

MINUTES – NOVEMBER 5, 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, November 5, 2007. Members present: George W. Ward, Jr., Chairman, Jeremiah Jefferies, Vice-Chairman, William E. Carter, Larry G. Hamlett, Kenneth D. Travis, and C. Hester Vernon, III. Absent: 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.

WELCOME TO COUNTY ATTORNEY

Chairman Ward introduced and welcomed Mr. Michael Ferrell, newly appointed County Attorney for Caswell County. Chairman Ward stated that Mr. Ferrell recently retired as County Attorney for Wake County after 30 years of service and currently lives in Raleigh. Chairman Ward added that Mr. Ferrell will serve as County Attorney for Caswell County on a part-time contractual basis. Chairman Ward stated that the Board is very fortunate to have Mr. Ferrell on board and looks forward to working with him.

APPROVAL OF AGENDA

Chairman Ward reported that Mr. Byron Woods, with Piedmont Community College, has requested that Item No. 6, Request by Piedmont Community College, be removed from the agenda.

Commissioner Travis moved, seconded by Commissioner Jefferies to approve the agenda as presented, with the removal of Item No. 6. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Jefferies 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 September 24 and October 1, 2007 Meetings

PUBLIC COMMENTS

Chairman Ward opened the floor for public comments.

Mr. Tom Berry of 4323 Four Farms Road, Greensboro, NC came before the Board and informed them that he has a project going on at Hyco Lake that should prove very beneficial for Caswell County. Mr. Berry informed the Board that he has a sketch plan that has been approved by the Planning Board and he is running into some problems. Mr. Berry stated that he has drilled five commercial wells and he has yet to get the adequate amount of water that is needed to supply these lots, and in this particular section there are 14 lots, which are approximately 30,000 square foot lots. Mr. Berry added that the Ordinance reads that in order to obtain a 30,000 square foot lot, there must be public water off site and this is what he has been working on, and they also have off-site septic systems which are 5,000 feet away. Mr. Berry stated that since he has off-site septic systems he would be able to drill wells on these individual lots. Mr. Berry added that he will be requesting a variance from the Planning Board to do this. Mr. Berry informed the Board that he has submitted a formal request to the County Planner to allow him to do this and it is currently in process. Mr. Berry stated that this project will improve the economic tax base for the County by approximately \$10 to \$15 million and he hoped that he could get some help from the County on this issue.

PUBLIC HEARING – PROPOSED AMENDMENT TO THE CASWELL COUNTY
WATERSHED PROTECTION ORDINANCE

Commissioner Carter moved, seconded by Commissioner Jefferies that the Board enter into a public hearing to receive comments on a proposed amendment to the Caswell County Watershed Protection Ordinance. The motion carried unanimously.

Mr. Kevin Howard, County Manager, reported that Mr. Brian Collie, County Planner has informed him that the definition of *Multi-Family Residential Development* in the Watershed Protection Ordinance creates a loophole because it is defined very loosely and has been proven to allow for more than one dwelling in a single three-acre lot. Mr. Howard stated that the purpose of the Watershed Protection Ordinance critical area is to regulate the amount of built upon space and the current definition does not offer the amount of protection intended by the Ordinance.

Mr. Howard informed the Board that the Planning Board unanimously voted to recommend the following definition for *Multi-family Residential Development*:

Multi-family Residential Development – Two (2) or more single-family dwellings constructed as one (1) unit, such as apartment houses, motels, mobile home parks, townhouses, patio houses, or condominiums.

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

Commissioner Hamlett moved, seconded by Commissioner Carter to approve the amendment for the definition of *Multi-family Residential Development* in the Caswell County Watershed Protection Ordinance as presented. The motion carried unanimously.

PROPOSED AMENDMENT TO THE CASWELL COUNTY SUBDIVISION
ORDINANCE

Commissioner Travis moved, seconded by Commissioner Carter that the Board enter into a public hearing to receive comments on a proposed amendment to the Caswell County Subdivision Ordinance. The motion carried unanimously.

Mr. Kevin Howard, County Manager, reported that Mr. Brian Collie, County Planner has informed him that the Planning Board has recommended that setback requirements on minor subdivision plats be removed from the Ordinance. Mr. Howard stated that minor subdivisions are usually only one or two lots and are generally over one acre. Mr. Howard added that placing houses on these lots are not determined during the time of the land survey and most lending institutions require a physical survey that would show the setbacks and location of houses when financed. Mr. Howard noted that requiring property owners to have setbacks delineated on the original survey for minor subdivision plats is causing them to pay for this twice. Mr. Howard reported that the Planning Board voted to recommend to the Board of Commissioners that Article VI, Section 2.13 requiring setbacks on minor subdivision plats be deleted from the Subdivision Ordinance.

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

Commissioner Hamlett moved, seconded by Commissioner Vernon to approve the deletion of Article VI, Section 2.13, requiring setbacks on minor subdivision plats, from the Caswell County Subdivision Ordinance as presented. The motion carried unanimously.

INSTALLMENT PURCHASE RECOMMENDATION

Ms. Gwen Vaughn, Finance Officer, came before the Board to present an installment purchase recommendation for Sheriff's vehicles and ambulance chassis. Ms. Vaughn presented a Financing Proposal Sheet for the purchase of six (6) 2008 Ford Crown Victoria vehicles and two (2) 2008 F-450 4x4 ambulance chassis. Ms. Vaughn presented a spreadsheet listing the financing terms, interest rates, annual installment payments, and other information for proposals from American National Bank, BB&T Governmental Finance, Fidelity Bank, and RBC Centura Bank. Ms. Vaughn noted that the purchase was approved during the budget session with the first annual payment budgeted in Debt Services.

Ms. Vaughn recommended that the Board approve granting the installment purchase agreement to RBC Centura Bank for a four-year term with an annual fixed interest rate of 3.47% for the total amount of \$227,000. Ms. Vaughn noted that the annual payments will be \$60,724.29.

After further discussion, Commissioner Carter moved, seconded by Commissioner Jefferies to approve the recommendation of the Finance Officer to enter into an installment purchase agreement for six (6) 2008 Ford Crown Victoria vehicles for the

Sheriff's Office and two (2) 2008 F-450 4x4 ambulance chassis with RBC Centura Bank for a four-year term with an annual fixed interest rate of 3.47% at a total amount of \$227,000 and annual payments of \$60,724.29. The motion carried unanimously.

REQUEST TO PURCHASE REMOTE DEPOSIT BANKING SYSTEM

Ms. Gwen Vaughn, Finance Officer, came before the Board and presented a request to purchase a Remote Deposit Banking System. Ms. Vaughn reported that Fidelity Bank, Caswell County's central depository, has enhanced its Business Online Banking services to do virtually everything that can be done at a branch office and one of the new features is a Remote Deposit System Web Edition service that saves time, reduces costs and improves cash flow by providing the ability to make deposits directly from the office. Ms. Vaughn stated that with Remote Deposit System Web Edition, checks are scanned and deposited using hardware provided by the bank and then transmit the created images to Fidelity Bank through a secure internet connection. Ms. Vaughn added that the scanner reads the amount of each check as it is scanned and reconciles the deposit amount before it electronically transmits the deposit, to insure accuracy. Ms. Vaughn stated that she would like to add this service to the Finance and Tax Offices and the cost for the two machines would be \$2,400. Ms. Vaughn requested that she be allowed to transfer this amount from Administration salaries to the appropriate budget lines for each department.

Upon questioning from Commissioner Hamlett, Ms. Vaughn answered that when the checks are scanned, it would be possible to tell if there were sufficient funds. Chairman Ward clarified that this would only be possible with checks drawn off of Fidelity Bank.

Upon questioning from Chairman Ward, Ms. Vaughn answered that Fidelity Bank would be responsible for all of the training involved.

Commissioner Hamlett questioned what the cost per month to the County would be for this banking system. Ms. Vaughn answered that the cost per month would depend on the volume of checks. Commissioner Hamlett stated that he would like to know if other banking institutions would honor the checks that are scanned and would also like to know the fees involved in administering the system.

Commissioner Travis questioned how this system could benefit the County and added that requests like this should be presented at budget time instead of the middle of the year.

After discussion, Commissioner Jefferies moved, seconded by Commissioner Vernon to table the request by the Finance Officer for purchase of a Remote Deposit Banking System until the Board's next meeting in order to obtain additional information. The motion carried unanimously.

CONTRACT WITH MAXIMUS, INC.

Mr. Kevin Howard, County Manager, presented for the Board's consideration of approval a contract with Maximus, Inc. to prepare and negotiate Caswell County's indirect cost allocation plan for the fiscal year ending June 30, 2007. Mr. Howard informed the Board that in response to the Board's questions from the last meeting concerning why this was not bid out, that there is no fee increase from the last year. Mr. Howard added that according to the Finance Officer, satisfaction with the services provided by Maximus exceeds those of other companies and she is pleased with the work they have done for Caswell County.

After further discussion, Commissioner Carter moved, seconded by Commissioner Travis to approve the contract with Maximus, Inc. to prepare and negotiate Caswell County's indirect cost allocation plan for the fiscal year ending June 30, 2007, as presented. The motion carried unanimously.

APPOINTMENT TO ABC BOARD

Commissioner Hamlett moved, seconded by Commissioner Jefferies to reappoint Mr. G. Cleve Daniel to the ABC Board. The motion carried unanimously.

APPOINTMENTS TO RECREATION COMMISSION

Commissioner Hamlett moved, seconded by Commissioner Jefferies to appoint Mr. Forrest Altman and Mr. Robert W. Palmer to the Recreation Commission. The motion carried unanimously.

COUNTY MANAGER'S REPORT

Mr. Kevin B. Howard, County Manager, reported that the North Carolina Association of County Commissioners has endorsed Community Eye Care to offer Vision Benefits to participating counties. Mr. Howard informed the Board that there is no cost to the county to offer this benefit and currently the only vision benefit the employees have is a \$15 co-pay for an annual eye exam through the health insurance. Mr. Howard added that this benefit is offered to employees on a pre-tax basis and is handled through payroll deduction. The cost to employees if they choose to obtain this voluntary benefit will be as follows:

- Employee Only \$10.73
- Employee + One \$20.37
- Employee + Family \$30.01

After discussion, Commissioner Carter moved, seconded by Commissioner Vernon to add the Community Eye Care Vision Benefits endorsed by the North Carolina Association of County Commissioners as a voluntary benefit to County employees at no cost to the County. The motion carried unanimously.

Mr. Howard presented a request from the Planning Board concerning the major subdivision project on Hyco Lake that was discussed by Mr. Tom Berry earlier. Mr. Howard informed the Board that the Planning Board would like to have feedback from the Board of Commissioners because Mr. Berry is requesting a variance of the Subdivision Ordinance to allow him to place on-site wells on each of his 14 lots which are approximately 30,000 sq. ft. each. Mr. Howard noted that the Subdivision Ordinance currently reads that minimum lot size can be 30,000 sq. ft. when there is a public water supply, and requires that minimum lot size be 43,560 sq. ft. on lots served by private wells. Mr. Howard stated that he did not feel that a variance would be appropriate on this issue. Mr. Howard added that the Hyco Lake Zoning Ordinance has not been researched to see if it would have any effect on this project. After further discussion, Commissioner Vernon moved, seconded by Commissioner Jefferies to refer Mr. Tom Berry's request for a variance of the Subdivision Ordinance to the Planning Board and staff for further review and recommendation to be brought back to the Board of Commissioners. The motion carried unanimously.

Mr. Howard informed the Board that he received a letter from Mr. Jonathan R. Barlow, Roxboro City Manager, asking that Caswell County give its stance on the reclassification of the Dan River, as requested by Ms. Elizabeth Kountis with the North Carolina Division of Water Quality. Mr. Howard added that Mr. Barlow stated in his letter that if he did not hear from Caswell County by November 19, 2007, he would assume that the County has no position on this matter and would notify Ms. Kountis accordingly. Mr. Howard noted that the last time this issue was discussed a request was made to the City of Roxboro for a joint meeting and this was denied. After discussion, Commissioner Carter moved, seconded by Commissioner Jefferies to direct the County Manager to send a letter to officials of the City of Roxboro, Person County, and Town of Yanceyville and request a meeting to discuss the Dan River Water Project and for them to respond to the County in writing. The motion carried by a vote of five to one with Commissioner Travis voting no.

Mr. Howard reported that the Board of Education has agreed to meet with the Board of Commissioners on November 19, 2007, at 5:00 p.m., but has requested that they meet at a neutral location. After discussion, there was Board consensus to meet with the Board of Education on November 19, 2007, at 5:00 p.m. at the Historic Courthouse.

CLARIFICATION BY COUNTY ATTORNEY

Mr. Michael Ferrell, County Attorney, requested clarification in that he was to only attend the Board of Commissioners' first regular meeting of each month and attend other meetings upon request and this was confirmed by the Board.

ANNOUNCEMENTS

Commissioner Carter noted that tomorrow, November 6, 2007, is Election Day and urged everyone to vote.

THE ADJOURNMENT

At 7:30 p.m. Commissioner Travis moved, seconded by Commissioner Jefferies to adjourn the meeting. The motion carried unanimously.

Wanda P. Smith
Clerk to the Board

George W. Ward, Jr.
Chairman
