

MINUTES – DECEMBER 3, 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, December 3, 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, Michael R. Ferrell, County Attorney, and Shannon White representing The Caswell Messenger. Wanda P. Smith, Clerk to the Board, recorded the minutes.

CALL TO ORDER OF ORGANIZATIONAL MEETING

Ms. Wanda P. Smith, Clerk to the Board, called to order the organizational meeting of the Caswell County Board of Commissioners.

ELECTION OF CHAIRMAN

The Clerk to the Board opened the floor for nominations for Chairman of the Caswell County Board of Commissioners.

Commissioner Jefferies moved, seconded by Commissioner Hamlett to nominate George W. Ward, Jr., as Chairman of the Caswell County Board of Commissioners. The motion carried unanimously.

Commissioner Hamlett moved, seconded by Commissioner Jefferies that nominations for Chairman be closed. The motion carried unanimously.

The Clerk to the Board announced that by acclamation, George W. Ward, Jr. was elected Chairman of the Caswell County Board of Commissioners.

Chairman Ward presided over the remainder of the meeting.

ELECTION OF VICE-CHAIRMAN

Chairman Ward opened the floor for nominations for Vice-Chairman of the Caswell County Board of Commissioners.

Commissioner Travis moved, seconded by Commissioner Hamlett to nominate Jeremiah Jefferies as Vice-Chairman of the Caswell County Board of Commissioners. The motion carried unanimously.

Commissioner Vernon moved, seconded by Commissioner Travis that nominations for Vice-Chairman be closed. The motion carried unanimously.

Chairman Ward announced that by acclamation, Jeremiah Jefferies was elected Vice-Chairman of the Caswell County Board of Commissioners.

APPROVAL OF BONDS FOR PUBLIC OFFICIALS

Commissioner Travis moved, seconded by Commissioner Jefferies to approve the following Bonds for Public Officials.

BONDS FOR PUBLIC OFFICIALS

Delores Dameron, Register of Deeds	\$ 25,000
Thomas Bernard, Tax Collector	\$ 50,000
Thomas Bernard, Delinquent Tax Collector	\$ 25,000
Sheriff	\$ 25,000
Finance Officer	\$100,000
County Coroner	\$ 2,000
Blanket Bond	\$ 20,000

Commissioner Hall questioned whether the amounts of the bonds are adequate for public officials and felt that they need to be reviewed. Chairman Ward directed the County Manager to review the amounts of bonds for public officials and report back to the Board at its next meeting.

Upon a vote of the motion, the motion carried unanimously.

ADJOURNMENT OF ORGANIZATIONAL MEETING

Chairman Ward declared the organizational meeting closed.

MOMENT OF SILENT PRAYER

Chairman Ward opened the regular meeting of the Caswell County Board of Commissioners 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 Hamlett moved, seconded by Commissioner Jefferies to approve the Consent Agenda as presented. The motion carried unanimously.

The following item was included on the Consent Agenda:

1) Approval of Minutes of November 5, 2007 Meeting

PUBLIC COMMENTS

Chairman Ward opened the floor for public comments.

Mr. Jonathan Watlington of 25 Chigger Ridge Road, Providence, NC came before the Board and asked if the Board could add open dumpsters at the County's convenience center sites.

APPOINTMENT OF PTCOG DELEGATE

Commissioner Jefferies moved, seconded by Commissioner Hamlett to reappoint Commissioner Hall as the Board's delegate to the Piedmont Triad Council of Governments. The motion carried unanimously.

DISCUSSION OF BOARDS AND COMMITTEES

Commissioner Travis moved, seconded by Commissioner Jefferies to approve the following Commissioner appointments to Boards and Committees for the Year 2008. The motion carried unanimously.

BOARDS AND COMMITTEES

2008

Chairman Ward

Planning Committee for Services to the Elderly
Juvenile Crime Prevention Council
Recreation Commission
NCACC Legislative Liaison
*Piedmont Triad Partnership Committee
**Personnel Committee
**Building & Grounds Committee

Vice-Chairman Jefferies

Social Services Board
Alamance-Caswell Area Mental Health Board
**Personnel Committee
**Building & Grounds Committee

Commissioner Carter

Farmer Lake Board
Library Board
Caswell County Transportation Advisory Board
** Building & Grounds Committee

Commissioner Hall

Piedmont Triad Council of Governments

Board of Health

Caswell County Joint Nursing Home/Adult Care Home Community Advisory Committee

*Caswell County Partnership for Children

*Home Health Advisory Committee

**Audit Committee

**Economic Development Committee

Commissioner Hamlett

Recreation Commission

Planning Board

E-911 Board

Kerr-Tar Work Force Development Board

**Personnel Committee

Commissioner Travis

Farmer Lake Board

Social Services Board

**Audit Committee

**Economic Development Committee

Commissioner Vernon

Economic Development Board

Civic Center Committee

Piedmont Emergency Medical Services Advisory Board

Local Emergency Planning Committee

*Rural Planning Organization

*NCACC District Board of Directors

**Audit Committee

**Economic Development Committee

* Board of Commissioners does not make appointments to these Boards.

**Subcommittees

PROPOSAL BY FARMER LAKE BOARD

Mr. Buddy Garland, Chairman, Farmer Lake Board, came before the Board and stated that the Farmer Lake Board formally requests that the Board of Commissioners support the Yanceyville Volunteer Fire Department in placing a “dry hydrant” beside the boat ramp at Boy Scout Camp Road. Mr. Garland added that the cost will be borne by the Lake Point Homeowners Association and by the Yanceyville Volunteer Fire Department, with there being no cost to the County.

Mr. Garland informed the Board that the benefits will be to all Caswell County residents in the area for increased fire protection and efficiency to the Fire Department. Mr. Garland noted that the placement of the equipment will have no adverse effects on the appearance of the site, and no interference with fishing and boating activities.

After discussion, Commissioner Travis moved, seconded by Commissioner Jefferies to approve the placement of a dry hydrant beside the Farmer Lake boat ramp at Boy Scout Camp Road.

Upon questioning from Commissioner Hall, Mr. Vernon Massengill, Chief, Yanceyville Volunteer Fire Department, answered that the hydrant is for the Fire Department's use and there are no other fire hydrants around Farmer Lake. Upon questioning from the County Manager, Mr. Massengill answered that the Yanceyville Volunteer Fire Department will maintain the hydrant, as they do all the hydrants in their district.

Upon a vote of the motion, the motion carried unanimously.

REQUEST BY BOARD OF HEALTH

Dr. Fred Moore, Health Director, came before the Board to present a request of the Board of Health that the County fund Hepatitis B vaccinations for the County's volunteer firefighters. Dr. Moore stated that the Caswell County Fire Marshal has estimated that there are approximately 120 individuals that need the vaccine and at current prices, 360 doses (3 shots per individual over 6 months) would cost \$9,273.60 (\$25.76 x 360 doses).

Dr. Moore informed the Board that after the current firefighters are vaccinated, additional funds would be needed to vaccinate new firefighters, but this would probably be a significantly smaller amount based on the number of new volunteers. Dr. Moore added that the cost of these future vaccines could be included in the Health Department's annual budget each fiscal year and the cost of administration and the necessary supplies for vaccination can be absorbed by the Health Department.

Dr. Moore stated that Caswell County relies on its firefighters to respond quickly to accidents and other emergencies that may expose them to Hepatitis B, and based on this potential exposure, the CDC recommends that all public safety workers receive the Hepatitis B vaccine. Dr. Moore added that while these volunteers are willing to put their health at risk by being exposed to potentially infectious materials, this is an unnecessary risk when an effective vaccine is available.

Dr. Moore stated that the Caswell County Board of Health feels that this is an important public health issue and requests that the Board of Commissioners respond favorably by funding the \$9,273.60 cost of the vaccine.

Upon questioning from Commissioner Carter, the County Manager answered that he would be able to determine from where the funds could be appropriated.

After discussion, Commissioner Carter moved, seconded by Commissioner Vernon to approve the request by the Board of Health and authorize the appropriation of \$9,273.60 to fund Hepatitis B vaccinations for Caswell County's volunteer firefighters. The motion carried unanimously.

PROPOSAL BY ROBERT S. SEGAL, CPA PA

Mr. Robert S. Segal, President, came before the Board to present a proposal from his firm regarding non-personal expense reduction and revenue enhancement consulting. Mr. Segal informed the Board that his firm has worked with 71 North Carolina counties to improve their cash flow and operations. Mr. Segal stated that he is aware that the Board would like to increase its fund balance.

Mr. Segal informed the Board that his firm has worked with the other counties to find ways that they can reduce operating cost and save money so that it can be spent on other programs. Mr. Segal stated that they are compensated on a performance based success fee and if they do not save the County money, the County does not pay. Mr. Segal explained the process they follow in determining ways to save the County.

Mr. Segal reviewed the three agreements included in his proposal which were:

- Any and all revenues and expenses
- North Carolina Sales/Use Tax Reallocation
- State Criminal Alien Assistance Program (SCAAP) 2008 (7/1/2006-6/30/2007)

Chairman Ward informed Mr. Segal that the Board would review the information and discuss it again at its December 17th meeting.

REVIEW AND APPROVAL OF PROPOSED SENIOR CENTER BIDS

Mr. John Ranson, Project Manager with Dewberry & Davis, came before the Board and reported that bids were opened on Friday, November 30, 2007, on the proposed Caswell County Senior Center. Mr. Ranson provided the Board with Certified Bid Tabulations which included:

<u>Contractor</u>	<u>Base Bid Amount</u>
• Bar Construction Company, Inc.	\$1,675,000
• Blue Ridge Enterprises, Inc.	\$2,034,000
• Dave's Construction Service, Inc.	\$1,694,000
• H. M. Kern Corporation	\$1,672,000
• Quality Construction	\$1,590,000
• Trout & Riggs Construction Co., Inc.	\$1,618,400
• Wishon & Carter Builders, Inc.	\$1,773,571

Mr. Ranson recommended that the contract for the proposed Senior Center be awarded to the low bidder, Quality Construction of Danville, Inc., in the amount of \$1,590,000. Mr. Ranson stated that since this amount appears to be within the available budget, he does not recommend acceptance of any of the alternate bid items; however, he did recommend that a contingency allowance of \$100,000 be set aside to cover any unforeseen conditions.

Mr. Ranson provided the following estimate of the budget for the Senior Center Project:

Available Funds:	\$2,000,000
Total Base Bid:	<u>1,590,000</u>
Subtotal:	\$ 410,000
Design Bid & Construction Admin.:	<u>133,700</u>
Subtotal:	\$ 276,300
Other Services:	<u>18,100</u>
Subtotal:	\$ 258,200
Contingency Allowance (Recommended):	<u>100,000</u>
Total Remaining:	\$ 158,200

After considerable discussion, Commissioner Hamlett moved, seconded by Commissioner Hall to award the contract for construction of the proposed Caswell County Senior Center to the low bidder, Quality Construction of Danville, Inc. in the amount of \$1,590,000, and add \$6,000 for Alternate No. 6, "Add Chair-Rail & Crown Molding" for a total of \$1,596,000. The motion carried unanimously.

DISCUSSION OF EXEMPTIONS FOR COMMERCIAL BUSINESSES FROM
DISTURBING THE PEACE ORDINANCE

Mr. Kevin Howard, County Manager, informed the Board that Ms. Nancy Brewer has requested that her dog kennel be granted an exemption from the County's *Disturbing the Peace Ordinance* due to it being a commercial business. Mr. Howard noted that an exemption would still require that she take reasonable measures to alleviate the noise.

Mr. Michael Ferrell, County Attorney, informed the Board that there is a provision in the County's *Disturbing the Peace Ordinance* that provides that an operator of a legitimate business or commercial enterprise may be exempt from portions of the Ordinance as long as that business is taking reasonable measures not to disturb its neighbors. Mr. Ferrell stated that he is aware of the situation and understands that there have been calls to the Sheriff's Department and Ms. Brewer has been issued a notice of violation. Mr. Ferrell added that he is also aware that there has been discussion about whether this particular business is entitled to an exemption from the Ordinance and the District Attorney had a question about this. Mr. Ferrell stated that he called the District Attorney today and informed him that the Board will be discussing this issue tonight. Mr. Ferrell added that the District Attorney told him that if the Board of Commissioners wished to refer this issue to staff he would continue the case for 60 days. Mr. Ferrell stated that the District

Attorney is interested in the Board's interpretation of whether this business is exempt. Mr. Ferrell suggested reviewing the Ordinance to see if it could be more specific.

Commissioner Hall stated that he had real difficulty with the Board interjecting at this point into the situation because it appears to him that an exemption could be used as an administrative convenience so that someone else would not have to make a decision. Commissioner Hall added that maybe the Ordinance needs to be revisited as to its intent.

Chairman Ward stated that the individual who owns the dog kennel business is requesting an exemption from the Ordinance. Chairman Ward added that he did not feel the Board needed to be considering an exemption until after the court date.

After further discussion, Commissioner Carter moved to table Ms. Nancy Brewer's request for an exemption from the *Disturbing the Peace Ordinance* for 60 days, which would be after the court date. The motion died for lack of a second.

The Board took no action on this issue.

Mr. Ferrell stated that he would inform the District Attorney that the Board took no action on this issue.

APPOINTMENTS TO JUVENILE CRIME PREVENTION COUNCIL

Commissioner Hamlett moved, seconded by Commissioner Travis to appoint Mr. Joey Knight and Mr. Nelson E. Showalter to the Juvenile Crime Prevention Council. The motion carried unanimously.

APPOINTMENTS TO PLANNING BOARD

Commissioner Jefferies moved, seconded by Commissioner Hamlett to appoint Mr. Keith Blalock, Mr. Russell Johnston, and Mr. Leon Richmond to the Planning Board.

Commissioner Hall asked if the appointments could be made separately, after which Chairman Ward stated that a motion had been made and seconded.

Upon a vote of the motion, the motion carried by a vote of six to one with Commissioner Hall voting no.

COUNTY MANAGER'S REPORT

Mr. Kevin B. Howard, County Manager, reported that he received an estimate from Rivers & Associates to run a waterline and install an elevated tank at the Pelham Industrial Park. Mr. Howard stated that the estimate for a 200,000 gallon tank was \$920,000 and the estimate for a 500,000 gallon tank was \$1,145,000. Chairman Ward stated that he felt that this needed to be presented to the Golden Leaf Foundation Committee at its meeting next Monday as a grant request from the Board of

Commissioners. After further discussion, Commissioner Hamlett moved, seconded by Commissioner Vernon that the Board submit a grant proposal with a 500,000 gallon water tank to the Golden Leaf Foundation Committee for possible funding. The motion carried unanimously.

Mr. Howard requested that the Board discuss possible dates to meet with the Board of Education. The Board suggested dates of December 11th or 13th at 6:00 p.m. at the Civic Center or Senior Center.

Mr. Howard requested that the Board discuss possible dates to meet with the City of Roxboro, Person County, and Town of Yanceyville officials to discuss the Dan River Water Project. Chairman Ward requested that the Board members review their calendars and they would set a date to meet after the first of the year.

Mr. Howard presented a request from Ms. Yancey Smith, Director, Caswell Community Arboretum that the Caswell Horticulture Club receive permission to seek funding on behalf of Caswell County to pave the walking trail in the Caswell Community Arboretum. Mr. Howard stated that the Caswell Horticulture Club would apply for and direct the funding, with the Caswell County Finance Office responsible for disbursing the actual funds. Mr. Howard added that the Caswell Horticulture Club will match the funds, either in-kind or with dollar amounts and Caswell County will provide the necessary requirements of the grant application, such as topographical map and endorsement of the project. After discussion, Commissioner Hall moved, seconded by Commissioner Vernon to approve the request by the Caswell Horticulture Club to apply for grant funding to pave the walking trail in the Caswell Community Arboretum. The motion carried unanimously.

Mr. Howard requested that the Board consider dates to hold a workshop.

ANNOUNCEMENTS

Commissioner Carter announced that the Annual Employee Appreciation Luncheon would be held on Wednesday, December 5, 2007, at 12:00 noon at the Caswell County Civic Center.

Commissioner Hall stated that he would like for the County Manager and Finance Officer to meet with the Audit/Finance Committee when they meet with the auditing firm to discuss the County's annual audit.

Commissioner Vernon questioned the gasoline report for the Jail and requested that the County Manager check on this.

Chairman Ward discussed dates for the Commissioners to go out for dinner during the Christmas holidays.

Chairman Ward thanked the Commissioners who participated in the annual Christmas Parade on December 1, 2007.

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)). The motion carried unanimously.

REGULAR SESSION

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

THE ADJOURNMENT

At 8:50 p.m. Commissioner Carter moved, seconded by Commissioner Hamlett to adjourn the meeting. The motion carried unanimously.

Wanda P. Smith
Clerk to the Board

George W. Ward, Jr.
Chairman
