

MINUTES – MARCH 19, 2007

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 19, 2007. 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: Robert V. Shaver, Jr., Interim County Manager/County Attorney and Shannon White representing The Caswell Messenger. 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

Chairman Ward stated that he would like to add to the agenda a report from the Audit and Finance Committee and also add a personnel item to the Closed Session.

Commissioner Hall moved, seconded by Commissioner Travis to approve the agenda as presented with the two additions as noted. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Jefferies moved, seconded by Commissioner Hamlett 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 March 5 and 13, 2007 Meetings
- 2) Tax Director's Monthly Report for February, 2007

Total Amount of Taxes Collected	\$622,543.73
Tax Maps/Cards	\$ 99.95
County Maps	\$ 7.90
Beer License	\$ 30.00
NSF Charge	\$ 25.00
2007 Prepayments	\$ 3,937.85
- 3) Establish Beginning Date for Board of Equalization and Review - April 16, 2007 – 6:30 PM
- 4) Budget Amendment No. 13

PUBLIC COMMENTS

Chairman Ward opened the floor for public comments.

There were no public comments made.

UPDATE ON JORDAN LAKE STORMWATER CONTROL INITIATIVES

Mr. Melvin Butler, Planning Board Chairman, came before the Board to give an update on the Jordan Lake Stormwater Control Initiatives. Mr. Butler reported on a meeting he recently attended in Greensboro, NC on this subject and stated that it greatly involves Caswell County. Mr. Butler stated that he will continue to attend these meetings as a representative of the Burlington/Alamance Board of Realtors. Mr. Butler noted that the Greensboro Board of Realtors and Greensboro Homebuilders Association have hired a consultant firm to lobby with the legislators in trying to get some of the regulations reduced. Mr. Butler added that the cost to join in with this consulting group would be \$20,000. Mr. Butler noted that everything south of the Cherry Grove Road is in this basin. Mr. Butler stated that he would continue to update the Board on this subject and would also like for the Interim Planner to attend these meetings with him.

PUBLIC HEARING – PROPOSED 2006-2007 AND 2007-2008 SECONDARY ROAD
CONSTRUCTION PROGRAMS FOR CASWELL COUNTY

Commissioner Jefferies moved, seconded by Commissioner Travis that the Board enter into a public hearing to receive comments on the North Carolina Department of Transportation Proposed 2006-2007 and 2007-2008 Secondary Roads Construction Program. The motion carried unanimously.

Mr. Doug Galyon, Chairman, North Carolina Board of Transportation, came before the Board and stated that he represents Caswell County on the Board of Transportation and they were before the Board tonight to present the 2006-2007 and 2007-2008 Secondary Roads Construction Program for Caswell County.

Mr. Mike Mills, Division Engineer, presented and reviewed the following proposed 2006-2007 and 2007-2008 Secondary Roads Construction Program for Caswell County as recommended by the North Carolina Department of Transportation. Mr. Mike Cowan, Deputy Division Engineer, Mr. Brad Wall, Division Maintenance Engineer, and Mr. Herbert McDowell, District Engineer were also present.

North Carolina Department of Transportation
Proposed 2006/2007 Secondary Roads Construction Program

Caswell County

2006-07 Available Funds

\$1,275,000

I. Paving Unpaved Roads

Programmed Paving Goal: 5.18 Miles

C. Rural Paving Priority

<u>Priority Number</u>	<u>SR No.</u>	<u>Length (Miles)</u>	<u>Road Name and Description</u>	<u>Est. Cost</u>
3 R/W	SR 1110	2.50	Allred Road From SR 1106 to SR 1111 Note: Completion of funding	\$ 300,000
25 R/W	SR 1705	.50	Leasburg Hunt Club Road From NC 119 to EOM	\$ 160,000
1 F	SR 1525	.60	Crooked Road From NC 119 to EOM	\$ 200,000
2 F	SR 1134	.10	Oakus Page Road From SR 1133 to EOM	\$ 30,000
3 F	SR 1732	1.00	Topnot Road From NC 86 to EOM	\$ 320,000
Total Miles	4.7		Subtotal	\$1,010,000

B. Subdivision Paving Priority

<u>Priority Number</u>	<u>SR No.</u>	<u>Length (Miles)</u>	<u>Road Name and Description</u>	<u>Est. Cost</u>
1 F	SR 1383	0.23	Lake View Drive From SR 1347 to EOM	\$ 70,000
2 F	SR 1631	0.25	Jeffress Road Extension From EOP to EOM	\$ 70,000
Total Miles	0.48		Subtotal	\$ 140,000

III. Trust Fund Safety Improvements (GS 136-182)

<u>SR No.</u>	<u>Project Description</u>	<u>Est. Cost</u>
SR 1716	Henry Daniels Road – Replace crossline pipes	\$ 75,000

II. Funds reserved for surveying, right-of-way acquisition,
road additions, contingencies, overdrafts, and
paving entrances to certified fire departments,
rescue squads, etc. Subtotal \$ 50,000

GRAND TOTAL \$1,275,000

North Carolina Department of Transportation
Proposed 2007/2008 Secondary Roads Construction Program

Caswell County

2007-08 Anticipated Funds \$1,049,443

I. Paving Unpaved Roads Programmed Paving Goal: 3.50 Miles

D. Rural Paving Priority

<u>Priority Number</u>	<u>SR No.</u>	<u>Length (Miles)</u>	<u>Road Name and Description</u>	<u>Est. Cost</u>
4 F	SR 1316	1.30	Bill Turner Road From US 158 to EOM	\$ 400,000
5 F	SR 1704	0.20	Union Church Road From NC 119 to EOM	\$ 60,000
6 F	SR 1726	0.60	Wade Hooper Road From NC 119 to EOM	\$ 180,000
7 F	SR 1513	1.40	Talbott Road From SR 1523 to EOM	\$ 400,000
Total Miles	3.50		Subtotal	\$1,040,000

II. Funds reserved for surveying, right of way acquisition,
road additions, contingencies, overdrafts, and paving
entrances to certified fire departments, rescue squads,
etc. Subtotal \$ 9,443

GRAND TOTAL \$1,049,443

Chairman Ward declared the public hearing closed.

Commissioner Hall moved, seconded by Commissioner Jefferies to adopt the following Resolution to approve the 2006-2007 and 2007-2008 Secondary Roads Improvement Program as presented by the North Carolina Department of Transportation. The motion carried unanimously.

CASWELL COUNTY

RESOLUTION

WHEREAS, the North Carolina Department of Transportation has identified all of the unpaved secondary roads in Caswell County; and

WHEREAS, the North Carolina Department of Transportation has established a priority point system to determine a rating method for paving of secondary roads; and

WHEREAS, the North Carolina Department of Transportation has completed its priority ratings of all unpaved secondary roads in Caswell County; and

WHEREAS, the North Carolina Department of Transportation has estimated its 2006-2007 Secondary Road Allocation to be \$1,275,000; and

WHEREAS, the North Carolina Department of Transportation has estimated its 2007-2008 Secondary Road Allocation to be \$1,049,443; and

WHEREAS, the North Carolina Department of Transportation has presented its 2006-2007 and 2007-2008 Secondary Road Improvement Programs to the Caswell County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED that the Caswell County Board of Commissioners hereby unanimously approves the 2006-2007 and 2007-2008 Secondary Road Improvement Programs for Caswell County as presented by the North Carolina Department of Transportation.

ADOPTED THIS THE 19th DAY OF MARCH, 2007.

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

RFP RESPONSES FOR FINANCING OF AMBULANCE PURCHASE

Ms. Gwen Vaughn, Finance Officer, came before the Board to present a recommendation for selection of a lending institution for the ambulance purchase. Ms. Vaughn presented a Financing Proposal Fact Sheet for the purchase of the 2005 F-450 4x4 ambulance in the amount of \$80,000. The Fact Sheet provided financing terms, interest rates, annual installment payments, and other information for each bank proposal. Ms. Vaughn informed the Board that she received bid proposals from American National Bank, BB&T Governmental Finance, Fidelity Bank, RBC Centura Bank, and Wachovia Bank. Ms. Vaughn recommended that the Board approve entering into an installment loan agreement with BB&T Governmental Finance for a three-year term with an annual fixed interest rate of 3.66%, with three annual payments totaling \$85,926. Ms. Vaughn noted that there is a balance of \$25,390 that can be carried forward into next year for this payment which came from the ambulance insurance settlement in this year's budget.

After discussion, Commissioner Travis moved, seconded by Commissioner Hall that the \$25,390 be applied towards the ambulance purchase and finance the remaining amount. The motion carried unanimously.

Ms. Gwen Vaughn, Finance Office, stated that she could have BB&T prepare a new amortization schedule for the amount less the \$25,390 payment.

After discussion, Chairman Ward directed Ms. Vaughn to have BB&T prepare a new amortization schedule and provide additional information as needed for the Board's consideration at its April 2, 2007 meeting.

COUNTY FUEL SUPPLY

Mr. Robert V. Shaver, Jr., Interim County Manager/County Attorney reported that the County has been experiencing problems with the gas pump located at the Sheriff's Office, that it has become unreliable, and the metering of amounts dispensed are inaccurate because of repeated malfunctions. Mr. Shaver noted that the Board had in previous meetings been provided quotes for replacement of the pump and information from third party vendors for use of a card system to purchase gasoline at local gas stations, with quotes on pump replacement ranging from approximately \$7,500 to \$13,000.

Mr. Shaver informed the Board that in the last two weeks, the metering machine has broken once and the pump itself has broken on three occasions.

Mr. Shaver reported that whereas pump replacement would cost the County at least \$7,500, use of a card system would not cost the County anything to establish and operate, with gasoline purchases being made at local stations at the market rate. Mr. Shaver provided the Board with an information sheet on the Wright Express Fleet Card Program. Mr. Shaver noted that using a fleet card system will reduce work in the Finance Department to manually review meter tickets and compile gasoline reports because that information will automatically be recorded by use of the card. Mr. Shaver stated that the system should save the County time and money.

Mr. Shaver stated that after the agenda packages went out, Commissioner Hamlett informed him that he knew someone in the business that wished to provide a quote on pump replacement.

Commissioner Hamlett reported that he has talked to two gas pump representatives and they would like to provide a quote. Commissioner Hamlett added that they would also provide cards to those using the gas and this would be at no charge.

After further discussion, Commissioner Jefferies moved, seconded by Commissioner Hall to table this item until the Board's April 2, 2007 meeting, in order for Commissioner Hamlett to obtain another quote. The motion carried unanimously.

UPDATE AND RECOMMENDATION ON SELECTION OF ARCHITECT AND ENGINEERING FIRM FOR NEW SENIOR CENTER

Mr. Robert V. Shaver, Jr., Interim County Manager/County Attorney reported that Requests for Qualifications were sent out to architectural and engineering firms for the new Senior Center and eight responses were received. Mr. Shaver informed the Board that after receiving those proposals, the Building and Grounds Committee, consisting of Commissioners Ward, Carter, and Jefferies, and Ms. Donna Pointer, Senior Center Director, met with him and they screened the eight proposals down to three and scheduled interviews with these firms. Mr. Shaver stated that after meeting with the firms, the Committee's recommendation was to select the firm of Dewberry, of Danville, Virginia to provide the architectural and engineering services for the new Senior Center.

Mr. Shaver noted that if the Board approved Dewberry as the architectural and engineering firm, then a contract would have to be developed and approved.

After further discussion, Commissioner Carter moved, seconded by Commissioner Jefferies to accept the recommendation of the Building and Grounds Committee and approve the firm of Dewberry to provide the architectural and engineering services for the new Senior Center. The motion carried unanimously.

MINORITY OUTREACH PROGRAM

Mr. Robert V. Shaver, Jr., Interim County Manager/County Attorney, reported that several years ago, the Legislature passed a requirement for public agencies to have a program to encourage and track participation by minority business enterprises in building construction projects whereby the total project cost exceeds \$300,000. Mr. Shaver stated that Caswell County has not recently had qualifying projects, but needs to develop the program to meet the statutory requirements for future projects. Mr. Shaver noted that there are also reporting requirements which are coordinated through the North Carolina Department of Administration, which has established a department for this purpose known as HUBSCO, the Historically Underutilized Business State Construction Office.

Mr. Shaver provided the Board with a proposed Minority Business Outreach Plan and stated that as part of the plan, he has set Caswell County's "verifiable percentage goal for participation" at ten percent since this is the state minimum standard and the most commonly used percentage of most jurisdictions. Mr. Shaver stated that the percentage goal is just that – a goal, not a statutory requirement; however, the plan does require numerous steps to document and verify good faith efforts to meet the goal.

Mr. Shaver informed the Board that the minority outreach requirements of the General Statutes only apply to building construction and repair projects, not to other types of purchasing procedures or service contracts.

Upon questioning from Commissioner Hall, Mr. Shaver answered that architects and engineers are covered by a separate Statute and that Statute was followed in the RFQ's for the Senior Center.

Mr. Shaver stated that the Board must hold a public hearing before adopting the plan. The Board agreed to schedule a public hearing on the proposed Minority Business Outreach Plan on Monday, April 16, 2007.

LANDFILL GROUNDWATER MONITORING

Mr. Robert V. Shaver, Jr., Interim County Manager/County Attorney reported that on February 5, 2007, the Board was presented with two proposals from firms for conducting the annual groundwater monitoring and reporting activities at the Landfill. Mr. Shaver noted that the proposals were from Dewberry in the amount of \$9,088 and S&ME in the amount of \$7,066. Mr. Shaver added that the Board tabled action on this item until further proposals could be obtained.

Mr. Shaver informed the Board that he sent letters out and received proposals from Meritech, Inc. of Reidsville, NC, Research & Analytical Laboratories of Kernersville, NC, and Pace Analytical Services of Eden, NC. Mr. Shaver stated that individuals from Meritech and R&A contacted him to express interest in providing proposals; however, he later heard from R&A that they would have to decline from submitting a proposal because DENR required reporting submissions from a professional engineer or licensed

geologist, which they could not provide. Mr. Shaver added that he received a proposal from Meritech with a quote of approximately \$4,300, but the quote related to the laboratory work component and did not encompass the required professional review and reporting requirements, therefore, after reviewing DENR regulations, Meritech informed him that they could not supply the engineering component of the services. Mr. Shaver stated that Pace Analytical did not respond and noted that it is a laboratory service and actually appears to be aligned with S&ME to provide that part of the services in the S&ME proposal.

Commissioner Hamlett noted that Pace Analytical does the laboratory services for S&ME and he had received a quote from them for these services at a cost of \$3,040. Commissioner Hamlett stated that if S&ME were awarded the contract for engineering services only with Pace Analytical performing the lab services, it would be a savings of \$426 to the County.

Mr. Shaver noted that both Dewberry and S&ME contract out for laboratory services. Mr. Shaver stated that with the laboratory services taken out of the contract, Dewberry's proposal would be \$5,000 and S&ME's proposal would be \$3,600.

Upon questioning from Chairman Ward, Mr. Shaver clarified that if the Board chose to award the contract to S&ME for engineering services and to Pace Analytical for laboratory services, it would not be necessary to go back to Dewberry since the engineering and laboratory services are broken down in both proposals and the proposals indicated that the County could use the laboratory of its choice.

Commissioner Carter stated that if the engineering and laboratory services are going to be considered separately, he would like to see the County get a separate laboratory quote.

After discussion, Commissioner Hamlett moved, seconded by Commissioner Jefferies to table this item until the Board's next meeting.

Following further discussion, Commissioners Hamlett and Jefferies withdrew their motion.

Commissioner Hall moved, seconded by Commissioner Travis to award the contract for the 2007 Groundwater Monitoring at the Caswell County Landfill to S&ME for engineering services in the amount of \$3,600 and negotiate directly with the laboratory for its services. The motion carried unanimously.

AUDIT AND FINANCE COMMITTEE

Commissioner Hall, Chairman of the Audit and Finance Committee, reported that he and Commissioners Travis and Vernon, Committee Members, met on Friday, March 16, 2007, and reviewed the basic steps for collection of taxes provided by the Tax Director and North Carolina General Statutes 105-374 and 105-375. Commissioner Hall noted that these two statutes outline procedures to be used for tax foreclosures.

Commissioner Hall informed the Board that Caswell County currently uses the process outlined in NCGS 105-374, which is the traditional method. Commissioner Hall added that NCGS 105-375, the In Rem method, gives the Tax Director authority to complete foreclosures by docketing certificate of taxes as judgment with the Clerk of Superior Court. Commissioner Hall stated that the North Carolina General Statutes state that judgments shall have the same force and effect as a duly rendered judgment of the Superior Court. Commissioner Hall added that this procedure is faster and less time consuming.

Commissioner Hall presented the following recommendations from the Audit and Finance Committee:

1. The Tax Collector is to include a summary of the collection and foreclosure process with the first bill of the year.
2. The Tax Director to be required to attempt to collect all delinquent taxes using a combination of the methods above and other legal means at his disposal (garnishments, debt setoff, etc.). Commissioner Hall believes that NCGS 105-375 can be used effectively and efficiently by the Tax Director.

If because of complexity or other mitigating circumstances a file needs to be sent outside for collection, the Tax Director must present that file to the Board of Commissioners with justification and obtain approval before doing so.

3. The direct reporting line of the Tax Director be returned to the Board of Commissioners. We recommend that this be done immediately.

The Tax Director must be present at all future day meetings to report to the Board on tax collections, delinquencies, and foreclosures.

4. There are to be no payment plans that exceed June 30th of the year taxes are due.

The Tax Director is to revise his report to the Board to make it easier to read and more meaningful. The Tax Director can confer with the Chairman for suggestions.

5. The Board of Commissioners meet with the Tax Director and establish measurable goals and objectives at the beginning of each year. Prior to the end of each year, the Board of Commissioners meets with the Tax Director and evaluates his performance on those goals and objectives.

After further discussion, Commissioner Carter moved, seconded by Commissioner Hamlett to table this item until the Board's April 2, 2007 meeting. The motion carried by a vote of five to one with Commissioner Travis voting no.

COUNTY MANAGER'S REPORT

Mr. Robert V. Shaver, Interim County Manager/County Attorney provided the Board with information from the North Carolina Department of Environment and Natural Resources regarding assessment, cleanup, and redevelopment of old landfill sites within the County. Mr. Shaver noted that there are three old landfill sites within the County and they are: 1) the Caswell County Landfill; 2) Dowdy Dump; and 3) Miles Garbage Dump. Mr. Shaver noted that all 100 counties in the State received this letter and its purpose is mainly to raise interest in the Governor's proposed budget. Mr. Shaver added that Governor Easley is proposing a \$2 per ton disposal surcharge applied to solid waste and that this revenue be used to contract for cleanup of the old landfill sites and to provide grants to local governments for redevelopment, as well as being used statewide to clean up other hazardous substance disposal sites that have no viable responsible party.

Mr. Shaver provided the Board with information from the Local Update of Census Addresses (LUCA) program. Mr. Shaver stated that LUCA is a key component to a complete and accurate count for the 2010 Census. Mr. Shaver informed the Board that the US Census Bureau will sponsor a number of presentations throughout the State. Mr. Shaver noted that presentations would be held on March 22 and 23, 2007 at the Piedmont Triad Council of Governments in Greensboro, NC.

Mr. Shaver informed the Board that Caswell County Schools has submitted a quote for providing meals to the Congregate Meals Program and Meals on Wheels Program for the upcoming fiscal year. Mr. Shaver noted that the cost quoted has increased significantly, with a seventeen percent increase for the Congregate Meals Program and a five percent increase for the Meals on Wheels Program. Mr. Shaver stated that he would be working with Ms. Brenda Hodges, Aging Services Director, in negotiating this price with the School System.

Mr. Shaver referred the Board to a memo in the agenda package from the Clerk to the Board which lists a number of informational items received since the Board's last meeting. Mr. Shaver stated that if agreeable with the Board, a memo would be submitted in each agenda package listing the informational items received since the last meeting and the material will be in the Clerk's Office for review rather than copying all of it for each agenda package. Commissioner Hall suggested that the minutes received from various Boards be placed on the County's webpage for public availability. Mr. Shaver stated that this could be done.

ANNOUNCEMENTS

Commissioner Hall reported that Commissioner Jefferies represented the Board of Commissioners at "*Mrs. Inez Blackwell Day*" at the Caswell County Senior Center and did an excellent job.

Commissioner Hall stated that there are a number of items included on the agenda of which the Interim County Planner needs to be actively involved. Commissioner Hall added that the Interim Planner definitely needs to be in attendance at the US Census Bureau's presentation at the Council of Governments on March 22 and 23, 2007. Commissioner Hall noted that he was confident that Caswell County was not properly counted in the last census and the Planner needs to be actively involved in this.

Commissioner Carter announced that the Arts Council would be holding an auction on March 30, 2007 at the Caswell County Civic Center.

Commissioner Carter recognized Yanceyville Mayor Dan Printz who was present at the meeting.

CLOSED SESSION

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

REGULAR SESSION

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

THE ADJOURNMENT

At 8:49 p.m. Commissioner Carter moved, seconded by Commissioner Hamlett to adjourn the meeting. The motion carried unanimously.

Wanda P. Smith
Clerk to the Board

George W. Ward, Jr.
Chairman
