

MINUTES – MARCH 3, 2008

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, March 3, 2008. Members present: George W. Ward, Jr., Chairman, Jeremiah Jefferies, Vice-Chairman, William E. Carter, Nathaniel Hall, Larry G. Hamlett, and Kenneth D. Travis. Absent: C. Hester Vernon, III. Also present: Kevin B. Howard, County Manager and Michael R. Ferrell, County Attorney. Wanda P. Smith, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

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

APPROVAL OF AGENDA

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

APPROVAL OF CONSENT AGENDA

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

The following items were included on the Consent Agenda:

- 1) Approval of Minutes of January 7, 2008 Meeting
- 2) Criminal Justice Partnership Program Contract Approval and 2008-2009 Grant Renewal Application

PUBLIC COMMENTS

Chairman Ward opened the floor for public comments.

Mr. Bill Compton of 153 Bill Compton Road, Blanch, NC came before the Board and stated that he was adamantly opposed to any change in the Caswell County Noise Ordinance. Mr. Compton added that the Noise Ordinance works and has been tested in court on several occasions. Mr. Compton informed the Board that the operation that has been discussed and found in court to be in violation has in recent weeks demonstrated that they can control the dogs' noise. Mr. Compton pleaded with the Board to continue to protect all citizens in Caswell County by not changing the Noise Ordinance for this one operation, not to open Pandora's Box by allowing this, and cause citizens in Caswell County to have to resort to civil suit to have peace in their home.

Mr. Joseph Boudro shared with the Board a copy of the February 14, 1999, issue of The Caswell Messenger which showed a picture of Ms. Nancy Brewer with one of her German Shepherd dogs that she was training. Mr. Boudro informed the Board that Ms. Brewer takes her dogs to the Senior Center, to daycare, and to schools to show children how to care for their dogs, and goes to search and rescue when called.

Ms. Joy Tracy of 2239 Longs Mill Road, Blanch, NC, came before the Board and stated that she was opposed to changing the Noise Ordinance. Ms. Tracy added that she would like to commend Ms. Brewer for the good job she is doing because the noise has been less. Ms. Tracy asked the Board of Commissioners to keep in mind that if they change this Ordinance, are they going to be able to change it for any other business that comes along. Ms. Tracy stated that changing this Ordinance would set a precedent of what the Board will do, not just for the community of Longs Mill Road, but all of Caswell County that the Board represents.

Mr. Eugene Tracy of 2239 Longs Mill Road, Blanch, NC came before the Board and stated that he would like to second what Ms. Tracy just said. Mr. Tracy added that they do not have a problem with the job that Ms. Brewer does, the noise is the problem, it is a nuisance and disturbs the neighborhood.

2007 COMMUNITY HEALTH ASSESSMENT

Ms. Jennifer Eastwood, Health Educator with the Caswell County Health Department, came before the Board and presented the following Community Health Assessment for 2007.

Community Health Assessment 2007 Executive Summary

Introduction

Counties in North Carolina are required to conduct a Community Health Assessment every four years. Key stakeholders and community partners join the health department for the purpose of identifying key health issues within the county and developing a plan to deal with them. For Caswell County, this process began in July 2006 and the final report was submitted to the NC Office of Healthy Carolinians in December 2007. Though this is just a summary of the findings, the 2007 Community Health Assessment, in its entirety, is available through the Caswell County Health Department.

Summary

The following are the key health issues in Caswell County, as identified by the community and the CHAP Team, as well as statistical data from the NC State Center for Health Statistics. These health issues have been prioritized and are presented here in order of importance.

1. Obesity Supporting Information

Caswell County Elementary School Body Mass Index Reports conducted by School Nurses

- ♦ **16%** of first-grade students are “Overweight”
- ♦ **22%** of third-grade students are “Overweight”
- ♦ **34%** of fifth-grade students are “Overweight”
- ♦ **26%** of all students in Caswell County are “Overweight”
- ♦ **25.2%** are “Overweight” in North Carolina
- ♦ **19%** are “Overweight” in the United States
- ♦ The CDC does not apply the world “obesity” to children and youth. Instead, they are classified as “underweight,” “healthy weight,” “At risk of overweight”, and “Overweight.”
- ♦ “Overweight” equals BMI greater than or equal to the 95th percentile, according to the CDC.

Caswell County Profile created by Statewide Health Promotion

- ♦ North Carolina ranks **17th** in the U.S. in highest rate of overweight and obese adults.
- ♦ In Caswell County and the surrounding region, **70%** of adults are overweight or obese.
- ♦ In Caswell County and the surrounding region, only **21%** of adults eat 5 or more servings of fruits and vegetables per day. Only **39%** get enough physical activity.
- ♦ In 2005, approximately **\$111,000** of the COUNTY DOLLARS spent on Caswell County Medicaid were attributable to overweight and obesity.
- ♦ Approximately **\$619,000** of the STATE DOLLARS spent on Caswell County Medicaid were attributable to overweight and obesity.

2007 Community Health Assessment Survey Results

- ♦ **49%** of respondents believe they are overweight
- ♦ **81%** of respondents believe that obesity is a problem in Caswell County
- ♦ Respondents ranked Obesity **2nd** in the most important health problems or conditions facing Caswell County.

Recommendations

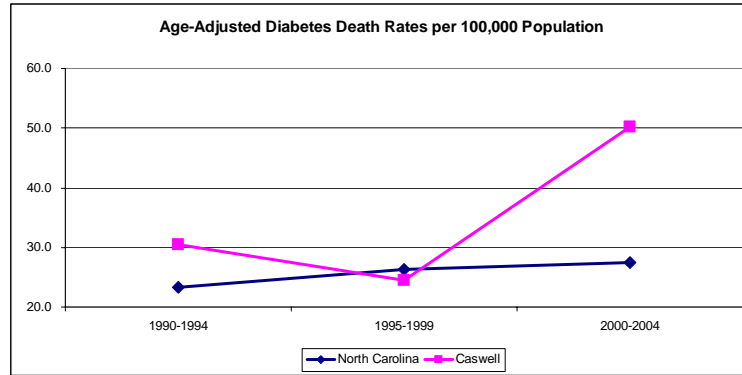
- ♦ Develop an Obesity Coalition.
- ♦ This Coalition should include healthcare providers, school health personnel (nurses, P.E. & Health Teachers), child care providers, members of the faith community, and others.
- ♦ This coalition will work together to develop a long-term county plan to combat obesity in both children and adults.

2. Diabetes

Supporting Information

Information Gathered from NC State Center for Health Statistics and CDC

- ◆ The death rate from diabetes in Caswell County is significantly **higher** than in North Carolina.



- ◆ The death rate from diabetes among whites in Caswell County is almost **twice** the North Carolina rate.
- ◆ The death rate among minorities in Caswell is **double** the white population's rate.
- ◆ The significant morbidity associated with diabetes can be reduced by tightly controlling the disease with medication, monitoring, education and support.
- ◆ The intensive quantity and quality of care that is needed to treat diabetes in a comprehensive manner requires many resources that are not readily available within the boundaries of Caswell County.

Recommendations

- ◆ Develop a countywide Diabetes Educational Program.
- ◆ Hire a Diabetes Educator to coordinate this program.
- ◆ This program will include increased screening efforts, education and support services, and coordination of treatment.
- ◆ This program will be a community-based program. In other words, the diabetes educator should take these programs out into county offering services in a variety of settings such as churches, the Senior Center, and other community organizations instead of being confined to one location.

3. Lack of Physical Activity Facilities and Opportunities

Supporting Information







Caswell County Profile created by Statewide Health Promotion

- ◆ In Caswell County and the surrounding region only **39%** of adults get enough physical activity.

- ♦ Lack of physical activity contributes increases risk for obesity and other diseases and conditions, including heart disease, diabetes, hypertension, and cancer.

2007 Community Health Assessment Survey Results

- ♦ **24%** of respondents engage in physical activity the recommended 3-6 days per week.
- ♦ **57%** of respondents indicate than when they do engage in physical activity, they do so for 30-60 minutes.
- ♦ Respondents indicate that they would be more physical activity if the following were offered:

| | |
|--|------------|
|  Greenways or Walking Trails | 50% |
|  Pools | 36% |
|  Bike lanes & paths | 24% |
|  Sidewalks | 22% |
|  Aerobics | 21% |
|  Golf | 2% |
| • “Other” | 6% |
- ♦ **58%** of respondents report that they never use the county provided recreation facilities in a typical month. **36%** report they use them 1-10 times during a typical month.
- ♦ Of those who use the county provided recreation facilities **27%** use the walking trail, **23%** use the athletic fields, and **22%** use the playground
- ♦ **48%** of respondents do not feel that Caswell County offers sufficient recreation facilities.
- ♦ **46%** of respondents say they would participate in Fitness Classes if they were offered by the county Parks and Recreation Department; **25%** would participate in arts and crafts programs; **17%** would participate in after-school activities.
- ♦ Respondents were asked to rank future Parks and Recreation facilities that would most impact their family. They ranked walking/hiking trails **1st**, an air conditioned gymnasium **2nd**, and outdoor basketball courts **3rd**.

Recommendations

- Support the creation of a countywide Parks and Recreation Master Plan.
- This plan should include trail/greenway development objectives.

- In addition, this plan should include other intergenerational opportunities for physical activity.

4. Lack of Health Partnerships or Coalitions

Supporting Information

- ♦ According to the 2003 Community Health Assessment there is a general **lack** of communication within the county, especially with regards to programs, services, and resources available.
- ♦ According to recent focus groups conducted for Caswell County healthcare providers, there is a **lack** of communication among healthcare facilities within the county.
- ♦ Some health resources go **unused** in the county because the public and other organizations are unaware these resources exist.

Recommendations

- ♦ Form a Healthy Carolinians Partnership in Caswell County.
- ♦ This partnership should include several subcommittees to address health issues in Caswell County, including the previous mentioned obesity coalition.

Commissioner Hall stated that in regards to obesity, with all the statistics that were provided for the schools, he was surprised that there were no specific recommendations for the schools to take some kind of action. Commissioner Hall added that in regards to the statistics on diabetes, he feels that this is an epidemic. Ms. Eastwood stated that she is actively seeking grant funding to address the diabetes issue. Ms. Eastwood added that she would be happy to provide the full report to anyone who is interested in reviewing it.

RECREATION COMMISSION

Mr. Barry Smith, Recreation Commission Chairman, came before the Board to request that the Board consider the adoption of a *Resolution for the Caswell County Recreation Commission to Become an Affiliate of the Dan River Basin Association*. Mr. Smith explained the goals of the Dan River Basin Association to the Board.

After discussion, Commissioner Hall moved, seconded by Commissioner Jefferies to adopt the following *Resolution for the Caswell County Recreation Commission to Become an Affiliate of the Dan River Basin Association*. The motion carried unanimously.

**RESOLUTION
FOR THE CASWELL COUNTY RECREATION COMMISSION
TO BECOME AN AFFILIATE OF
THE DAN RIVER BASIN ASSOCIATION**

WHEREAS, the mission of the Dan River Basin Association is to preserve and promote the natural and cultural resources of the Dan River Basin through stewardship, recreation, and education; and

WHEREAS, the Dan River Basin Association envisions an economically vibrant bi-state community with a regional identity, where people enjoy easy access to healthy rivers, parks, trails, and heritage attractions; and

WHEREAS, the Dan River Basin Association works to preserve the river corridor with a series of municipality, county, and state parks and trails; increase public access to rivers; build constituency for the rivers and outdoor recreation through monthly outings; protect water quality by instituting stream monitoring across the Basin; promote regional eco-heritage tourism; and bridge boundaries to create a bi-state borderland community; and

WHEREAS, the Dan River Basin Association has four key program areas:

- Stewardship – Promote stewardship by encouraging policies and practices that support healthy water and clean air throughout the Dan River Basin.
- Recreation – Improve opportunities for river and trail-based recreation throughout the Dan River Basin.
- Education – Provide education and outreach regarding the history and significance of the natural and cultural treasures of the Dan River Basin and the importance of restoring and preserving these resources.
- Regional Identity
- Promote a regional identity and support regional tourism based on the shared river heritage of communities throughout the Dan River Basin; and

WHEREAS, the Dan River Basin Association's affiliate groups are locally-formed by individuals operating within a geographic area of interest in order to collaboratively achieve common goals; and

WHEREAS, affiliate organizations acquire DRBA membership and operate within DRBA's organizational structure, but also retain a distinct regional identity with locally-developed goals and strategies; and

WHEREAS, the Caswell County Recreation Commission desires to achieve common goals with the Dan River Basin Association as included herein.

NOW, THEREFORE BE IT RESOLVED, that the Caswell County Recreation Commission does hereby seek an affiliate and lasting association with The Dan River Basin Association.

ADOPTED THIS THE 3RD DAY OF MARCH, 2008.

S/George W. Ward, Jr.
George W. Ward, Jr., Chairman
Caswell County Board of Commissioners

ATTEST:

S/Wanda P. Smith
Wanda P. Smith
Clerk to the Board

PROPOSED AMENDMENT TO DISTURBING THE PEACE ORDINANCE

Chairman Ward read the following proposed amendment to the Disturbing the Peace Ordinance:

Proposed Amendment to the *Disturbing the Peace Ordinance*
To add a new subsection to Section 4, to read as follows:

SECTION 4. EXEMPT ACTIVITIES

- (i) The operation of any business which trains animals for public safety purposes. The operator of such a business shall make reasonable efforts, within the inherent limitations necessitated by the nature of the animals being trained, not to disturb the comfort and repose of persons of normal sensibilities occupying neighboring properties.

Commissioner Jefferies moved, seconded by Commissioner Travis that the County's *Disturbing the Peace Ordinance* remain as written and to deny the proposed amendment. The motion carried by a vote of five to one with Commissioner Hamlett voting no.

DAN RIVER WATER PROJECT

Mr. Michael R. Ferrell, County Attorney, reported that following the Board's last meeting, as requested he and the County Manager met with the other potential partners in the Dan River Water Project and took to them the concerns raised by the Board at the last meeting. Mr. Ferrell provided the Board with a revised Interlocal Agreement as a result of the issues raised at that meeting.

Mr. Ferrell presented and discussed the following explanation of the changes in the Interlocal Agreement regarding the Dan River water outtake facility which had been suggested at the Board's last meeting.

1. In Section 7.1 and 7.2, the phrase "on behalf of all the Parties" was added to emphasize that the facilities and permits are being obtained to benefit all Parties. Regulations require that permits be issued to a single entity, but these paragraphs make it clear that the entities receiving the permits are obligated to use them for the benefit of all Parties to the Agreement.

2. In Section 8 there are several changes. Section 8.1 repeats the benefit of all party language and states that the application to withdraw water will be in the maximum amount the State will permit. Section 8.2 acknowledges that the relative future water needs of the parties are uncertain at the present time and establishes a procedure to alter the initial allocation of water to meet future needs. It provides for a mandatory review of the allocation every five years, and for earlier reviews upon the request of any party. If there is an unresolved dispute about water allocation the matter may be submitted to an arbitrator for final resolution.

3. Section 8.7 has been changed to clarify that Roxboro's rights to operate the intake facility are not to override the rights guaranteed to the Parties under the Agreement.

4. Section 8.9 requires that if any Party desires to sell water outside of Caswell or Person County, or is required by governmental action or public need to do so, that Party will first obtain the approval of the other Parties. The approval document may consider, but is not limited to, such issues as revenue sharing and impact on available water allocations. If the Parties cannot agree the matter may be submitted to an arbitrator for final resolution.

5. Section 12.4 provides a mechanism by which any Party may proceed in the case any other Party has decided not to proceed to construct any part of the contemplated facilities. This makes it clear that if it is advantageous for one Party to move forward with any part of the Agreement, but is not advantageous for another Party to move forward, the project can proceed. It requires that Roxboro must, in any event, proceed with its obligations to obtain the withdrawal permit and allow the facility to operate to withdraw water.

After discussion, Commissioner Carter moved, seconded by Commissioner Jefferies to accept the Interlocal Agreement with the changes as presented by the County Attorney.

Commissioner Hamlett stated that he is not against the Agreement, but would like a little more time to review it.

Commissioner Hall stated that to him if there was a Regional Water Authority, there would be no need for an arbitrator as mentioned in the Agreement, which can be political.

Upon a vote of the motion, the motion failed by a tie vote of three to three with Commissioners Hall, Hamlett, and Travis voting no.

Mr. Ferrell explained the processes by which a Regional Authority could operate. Upon questioning from Chairman Ward, Mr. Ferrell stated that he felt that the provisions in the Agreement are viable and give the County more protection than that of a Regional Authority.

Chairman Ward requested that the Board members relay any ideas or recommendations concerning the Agreement to him or the Clerk to the Board by Thursday.

After considerable discussion, Chairman Ward stated that he would contact the Chairs and Mayors of the other parties and then place this item on the Board's March 17th agenda for further consideration.

COUNTY MANAGER'S REPORT

Mr. Kevin Howard, County Manager, presented for the Board's consideration a Budget Workshop Schedule.

Mr. Howard presented and reviewed a Change Order Request from Quality Construction of Danville, Inc. in the amount of \$23,997 for the proposed Caswell County Senior Center. After discussion, Commissioner Carter moved, seconded by Commissioner Jefferies to approve the Change Order Request from Quality Construction of Danville, Inc. in the amount of \$23,997 for the proposed Caswell County Senior Center as presented. The motion carried unanimously.

Mr. Howard stated that he would like direction from the Board as to whether it would like to approve all change orders or grant him the authority to approve change orders up to a certain amount. Commissioner Hall moved, seconded by Commissioner Jefferies to grant the County Manager the authority to approve change orders for the proposed Senior Center up to the amount of \$5,000, to be brought back before the Board at a later date. The motion carried unanimously.

Mr. Howard presented a request from Mr. Charlie King, Farmer Lake Warden, to replace the patrol boat for Farmer Lake. Mr. Howard reported that Mr. King has informed him that over the last three years the County's lake patrol boat has experienced numerous breakdowns and has become very undependable. Mr. Howard stated that the North Carolina Wildlife Resources Commission is upgrading their boats and has offered Caswell County an opportunity to purchase one of three boats that are being turned in the first week of March, 2008. Mr. Howard added that the NC Wildlife Resources Commission has indicated that it would sell Caswell County a boat and trailer for \$1,800 to \$2,200. After discussion, Commissioner Carter moved, seconded by Commissioner

Hamlett to purchase a boat and trailer for Farmer Lake from the North Carolina Wildlife Resources Commission for an amount not to exceed \$2,200. The motion carried unanimously.

ANNOUNCEMENTS

Commissioner Travis reported that he received a call from Mr. Harrell Mabe asking if the Board of Commissioners would consider purchasing another ambulance and told of an incident in which he had to have someone transport him on his personal vehicle to the hospital because an ambulance was not available. Commissioner Travis stated that this is the second time this has happened to Mr. Mabe. Chairman Ward requested that the County Manager look into this matter. Commissioner Travis expressed his opposition to the ambulance being based at the Anderson and Providence Volunteer Fire Departments because he felt that it was wasting taxpayers' money.

Commissioner Carter stated that he thought it would be a good idea for the EMS Director to come before the Board to answer some of the Board's questions.

THE ADJOURNMENT

At 7:45 p.m. Commissioner Hamlett moved, seconded by Commissioner Travis to adjourn the meeting. The motion carried unanimously.

Wanda P. Smith
Clerk to the Board

George W. Ward, Jr.
Chairman
