MINUTES – AUGUST 3, 2020

The Caswell County Board of Commissioners met in regular session at 9:00 a.m. on Monday, August 3, 2020. The meeting was held electronically using Zoom Webinar software. Members present: Rick McVey, Chairman, David J. Owen, Vice Chairman, Sterling Carter, William E. Carter, Nathaniel Hall, Jeremiah Jefferies and Steve Oestreicher. Also present: Bryan Miller, County Manager, and Brian Ferrell, County Attorney. Paula P. Seamster, Clerk to the Board, recorded the minutes.

WELCOME

MOMENT OF SILENT PRAYER

Chairman McVey opened the meeting with a moment of Silent Prayer. He asked everyone to remember the family of Donna Baker, Clerk to the Board in Orange County who passed away unexpectedly last Friday. Ms. Baker had been the clerk for 18 years.

PLEDGE OF ALLEGIANCE

The Board of Commissioners and all the guests in the attendance recited the Pledge of Allegiance.

PUBLIC COMMENTS

The Clerk to the Board read the public comments received via email.

“Benton Kay C. Thompson, 284 Blanch Road, Blanch, NC. I am well aware that the Caswell Messenger may not relate all relevant information, but after reviewing the article from the last Commissioner meeting I was very concerned that the request for the Confederate monument on the Square be removed was not discussed but only the opinion of the white commissioners was voiced. I did not read of anyone listening to the reason that the black members felt that this was important for us as fellow human beings living and working together for the common good of all our citizens, red and yellow, black and white. We all have stories and we all need to be heard. There was no mention of the numerous slaves who lived here in our county to work the large acreages and make its owners wealthy without freedom for education, voting or making any decisions about their meager existence being totally controlled by their masters. In addition, they had no control of their own children’s lives and inability to ever marry their partners. Many bore their master’s children. I will also mention the “Trail of Tear” and the inhumane treatment of the American Indians. Then there were the Japanese internment camps within the United States for many citizens who lost homes, property, jobs, as well as families that they were separated from. What about our Chinese immigrants who were brought here to fill labor markets and treated as inferiors with little rights? We also have a history of hatred toward Muslims, Catholics, Hindi, Jews and anyone different from us. This continues even now with the inhumane treatment to many of our Hispanic immigrants with our desire to cheap labor markets (look at our meat processing plants all across the US so severely affected by Covid 19). Why do we as humans wish to be superior over others? Slavery was wrong and it is still wrong. My maternal grandfather served in the Confederacy as a 14-year-old but that does not make me think slavery was right and that I feel a statue to honor them in this prominent place is right. It is part of our history but not all of our history is good and should not be honored on county land when we are not honoring all of our citizens who served and lost their lives. Then after the South was defeated and the Civil War was over and emancipation decreed, it still was not over. And then there were the Jim Crow Laws to try and make living as a black as miserable as possible. And then the struggle to vote. And then the struggle for desegregation and loss of lives over this and on and on. Our late great civil rights and prominent political leader John Lewis, who was recognized by many as our political conscience, I wonder what he would have to say about this statue? Might I suggest a good book to read from a black family whose children were some of the first to integrate Caswell County Schools and their subsequent decision to leave the county due to fear of safety of the family; “Dead End Road” authored by a family member and educator Deborah F. Brown. I feel a time of listening to the stories of our black and all our minority residents on their feelings about this statue is very important and vital to our future and our relationships with each other. I want to express to our black commissions my desire to heal and care and to live the Golden Rule of “Do unto others as you want done to you”. I deeply care about our county and all of its people.”

“Jennifer A. White, 3021 US Hwy 158 W, Yanceyville. I am writing to add my voice to those protesting the continued presence of the statue of a confederate soldier in Yanceyville’s town square. As a resident of Caswell County, I am offended by a monument that pays homage

to people who waged a treasonous war against the United States of America. As a white resident, I stand with my friends who are people of color, in acknowledging the continued pain of this reminder of the sad history of human bondage in our country. In Germany, the swastika and any other symbols of the Nazi regime were outlawed after the end of World War II. Children all over Germany were required to study the country’s responsibility for the horrific murders of those deemed undesirable. The sight of a swastika brings our Jewish brothers and sisters back to a place of great grief and fear. So, too, do the reminders of the days of slavery for people of color. Every time I see a confederate flag or bumper sticker, or that statue in the square, I think about what it must feel like to see those signs through the eyes of someone whose ancestors were slaves. We must learn from history, not sweep it under the rug. The statue should be removed from the square and taken to the museum, as a reminder of what used to be and is no more. Thank you for listening to this request.”

“Bill Conrad, Treasurer of Lake Pointe Homeowners Association. I am writing you today on behalf of the Lake Pointe Homeowners Association to ask that you consider supporting the S.R. Farmer Lake property owners and Caswell County residents the ability to fish and launch non-motorized small vessels from the lake’s shoreline. My story is by no means unique in that I first came to Caswell County nearly ten years ago and immediately fell in love with Farmer Lake and all the activities it could offer, activities up until possibly now did not fully encompass the lake’s full potential as a recreational, educational area set in a most natural of outdoor spaces. In discussion within our group of property owners and county residents the following suggested benefits could be realized for the area and its residents with your support of Article 13. Shoreline fishing and small vessels will have the lowers environmental impact while increasing the use of the lake, both are non-polluting and quiet activities. Increased visibility for Caswell County as a wildlife, outdoor activity destination via the possibility for events such as canoe/kayak races, and non-motorized fishing tournaments. Permitting fishing from the shore opens up avenues for individuals, seniors and the young as well as those property owners with limited income to enjoy what the lake has to offer. Fishing has a long history of strengthening family bonds and creating memories. Newly gained access could only foster concern for the lake’s health by creating the feeling of ownership and appreciation of its beauty. Article 13 might very well increase area property values and thus tax revenue. All wishing to participate should have a valid lake permit and abide by all of Farer Lake rules and regulations – proceeds would go to the County. Newly gained access would foster concern for the lake’s health by creating “ownership” by those with shoreline access. Finally, the current policy is difficult to enforce but by putting more “eyes” on the lake will help with guarding the continued health and beauty of our S.R. Farmer Lake. If you have any questions or concerns that you would like to discuss, please do not hesitate to contact me. I appreciate your time thank you.”

“Dennis Kopec, 145 Lake Pointe Drive, Yanceyville. I have lived on Lake Pointe Drive on Farmer Lake for the past 12 years. While serving in the Army Security Agency in southeast Asia for 4 years, I suffered numerous combat injuries and have been rendered a 100% disability rating. Two years ago my balance became so unsteady that I could no longer fish out of a boat. As I have had a lifelong passion for fishing, I am now limited to fishing from shore. I hope you will consider the issues and make a careful decision regarding allowing fishing from shore and kayaks from shore and the effect it has on residents’ lives. This is particularly notable for seniors and the disabled.”

“Charles H. Blackwell. My name is Charles Harrison Blackwell and I reside in Yanceyville, NC.  I grew up in the County and have recently returned after having been gone for 50 years. Public comments were made during the July 6, 2020 County Board of Commissioners meeting which discussed issues regarding the removal of the Confederate Statue.  Comments made by one Caswell County citizen, as documented in the minutes, stated that:  "In Caswell County, Thomas Day was a free man of color and entrepreneur in the pre-Civil War South.  He was also a slave owner with slaves working in his furniture workshop and his residence.  White tobacco farmers relied on indentured servants before and after the Civil War to work in the fields.  Blacks owned slaves. Whites owned Slaves".  I find the above statement to be extremely offensive and insensitive as it seeks to somehow legitimize and trivialize slavery.  There is no discounting of the fact that slavery was a brutally horrific system which resulted in the inhuman treatment of millions of God's children (not "indentured servants")!  Yes, Thomas Day, "free man of color" (mixed race with his grandmother being a White woman) owned slaves, but we have no historical facts that would suggest that they were not treated humanely.  During this very dark period of human bondage, free Blacks were known to purchase slave relatives and acquaintances in order to spare them from the lash and other horrible treatment inflicted by vicious slave masters.  In spite of conditions, it is a testimony to Day that he was able to obtain tremendous success throughout the State and region as being one of the best in his extremely successful furniture and cabinet making business.  Although "almost white" in appearance, even he could not escape the fearful anxiety that accompanied living in a racist society in which non-whites had almost no rights.  It took a special act of the State legislature to even allow him to bring his wife, who was living across the state line in Virginia at the time of their marriage, into NC due to a state law which banned free blacks from other states from coming into NC.  Furthermore, even with all of the prominence that his occupational skills had brought him, a racist society resulted in his financial ruin as he approached death.  With the recession of 1857 and the collapse of many banks, and financial decline of many tobacco plantations, he was not allowed to sue white plantation owners who owed him money for work that he had done. So, please, please, don't get it "twisted".  The fact that a few Blacks may have owned a few slaves does not diminish the fact that slavery was a grossly immoral institution.  Further, it does not diminish the fact that there is no moral justification in support of the treasonous activities that resulted in the Confederacy taking up arms against the USA that resulted in the Civil War.  Consequently, there IS moral justification for the removal of all confederate statues from public places.  One thing for sure is, that at least one part of the inscription on the confederate    monument is appropriate when it states that: "In whatever event that may face our national existence may God give us the will to do what is right".”

“Patricia E. Anderson, 214 Lake Pointe Drive, Yanceyville. I am an 81-year-old woman that lives on property located next to Farmer Lake. I own 3 kayaks and 1 canoe. I really like kayaking on Farmer Lake. I own a Ford Ranger truck and I should admit I am not capable of backing up a trailer. If I can’t launch my kayaks from the shore, I would have to lift the kayaks into the back of my truck. To be honest, I am now too old to be lifting them. I go kayaking mostly with my friends who are all retired and all are more than 65 years old. I like to invite them to lunch and go kayaking afterwards and have refreshments when we finish kayaking. Sometimes, my family comes to visit and they have children who are too young to drive. The children really like to kayak and like to go out a couple times a day. It would be next to impossible for them to do this if they could not put the kayaks in at the shoreline. Before I ever take the kayaks or canoe on Farmer Lake, I purchase stickers from the lake warden for each kayak and the canoe. Just because I live on property adjacent to the lake doesn’t mean I try to avoid the cost of the permits. I’ll admit that when I first moved here, I didn’t know you needed a permit for a kayak and I did take them out a couple times before I found out. Actually, before I moved here, I had never been anywhere where you needed a permit for a kayak. As soon as I found out that a permit was needed, I went and purchased the property permit and have done so ever since then. I’ll be honest I think the same kind of thing has happened to a number of people that have purchased property on Farmer Lake. I live at Lake Pointe and whenever you are purchasing property you are provided with the homeowner’s regulations. The same could be done with the regulations for Farmer Lake and that way the property owners would be knowledgeable about the lake and the shoreline. This can be done through the Register of Deeds, maybe the Lake Board could take care of it if the County government is too busy. In addition to what is already in the lake regulations, I think something should be added to protect the lake, stating that homeowners should not fertilize their grass on the side of their houses toward the lake as the fertilizer eventually seeps into the lake. I hope you will pass regulations that allow persons who live on the lake shoreline to legally launch their kayaks, canoes, and paddle boats from the shore. You can still require they buy a permit for them. I think this will be of benefit for both older people and young people.”

“Steve and Kim Eaton, 32 Lake Farm Road Yanceyville. We purchased property on Farmer Lake in 2005 and, since 2012, live there. We consider Farmer Lake a special place. Steve serves on the Lake Board. He is one of only a few lakefront landowners who regularly fish on Farmer Lake. Kim served on the Lake Board. She researched and designed the lakeside wildlife signs. She also researched the lake’s backstory, creating an accessible, accurate 67-page historical resource. We pray you consider these concerns, mindful that S.R. Farmer Lake is a county resource for the benefit of all county residents, not only landowners. NC DEQ restrictions protect Farmer Lake water quality for drinking and culinary purpose, and wild/aquatic life through WS-11, HQW, CA watershed classification including a 30’ undisturbed vegetative buffer. Neither cutting/removal of vegetation nor construction/development are allowed, protecting lake water from runoff and human activities. The proposal fails to respect the watershed classification and is not in the best interest of county residents. 1. It demonstrates preferential privilege for landowners, lacking any benefit to county residents who rely on the lake for fresh water, secondary recreation, and food. 2. It is self-contradictory. Change (a) conflicts with Sections (d)8, (d)12, (d)20, and (d)26 which are directed to “any person,” presumably including landowners. Change (b) conflicts with Section(d)7. 3. Section (d)26 fails to define “personal watercraft,” unlike the 2003 amendment. This leaves Section (d)26 open to serious misinterpretation. 4. The “Recreational Liability Form” does not replace satisfactorily annual boating permits. Permit benefits include: Permits are easily administered. Permits provide an administrative mechanism for evaluating lake utilization. Permits are essential to link boat owners with vessels (boats with stickers that wash ashore can be reunited with owners). This assures boaters are not separated from their vessels, or worse – drowned. 5. It is inevitable landowners will trample and/or clear the vegetative buffer to gain lake access, a clear public health hazard. Furthermore, commissioners with direct personal or financial interest should recuse themselves from discussion and voting. Finally, public benefit is neither clearly nor truthfully evident. Rather, this proposal is selfish, not in the interest of all county residents.”

Commissioner S. Carter stated “I have a question about the third public comment, Ms. Seamster, it’s a Bill Conrad.” The clerk responded “That’s correct.” Commissioner S. Carter continued “Was he speaking on behalf of the Lake Pointe Homeowners’ Association?” The clerk responded “I am writing to you on behalf of the Lake Pointe Homeowner’s Association.” Commissioner S. Carter continued “Thank you, ma’am.”

RECOGNITIONS

Commissioner S. Carter stated “I’d like to recognize all those that made the BYHS Renovation Groundbreaking Ceremony. It was a success and I wished the public could have been there with us. It was a very nice event. I’ve been told it was videoed and that video will be available on the School System’s website so check that out. And then a general thanks to the Health Department, DSS, and EMS for all the work during COVID-19. We appreciate everything you do on a day to day basis.”

ACTION ITEMS

APPROVAL OF AGENDA

Commissioner Owen moved, seconded by Commissioner S. Carter to approve the agenda. After a roll call vote, the motion carried unanimously. (Commissioners S. Carter, W. Carter, Hall, Jefferies, McVey, Oestreicher, and Owen voted in favor.)

APPROVAL OF CONSENT AGENDA

Commissioner Jefferies moved, seconded by Commissioner Owen to approve the consent agenda. After a roll call vote, the motion carried unanimously. (Commissioners S. Carter, W. Carter, Hall, Jefferies, McVey, Oestreicher, and Owen voted in favor.)

The following items were included on the Consent Agenda:

1. Approval of Minutes of July 20, 2020 Regular Meeting

CONVENIENCE CENTER SITES APPLICATION FOR PROSPECT HILL AND LEASBURG

Mr. Miller stated that in the Board’s agenda packet are two pages, the first is the recommendation for the Caswell County Solid Waste Department which encompasses the most coverage and less expensive than some of the other sites. He stated that page 2 is a listing of all the proposed sites that were received for the 2 convenience center sites. Mr. Miller stated that it will cost approximately $80,000 to move the current 2 sites to the 2 recommended proposed sites. He stated that the contractor visited each site and estimated each site to make each site a usable site. Mr. Miller stated that the finance director had indicated to Mr. Miller and Mr. Fuqua, Solid Waste Director, that the Solid Waste fund balance is probably insufficient to cover the amount of money needed to move both sites. He stated that he thought it would be appropriate to ask the new site owners to sign a 5-year agreement because of the cost associated with the relocation.

Commissioner S. Carter asked “I have a question to that point, presently they just sign it annually?” Mr. Miller responded “Two years.” Commissioner S. Carter continued “Two years.”

Commissioner Owen asked if it would be $80,000 for each site. Mr. Miller responded that in this situation it is approximately $40,000 for each site. He added that each site has a different amount.

Commissioner S. Carter asked “Mr. Chairman do you mind if we get those numbers for each of those?” Mr. A.J. Fuqua responded “Steve Blackard at 119 near the Osmond Road is $38,545 roughly; The Yanceyville Mart here in Yanceyville is $51,845; Mike Wilkerson on 86 South is $38,455; Mr. Andrews on 86 South is $59,745; Triangle Grocery at 86 and 49 is $36,645; Keith Vernon on 119S is $45,545; Richard Walker where they used to have the site there is $26,725.” Commissioner S. Carter continued “Did you say Wilkins or Wilkerson?” Mr. Fuqua responded “Wilkerson, Wilkins, 86 South, let me see what color circle that is, he is he brown one.” Commissioner S. Carter asked “That one and Blackard are roughly the same?” Mr. Fuqua responded “Yes but also the location from the current site would be the difference. Mr. Wilkerson is 9.4 miles currently from where Prospect Hill is located now.”

Chairman McVey asked how far Mr. Vernon’s property was. Mr. Fuqua responded that Mr. Vernon’s property is 5.7 miles from Leasburg and 5.7 miles from Prospect Hill and added that he had the miles for all of the proposed sites.

Commissioner S. Carter asked “And the Yanceyville Mart site and the Blackard’s site are proposals for Leasburg?” Mr. Fuqua responded “Or for either one really and would be the same for Mike Wilkins is actually closer to Leasburg than Prospect Hill. The Yanceyville Mart is 6.9 miles from the current Leasburg site and 13.3 miles from the current Prospect Hill site where they are trying to relocate but also it’s in the Yanceyville city limits.” Commissioner S. Carter continued “Mr. Chairman I’ve kind of got my own assessment I would like to share if that’s okay. I looked at all of these other sites and these were designed to be one in each township and I understand where y’all are coming from as far as the recommendation goes and it’s because of distance but I can’t be in favor for those sites as far as Leasburg because it is located in the Milton township. Out of all of these applicants the only one and I am speaking for Leasburg because that is where I am from and compassionate about the only applicant you have for the Leasburg township is the Wilkins site. My only concern with that one is I am assuming it is located on Highway 86.” Mr. Fuqua responded “Highway 86 near Baldwin’s Farm.” Commissioner S. Carter continued “Right. I’m okay with that one just the slight concern about the traffic and the speed that people travel right there on that straight stretch of road and these you know trucks and trailers and these older people that are swerving and turning in, I am afraid about accidents there. Other than that as far as Leasburg is concerned on part 1 to my comments I don’t think these are sufficient for Leasburg. All these other ones, they are located in each township and they are spread out in different distances but they are located where they are supposed to be as far as townships are concerned. The Walker and Vernon sites, I am impressed with that $26,000 because he already has that concrete pad still there.” Mr. Fuqua responded “He had that site before I came and there were some issues. We have found sites where residents run them and at stores.”

Commissioner S. Carter stated “The Vernon’s site I assume is the old store on that end across the road.” Mr. Fuqua responded “Yes sir, he has a bore under the road to get the power to control the cameras to his house.” Commissioner S. Carter continued “So with those right there I’m fine with obviously the cheaper of the two…I was thinking the one that you got labeled Andrew which is the yellow circle because it’s sort of more centrally located within the Hightower township which is sometimes confusing with the Prospect Hill township but that would be preferable with…excessive and then at the same time I have no problem with the Triangle site just with a slight concern that it is right there at the edge of the county but we’ve had this conversation so I’ll just again assert my opinion on Leasburg you’ve only got one in that whole township that has an application to begin with and it’s the Vernon site and I would recommend we go with that one over Blackard just for the simple fact that it may be more fair if we possibly give them more time to submit some proposals compared to Prospect Hill for example that site has 1, 2, 3, 4 applicants located within the township itself. Leasburg only has one and two outside.” Mr. Fuqua responded “I had two more for Leasburg but they backed out.” Commissioner S. Carter continued “Okay. So that’s what I got to say.”

Commissioner Oestreicher stated that he did not hear the cost on the Triangle Grocery site. Commissioner S. Carter responded “$36,000.”

Commissioner Oestreicher stated that of the sites proposed he would favor the Triangle Grocery site because it is pretty close to the current site and it appears to be a stable location.

Commissioner Owen suggested handling the two sites separately and to deal with the Prospect Hill site now and then see what the consensus is on the Leasburg site.

Mr. Fuqua stated that if one site was located on 86 and 119 it would split the difference for everybody because there is not a site in Semora so that would make the best coverage area.

Commissioner S. Carter stated “I’m going to respond to that. These are townships not communities, we have one in Milton on 62 so that township is covered. We have one in, there’s nine squares so I would say putting one in Semora for which is a hop, skip, and a jump from the Milton site, that’s putting two sites in one township and is totally unfair to everybody else. That’s just my point of view, nothing against y’all. I agree with the suggestion that Commissioner Owen gave to do the one for Prospect Hill.” Chairman McVey responded that Prospect Hill was going to be handled first.

Chairman McVey stated that he had reservations about the Triangle Grocery site because it is too inviting to Orange County residents which would increase the amount of refuge the county would have to deal with there. He recommended putting convenience center at the Vernon site because he has been in business for over 35 years and his family is respected in the community and he added that he knew that Mr. Vernon would maintain the site and be there for longer than 5 years.

Commissioner Owen stated that he did not know Mr. Vernon personally but what he did like about the site is that it would give a wider range of coverage in Caswell County. He added that he would personally like to get the sites away from stores because he did not feel the stores really had time to take care of the sites. Commissioner Owen recommendation would be Mr. Vernon’s site as well for the Prospect Hill site.

Commissioner S. Carter stated “I can agree with the Vernon site versus the Walker site. I’ve always been concerned that the store there could be at risk of closing in the future and having a residence in charge of one of these, an individual versus several tenants, is far better. My only thought with either of those would be cost like my original comments 26,000 versus 40 but 40 puts us where we already are on that anyway so I will also support that.” Chairman McVey responded “Mr. Vernon has an outstanding reputation.” Commissioner S. Carter continued “Good family friends.”

Commissioner Oestreicher stated that he had concerns about the Vernon site because if this is sited at a business there will be somebody there and he wanted to know who would be at the Vernon site to monitor it. Chairman McVey responded that Mr. Vernon or his wife would be there monitoring the site. Commissioner Oestreicher asked if this was part of the contract. He had concerns about putting this at a residence. Chairman McVey responded that sometimes the store owner is not on site and the workers in the store do not pay attention to it. Mr. Fuqua stated that cameras would be put in Mr. Vernon’s house to monitor the site as well.

Commissioner Owen moved, seconded by Commissioner S. Carter to go with Mr. Keith Vernon for the Prospect Hill Convenience Center Site. After a roll call vote, the motion carried by a vote of six to one with Commissioner Oestreicher voting no. (Commissioners S. Carter, W. Carter, Hall, Jefferies, McVey, and Owen voted in favor. Commissioner Oestreicher voted no.)

Commissioner Owen asked if the Leasburg site was postponed would it cause an issue for the county. Mr. Fuqua responded that the Solid Waste staff is currently running the site. He stated that he has had a conversation with the landowner and the landowner is not looking for someone to run it and has already discussed how he would like the site to be put back once the site is removed.

Commissioner S. Carter stated “Mr. Chairman, a question for Mr. Miller. Mr. Miller with my concerns with the traffic on 86, of these options the Wilkins site is my recommendation in my opinion but with the traffic concerns is that something where we may sooner rather than later petition or recommend or request that the speed be reduced in that area? Would that be difficult to accomplish with a site like that on a very major thoroughfare?” Mr. Miller responded “Well those kinds of decisions are driven by DOT data so we can request that if the Board directs us to we can certainly travel down that pathway but it’s driven by car sounds and speed tests, DOT does that so to tell you we could get them to do that it is possible.” Commissioner S. Carter stated “Well that’s my recommendation.” Mr. Fuqua responded “If you put it there it is going to be awful close to Mr. Vernon’s.”

Chairman McVey asked for Mr. Fuqua’s recommendation. Mr. Fuqua responded that his recommendation would be to go with the Steve Blackard location.”

Commissioner S. Carter stated “That breaks up the township though. You will be putting two sites in Milton.”

Commissioner Oestreicher asked Mr. Fuqua if there would be any rationale with the Vernon site serving both Prospect Hill and Leasburg which would reduce the cost and it would be a larger site. Mr. Fuqua responded that it would reduce the cost some but it would have to have two compactors. Commissioner Oestreicher stated that it would be more reasonable to have one site to service the Leasburg and Prospect Hill area rather than two in the Milton area. Mr. Fuqua asked if Mr. Vernon would get more money if two sites are combined on his property. Mr. Miller stated that with these types of negotiations the county would need to talk to the landowner and the site would need to be reassessed.

Commissioner W. Carter asked if the Solid Waste’s budget would support both sites. Mr. Miller responded no. Commissioner W. Carter asked where the money would come from. Mr. Miller responded that the money would need to come from the general fund fund balance.

Commissioner Owen asked how far the Blackard’s site was from Semora. Mr. Fuqua responded that it is about 3 miles give or take. He added that he understood that the Wilkins site is a little closer but he was concerned about the traffic even with a 45 mph zone. Commissioner Owen stated that the Blackard site could be a site to take care of both areas and would be less than $38,000. He added that it may be a little more inconvenient for Leasburg but he thought it would be a good site in his opinion.

Commissioner S. Carter stated “Leasburg is the most least populated area of the county and respectfully the last to get a fire department. We always get the short end of the stick. I don’t think this is doing the citizens of that township and community any justice or fairness. I would be fine going with this Blackard site to alleviate the problem the Milton township has with high levels of trash compared to other areas but I will not support that. If this Board cannot come to grips with putting a site in Leasburg. That’s that.”

Commissioner W. Carter stated that the Semora area has the residents from the lake and he agreed with Commissioner Owen that the Blackard site could cover both areas.

Commissioner Owen stated that the Vernon site will give some relief to the southern part of Leasburg. He added that there is nobody in Leasburg that wants this site and the owners wants the current site moved so something will have to be done pretty soon. Commissioner Owen stated that he was not trying to slight Leasburg but think about what is best overall. He stated that his recommendation would be to go with the Blackard site.

Commissioner Owen moved, seconded by Commissioner W. Carter to go with the Steve Blackard site for the Leasburg Convenience Center Site.

Commissioner Hall stated that it is his understanding that there are not enough funds in the Solid Waste fund to move these sites. Mr. Miller responded that there is not enough money in the Solid Waste fund to cover the $80,000 to move the two sites.

Commissioner Owen stated that there is $80,000 in the fund but if these funds are taken out the department will not be able to continue to operate. Mr. Miller responded that this was correct.

Commissioner Hall asked how long the county knew these monies were not available. Mr. Miller responded that he spoke with the finance director late last week that there were not sufficient funds in the Solid Waste fund to cover both operations and the move. He added that the county was informed after the budget was completed that one site needed to be moved and a couple of weeks later found out about the other site. Commissioner Hall stated that during the budget he recalled several things were put on hold because there was not enough money in the general fund and now the Board is going to take money from the general fund that was not there during budget time to do some things for Solid Waste. He stated that this did not jive with him on this. Commissioner Owen responded that the county will lose those two sites and that is the only reason this is being handled now. He added that it is just like if an air conditioner goes out it has to be replaced. Commissioner Hall stated that his point was that the Board seemed to go from crisis to crisis without ample planning and without preparation.

Upon a roll call vote on the motion, the motion carried by a vote of 4 to 3 with Commissioners S. Carter, Hall and Jefferies voting no. (Commissioners W. Carter, McVey, Oestreicher, and Owen voted in favor. Commissioner S. Carter, Hall, and Jefferies voted no.)

LT CONSULTING, LLC CONTRACT AMENDMENT #1

Mr. Miller stated that due to additional requirements from the USDA and Mr. Bill Powell, the Construction Manager will be performing additional work as well as be required to be on site more frequently than originally planned. He stated that USDA has also required a not to exceed $150,000 amendment to Mr. Powell’s contract. Mr. Miller stated that this is a 2-year agreement and the Board of Education has approved this contract and the county attorney has reviewed the contract prior to the Board of Education’s approval.

Commissioner Owen asked if this additional money would be paid out of the school fund. Mr. Miller responded that it would come out of the school fund.

Chairman McVey stated that this would not exceed $150,000. Mr. Miller responded that this was correct.

Commissioner S. Carter moved, seconded by Commissioner Owen to approve the LT Consulting, LLC Contract Amendment #1. After a roll call vote, the motion carried unanimously. (Commissioners S. Carter, W. Carter, Hall, Jefferies, McVey, Oestreicher, and Owen voted in favor.)

LEGAL SERVICES AGREEMENT

Mr. Ferrell stated that every year at this time he presents to the Board a legal services contract for Kennon Craver and the agreement is for the 2020-2021 fiscal year. He stated that there is an increase in the proposed retainer fee from $3,000 to $3,500. Mr. Ferrell stated that this fee has remained the same since the 2016-2017 fiscal year. He stated that his hourly rate of $185 an hour for anything over 16 hours will remain the same. Mr. Ferrell stated that since March he has been participating in the meetings remotely and this saves the travel time at one half of a service hours as well as the mileage fee which save the county about $400 a month. He stated that remote participation is working for him fine and the Board is interested in continuing this he built it into the agreement. Mr. Ferrell stated that it would be at the Board’s discretion whether he attends meetings in person or remotely. He stated that there are times that he has to travel for hearings and other purposes. Mr. Ferrell stated that as an independent contractor he pays for his own expenses at conferences, NCACC County Attorney meetings, and absorbed by this firm and some of the retainer fees pay for these. He stated that the hourly rate for paralegal time has been increased from $85 to $125 but it is rare that Caswell County would use these services.

Commissioner Oestreicher asked Mr. Ferrell if he was proposing that he attend one or both meetings remotely once everything gets back to normal. Mr. Ferrell responded that the agreement would allow for either and added that the Board has this discretion. Commissioner Oestreicher asked Mr. Miller if the county would have the capability of doing this easily. Mr. Miller responded that one of the things that was analyzed when looking at the CARES Act money was to determine what was needed in technology to handle remote meetings. He added that others would be able to use this technology such as Paul Jacobson, Ty Wellford, etc. to save on travel time. Commissioner Oestreicher asked if public comments could come in this way as well. Mr. Miller responded yes if the technology allows it.

Commissioner Owen moved, seconded by Commissioner W. Carter to approve the Legal Services Contract. After a roll call vote, the motion carried unanimously. (Commissioners S. Carter, W. Carter, Hall, Jefferies, McVey, Oestreicher, and Owen voted in favor.)

Commissioner Owen personally thanked Mr. Ferrell for his professionalism and for the work that he does for Caswell County. Mr. Ferrell responded thanked Commissioner Owen and added that he appreciates the opportunity to work with the Board and Caswell County.

PRELIMINARY ASSESSMENT RESOLUTION FOR IMPROVEMENTS TO SHADOW RIDGE ROAD

Mr. Miller stated that the Board has seen this in the agenda packet before and now the County has all the information necessary from NC DOT to move forward. He stated that this has been a long process that has taken at least 2 years and the citizens on this road have put in a tremendous amount of work as well as Commissioner Owen. Mr. Miller stated that there were some criteria that had to be met before this project could move forward and DOT has determined that the road existed prior to 1975 and that it served a public purpose, a grain mill existed at the end of the road and DOT was able to substantiate that and determined that it was an approved DOT project if the road was brought up to DOT standards. He stated that luckily the road was a very well maintained road to begin with and a lot of the requirements from DOT had already been accomplished so the road is in very good shape. Mr. Miller stated that there is one outstanding area that needs to be resolved before DOT can take over the road and that is to have the road survey to have all the corners of the property owners’ property that joins the road right of way have to be moved from the center of the road to the edge of the right of way. He stated that the cost of the survey is $10,000 and the assessment is applied to the property and not to the property owners. Mr. Miller stated that there is a 4.5% interest rate associated with the assessment over a period of 5 years which matches the current short term interest rate. He asked the Board for the approval of the resolution for improvements to Shadow Ridge Road as well as to set a date for a public hearing to hear comments on the assessment.

Commissioner Owen stated that every possible way was explored to pay for this assessment and the owners just cannot afford for this to be done. He stated that the property owners have worked extremely hard to get to this point and he encouraged the Board to consider this. Commissioner Owen stated that with the improvements on this road it will make it more accessible for safety vehicles to get down this road during bad weather and he hoped that the DOT would eventually pave the rest of this road which is about a mile.

Commissioner S. Carter stated “Mr. Chairman, just two slight questions. Part 4 of this ‘The portion of the cost of the improvements to be assessed’ is blank, do you have that amount?” Mr. Miller responded “Part 4 yes, ‘The portion of the cost of the improvements to be assessed at not more than $10,000, which is the local share required by policies of the Department of Transportation. The Local Share consists of the following to be completed by agencies other than the Department of Transportation:” and here again that’s all of the owners’ property corners that join the right of way will have to be moved from the center of the road to the edge of the right of way.” Commissioner S. Carter continued “This contract or resolution what is it?” Mr. Miller responded “This is a resolution.” Commissioner S. Carter continued “This resolution has been tweaked since what we have in our agenda packet.” Mr. Miller responded “That’s correct.” Commissioner S. Carter continued “Okay. And then the fourth point you mentioned…”

The clerk stated “I hate to interrupt but I cannot hear Commissioner Sterling Carter’s comments.” Commissioner S. Carter responded “Got it, would you like for me to repeat ‘em?” The clerk continued “Please.” Commissioner S. Carter stated “I was asking about part 4 of this resolution about how much the portion of the cost of the assessed is and the county manager answered that that was not to exceed any more than $10,000. I also asked about part 8, the 4.5% that he quoted is that where the percentage fit and his answer was yes and my third question was when will we set a public hearing for this.”

Mr. Ferrell stated to the county manager that Exhibit A is a preliminary assessment map and he assumed it was a GIS map that includes a listing of all the property owners for Shadow Ridge Road and he wanted to make sure it was included in the final resolution. Mr. Miller responded that this was correct.

Commissioner Owen asked the county attorney if the Board approves the resolution and then set the public hearing date. Mr. Ferrell responded that the Board will set the public hearing in the resolution.

Commissioner S. Carter asked “Do we put this on our next regular meeting, is that easiest? Does that give them enough time, 2 weeks?” Mr. Miller responded “Why don’t you ask the clerk.” Commissioner S. Carter continued “Sure. Ms. Seamster, putting this public hearing at our next meeting is there any problem with that? Does it give people enough time?” The clerk responded “It would give me time. I don’t know the requirements of this type or what is required but as far as getting it to the newspaper and getting it published that we will be having a public hearing yes that can be done.” Commissioner S. Carter asked “Mr. Ferrell does that work or is that too soon?” Mr. Ferrell responded “I believe it would work statutorily. Does it work for folks participating in the hearing and does it give, you know, sufficient time to plan I don’t know. The clerk would have to work to get it published, I guess, in this week’s paper so it would need to be done, you know, pretty much immediately but I think you got the 10 day, we would have to look at the statute and the clerk could do that. So if you want to set it for, one idea is to set it for this upcoming meeting and if we got to drop back we can bring it back to you.” Commissioner S. Carter asked “Do you think it give them enough time?” Commissioner Owen responded “I would think so.” Commissioner S. Carter continued “So we are fine setting it Monday, August 7th at 9 a.m.?” Commissioner Owen responded “I am good with that.” Chairman McVey responded “I am good with it.”

Chairman McVey asked if the rest of the Board was good with setting the public hearing for Monday, August 7th at 9:00 a.m. Commissioner Hall stated that he had a little concerning with setting the public hearing at 9 a.m. since the meeting begins at 9 a.m. Commissioner Oestreicher stated that this time may be an issue for the people who work. Mr. Miller responded that it will be better to have it virtual rather than in person for people to attend.

Mr. Ferrell stated “Mr. Chair let me add, I just pull up the assessment statute and it’s actually pretty unique, it has a requirement that the public hearing be held not earlier than 3 weeks and not later than 10 weeks from the day upon which the preliminary resolution is adopted so that does change things a little bit and it was worth looking so I don’t believe we’ve got 3 weeks between now and your next meeting so it looks like your September meeting would be the earliest by statute you could hold it.” Commissioner Owen responded “So September 8th.”

The clerk asked “May I add something as well?” Chairman McVey responded “Yes ma’am.” The clerk continued “And also with the public hearings we do need to leave those public hearings open for 24 hours after the meeting begins, with virtual meetings, so they will still have until the next day for public comments before it can be closed.” Mr. Ferrell responded “That’s right, written comments have to be open for 24 hours and they can still be submitted up until that date, that is absolutely correct. Thank you for the clarification. That was in the clarifications to the remote meeting authorization from the legislature.”

Commissioner Owen moved, seconded by Commissioner S. Carter to approve the preliminary assessment resolution for Improvements to Shadow Ridge Road and to hold a public hearing on Tuesday, September 8, 2020 at 9:00 p.m. After a roll call vote, the motion carried unanimously. (Commissioners S. Carter, W. Carter, Hall, Jefferies, McVey, Oestreicher, and Owen voted in favor.)

PRELIMINARY ASSESSMENT RESOLUTION

FOR IMPROVEMENTS TO SHADOW RIDGE ROAD

WHEREAS, on June 15, 2020 the Caswell County Board of Commissioners received a petition from the owners of land abutting Shadow Ridge Road in Providence Township, Caswell County, North Carolina (the “Road”) requesting the County finance the local share of the cost of improvements made under the supervision of the Department of Transportation to the Road (the “Project”); and

WHEREAS, the petition was signed by at least seventy-five percent (75%) of the owners of property to be assessed, who represent at least seventy-five percent (75%) of the lineal feet of frontage of the lands abutting the Road; and

WHEREAS, the Project has been approved by the Department of Transportation; and

WHEREAS, the Caswell County Board of Commissioners has decided to finance all or part of the local share of the cost of the Project as provided herein.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

l. This is a preliminary assessment resolution enacted pursuant to the provisions of North Carolina General Statute153A-190.

2. The Caswell County Board of Commissioners does hereby state its intention to undertake actions pursuant to North Carolina General Statutes 153A-205 and 153A-185 et. seq. to finance all or part of the local share of the cost of improvements of the Road as shown on the attached map (Exhibit A).

3. The nature of the Project is to make improvements, including, but not limited to, surveying and platting of the Road, in order to bring the Road up to the standards of the North Carolina Department of Transportation so that the Road may become a part of the State-maintained system.

4. The portion of the cost of the improvements to be assessed at not more than $10,000, which is the local share required by policies of the Department of Transportation. The Local Share consists of the following to be completed by agencies other than the Department of Transportation:

1. The plat that was recorded in 1998 will need to be re-recorded as a Public Right of Way along with the signatures of ALL property owners. **(Complete)**
2. The road must be verified that it is currently in the center of the 50’ right of way. **(Complete)**
3. **All of the property owner’s corners for their property that joins the road right of way will have to be moved from the center of the road to the edge of the right of way.**
4. Any vegetation or obstructions within the travel way or maintenance limits of the road will have to be removed. **(Complete)**

5. The proposed basis for making assessments shall be the street frontage of the lot served or subject to being served by the project at an equal rate per foot of frontage; the area of land served or subject to be served by the project at an equal rate per unit area

6. The percentage of the costs of the work to be assessed is One Hundred Percent (100%).

1. Assessments shall not be held in abeyance.
2. The proposed terms of payment shall be payment in five (5) equal annual instalments, with interest accruing on the unpaid balance at the rate of four and one half percent (4.5%) from the due date of the first installment as provided herein. The first installment with interest is due sixty (60) days after the date that the assessment roll is confirmed, and one installment with interest is due on that same day in each successive year until the assessment is paid in full.
3. A public hearing on this matter is set for\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, at 9:00 a.m. in the Historic Courthouse, 2nd Floor, Yanceyville, North Carolina.

This the 3rd day of August, 2020.

CASWELL COUNTY BOARD OF COMMISSIONERS

S/Rick McVey\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 Rick McVey, Chairman

ATTEST:

S/Paula Seamster\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
Paula Seamster

Clerk to the Board

RECESS

The Board took a brief recess.

AN ORDINANCE AMENDING CHAPTER 24, ARTICLE III, SECTION 24-64 OF THE CODE OF CASWELL COUNTY, NC

Commissioner S. Carter stated “Mr. Chairman and fellow Commissioners I hope since we last met and discussed this you all have had a chance to look at the ordinance language as well as some of the additional information I had Ms. Seamster to send to you regarding the classification and the email from Mr. Paul Clark with the Water Supply Water Protection, he is the Protection Coordinator with the Water Program for DEQ. I was impressed to hear that we had several people submit public comments, one of which was that Mr. Conrad who was speaking on behalf of the Lake Pointe Homeowners Association and to the best of my understanding and maybe the lake warden can clarify this, that represents a large portion of the people that live on that lake. Do you know off hand how many, I mean is that an overwhelming majority of the property owners or is that…” Mr. Charlie King, Lake Warden, responded “Just the people that own property that have houses.” Commissioner S. Carter continued “Right, the ones that have houses. When I looked on the map trying to count sort of how many people lived on the lake I think I come up with probably 40 I think so this is at least half of that roughly.” Mr. King responded “Right.” Commissioner S. Carter stated “I was impressed to hear that some of the comments including where opinions and recommendations that not only is this to be approved of but they are willing to be equitable and pay for the boating the fishing permits as property owners so that would be fair overall compared to private citizens accessing the public access area as well. I think that addressed the point when you discussed at our last meeting about concerns with that. So again I hope you all have had a chance to look at it and obviously I am available for any questions or comments as well as from the lake warden and move on from there.”

Commissioner Oestreicher stated that he had received a few calls on this issue and they matched evenly on those for and against this. He stated that he did have concerns about people fertilizing their lawns and it running into the lake. Commissioner Oestreicher stated that he also has concerns about paddle boats, kayaks, and canoes being drug to the water and the presence of that on the shoreline. He stated that if the boats could be removed off of the boundary that would handle this concern. Commissioner Oestreicher asked that the prohibition of fertilization of land that would run into the lake.

Commissioner Owen stated that he wanted to echo what Commissioner Oestreicher stated and he wanted to remind the Board that the property owners knew when the purchased their land that there were regulations on the lake so regardless of what the Board does the property owners should not be disappointed. He added that his biggest issue is that Farmer Lake is a critical water supply and he had the same concern as Commissioner Oestreicher with the 50-foot buffer, Commissioner Owen stated that with pulling vessels in and out of the water will create paths which will allow for runoffs to go into the water. He stated that the area that the vessels will be launched from is not private property but it is county property and regardless of waivers being signed if a county can be found negligent in anything the county is going to lose so he has some concerns about the 50-foot buffer and the possibility of something happening on this 50-foot section. Commissioner Owen stated that the County does not have sufficient manpower now at Farmer Lake as evidenced by people saying these things are already being done and this was nothing against Mr. King and his staff. He stated that if the Board decides to pass this ordinance staff would need to be there 7 days a week so the county would need to pay more money and he was concerned about this additional expense. Commissioner Owen stated that once individuals are allowed to get to the shore to fish and if children and dogs are with them next the children and dogs will be wading in the water and with 40 houses on the lake it increases the change of something happening. He stated that nothing the ordinance changes the fee list and he would vote no on this ordinance unless every kayak and canoe that a homeowner has they have to buy a permit for each vessel. Commissioner Owen stated that every telephone call and email he received stated how nice it would be for their friends, families, and youngsters and when you talk about friends coming to visit that affects the fees of the lake as well. He added that he agreed that the vessels would have to be removed from county property and pulled back to the property owners’ land.

Commissioner Hall stated that there should be something in the ordinance regarding fertilizing the lawns on the lake. He stated that he was looking at the items that the Board addressed this morning on the convenience sites and the preliminary assessment on Shadow Ridge Road and the people in the communities knew when they moved there, there was no convenience center but that did not stop the Board from doing what was right for the citizens. Commissioner Hall stated that the people that live on Shadow Ridge Road knew they did not have a paved road but that did not stop the Board from trying to do what is right for the people on Shadow Ridge Road. He stated that he did not think strongmen should be put up just because there are strong opinions about Farmer Lake and that is what he is seeing from the Board.

Commissioner Owen stated that this is not an opinion from him but the Farmer Lake is a critical water supply which is a fact and it is not private property, it is public property, county property which is a fact. He stated that the Board needed to remember that there are 22,500 or 22,600 people in Caswell County and they all own the lake so others need to be considered as well. Commissioner Owen stated that this amendment does not cover fees and if he goes to the lake he has to pay to fish and to get in a kayak. He asked where the fairness was for the rest of the citizens. Commissioner Owen stated that it is a fact that there is not sufficient manpower at the lake to patrol or to be at that lake 7 days a week.

Commissioner W. Carter stated that he agreed with Commissioner Owen and stated that there is a safety concern and if someone were to drown they could sue the county. He stated that the Farmer Lake Board looked at this issue and voted to leave everything as it is and he agreed with the Lake Board.

Commissioner Hall concurred that Farmer Lake is a water supply but it is not a critical water supply for Caswell County. He stated that it is a water supply for the Town of Yanceyville and the other citizens in the county as well as the ones that live on the lake that do not benefit from that. Commissioner Hall stated that when Commissioner Sterling Carter brought up the preliminary amendment at the last meeting he mentioned fees as well as other things that could have been discussed and incorporated into the amendment at least by this time and added that this was not done and some are using this as an excuse not to support the amendment. He stated that the Farmer Lake Board is an advisory board but he also recognized that the commissioners have a responsibility to all the citizens of Caswell County. Commissioner Hall stated that when this issue was brought up he only suggested that it be done during the times of the COVID-19 to try to help out the citizens. He mentioned comments that were read during public comments and stated that these things should be considered instead of reasons for not taking actions.

Commissioner S. Carter stated “I mentioned at the last meeting I was willing to concede part of the language of this ordinance to allow the property owners to pay for permits to fish and to boat. I have no problem adding that. I’ve heard a couple of opinions that would be fine with that and at this point I would ask that the county attorney add that to the language of this ordinance and then it can be discussed at the next meeting. Part of the concerns that were brought up in the public comments and is worth mentioning is about the grass, the fertilizer and the grass and how that impacts the lake. With all due respect the people that made that comment are two former members of the Farmer Lake Board. Why is it a problem now? Why didn’t they bring a recommendation to change that if they are so concerned about it? It’s a diversion to what’s going on here and it don’t make a bit of sense. I mentioned at the last meeting the logic is out of this room on this subject but talk about liability and this is nothing against you personally, what are the hours and days that you can access the lake right now if you have a permit?” Could not hear Mr. King’s comment. Commissioner S. Carter continued “Seven days a week. Monday, Tuesday?” Mr. King responded “If you have a permit, it is seven days a week.” Commissioner S. Carter continued “If someone doesn’t have a permit, someone is visiting?” Mr. King responded “Wednesday, Thursday, Friday, Saturday, and half a day on Sunday.” Commissioner S. Carter continued “Alright. Mondays and Tuesdays are you there?” Mr. King responded “I do check 4 hours of the day.” Commissioner S. Carter asked “Are there people on the lake Mondays and Tuesdays when you are not there?” Mr. King responded “Yes.” Commissioner S. Carter stated “Gentlemen that is a liability to this county and it has been that way for a long time. I do not agree with that and that is not against any of our staff or any of the administration of the county but don’t talk about liabilities to me when you have people there today that could be drowning. Do we have a boat that could rescue them right now?” Mr. King responded “Yes.” Commissioner S. Carter continued “Is it a county boat?” Mr. King responded “Yes.” Commissioner S. Carter continued “Okay. I am seeing a lot of inaccuracies with this with people’s intentions and why they say the things they say. I’m hearing, you know, a good portion of the property owners are fine with these changes and I am fine with also conceding in the fact that in the language we have that they may access the county property to anchor and store their boats on the shoreline. I am fine with removing that, having them store it on their private property but I don’t know if the couple of opinions that I have heard today are willing to follow through with that in the language of this amendment and maybe they are going to vote against it because of others reasons but this is added to this discussion nevertheless. There’s people there now that launch boats from their property, actually they are trespassing on the county property in launching boats. They’re fishing from the bank which is county property. If we are not interested in this amendment and the majority of this Board does not go along with this amendment then that is fine and dandy, I have done my due diligence to try to do something about it but it is what the majority of the Board has to say at the end of the day. But moving forward past this are we going to start writing people up for fishing or launching boats? It has been going on for 30 some years.” Mr. King stated that the reason we change it to one access point is because staff was cut from two people to one ad that satisfied the commissioners. He stated that if the county manager tells him to write tickets he will write tickets all day long.

Commissioner Jefferies moved, seconded by Commissioner Hall to approve the amendment as presented by Commissioner Sterling Carter.

Commissioner Hall seconded the motion and added that at the last meeting he kind of objected to Commissioner Sterling Carter making changes at that time because of technical reasons and he added that his rationale was that if Commissioner Carter made changes it would have to come back and sit out there for another two or three weeks. He stated that he hoped that since everyone knew what was proposed they would come and make recommendations to the amendment so it could be put to rest. Commissioner Hall stated that if someone has a recommendation on fees according to general counsel this could be added to the amendment. Commissioner Jefferies responded that this was the reason he made the motion.

Commissioner S. Carter asked “Can I get sort of a casual consensus on the two items I brought up? One being the property owner just paying the same fee for permits as people do at the public access. That would translate to they could pay for day to launch their boat or they could buy a seasonal pass and the fishing and the boating is the same with the seasonal pass right?” Mr. King responded “Right.” Commissioner S. Carter continued “Okay. Is that clear to everybody? They could pay per day to fish and/or boat or they could pay for a seasonal pass which is how much?” Mr. King responded “$45.” Commissioner S. Carter continued “$45 a year which these people are willing to pay for it sounds like. That being one. The second point being instead of giving them the access to leave their boats, their non-motorized boats, on the shoreline which the county owns. They would instead be required to store their boat on private properties away from the 50-foot buffer. Mr. Chairman could we ask and see what everybody thinks of those two things?”

Chairman McVey stated that Commissioner S. Carter would like to know what everyone thinks on those two points.

Commissioner S. Carter asked “Mr. Ferrell, those two points, those two amendments to this ordinance amendment could they be easily implemented into the language?” Mr. Ferrell responded ‘They’re both relatively straight forward so yes we can make those changes. So what I would say is as to the permit fee issue we would essentially strike Subsection 24-64 (b). It now reads ‘Private property owners owning property directly adjoining the shoreline of the lake who have completed and returned a fully executed Recreational Liability Form are exempt from the boating permit requirements’ so we would just strike that exemption out of 24-64 (b) so that would no longer be applicable. And then in Subsection (c) the first, second, third sentence ‘Persons authorized to launch non-motorized vessels from their private property may beach such vessels on the shoreline of the lake adjoining property they own solely for the purpose of launching and recovering the vessel.’ and you would add ‘and they must remove the vessel immediately from county property.’” Commissioner Jefferies stated “No I am not going to vote for that.” Mr. Ferrell responded “So those two changes would as I understand it implement Commissioner Carter what you just asked about.”

Commissioner S. Carter asked “I would like to ask if those changes would be acceptable to Commissioner Hall and Commissioner Jefferies who made and seconded the motion?”

Mr. Jefferies stated “Just one question Mr. Chairman to Mr. Carter, Commissioner Carter do you mean that we, the person that owns the land would have to get a permit, pay for the permit, $45 and also would have to bring the boat down to the lake recreation to put it in?” Commissioner S. Carter responded “No it would be from their private property. They would be required to bring their boat, pull the boat back to their private property from the edge of the lake verses being on the edge of the lake.” Commissioner Jefferies continued “Okay, I got it. Would about this pay? I heard you say something about a fee, permit fee.” Commissioner S. Carter responded “The lake owners, the public comments a good portion of them said they would be happy to pay for a permit because they knew that that would be required to pass this. They could either pay per day or they could pay for a seasonal pass. The all year pass is $45 and that’s to fish and to launch their boats. That’s for the entire year.” Commissioner Jefferies continued “You know they are already paying a high tax rate already for being on the lake, that needs to be considered too.” Commissioner S. Carter responded “I can understand that but for the time being if this has any hope of getting any further would y’all be alright with this? I would assume do.”

Commissioner Hall stated “If there’s concern about lake property owners being treated differently as opposed with the fees then I would say do it. Most of them who fish out if they have a boat they pay the fees, do they not?” Commissioner S. Carter responded “If they launch from the public access yes.” Commissioner Hall continued “Yeah, and public access theoretically is the only way they can do it.” Commissioner S. Carter responded “At the moment.” Commissioner Hall continued “Yes, at the moment.”

Commissioner Owen stated that they would also have to pay this fee with their kayaks and canoes that they keep on their own property just like any other person that pay from the public access. Commissioner Hall responded yes. Commissioner Owen stated that a concern of his as well as others is that the Lake does not have sufficient manpower now and with the liability issue is the Board going to consider opening up on Mondays and Tuesdays. He added that if this is approved it will put more people on the lake because they can go on the lake on Mondays and Tuesdays if they have the permits.” Commissioner S. Carter responded “They already do.” Commissioner Owen stated that it did not matter if they already do but the fact is with the approval of this there will be more people on the lake. He stated again that his concern was the liability and the Board may need to consider hiring more people at the lake if this passes.

Commissioner S. Carter stated “Mr. Chairman, I would have no problem with that and I am sure compared to the changes that were made in the past would you be willing to be there Monday and Tuesday if we open that back up or would you require…” Mr. King responded that what they used to do is open it up in March through October. Commissioner S. Carter continued “And you already have the assistant now, do you think that is realistic to say if we did open up Monday and Tuesday that it could be worked out with you two that we already have?” Mr. King responded that there would need to be a raise in salaries.” Commissioner S. Carter continued “Surely. It doesn’t sound like it would be a big problem to open it back up but, you know, whether this passes today or not I’m going to say this comment again. I totally don’t agree at all with people being on the lake and nobody there. This Board needs to really analyze that and consider the liability we are already looking at and do something about it soon. And with the property owners I can see where there would be an increase. Not a whole lot different from what’s going on already.”

Commissioner Hall stated that this issue was brought up again because of the COVID-19 and the county manager may not have anticipating some of the questions and comments that have come out of the discussion but the County can look at getting some cameras for the lake and the rules can be posted. He stated that the rules have been broken and those folks can be fined. Commissioner Hall stated that he did not anticipate the kind of comments and questions that have come out during these discussions. He stated that some of the questions cannot be answer today or at the next meeting but the County will need to get somebody to do some in depth work on the operations of the lake and what it will take to properly secure it 24/7. Commissioner Hall stated that it would take someone a month to six weeks to look into this to answer all the possible questions that could be raised. He stated that he was hoping that the Board would take some action on this for the duration of COVID-19. Commissioner Hall stated that he hoped that COVID dollars could be used to do some of these things.

Commissioner Oestreicher stated that he thought the Board was making good progress on addressing some of these issues but it did feel very piecemeal and reactionary. He asked what would be done about the property owners that have friends that bring vessels to their property and launch those as well without permits and registration. Commissioner Oestreicher stated that there needs to be a requirement that all vessels on the lake be registered and have a permit and everyone on the lake have a fishing permit for the lake. He added that he supported enforcing the existing rules as well as the ones from the modified ordinance.

Commissioner S. Carter stated “Mr. Chairman, that’s why, and this is in response to Mr. Oestreicher, that’s why we considered in the language understanding that it could potentially open up a can of worms that this only be for the private property owners and members of their immediate family. Anybody else would be subject to fines and that being enforced because we don’t know what’s going to happen with, you know, these individual properties so that’s why that language is put in there as a safeguard. That’s mentioned more than one in the amendment.”

Chairman McVey stated that there is a motion and a second on the floor to adopt the new ordinance.

Commissioner Oestreicher asked “As written?” Commissioner S. Carter responded “As amended.” Chairman McVey responded “As amended.”

Mr. Ferrell stated “Mr. Chair if I may, so the motion was to adopt it as written and there have been some amendment talked about. So again the motion and second was as is, is my understanding and if that is not the case perhaps that motion needs to be withdrawn and another motion made or you can proceed as is but my understanding was to approve as written and I stand to be corrected if I was wrong about that.” Commissioner Oestreicher responded “You are correct.”

Commissioner S. Carter asked “Mr. Chairman can I get a consensus from Commissioner Hall and Jefferies that it was as amended? If not, we can ask again.”

Chairman McVey asked “Mr. Jefferies, did you understand?” Commissioner Jefferies responded “My motion was the amendment as written, that was my motion.”

Commissioner S. Carter asked “Mr. Jefferies before we move on are you fine with the two we discussed a few minutes ago about the permits and where the boats are kept?” Commissioner Jefferies responded “I am fine with where the boats are kept but the permit, you did not have it in there in the motion, in your amendment for a permit, is I right?” Commissioner S. Carter continued “In the document it’s not in there but I added my comments today that I would be willing to put it in there and also with the support of a good portion of the owners, property owners on the lake in their public comments today they said they would be fine with the permits.” Commissioner Jefferies responded “That’s my motion, what I made before and I’m not changing it.”

Commissioner Hall withdrew his second. He stated that it was his understanding from the last meeting that the Board would go through this process and offer amendments as the Board saw fit and he thought this was the motion that was made.

Commissioner S. Carter stated “Mr. Chairman I move that we pass the ordinance amendment as amended.”

Chairman McVey stated that the motion needed to be handled first. He stated that Commissioner Jefferies motion dies due to a lack of a second.

Commissioner S. Carter moved, seconded by Commissioner Hall to approve the ordinance amendment as amended with the two points that Commissioner S. Carter discussed.

Commissioner Oestreicher asked to hear the amendments again. Commissioner S. Carter responded “We would be adding that the private property owners pay for daily or seasonal fishing and boating permits as does the rest of the public currently. We would also be adding in section (c) and the sentence reads ‘Persons authorized to launch non-motorized vessels from their private property may beach such vessels on the shoreline of the lake adjoining property they own solely for the purposes of launching and recovering the vessel’ and we will be adding to that sentence ‘and must immediately remove their vessel(s) off of county property.’ This will require the non-motorized vessels not to be stored on the banks of the lake, it will be stored on their private property. Is that all clear?” Commissioner Oestreicher continued “Okay.”

Upon a roll call vote of the motion, the motion carried by a vote of four to three with Commissioners W. Carter, McVey and Owen voting no. (Commissioners S. Carter, Hall, Jefferies, and Oestreicher voted in favor. Commissioners W. Carter, McVey and Owen voting against.)

Commissioner S. Carter asked “Sorry to drag this out any further, are we going to consider either today or the next meeting the points that we mentioned about liability and the hours and days that the lake is open?” Chairman McVey responded “I would say we consider it at the next meeting.” Commissioner S. Carter continued “Are y’all fine with adding that at the next meeting?” Mr. Ferrell responded “Just so it’s clear, the ordinance has to come back for a second reading and as second vote because it did not get a unanimous approval at its first reading. I just wanted to mention that to you so you will not be surprised to see it again.” Commissioner S. Carter continued “Right.”

APPOINTMENTS TO BOARDS AND COMMITTEES

Heritage and Cultural Preservation Committee

Chairman McVey asked Commissioner Owen to start the conversation on this because he had done some extensive work on this since the last meeting.

Commissioner Owen stated that the clerk and himself researched this committee and found that there are two citizen vacancies for this committee as well as one vacancy from the mandate positon for the Chamber of Commerce and that application should be coming in today. He stated that there are two citizen vacancies and four individuals have applied.

Commissioner Owen moved, seconded by Commissioner W. Carter to accept Mr. Kenneth Underwood and Mr. Bruce Clayton to the Heritage and Cultural Preservation Committee.

Commissioner Oestreicher asked if there were only 2 vacancies now. Commissioner Owen responded that there are two citizen vacancies. He added that there are a total of 5 citizens that are on this committee and three are already seated on the committee so there are two vacancies left for actual citizens. Commissioner Oestreicher asked if each individual could be voted on separately rather than eliminating Mr. Kirby without consideration. Commissioner Owen withdrew his motion.

Commissioner Owen moved, seconded by Chairman McVey to appoint Kenneth Underwood to the Heritage and Cultural Preservation Committee. The motion carried by a vote of five to two with Commissioners S. Carter and Hall voting no. (Commissioners W. Carter, Jefferies, Oestreicher, and Owen voted in favor. Commissioners S. Carter, McVey and Hall voting against.)

Commissioner Oestreicher moved to appoint Tony Kirby to the Heritage and Cultural Preservation Committee. The motion died due to a lack of a second.

Commissioner S. Carter moved to appoint Ginny Mitchell to the Heritage and Cultural Preservation Committee. The motion died due to a lack of a second.

Commissioner Owen moved, seconded by Commissioner W. Carter to appoint Bruce Clayton to the Heritage and Cultural Preservation Committee. The motion carried by a vote of four to three with Commissioners S. Carter, Hall and Jefferies voting no.

COVID-19 UPDATE

Mr. Miller informed the Board that the Caswell County as of this morning had 182 positive cases, 2 deaths, and have tested 3,379 individuals. He stated that there are 24 currently in isolation. Mr. Miller reminded everyone to continue the 3 Ws: Wear a mask, Wait 6 feet apart, and Wash your hands frequently. He stated that the Caswell County Health Department is conducting COVID-19 testing daily by appointments only. Mr. Miller stated that the Health Department is also conducting roving tests throughout the communities and this is usually posted on Facebook when these testing events take place. He stated that individuals can also be tested at the Caswell Family Medical Center. Mr. Miller stated that the Health Department’s COVID-19 Call Center number is 336-694-4129 Option 8 and the Caswell Family Medical Center’s number is 336-694-9331. He stated that the COVID-19 Awareness Bag should be distributed within the next week through the fire departments, the health department, Caswell Family Medical Center, Meals on Wheels, Sheriff’s Office, as well as a few other entities. Mr. Miller stated that a lot of these bags and supplies have already been given out to the historically marginalized population. He added that a number of signs have been distributed throughout the county.

Commissioner S. Carter asked “Roving tests, that’s the drive through test?” Mr. Miller responded “The drive through test has not always been drive through, there have been some that you have not been able to drive through but yes that is what I am referring to.” Commissioner S. Carter continued “You said they post it on Facebook, for the public’s knowledge are there any scheduled right now?” Mr. Miller responded “I’m not aware, if they are wondering about upcoming testing I would have them contact the numbers that I gave out or the phone numbers that I gave out for the health department.”

Commissioner Owen stated that he noticed that the health department has stopped, on the county’s report, putting the number of recovered. He stated that he did not know the reason why but he would like to see that number on the report because it is important to know that people do get this virus and do recover and it is encouraging to see the statistics of those that recover.

BARTLETT YANCEY HIGH SCHOOL UPDATE

Mr. Brian Bradner, Dewberry, stated that there are two projects going on for the high school project. He stated that the temporary classroom building is almost finished and this building is located adjacent to the football field. Mr. Bradner stated that this building is about a 7500 sq.ft. building that will provide 7 temporary classrooms which includes new restrooms and a covered walkway that will provide access to the main campus. He stated that the construction on this building should be finalized over the next two weeks and a substantial completion punch list will be done and should be ready by the time school begins operations. Mr. Bradner stated that this facility has been designed to where later this can be converted to a fieldhouse with the removal of 3 walls. He moved on to the larger project which is the main building for the high school. Mr. Bradner stated that the groundbreaking was held and the demolition of Hall 1 is well underway and should be finished within the next 2 weeks. He stated that all the admin, guidance and library has already been relocated into the civic center and all the systems are in place and operations are ready to be ran out of that facility while construction is underway. Mr. Bradner stated that once the demolition is complete on Hall 1 construction will begin which will take about a year for the two story facility and the goal is to have this complete by the next school year. He stated that once this facility is occupied demolition on Halls 2 and 3 will begin to allow for the construction of the new dining facility. Mr. Bradner stated that once the new dining facility is complete the existing dining facility will be renovated. He stated that everyone was extremely pleased with how the bids came out on this project and C.T. Wilson is the contractor for this project and within their contract there is a 5% contingency to cover any unforeseen items or any change orders that may occur. Mr. Bradner stated that if there are any changes these would be presented to Dr. Carter on the School’s side and Mr. Miller on the County’s side for approval before anything would proceed as it relates to the use of those contingency funds.

Commissioner S. Carter asked “Mr. Bradner, the temporary classrooms building will that be something that we can see before school starts?” Mr. Bradner responded “Yes sir, I’ll be glad to coordinate if you want to set up a tour for as many of you from 1 to 10 I’ll be glad to work with the county manager and the schools and set up a time for you to come out and take a look at it.” Commissioner S. Carter continued “That’s great, thanks.”

Commissioner Oestreicher asked Mr. Bradner how the high school’s security being managed. Mr. Bradner responded that everything that has been done has been done in close coordination with the schools and Principal Stokes and staff. He added that the contractor has the area completely fenced in and continues to monitor that area. Mr. Bradner stated that there will be daily meeting with the contractor and school staff as well as signage throughout in terms of protecting the students and staff from any construction. He added that there are designated pathways for students and parents in terms of drop off and for visiting the administrative offices, etc. Commissioner Oestreicher asked about metal detectors. Mr. Bradner responded that metal detectors will be installed once the project is complete. He added that the new facility includes lots of technology including cameras and active monitoring and detection systems. Commissioner Oestreicher asked how these issues are being handled in the interim. Mr. Bradner responded that he could not speak explicitly on how the schools are handling specific operations on the day to day basis because his focus has been on the construction but he did know there have been regular meeting on how to best do this. He added that he would be glad to provide Commissioner Oestreicher with some specifics on that but he did not have the details on hand. Commissioner Oestreicher stated that he understood that but he wanted to make sure the right things are being done. He asked if the difference in monies for the project manager would come out of contingency. Mr. Bradner responded that this cost is part of the overall budget and he thought the amount was $150,000 and is being covered. He stated that he did not anticipate any money coming from contingency to cover this cost. Commissioner Oestreicher stated great.

Commissioner Owen stated that he thought in the new building on the bottom floor was the cafeteria. Mr. Bradner responded that this was correct. Commissioner Owen stated that he just thought Mr. Bradner stated that after the new building was complete the demolition of the second and third hall would be done to start the completion of the cafeteria. Mr. Bradner responded that the project is having to be done in phases in order to allow halls 2 and 3 to remain in place so the new two story facility absent the dining facility in which Commissioner Owen is correct sits right behind and adjacent to the two story will be completed after the two story building has been completed. Commissioner Owen stated thank you.

CORONAVIRUS RELIEF FUND EXPENSE REPORT

Mr. Miller stated that in the Board’s packet there is a copy of the COVID-19 expenses that have been incurred so far. He stated that the County received an additional $400,000 roughly on Friday from the CARES Act money which would be the amount received from the CARES Act money a little over $1 million. Mr. Miller stated that there is a meeting scheduled with the Town of Milton and Town of Yanceyville next week to talk about the distribution that they will receive which is approximately 25% so they will have to submit spending plans as well.

Commissioner S. Carter asked “On that point there, is that on the $400,000 for the total?” Mr. Miller responded “The total. That was not originally a stipulation of the $600,000 but when the $400,000 came out that added an additional stipulation that we had to share 25% of the total with the municipalities and we will also have to amend out spending plan and we will be bringing that back before the Board.”

Commissioner Oestreicher stated that he has had several requests to see what the budget looks like for this CARES Act money and he wanted to know how soon it would be to see this budget. Mr. Miller responded that the County did not have a detailed line item budget. He added that the spending plan that the Board approved initially is available and has been shared multiple times as well as the Coronavirus grant report that is included in the agenda packet today. Commissioner Oestreicher asked if the original spending plan added up to the $617,000 total. Mr. Miller responded yes. Commissioner Oestreicher stated that he thought there was a gap in the total. Mr. Miller responded that the spending plan totaled $617,775. Commissioner Oestreicher responded okay and apologized for the question. He did ask for a detail on the total of over $1 million. Mr. Miller responded that the spending plan would have to be amended and presented to the Board for approval.

COUNTY MANAGER’S UPDATES

EMS COVID-19 Community Paramedic

Mr. Miller informed the Board that last week or the week before one of the EMS personnel was reassigned to be a COVID-19 Community Paramedic to work Monday through Friday to respond to COVID-19 calls and more specifically to respond to COVID-19 patients that have tested positive to make sure everyone is staying isolated and receiving the healthcare that is needed. He stated that since this reassignment has taken place it has saved at least one life.

Project CEAD

Mr. Miller stated that the County had received the land appraisal for the 78.02 acres the Project CEAD which came back in the $550,000 range for both appraisals which was lower than expectations. He stated that this money is what is used to draw down state grant funds but with the other funding that has been received for the project there will be no problem with drawing down these funds. Mr. Miller stated that the engineering survey is currently taking place at this time.

Hazard Pay

Mr. Miller stated that Commissioner Owen had asked at the last meeting if DSS could receive CARES Act Hazard Pay and certain positions may meet this requirement so this will be looked at since the County just received the last $400,000. He stated that the Board should expect to see another Hazard Pay request in the next agenda packet.

COMMISSIONER COMMENTS

Commissioner Owen stated that the NCACC is requesting legislative goals from each county. He stated that one of the Caswell’s needs to consider sending in Broadband and suggested that these goals be discussed at the next meeting.

Commissioner Owen stated that since the school will be doing distance learning he asked if the county could look at the possibility of the use of the library for students by appointment or something like that as well as maybe the use of the Recreation Center.

Commissioner S. Carter stated “I agree wholeheartedly with using the library and possibly the rec. center as well. I shared my concerns at the last meeting when it comes to the distance learning for the schools and the equity that exists with our students, some having internet and some not having internet and I will follow up with a question about the joint meeting with the School Board.” Mr. Miller asked “Paula do you have any information on the joint meeting with the school board?” The clerk responded “I haven’t scheduled that.” Mr. Miller continued “Okay, have they let you know a time when they can meet, the Board of Education let you know a time they can meet.” The clerk responded “I have not asked and I have not heard from them as to when they can meet.” Mr. Miller continued “Okay, thank you. We’ll get back with you.”

ANNOUNCEMENTS AND UPCOMING EVENTS

1. 113th NCACC Annual Conference – August 13 – 15, 2020 – Virtual

Commissioner Oestreicher stated that there is a virtual public hearing this evening at 6:30 p.m. on the DEQ permits for the quarry and two asphalt plants. He added that the details have been sent out and are available. Commissioner Oestreicher stated that public comments are due by 4:00 p.m. for that meeting.

CLOSED SESSION

Commissioner Owen moved, seconded by Commissioner S. Carter to go into closed session to preserve attorney/client privilege (NCGS 143-318.11(a)(3)). After a roll call vote, the motion carried unanimously. (Commissioners S. Carter, Commissioner W. Carter, Hall, Jefferies, McVey, Oestreicher, and Owen voted in favor.)

REGULAR SESSION

Commissioner S. Carter moved, seconded by Commissioner Owen to go back into regular session. After a roll call vote, the motion carried unanimously. (Commissioners S. Carter, Commissioner W. Carter, Hall, Jefferies, McVey, Oestreicher, and Owen voted in favor.)

ADJOURNMENT

At 12:42 p.m. Commissioner Owen moved, seconded by Commissioner S. Carter to adjourn. After a roll call vote, the motion carried unanimously. (Commissioners S. Carter, W. Carter, Hall, Jefferies, McVey, Oestreicher, and Owen voted in favor.)

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Paula P. Seamster Rick McVey

Clerk to the Board Chairman

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