

## MINUTES – AUGUST 6, 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, August 6, 2007. Members present: George W. Ward, Jr., Chairman, William E. Carter, Larry G. Hamlett, Kenneth D. Travis, and C. Hester Vernon, III. Absent: Jeremiah Jefferies 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 Travis moved, seconded by Commissioner Hamlett to approve the agenda as presented. The motion carried unanimously.

### APPROVAL OF CONSENT AGENDA

Commissioner Vernon moved, seconded by Commissioner Carter 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 18 (Regular), June 18 (Budget), 21, 27, and July 16, 2007 Meetings
- 2) Budget Amendment No. 1 – FY 2007-2008
- 3) Amended Grant Project Ordinance
- 4) Budget Amendment No. 17 – FY 2006-2007
- 5) Budget Amendment No. 18 – FY 2006-2007
- 6) Budget Amendment No. 19 – FY 2006-2007

### PUBLIC COMMENTS

Chairman Ward opened the floor for public comments

There were no public comments made.

CONSIDERATION OF ADOPTION OF RESOLUTION OPPOSING PROPOSED  
JORDAN LAKE RULES

Mr. Kevin Howard, County Manager, presented for the Board's consideration a Resolution opposing proposed Jordan Lake rules.

After discussion, Commissioner Vernon moved, seconded by Commissioner Hamlett to adopt the following Resolution opposing proposed Jordan Lake rules. The motion carried unanimously.

RESOLUTION

WHEREAS, the North Carolina Department of Environment and Natural Resources on June 15, 2007 published rules which, if adopted, will be the strictest watershed rules to date in the state and will enforce nutrient limits and implement a nutrient management strategy for the Jordan Lake watershed; and

WHEREAS, the Jordan Lake watershed consists of two distinct arms – the Haw River and New Hope Creek arms; and

WHEREAS, the Haw River arm encompasses a larger area than the New Hope arm and includes all or a part of Alamance, Caswell, Guilford, Rockingham, Orange and Chatham counties; and

WHEREAS, the two arms have different development patterns and highly divergent characteristics such as an average water flow retention time of five days in the Haw River arm and 418 days in the New Hope arm; and

WHEREAS, the proposed rules represent numerous policy, scientific and economic problems such as treating the Jordan Lake watershed as a whole, disregarding the clear differences between the sub basins; and

WHEREAS, substantial problems relating to data credibility have been identified and the data cited does not support the proposed point and non-point source rules; and

WHEREAS, nitrogen from agricultural and forestry non-point sources consists of 55% of the load flowing into the Reservoir, and phosphorus from the same sources consists of 66% of the load; and

WHEREAS, despite the abovementioned facts, the rules call for local governments to bear 75% of the \$565 million cost of unprecedented non-point source measures including stormwater retrofits for existing development and costly nutrient reduction loads for all new development; and

WHEREAS, local governments must also shoulder an additional \$211 million over ten years to further upgrade wastewater treatment plants to meet pollution load reduction targets; and

WHEREAS, a coalition of cities and counties, the Haw River Clean Water Agencies, have worked for more than two years to pay for independent water quality testing, to identify and substantiate problems with data relied on by the state, and to communicate their concerns to staff of the Division of Water Quality and the Environmental Management Commission; and

WHEREAS, despite these efforts, fundamental problems consistently cited by the Haw River Arm local governments persist in the proposed rules; and

WHEREAS, the proposed rules, if adopted without modification by the Environmental Management Commission, would be precedent setting for North Carolina, inequitable in their application and exorbitant in their cost.

NOW, THEREFORE, BE IT RESOLVED that the County of Caswell by adoption of this Resolution goes on record in opposition to the Jordan Lake rules as proposed; and

BE IT FURTHER RESOLVED that the Board of Commissioners will work diligently in upcoming public hearings to point out factual discrepancies, inequitable application and long-term economic detriment to local governments and the private sector presented by the rules; and

BE IT FURTHER RESOLVED that the Board of Commissioners will, during the public hearing process, proactively identify opportunities to modify the rules based on principles of sound science, quantifiable impacts, and coalition building with the agricultural community and local governments throughout the Jordan Lake watershed; and

BE IT FURTHER RESOLVED that the County of Caswell will advocate for these initiatives with the hope of success with the Environmental Management Commission and if the rules are not reasonably modified at that level, to pursue the initiatives with the NC Rules Review Commission and, if necessary, in a subsequent session of the General Assembly.

ADOPTED THIS 6<sup>TH</sup> day of August, 2007, by the Caswell County Board of Commissioners.

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

APPOINTMENT OF WATERSHED PROTECTION ORDINANCE OFFICER

Commissioner Carter moved, seconded by Commissioner Travis to appoint Mr. Brian Collie, County Planner, as Watershed Protection Ordinance Officer for Caswell County and Kevin Howard, County Manager, as Alternate Watershed Protection Ordinance Officer. The motion carried unanimously

COUNTY MANAGER'S REPORT

Mr. Kevin B. Howard, County Manager, presented to the Board the following list of *Possible Groups Represented on Golden Leaf Advisory Committee*.

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| Caswell County Schools                         | 2 |
| 21 <sup>st</sup> Century Communities Committee | 1 |
| Economic Development Board                     | 1 |
| Piedmont Community College                     | 1 |
| Town of Yanceyville                            | 2 |
| Town of Milton                                 | 2 |
| Caswell County                                 | 3 |
| Historical Society                             | 1 |
| Chamber of Commerce                            | 1 |
| Business and Industry Roundtable               | 1 |
| Recreation Commission                          | 1 |
| NAACP  | 1 |

Commissioner Hamlett moved, seconded by Commissioner Travis to approve the list of *Possible Groups Represented on Golden Leaf Advisory Committee* as presented and to appoint Chairman Ward, Commissioner Vernon, and County Manager Howard as the County's representatives on the Golden Leaf Advisory Committee. The motion carried unanimously.

Mr. Howard presented a request from the Caswell County Chamber of Commerce to use the Square for the purpose of the staging for its entertainment during the 26<sup>th</sup> Annual Bright Leaf Hoedown. After discussion, Commissioner Travis moved, seconded by Commissioner Carter to grant permission for the Caswell County Chamber of Commerce to use the Square for the purpose of the staging for its entertainment during the 26<sup>th</sup> Annual Bright Leaf Hoedown. The motion carried unanimously.

Mr. Howard updated the Board on the status of the proposed Senior Center Project. Mr. Howard reported that the preliminary drawings and construction schedule have been

submitted to the Danville Regional Foundation. Mr. Howard informed the Board that the project should be bid in mid September, bids accepted in mid October, and construction should be completed by late May or June, 2008.

ANNOUNCEMENTS

Commissioner Vernon reported that he would be attending the North Carolina Association of County Commissioners' Annual Conference to be held in Cumberland County on August 16-19, 2007.

CLOSED SESSION

Chairman Ward moved, seconded by Commissioner Travis that the Board enter into closed session 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 Carter moved, seconded by Commissioner Travis to resume regular session. The motion carried unanimously.

THE ADJOURNMENT

At 7:15 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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