

## MINUTES – MAY 19, 2008

The Caswell County Board of Commissioners met in special session at the Historic Courthouse in Yanceyville, North Carolina at 5:30 p.m. on Monday, May 19, 2008. The purpose of the meeting was to meet jointly with the Yanceyville Town Council to discuss the Yanceyville Police Department. Members present: George W. Ward, Jr., Chairman, Jeremiah Jefferies, Vice-Chairman, William E. Carter, Nathaniel Hall, Larry G. Hamlett, Kenneth D. Travis, and C. Hester Vernon, III. Yanceyville Town Council Members present: Curtis E. Davis, Mayor, Margie Badgett-Lampkin, Mayor Pro-Tem, Alvin W. Foster, Ray McGuire, and Fred A. Smith. Also present: Kevin B. Howard, County Manager, David Parrish, Yanceyville Town Manager, R. Lee Farmer, Yanceyville Town Attorney, and Angela Evans representing The Caswell Messenger. Wanda P. Smith, Clerk to the Board, recorded the minutes.

### CALL TO ORDER

Caswell County Board of Commissioners' Chairman George W. Ward, Jr., called the meeting of the Caswell County Board of Commissioners to order.

Yanceyville Mayor Curtis E. Davis called the meeting of the Yanceyville Town Council to order.

### MOMENT OF SILENT PRAYER

Chairman Ward requested that everyone observe a Moment of Silent Prayer.

### WELCOME

Chairman Ward welcomed the Yanceyville Town Council.

### DISCUSSION OF YANCEYVILLE POLICE DEPARTMENT

Mayor Davis thanked the Board of Commissioners for meeting with them.

Mr. David Parrish, Yanceyville Town Manager, opened the meeting with an explanation and purpose for meeting with the County. Mr. Parrish explained that it had been discussed by the Yanceyville Town Council to seek out the County Sheriff's Office to provide public safety for the Town as opposed to continuing to operate a designated Police Department. Mr. Parrish explained that the Town is interested in supporting financially an increased and dedicated presence in the Town. Mr. Parrish added that the Yanceyville Town Council is interested in entering into an Agreement with the Town of Yanceyville, Caswell County, and Caswell County Sheriff's Office.

Mayor Davis stated that in 1995 the Community Policing Program was started in Yanceyville and before that all protection was provided by the Caswell County Sheriff's Office which was all County funded. Mayor Davis added that a grant was received to implement Community Policing and when the grant expired, Community Policing was turned over to the Town and the Town was able to secure funds at that time to establish the Yanceyville Police Department. Mayor Davis stated that the citizens in the Town can only pay so much in taxes; therefore, the Town is looking at options such as going back and having the County provide protection for the Town.

Mayor Davis reported that Mr. David Lawrence, with the Institute of Government in Chapel Hill, informed them of the pros and cons of having a Police Department.

Mayor Davis informed the Board that Sheriff Welch gave the Town Manager some figures as to what it would cost for the Sheriff's Office to provide the services in the Town now being provided by the Police Department. Mayor Davis stated that the Sheriff's Office can provide these services at a much lower cost than that of the Town and is looking to the Board for its help and blessing in doing this.

Mr. Fred Smith stated that those in the Town of Yanceyville pay both County and Town taxes and are paying for both the Yanceyville Police Department and Sheriff's Office. Mr. Smith noted that Yanceyville comprises 10% of the County's population. Mr. Smith added that he felt that if the Sheriff had control of the entire County he could deter crime and drugs better. Mr. Smith reported that over the last six years the cost of operating the Yanceyville Police Department has been \$1.6 million and over the last six years ad valorem taxes have only brought in \$1.1 million, leaving the Town one-half million dollars short. Mr. Smith stated that he felt, through Sheriff Welch, the Town can get better coverage at a more economic cost and increased police protection for the Town of Yanceyville. Mr. Smith added that he felt that Sheriff Welch does a fine job and is one of the most outstanding Sheriffs in the State and would like to go on record as wanting to enter into a contract with the Caswell County Board of Commissioners and Sheriff's Office to provide police protection for the Town of Yanceyville.

Mr. Alvin Foster stated that he is not in favor of police protection for the Town of Yanceyville being turned over to the Sheriff's Office. Mr. Foster added that he felt that Sheriff Welch does a great job and that the two departments complement each other, yet his concern is to get a cost determined and he could not vote for this until this is done.

Ms. Margie Badgett-Lampkin stated that her main purpose in the two Boards meeting was to sit down together and make sure that both Boards know what is going on. Ms. Badgett-Lampkin added that she is not in favor of the Sheriff's Office taking over police protection for the Town. Ms. Badgett-Lampkin confirmed that both departments do work well in conjunction with each other and it is nothing against Sheriff Welch, but she felt that the Yanceyville Police Department is doing a good job. Ms. Badgett-Lampkin stated that she could not vote for this until she knows the preliminary findings.

Chairman Ward stated that this is the first time that the two Boards have set down and officially discussed this issue and as far as what it will cost, he does not know the cost. Chairman Ward added that it depends heavily on what the Sheriff feels that he can do.

Upon questioning from Commissioner Hamlett, Mr. David Parrish answered that the Town's current budget funded six officers, but they currently have four police officers. Mr. Parrish added that the Town budgeted \$295,000 for five officers in the projected 2008-2009 budget.

Sheriff Welch stated that in looking at this transition if it becomes a reality, he would be looking at the County as a whole and being prepared as Sheriff to provide services for the entire County, including the Town of Yanceyville. Sheriff Welch explained the current operation of his department and noted that currently there are 3.5 officers on duty per shift. Sheriff Welch stated that basically, he would need four deputies for the Town of Yanceyville to serve the residents of Yanceyville in order to have 24 hours/7 days coverage. Sheriff Welch added that in the meeting with the Town Manager and County Manager in exploring possibilities, most of the figures discussed projected salaries and fringe benefits for four deputy positions. Sheriff Welch stated that in the working budget presented to both Managers, costs were included for operating expenses such as fuel, vehicle maintenance, etc. and that figure was projected at \$210,000.

Upon questioning from Commissioner Jefferies, Sheriff Welch answered that if the Town decided to dissolve its Police Department, by Statute the Sheriff is required to provide law enforcement services to the Town, and noted that those services will depend on the funds that are provided. Sheriff Welch stated that until an official decision is made, he would recommend, at that point that a planning meeting be held to look at any type of contractual agreement that is put in place, operations, services, logistics, and equipment. Sheriff Welch added that there would be some work involved in this transition and to make sure that services are not lapsed in the Town or County.

Commissioner Travis stated that legally, if the Town Police Department was dissolved, the Sheriff would only have to provide the same protection and services as the rest of the County. Commissioner Travis added that the Sheriff's Office providing protection for the Town could work, but it is not something that can be done overnight.

Sheriff Welch stated that any kind of contractual agreement with the Town should include funding and also expectations as to services provided.

Mayor Davis stated that he was sure that the Town could fund four officers and the other issues could be worked out between the Town Manager and Attorney with the cost being approximately \$210,000 per year.

Upon questioning from Commissioner Travis, Mayor Davis confirmed that the Town's patrol vehicles would be turned over to the County. Commissioner Travis noted that this would be a one-time gift and the County would be responsible for replacing these vehicles when needed.

Upon questioning from Mr. Fred Smith, Sheriff Welch answered that of the \$210,000, \$150,000 would be for officers and benefits and \$60,000 would be for operating expenses, vehicle maintenance, etc, but does not include any capital outlay.

Mr. Fred Smith stated that the Town Council needed to make a decision soon as to the future of the Yanceyville Police Department because the Police Department employees need to know, as well as Sheriff Welch and the Town Manager.

Commissioner Hall stated that he is trying to determine the Board of Commissioners' role in the Town Council's decision.

Commissioner Vernon stated that he would like to see the cost figures in front of him as well as the proposal of what the Town Council wants, and the level of service desired, including capital outlay. Commissioner Vernon added that the Sheriff, County Manager, and Town Manager need to go over the budget costs for this.

After further discussion, Mr. Fred Smith moved, seconded by Mayor Curtis Davis that the Yanceyville Town Council enter into a contract with the Caswell County Board of Commissioners and work with Sheriff Michael Welch to provide public safety for the Town of Yanceyville, that the Yanceyville Town Council, Town Manager, and Sheriff work together to have the best coverage for the Town of Yanceyville, and that the Yanceyville Police Department be dissolved as of June 30, 2008.

Mr. Alvin Foster stated that he did not feel the Council had enough information to make a decision at this time.

Mr. Fred Smith stated that he felt that his job as a Councilman is to look out for the future of the Town of Yanceyville and its citizens and felt that this is in the best interest of the Town.

Ms. Margie Badgett-Lampkin stated that she would like to make it abundantly clear that she is not in favor of dissolving the Yanceyville Police Department.

Upon a vote of the motion, the motion carried by a vote of three to two with Council members Badgett-Lampkin and Foster voting no.

Mr. Foster raised an issue of conflict of interest in that Councilman McGuire does work for the Caswell County Sheriff's Office. Mayor Davis clarified that Councilman McGuire has researched this matter and it is not an issue.

Mr. R. Lee Farmer, County Attorney stated that he would ask that the Council include memos that he has previously given them on this issue in the official minutes recording the action that has taken place tonight and stated his concern about the opinion he has given them regarding potential conflict of interest liabilities.

Mr. Ray McGuire stated that the law has changed and \$25,000 per year can be made before it is considered a conflict of interest.

Mr. Farmer responded that his opinions were not based on his interpretation, but were based on the interpretation of the School of Government in Chapel Hill and there were two issues of which they were concerned about Council members having an interest in this vote. Mr. Farmer stated that his memos were based on information given to him from the School of Government.

Mayor Davis stated that he appreciated the Board of Commissioners meeting with the Yanceyville Town Council on this issue.

Mayor Davis moved, seconded by Mr. Fred Smith to adjourn the meeting of the Yanceyville Town Council. The motion carried unanimously.

Sheriff Welch agreed that there are some issues that need to be addressed and he would be available for a planning meeting to discuss these concerns.

Sheriff Welch assured everyone that his office would continue to respond to 911 calls in the Town of Yanceyville when needed and would continue to provide protection for the entire County as required by Statute. Sheriff Welch added that the Sheriff's Office would do the best it could with the resources they have.

THE ADJOURNMENT

At 6:20 p.m. Commissioner Hamlett moved, seconded by Commissioner Travis to adjourn the meeting. The motion carried unanimously.

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Wanda P. Smith  
Clerk to the Board

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George W. Ward, Jr.  
Chairman

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