

MINUTES – MAY 2, 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, May 2, 2011. Members present: Nathaniel Hall, Chairman, Kenneth D. Travis, Vice-Chairman, Erik D. Battle, William E. Carter, Gordon G. Satterfield and Cathy W. Lucas. Absent: Jeremiah Jefferies. Also present: Kevin B. Howard, County Manager, Brian Ferrell, Interim County Attorney, Gwen Vaughn, Finance Director and Angela Evans representing The Caswell Messenger. Paula P. Seamster, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

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

APPROVAL OF AGENDA

Chairman Hall requested that the Board move Item No. 11 150th Anniversary of Historic Courthouse Celebration to after Item 6 Recess and Item 16 Senior Center Landscape Bids and Item 17 2011-2012 Budget Presentation to after Item 10 Caswell County Parks and Recreation Summer Camp.

Commissioner Travis moved, seconded by Commissioner Battle to approve the agenda as presented with moving Item No. 11 150th Anniversary of Historic Courthouse Celebration to after Item 6 Recess and Item 16 Senior Center Landscape Bids and Item 17 2011-2012 Budget Presentation to after Item 10 Caswell County Parks and Recreation Summer Camp. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Travis moved, seconded by Commissioner Battle 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 April 18, 2011 Regular Meeting
- B) Approval of Minutes of April 18, 2011 Special Meeting
- C) Approval of Closed Session Minutes for December 6, 2010, December 20, 2010, January 18, 2011, February 7, 2011, February 21, 2011, March 21, 2011, April 4, 2011 and April 18, 2011.

PUBLIC COMMENTS

Chairman Hall opened the floor for public comments.

Mr. John Claggett came before the Board and made the following statement:

“Good evening, my name is John Claggett, I reside at 108 Jaye Lane, Providence, NC.

As a citizen, a taxpayer, and a voter in Caswell County I’m appreciative that there’s a portion of the agenda set aside for public comments and I thank the Board in advance for listening.

My comment this evening is about the Caswell County Board of Commissioners Agenda. Having read many agenda packages over the years I’ve noticed that some items which have been requested by our commissioners at one meeting seldom make it to the next meeting agenda, and therefore either is never addressed publically or never addressed at all. This is happening with increasing frequency.

A recent example of this is according to the minutes of the last board meeting two weeks ago Commissioner Hall stated he would like to get a recommendation from the County Manager on the definition of telecommuting, what department it will cover and who will monitor it along with a list of pros and cons for allowing telecommuting. Commissioner Battle asked if this recommendation could be presented at the next meeting. Mr. Howard responded “yes”, and evidently some time back a County file was started regarding “Contractor Problems”. According to the minutes from the last meeting Commissioner Hall asked the County Manager for a report on “where the ball was dropped”. Maybe I’m missing something but I don’t see either of them listed on tonight’s agenda package for discussion.

I think if attention to detail was the norm and tasking by our commissioners were taken seriously, and respected by staff, then the reputation that this Board has collectively would greatly improve and “Business as Usual” in Caswell County would take a whole new meaning.

Regarding the Senior Center, back during the initial construction phase when the building sat without a roof and the wood was ruined by downpours was not a “contractor problem” it was a lack of supervision on the County’s part. Now I read about the erosion problem, which didn’t just happen this week, is not a “contractor problem”. Again it’s a lack of supervision on the county’s part costing me and my fellow taxpayers. Thank you.”

BOARD OF EQUALIZATION AND REVIEW

Mr. Brian Ferrell, Interim County Attorney stated “Mr. Chairman and members of the Board tonight you will not be sitting as the Board of Commissioners in this phase of the meeting but as the Board of Equalization and Review. As you enter into the services of the Board of Equalization and Review tonight you will need to take an oath prescribed by statute that the clerk will read to you to begin the hearing and then Mr. Bernard will present you with the applications before you this year. The taxpayer will have the opportunity to meet their burden showing the need for a reappraisal of property this year.”

Commissioner Carter moved, seconded by Commissioner Battle to convene as the Board of Equalization and Review. The motion carried unanimously.

Ms. Paula Seamster, Clerk to the Board, administered the following Oaths of Office to the Caswell County Board of Equalization and Review.

Oath of Office
Caswell County Board of Equalization and Review

I do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and I will faithfully discharge the duties of my office as a member of the Board of Equalization and Review, so help me God; and that I will not allow my actions as a member of the Board of Equalization and Review to be influenced by personal or political friendships or obligations.

S/Nathaniel Hall
Nathaniel Hall

S/ Kenneth D. Travis
Kenneth D. Travis

S/Erick D. Battle
Erik D. Battle

S/William E. Carter
William E. Carter

S/Jeremiah Jefferies
Jeremiah Jefferies

S/Cathy W. Lucas
Cathy W. Lucas

Gordon G. Satterfield
Gordon G. Satterfield

Subscribed and sworn to
before me this 2nd day
of May, 2011.

S/Paula P. Seamster
Paula P. Seamster

Clerk to the Board
Title

Mr. Thomas Bernard, Tax Director, came before the Board of Equalization and Review and stated "Good evening Mr. Chairman and commissioners. The first item on the agenda for the Board of Equalization and Review is the application for Kyle R. Brann. It does not look like Mr.

Brann is here. In going over and reviewing this application he wanted a reduction in value. The appraisal was not done until March 2011 which is not consistent with the January 1, 2008 revaluation year. But we did see in that fee appraisal there was a grade change. It had a grade of C+5 or 8 on the house and they came in with an average grade. After Ms. Dailey looked at it she recommended changing our building value from \$104,799.00 to \$98,113.00 and a total recommended value of \$125,367.00 from the total value of \$130,053.00.”

Commissioner Lucas asked “The reason again was?” Mr. Bernard responded “The grade change on the interior of the house which in mass appraisal we do not go into the house.” Commissioner Lucas continued “So there was no need to enter the house. Is that what you are saying?” Mr. Bernard responded “When we do a mass appraisal we do not go into the interior of the house. This was a total grade change of the fee appraisal. The fee appraisal would go into the house and they have an average value on the house.”

Chairman Hall asked “What was the change again? From what to what?” Mr. Bernard responded “The building value was \$104,799.00 and we are recommending that the value change to \$98,113.00. It is a reduction of about \$4,600.00.” Chairman Hall continued “What was the grade change?” Mr. Bernard responded “C+5 going to a C. That is what we had during the revaluation and they came in with a C.”

Chairman Hall stated “Fellow commissioners what I am going to suggest, because we are just getting this information tonight, is to take this information and not try to act on it tonight. This will give us an opportunity to read through everything that is presented to us, iff that is okay with the Board. I am just not seeing this.”

Mr. Bernard stated “The next one on the agenda is John H. Hosking, Jr. He came in contesting his value but his appraisal was done on July 23, 2010. This is not close to the January 1, 2008 date so we recommend no change.”

Mr. Ferrell stated “It is stated in your cover letter from the tax assessor that the relevant date of property assessment is January 1, 2008 so that will be the date that the value is established. Any valuation information needs to relate back to the date of valuation.”

Commissioner Lucas asked “Thomas the independent appraisal was \$145,000.00, is that right and it was done on July 23rd?” Mr. Bernard responded “Yes, the independent appraisal was at \$145,000.00. Mr. Hosking did not return this letter. I filled this out because I did not receive anything back from him. Our value is \$169,977.00. This property is located on Wildwood Lake. It looks like the biggest difference is the land. We checked all of the land values and they were all consistent there.” Commissioner Lucas asked “You did not get a break down on the private appraisal on the land and buildings, just a total of \$145,000.00?” Mr. Bernard responded “They just had a total of \$145,000.00. I believe they had the land somewhere between twenty-four and twenty-five thousand and the lots there were going for around \$74,000.00. That was the big difference.”

Commissioner Battle stated “I think we need to take the time to look through all of these and then when we reconvene we can address all of these.” Commissioner Lucas asked “Is that

reasonable to do tonight?" Commissioner Battle responded "The reason I said that was because we do not have everything in front of us. That is the only reason why I say that." Commissioner Lucas stated "This is normally what we get presented, right?" Chairman Hall responded "It has been presented this way, yes. It is not the best way when we get hit with something and we have not had a chance to review it and fully understand what transpired." Mr. Bernard stated "Some of this information was not sent in a timely fashion to get it into the agenda package." Commissioner Lucas stated "I guess my thought is it would not hurt just to hear the thoughts from the tax department since we are already here." Chairman Hall stated "That he agreed."

Mr. Bernard stated "The next one I have is with TAB-Hyco, LLC. The first one is Tax map 139 Parcel 8. All the rest of these are TAB-Hyco. It is a subdivision at Hyco Lake. This is all the information that I received back. The value we had is \$192,685.00. We suggested a change in the value because the land stays the same. It goes down to \$47,250.00. What happened was he had a large tract of land that he built boat docks on. He had it surveyed and subdivided it. We put the boat docks on the individual lots. There was an error done where the boat docks were left on the original parcel which is this one. So in essence he was really taxed on the boat docks twice. We wanted to relieve this off of this parcel of land."

Chairman Hall asked "How many parcels are we speaking of here?" Mr. Bernard responded "Ten." Chairman Hall continued "Was the docks distributed amongst these ten?" Mr. Bernard responded "The boat docks were distributed to the other parcels, yes." Chairman Hall asked "Is there ten boat docks?" Mr. Bernard responded "I don't know the exact number of boat docks but it was about nine or ten. What was happening was they were being taxed twice." Chairman Hall stated "So what you are telling us is these ten have the boat docks added in." Mr. Bernard responded "Yes, sir." Chairman Hall continued "Then this one sheet that has \$28,000 in the middle had all the docks included on it as well." Mr. Bernard stated "Yes, sir. The boat docks were on this parcel and when they were moved off and the land was subdivided the boat docks were never removed from the original parcel. In essence they were taxed twice." Chairman Hall stated "You did not need to come before us for this." Mr. Bernard responded "No, I am telling you the reason for the change because this was one of the ones he brought before us. He thought the parcel should be valued at \$28,000.00." Commissioner Lucas added "Down from \$192,000.00?" Mr. Bernard responded "We came up with \$47,000.00. He basically told me in the office that he felt like all of his parcels should be cut by fifty (50%) percent." Commissioner Lucas asked "On Hyco Lake?" Mr. Bernard responded "Yes, ma'am."

Commissioner Travis stated "The way I understand this is the individual thinks it is worth \$28,000.00." Mr. Bernard responded "Yes, sir." Commissioner Travis continued "You say it is worth \$47,250.00." Mr. Bernard responded "Yes, sir." Commissioner Travis asked "Where is the rest of this money?" Mr. Bernard responded "All of the boat docks were moved to the other parcels." Commissioner Travis continued "That part we should not even be worried about. What we need to look at is the \$28,000.00 and the \$47,250.00." Mr. Bernard responded "Yes, sir." Commissioner Travis asked "Is that going to take care of all of these?" Mr. Bernard responded "No, sir. I have to go through each issue. He thinks all of these should be cut by fifty (50%) percent." Commissioner Travis asked "Well he is not here is he?" Mr. Bernard responded "No, sir." Mr. Ferrell stated "There is a presumption of the correctness on the part of the tax assessor. It is the taxpayer's burden to defeat that presumption." Chairman Hall stated "I

am trying to get this clear and I think I now know exactly what is being presented to us. In the presentation you have taken care of the distribution of the boat docks. The only thing left now is the argument presented by the owner of the value of the land and that is the \$28,000.00 versus the \$47,250.00." Mr. Bernard responded "Yes, sir."

Mr. Bernard stated "These other ones, the other parcels from TAB-Hyco, LLC are the same scenario. He just went through and cut everything by fifty (50%) percent." Chairman Hall asked "Is this different property owners or the same property owner?" Mr. Bernard responded "One property owner." Commissioner Travis stated "On this one you do not have anything on it." Mr. Bernard responded "I recommend no change." Commissioner Satterfield asked "On any of the others?" Mr. Bernard responded "I have two more that should be changed. The third one, 139.67 is valued at \$163,080.00. He has \$13,230.00 in the middle. Ms. Dailey went out and looked at the land and with the shallowness of the water and the access to get into it. She recommended it be changed from \$163,080.00 value to \$107,200.00 because of the access to the water."

Commissioner Satterfield stated "Mr. Bernard I don't quite understand what is going on here. This value of \$163,080.00 is the 2008 value when they did a revaluation. So the people that we paid to do the revaluation were way off on their values or either the person we have hired now is way off on the values. The water level does not fluctuate that much." Mr. Bernard responded "I think that Ms. Dailey did a better job looking at the values."

Commissioner Battle asked "Is there anything on this parcel or is it just land?" Mr. Bernard responded "There is just land on that one." Chairman Hall asked "How many acres of land are on this one?" Mr. Bernard responded "Approximately 3.7." Commissioner Battle responded "On this sheet it has 4.04 acres. Am I looking at the wrong thing?" Mr. Bernard responded "That is where our GIS is averaging the tax calculation. What we have in the system from a deed is 3.78 acres. We tax by deeded acres."

Mr. Bernard stated "The next parcel is 139.81. This is the last one that we saw that there might be a change. The total value is \$133,933.00. This is also a shallow water access. We recommend changing it to \$113,935.00." Chairman Hall asked "How many acres is this one?" Mr. Bernard responded "1.62 acres." Chairman Hall stated "So it is the same as what is showing on the next sheet. The other one was different." Mr. Bernard responded "I am going to have to check to see why that is. I don't know why it is showing 4.04 acres unless something has been added to that. I printed this out of my 2010 values. All the rest of them we recommend no change, 139.79, 139.69, 139.72, etc."

Commissioner Satterfield asked "Can we go back to the first one, 139.80? Mr. Bernard is this the parcel right here in the dark black here?" Mr. Bernard responded "It is." Commissioner Satterfield stated "This parcel had several boat docks on it. There were about ten boat docks on this parcel." Mr. Bernard responded "Yes, sir. There were ten boat docks on it and then he subdivided it. When it was subdivided the data entry lady failed to take the boat docks off this parcel."

Chairman Hall stated "It has been suggested that we look at these carefully before we take any action to make sure that we have all of our questions answered. Is everybody comfortable with

that?” Commissioner Satterfield asked “Mr. Chairman is there anyone here tonight on any of these?” Mr. Bernard responded “No, sir.” Mr. Ferrell stated “Mr. Chair people also may walk in with an appeal on the date of the Equalization and Review Board’s review. You may want to inquire if there is anybody in the audience who would like to submit an appeal tonight.” Chairman Hall responded “I will do that before we recess.”

Commissioner Carter asked “Are the taxes up to date on these?” Mr. Bernard responded “They are on the first two parcels. On the TAB-Hyco LLC they are not.” Commissioner Carter asked “How far are they behind?” Mr. Bernard responded “One year. He assured me that he was going to pay these before we met tonight but I have not heard from him.”

Chairman Hall stated “That is all Mr. Bernard has tonight. Prior to recess I want to ask the audience if there is anyone who would like to file an appeal to do so. There being none we will recess this meeting of the Board of Equalization and Review until our next meeting date on May 16th.”

Mr. Bernard stated “Mr. Battle I will find out where the difference is on 139.67.”

150TH ANNIVERSARY OF HISTORIC COURHOUSE CELEBRATION

Ms. Karen Oestreicher, President of the Caswell County Historical Association, came before the Board to request funds for the upcoming celebration of the Historic Courthouse.

Ms. Oestreicher stated “Hello. We came before ya’ll before and you endorsed our celebration for the 150th anniversary of the courthouse. We have several things planned for that day. What I am here to ask you for tonight is seven hundred (\$700.00) for the printing of flyers, mailers, posters and for advertisement to get the word out that this is going to be a big deal. We have Lewis and Clark re-enactors coming. I contacted the 127th Civil War Calvary. They are going to try to be here on June 4th. We have wine and cheese tasting. We have several other activities that are going to be going on at the same time. We will be doing tours. We want to make Caswell a place to come. In the last two months we have had over one hundred people that we have brought through here on tours. They came to the courthouse, the jail, and the museum. Word is getting out. That is what I came for tonight is to see if you can help with the printing and posters and mailers that we need to do. We are contacting, of course, all of our members and also the surrounding counties and their Historical Associations to promote this celebration that we want to have.”

Commissioner Lucas asked “What are the dates?” Ms. Oestreicher responded “The date is June 4th, that is a Saturday, the first Saturday in June. We do have other things that we are trying to plan for the month of June but those plans are not as close to completion as the June 4th date.” Commissioner Lucas asked “That is my question. Is this something that is going to be ongoing or is it just a one time thing.” Ms. Oestreicher responded “It is going to be ongoing. I am not sure if it was you all or the state that voted Caswell County’s Heritage month to be June. Heritage month is June in Caswell County. Our big push is for June 4th and then anything after that we will try to have something on the 18th. Part of this is going to go towards the Hoedown in September. We want to again have living histories for folks to come and see. Like the Civil

War re-enactors are going to be on our property. To get the word out we need help with the postage and printing costs. We want to do a nice color flyer and we have posters we would like to be able to put out at the Welcome Center and places around town. So that is our plan.”

Commissioner Carter moved, seconded by Commissioner Battle to give \$700.00 to the Historical Association for the advertisement of the 150th Anniversary of the Courthouse.

Commissioner Satterfield asked “Do we have money somewhere in the budget Mr. Manager for this?” Mr. Howard responded “We have \$40,000.00 in contingency that we have not used this year.”

Commissioner Lucas stated “That was my question where was the money going to come from for that purpose. One other concern I have is on the tours. Do the people that come through the courthouse make any comments on the condition?” Mr. Oestreicher responded “Yes. That is something that the Historical Association would like to address but again it depends on fundraisers. We are going to have to remove all the paint and then have a special bonding agent put on and then the proper paint to keep the ceiling from peeling. We do hear about that and we just say well we are a poor county and we do not have the money to fix it. Same thing with the jail. We are looking for grants and things to help us with that. I can tell you that we have not had one negative comment about the tours. They have all been very positive. People enjoy coming. One of the comments they say is it is not that far. We thought it was further. We are only an hour away from Raleigh.” Commissioner Lucas continued “I will say this. I don’t know when we are planning to address the ceiling of the courthouse but it certainly looks like it needs to be done before a celebration. I don’t think it can happen before June 4th but that is just the comment I have.”

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

HYCONEECHEE REGIONAL LIBRARY SYSTEM PLAN OF DISSOLUTION

Mr. Howard stated “Everyone should have a copy of the dissolution in the packets. I think that council had some questions that were not able to be answered tonight. We hope to have those questions answered by the next meeting on May 16th.” Mr. Ferrell stated “The specific questions that I raised were regarding the liability section of the plan of dissolution and I thought it important to understand what the assets and liabilities that are being distributed were and are before the Board makes a decision and I believe that information is being gathered from the fiscal agent for the current system library. In the plan of dissolution each county will assume all liabilities of the regional library system to the extent permitted by law. I would like to have an idea to what extent those liabilities exist and what those liabilities are.”

Commissioner Lucas asked “Why is this happening? Do we know the reason?” Mr. Howard responded “Yes, ma’am. The administrative code changed and we have a unique library system. We are three separate libraries but we are a part of the Hyconeechee Regional Library System so we have three separate directors. They changed the code so they are not going to fund a system like ours. We would have to go to a full fledge regional system with one director in the three

branches and I don't think anybody wanted to do that. It was much cheaper for us to go separate than what it would to go to a full fledged regional system." Commissioner Lucas continued "So in short the state is cutting the funding." Mr. Howard responded "Yes. They changed the rules and cut the funding."

Commissioner Carter stated "I would just like to add that I am on the Hyconeechee Regional Library board and the state has recommended that it dissolve and not just the Hyconeechee but the other regional libraries in the state as well."

Chairman Hall asked "You did say that you have requested this information?" Mr. Ferrell responded "I have made a request of staff for that information."

CASWELL COUNTY HAZARD MITIGATION PLAN

Mr. Barry Lynch, Interim EMS Director, came before the Board to seek approval on the Caswell County Hazard Mitigation Plan.

Mr. Lynch stated "Good evening. I think that Paula gave all of you a copy on a jump drive of the Mitigation Plan. This is a review of all of the hazards in the county. It was a plan that was prepared by Envirosafe Consulting Firm. We had a grant to pay for two-thirds of it. The county paid for the other third. It has been approved by the state and by FEMA. We got it back two weeks ago from the state. The only thing left to do before it is put into effect is we need approval from you all, from the Towns of Yanceyville and Milton. I will be at Yanceyville's meeting tomorrow night. Basically what it does is it reviews everything from heat exposure, droughts, hazardous material, floods, what our vulnerability is and it gives us suggestive steps in the future to help minimize any effects of any disaster on the county."

Chairman Hall stated "I have looked at this and it is pretty long so I did not read it thoroughly in detail. How will the community know about his plan?" Mr. Lynch responded "I have talked to Paula and Kevin both about the possibility of making it accessible through the county website. But because of the size of it I don't know if we can do that and our Emergency Operation Plan together. If we changed our website that would be ideal. Paula will have a copy of it in the clerk's office if anyone would like to review it." Chairman Hall continued "I was thinking specifically the schools, the medical center, the nursing homes, the group homes. I know we have a hard copy." Mr. Lynch responded "I can make them a copy. I can burn them a disk to distribute out." Chairman Hall added "I guess I want to go a step further. Will there be any discussions with them? Will they know the purpose of the plan? How to react? What they are supposed to do?" Mr. Lynch responded "Yes, I can meet with them and discuss it with anyone that is interested in it. I don't have a problem doing that." Chairman Hall stated "Let me revisit that, I don't want to put you on the spot. My question is did you plan to meet with them. I think that if we have a Hazard Mitigation Plan that certain vendors should be informed of it and it shouldn't be if they have an interest. We probably need to go to them and tell them because you are vulnerable in this area, this is what we propose to do and this is what we expect you to do. That kind of communication is what I am thinking." Mr. Lynch responded "Not to make an excuse but all of this was done prior to me so I don't know what the original plans were with it. I will be happy to approach anyone."

Commissioner Lucas asked "Mr. Lynch, you said you had to get the town's approval and Milton's approval?" Mr. Lynch responded "Yes, ma'am." Commissioner Lucas continued "And the county had to pay a third on this Hazard Mitigation Plan?" Mr. Lynch responded "Yes." Commissioner Lucas asked "And it addresses the municipalities in the plan as to what specifically applies to them, is that correct?" Mr. Lynch responded "Yes." Commissioner Lucas asked "But they did not contribute to the cost?" Mr. Lynch responded "I am not sure." Mr. Howard responded "It was actually paid for by the grant." Commissioner Lucas asked "Was county dollars used." Mr. Howard responded "I don't think so." Mr. Lynch stated "Part of it was the Hazard Mitigation grant money that we get yearly and the other was a separate grant." Commissioner Lucas asked "Was this local dollars?" Mr. Howard responded "It was all state dollars."

Commissioner Satterfield moved, seconded by Commissioner Travis to accept the Hazard Mitigation Plan as presented. The motion carried unanimously.

Commissioner Battle asked "Are we going to address the educational issue?" Chairman Hall responded "I think we do need to address that." Mr. Lynch responded "There is a new program that has been put out by the state for health care facilities. It is a disk that all they have to do is type in all of their information. When it is through that is their emergency plan for that facility. There was some confusion as to whether the Health Department was going to do it or if Emergency Management was going to do it. Emergency Management will do it and what I plan to do is to take those disks around. They originally said just to give it to nursing homes. That was their suggestion but it's feasible for the adult care homes as well. When I go to distribute those out I can discuss that with them and meet with Dr. Barker also as far as the school system." Chairman Hall stated "My suggestion would be that you would get together with the County Manager and cover everybody and get back with us. I don't think we should not leave anybody out whether it is a group or organization. Look at what it is that they need to know about the plan. I just don't want them to be handed that big book without some discussion. I would ask that you all get back with us." Mr. Howard stated "What we will do is we will decide who we need to meet with, let you know who we are going to meet with and when we are finished we will come back and let you know." Chairman Hall stated "Just for the record Ms. Seamster does keep a list of things that I am supposed to follow up on. She does get that list to me so we will be following back up." Mr. Lynch stated "It will not be one hundred (100%) percent complete until I get Milton next month." Chairman Hall responded "I understand."

RESOLUTION

FOR THE ADOPTION OF THE CASWELL COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN AS REQUIRED BY STATE SENATE BILL 300 AND IN ORDER TO REMAIN ELIGIBLE FOR STATE AND FEDERAL DISASTER RELIEF FUNDING

A motion was made by Commissioner Satterfield and seconded by Commissioner Travis for the adoption of the following resolution and upon being put to a vote was duly adopted.

WHEREAS, Caswell County and the Towns of Milton and Yanceyville desire to remain eligible for state and Federal disaster relief funds in the event of a declared disaster in Caswell County; and

WHEREAS, the Caswell County Board of Commissioners recognizes the value of having a plan in place for identifying, prioritizing, and mitigating potential and real hazards that could affect Caswell County; and

WHEREAS, Caswell County and the Towns of Milton and Yanceyville have prepared a Multi-Jurisdictional Hazard Mitigation Plan and have revised the Plan as suggested by the North Carolina Division of Emergency Management after its submittal to the State and to the County and Towns for review and comment; and

WHEREAS, the North Carolina Division of Emergency Management has endorsed the proposed Caswell County Multi-Jurisdictional Hazard Mitigation Plan.

NOW THEREFORE, BE IT RESOLVED by the Caswell County Board of Commissioners that it adopts the Caswell County Multi-Jurisdictional Hazard Mitigation Plan and further agrees to provide Administrative Services for the Plan under the terms and conditions of the Inter-Local Agreement between the Towns and the County for said services.

I do hereby certify that the above is true and a correct copy of excerpts from the minutes of the Caswell County Board of Commissioners meeting, duly held on this 2nd day of May, 2011.

Attest:

S/Paula P. Seamster
Paula P. Seamster, Clerk to the Board
Caswell County Board of Commissioners

S/Nathaniel Hall
Nathaniel Hall, Chairman
Caswell County Board of Commissioners

EMS Week Proclamation

Mr. Lynch, Interim EMS Director, came before the Board to seek a proclamation for EMS week.

Mr. Lynch stated “EMS week is May 15th through the 21st. The week is to be recognized nationwide as EMS week. What I am coming before you tonight is to ask is that you make a proclamation for EMS week for May 15th through the 21st.”

Commissioner Carter asked “Barry is this the proclamation that we have listed in our agenda packets?” Mr. Lynch responded “Yes.”

Commissioner Battle moved, seconded by Commissioner Satterfield to designate May 15-21, 2011 as Emergency Medical Services Week. The motion carried unanimously.

EMS Week Proclamation

To designate the Week of May 15-21, 2011, as Emergency Medical Services Week

WHEREAS, each year residents and visitors to Caswell County may require emergency medical care for traumatic injuries, burns, poisonings, spinal cord injuries, heart attacks, and other critical medical emergencies; and

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

THEREFORE, I, Nathaniel Hall, Chairman of the Caswell County Board of Commissioners, in recognition of this event do hereby proclaim the week of May 15-21, 2011, as

EMERGENCY MEDICAL SERVICES WEEK

ADOPTED THIS THE 2ND DAY OF MAY, 2011

S/Nathaniel Hall
Nathaniel Hall, Chairman
Caswell County Board of Commissioners

ATTEST:

S/Paula P. Seamster
Paula P. Seamster
Clerk to the Board

CASWELL COUNTY PARKS AND RECREATION SUMMER CAMP

Ms. Ashley Williams, Parks and Recreation Director, came before the Board to discuss the plans for Summer Camp.

Ms. Williams stated "Thank ya'll for having me tonight. I have come to discuss our plans for not having the summer camp this year. At the end of summer camp last year the County Manager and myself had discussions about the regulations and classes for safety for our staff and things like that as well as budget and staffing issues. We had decided not to have summer camp this coming up year. We were hoping to reorganize and restructure everything and to come back with a proper summer camp for next year. We let everyone know in January about our plans for not having summer camp so that would give them enough time for the nineteen (19) kids that attended summer camp last year to find other means of care."

Commissioner Battle asked "Ms. Williams what is going to happen differently from this year to next year as far as your budget concerns?" Ms. Williams responded "Are you talking about staffing or the whole budget?" Commissioner Battle responded "Do you think you are going to have more money next year as opposed to this year?" Ms. Williams responded "I hope to be able to reallocate money around to where it is able to balance it out better for next year. That would be with restructuring. There were some issues we had as far as staffing that needed to be CPR certified and things like that. We need to have this for summer camp. If we are able to address all the staffing issues that we would like to we would be able to cut our costs because we would only have to have certain staff there." Commissioner Battle asked "Do you have an idea on how you plan on doing this next year?" Ms. Williams responded "Yes, hopefully what we will be able to do is we have looked at some other camps and how they kind of run theirs. They have had different training days for their staff because most of their staff does work other full time jobs which we also run into that. They have different training days like on the weekends where they come and do CPR. I have discussed this with the EMS base and the Health Department as far as getting some of that cost being taken care of. The EMS base may be able to come and train our staff in CPR at a low cost." Commissioner Battle continued "I may have stated this wrong, I meant as far as the programs for the children? The children are not going to take CPR classes correct?" Ms. Williams responded "No, not the children we are talking about the staff." Commissioner Battle asked "I am asking as far as the children's programs will it differ from next year as opposed to this year since you are proposing this break?" Mr. Williams responded "Well this year the only thing we are not offering is the summer camp. Everything else we have offered in the past we are offering this year. We are offering two more different camps this year. We offering a girls basketball camp and we are offering tennis lessons through the summer and also a golf camp and golf lessons. The only difference is taking off this summer for the summer camp. As far as the summer camps they are the same except for adding a couple more."

Chairman Hall stated "Let me ask you, I know we have an outline or at least I saw the letter from a couple weeks back. Tell us the three or four reasons why we are not doing the summer camp. Just outline them for me." Ms. Williams responded "Staffing and training and getting the proper safety and first aid training as far as regulations with our staff. That also goes along with budgeting. Upon looking about our budget for the upcoming years and talking with the county

manager there may be programs that may need to be cut one year and restructured and then brought back the next year. We looked at all the things that we offer and the summer camp was one of those that were not holding its own weight as far as the budget. The other sports and activities that we have are able to with concessions and gate recollect some of the money that is lost from the camp. Staffing – we offer a wide variety of programs and we have asked each year to extend our staff from two full time to at least three full time and we have not been able to do that. The more we keep adding with two full time is really stretching us thin plus we do not have any more money allocated in to help us to uphold everything we are running. We are trying to add on more stuff and trying to keep it all at a high level of quality that we try to give.” Chairman Hall stated “I think I hear three things in there. Budgeting, staffing and training.”

Commissioner Lucas asked “On the safety training you stated that the staff needs to have. Would that entail CPR training?” Ms. Williams responded “CPR and first aid and also we would like to offer mental and physical issues as far as we did have someone that came to camp in a wheelchair. How would we access that? That would go along with the safety and first aid as well. Last year we kind of encountered some issues that we did not know how to handle. We do not discriminate so if there was an issue like this we would have to accommodate them. We may have to hire someone to help out with these issues when they arise.” Commissioner Lucas asked “I would like to ask Mr. Lynch, how long does it take to get certified in CPR today?” Mr. Lynch responded “About four hours.” Commissioner Lucas continued “Ashley on your page 35 I think you broke it out the expenses of the summer program. When you do extra activities like bowling do the parents contribute towards that?” Ms. Williams responded “They would just send money for snacks.” Commissioner Lucas asked “So you actually pay for the cost of the activity?” Ms. Williams responded “Yes we pay the cost of the activity.” Commissioner Lucas asked “On the planning and supplies does that not come out of your regular maintenance?” Ms. Williams responded “No, we keep that separate as far as some of those supplies were like Clorox wipes and things like that. We order our regular maintenance supplies through surplus. For the trips and things we need the small handy things.”

Commissioner Lucas stated “You talked about when you first started your presentation you have started some new programs.” Ms. Williams responded “Yes, ma’am. We are working on some times for golf camp and golf lessons during the summer months and we hope to do a tennis camp or tennis lessons. It is looking like we will only be able to do the tennis lessons since we only have that one court.” Commissioner Lucas asked “Where does the funding come from for that?” Ms. Williams responded “It is fee based. What we do for those programs is we sent out the information. We set the fee to pay for our instructor and then pay for t-shirts and anything left from that we keep. We set the fee to pay for the instructor and the t-shirt. This does not come out of our budget.” Commissioner Lucas continued “I was noticing the attendance. I was surprised to see that you had as many as you did have. I know you said that it dropped four or five on some days but it did not get any lower than twelve.”

Commissioner Battle asked “Do the kids enjoy the summer camp program?” Ms. Williams responded “Yes, this is something that I definitely want to have back. It is not like I don’t want to have summer camp I just don’t want to have the safety issues. I don’t want to have something where something could go wrong and we are not prepared for it. I don’t want to put the Caswell County name on something that is brandish and something that is not at the quality that is should

be or what we expect. I explained that the parents and most of them understood. We want to take this year off so we can get things properly done for next year.” Commissioner Battle asked “How long have you been doing this program?” Ms. Williams responded “I have only been there two years. We looked back and I think the summer camp has been going on for four or five years.” Ms. Lucas responded “It was discussed at the last meeting five years.” Commissioner Battle asked “Has the safety issue been there the whole time or just this year?” Ms. Williams responded “I don’t know. I cannot speak for the last director who was here before. I just know that since I have been there yes there have been some safety issues that need to be addressed.”

Commissioner Satterfield asked “This would be your second summer camp this year?” Ms. Williams responded “Yes this would be my second.” Commissioner Satterfield continued “Last year’s camp was your first year with the summer camp program?” Ms. Williams responded “Yes.” Commissioner Satterfield asked “You became aware of these issues last year during the camp?” Ms. Williams responded “Yes, sir.” Commissioner Satterfield continued “I would like to say that I appreciate that you were able to find out that there were issues there. There is certainly a liability there. I would like to say Mr. Chairman if I could, I think a county of 23,000 people we are putting in \$200,000.00 in the recreation budget and you look at the county to the east that is similar to Caswell County with the population of 37,000 people putting \$1,000,000.00 in the recreation budget so I would like to commend Ms. Williams. She only has one person she has working for her. I know being involved with grandchildren it is a lot of time put in and a lot of hours put in and I would like for you to know I appreciate what you are doing and the rest of your staff which is one other person. I guess these people you have at summer camp are part time people that you have to pick up to try to put this program on?” Ms. Williams responded “Yes, everyone other than us is part time people.”

Commissioner Travis asked “Is there anyone who works there trained.” Ms. Williams responded “I am sure they probably have training from their full time jobs but they do not have training with us as far as the parks and recreation.” Commissioner Travis asked “Do you have training?” Ms. Williams responded “No, sir I do not. I believe the county is getting together a program as far as having all the department heads trained in first aid and CPR.” Commissioner Travis continued “I don’t understand how you can do away with this program? I understand what you are saying but this should have already been taken care of before now.” Ms. Williams responded “I can see your point but the thing is we are full time but the staff that we have for the summer camp is part time. They have other full time jobs that we have to work around. They are not there during the day with us during the year. They have other jobs. We police officers and others that work with us.” Commissioner Travis stated “But you don’t even have the training.” Mr. Howard responded “Like she just said this is something that we are working on.” Commissioner Travis stated “If this was a problem it should have been corrected last year. I think this is a poor excuse to cut this program.”

Commissioner Lucas stated “My concern is with the children that were depending on this program in the years past. What is their alternative for this summer? You have good information from Alamance and Person Counties and what they are providing but I would hate to see our children have to go to another county this summer.” Ms. Williams responded “We have

had some of our part time staff that did the summer camp this past year to commit to doing personal babysitting. We have helped them out as far as this way.”

Commissioner Hall asked “What were the dates of the summer camp last year?” Ms. Williams responded “It was around June 20th through the first week of August.”

Commissioner Carter asked “Is there any way possible you will be able to have it this year?” Ms. Williams responded “We can but the quality will not be the same. We also run into the issue with our gym not being air conditioned. We have been using the BY Annex but after talking with Dr. Barker they are waiting on state legislations about school starting early. He will not give me a yes or no answer as to whether we can use that building until June 10th. He did say if they start early it was a no. We will not be able to use that building. We will not know until June 10th. We can have the summer camp but the gym is not air conditioned and it gets about a hundred and some degrees during the day. We do have fans in the ceilings to circulate the air in there.” Mr. Howard added “This is an issue that would have come up even if we would have planned to have it.”

Chairman Hall stated “Now you have added a fourth issue. We have talked about budget, staff and training and now you are saying you do not have a location.” Ms. Williams responded “That is correct. We do not have a location with air conditioning. We can have it in the gym but there is not air.” Chairman Hall responded “I understand. I doubt very seriously that it is going to revert back to school starting the first week in August. I don’t think the legislation is going to have our school starting the first of August. It might back it up a week from the 25th but that may be all.”

RECESS

The Board held a brief recess.

SENIOR CENTER LANDSCAPE BIDS

Mr. Howard stated “Sam Hamlett is here tonight to discuss this with you. He contacted five landscape contractors to bid on this project.”

Mr. Sam Hamlett, Maintenance Director stated “I contacted five landscape companies and I only received one bid back. What we have is I have had several landscape companies to come out and look at the project. I have the list: Roots & Shoots out of Danville, Danny Everett out of Yanceyville, Paul Watlington out of West Yanceyville, Haymore Landscape and Hill Landscape out of Person County. Several of them called back and said they just could not do the job. One company has actually closed. The only one I received back was Danny Everett. We looked at the job and this was after talking with the soil conservation person from the state with the soil erosion problem we have. We did get one sealed bid in. I have that tonight. The issue is there is a drainage problem where the water is actually running down filling up our sixteen inch drain pipes. If this keeps on doing that over and over it is going to continue to fill those up and that is actually running up under the driveway. So if it fills those up completely we will have to figure out how to unstop them. This is a problem that needs to be addressed as soon as possible. We

have been working with the company that first started this project. I have been on them left and right. I have been sending emails trying to get someone to jump on it. They have yet to send anything back and pretty much have washed their hands of it and pretty much has said this is our problem. So this is where we are at right now.”

Commissioner Battle asked “Mr. Attorney what did the state say as far as working with us on a schedule? Did they give a definite date? How did that go?” Mr. Ferrell responded “It was thirty days from the date of the notice to appeal the violation, enter negotiations or to pay the fine. I talked with John Payne who is the Assistant Attorney General handling this matter and he said that he would be willing to work out something with the existing thirty-five hundred (\$3,500.00) dollar fine and assuming the county was moving forward in good faith with the resolution he did not see a per day fine at this point.”

Commissioner Battle stated “When we were told about this issue, weren’t we told that this was an extensive issue that needed to be fixed. There was extensive damage. What I am getting at is the people that put in the bid are they capable of doing this work? I don’t think they were listening to some of the names I heard.” Mr. Howard responded “The immediate issue was to address the erosion control problem. I think they are capable of getting that addressed as far as getting it corrected. Getting top soil down and seeding or sod can be put down. Then getting a system set up to water that and make sure that it stays healthy.” Commissioner Battle asked “Didn’t we have a grading issue? I thought we had a grading issue too.” Mr. Howard responded “That has to do with one of the ditches.” Mr. Hamlett added “The ditch as you drive in is supposed to have riffraff rock. There is so much mud in there it has covered the riffraff up and the pipe only has this much showing at the top. It has to be cleaned out. Once they are dug out it has to be cleaned out.” Mr. Howard continued “What we need to address as far as the fine would be the erosion problems. We need to get some grass down and growing.”

Commissioner Battle asked “Can we see the bid?” Mr. Howard responded “Sam go ahead and read off the bid amount.” Mr. Hamlett stated “What we have is basically Danny Everett out of Yanceyville he said a substantial amount of topsoil has to be brought in. What he is going to do is drop it at the bottom and take his equipment and pull it back up the hill and get it all tilled in. He will have to put lime and fertilizer to get the nutrients back in the ground. Once he gets that in he is going to seed it and mat it. He is going to staple the mat into the ground so it will stop the erosion problem. He will come back and set up an irrigation system so it will water it daily. As far as the ditch he does have the equipment to come in and clean the ditch out and try to pull most of that soil that is in the pipes out to make that free and open. The problem is where it is running down it is filling up the holding pond and once it fills up there it is running over and that is where the state is getting mad at us about.” Commissioner Battle asked “How much is it?” Mr. Hamlett responded “The bid on this one is fifty-three thousand (\$53,000.00) dollars. He has an alternate if we decide to sod in the front circle to get some type of beautification work and that is an additional five thousand three hundred (\$5,300.00) dollars. The bid for this seeding, matting, topsoil being brought in and cleaning the ditch out is fifty-three thousand (\$53,000.00) dollars.” Commissioner Battle stated “So we feel that doing the sod and doing the grass seed or whatever and fixing the drainage is going to fix our problem. We want have any more problems going forward?” Mr. Hamlett responded “Once we do this we need to put in a contract with Mr. Everett that something has to be substantially noticeable. He has to have something coming up

before this project is closed. I think that is what happened the last time. After this is done we need to try to get up with the attorney and go further with the other process.”

Commissioner Carter asked “Were the bids sent out to utility companies?” Mr. Hamlett responded “The names I got were from Dewberry and Davis. I contacted them and they gave us the names of the landscape people that they deal with.” Commissioner Carter stated “I just know that the utilities companies have the equipment to clean out the big pipes.” Mr. Hamlett responded “I did not. I just contacted the names I got from Dewberry and Davis. I did tell them that it has to be cleaned out. There is just as much outside the pipe as there is inside the pipe.”

Commissioner Lucas stated “Chairman Hall and Sam no disrespect to you but I am just really concerned about the process here. You are bringing one bid to us and you are saying you only received one bid. Is that correct?” Mr. Hamlett responded “I heard back from four others who said that they just could not do it. At the time they did not have the manpower. A lot of the companies that Dewberry and Davis gave me are \$100,000.00 job people. This was lower than their bid range.” Mr. Howard added “What he is saying is this project is too small.”

Commissioner Lucas continued “I am concerned too that the bids are not in our agenda package. Was there a reason for that?” Mr. Howard responded “We only had one bid in prior to that and we were trying to get other bids.” Mr. Hamlett added “I went door to door today trying to get the bids back. I sent this out the first part of April and I told them that we needed these bids back as quick as possible. I went door to door today to try and get these companies to give bids because they were not calling me back.” Commissioner Lucas asked “This was telephone solicitation right?” Mr. Howard responded “Yes.” Commissioner Lucas continued “We did not run an ad?” Mr. Hamlett responded “No.” Commissioner Lucas stated “Well with the sky falling right now maybe we need to go that route. Maybe we should rebid it.” Commissioner Carter asked “Do we have time?” Mr. Hamlett responded “We need to get moving.”

Mr. Howard stated “From the comments we got from folks that are running a project this size \$50,000.00 is not an outrageous price. It is under what we have been told by some other folks who would cost the project. I am not trying to get you to accept this bid but I did not want you to think another bid will come in at forty thousand (\$40,000.00) dollars.” Commissioner Lucas stated “What bothers me is I heard that the person that we had settled on, I heard the person’s name at the last commissioners meeting before the bids ever went out and the total dollar amount was right at \$60,000. I just don’t like the process.”

Commissioner Travis asked “Is this person bonded and insured?” Mr. Hamlett responded “I asked him that and I told him that he would need to present that information if he gets the bid.” Commissioner Travis stated “He should have given you that so you could have it in hand.”

Commissioner Battle stated “Mr. Chairman I have to agree with Commissioner Lucas on this. I feel comfortable with rebidding. If we rebid and get one quote again then I can deal with that but it just does not seem like we talked to enough people. As Commissioner Travis stated is he bonded? Does he have enough insurance to cover any damages that may happen when he does his job or she does this job? I have to agree I am not comfortable with what we have tonight.”

Commissioner Satterfield asked "Mr. Manager, are we still withholding any money on that building from Quality?" Mr. Howard responded "No sir. That has been paid in 2009 when the project was finished." Commissioner Satterfield asked "Do we have any more money in that fund balance?" Mr. Howard responded "Yes, sir." Commissioner Satterfield asked "How much is that?" Mr. Howard responded "Between sixty and sixty-five thousand dollars. I don't know the exact figure in my head."

Commissioner Satterfield stated "I don't disagree with ya'll about looking at some more people. These five people that he contacted I know about all of them. It is too small for them to bid but someone has got to be big enough to have the equipment to take care of the job. I know Mr. Everett has. I kind of worry about the time frame of this thing and whether or not we are going to get in trouble with the state people about this daily fine Commissioner Lucas. That is the only thing that kind of worries me about this. This fine thing could cost us more than the job will cost us if we don't watch out." Commissioner Lucas responded "I think we were told that the pressure was off." Mr. Ferrell stated "I would not say that. I didn't say that the pressure is off. I think with my conversation with the assistant attorney general I told him that the process was ongoing to receive bids on the project. The county was working forward to the mediation and I think that was all taken in a positive stride. How long and how patient they are going to be I don't know. It certainly will not impact the due date for the civil penalty that is pending right now. As far as assessing additional penalties will the delay matter I am not sure. I do know that we have thirty days from April 14th to resolve the existing penalty."

Commissioner Satterfield asked "Thirty days from April 14th to do what Mr. Attorney?" Mr. Ferrell responded "To address the civil penalty assessment." Commissioner Satterfield stated "Now it said something in this letter, I believe, that the money may be applied to the cost of the project. Is that right or wrong?" Mr. Howard responded "I spoke with the office in Winston-Salem, the ones that came out and did the inspection. What they normally do is if you have started the process within that thirty day time frame they will let you apply what you are facing in the fine towards the cost of the project." Commissioner Satterfield stated "If we don't have this project started by May 14th?" Commissioner Carter responded "Then they will fine us."

Mr. Ferrell stated "Just to clarify. I did not have that same conversation with the attorney general's office. The manager had that conversation with his contact at DENR. I was not offered that application of the fine towards the construction costs in my conversation."

Commissioner Lucas stated "Again, I don't have a problem with Mr. Everett and the bid. I have a problem with the process. We don't have a bid to compare to. Do you see my point? That is my problem with it." Mr. Hamlett responded "We would have if these people would have bided."

Commissioner Carter stated "Sam you only got one bid back but you sent out five. Is that right?" Mr. Hamlett responded "Right. I contacted the two that Dewberry and Davis told me about and I looked in the computer for a one hundred mile radius and found the others." Commissioner Carter continued "No no else gave you a price except for Mr. Everett?" Mr. Hamlett responded "Right." Commissioner Carter asked "Is he bonded." Mr. Hamlett responded "He said that he is able, licensed and bonded to do a job this big." Commissioner

Carter stated "Well I am like Mr. Satterfield and I have been dealing with DENR for over thirty-five years with different agencies. When they say thirty days they mean thirty days. Once the thirty days is up you have to pay the fine. I would have liked to have seen more bids but we only got one bid. Mr. Everett is licensed and bonded and he is a Caswell County taxpayer. He has a business here in Caswell County and pays his taxes here. I would rather see a local do it. We only have two weeks left and I don't think we have time to rebid this out. The people that I was thinking about are C & J Utilities and Sam Smith. They do utility work but I am not sure they would be able to start within the next two weeks." Commissioner Lucas stated "I would like to see their numbers."

Chairman Hall stated "I am going to make this comment because I don't want us to get off on the wrong issue. We have two issues here that have to be resolved. Issue is the fine is there. We are going to have to pay that fine and it has to be paid within thirty days of April 14th which is May 13th." Mr. Ferrell stated "You can either pay the fine or appeal it." Chairman Hall continued "From what I have seen and heard is we do not have any grounds for an appeal. We just don't have that so we will end up paying the fine." Commissioner Lucas stated "But it is going to be applied to the other." Chairman Hall responded "We don't know that. We have two conversations here. We have a conversation with our council from the attorney general's office and we have a conversation from DENR with the county manager." Commissioner Carter stated "Well the letter is from DENR so based on the county manager's talk with DENR it will be applied." Chairman Hall continued "Maybe so, if it is applied but right now we are going to have to pay the fine whether we pay it and the fine is applied or not applied that is the first thing. The next thing is we have to get the work done. My concern, personally, is we did not contact enough people and the right people. If I would have gotten one bid I would have went somewhere to get some more bids. Maybe the only place we know to go is Danville but there are more contractors around. We should have tried to contact some other people. Fellow commissioners if you will recall from the last meeting I wanted to move then because we are getting fined. The problem that we have is that we the county has sit on this. This just did not just happen so it makes it real hard for our council to negotiate for us to do anything when we go back and look at the history of this project. To me it appears that we did not take it serious enough."

Commissioner Satterfield asked "When did we find out about it? I just receive the email. How long ago was it Mr. Attorney when you sent the email?" Mr. Ferrell responded "The initial notice of violation was dated March 23, 2011 from DENR. Now there has been some history on this site of issues with the contractor and DENR going back to the completion of the project." Commissioner Satterfield stated "Anyone can go out there on that site and tell that they had to go down in that hole and pull off what little topsoil was there. That red clay down there you are not going to grow any grass on it. It did not take a rocket scientist to figure that out. It was just a lack of supervision on the construction down there. It had to be something in the contract about growing grass. I don't know what was in the contract but there has to be something in the contract about growing grass." Mr. Ferrell responded "There is." Commissioner Satterfield responded "Well then someone just let them off the hook. The county let them off the hook." Chairman Hall stated "That is the history that I was speaking of." Mr. Hamlett stated "With all due respect back in March I went out there and flagged the area that needed to be addressed. It has actually gotten five feet wider and about ten feet longer from the erosion so it is getting

bigger.” Chairman Hall responded “I don’t doubt that because some of the information that we received in an earlier meeting we were notified sometime ago that we had a problem with that site. This was prior to March.” Commissioner Satterfield stated “I just don’t remember hearing about the notice in March.”

Commissioner Battle asked “So what are we going to do? What is the plan as far as this Board goes with dealing with this because we can talk about it all day and it is not helping us right now.” Commissioner Travis responded “We need some more bids or we need to take the one we have right now.” Commissioner Battle stated “I say we pay the fine and get some more bids. That is my opinion.”

Mr. Ferrell stated “I understand the identification of the issues Mr. Chairman however I am still in settlement discussions with the attorney general’s office on the fines so a motion just to pay the fine. I would like to discuss the settlement discussions on this in closed session.”

Commissioner Satterfield asked “Mr. Hamlet is Mr. Everett talking about reseeding the whole area over there? That bank and everything?” Mr. Hamlett responded “Starting from the roadside of Firetower Road going all the way around. It is just the spots that there is nothing.” Commissioner Satterfield stated “There is nothing anywhere around there. I am talking about the big bank that was cut all the way around it. Is he talking about reseeding that, putting netting up on it?” Mr. Hamlett responded “We have to bring topsoil in and reseed it and then mat it. It is not just netting.” Commissioner Satterfield asked “All the area around the Senior Center itself and around behind there?” Mr. Hamlett responded “This price here actually covers the entire grounds. It is even the flat areas that need to be addressed on the backside. There is a lot of water ponding in the back where the gazebo is.” Commissioner Satterfield asked “Does his price include fixing that.” Mr. Hamlett responded “It is everything. The whole entire project.”

Commissioner Lucas stated “We talked about doing this in two phases. One being the fine and then addressing the original contractor. You said that the original contract states that we do have means by which they were supposed to seed grass and take care of this problem?” Mr. Ferrell responded “I believe my legal impressions about that contract were appropriately conveyed to you in closed session. What I did say is the contract specifications have a section concerning turf installation.” Commissioner Lucas stated “Then we might want to wait until closed session to deal with this.” Mr. Ferrell stated “If you are asking for my legal impressions and advice on how to address the contract is that what you are asking?” Commissioner Lucas responded “We can do it in closed session.”

Commissioner Carter stated “If for some reason you decide to rebid this I can give you a list of contractors.” Chairman Hall responded “Thank you when we get to that point we would appreciate you sharing that with the county manager.”

Commissioner Satterfield stated “You said something about he was talking about setting up an irrigation system to irrigate on a weekly basis. Is that something that he is going to bring in temporary and that is his equipment or is he just going to leave it there until the grass is established?” Mr. Hamlett responded “Yes and we are hopefully going to use the fire plug that is

there which runs off the Senior Center water bill.” Commissioner Satterfield added “It will probably have to be watered until the fall of the year.”

Commissioner Lucas asked “It is going to have to be turf, right? It can’t be seeded.” Mr. Hamlett responded “He can seed it. If he seeds it he is going to really have to throw the water to it. If they put the turf down they are going to have to drown it too.” Commissioner Lucas stated “I think according to the letter it said it just couldn’t be seeded.” Mr. Howard responded “It can be seeded there just has to be matting on the slope.” Mr. Hamlett added “The rolled matting is what is going to keep everything intact.”

Chairman Hall stated “We will hold this for further action after closed session.”

2011-2012 BUDGET PRESENTATION

Mr. Howard stated “I am just going to go briefly over the budget with you. It will not be the whole budget but a quick overview. Upon the directive of the Board of Commissioners, this proposed budget has been constructed on the following: 1) no tax levy increase; 2) no fund balance appropriated in the budget; 3) there is no salary increase that is going to be looked at. If you asked how much salary increases would be we can do that and we will have that figured up for you and present that to you in budget workshops; and 4) no capital items included but we will have a five year proposal when we start the budget workshops. The total recommended budget is \$25,214,577.00 which is a decrease of 2.38% from the current fiscal year budget. The general fund budget is \$20,356,663.00 or 2.71% decrease from the 2010-2011 adopted budget. As I stated the current tax levy is 65.9 cents per \$100.00 of valuation. The increase in tax value is a minimal increase of \$35,254.00 in actual revenue from the tax levy. The general fund budget does not include a contingency fund nor general fund appropriated fund balance. Just a couple of key things in the budget will affect the cost. The Local Government Employees’ Retirement System effective July 1, 2011, the employer contribution rates payable on that covered payroll of employees who are members of the Retirement System increased 0.53%. The county contribution for general fund is estimated to increase by \$20,147.00 or 4.16%. On risk management on insurance cost. The group health in the proposed budget will increase by 11.44% or \$117,345.00 over the fiscal year. The workers compensation decreased by \$1,301.00. Liability and property premium decreased by \$2,094.00. With those two pools left with the health being closed down the multi-pool cost savings is \$7,245.00. The two largest departments I will cover those real quick. Public Health the proposed budget includes a general fund contribution of \$285,253.00. That is a 1% decrease from the fiscal year 2010-2011. This also includes a total of \$199,748.00 for a designated fund balance. Department of Social Services – the proposed budget includes a general fund contribution of \$1,227,558.00 which is a 12.98% increase from the current fiscal year. What I would ask of you tonight is for you to take this home and look at them and we need to set a date to start the budget workshops so we can break this down into more detail for you.”

Commissioner Battle asked “Are all departments budgeted for in this budget?” Mr. Howard responded “Yes, sir.” Commissioner Battle asked “Where is the Economic Developer’s budget at?” Mr. Howard responded “We don’t have a budget for that.” Commissioner Battle responded “Right. That was what I was asking for.” Mr. Howard responded “I will give you that outside of

this budget.” Commissioner Battle asked “So you do have it?” Mr. Howard responded “Yes, sir. We will discuss that during the budget workshops. We were asked to do the budget based on current year and we did that. The other stuff I will have for you during the workshops.”

Commissioner Carter stated “I was thinking and I could be wrong but I thought at the last board meeting that we had asked for 2% raises.” Mr. Howard responded “That was difficult because you asked me to do no tax increase and no fund balance and you said to do a 2% increase if possible. I could not do that and give you a budget that met this year’s numbers without a tax increase and no fund balance. I will have those numbers for you to look at in the workshops.”

Chairman Hall stated “I am like Mr. Carter. Perhaps I misunderstood as well. It was the understanding that we wanted to see the increases whether or not it was included in the budget may be a technicality because we did ask you to do without a tax increase.” Mr. Howard responded “We have that and we do have all of that information for you. There was just no way to do that to meet the other criteria.”

Commissioner Carter stated “Mr. Chairman I have several county employees approach me and ask if they could be paid bi-monthly instead of monthly. We may want to look at that.” Chairman Hall responded “All of those are issues that we can consider. What we wanted to do was to start with a base budget. I think it is important that we get this information. I just remember asking to see the cost of increases.” Mr. Howard responded “We do have those and we will give them to you at the budget workshops.”

Commissioner Lucas stated “Chairman Hall and Kevin I am not seeing the listing of the employees and their salaries by department. I am seeing a salary line item total but not a break down.” Ms. Vaughn responded “It is in the back.” Commissioner Lucas asked “For every department?” Ms. Vaughn responded “Yes.”

DELTALERT CONTRACT

Mr. Howard stated “You have a memo in your packets from Dr. Moore concerning the DeltAlert System. I also have Greg Bonner here and he can explain to you how the system works if you have any questions about that. Basically what this is a phone alert system. We can go in and everyone who has a landline phone will be entered into the system and when we have issues come up in the county such as flu outbreaks, emergency management issues, we can call. A good example would be when the tornados came through a while back the system would automatically call out to those landlines. There is an option that they can add cell phones and they will be able to receive those alerts as well. This is a five year contract. The Health Department has grant funds that can pay for this through the state dollars that they receive.”

Chairman Hall asked “Now this is Health Department. Will this cover the entire county?” Mr. Howard responded “Yes, sir. What we are looking at they will pay the initial contract costs and then there is a per call charge and that will be absorbed through other departments. Chairman Hall asked “I guess my question is will it be all inclusive for the County of Caswell, every department, every unit, everybody that is associated in or with Caswell County?” Mr. Howard responded “Yes, sir.” Chairman Hall continued “Now the school has such a system now. Will

we integrate the schools in?" Mr. Howard responded "No." Chairman Hall asked "Why not?" Mr. Howard responded "They are already under contract with their system and it is my understanding that they will not be able to that." Mr. Lynch added that he had discussed this with Dr. Barker and he did not want to be included in this system. Chairman Hall stated "We are talking about a county here and I don't think that the option is this person. If we are going to spend on a system it should be optional for any department I am sure you would not have to deal with it but this Board would have to deal with it because we fund the county schools as well. Whatever we put out there I think we should maximize the system and minimize the cost and that would be everybody included. My question is can it be done?" Mr. Lynch responded that it could be done. The two systems are different. DeltAlert is a per call and minute based system on the way the county is charged and the county could deplete their available messages by sending out message to all the students in the school system. Chairman Hall stated "Mr. County Manager what I would like to see is us look at a full county system and see what the possibilities are based upon covering everybody. Look at the cost with the minutes without the minutes and give us something to work with other than just somebody did not want to do it. It might be when we look at it that it is more cost efficient if not then I am happy but I want us to look at it." Mr. Lynch stated "With this system the actual cost that the county itself is investing will be very minimal outside what the stated will pay through the Health Department. The only time we will have to pay is when we send out an alert. The Health Department is paying the initial upfront cost. The system itself and how beneficial it could be is great. It can isolate a specific community if a tornado is coming for an example. We can specifically notify 300,000 people or calls in a minute. It is a very quick system. The school system is not set up as an emergency notification system."

Commissioner Lucas asked "Under the funding section it says this is a federal public health preparedness grant for \$80,000.00. The grant's focus is restricted to preparing and planning for issues that are at least indirectly related to pandemic flu or other public health emergencies. We have other plans for the remainder of this grant. Do you know what those other plans are?" Mr. Howard responded "No, I do not."

Mr. Howard stated "I think one of the issues is that the grants funds are only good for a certain period of time. That is the reason we are looking at this for a possibility for this grant. This funding goes away within a month." Commissioner Lucas asked "So this is a one time grant fund?" Mr. Howard responded "Yes, ma'am." Chairman Hall added "Eventually the money is going to go away." Commissioner Lucas asked "Well what happens after the initial set up?"

Commissioner Carter asked "Will this be accessible to the fire departments? I know ya'll work together on tornados and other issues." Mr. Lynch responded "Will the fire departments be able to send warnings out? No. The alerts will have to come through the Emergency Management. The Emergency Management Director will be the one that sends out the alerts." Mr. Howard added "They will not have direct access." Chairman Hall stated "I don't think the issue is direct access. The issue is will they be alerted?" Mr. Howard responded "Yes." Commissioner Carter asked "What I am asking is will it be on the computer while they are manning their stations so they can see where the storm is?" Mr. Lynch responded "It is not type of a warning. There is a fire department section in it where we can do notifications to just specifically fire departments." Mr. Howard added "Certain fire districts."

Mr. Howard stated "I guess this addresses some of the concerns that Chairman Hall had about the using the school system and us finding a similar system the needs are different. Once the school system explained that they had their own system that they were satisfied with and did not want to be hooked up to our system. We knew that their system would not work for us." Chairman Hall stated "That part I understand. I just have a problem with using the idea is because using the grant fund to maximize things. Eventually these grant dollars are going to go away and we are going to have to plan for this side and the school's side. It is going to cost us some money. So I think from a management standpoint for this Board it behooves us to look at all the options upfront and if there is a possibility the system can be used lets plan to use it. Eventually it will cost us." Mr. Howard responded "Just so you know that was one of the first thoughts we had on our side. The school system had one so how could we get it to work together to try to save those dollars. So we reached out to them." Chairman Hall stated "I guess my last comment is that it is not just that easy for someone to just say no and walk away."

Commissioner Carter moved, second Commissioner Satterfield to approve the DeltAlert Contract as presented. The motion failed by a vote of two to four with Commissioners Battle, Hall, Lucas and Travis voting no.

Chairman Hall stated "I will not try to speak for the other four commissioners but I do think it is important that we take a look at this system. That we take a look at collaborating with the school and fully understand what it is that the system will do for us, what it will do for the county and what it will do for everybody. If necessary in your discussions with the school if appropriate for that board to meet with this board I would suggest that."

NCDOT DIVISION OF PRISONS INMATE LABOR CONTRACT

Mr. Howard stated "I think that everyone is aware that the state cut out the inmate work groups. They have come up with a different way to do that in getting those inmates out and doing work. These are the inmates at the Work Farm. We will be doing the supervision. We will have to go through specific training for that. We will pay one (\$1.00) dollar per day per inmate working. If we have eight inmates a day for a week we will pay \$8.00 per day totally \$40.00 for the week. This will be to work on every day project. We have met with the prison system. We do have this need. I use them to clean up the Parks and Rec and at Farmer Lake around the dam. This will keep our cost down as far as labor. This is an excellent way of getting these things done. The cost is a very minimal cost for the amount of work we will be getting. I am asking for your approval of this contract so we can start using that labor."

Chairman Hall asked "Which department will be handling the supervision?" Mr. Howard responded "Most of the work will be through the Maintenance Department." Chairman Hall asked "We will have staff that we will be sending for training for this?" Mr. Howard responded "Yes, we are required to attend training at the prison before we can use the inmate labor. It will be mainly maintenance trained for this and several department heads to make sure we have coverage for that. This will be the low risk inmates."

Commissioner Carter stated “This is a great proposal. We have used them at the Yanceyville Fire Department to clean the trucks. When I worked for the town I used to use them to clean the fire hydrants and different things. You are able to get a lot done at a cheap cost.”

Commissioner Battle asked “I am just asking for clarification. Is it supposed to say the town of Caswell?” Mr. Ferrell responded “No it is not. That is an error.”

Chairman Hall asked “Mr. Council have you reviewed this?” Mr. Ferrell responded “I did review it. It came to me in the agenda material. Again I think Kevin mentioned that the duty of supervision is the responsibility of the county. There are limitations of the work that can be performed by these inmates. There are not many responsibilities other than the training and the supervision and the payment that are applicable to the county.”

Chairman Hall asked “Where does the supervision start?” Mr. Howard responded “We will actually pick them up at the prison and it will start when we pick them up and then it will end when we take them back. Now any time during the day if we have problems with an inmate we can call the prison and they will come and pick him up and take him back to the prison. This is being used in other places.”

Commissioner Battle stated “I just want it clarified. We do know where we can use them and where we can’t depend upon who is around.” Mr. Howard responded “Yes, sir. The same rules apply as when we had the work crews. They cannot be around children.” Commissioner Battle added “Certain building they cannot be in if there are women in there. I just want to make sure that people understand that.”

Commissioner Lucas stated “We need to revise the project beginning date from April 1st.” Mr. Howard responded “That is the date that they met with us so they just used that date. This contract will end on June 30th and we will have to do another in July.”

Chairman Hall stated “I will make one final comment. I know we have been concerned over the last few years about the loss of the inmate labor but I also know when we used them last on some jobs they were not cost effective specially cutting grass. They tore us more equipment than the grass that they cut. When we get into this it is going to be critical that whoever is training them will need to speak up quickly if the program is not working.” Mr. Howard responded “This has already been discussed. They will not be using our lawn mowers or anything like that. They will be using just general hand labor. That is what we need more of.” Commissioner Travis added “Like picking up trash at the landfill.” Mr. Howard added “In times past they can put together a crew that has carpentry skills or painting skills. We can get them for certain jobs like that.”

Commissioner Satterfield asked “Mr. Manager let me ask this question. Will our worker’s comp cover these people?” Mr. Howard responded “It does not cover them. That is covered through the prison.” Commissioner Satterfield stated “It says, if I am reading this thing right, it says if accidental injury or accidental death arising out of and in the course of employment, to which the inmate has been assigned to the governmental agency shall compensate the Department of Corrections. It says in here it is the taxpayer’s responsibility.” Mr. Howard responded “To

minimize that we cannot put them in those situations such as using chainsaw and equipment that could cause accidents or injuries.” Commissioner Satterfield asked “Is this something new or was it like this in the past?” Mr. Howard responded “I cannot answer that. I am not sure.” Commissioner Satterfield stated “I thought they were covered by the DOC in the past but maybe they have not been.” Mr. Howard responded “I know if they get ill or have a sickness the DOC would come and get them and they would cover that. It is only when there is an accident that we would have to cover that type of bill. To minimize that you don’t put them in those types of situations. I realize accidents do happen but you can minimize that. We do the same thing we our employees.” Chairman Hall stated “The difference with our employees is we do have insurance coverage.” Mr. Howard responded “Correct.”

Commissioner Carter stated “I remember when we used them at the fire department they used to bring them out in a van.” Mr. Howard responded “That program has been cut out. They do not do that anymore. They tried but it was never available here or at the prison here. Some prisons charge one hundred and ten dollars a day and they will bring the inmates out in a van. They did away with that program because it was not being used anywhere else. We asked about that here but they never made it available here.”

Chairman Hall stated “That is why I asked where the supervision started. We have to pick them up and return them, the inmates, to the prison site so that makes some logistical issues as well that will have to be considered.” Mr. Howard responded “We have two vans we can use for that.” Chairman Hall continued “That is just part of it. When the prison system had the vans they had the port-a-johns and everything. So if you have inmates that are out working and they have to go to the bathroom what are you going to do?” Mr. Howard responded “The reason they had the port-a-johns is they were out on the sides of the road in most cases. We would have them in areas where bathrooms are available but not in areas like Mr. Battle said.” Chairman Hall stated “Those are the logistics that will have to be worked out because you have a lot of places they cannot work. Now if you are on the square or somewhere working and an inmate has to go to the bathroom then you have to make provisions for him to go to the bathroom. I think it is important for us to consider all of these logistical things before we get too committed on this.” Mr. Howard responded “I guess what we are asking is this is a two month contract or a month and a half is just to try it out this year. If we bring them out one time and it does not work we are not obligated to send the rest of this money. They just ask for some numbers on how many we think we might could use.” Chairman Hall responded “That part I understand. What I am getting at is I know we can try it out but even before day one we need to consider the possibilities upfront, all of them. We don’t need to not think about it and just see what happens. One issue from a PR standpoint can be devastating to the county. I want us to think about it. As you think about all the options. Think about who is training. Can they handle it? You know all kinds of issues.”

Commissioner Battle stated “Mr. Chairman I would like to see a plan as far as if we were to proceed with this where we would be able to use them. Let’s say we want them to clean the courtyard first. I would like to see some type of plan to know where we want to use this labor at before we proceed if everybody would agree with that.” Commissioner Travis responded “What we will have to do is we will have to find out first where we can use them. That is the plan you need to see.” Commissioner Battle responded “Right. We can only use them in certain places. I

would like to see the plan. I agree with you.” Commissioner Carter added “I think that ought to be up to the County Manager’s discretion.” Commissioner Battle responded “No that is not up to the County Manager. It is up to regulations. They can only be in certain places at certain times. It is regulated for that purpose. It is not up to the county.”

Commissioner Carter stated “I just think it is a good program and I have used it before. The town still uses them. It is a good program.”

Chairman Hall asked “Mr. County Manager do you have a further comment?” Mr. Howard responded “No, sir. Whatever the Board needs we will get it. We have thought through this but we will get more information.”

Commissioner Travis stated “Why don’t we allow the County Manager to bring this information back once he can get some more information. Such as where we can use these inmates.” Chairman Hall asked “What else?” Commissioner Travis continued “I would like for the insurance to be check into. I don’t think it was in our last contract that we were responsible if they got hurt or anything.” Mr. Howard responded “No, sir. The supervision was not ours. They were supervised by DOC staff so that was different. Previously with the program you would call in and say you needed inmates they sent you a half a page contract saying when and where you wanted to use them. Who was going to be there to supervise for the county and that was all we had to do.” Commissioner Travis stated “I we picked up four inmates and wrecked on 86 we would be liable for the hospital bill and everything. This is a whole different type of liability than what we had before.”

Commissioner Satterfield asked “Mr. Manager who did you say would be the custodial agent?” Mr. Howard responded “I said it would go through the maintenance department. The maintenance director will be custodial agent. Depending on which department each department would be responsible depending on what is going on.” Commissioner Satterfield asked “We are talking about using how many inmates?” Mr. Howard responded “Depending on the project maybe three or four and maybe ten.” Commissioner Satterfield stated “I am just wondering just a little thing like Commissioner Hall said about the bathroom thing. If Mr. Hamlett is the custodial agent and you have three or four inmates mowing grass and one needs to go to the bathroom somebody has to go with the person don’t they?” Mr. Howard responded “Yes, sir. These are the low risk inmates. They would not put them out if they were worried about flight.” Commissioner Satterfield continued “What I am trying to get at is you have to have more than one supervisor.” Mr. Howard responded “There will be other staff there. What I am saying is Sam will have to go and pick them up. The staff will be supervising as well.”

Commissioner Carter stated “He mentioned Farmer Lake. I will say if that dam is not cut and cleaned and DENR comes out and inspects that and it is not cut down properly that is a notice of violation.”

Commissioner Battle stated “Like I said cheap labor is good but we need to understand that we are taking a risk. Even though they may be low risk inmates you never know what news they may get before coming to us and then something may happen. Somebody may get hurt. Somebody may try to run and then that is on us. I am not saying it might happen but it is

possible. There is a safety risk as far as doing this that we need to be aware of. That is all I am saying.”

Commissioner Travis moved, seconded by Commissioner Battle to get the County Manager to get a list on the places we can use the inmate labor and also the logistics as far as using the personal facilities. The motion carried unanimously.

Commissioner Hall stated “All information is good. We need to know everything that there is to know. I am hopeful that our council would take another look at this as far as the risk standpoint, liability standpoint, safety issues, training issues and what our staff needs to be able to do, transportation issues. There are a lot of questions in my mind. It might be cheap labor but it might be costly otherwise.”

SENIOR CENTER STREAM WALK TRAIL CONTRACT

Mr. Howard stated “You have the contract that has been approved by the county attorney in your packet that we have been discussing from the last meeting or two.” Mr. Ferrell stated “At the last meeting the lowest bid was approved by the Board and had some revisions that had not come through that are in the exhibit that you see here regarding the scope of work. Those additions have been made since this was before you last and if you will notice on the contract anything that is in type and not in the standard form agreement are the things that I worked with the contractor on adding to this agreement. So the additions that I was looking for on the scope of the work have been added.”

Commissioner Carter moved, seconded by Commissioner Battle to approve the Senior Center Stream Walk Trail contract as presented.

Commissioner Travis asked “Do you think we need to do this now or do we need to wait until we straighten out all of it.” Mr. Howard responded “This is not the same area at the Senior Center. This is out in the woods.” Commissioner Travis stated “This is thirty-two thousand eight hundred and fifty-six (\$32,856.00) dollars.” Mr. Howard responded “It is paid out of a recreation grant.” Chairman Hall added “This is another project. If you will recall the presentation from the gentleman with the Dan River Basin Association, they had several trails that they had built and this was the next one they had received grant dollars to put in place.”

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

LEASE FOR THE USE OF THE YANCEYVILLE MUNICIPAL PARKING LOT

Mr. Howard stated “It was requested that we put this back on the agenda so we can discuss it. Do you want me to give a brief overview of this again?” Chairman Hall responded “I think everybody pretty much understands.” Commissioner Travis added “We either pay them or they will close the parking lot.” Mr. Howard responded “Well we can’t answer the second part of that.” Commissioner Carter stated “Commissioner Travis and I were been informed by the Mayor that it would close if not paid. I would like to go forward with it. I have had about

twelve calls on this from different people, people in the court system and people outside the court system. When we start on the new jail down there we are going to lose some of the parking. The court goes on now about three or four days a week. You have district court and superior court and I really see a need for this. If you will look at this you are really getting two parking lots for the price of one with the old town parking lot and this one." Commissioner Travis asked "Who do you think owns that old parking lot down there?" Commissioner Carter responded "The Town of Yanceyville owns it." Commissioner Travis responded "If you will read what this paper says the county owns it." Commissioner Carter responded "I don't care what that paper says I read the deed. I was working for the town when it was done." Chairman Hall stated "The issue at hand is the renewal of the contract."

Commissioner Lucas stated "I would just like to make a recommendation. I think it has been talked about in the past and I don't know why it did not come to fruition but I took a ride down past the courthouse on Sunday. I understand your concerns with the new detention center and the parking not being available for that however where the parking will be once it is constructed? Is that already planned out? Where will the parking be for the new detention center?" Mr. Howard responded "There will be a temporary parking lot during construction but once it is finished there will be the same amount of spaces as it is now." Commissioner Lucas asked "Where will the temporary parking be?" Mr. Howard responded "They will not put in any new parking spaces until it is finished. Let me back up. There will be a drive coming in off County Park Road. There will be additional parking put in that area. Once the construction is finished we will put in the same amount of spaces around that block." Commissioner Lucas stated "My point being I checked the Social Services parking lot, the upper parking lot. There are exactly thirty parking spaces there and the way that parking lot is designed it was probably part of the original courthouse parking plan to start with because the steps that go down that access the courthouse. I just don't understand why those employees couldn't be parking on the side of the building. There is a gravel lot there and I think it will accommodate twenty cars there and there are twenty-two that they use now. It just seems like a simple solution to a seemingly terrible problem." Chairman Hall responded "I agree with you. I have been over and I have looked and I have talked with the folks in the courthouse. The county has ample parking but the issue was the distribution of parking and where people prefer to park. That to me is the issue." Commissioner Lucas stated "Well we would prefer not to pay the Town twenty-five hundred (\$2,500.00) to park. I know when DOT was here we had several thousands of dollars in contingency funds; I think this could be used for paving that part. I know it said for rescue, fire departments but for any public service need." Mr. Howard responded "I will have to check. I don't think they will do an actual parking lot."

Commissioner Battle moved, seconded by Commissioner Travis to not renew the contract for the public parking spaces with the Town of Yanceyville. The motion carried by a vote of five to one with Commissioner Carter voting no.

Commissioner Lucas asked "Just a follow up on that. Can we investigate the possibility of relocating the DSS parking to the side and opening that up for court personnel, juror, public or whoever needs it?" Chairman Hall responded "Sure we can. If I recall when we started that process the County Manager was under the impression that this was what we wanted to do and he started grading it and then someone spoke up and said no and it stopped. So at this point this

Board can direct the county manager in any way we like. I think the first thing would be to get a good count on the number of parking spaces and a good discussion with on the department heads on how many parking spaces are needed and how it could be handled.”

Commissioner Lucas stated “It is not going to take away from where the judges currently park if that is a concern. They will not be relocated.”

Chairman Hall stated “Now let’s talk about the lot a block away. It is my understanding that we have always had access to that lot because we have it to the Town. As a senior I walked it and it took me one minute to walk up the hill to the courthouse so we could better utilize that for parking. To answer your question, yes we can direct the County Manager to do a lot of things in regard to that. Probably the appropriate way to handle this would be for everyone to gather their thoughts and we can put in on the agenda to take action based on what we want to see.”

COUNTY MANAGER’S REPORT

Health Insurance Update

Mr. Howard stated “You have in your packets a memo from Ms. Vaughn about the change in insurance we have this year. As you may be aware probably about a month and a half ago the Association stated that they were not going to continue their insurance pool. We went out and got bids from some of the major carriers and they are in your packets. The renewal policy is spelled out for you here in this memo. At your request we went back and got some different options from the lowest company which was Cigna. That is this larger sheet here. We are not asking for any action tonight. I just wanted to get you’re the information that we have so you could look at it and discuss it at the next meeting. If you have any questions we can try to get all the answers by the next meeting. The one thing I want to note is the renewal we got back from the insurance company especially Cigna is there is only a ten percent renewal for the county employees and what the county would pay for insurance. It is a much higher renewal rate for dependent benefits such as children, employee/spouse or employee/family. When you actually look at this please make note of that difference. The new plans we looked at are not as hard on the employees as far as benefit coverage. It has a more increase on the employees with dependent coverage.”

Commissioner Battle asked “Are these the only options?” Mr. Howard responded “Yes, sir. I wish there was something else out there but it is not.”

Ms. Vaughn stated “I just want to make you aware that open enrolled will be the week of May 23rd. We will need to schedule meetings with the employees that week so we can get it on the payroll at the end of June.” Chairman Hall asked “Is that date moveable? We may not be at the point we need to be by then.” Ms. Vaughn responded “It is a very tight schedule that we are working with.” Chairman Hall stated “It may be May 16th before we get back on this.”

ANNOUNCEMENTS

Commissioner Battle stated "I don't have an announcement but I do have a question for the County Manager. On the Parks and Rec I would like to know what kind of plan of action the Director will have as far as having summer camp. As far as employees having CPR training and whatever safety stuff she foresees or saw that needs to be fixed so we want have this problem again. That is all I have."

Commissioner Satterfield stated "Mr. Chairman I will mention once again that there are a lot of things piling up on this list of incompletes. These are things that we have talked about for a long, long time. I don't know why we can't get them done. Who is responsible? The list keeps increasing." Chairman Hall asked "Do want to mention something specifically so I can get them on there?" Commissioner Satterfield responded "They are already on the list. I don't have the list. In particular one thing I have a problem with is three or four months ago I asked about comp time by individuals and not by department. I have not seen that yet." Mr. Howard responded "There is an issue with comp time by individuals; it is covered under the personnel privacy issues. It is treated just like salary. I can't give it out in an open session." Mr. Ferrell added "If something is in the personnel file the Board can see it in closed session. I have not looked at the issue of comp time as being part of a personnel file but even if it was part of the personnel file and protected you can see it in closed session." Chairman Hall stated "They are going to get this information because I am going to ask them and show it to us in closed session to answer your question." Commissioner Satterfield stated "It was showed to me at the Health Department and it was not in closed session." Mr. Ferrell stated "I don't know if it has to be. I have not looked at the issue. If it were, you could see it." Commissioner Satterfield stated "I know we should be able to see it. I will believe it when I see. That is one of the many issues Mr. Chairman."

Chairman Hall asked "Mr. Manager, can we get a list on comp time and if you will confer with council but I don't think this is a closed session item but confer with council and make sure we have that." Mr. Howard responded "The reason I say that is because overtime is given by departments, you cannot do it individually because that is what we have been told in the past."

Chairman Hall stated "The rest of the list I try to work it into the agenda and you see how long the agenda got tonight but I will keep working on it because I understand exactly what you are saying."

Commissioner Travis stated "We had a Farmer Lake Board meeting over at the old senior center building and the floor over there is just about tore all to pieces from the training over there. We are going to have to redo the floor over there. Did you know it was that bad over there?" Mr. Howard responded "That is why I said it was not working."

Commissioner Lucas asked "Where are we with the redistricting. I understand there was a meeting. Are we going to get a report?" Chairman Hall responded "We can. I did not attend the meeting but we will definitely get a report." Commissioner Lucas continued "I know in years past they did a presentation to the Board at some point." Chairman Hall responded "The Board will have to get actively involved in it." Mr. Howard responded "Right now we are trying to get all the data to see what we are going to have to do and to see which districts were affected. We should have this within a couple of weeks." Mr. Ferrell added "We had a meeting on Friday"

with somebody with the COG and they are pulling the stats together. We said we would like to bring the information before the Board and she said she would have something within the next two weeks to present.” Mr. Howard stated “At the initial meeting there will be maps showing the changed populations in the districts so show where we are sitting right now and we will then figure what where we need to go from there.”

Commissioner Lucas asked “Another thing. Have we heard from the LGC about the detention center?” Mr. Howard responded “We have not applied to the LGC yet. The bids should be coming in the 16th and then we will go from there.” Commissioner Lucas stated “I noticed it was in the budget.” Mr. Howard responded “We did that just in case it is approved.”

Commissioner Lucas stated “Just one other thing. I will be going in the morning to a Part meeting in Greensboro with an A&T student. I was invited to go and have breakfast in the morning and it is about the Sustainable Communities Project. I will be attending that in the morning.”

Commissioner Travis stated “The supper down at the Lake will be the 12th.” Chairman Hall asked “Is everybody aware of the Lake Cookout. Do you have it on your schedules?” Commissioner Carter asked “What time?” Chairman Hall responded “It usually starts at 6:00 and the dinner is at 7:00.”

Mr. Howard stated “I just wanted to remind everyone about County Association Day. If you sign up by the 18th it is free. If you are interested in going just let us know.”

Commissioner Carter stated “A new fire truck was put into service at the Yanceyville Fire Department. It is a fire and rescue truck. One side has the rescue equipment such as the Jaws of Life. This truck will respond anywhere in the county if they are notified by the other districts. One side is fire equipment and the other is rescue equipment. It is a \$300,000.00 truck.

CLOSED SESSION

Commissioner Battle moved, seconded by Commissioner Travis that the Board enter into Closed Session to preserve the Attorney/Client privilege (NCGS 143-318.11(a)(3)), and to consider the compensation, terms of appointment and performance of an individual public officer (NCGS 143-318.11(a)(6)). The motion carried unanimously.

REGULAR SESSION

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

Commissioner Travis moved, seconded by Commissioner Battle to give Mr. Ferrell, Interim County Attorney the authority to negotiate the extension and the amount of the fine and also the authority to pay the fine. The motion carried by a vote of five to one with Commissioner Lucas voting no.

Commissioner Carter asked if the contractor who is awarded the Senior Center contract would make sure that the regarded and reseeded area is irrigated. Mr. Howard responded with yes. Commissioner Carter asked if Mr. Everett would do this. Mr. Howard responded yes.

Commissioner Battle stated that he felt that there needed to be a redid on this work.

Commissioner Satterfield stated that he felt that the county should have a bid in hand prior to negotiating the fine. He stated that he understood that the Board only received one bid but a local guy would care a little bit more when doing the work. Commissioner Carter agreed with Commissioner Satterfield. He also stated that he did know a couple of contractors who did this type of work and would be glad to share those names.

Commissioner Carter moved, seconded by Commissioner Satterfield to accept the bid from Danny Everett. The motion failed by a vote of two to four with Commissioners Hall, Battle, Travis and Lucas voting no.

Commissioner Battle moved, seconded by Commissioner Travis to rebid the Senior Center Erosion Control Contract.

Commissioner Lucas asked how much time the county had to do this. Mr. Howard responded that he was shooting for Monday to have more bids in. Commissioner Travis asked to keep Mr. Everett's bid. He stated that the Board just needed more bids before making a decision.

Upon a vote of the motion to rebid the Senior Center Erosion Control Contract, the motion carried by a vote of five to one with Commissioner Carter voting no.

Chairman Hall stated that the Board needs to decide when they wanted to look at more bids. Commissioner Travis stated he thought that Kevin should be able to know by Monday. Chairman Hall stated that he did not want to delay the process. Mr. Howard stated that Sam Hamlett, Maintenance Director could get on the phone the next day and try to get more bids by Monday. Chairman Hall asked if the Board wanted to give the County Manager the authority to take the lowest bid. Commissioner Travis responded no. Commissioner Carter stated that the lowest bid is not always the best. Chairman Hall decided to reconvene the meeting on Monday, May 9, 2011 at 5:30 p.m. to review more bids on the Senior Center Erosion Control Contract.

RECESS

At 10:20 p.m. Commissioner Travis moved, seconded by Commissioner Battle to recess until Monday, May 9, 2011, at 5:30 p.m. The motion carried unanimously.

Paula P. Seamster
Clerk to the Board

Nathaniel Hall
Chairman
