr. Chairman and fellow County Commissioners. Several meetings ago Piedmont Community College brought before you a proposal for the Guilford Mills building to hold law enforcement training there and we were asked to look at the parking. What you have in front of you is a very rudimentary drawing.” Dr. Bartlett showed the areas that would allow parking around the Guilford Mills building. He figured they could get about twenty to twenty-eight parking spaces on the side of Wall Street. The spaces would be ten or twelve feet wide by sixteen feet deep. There is about nineteen feet from the building to the edge of the street. He stated that they could use another area around to building to accommodate handicap parking. There is a big concern about backing up. He is not sure if Wall Street is a high traffic street or not. He stated it may be possible to make Wall Street a one way street. Most of the people that would be parking there would be on police cruisers.

Commissioner Carter stated “The other streets being connected over to the court house. You have Wall Street and Church Street. Wall Street is the most congested area.”

Dr. Bartlett stated that they could angle the parking which would give them approximately twenty parking spaces. Around the back of the building there is an area that could be used for handicapped parking. There is wooden porch and a handicap ramp in that area.

Commissioner Battle asked “Dr. Bartlett, that is the side if you are looking at the front of the Guilford Mills building right here. How is the move ability once you get in there and then trying to get out?” Dr. Bartlett stated that there was a lot of room to turn around. There is about sixteen feet in the lane for parking and there is an additional eighteen feet to turn around. That area could accommodate eight or nine handicapped parking spaces. The third drawing he showed the board he estimated being able to get eighteen parking spots there and an additional

four parking spots at the angled portion of the building and eight more parking spots on the front side of the building. He stated that he did not look at the back alley but there could easily be fifteen spots back there. He was a little concerned on how to get into the building from that area.

Mr. Howard stated that he recommended using that area as a staff parking area.

Commissioner Battle stated "You are looking at fifty-four spaces not counting the staff." Dr. Bartlett stated that they had looked at other spots for parking around the Guilford Mills building. The church across the street has a grassy area that is between the church and Wall Street that they may be able to use. He stated that they could probably get about eighteen parking spots in the grassy area. There is another lot behind the church that might be available for parking as well. It looked like they could get an additional thirty-four parking spots there. He did not know if the church used this area for parking or not. Commissioner Lucas stated "They have a very low church attendance." Dr. Bartlett stated that the county is looking at possibly one hundred parking spaces around the Guilford Mills building.

Chairman Hall asked "How many spots do you think it would take to do what you guys want to do?" Dr. Bartlett stated they would need all the spots that are available. The parking around the building will be pushing it. He stated that now they have to limit the class sizes because of the parking. The law enforcement people are eager and he was hoping to be able to have larger class sizes. Dr. Bartlett stated that the college could work things out to continue the smaller classes until other arrangements for parking could be worked out.

Commissioner Battle asked "That was part of my question. Was it enough spots when you do law enforcement?" Dr. Bartlett stated that if the program becomes successful it would not be enough spots. Commissioner Battle continued "Second question I have. Do you foresee any bus traffic coming that way as far as buses with your students on it coming up to Guilford Mills? If so, where would that bus go if that does happen? If it does not happen then that is fine." Dr. Bartlett responded that the college does not provide buses. Everything would be individual. Commissioner Battle asked "One more question Mr. Chairman. What is the liability as far as the parking around the building? Let's just say people start backing into Wall Street and get hit. They may say the county owns this building so I want to sue the county to pay for my vehicle. How does that work?" Chairman Hall responded "That is something as we move forward we will turn over to our attorney."

Commissioner Lucas asked "Your parking now, is it adequate where you are located?" Dr. Bartlett responded "Where we are at now I get the impression we need to leave. To answer your question, yes. However we are not teaching what we could be teaching."

Commissioner Satterfield stated "I just have one comment Mr. Chairman. I don't think there is going to be enough spaces. I think we can just as well count on that. I don't know if you have contacted anyone at that church to see if that is a possibility." Dr. Bartlett stated "I did not feel like that was within our rights. I felt like that would be something that the county would have to work out. Commissioner Satterfield continued "The next thing we have to handle is we have clients that need to have parking spaces and their customers need to have parking spaces. We are going to have to think about that too." Dr. Bartlett responded "It is our understanding that we

would go through and dedicate spots to them. That has always been our understanding. We just don't know how many that is. It is like the Field of Dreams. If we build it they will come. We have the potential of having a lot of classes that a lot of folks will come to from all over the area."

Commissioner Battle asked "Is this for information or action?" Chairman Hall responded "This is for information." Dr. Bartlett stated "Well I had brought the proposal for Guilford Mills to you and then was asked to find out about the parking. It was my understanding that you would make a decision on where to go from there."

Chairman Hall stated "We will not try to take any action tonight because I don't think we are prepared. The proposal that you brought to us earlier was that for renovations and for other things or was that for the community college having access to the building?" Dr. Bartlett responded "Well the proposal basic outline was that we want a ten year occupancy agreement. The county would provide adequate and safe parking around the facility." Chairman Hall stated "That is what we need to act on, is that corrected?" Dr. Bartlett responded "Yes. And that you would either do one of two things. You would either cover the annual housekeeping, utilities, water of the facilities or increase our county budget by fifteen thousand because we cannot absorb this in our budget. We will provide the furniture. We will do the computers and technology for the facility. We will do the internet. We will do that so we will have some skin in it."

Commissioner Satterfield stated "Mr. Chairman I have one other thing, if I may, on this subject. I think it would be a good idea for our manager to contact the people with the church up there before we go any further on this thing to see if there is a possibility of using their space. What will they charge us if anything? What will we need to do as far as putting gravel on it? I really do not think the parking will be adequate. I think we need to look at that prior to making any type of commitment so if the program does grow we will have adequate parking to take care of it." Commissioner Travis added "We also need to see if the church is willing to give us a lease on it." Chairman Hall asked "Do you have that Mr. Manager. I think that suggestion is a good suggestion. What I am going to propose is that we review this proposal and get the information from our manager and any other questions we may have and put this on our next agenda for action."

Commissioner Battle stated "Like I said a liability lease needs to be addressed, I guess if we are going to do that. I need to know that for both places in a draft or something depending on what the church says. Chairman Hall asked "Mr. Attorney could you address that for us at the next meeting." Attorney Ferrell responded that he would address that if the County Manager would bring back the recommendation." Commissioner Battle stated "And for Wall Street as well as far as backing out into Wall Street." Attorney Ferrell stated "I would ask the County Manager to find out about the right of way." Commissioner Battle stated "As long as that is covered. Those two pieces of information would be needed."

Commissioner Carter stated "You probably saw that there is one meter wall on Wall Street where you will not be able to park because it belongs to the town, where the main water meter is

for fire line. There is a six inch water line running up to that fire hydrant.” Dr. Bartlett stated that he did see that and that there was no parking designated there.

Chairman Hall stated “Generally speaking we have these specific questions. Mr. County Manager if you would ask all the appropriate staff members to take a look and give a report back if there is anything that we need to be concerned about. That could be with Inspections, Maintenance, Sheriff’s Department and the Town.”

CASWELL COUNTY HISTORICAL ASSOCIATION

Chairman Hall stated “We have Mr. Cy Vernon here because Ms. Oestrieher is out sick.”

Cy Vernon stated “Good evening. What I have will only take a minute. As you may or may not know the 150th Anniversary of this building is this year. The Historical Association is interested in doing some special activities to commemorate this structure. There is a lot of history here. We have some activities that are kind of on the drawing board for us. We would like for it to be a collaborative effort with the commissioners. We are not asking for any funding at this point because we know we won’t get any. We will leave it at that. We have some activities and things that are planned and on the drawing board but they have not been finalized so I hesitate to even mention any of it at this point but you will be kept abreast of all the things we have in mind when we get them moving a little further along.”

Commissioner Travis moved, seconded by Commissioner Satterfield to collaborate with the Historical Association to commemorate the Courthouse’s 150th Anniversary. The motion carried unanimously.

STAFF REPORT ON JOHNSON PROPERTY ISSUE

Chairman Hall stated “Fellow commissioners in our packet we have some information. We have a chronological outline of what occurred based upon our Inspections Department and Planning Department’s involvement in the right of way issue. As I read through this I had a couple of questions come to my mind as to what authority we had and in what area. I only had a few minutes this afternoon to speak with our attorney. What I am going to suggest to the Board is that we refer this issue to our attorney to do some research on some specific issues of this Board’s authority on what we can and cannot do as it relates to this situation.”

Attorney Ferrell stated that he had not had any time to do research on this issue since he was only made aware of it tonight. Once he has had time to research it more he would look at the issues and make a recommendation.

Chairman Hall stated “At the last meeting Mr. Johnson came before the Board. Mr. Johnson made his presentation during the public hearing and at that point I had indicated to Mr. Johnson that we would take action tonight. Mr. Johnson as we got involved and looked at some things and I spoke with our attorney some issues came up so unfortunately we will have to defer this until we can seek further advice from our attorney.”

Commissioner Lucas stated "Just for information purposes I made a phone call this afternoon to the North Carolina Fire Marshal's Office who oversees the building codes as well. According to a Mr. David Conner there and you may want to speak with him. There are no state codes that address issues that if it is within three feet of the property line. It is all addressed in a local ordinance so whatever our ordinance says locally is what we have to abide by and the process to remedy it, I believe, would be a variance proceeding." Mr. Howard stated that the issue at hand is that the structure is built over the property line. Chairman Hall stated "Thank you Commissioner Lucas those were some of the questions that came to my mind and because we did not have sufficient time that is why I want to defer it for the attorney to review." Commissioner Lucas stated "It is in Section 302 of the North Carolina Building Code." Chairman Hall stated "Okay. Do you have that Mr. Attorney? Now back to the information that was provided to us for clarification. Mr. County Manager, this information that we received says that the building structure was on the right of way, not on someone else's property. We need to be clear so the attorney can move forward." Mr. Howard responded "It is on the right of way. It is across his property line on the road right of way. It is a dead end road." Chairman Hall stated "I just wanted to make sure it was on the right of way because the attorney is going to be researching all of this. If there is any other additional information Mr. Manager that you need to get to him, because he just got this information today, please do because we will put this back on the agenda for action. He needs sufficient time."

Commissioner Battle stated "I have just a comment. This has been the second issue from this office in the past two months, I think. We are starting to set a trend in my opinion. That is all I have to say since we can't do anything right now." Chairman Hall stated "That fact that you mentioned that Mr. Battle, I think this issue came before us before and I think we sent something back to the Planning Board on the mapping and etc." Commissioner Battle responded "Yes, we did. I think we did." Chairman Hall stated "We will follow up on all of that."

AMBULANCE FINANCING

Mr. Howard stated that he had included in the agenda package ways to finance the ambulance.

Commissioner Battle asked "The Solid Waste option. How would that affect that budget and their operating costs and parts and things of that nature if we were to go that route?" Mr. Howard responded that there was an item that would be coming up later in the meeting that would need to be taken from the Solid Waste budget.

Chairman Hall stated "Let rephrase that for Mr. Battle. What is their budget and do they have the resources to handle their budget if this comes out?" Mr. Howard responded that there are funds in that budget that can be used when needed. The money that will be borrowed will be replaced. Commissioner Battle stated "This is the question. Let's say we take fifty-two thousand (\$52,000.00) dollars out. Roughly a compact unit runs sixty-eight thousand (\$68,000.00) dollars. If we take out this fifty-two thousand will we have enough money to buy maybe two or three of the big ticket items and everything below that?" Mr. Howard responded yes. Commissioner Battle stated "I just wanted to make sure that is why I am asking."

Commissioner Lucas stated "The comment was made here that the funding through the USDA, we would not know anything until the end of March or during March." Mr. Howard responded yes around the middle to the end of March. Commissioner Lucas continued "Well we are right here at March. I just wondered if that would be the best solution to wait and try again with the USDA. That is what we have normally done before with the financing, is that not correct?" Mr. Howard responded yes, in the last few years. There is no guarantee that the USDA will have the funds for this. Some years the funds are there and some years they don't. Commissioner Lucas stated "Just one other comment. If we have a seven hundred and twenty-one thousand (\$721,000.00) dollar fund balance in Solid Waste then I think we need to look at reassessing the fee that our residents have to pay for that service. Maybe we could lower that because it is becoming more and more of a problem for folks to have to pay." Chairman Hall stated "That is certainly something that we can look at during budget time."

Commissioner Carter asked "Has the ambulance been ordered?" Mr. Howard responded yes the ambulance has been ordered. It will be ready in about two or three weeks. The county is not obligated to buy that one. Commissioner Carter continued "The reason I asked I did not know if this was something we could hold off on until the next budget year. Are we committed to do it this budget year?" Mr. Howard responded that he would not recommend waiting until the next budget year because the ambulances are having more miles put on them and the county needs to be able to keep the ambulances on the road.

Chairman Hall stated "Back to Commissioner Lucas' comment. If we start to proceed now with any type of financing and we find in the next week or so that the grant dollars are available. Is there anything that would stop us from being able to apply for it?" Mr. Howard stated that the county would have to start the process through the USDA. Commissioner Battle asked "How long does that process take?" Mr. Howard stated it would take thirty to forty-five days. The application will sit there until they have the funds. He stated that the reason he stated March is because that is when they find out if they are going to have the funds or not.

Chairman Hall asked "Do we need to make a decision tonight in terms of Solid Waste so we can move forward." Mr. Howard responded that it would be nice but the Board could wait until the next meeting because the ambulance will not be ready until the middle of March. Chairman Hall stated "Quite frankly I don't see the benefit of waiting."

Commissioner Carter moved, seconded by Commissioner Satterfield to borrow money from the Solid Waste Fund at the interest rate of 1% to buy an ambulance and to have the financing documents subject to final approval by the County Attorney.

Commissioner Lucas asked "Are we sure this is legal? It is collected for one purpose and we are using it for another purpose." Chairman Hall responded "Enterprise Funds are used at the discretion of the county. We can spend it without borrowing it." Commissioner Lucas stated "But you are charging taxpayers a user fee and collecting it in a fund for the purpose of that function." Mr. Howard stated that the county does have to pay it back. Commissioner Lucas stated "I would certainly hope that at budget time that we would look at the fee that we are currently charging. If we are accumulating this kind of money in our Enterprise Fund then we need to reduce that fee."

Commissioner Carter stated “We have some high ticket items coming up.” Chairman Hall stated “Let’s keep in mind it is appropriate that we should look at each fee this year. I will make a mental note to do that. Anything that is planned out should be in the budget even long term. We have talked about this before that we should have a capital budget so that this Board will know. We should not keep it in our pocket and say well I was thinking about buying it. County Manager, make sure with staff and everybody that whatever is being planned or whatever is needed or that might be needed is included in our budget so this Board can think about both things. About borrowing and about the future.”

Commissioner Battle asked “Mr. Manager, this is a brand new ambulance?” Mr. Howard responded “Yes, sir.” Commissioner Battle continued “Is this the one that has the new emissions check on it?” Mr. Howard responded “Yes, it is.” Commissioner Battle asked “Could we still, not pertaining to the ambulance, but could we still apply for that grant for something else?” Mr. Howard responded yes. He stated it is a loan grant and that the county could apply for the loan and that the county should qualify for fifteen percent (15%). Commissioner Battle asked “Is it on the table for us to apply for?” Mr. Howard responded “Yes, it is. What could change is what amount can be granted.”

Commissioner Travis asked “Didn’t we have an ambulance in the budget this past year?” Mr. Howard responded “That is this one.”

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

PTCOG MERGER UPDATE

Chairman Hall stated “Fellow commissioners about a year ago our PTCOG and the Northwest COG began discussions to merge. We have had these discussions over the last four or five years but we never got to this point for even the two councils of governments to even sit down and talk about it. There have been a lot of discussions and we are at the point now where a merger could take place if the majority of the local governments vote for the merger. There was some information that we received in last week’s meeting. We have the resolutions not to act on them but what I wanted is for everybody to have them for review. What we, all the local governments, need to vote for is number one to dissolve the current council of government which is the Piedmont Triad Council of Government. Then number two to create a new council of government. If this merger goes through there will be twelve counties involved. There are now seven. Those twelve counties would cover the same area as the Piedmont Triad Partnership and Economic Development. They started this push about four or five years ago to make them the same. The councils of governments have asked us to vote on the merger in March. What I would like to do is to put in on our agenda for March 7th. Once you get this if you have any questions please get them to me or we can get someone in here. If you have any questions you can ask me now. I have been involved in this merger for the last year. We have had several meetings. We have met with both COGs. We have had a group looking at what was going on. I don’t see anything detrimental happening to Caswell County because of this merger. After the

merger each county will still have one representative and each municipality will still have one representative and that is what we have now. Any questions on that?"

Commissioner Satterfield asked "What is the reason for the merger? Is there something not working good now or what?" Chairman Hall responded "The idea is to become more efficient and to work closer with the Northwest COG and to get the two COGs work together from an economic development standpoint. The federal government did an RFP about two years ago for four or five million dollars to do some economic development planning. When our COG and the Northwest COG got ready to prepare an application they told us no. They said neither one of you speak for the whole area. They were doing this for a twelve county region in and around Greensboro. So the Piedmont Area Transit Authority filed an application and they got it. The five million dollars and they are a transit authority. They were the only region wide organization. So once we saw that we started thinking that there is no reason not to merge. The Northwest COG handles a lot of workforce development. We don't have a duplication of services. Some of the services that we have they will be able to utilize because we are going to merge the staffs. There will be a savings in that. Number one there will be only one executive director. I can tell you that our executive director retired this year. I know that he was making over a hundred thousand dollars a year. So as we start merging the staffs, there will be a savings there. As we start utilizing the services across the twelve counties it would be more advantageous for the counties."

Commissioner Satterfield asked "What about the facilities, Mr. Chairman?" Chairman Hall responded "Right now the Piedmont Triad Council rents space in Greensboro and the Northwest COG has their space in Winston. We will merge to one facility and that will be a savings. A lot of these details are what the two COGs have been working on for the last year. Number one do we want to do this and number two how can we make it work. With facilities I think it is a kind of agreement that we will find a facility in and around the airport area that would be kind of central for everybody. In theory this is what we have agreed upon. The facility is one and the merging of staff is another. We have a separate workforce development office here through PCC, I think." Mr. Howard stated it is through the Kerr-Tar Council of Government. Chairman Hall continued "With the Northwest COG they do similar things. They contract to do workforce development for Winston and Forsyth County. We won't necessarily knock them out. There will be some room for mergers if this goes forward. I certainly hope and recommend that we go forward with it. We will have it on the agenda for the next meeting."

GUILFORD MILLS LEASE

Mr. Howard stated that one of the tenants of the Guilford Mill building has been bought out by Solutions CSA.

Chairman Hall asked "So all we are doing is changing the tenant because of the buyout?" Mr. Howard responded "Yes, sir."

Attorney Ferrell stated that he suggested a change in the contract in Section 3: Termination. He stated it should read that either party the lessee or the lessor should be able to terminate the lease by giving a thirty day notice.

Commissioner Battle moved, seconded by Commissioner Travis to approve the contract with the amendment referred to by the County Attorney.

Commissioner Lucas asked "Chairman Hall, I have a question about the amount of the rent. That is what we are currently charging is that correct?" Mr. Howard responded "Yes, ma'am. That is what is in the current budget. We can look at this when we are looking at next year's budget." Commissioner Lucas stated "I think that definitely needs to be looked at."

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

SOLID WASTE

Mr. Howard stated that Solid Waste needs to purchase a loader and the attachments for thirty-four thousand (\$34,000.00) dollars. About ten or twelve years ago they purchased the current loader to move things. There is money in the Solid Waste budget to purchase this.

Chairman Hall stated "Let me paraphrase you right quick. We need to buy a loader. The old loader died. We are looking at a loader that costs twenty thousand (\$20,000.00) dollars and another fourteen thousand (\$14,000.00) dollars in adjustments for modifications to the loader. It will be thirty some thousand dollars. We have money in the budget because of what?" Mr. Howard responded there is money in the budget the County was going to use to purchase an additional truck. That has not been done." Chairman Hall stated "We want to use the money we have in there to purchase the loader and we are going to forgo purchasing the truck and that will make the thirty some thousand work out."

Commissioner Battle asked "Now the gravel is not in the price of this thirty four thousand. Is that correct?" Commissioner Travis responded "It is in there. It is eleven thousand one hundred and forty-three (\$11, 143.00) dollars. Four hundred and sixty (\$460.00) dollars to get it here and two thousand two hundred and forty-nine (\$2,249.00) dollars in North Carolina tax." Commissioner Battle asked "Where is it coming from?" Tim Smith, Solid Waste Director responded "Statesville." Commissioner Battle stated "I assume it has a warranty and all of that stuff or a service contract." Commissioner Travis responded "No." Commissioner Battle stated "Oh, it is used. It looks pretty good to me there."

Commissioner Satterfield moved, seconded by Commissioner Carter to accept the County Manager's recommendation to purchase a Landfill loader.

Commissioner Lucas asked "Just a quick question because this was just given to us today. Can we vote to approve this without waiting until the next meeting according to our Rules of Procedure Rule number 27, any expenditure over ten thousand (\$10,000.00) dollars?" Mr. Howard stated this is a mercy call, the landfill needs this equipment. Commissioner Lucas stated "It's an emergency. I don't have a problem with it as far as needing the equipment."

Chairman Hall stated "Let's just ask the attorney. I know that we just approved the Rules of Procedure. I was thinking that the discussion had to do with those things that were not in the

budget.” Attorney Ferrell stated “Rule 27 Consideration of unbudgeted expenditures. No votes on expenditures for off-budget spending in excess of \$10,000 shall be held unless tabled from a prior meeting. That is your current rule.” Chairman Hall stated “We have budgeted equipment for thirty some thousand dollars.” Attorney Ferrell stated “I think the question that my predecessor had about this rule is it lacks a definition of terms. That issue still remains.” Chairman Hall stated “I am going to take that rule right now to mean that it is unbudgeted. Otherwise we would have to move on every item, period, that the county spends even after we have budgeted for it.” Commissioner Lucas stated “My impression is if it is not in the budget and it came up at a meeting it would have to lay over until the next meeting. To give you time to think about it and investigate it and to do your research on the expenditure.”

Chairman Hall stated “We have a motion. Let’s see how to proceed. The next appropriate action then, I think since this has been brought to our attention, is to make a motion to suspend the rule.” Attorney Ferrell responded that the Board can do that or they can table it until the next meeting. Attorney Ferrell stated he did not know if there was a time line or not. Commissioner Lucas asked “What is that situation?” Mr. Howard responded that the biggest issue is they do not have the equipment. They need to be able to take care of what they need to take care of with solid waste. This happened on Tuesday of last week. They first thought it was an oil pump and it was not that.

Chairman Hall stated “What I am going to do is I am going to defer the rule of the Board on this. We know what our options are.”

Commissioner Battle asked “What is the earliest it can come? If we approved this tonight what is the earliest it could be here?” Mr. Smith responded “Friday.”

Commissioner Lucas asked “I was just going to ask Tim, is it going to be detrimental to wait for two weeks until the next meeting?” Mr. Smith responded that he did not know what would come through the gates. He stated he would like to say it would be alright but he was not sure. Commissioner Lucas asked “Your Bobcat is still operable, right?” Mr. Smith responded yes but it was a very small piece of machinery.

Commissioner Satterfield asked “Mr. Chairman, I guess my question is for Mr. Smith. This used piece of equipment. You have examined this I suppose. Are these people committed to hold this for Caswell County for two weeks to see if we are going to buy it or is it on the open market to be sold tomorrow?” Mr. Smith responded that it is on the market to be sold. Commissioner Satterfield continued “How many pieces of equipment like this have you been able to find? Are you just looking at this one or others or what?” Mr. Smith responded that he had been looking at different ones since August of last year. He went down last Thursday to look at other items. He did not go to look at this piece of equipment. This piece of equipment came in during the time after he talked to this place and when he actually got there. Commissioner Satterfield stated “You know Mr. Chairman it is kind of like putting off the inevitable, I guess. We have a piece of equipment that is down that we are going to have to replace. This piece of equipment may not be there two weeks from now. Ms. Lucas, that bothers me a little bit. That is like this ambulance we have put off since last May. We were talking about two ambulances we got down to one. We were eligible for a fifteen percent grant. Now the taxpayers are going to have to pay

the difference for us waiting. It could cost the taxpayers of Caswell County twenty-five thousand (\$25,000.00) dollars. Commissioner Lucas stated "That is why we need to plan better." Commissioner Satterfield responded "We were planning then. We planned for a year and a half."

Commissioner Battle asked "Mr. Smith, how many hours do you get out of these types of equipment?" Mr. Smith responded around eighteen thousand to twenty thousand hours. It has around seven thousand hours on it now.

Chairman Hall stated "Let's look at our options. We can entertain a motion to suspend the rules and then we can go forward to take the other motion." Commissioner Satterfield asked "This is an unbudgeted matter?" Commissioner Carter stated "I thought the front end loader was budgeted." Chairman Hall stated "We are talking about the dollar amount."

Commissioner Carter moved, seconded by Commissioner Satterfield to suspend the Rules of Procedures so that Solid Waste can purchase the equipment that is needed. The motion carried unanimously.

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

Commissioner Travis asked "What are we going to do with the old piece of equipment?" Mr. Smith responded "I was going to bring that up on how I was to dispose of the equipment. I assumed through surplus." Commissioner Carter asked "Was it bought through state surplus or federal surplus?" Mr. Smith responded "federal surplus." Commissioner Carter stated "Then you cannot get rid of it until you contact federal surplus."

COUNTY MANAGER'S REPORT

Mr. Howard informed the Board that the Recreation Department received a Make It Happen Grant for ten thousand (\$10,000.00) dollars to purchase new playground equipment.

He also provided a couple of pieces of information to the Board.

- 1) House Bill 101 – This provides counties with the same authority as cities to authorize cable television in their county. Mr. Howard stated that he was hearing that it may pass.
- 2) Public Hearing notice is set for March 17, 2011 at 6:30 p.m. at North Elementary School for the Proposed Reclassification of Dan River.

CLOSED SESSION

Commissioner Hall moved, seconded by Commissioner Battle that the Board enter into Closed Session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual employee (NCGS 143-318.11(a)(6), and to plan, conduct, or hear reports concerning investigations of alleged criminal misconduct (NCGS 143-318.11(a)(7)). The motion carried unanimously.

REGULAR SESSION

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

Commissioner Battle asked "What do we do now?" Chairman Hall responded "I suggest the Sheriff's Department does an audit. Have his staff do a security audit and get back with this Board."

Mr. Howard asked for clarification from the Board on hiring. He stated the way he understood the policy is if he wanted to hire a person he had to bring it before the Board for review. Chairman Hall asked the Attorney to review the Policy and to bring it back before the Board.

Commissioner Travis stated the Board needs to address the way the County collects taxes. Chairman Hall instructed Mr. Howard to check the CPA's audit report and to check into the way other counties collect their receivables. Commissioner Travis stated he felt that the oldest ones should be paid first. Attorney Ferrell stated that the Chairman had asked him to look at the statutes to see if this was stated. The statute does state that if a person wants to apply money to a specific receivable it has to be done that way. The tax director does have to honor this request. When the county is budgeting for next year they have to use the current year's receivables. The statute of limitations states that past due taxes may be non-collectible after ten years. Chairman Hall asked if the Board made a rule that all old taxes have to be paid first would that be okay. Attorney Ferrell stated that absent a request from the taxpayer they can be applied to the old collectibles. Chairman Hall stated that the County should not allow a taxpayer to pay a current bill if they have one that is four years past due. Chairman Hall stated that the Board needed to talk to the Tax Director.

Commissioner Travis stated that the County is losing a lot of money and that the Board needed to set the rules on what the Tax Director needs to do. Commissioner Travis also asked if the County could tow an individual's car until they pay their taxes.

Commissioner Satterfield asked to have the Tax Director give the Board what percentage of the \$47,000.00 is under foreclosure, in foreclosure, or bankruptcy. He wanted to know what percentage of the dollars has action being taken upon them. Commissioner Satterfield agreed with Commissioner Travis that the County should be able to tow a person's car to collect taxes.

Chairman Hall stated that the County is not doing enough. Commissioner Travis stated that the County and the fire departments are losing money. Commissioner Lucas asked how a person could still drive their car without paying their taxes. Chairman asked if this information was reported to the DMV.

Commissioner Satterfield asked if the County Manager or the Tax Director could talk to the Alamance Tax Director to see how they handle these situations. Chairman Hall stated it needed to be the Tax Director. Commissioner Satterfield stated that anything that was past 2009 should be in collections. Chairman Hall stated that the Board needed to have discussions with the Tax Director.

ANNOUNCEMENTS

Commissioner Battle stated that he would like to have the policy on part time hours emailed to him. He also felt the Board should talk about redoing the employee evaluation forms.

Commissioner Satterfield stated that the Board needed to address comp time issues. There are people at the Health Department that have three to four hundred hours of comp time. He asked the County Manager to look into this.

Commissioner Travis stated that he had received a telephone from a guy that was trying to get biodiesel into our county for the buses. He will be at Bartlett Yancey next Wednesday from 8-12 or 9-12. He will be brining a bus that uses Biodiesel. Mr. Howard stated that they are pushing to get the farmers to grow products for biodiesel. The gentleman is speaking at Rockingham's meeting tonight. Mr. Howard stated that this gentleman wants to come to the next meeting.

Commissioner Carter stated that at the Farmer Lake Board meeting that the board was discussing getting a fishing pier. They have been talking with the Wildlife Commission at the Dan River Work Farm. There will be a Hot Dog Supper on April 22nd and they have invited the commissioners and the town council to tour the lake.

Chairman Hall stated that the Board needed to stay in tune with the Legislative Updates. He stated that they are looking at taking a lot of lottery money and to shift the cost of buses to the county. He stated there is not a lot the county can do right now. They may also be shifting costs of social services to the county as well.

Commissioner Lucas asked about the possibility of meeting with the state's legislatives. Chairman Hall asked Mr. Howard to call and schedule this meeting. Chairman Hall asked if it would be possible for next month. Attorney Ferrell stated that the legislatives usually had committee meetings on Friday.

ADJOURNMENT

At 10:00 p.m. Commissioner Travis moved, seconded by Commissioner Battle to adjourn the meeting. The motion carried unanimously.

Paula P. Seamster
Clerk to the Board

Nathaniel Hall
Chairman
