

MINUTES – AUGUST 1, 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, August 1, 2011. Members present: Nathaniel Hall, Chairman, Kenneth D. Travis, Vice-Chairman, Erik D. Battle, William E. Carter, Jeremiah Jefferies, Cathy W. Lucas and Gordon G. Satterfield. Also present: Kevin B. Howard, County Manager, Brian Ferrell, County Attorney, and Angela Evans representing The Caswell Messenger. Paula P. Seamster, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

Chairman Hall called the meeting to order. Chairman Hall stated “Before we have a Moment of Silent Prayer I would ask my fellow commissioners and citizens to remember our Solid Waste Director, Tim Smith, who is in the hospital. He has had some serious surgery in the past week. Please join me in a Moment of Silent Prayer.”

APPROVAL OF AGENDA

Chairman Hall stated “We have a couple of adjustments before we approve the Agenda.”

Commissioner Lucas stated “Chairman Hall I don’t know how many of the other Board members received a hard copy of the Person-Caswell Lake Authority audit. I would like to amend the Agenda to discuss that this evening.”

Chairman Hall stated “The second thing I would like to do is to include a Closed Session immediately after the approval of the Consent Agenda for Attorney/Client privileges. With those changes do I have a motion to approve the agenda?”

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

APPROVAL OF CONSENT AGENDA

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

Commissioner Lucas asked “On the Solid Waste Contract Amendment I have a question on that. Are you just renewing the initial contract? That is my understanding.” Mr. Howard responded “Yes ma’am.” Commissioner Lucas continued “What term?” Mr. Howard responded “Thirty days.” Commissioner Lucas asked “So it will come back before the Board in thirty days?” Mr. Howard responded “Yes ma’am.”

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

The following items were included on the Consent Agenda:

- A) Approval of Minutes of July 11, 2011 Regular Meeting
- B) Approval of Minutes of July 20, 2011 Reconvene Meeting
- C) Tax Director's Monthly Report
- D) Budget Amendment #9
- E) Solid Waste Contract Amendment
- F) Firefighters Week Resolution

CLOSED SESSION

Commissioner Jefferies moved, seconded by Commissioner Travis that the Board enter into Closed Session to preserve the Attorney/Client privilege (NCGS 143-318.11(a)(3)). The motion carried unanimously.

REGULAR SESSION

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

Chairman Hall thanked the citizens for their patience and for allowing the Board to hold a Closed Session.

PUBLIC HEARING – REDISTRICTING

Chairman Hall stated "I would like for our counsel to explain as best he can, to the public why we are having a redistricting and what is involved and then we will move forward to accept comments. There are maps around the room. The Board of Commissioners have not, as of yet, put forth a redistricting plan. This is the jumping off point for that. We are just getting started. We will hear your comments and at some point either tonight or afterwards we will schedule a work session for this Board to actually get down to the nitty gritty of working on our redistricting."

Mr. Ferrell stated "Any local or state government for that matter that elects it's representatives on a district basis every ten years with new census data has to take a look at its districts and determine if there has been an influx or change in population since the prior census data. If its districts still comply with the federal and state constitution mandate of "one person, one vote". So the principle is that if you have a district that is too large or a district that is too small as compared with the average district size, the ideal average district size based on population your get out of skew with the "one person, one vote" mandate in the state and federal constitutions. This is an exercise that happens with the new census data every ten years again when you have district voting or district representations. The new census data was released for Caswell County. An analysis has been made. The numbers have been looked at and compared to the existing district numbers. There is a 10% rule of thumb that is used by the courts to determine if you are or are not in compliance with your "one person, one vote" obligations. You do a math calculation with the new census numbers and take a look at where you are. That is the exercise that the County has gone through and we have talked about it in public meetings for some time now. As a result there is a need to redistrict in Caswell County based on the "one person, one

vote” principle. There is also another principle that is important in Caswell County and forty other counties in North Carolina and that is compliance with Section V which is the preclearance requirements for the Department of Justice. The districts in Caswell County were created as a result of a consent decree coming out of a lawsuit challenging voting practices in Caswell County. As a result of that there were two majority minority districts created and so that is a factor to consider as the Board goes forward in equalizing the population in these districts based on the new census data. So where we are is at the process of moving forward with the new maps and taking a look at some possibilities for redistricting.”

Chairman Hall stated “Because this is a public hearing we will be quite informal in taking questions from the audience so if anybody has any questions as we move forward please just raise your hand to get our attention. We are going to have a presentation. Hopefully we will get a look at where we are and some possible options of where we want to go. This is just to give you an idea of what we are working with. Ask questions if you have any. We will turn this portion over to Ms. Edwards. She will identify herself, what she has done and what she is going to do.”

Ms. Edwards stated “My name is Anne Edwards and I am with the Piedmont Triad Regional Council in Greensboro, NC. Caswell County is a member of the Piedmont Triad Regional Council. My job is the database administrator. I work with numbers. I am not a lawyer. I am not a politician. I just do the databases and the numbers. So basically I am going to help Caswell County with whatever the policy, whatever the consensus is to do. I am going to be working the databases and making sure that the numbers come out okay, totaling the districts for you. Checking the districts by race and making sure that all of that totals out and that we have the databases together when we started working with you. Again, I am not an attorney. Any legal questions will go back to your county attorney here on staff. A little bit about what we are dealing with here on population. This is 2010 census counts, 2000 census counts, 1990 census counts so you can kind of just see how the population of Caswell County has changed. One thing that you are dealing with in redistricting is there are a lot of stipulations and rules, federal laws that you have to deal with but you also have to deal with how your county is changing. Caswell County is growing but the white population is growing and the Black/African American population is declining. Ten years ago about 37% of your population in Caswell County was Black or African American and now that is just under 34%.” Ms. Edwards showed the Commissioners and the citizens a map of the current voting districts. “In your current districts now we totaled up what it looked like. We had to do this first before we could even determine if there was a need to redistrict or if we even needed to bring it to the public. There was a need because District 2 is a little bit too small population wise and District 5 is a little too large. One option, if that was all we had to deal with, was just equaling out the population then something we could do is something just as small as just moving a couple from 5 and put them in 2. That is a relative simple solution but it does not bring us back to Section V. We can work any number of options that you all are interested in.”

Chairman Hall asked “Can you Kevin, just so the public will know, name the districts and the precincts. We have them on the wall but everybody may not know the number.” Mr. Howard responded “District 1, we have it split up by townships along the wall so District 1 is split up. There is Pelham, Dan River and also the Locust Hill area. You have District 3 which is all the

red sections. These are actually Option 2. We do not have Option 1 up because it did not meet the Section V requirements so we put Option 2 up which still does not meet those requirements but it is closer than Option 1.” Chairman Hall responded “Basically I just wanted the citizens to be able to distinguish each district.” Mr. Howard stated “Each map over here is split up into the nine townships in the county.”

Ms. Edwards stated “I worked up one scenario at the office and this is just one. I did not want to spend a huge amount of time on it until I got a better feel of what the commissioners wanted me to do and what the citizens of Caswell County wanted us to do with this. One option does equal out the districts and gives us the goal of two majority minority districts that is Black/African American higher count than the white population would look something like this. (She pointed to Option 2). It does fairly drastically redraw a few of the voting districts. One pretty much stays the same but everything in the center of the county will change fairly significantly. I wanted to get your opinion on what we need to do next on the voting districts. This is one scenario only and not by any means a final. Something like this would work because the totals are there and I can get this to you also on paper.”

Chairman Hall stated “Questions from the public.”

Citizen 1 asked if the Board of Education would be involved in this process. Chairman Hall responded “Yes.”

Citizen 2 asked if the areas were designed by registered voters. Mr. Howard responded “It is total population.”

Citizen 3 asked which area is District 2 and which area is District 5.” Mr. Howard responded “Part of District 2 covers the Providence area.” This citizen asked if Milton was in District 2. Mr. Howard responded “No sir. District 3 is the Milton area. District 1 is Pelham. District 5 would be the Cherry Grove area over to Anderson. 4 is part of Yanceyville and 2 is the other part of the Yanceyville area.”

Commissioner Lucas asked “Chairman Hall, these are for Option 2, is there a map for Option 1? Do you have that available?” Ms. Edwards responded “I do.” Commissioner Lucas asked “Do you have the Option 1 maps?” Chairman Hall responded “She does not have any of Option 1 on the wall. She will have to show it to you up here.”

Mr. Mel Battle asked if there were any roads that were split for different voting districts. Chairman Hall responded “Yes.” Mr. Battle asked if they are opposite sides or part of the road. Chairman Hall responded “Probably both. I am sure there are opposite sides after looking the maps.” Mr. Battle asked if there were more before or now. Chairman Hall responded “I don’t know if there is more.” Mr. Battle asked if Ms. Edwards could answer if there are more roads divided now than before. Ms. Edwards responded “To be honest I have not looked road by road. District 2 tended to spread out. The new Option 2, the new redistricting plan will not do that as much. It kind of brings the districts back together. I cannot tell you for sure but I am hoping that you will see less of that where one side of the road is in one district and the other side is in another because we don’t have it spread out quite as much.”

Chairman Hall stated "Mr. Battle I don't know if you can see where the green and brown meets. It looks like Blanch Road is split one on one side and one on the other. I am sure all over the county we have the same thing. We have a lot of roads like that."

Ms. Edwards stated "This is what we call Option 1. Option 1 is just where we started. We said what do we have to do just to equal out the districts. Just to make the population within 10% of each other in all five districts. We were not looking at race. We were not looking at the Section V rule. We were just looking at equaling out the population. All we really had to do was move three blocks to equal the population. But Caswell like a number of counties you have seen the population moving about and by race it has changed in 10 years. Some of the same areas that were dominantly a minority in 2000 may not necessarily be minority now, dominantly minority. If we do Option 1 it will not get you to the Section V rule of having two majority minority districts with more Black/African Americans than whites."

Commissioner Lucas asked "Specifically which two?" Ms. Edwards responded "The two majority minority districts were 3 and 4. 4 did not have as many Black/African Americans as Whites now. I don't have those numbers in front of me."

Chairman Hall stated "There are two things that this Board will have to deal with. The 10% is related to the "one person, one vote" rule in general and it covers the whole US. The second part is dealing with the Section V, the majority minority districts 3 and 4." Commissioner Lucas asked "What criteria do you use for that population? Is there a number?" Chairman Hall responded "No." Commissioner Lucas continued "It just has to be a majority? Can it be one person? Is that correct or does it have to be by a percentage?" Chairman Hall responded "That is more of a legal question. As I go back and recall what the consent decree, said it said it is a substantial majority minority, so by one person, to me, would not be substantial. This Board will have to decide." Mr. Ferrell added "For purposes of Section V with the Department of Justice submittal is going to be partly concerned of is has there been retrogression in regard to minority voting practices in the county. So in essence are you going backwards from where you were and so that is something that does factor in to this second prong of redistricting when we are trying to satisfy the preclearance requirements in making our application. That is one thing we will have to discuss is to what extent, if any, there has been retrogression based on the new districts." Commissioner Lucas asked "Have we answered that question?" Mr. Ferrell responded "No, we don't have a map yet. Until we have a map and run the numbers with the help of the Council here we will not be able to have that analysis for you." Chairman Hall added "We have answered that question in theory just by looking at the census make up of the data. The data as is there is retrogression but we have to fix that."

Citizen 4 asked why he could not vote in any precinct he wanted to. Chairman Hall responded "Federal Election Law, sir, it just does not allow it." The citizen continued to say that people visit his store in Providence and they do not vote because they have to drive to Pelham to vote. Chairman Hall responded "I understand but it is the Federal Election Law."

Mr. David Byrd asked Ms. Edwards "Did you draw these two maps?" Ms. Edwards responded that they started with the Option 1 map which was to equal out the population in the districts.

With Option 2 she tried to get two majority minority districts. Mr. Byrd asked Ms. Edwards if she was familiar with the geography of Caswell County. Ms. Edwards responded that she was not. Mr. Byrd asked Ms. Edwards if she used any geographic things to make the lines or did she just use roads. Ms. Edwards responded "You start with blocks. I can't just use roads. The Blocks is how I know the population that is in this area, what their race is and their age. We initially started with how things are now and then went from there." Mr. Byrd added that one person that lives on one side of the road had to vote in one district but the person on the other side of the road had to drive somewhere else to vote in another district. Chairman Hall stated "Let me say this in respect for Ms. Edwards, she only did database work that we requested. This Board and the School Board will make the decisions and the reason we are having the public hearing is if you have comments we will get them down and as much as we can we will deal with those comments. Anybody that has been around a while knows that roads and communities have been divided for the last 30 years. I know that because I have been here for 30 years. We will have to deal with that as best we can. We all understand the ramifications. That is just the way it is but the comments will be taken under consideration as we work through this."

Citizen 4 asked how much voting power the School Board would have. Chairman Hall responded "The School Board will have as much voting power as we do on a portion of this because the Section V, the federal order that we have to comply with involves the School Board. In the 1980s the School Board and the County Board of Commissioners were sued separately and collectively. The consent decree was agreed upon by the County Commissioners and the School Board so moving forward the School Board has to be involved."

Commissioner Carter stated "Mr. Chairman I would just like to point out one thing. This Option 2 may affect as far as the School Board and the County Commissioners some board seats. They have to go in some different districts. I noticed that when I looked at it. To answer Jimmy's question where part of Yanceyville District 2 is in Providence now under this Option 2 it will not be in Providence. It will take in more of Leasburg and Hightowers and that area."

Chairman Hall stated "That was a very good comment on the seats of sitting board members. That is something that should be in our notes. As we work on this we have to make a decision again on how to deal with it. Statewide, I know, the lines have been redrawn and sitting members of the legislature have been changed or wiped out but again that is a collective decision of these boards."

Commissioner Carter asked "Is it mandatory that we have to choose Option 2? They cannot stay like they are now?" Chairman Hall responded "It cannot stay as it is now because the numbers of the citizens have changed. The only thing that these boards have to do is redraw the lines. This is just the jumping off point. This is to give us an idea of what we have to work with. This is not mandatory here."

Commissioner Lucas asked "We currently have 2 majority minority districts. Those numbers did not change or did they change?" Chairman Hall responded "They changed." Commissioner Lucas continued "They did change. So we will be creating two additional or are we trying to preserve those two." Chairman Hall responded "Preserve those two."

Ms. June Dailey, Chair of the School Board came before the Board and made the following statement:

“I was glad to hear you say that this is a jumping off point because typically when there are public hearings it is because a decision has been made by the Board and the public comments are a formality. Our board, all we had seen was just the two options, Option 1 and Option 2 and we were in hopes that this project would be worked on jointly as it had been in the past so that there would be an agreement between the two boards and the lines redrawn to continue representation within the same districts instead of the School Board having one district and the Board of Commissioners having a separate district line. We felt like it was an extra expense to the citizens of the county if this was to happen and also very confusing to voters. We hope that you would consider allowing the School Board the opportunity to work with you in redistricting so that ultimately there will be lines agreeable to both boards. Ten years ago when we went through this there were numerous meetings. They were joint meetings. There were numerous options before we all came to a consensus of something that everybody could live with. I hope that we will have the same opportunity this go round. Thank you.”

Chairman Hall stated “It is my plan and I am sure it is the Board’s plan that we do work together on this. We have been quite busy during this summer for some reason. We wanted to go ahead and have the public hearing so we could get started with the meetings. One of the things we are going to be up against us, all of us, the School Board and the Board of Commissioners is getting whatever we decide upon cleared through the Justice Department. There are forty other counties in North Carolina alone and probably hundreds in the southeast that all have to be cleared by January. I don’t know how they are going to handle it all by January. It is probably going to take us another month or so to go through our process but we will do that.

Chairman Hall asked if there were any others who would like to speak at this time. Chairman Hall thanked everyone for their attendance and for their participation. Chairman Hall declared the Public Hearing closed.

PUBLIC COMMENTS

Chairman Hall opened the floor for public comments.

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

“David Hughes, 1878 Shady Grove Road. I stayed out at Hyco again this past weekend, nothing has been done. I understand now that you have finally received an audit. There is \$400,000 in cash assets sitting there. Nine hundred and some thousand total. I would like to know why the Board or whoever has control is not doing something to help our community out there. A lot of people like myself do not have the money to run back and forth to the beach but I can take my family camping but it is terrible conditions. Now I understand that entertainment cost has run over on this last audit along with other things. Is anybody going to address this situation? I mean come out and look at it. Take a picture of the potholes, when the grass is that high and the snakes are crawling. It is not safe. That lake should be drawing a lot of people out there and it can be upgraded with the money we have where it will more than pay and bring revenue in out

there. That is what I would like for someone to jump up and do something on and find out why Mr. Newton is late on audits, going over his budgets, and does not care about people like us camping. He cares about everybody that lives on that lake that has a whole lot of money, a lot more than we do, well people like me. He is not taking care of the citizens of this county. Thank you.”

Chairman Hall asked if there were any others who would like to speak at this time. Chairman Hall closed Public Comments.

APPLICATION FOR PROPERTY TAX EXEMPTION

Chairman Hall stated “We had this on our agenda back during the Board of Equalization and Review and at that time we asked the applicant to get with our Tax Director. It was my understanding that we were going to follow one process but as I conferred with our counsel and looked at our Rules of Procedure the process requires two things. It requires #1 that an application be filed and we have that. Well it requires three things. #2 that this Board agrees to accept a late application and then #3 we respond to that application. It was my understanding, fellow commissioners, that back during the Board of E&R, Equalization and Review, that we had agreed to accept the late application however I think for the record we need to vote on this again. One of the things we did was we closed the Board of E&R because counsel told us we could handle this as the Board of Commissioners. What I would like for us to do this evening is to vote to accept or deny the application and then move forward at a later meeting to deal with the appeal.”

Commissioner Jefferies moved, seconded by Commissioner Battle to accept the late application.

Mr. Ferrell stated “The statute that allows for late applications requires that there be a showing of good cause made by the applicant for the late application so there could be a recitation of that good cause in the motion for the record.” Chairman Hall responded “I think the good cause was during the Board of Equalization & Review we requested the applicant to do this back in May and he did. It was filed the later part of May from what I can see with what is in our packet. It just did not get back to this Board. We will let the records show that this was part of the motion.”

Commissioner Satterfield asked “Mr. Chairman what is the normal deadlines for applications on that?” Mr. Ferrell responded “It is prior to the end of the listing period. The Tax Assessor can confirm when the listing period expired.” Mr. Thomas Bernard, Tax Director, stated “January 30th.”

Commissioner Lucas asked “Did we review the E&R minutes to see what we determined?” Mr. Ferrell responded “I did look at the minutes and it was not clear. There was discussion back and forth about the application coming back to the Board of Commissioners. There was certainly a discussion on that point. It was not clear to me that there had been a motion particularly on what you are doing tonight which was there a good cause to accept a late application. The record in my view was not clear on that point so that is what you are doing tonight if you so choose.”

Upon a vote of the motion to accept the late application, the motion failed by a vote of three to four with Commissioners Carter, Lucas, Satterfield and Travis voting no.

MULTIVISTA CONSTRUCTION DOCUMENTATION

Mr. John Lea stated "Thank ya'll for allowing me to come in and brief ya'll on our capabilities and what we reviewed with Kevin on our services and what we are providing throughout the country and across the state as well. We are providing a service and a toll by sending out photographers. We are taking digital photographs of the entire construction project of every wall, ceiling and floor. We start at the beginning of construction all the way through to completion. Within 24 – 48 after pictures have been taken we upload them to our service and you can log in online. We link them to the floor plans or architectural drawings. These are being used by project teams, the architect, the general contractor as well as the owners to help communicate and to help to use as a documentation resource by giving you detailed visual as built photographs of what is in your walls. They are using them to help eliminate unforeseen conditions that occur, cut back change orders as far as discovery costs. If a handrail falls out of a building an inspector is going to ask you go in and verify that there is backing for that handrail. Our documentation is being used to help go in there before they go in and actually rip out the wall and pay to do that and the time that it takes to do that they are using this tool to help navigate through the building and verify exactly what is behind that wall. We are currently working on 83 projects here in the state. 15 of the 16 state institutions, universities, we are working with healthcare, county governments, and this is specifically in reference to the Caswell County jail project. We are currently documenting three other detention centers from Greensboro east, the Guilford County Detention Center, the Durham and Wake County. We are providing this service as well on a K-12 project and on local, county, federal and state government. We have worked with the head of state construction, Greg Driver, develop specifications for our type of service to be specified into the design process based on the value we are bringing our clients. Our proposal is to come out and to document this project and ultimately hand over on a disk this documentation to allow you to operate and maintain that building for the lifespan of that building. We have countless references as well as specific documentation on how our documentation has saved the owner a lot of money with regards to mitigating issues which could occur and ultimately cutting the cost of the maintenance of that building. With this specific project we have a full scope of services but our services are a la carte in a sense. (Mr. Lea showed the Board and the citizens photographs of past projects). We follow a scheduled. We come out at the point of concrete after inspection. We are taking overlapping photographs of your slats. You can click on a photograph and it will show you how the walls came together, all your systems inside the walls, how the windows came together, what is under your slab and what is in your ceiling. If there is an issue of water intrusion you can evaluate that by using the documentation. As you can see these arrows, they are specific hot spot locations. Each arrow is where the photographer has stood to take a picture. You can view a slide presentation which will allow you to view the entire photograph. This process is hosted on line throughout the duration of the project. At the completion of the project I would come in and educate the facilities team or whoever would be maintaining that building and show them in a 30 minute presentation what we have documented and then they can use that to help maintain and operate that building. We would turn it over and they would host it on their computer. You are not purchasing any software. It is just index files of photographs linked to the drawings. As far

as the simplicity of that it was our goal to help make it user friendly. We have the thumbnail photographs which show the order of what was taken and then you can print, email and make comments. You do have the ability to zoom in to great detail to the point that you can read what is needed. Do you have any questions as to what we would be providing for this project as far as scope or exactly how we would turn that over?"

Chairman Hall stated "Thank you for this information and this presentation. I know we all have to have time to kind of chew on this so what we will do depending upon the interest of the Board we will put it on another agenda for action. We do appreciate you coming in and explaining what you do." Mr. Lea responded "Thank you and just so you know on our website there is a 15 minute video that will show our process as a visual tool. This may help out with your decision as well."

APPLICATION FOR PROPERTY TAX EXEMPTION (Comment)

Reverend Everett Dickerson came before the Board and asked "May I ask the Board a couple of questions? I am listening to your discussion, are you saying that we should file by January 30th of next year for you to hear this issue again? Is that what I am hearing?" Chairman Hall responded "Yes." Rev. Dickerson asked "May I ask you if there has been any precedence set where you have in the past considered some tax relief for some businesses in this area or in your jurisdiction?" Chairman Hall responded "I don't think so, not in the amount that you are requesting." Rev. Dickerson continued "We may not have made this clear but we have asked for a tax exemption however in our present state we would certainly accept some tax relief. It is my understanding that you have done this in the past." Chairman Hall responded "I better not speak out of school but according to our procedures that can be addressed. We can address it. I am not aware of..." Rev. Dickerson asked "After the application in January?" Chairman Hall responded "After or before, if it is something different."

RECESS

The Board held a brief recess.

PIEDMONT COMMUNITY COLLEGE'S MEMORANDUM OF UNDERSTANDING

Mr. Howard stated "Originally PCC had presented us a MOU to look at. Brian and I looked at it and Brian kind of reworked it to add some more language in there. I think that one issue is the parking over there. It is limited at the moment but this MOU allows for their use of the building to grow as we can increase the parking around the building."

Mr. Ferrell stated "I talked with President Bartlett last week and he said that he would be here tonight to see this through to the end. He has come before you several times. He is in another county with another agreement tonight but we did talk about this document back and forth several times. It is an agreement that incorporates the general terms that have been before you several times about the occupancy for Guilford Mills. I will be happy to answer any specific questions."

Chairman Hall stated "We do have PCC representatives here. Dr. Bartlett just could not be here."

Commissioner Battle asked "When it comes to Section II, paragraph B. 'Provide minor maintenance for the interior of Guilford Mills. Minor maintenance is considered to be any repairs costing less than \$1000 per occurrence and \$5000 cumulative'. I did not see anything that said that this was something that our staff needed to look at before they fix it or is that something that they fix. I am not saying that they will do what I am about to say but to prevent small things from adding up to that \$5000, I was just curious, let's say the rest is the county's burden for the rest of that year. Is there anything in there for that?" Mr. Ferrell responded "The way it reads is just as you read it. The County is going to have obligation to maintain the housekeeping for instance. The county will still have access to the building certainly to the extent if there is preventative maintenance that the county wants to do nothing will prevent it from us doing this in the agreement. The section you referenced was just to set forth really the expectation on the minor repairs the community college will take care of but when those repairs creep up and get over the threshold the county would be responsible so nothing would prevent the county from performing their preventative maintenance on the building." Commissioner Battle continued "Will they check with the maintenance staff before saying I need to repair this? That was my question." Mr. Ferrell responded "I see what you are saying. Would they let the county know they we are about to do some repairs. This agreement does not specifically call for that. I would fully imagine that the community college would not have a problem with giving that information over if it was important but it is not in this document."

Commissioner Lucas stated "Brian in Section E. the county agrees to 'pay the following utility costs: gas, electricity, water and waste disposal' do we have estimates on these?" Mr. Howard responded "We imagine they are still going to be pretty comparable to what we were paying before. We paid for that when the vocational trades was there. We have it budgeted to continue paying the costs that are over there. We are required to do that by state statute usually by providing them the money to do that or by paying for it ourselves." Commissioner Lucas continued "You have the option of paying \$15,000 per year to assist PCC in offsetting those costs or paying them directly." Mr. Ferrell responded "Right, the county has an option built in here if it decides that they would rather turnover certain obligations that you see listed in A through F really to PCC rather than doing it themselves. PCC would like some funds to be able to pay those costs that we put to them. The county would have that option if they would prefer to reimburse this \$15,000 to PCC it would alleviate the obligations, except for the parking, in A through F." Commissioner Lucas asked "Except for parking?" Mr. Ferrell responded "It says 1.A-F. Let me just read carefully through this. It is an option you can either provide these things yourself as the county or reimburse PCC \$15,000 for them to do it themselves." Commissioner Lucas asked "My question was how would we know the numbers?" Chairman Hall responded "I think probably the best correct answer is when we first started negotiating with Dr. Bartlett he asked for this."

Commissioner Lucas asked "This agreement with the terms of 9 years, does that seem like a lengthy term on a rental lease?" Mr. Howard responded "The reason behind that is that PCC is going to incur an expense in retrofitting the building. They are going to be adding some walls and other items to the building to make more classroom spaces. It is really a large room right

now. What they are looking for is time to make use of those improvements because they are going to be putting money in the building. They did not want two years from now and they have put \$30,000 in the building and for us to say we want you out because we are going to use it for something else.” Commissioner Lucas continued “The part of the building they are going to utilize is the office section and not the warehouse? Is that correct?” Chairman Hall responded “That is correct. It is where the vocational trade was.” Mr. Howard added “Not where the mental health is. If you are looking at the building from Wall Street it is the very far section on the left. There is a door that goes into the corner of the building. There are some offices in there but there is a secured door that separates them from the mental health section.”

Commissioner Lucas asked “Did we come to an agreement about parking or a solution on parking?” Mr. Howard responded “I think in a previous meeting I talked about the church and they said they were open to the idea of allowing us to make improvements and to use the church for parking. I sent them a letter requesting a meeting to do that. I have not received a response to that yet. What we are talking about in this agreement is both sides have to agree that there is sufficient parking with what they want to do in the building so they cannot expand over what they are doing currently in the Senior Center building until we have the parking to handle any expansion. That will give us time to work out the things with the church and possibly do other options in the future if we need to.”

Chairman Hall stated “I interpret Section F to mean that the college understands that parking may be short. They need the space for classrooms so if that is the case or when that is the case they will handle it through offsite parking or through some other transportation means. What they are saying is we are not going to hold the County responsible for the parking.”

Commissioner Lucas asked “Chairman Hall what is the total cost to the county if we elect to pay them the \$15,000? What are the other costs?” Mr. Howard responded “If we elect to pay the \$15,000 they are using the building. They will provide the housekeeping. They will pay the utility costs, water and sewer and electricity. The electricity is actually divided up based on the square footage of the space. There are two meters on that building.” Commissioner Lucas asked “Will we provide the insurance?” Mr. Howard responded “Yes ma’am. We would provide that anyway because we own the building.”

Commissioner Carter moved, seconded by Commissioner Jefferies to accept the Memorandum of Understanding as presented.

Commissioner Satterfield stated “Mr. Chairman I would like to see us amend the motion to pay the \$15,000 to cover the items A-F. I don’t think we have enough people on staff to go up there to do the housekeeping services for them. Let’s just let them pay for items A-F, the utilities, the housekeeping and so forth.”

Mr. Ferrell stated “You have a main motion and a second motion if you will. The first motion is to approve the agreement. The second motion is to amend the motion as Commissioner Satterfield said. Those are your two motions unless whoever made the subsequent motion wants to incorporate that into their motion.” Commissioner Carter responded “I would like to incorporate that.” Commissioner Jefferies agreed to amend the motion as well.

Chairman Hall stated “The motion was made by Commissioner Carter and seconded by Commissioner Jefferies and they agree to incorporate that into their motion. The motion now stands to approve the agreement and to pay the college \$15,000 instead of providing these services. Is that clear?”

Commissioner Battle asked “How does that affect our budget Mr. Manager?” Mr. Howard responded “We can adjust that. Part of that would be absorbed through the utility costs. We have enough money in our budget to pay the utility cost based upon prior usage. That money can be shifted to them to pay for the utilities for that section.” Commissioner Battle stated “So the money that is in the utility budget will take care of this for the year.” Mr. Howard responded “It will take care of the majority of that I am sure and the other few thousand dollars we will bring back an amendment for you to approve to move from some other areas of the budget.” Commissioner Battle asked “And you feel it is cheaper to do it this way?” Mr. Howard responded “I don’t want to give you that answer tonight because I am not sure how much the utilities were. But if you count in the employees time for having our staff over there to clean that building it would.” Mr. Ferrell added “I just wanted to point out to you that the maintenance of the foundation and the roof will still be an obligation of the County even though that is one of the items listed in the items A through F. In G that obligation is retained by the County even with the payment.”

Commissioner Lucas asked “Is this for the nine years of the lease or is there something in the lease that allows for them to change that amount?” Mr. Ferrell responded “The agreement can be terminated prior to 9 years if that is what you are asking but as for this agreement the \$15,000 would be the amount to be paid.” Mr. Howard added “Unless they came to us during the budget process and asked for an increase. It is part of the budget process and that would be up to this Board. There is no automatic increase in this contract.” Commissioner Lucas asked “For clarification purposes just for me. They are moving there because we are moving the Board of Elections to where they currently operate. Is that correct?” Mr. Howard responded “It is kind of twofold. One there is not enough space for them. They do not have enough space to do all they want to do here in their current location. Ya’ll have voted to move the Board of Elections into that space. There is not enough room for them to stay there doing what they are doing and for the Board of Elections to occupy that building.”

Upon a vote of the motion to accept the Memorandum of Understanding as amended, the motion carried by a vote of five to two with Commissioners Battle and Lucas voting no.

COUNTY ATTORNEY’S CONTRACT

Chairman Hall stated “We have talked some about the agreement and about the contract, all informally. We did not take any action and I think we are now at the point that we need to act on this contract.”

Commissioner Jefferies moved, seconded by Commissioner Carter to accept the attorney’s contract as presented.

Commissioner Lucas asked "Just for clarification. As far as needing legal counsel in the event that we have litigation for the county, I think the contract says that we would hire outside counsel. Is that correct?" Mr. Ferrell responded "That is generally the way it would work and we could consult on a case by case basis as that litigation arose and I could provide you my best recommendation about how to proceed in any particular litigation in the matter." Commissioner Lucas asked "Is this for a term of one year?" Mr. Ferrell responded "That is correct. It is important to note that I serve at the pleasure of the Board and that agreement can be terminated at any time, for any reason or no reason."

Upon a vote of the motion to approve the county attorney's contract, the motion carried unanimously.

SUPERIOR COURT JUDGE'S ADMINISTRATIVE ORDER

Chairman Hall stated "The next item is the Superior Court Judge's administrative order as it relates to parking around the courthouse. I put that on the agenda because the order was issued right around the end of June effective July 1. I spoke with the Superior Court Judge but my communications with him were one of a personal nature because I had not conferred with this Board and I had not received any direction from this Board. So what I wanted to do was put this on the agenda for the Board to decide what actions, if any, we would like to take and then we can just move forward."

Commissioner Battle asked "What are our options?" Chairman Hall responded "Well you always have the first option of doing nothing. The next option and this is the option I took from a personal standpoint is to express my concerns to the judge that he did not give us an opportunity to deal with the parking problem. I understood why he did it but this order was issued the 29th effective July 1. We were well aware, because staff had informed us, of the parking situation that may arise and we were working on it. Personally I would have felt better if the judge would have given us some time to work it out and to have been able to put up a plan ourselves and then move forward."

Commissioner Carter stated "First of all I am going to say it is this Board's fault because a year ago last July we contracted with the Town of Yanceyville to use their parking lot. We had a year to do something about the parking and we chose not to do anything about it and of course this has brought us to this state now. I think we were lax on it and we should have done something a year ago last July and we would not be in this fix now. It is going to get worse because when we starting building the new detention center we are going to lose parking there."

Commissioner Battle asked "Just to understand, the parking spaces that he commandeered, were they already spoken for as far as could anybody park there or was it restricted parking already?" Mr. Howard responded "It was restricted parking for the court and county employees. The two side lots have signs up that state employee parking only. The parking at the front at the steps has always been public parking. There are no other designations for any of the other parking around the building." Commissioner Battle continued "So with this other, I understand the ramifications of what he did, but did the county lose any parking with this order?" Chairman Hall responded "The way I interpreted the order, when you said did we lose any, if you mean for all county

employees, yes in essence what he did was designate that lot for judicial employees only. So that means that other offices in that building according to this order are not to park there.”

Commissioner Jefferies asked “Does the county manager have a recommendation?” Mr. Howard responded “How to handle this or how to handle the parking? How to handle the parking is the next item on the agenda. They kind of go hand in hand. My recommendation takes into account this order being in affect and not being accessible for public parking as we try to shift folks around to accommodate the public.”

Commissioner Lucas asked “This is for Brian. It is my understanding that the Historical Association had to give up property for the purpose through eminent domain of constructing that parking lot. My understanding is that eminent domain is for the purpose of public good so would we have any recourse as far as pursuing it from a legal standpoint since the Town has failed to keep up their end of the eminent domain?” Mr. Ferrell responded “I want to make sure that I understand your question. Are you talking about the parking lot that is the subject of this order or another lot?” Commissioner Lucas responded “I am talking about a separate parking lot.” Mr. Ferrell continued “I will have to look back. You know more history about the condemnation action than I do so I will have to go back and look at how that was done before I can offer you much comment on the history of the lot since it is not the subject of this order. I can do that if that is what the Board would like for me to do.”

Commissioner Lucas stated “I would like to know how that would play into the order as well. I mean at some point by providing additional parking in this case.” Mr. Ferrell stated “It may or may not play ultimately into the decision here about the adequate parking. The County is required to provide adequate court facilities. That is a statutory obligation that it has and essentially what the judge here is saying is he is taking that to mean there is inadequate parking and he is going to provide for it through this order and that is what is front of you here.”

Commissioner Satterfield stated “Commissioner Lucas I was on the Historical Association board when they did that and I don’t remember them condemning the land. It was a small strip of land down there right in front of the current courthouse that ran up, if you will remember, as a gully. It really was a gully in essence.” Commissioner Lucas responded “I was told it was taken by eminent domain.” Commissioner Satterfield responded “I don’t remember that but I could be wrong. It was a small strip. That is what it was, right in front there. It was not the entire parking lot by any means. It was a small strip.” Commissioner Lucas stated “I would be interested in finding out for sure.” Chairman Hall stated “We will get that information and provide it to counsel and counsel can go further with it and tell us what the possibilities are.” Commissioner Satterfield stated “I was thinking that we made some type of agreement with the Town or some type of exchange or something on that but I could be wrong.” Commissioner Lucas stated “I would like to know for sure.”

Commissioner Travis asked “Where do we stand with the parking lot down at the old Town Hall?” Chairman Hall responded “Let’s finish Item 10 and we will address that during Item 11. So for Item 10 again my rationale for putting this on the agenda was to determine, as a Board, do we want to respond in any way to the administrative order? That is basically the question.”

Commissioner Carter stated "How would we respond to a Superior Court Judge when he has the authority to make the rules. How would we respond?" Chairman Hall responded "Well we can take a look at what the rules are. Again my personal response to the judge was that I would have appreciated it had he given us the opportunity to handle the problem. I am not suggesting that we go out and do anything wildly or crazy. I just wanted to know how this Board wanted to move forward. As I mentioned to Mr. Battle when he asked about our options, one option is to do nothing. One option is to express the Board's feelings about the action as a Board."

Commissioner Lucas asked "I am just curious as to could he not issue an order to the Town to open that parking lot?" Mr. Ferrell responded "I don't know that he couldn't do that. He chose not to." Commissioner Lucas continued "He summarized this whole order around the County's relationship with the Town improperly." Mr. Ferrell responded "That is certainly true." Commissioner Carter added "It is up to the County to furnish the parking. It is not up to the Town." Commissioner Lucas responded "I understand that Bill completely." Commissioner Carter continued "I will say this they are still using the Town Municipal parking lot and the Town has not towed anybody." Commissioner Travis responded "The Town Manager has stopped the parking." Mr. Howard added "They have not towed yet but I know on at least one occasion they were stopping people from going in there to park." Commissioner Lucas stated "I would request that an order be issued to the Town to open the parking lot to the public." Chairman Hall asked "Could we do more of a fact finding question to the judge rather than a request?" Commissioner Lucas responded "Whatever it will take."

Commissioner Battle stated "I did not know if you needed that in a form of a motion. I am in favor of responding to the Judge. I don't know if we can handle this matter ourselves or as you stated a fact finding of this whole parking situation. I didn't know if you needed that in a form of a motion or not?" Chairman Hall responded "I wanted to get the Board's feelings and thinking on this. My thoughts all along would be to ask the Judge to let us handle it. Give us a shot at it. Number one is it our job. That is what we are supposed to do. Number two it would give us the opportunity to try to build a better relationship with the judicial system rather than to get the judge and his office pulled into a situation between the Town and County." Commissioner Lucas added "And a better relationship with the Town possibly." Chairman Hall stated "That was kind of the way I was thinking but I wanted to hear from the rest of the commissioners."

Commissioner Carter stated "I read over the judge's order and I agree wholehearted with it. I do want to point out one thing. It does not come out of county funds. He said the money comes out of court fees. We did not have this problem when we were working with the Town. I don't know what all happened with the County and the Town but we would not have this problem if we were working with the Town and paying them the \$2500.00. We had use of two parking lots, the municipal parking lot and the old town hall parking lot which provided about 85 spaces. According to what I read in Judge Smith's ruling it comes from court fees and not from county dollars. I noticed he pointed that out in his ruling." Chairman Hall responded "Yes sir. Just as a point of reference these dollars are under the direct control of the Caswell County Board of Commissioners. We have the same stewardship responsibility of those dollars, notwithstanding the source, as we do for ad valorem taxes or any other dollars that are under our direct

responsibility. So that source in my opinion is not valid. We have to make decisions, I think, that are in the best interest of all the citizens of Caswell County.”

Commissioner Satterfield stated “Mr. Chairman I think it is time to put it to rest and to go ahead and do what we need to do on the parking and leave the judge and everybody else alone. We chose not to contract with the Town. We knew that in May or April when we started discussing the budget. We said we were not going to pay the \$2500. I guess the judge, in lack of hearing something official from us, decided that he was going to make sure that the judicial employees had a place to park there and that were not going to be shifted over to the recreation parking or wherever. It did not really change, if you will look at Items 2, 3, and 4 on his order. It says the judicial people and employees can use the lot. That was who was using the lot to start with, the judicial people and employee, so the use of the lot has not changed from what it was. They actually have signs up down there for the judge or judges but this order really did not change as far as keeping the employees out of there or anything. The same people that park in there are going to continue to park in there. I think that his concern was somewhat that we were going to ask everyone in that courthouse to move over to the recreation park or to move wherever. We just need to go ahead and take care of our parking problems and let it go.”

Commissioner Battle moved, seconded by Commissioner Travis that the Board respond to the Judge’s order in the form of a written letter by the County Attorney or County Manager with fact findings and ask him for the ability to handle this matter at the County level if the Judge chooses to grant us that. The motion carried by a vote of five to two with Commissioners Carter and Satterfield voting no.

COURTHOUSE PARKING

Chairman Hall stated “We will now move to the next item which is Courthouse Parking and we will hear the County Manager’s recommendation on how to deal with the parking now and in the future.”

Mr. Howard stated “You have a memo in there. I am not going to go through that but I can answer some questions about what it said. Basically in the short term we do not have enough spaces over there when court is in peak session to handle everything and this is including the recreation parking spaces. Let me rephrase that. Once the detention center starts construction and we lose those 50 or so spaces there is not enough county owned spaces in both places to handle all the parking. Now with that being said, you are looking at a peak of about two to four hours a week where we need all that additional parking. What we are looking at right now, the architects are laying out what needs to be closed off for construction to see what areas we can free up that is currently grass that can be used as temporary parking now and it can be possibly turned into parking once the construction is completed. My recommendation right now is to free up the two upper lots or really the one lot at DSS because we really cannot do anything with the west parking lot based on the order that is standing right now. Get those employees to shift down to the DSS and Health lots. Currently EMS uses some of those lots right now but we will get them to shift over to their lot and then on the recreation lot. Whatever lots that are left over will be for the public in those lower lots and recreation.”

Chairman Hall stated "In your memo you suggest, you said on the days we have court, why not make it a permanent change? Permanent, meaning, let's not require people to try to keep up with the court days. Why not say certain staff park here all of these days?" Mr. Howard responded "We can definitely do that. The reason behind that is some do make deposits and things in the afternoons, it is a safety concern to have them park closer to the building. That was the reason for that." Chairman Hall stated "We are only talking about two or three employees. I prefer something permanent. Permanent in the sense that it is easier to follow than for anyone to try to watch the schedule to see when they can park where. I personally would like to see a plan that says this is the way we are going to structure parking."

Commissioner Travis stated "I agree with Mr. Hall. This is going to be a mess. You just need to tell the people where they need to park and have them to park there."

Commissioner Carter stated "The only thing I am going to say is when you have District Court going on and you have Superior Court going on and you have Civil court, when you have all three courts going on there is not enough adequate parking." Chairman Hall responded "That is why I am suggesting to the County Manager to make a permanent decision to free up spaces for court. Some days the lot may not be full but we won't have to worry about anyone trying to keep up with what courts are going on." Commissioner Carter stated "We did not have to worry about it before when we had an extra 85 parking spaces at the old town hall parking lot and the municipal building." Chairman Hall responded "I understand."

Commissioner Lucas asked "What did they do when those parking lot were full?" Commissioner Travis responded "Parked on the side of the street." Chairman Hall added "There was a lot of parking on the street that the Town has since stopped." Commissioner Carter stated "Before we had that old Cole Street open where the old Cole Chevrolet building was. They could park down there but since all of that happened the street has been closed." Chairman Hall stated "I will say that for those of use that got together last week to go tour the buildings we did have some informal discussions about parking. I will request that the County Manager bring something else back to this Board. As I looked around and in my opinion the county owned sufficient land for parking in town. If we look at our lots they are not laid out to get maximum use. We have a lot on the east of the courthouse at Social Services that has a big empty space with a couple of huge trees. We have lots somewhere else that has open space. In front of the courthouse, we could probably double the amount of parking spaces in front of the courthouse just by taking out the hedges and doing some things. We can't dwell too much on what used to be. What we have to do now is deal with the parking and I think we have ample space to deal with it. The issue right now is what do we do in the short term." Mr. Howard responded "I did mention some of those at the end of the memo, the other lots we have in the area that can be used for parking."

Commissioner Carter stated "I think this Board needs to sit down with the Town Council and work something out with the parking until we get some parking lots established and built."

Chairman Hall asked "Thoughts from the Board on the county's recommendation being set permanently and not set by days. We heard from Mr. Travis. Are there others that think that we should set a plan so that the employees will know where to park and when to park? It appears

that there is a consensus; do we need to vote on it? The County manager has the authority to do this. How soon could you get this out and staff be given time to adjust?" Mr. Howard responded "The memo can go out tomorrow and we have a staff meeting on Wednesday." Chairman Hall stated "So by the end of the week this should be handle?" Mr. Howard responded "Yes sir."

Commissioner Travis asked "What is the status of the old town hall parking lot? The way I understand it the County gave it to the Town to be used. When it was not being used it was to come back to the County." Mr. Howard responded "We researched it in the commissioners' minutes of that time and the property was given with the condition that it would be used as public parking or it would revert back to the County. As we looked at that and went and pulled the deed there was never anything placed on the deed requiring that. We have made a request of the Town for their minutes to see if they concur to what is in our minutes. We have not received those minutes as of yet." The Clerk informed that Board that she had emailed Haynes Brigman, Town Manager, to request the minutes on that. Mr. Brigman is supposed to email those minutes as soon as possible. Mr. Howard added "That is their minutes that occurred around that time to see what they agree to when they took over the lot or were given the lot." Commissioner Travis stated "I think this is something that the Board needs to follow through with to find out for sure if we have the right to take that land back." Mr. Howard responded "We are researching that now." Chairman Hall stated "I agree with that. I have had discussions with staff and that is why we requested their minutes. It is not that simple but it is another jumping off point. Once we gather as much information as we can about the transaction then this Board will confer with our counsel on the best action to take. But right now our minutes indicate that this was the deal. We are trying to find other documents to support our minutes."

Commissioner Satterfield stated "Mr. Chairman I would like to say this. I think it would be in our best interest and the Town's best interest, the citizen's best interest for us to have a joint meeting and to try to work out some of these differences we have. Our intentions were for that parking lot to stay a public parking lot. We know this and they know that. Legally I don't know what the county attorney will come up with but not only that our Board of Elections has asked them for some office space for a polling place. There are just too many things that we need to work together with the Town of Yanceyville for us to have this in fighting with the Town over parking lots. We ought to be able to work out what is in the best interest of the citizens of the county and that includes people in Yanceyville and everywhere else. We just have not made the effort I don't think to sit down and really have a discussion with the Town and to work things out." Chairman Hall responded "Mr. Satterfield I am going to disagree with you."

Commissioner Satterfield stated "Well we haven't since I have been on the Board." Chairman Hall responded "We have made the effort. The only thing that we can do is with what we control within the parameters of the county commissioners. Now I know for a fact that we requested a sit down with on the antenna situation and that was within the last month and they refused to sit down. I agree with you. I agree we should try to meet with them. Notwithstanding that we have to continue to be prepared to move forward."

Commissioner Carter stated "I agree with Commissioner Satterfield. About a year or so ago the Town Council and the County worked well together. Somewhere after last year things went haywire. I don't know if it was over this parking lot or what. We do need to work together and

we do need to have a joint meeting. I think it is our responsibility to provide parking for the citizens of this county and other people who are coming to court. I think we need to sit down and have a meeting with the Town about the parking and other matters. The Town and County needs to work together. I will have to say that I think it has been on this Board's part that we have not been able to work with the Town." Commissioner Travis responded "It might be our responsibility to have parking over there at the courthouse but some of the people that go over to the courthouse live in the Town of Yanceyville. There is not a sign there that says if you live in Town you need to park across the road." Commissioner Carter stated "I just said it is up to us to furnish the parking."

Chairman Hall stated "I am going to suggest, with the blessing of the Board I have no problem with requesting, a meeting with the Town. I think that is just good business practice. We can ask again and then we can continue to move forward."

COUNTY MANAGER'S REPORT

Pelham Water Tank Update

Mr. Howard stated "There have been some questions in meetings about where we stood on the water tank project. A good bit has happened since the last time we met. There are pictures in your packet. They are pictures of the foundation being constructed. That is complete now. There will be concrete poured inside that circle. There is metal on site and they may very well have some metal up by now. I have not been out there since Thursday but I will be out there later this week and I will give you a more formal report at the next meeting as far as that goes. Right now they are on their schedule to be completed and we are about a year from that taking place. They have to construct the tank and do the painting and everything else has to take place." Chairman Hall asked "Did you say about a year?" Mr. Howard responded "It will take about a year to construct. If you have not seen one put together. Basically it comes in pieces and it is like putting a puzzle together."

Cost Analysis on the iPads

Chairman Hall asked "Did everybody have an opportunity to look at that?"

Commissioner Battle stated "I think it is a good start to try to save some of this paper and to try to catch up technology wise as far as what we are doing these days. I think it was a good idea whoever came up with it."

Commissioner Lucas stated "I have a question on the totals for the labor on here. Is this calculated on just the time to do that? Is this based on their salaries?" Mr. Howard responded "Yes ma'am." Commissioner Lucas continued "That is part of their job." Mr. Howard responded "I guess the reason that this is included is if it is taking less time to put the agendas together especially with Animal Control then they could be out doing animal control issues. That is not an actual cost savings but what we are showing there is the cost to deliver and to put it together. Animal Control would no longer have to deliver packets." Chairman Hall stated "I think her issue is not necessarily with the delivery but with the preparation." Commissioner

Lucas responded "It is the labor for both because Animal Control is out anyway. Correct?" Chairman Hall responded "Not necessarily. They make special trips." Mr. Howard added "When it is time to deliver they come in and go. Our goal is for each commissioner to get them in a timely fashion."

Commissioner Satterfield asked "Mr. Chairman we don't have any cost in there for making any copies. Like the use of the copier. You have \$126.00 is that for paper or is that for toner or what? We can do this for a year for \$126.00." The Clerk responded that for the black ink it is about five cents per page and for color it is about eight cents. She explained that she took the total number of pages that had been copies for the past year in agendas and figured about 25% as color and 75% as black ink. This total included the cost for the paper, toner and the use of the copier.

Chairman Hall stated "I think that this is a good idea to look at. We will put this back on a later agenda. If you have any further questions certainly we can raise them with the clerk or the county manager to make sure that we are comparing apples to apples and that the cost is as close as we can get it."

Ground Breaking Ceremony

Mr. Howard stated "I have one more thing to add on here. I was talking with the architect. If the Board alright to do a ground breaking ceremony on the new detention center we were looking at the 21st or the 26th if we could do that and if that works well for the Board. We have not picked a date or a time yet we are just trying to get a time to schedule something." Chairman Hall stated "That does not give us much time to decide if we want to do that." Mr. Howard stated "That was the closest we thought we could do it. We could push it out a week or two." Chairman Hall responded "We will have to give the commissioner time to think about this and we will have to figure out a way to make a decision on what we want to do and then based on that when we want to do it."

PERSON-CASWELL LAKE AUTHORITY AUDIT

Chairman Hall stated "We amended the agenda. We wanted to talk about the Lake Authority audit."

Commissioner Lucas asked "I am curious did each commissioner get a copy of the audit and the letter that came with the findings. I just thought that this was something, as a Board, that we might need to discuss. I don't know legally what we can do to address the concerns within the audit or if this is something that the Lake Authority does within the Authority." Chairman Hall stated "The Lake Authority is..." Commissioner Lucas added "a separate governing authority, I know. But I was curious to know what our role is in this." Mr. Ferrell responded "That is exactly right. In response to, I believe, Commissioner Satterfield asked at the first meeting in July. He asked about the County's responsibility for this authority. I did a little research and found the 1965 Session Law by the General Assembly created the Person-Caswell Lake Authority. That legislation sets out that this is an independent authority with certain rights and responsibilities and that Person and Caswell counties have the right to decide who the board

members are for this authority. It is a separate authority that stands on its own. The audit, and I don't know if I will agree 100% with this but the audit, itself says that the respective counties are not responsible for the liabilities, deficiencies, etc of the entity itself. I will stop there but that is what the audit says." Commissioner Lucas asked "That we are not?" Mr. Ferrell responded "That is correct."

Commissioner Carter asked "Can we remove or replace a board member at any time if they are not doing their job?" Mr. Ferrell responded "What I do not have is the actual rules of the authority but it is clear from this legislation that Caswell County appoints two members and three members from Person. You do have the ability to influence the board and to appoint." Commissioner Carter asked "My question is according to what the audit said do we have to go by the three year term if a board member is not doing what he is supposed to be doing. Can we remove that board member at any time?" Mr. Ferrell responded "I would like to look at the rules of the authority but it seems to me that if you have the ability to appoint you have the ability to remove." Commissioner Carter asked "My next question is why would the chairman of the board have so much power? Do they not have a lake warden down there like we do that manages the lake?" Chairman Hall responded "They have a lake warden." Commissioner Carter asked "Then my problem is why is the grass not getting mowed at the campground and the potholes and everything not getting fixed down there is they have somebody that is in charge of it?" Chairman Hall responded "I think the appropriate thing to do is to address that to their board like people come to our Board when they have concerns about what we are doing or not doing or for what staff is doing or not doing. You can go before their board and raise that question." Commissioner Carter asked "Would we have to submit a letter or do it as a board?" Chairman Hall responded "You or any citizen can go before their board." Commissioner Carter stated "My next question is about the audit. I did read where it said that they went over the budget on the meals and a couple items there." Chairman Hall responded "Again you can go to their board and address those issues. We can't respond to their audit." Commissioner Carter stated "The thing we can do is to remove the two people that are sitting on there for Caswell County and appoint someone else. Is that right?" Chairman Hall responded "Basically yes." Commissioner Lucas added "We need to find out on what grounds we can do that." Chairman Hall responded "Right and the attorney will find that out."

ANNOUNCEMENTS

Commissioner Satterfield stated "Mr. Chairman I would like to say I wished that everyone could have been here when we took the walk around to the buildings. You could have seen the needs. I guess we will get a report on that real soon and maybe have some meetings set up Mr. Chairman to address those issues. Some of them are paving issues especially the tennis court thing. We need to do these things while the weather is hot. We will get a lot better job if we do that. I would hope that we could have some meetings on these things fairly soon." Chairman Hall responded "What I will do at this point is to ask the clerk to contact members of the Board to see when is a good time to schedule a special meeting. This is going to take a few hours at minimum to look at what we have seen and what you already know. To prioritize what we are going to do and possibly even combine some of these projects to make them more cost efficient. So expect a call soon from the clerk and we will start scheduling something." Commissioner

Jefferies added "As Mr. Satterfield said we can have a meeting to prioritize so we can start to work on which ones we need to start on first and to get it going."

Commissioner Lucas stated "I understand that there was a meeting at the Division of Water Quality on the water project for the Dan River for Yanceyville and Roxboro and I learned about it after the fact. I did not know the meeting was going to take place. I understand at that meeting that they did get the okay on that." Mr. Howard responded "There was an approval at that meeting. What happens is it will have to go to a different board and if that board receives ten or twenty letters..." Commissioner Lucas added "If they get ten letters it will be delayed by a year. We have until August 25th to respond. I believe that you can do to the Division of Water Quality to get a form letter to send in and we need to make the public aware of that. They have until August 25th." Chairman Hall asked "Mr. County Manager can you get one of these forms pulled down to make sure that we all have the same form and correct form so we can email it. Sometimes when I go to these state websites you cannot find what you need. Can you do that real soon?" Mr. Howard responded "Yes sir."

Mr. Howard stated "Dianne Moorefield's, DSS director, father is in the hospital. I do not have all the details but he is not doing very well. Tim Smith has been moved to a regular room today. He will be coming home tomorrow some time if he continues to improve. He did have to go back into surgery Sunday morning for bleeding. He lost about 6 pint of blood but they got that fixed and he has been doing very well since then."

The Clerk requested some vacation time. Chairman Hall asked "Fellow commissioners did everyone have a chance to look at Ms. Seamster's vacation request? Consider the list approved."

Commissioner Lucas stated "Paula had sent a memorandum on Ethics Training for Commissioner Carter, Lucas and Travis, do we need to decide on a date right away on that?" Ms. Seamster responded that it needed to be completed by December 1st. She also explained that it would cost the county less money if the three took it together. It would cost \$95.00 a piece or \$95.00 for all three.

CLOSED SESSION

Commissioner Battle moved, seconded by Commissioner Travis that the Board enter into Closed Session to consider the compensation, terms of appointment and performance of an individual public officer (NCGS 143-318.11(a)(6)). The motion carried by a vote of six to zero. Commissioner Battle did not participate in the vote.

REGULAR SESSION

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

ADJOURNMENT

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

Paula P. Seamster
Clerk to the Board

Nathaniel Hall
Chairman
