

## MINUTES – OCTOBER 15, 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, October 15, 2007. 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. 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

Chairman Ward stated that he would like to add to the agenda after Item No. 8, two reports from Commissioner Hall, one concerning the 2007 State Appropriations Act, and also the Cycle NC Program.

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

### APPROVAL OF CONSENT AGENDA

In reviewing the Consent Agenda, Commissioner Hall questioned why Item No. C, *Contract with Maximus, Inc. to provide professional accounting services to Caswell County* was not put out for bids. Mr. Kevin Howard, County Manager, answered that Maximus, Inc. is one of the few companies that prepares cost allocation plans and the County has used them in the past. Commissioner Hall noted that this is a three-year contract and it may be to the County's advantage to enter into a one-year contract instead. Mr. Howard stated that he would report back to the Board at its next meeting with an explanation of why they are being used.

After discussion, Commissioner Hamlett moved, seconded by Commissioner Jefferies to approve the Consent Agenda with the removal of Item No. C, *Contract with Maximus, Inc. to provide professional accounting services to Caswell County*. The motion carried unanimously.

The following items were included on the Consent Agenda:

- 1) Approval of Minutes of September 17 and 24, 2007 Meetings
- 2) Budget Ordinance Amendment No. 4

3) <u>Tax Director's Monthly Report for September, 2007</u>	
Total Amount of Taxes Collected for September, 2007	\$1,538,483.20
Tax Maps/Cards	\$ 103.25
County Maps	\$ 23.70
Beer License	\$ 5.00
Wine License	\$ 25.00
NSF Charge	\$ 50.00

PUBLIC COMMENTS

Chairman Ward opened the floor for public comments.

There were no public comments made.

PRESENTATION OF CERTIFICATES OF COMMENDATION TO MR. JIM GUSLER, EMERGENCY SERVICES DIRECTOR AND MR. DENNIS HANCOCK, EMERGENCY SERVICES OPERATIONS MANAGER

Chairman Ward reported that the National Oceanic and Atmospheric Administration (NOAA) started a program in 1999 to assist communities in developing plans to handle local severe weather and flooding threats. Chairman Ward stated that the program started with seven communities in the Oklahoma area and over the last eight years has grown to incorporate more than 1200 communities across the nation. Chairman Ward added that Caswell County's process to gain this distinction began in January, 2007 with preliminary talks with the National Weather Service Office in Blacksburg and the feasibility of pursuing this designation, and then Emergency Services made the decision to move forward with the process. Chairman Ward reported that Mr. Dennis Hancock was the lead for the project and in July of this year the efforts that Caswell County Emergency Management put into the *Storm Ready* Program came to fruition. Chairman Ward stated that after over 100 hours of work in the project Caswell County was recognized as the first North Carolina County in the Blacksburg Weather Office District to receive this distinction. Chairman Ward added that Caswell County Emergency Management has worked very hard to earn this honor and it is a privilege to bring it home to Caswell County.

On behalf of the Board of Commissioners, Chairman Ward presented Certificates of Commendation to Mr. Jim Gusler, Emergency Services Director, and Mr. Dennis Hancock, Emergency Services Operations Manager, who was not present due to illness, for their dedication and efforts in Caswell County receiving the *Storm Ready* designation from the National Weather Service in Blacksburg, Virginia.

ADOPTION OF PROPOSED SCHEDULE OF VALUES

Mr. Thomas Bernard, Tax Director, came before the Board and requested that it consider the adoption of the proposed Schedule of Values for use in the 2008 revaluation.

Commissioner Hall moved, seconded by Commissioner Jefferies to approve the proposed Schedule of Values, Standards, and Rules used in appraising all real property in Caswell County at its true value for revaluation, effective tax year 2008, as presented. The motion carried unanimously.

### SOLID WASTE DEPARTMENT

Mr. Tim Smith, Solid Waste Director, came before the Board and stated that at its last meeting, he was instructed to obtain cost figures for erecting a concrete enclosure for collection of used oil.

Mr. Smith reported that after discussing his need to properly collect used oil with Vince Martin, of Noble Oil, it appears that the cost will be approximately \$3,692.00 for the equipment. Mr. Smith added that the 500 gallon double lined tanks cost \$1,800 each and the Tex-Mate Detector is \$92. Mr. Smith noted that this cost does not include freight and taxes.

Mr. Smith informed the Board that based on the current cost of \$.85 per gallon plus \$1.00 to recoup the County's pick-up cost, it would cost residents \$1.85 per gallon to dispose of contaminated oil at his facility, thereby costing the County \$925.00 for 500 gallons.

Mr. Smith reported that the cost to lay two 12' x 12' X 4" concrete pads will be \$65.00 each or \$1,300.00 for both. Mr. Smith added that he would use 12" block for the walls instead of concrete since he already has the block at the landfill and it would not cost anything.

Mr. Smith stated that building two containment areas will be cheaper, however, they cannot be moved and he would still have to use drums, and with space being limited around his office, he felt that the double-lined containers would be best to use.

Upon questioning from Commissioner Travis, Mr. Smith answered that normally he collects 300-400 gallons of oil per month. Mr. Smith added that it does not cost the County anything to dispose of the regular oil, but it costs \$.85 per gallon to dispose of contaminated oil, plus a \$500 fee for pick-up.

After considerable discussion, Commissioner Carter moved, seconded by Commissioner Travis to authorize the Solid Waste Director to work with the County Manager and proceed with Noble Oil Company for disposing of used oil at the landfill as presented, and to build a shed and concrete pad for an oil collection center, using inmate labor, with funds to be appropriated from Solid Waste Fund Balance. The motion carried unanimously.

Commissioner Hall suggested that the County Manager, Solid Waste Director, and Sheriff review security issues before deciding on the lay-out of the pads and maybe add more cameras for monitoring purposes.

RENEWAL OF LEASE AGREEMENT WITH  
ALAMANCE/CASWELL/ROCKINGHAM LOCAL MANAGEMENT ENTITY

Mr. Kevin Howard, County Manager, presented for the Board's consideration a renewal of a Lease Agreement with Alamance/Caswell/Rockingham Local Management Entity. Mr. Howard questioned whether the Board wanted him to negotiate a fair market rate with Alamance/Caswell/Rockingham LME.

Commissioner Hall stated that he has a problem with this because Caswell County is subsidizing the LME and all of the providers in that building are private providers and they are getting free rent. Commissioner Hall added that the County should be charging market value rent for this building. Chairman Ward stated that he agreed with Commissioner Hall on this issue.

Mr. Howard stated that he would work with the LME in determining a fair market rate.

REPORTS FROM COMMISSIONER HALL

Commissioner Hall reported that on September 19, 2007, he attended a training session sponsored by the North Carolina Association of County Commissioners in Raleigh on new revenue options that were granted to counties by the General Assembly.

Commissioner Hall provided the following report:

2007 State Appropriations Act  
September 19, 2007

The State Appropriations Act of 2007 provided all counties the option of instituting a .25% sales tax or a .4% land transfer tax.

This requires an advisory referendum approved by the citizens of each county. An advisory referendum means that a majority of the citizens must vote for whichever option the commissioners decide upon. However, the Commissioners are not bound by the referendum and can choose not to impose either.

Effective dates – If approved by voters in the May primary the earliest possible effective dates are: land transfer tax – 07/01/2008; sales tax – 10/01/2008. Both taxes can be on the ballot at one time. (However, this is not advisable. Both would probably fail!) There is no cooling off period, so if a referendum fails it can be re-introduced again and again.

Counties bound by the Voting Rights Act of 1965 must be pre-cleared by the Justice Department. Pre-clearance request must be submitted at least 60 days prior to the referendum.\* This includes Caswell!

You can change your mind – The Transfer tax can be repealed by resolution and the sales tax by a special election. You can have another referendum and switch from one tax to another.

Another important thing to remember!! The land transfer tax and the additional sales tax are new revenue options for counties. While they were discussed a lot while lobbying for Medicaid relief they are not related to Medicaid. These taxes are unrestricted new funds available to the counties for any lawful purpose. These taxes allow counties to mitigate future property tax increases and diversify the revenue stream.

I have enclosed a copy of frequently asked questions with answers from the NC Association.

Nate Hall  
County Commissioner

---

Mr. Howard stated that this issue could be added to the Board's upcoming workshop in January. Commissioner Hall added that whatever the Board decides to do, it should be started no later than December.

Commissioner Carter stated that he is in favor of the sales tax, but would be opposed to the land transfer tax because he did not feel that it is a fair tax. Commissioner Hall informed the Board that it may be a good idea to have an Attorney from the State Association to come before them and explain the pros and cons of each revenue option. Commissioner Vernon stated that he would like to see the Board follow up on Commissioner Hall's recommendation to have an Attorney from NCACC come before the Board and explain the options. The Board was agreeable to this.

Commissioner Hall reported that the Cycle NC ride through Caswell County on October 2, 2007, was very successful with approximately 80-100 cyclists participating. Commissioner Hall informed the Board that the cyclists were very appreciative of the stew and other items provided by Caswell County and some of the riders said that the rest stop in Caswell was the best they had been through in riding across the State. Commissioner Hall informed the Board that the Yanceyville rest stop was hosted by volunteers from the Chamber of Commerce, the Leasburg rest stop was hosted by volunteers from the community, Recreation Department, and staff from the Piedmont Triad Council of Governments, and the Baynes Store rest stop was hosted by volunteers from the Recreation Department and staff from the Piedmont Triad Council of Governments. Commissioner Hall stated that there was also a repair station in the County to aid the cyclists. Commissioner Hall shared with the Board pictures he had taken of the event. Commissioner Hall thanked the Board for its support of this event and also thanked the volunteers. Commissioner Hall noted that in viewing the pictures he realized how very much the Board needs to work to have the electrical wires on the Square taken down and to have the street paved. Commissioner Vernon stated that he visited the rest stop for a while and the cyclists seemed to be enjoying the County.

## DISCUSSION OF COUNTY ATTORNEY POSITION

The Board discussed the County Attorney position and reviewed a proposed contract for legal services.

After discussion, Commissioner Hamlett moved, seconded by Commissioner Carter to enter into a contract for legal services with Mr. Michael Ferrell as presented in the proposed contract, effective November 1, 2007. The motion carried by a vote of four to three with Commissioners Hall, Jefferies, and Travis voting no.

## COUNTY MANAGER'S REPORT

Mr. Kevin B. Howard, County Manager, reported that he and Mr. Jason Barrow, Recreation Director, met last week concerning the concession stand profit. Mr. Howard stated that Mr. Barrow has been concerned about the profitability of the concession stand during adult softball season. Mr. Howard shared with the Board a list of the cost, sell price, profit, and proposed price increase for the basic items offered in the concession stand. Mr. Howard added that Mr. Barrow felt it would be wise to purchase a cash register to better track their inventory, profits, and revenue. The Board expressed its concern with the high cost of what the County is paying for items for the concession stand. After considerable discussion, the County Manager was directed to look at the entire pricing schedule for the concession stand and report back to the Board.

Mr. Howard reported that Mr. Brian Collie, County Planner, is attending the North Carolina Rural Center grant workshop. Mr. Howard noted that in two weeks the Rural Center will be announcing \$500 million in funding for water and sewer.

Mr. Howard reported that the Board of Education could not meet on October 23<sup>rd</sup>. The Board tentatively set a joint meeting date of November 19, 2007, at 5:00 p.m. at the Historic Courthouse. Chairman Ward requested that each Board member submit the questions they have for the Board of Education to the County Manager prior to this meeting.

Mr. Howard reported that the plans for the proposed Senior Center have been sent to the NC Department of Insurance for their review and advertisements for bids will be published upon their approval. Chairman Ward stated that he had hoped that bids would go out the first of October.

Mr. Howard reported that the Board has discussed holding a work session to discuss a number of issues and questioned when they would like to hold this work session. Chairman Ward asked that the Board members start looking at some dates so the work session can be scheduled, preferably before Christmas.

Commissioner Hamlett referred to the New Hire Report for July-September, 2007, and questioned why there is such a wide range in the rates of pay per hour for Recreation Department employees. Commissioner Hamlett also questioned beginning salaries of

Sheriff's Department employees opposed to those who have been there for a number of years. Mr. Howard stated that he would contact the Sheriff and Recreation Director to determine the answers to these questions.

ANNOUNCEMENTS

Commissioner Jefferies reported on the Mayor's Committee for Persons with Disabilities Event that he recently attended. Commissioner Jefferies informed the Board that he was approached by someone there concerning the County providing transportation for doctor's appointments. Mr. Howard informed Commissioner Jefferies that the County's Division of Transportation could transport eligible individuals to doctor visits and if they needed assistance, this could be acquired through the Department of Social Services.

Commissioner Hall reported that he received a call from a property owner at the Caswell Industrial Park and expressed concern that there is no water there. Commissioner Hall stated that they informed him that they were looking into digging wells, and he told them they should hold off for a while. Commissioner Hall added that the Board should look into providing water at the Industrial Park before trying to market property as an Industrial Park.

Commissioner Carter reported that Governor Easley held a press conference today concerning the critical water situation and informed the public that he may institute mandatory restrictions on water as far as lawn sprinklers and the washing of cars. Commissioner Carter informed the Board that he received information yesterday that due to the current drought conditions that the City of Durham has only 70 days of water left, the City of Greensboro has only 130 days of water left, and the City of Raleigh has only 120 days of water left. Commissioner Carter added that Farmer Lake is currently down three feet.

Commissioner Carter informed the Board that this Saturday, the Caswell Air Models Club will be sponsoring a fly-in at the Caswell Airport in West Yanceyville. Commissioner Carter stated that a number of other clubs which fly the small airplanes will be coming to the County. Commissioner Carter added that stew will also be sold.

THE ADJOURNMENT

At 8:05 p.m. Commissioner Carter 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

\*\*\*\*\*

