

MINUTES – JULY 16, 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, July 16, 2007. Members present: George W. Ward, Jr., Chairman, Jeremiah Jefferies, Vice-Chairman, Larry G. Hamlett, Kenneth D. Travis, and C. Hester Vernon, III. Absent: William E. Carter and Nathaniel Hall. Also present: Kevin B. Howard, County Manager 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

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

APPROVAL OF CONSENT AGENDA

Commissioner Travis moved, seconded by Commissioner Jefferies 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 June 4, 6, 11 (Budget), and June 11 (Special), 2007 Meetings

- 2) Tax Director's Monthly Report for June, 2007

Total Amount of Taxes Collected for June, 2007	\$216,738.21
Tax Maps/Cards	\$ 52.75
County Maps	\$ 7.90
Beer License	\$ 55.00
NSF Charge	\$ 175.00
Wine License	\$ 175.00
2007 Prepayments	\$ 4,923.13

PUBLIC COMMENTS

Chairman Ward opened the floor for public comments.

There were no public comments made.

PUBLIC HEARING – RURAL OPERATING ASSISTANCE PROGRAM

Commissioner Vernon moved, seconded by Commissioner Jefferies that the Board enter into a public hearing to receive comments on the proposed Rural Operating Assistance Program (ROAP) application to be submitted to the North Carolina Department of Transportation by the County of Caswell. The motion carried unanimously.

Ms. Melissa Williamson, Director, Caswell Division of Transportation, came before the Board and stated that the Rural Operating Assistance Program (ROAP) is a state funded public transportation grant program administered by the North Carolina Department of Transportation, Public Transportation Division (NCDOT/PTD). ROAP includes Elderly and Disabled Transportation Assistance, Work/First Transitional/Employment Transportation Assistance Program and Rural General Public. Ms. Williamson added that the period of performance for the project will remain July 1, 2007 – June 30, 2008, regardless of the date on which ROAP funds are disbursed to the County.

Ms. Williamson reported that the EDTAP, originally enacted by legislation in the 1989 Session of the North Carolina General Assembly, provides operating assistance funds for the transportation of the state's elderly and disabled citizens. This transportation assistance allows these individuals to reside for a longer period in their homes, thereby enhancing their quality of life. For the purposes of EDTAP, an elderly person is defined as one who has reached the age of 60 or more years. A disabled person is defined as one who has a physical or mental impairment that substantially limits one or more major life activity, an individual who has a record of such impairment, or an individual who is regarded as having such impairment.

Ms. Williamson informed the Board that the Work First/Employment program is intended to provide operating assistance for transitional Work First and general public employment transportation needs. Work First/Employment funds should first be used to support the employment transportation needs of individuals that are not eligible to receive benefits from the Temporary Assistance of Needy Families program.

Ms. Williamson reported that the RGP operating assistance funds are intended to provide transportation services to individuals who are not human service agency clients.

Ms. Williamson reported that Caswell County will receive a total of \$80,183.00 in ROAP funds, EDTAP will be allocated \$41,599.00, Work First will be allocated \$6,103.00, and RGP will be allocated \$32,481.00. Ms. Williamson informed the Board that this year she is applying for Supplemental ROAP Funds, which are intended to provide new services and serve new clients, and will be requesting \$24,823.00 in EDTAP funds and \$14,000.00 in RGP funds.

There being no comments, Chairman Ward declared the public hearing closed.

Commissioner Jefferies moved, seconded by Commissioner Travis to approve the proposed Rural Operating Assistance Program application as presented to be submitted to

the North Carolina Department of Transportation by the County of Caswell. The motion carried unanimously.

SITE PLAN APPROVAL FOR PROPOSED SENIOR CENTER

Mr. Michael Moore, Architect, Dewberry & Davis, came before the Board and presented the site plan for the proposed Caswell County Senior Center. Mr. Moore displayed and discussed the proposed Schematic Site Layout and the Equipment Plan. Mr. Moore informed the Board that in his plan he has included an additional acre for the site which would bring the total acreage for the Center to 6.5 acres.

Mr. Moore provided and discussed with the Board the following information:

PROGRAM REQUIREMENTS

CASWELL COUNTY, NC – CASWELL COUNTY SENIOR CENTER

I. NEW CONSTRUCTION

Activity

1. Computer Lab: 335 nsf
2. Day Room: 1,188 nsf
3. Fitness Area: 973 nsf
4. Multi-Purpose: 784 nsf
5. Kitchen: 252 nsf
6. Dining: 1,785 nsf

Administrative

1. Lobby/Receptionist: 428 nsf
2. First Aid: 60 nsf
3. Offices: 807 nsf
4. Work Room: 61 nsf
5. Storage: 147 nsf

Other

1. Storage: 248 nsf
2. Toilet Rooms: 498 nsf
3. Janitor: 50 nsf
4. Circulation: 1,223 nsf
5. Mechanical Platform: 739 nsf (not included in overall square footage)

II. PROGRAM SUMMARY

New Construction	Required Area
Activity Space	5,317 nsf
Administrative Space	1,503 nsf
Other Space	2,019 nsf
Construction Space (i.e. walls)	661 nsf
Total Building Area	9,500 gsf

After discussion, Commissioner Travis moved, seconded by Commissioner Hamlett to approve the addition of one acre on the left side of the property to the proposed Senior Center site, for a total acreage of 6.5 acres. The motion carried unanimously.

Commissioner Jefferies moved, seconded by Commissioner Travis to approve the site plan for the proposed Caswell County Senior Center as prepared and presented by Dewberry & Davis. The motion carried unanimously.

Upon questioning from Commissioner Hamlett, Mr. Moore answered that the two million dollars appropriated to the project also includes architectural and engineering fees, some furnishings and equipment costs, a 10% Contingency, as well as the building costs.

APPROVAL OF LEASE FOR OFFICE SPACE FOR JCPC FUNDED PROGRAMS

Mr. Kevin B. Howard, County Manager, requested that the Board consider the approval of a lease between Caswell County and Charles A. Womack, Jr./Bobbye Raye Womack for office space located at The Caswell Messenger building for the Juvenile Crime Prevention Council funded programs.

After discussion, Commissioner Travis moved, seconded by Commissioner Jefferies to approve the lease between Caswell County and Charles A. Womack, Jr./Bobbye Raye Womack for office space for the Juvenile Crime Prevention Council funded programs as presented. The motion carried unanimously.

REQUEST TO WAIVE DELINQUENT TAX PENALTIES

Ms. Carolyn Handy came before the Board to request that it waive delinquent tax penalties in the amount of \$174.25 on taxes owed for the years 2005 and 2006. Mr. Handy informed the Board that his wife lived in the Providence area for over 20 years and was never late in paying her taxes. Mr. Handy stated that he and his wife married

five years ago, moved to Danville, Virginia, and rented out the property in Providence. Mr. Handy added that the renters moved out in July and when he and his wife went to the house they found the letter there from the Attorney about the delinquent taxes for 2005 and 2006 and it had not been forwarded to them in Danville. Mr. Handy stated that since then, they have paid the taxes for 2006 and 2007. Mr. Handy requested that the Board waive the Attorney fees and costs to date in the amount of \$174.25 since their mail was not forwarded to them and they were not aware of the delinquent taxes.

After discussion, Chairman Ward informed Ms. Handy that the Board feels that paying the taxes were their responsibility and the Board could not refund the Attorney Fees. The Board took no action on this request.

APPOINTMENT OF VOTING DELEGATE TO NCACC ANNUAL CONFERENCE

Chairman Ward moved, seconded by Commissioner Travis to appoint Commissioner Vernon as the Board's voting delegate to the North Carolina Association of County Commissioners' Annual Conference to be held in Cumberland County on August 16-18, 2007. The motion carried unanimously.

APPOINTMENTS TO BOARD OF HEALTH

Chairman Ward moved, seconded by Commissioner Jefferies to reappoint Dr. Jack C. Turner, Ms. Susan B. McWhorter, Ms. Edith A. Totten, and Ms. Peggy O. Baldwin to the Board of Health. The motion carried unanimously.

APPOINTMENTS TO CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD

Commissioner Hamlett moved, seconded by Commissioner Travis to appoint Mr. John Lee (Judicial District Manager Probation and Parole), Mr. Bobby Spence (TASC Program Coordinator), Ms. Dianne Moorefield (DSS Director), and Commissioner Vernon as the Board's representative to the Criminal Justice Partnership Advisory Board. The motion carried unanimously.

APPOINTMENTS TO PLANNING COMMITTEE FOR SERVICES TO THE ELDERLY

Commissioner Hamlett moved, seconded by Commissioner Jefferies to appoint Ms. Kaye Cobb, Ms. Jean H. Vernon, Ms. Alvera Lipscomb, Ms. Estella Jeffries, Ms. Edith S. Gentry, Ms. Brenda S. Apple, Mr. Jeff Carpenter, Ms. Thomasine R. Stewart, Ms. Sonya G. Patterson, Ms. Shirley C. Deal, and Ms. Virginia M. Totten to the Planning Committee for Services to the Elderly. The motion carried unanimously.

APPOINTMENTS TO SENIOR CENTER ADVISORY COMMITTEE

Commissioner Jefferies moved, seconded by Commissioner Travis to appoint Ms. Edith Gentry, Ms. Thomasine R. Stewart, Mr. Fred A. Smith, Mr. David H. Cannon, Ms. Diane

Frederick, and Ms. Margaret D. Slade to the Senior Center Advisory Committee. The motion carried unanimously.

COUNTY MANAGER'S REPORT

Mr. Kevin B. Howard, County Manager, presented for the Board's consideration a Resolution opposing House Bill 1587, "The Local Government Fair Competition Act".

After discussion, Commissioner Hamlett moved, seconded by Commissioner Jefferies to adopt the following *Resolution of the County of Caswell Against House Bill 1587, "The Local Government Fair Competition Act"*. The motion carried unanimously.

RESOLUTION OF THE COUNTY OF CASWELL AGAINST HOUSE BILL 1587 "The Local Government Fair Competition Act"

WHEREAS, House Bill 1587, "The Local Government Fair Competition Act," has been entered into the 2007 of the General Assembly of North Carolina, and has passed from the House Public Utilities Committee to the House Finance Committee for consideration;

WHEREAS, the purpose of House Bill 1587 is to greatly hinder local governments from providing needed communications services, in particular advanced high-speed broadband services, where such services are non-existent;

WHEREAS, private companies, despite having received favorable regulatory and tax treatment to enable broadband investment, have chosen not to make the investment necessary to provide such top quality services but rather to offer lesser quality slow non-state-of-the-art infrastructure technologies and to make even such lesser quality service available to less than all municipal residents;

WHEREAS, while private companies declare top quality service is cost prohibitive in our country and spare no expense in legislative lobbying campaigns against private-public partnerships, the United States continues to fall in world-wide standings of broadband capability;

WHEREAS, U.S. broadband capability has fallen behind the United Kingdom, Korea, France, Japan and Canada to name a few, and Japan has internet access that is at least 500 times faster than what is considered high-speed in the United States;

WHEREAS, broadband internet is a new public utility necessary to compete in the global economy of the 21st century, the deployment of true high-speed broadband systems in all our local communities is of vital importance to future economic development and community growth in North Carolina to replace lost textile, tobacco, furniture and manufacturing jobs;

WHEREAS, the General Assembly has already established the 1) rules for Public Enterprise (NCGS § 160A Article 16), 2) regulations through the Budget and Fiscal Control Act (NCGS §159 Article 3), and oversight by the Local Government Commission (NCGS §Article 2) in which a local government must abide in order to undertake providing an enterprise service to its community;

WHEREAS, House Bill 1587 is counter to the Local Development Act of 1925 as established NCGS §158 that allows local governments to aid and encourage economic development in communities throughout North Carolina;

WHEREAS, North Carolina law has long permitted local governments to engage in public enterprises and where there is no justification for treating communications enterprises any differently from other public enterprises;

WHEREAS, historically it was government that funded much of the current corporate telecommunications infrastructure in the United States and government paid for and developed the Internet;

WHEREAS, the re-combining of telecommunications companies (such as AT&T and the “baby Bells”) continues to result in planned layoffs, the inability to meet the demands of new and re-locating businesses for true high-speed broadband results in such businesses locating elsewhere, and the fact that there are telecommunications designers and equipment manufacturers and suppliers located in North Carolina who will be negatively impacted if local government is not allowed to provide needed communications services mean that **North Carolina will stand to lose more jobs by not investing** in top-quality broadband infrastructure than it will lose due to government provision of such services.

NOW THEREFORE BE IT RESOLVED THAT THE COUNTY OF CASWELL is against the passage of House Bill 1587 and urges all members of the North Carolina General Assembly to vote “NO” in Committee and if necessary on the floor of the General Assembly.

The foregoing resolution was adopted by the County of Caswell, NC on July 16, 2007.

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

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

Mr. Howard reported that the individual that he recently hired for County Planner has informed him that he is withdrawing from the appointment.

Commissioner Hamlett informed the Board that he spoke with Ms. Cindy Lawson concerning the Hayes Iron & Metal situation on Walters Mill Road and the possibility of a turning lane.

Upon questioning from Commissioner Hamlett, Mr. Howard updated the Board on the sale of the Guilford Mills building.

CLOSED SESSION

Commissioner Hamlett moved, seconded by Commissioner Jefferies that the Board enter into closed session to consider the competence, terms of appointment, and performance of an individual public officer (NCGS 143-318.11(a)(6)), and to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body (NCGS 143-318.11(a)(4)). The motion carried unanimously.

REGULAR SESSION

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

APPOINTMENT OF WATERSHED PROTECTION ORDINANCE OFFICER

Commissioner Hamlett moved, seconded by Commissioner Vernon to appoint Mr. Kevin B. Howard as the Watershed Protection Ordinance Officer. The motion carried unanimously.

THE ADJOURNMENT

At 8:05 p.m. Commissioner Hamlett moved, seconded by Commissioner Vernon to adjourn the meeting. The motion carried unanimously.

Wanda P. Smith
Clerk to the Board

George W. Ward, Jr.
Chairman
