

CASWELL COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

June 6, 2022
OTHERS PRESENT

Rick McVey, Chairman
Jeremiah Jefferies
Nathaniel Hall
H. Vernon Massengill
John Dickerson (Joined Remote)

Bryan Miller, County Manager
Carla Smith, Clerk to the Board
Brian Ferrell, County Attorney (Joined Remote)

The Board of Commissioners for the County of Caswell, North Carolina, met in regular session on Monday, June 6, 2022 at 9:00 am in the Historic Courthouse.

WELCOME:

Chairman McVey called the meeting to order, and following that Board of Commissioners and all the guest in attendance recited the Pledge of Allegiance.

PUBLIC COMMENTS:

There were no public comments.

RECOGNITIONS:

There were no recognitions.

AGENDA:

APPROVAL OF AGENDA:

A **motion** was made by Commissioner Jefferies and seconded by Commissioner Hall and **carried unanimously** to approve the agenda. (Commissioners Dickerson, Hall, Jefferies, Massengill, and McVey voted in favor)

APPROVAL OF CONSENT AGENDA:

- a. May 12, 2022 Joint Town Meeting Minutes
- b. May 16, 2022 Regular Meeting Minutes

A **motion** was made by Commissioner Jefferies and seconded by Commissioner Hall and **carried unanimously** to approve the consent agenda. (Commissioners Dickerson, Hall, Jefferies, Massengill, and McVey voted in favor)

June 6, 2022

DISCUSSION ITEMS:

NONCONFORMING HIDO PROPERTIES ANALYSIS:

The County Manager said Commissioners, you received the non-conforming HIDO property analysis that you requested at one-point last week. We asked that if you have any questions, we're happy to answer those questions now about the analysis. So Commissioners this was in regards to the HIDO amendment to extend the grandfathering provision date by six months. Is that correct Mr. Hoagland? The County Planner, Matthew Hoagland said yes sir. The original draft was September 15th, and the Planning Board's recommendation was June 1st, which obviously has lapsed. The County Manager said so you asked for dates of dwellings of surrounding properties. That was presented to you as well as setbacks in the analysis. I think it was about a 35-page document. Mr. Hoagland did an excellent job in his analysis of the properties that would be affected by the HIDO and the businesses that would also be affected, if they had to conform to the HIDO.

Commissioner Massengill asked of all the businesses that were in non-compliance, I'm assuming you've talked to all of them. Mr. Hoagland said we have made contact with all of them. Commissioner Massengill asked if he had explained the situation and explained that they needed to, by September whatever date we came up with, file the paperwork. Mr. Hoagland said that's correct. They all received letters today. Commissioner Massengill said they're not going to have to change anything, such as the way they're doing business if they put the paperwork in and request to be grandfathered. Is that correct? Mr. Hoagland said that's correct. Commissioner Massengill said so it will affect no businesses, like the rock quarry or any other business, if they ask for a grandfathering provision. Mr. Hoagland said if the Board extends the deadline. Most of them have already submitted the required paperwork, so they would not be affected. Then Commissioner Massengill asked so how many have submitted the paperwork. Mr. Hoagland said if you'll recall, I had passed this document out a couple of meetings ago. There's a list of roughly 13 businesses. The majority have submitted the paperwork, and I can read those for you now. Foss Recycling, the gas storage facility on Ridgeville road and Prospect Hill, Keck Logging, the sawmill on Milesville Road, the Pelham Rock Quarry, and three solar farms have all submitted paperwork. I have yet to receive anything from the Resource Extraction site in Prospect Hill, Caswell Speedway, or the sawmill on Pagetown Road. I did receive an email from Piedmont Electric, even though the map that they submitted was really over washed and kind of a green tone, which really wasn't a legible map. I requested that they revise that, but I haven't had any contacted with Piedmont Electric. They have submitted something, even though we requested that they make it a little bit clearer. So to answer your question, the majority have already submitted the site plan documentation. Commissioner Massengill asked are any of those that have not submitted the paperwork up and running businesses as of today? Mr. Hoagland said yes sir, and Commissioner Massengill asked which ones. Mr. Hoagland said I haven't visited the site on Barnwell Road and Prospect Hill, but I think they have active resource extraction operations there or the sawmill on Pagetown Road. Really that would be it other than the other gas storage

June 6, 2022

facility, which I don't think technically meets the definition of the High Impact Development Ordinance, but as we talked about at the last meeting, we gave them the benefit of the doubt to submit documentation if they thought they were affected. Then Piedmont Electric, as I mentioned too, they're kind of in the process of submitting that paperwork.

Commissioner Jefferies said I have a question. Do you think six months is long enough for these people to get grandfathered in. I thought when this thing came out, they were automatically grandfathered in. Do you think six months is long enough? Mr. Hoagland said I really don't have any thoughts one way or the other on the deadline. The Board can set whatever deadline that you deem appropriate.

Commissioner Dickerson said could you tell me more about the Caswell Speedway, and what exactly is impacted with them with the High Impact Development Ordinance. Mr. Hoagland said so if I recall correctly, race tracks are categorized as a Class 3 use. The High Impact Development Ordinance, which requires a minimum lot size of 50 acres, certain buffers from other neighboring properties, and obviously there are the internal operations setbacks. So if they were to come into compliance, they would have to meet those requirements. That particular property is a little bit of a gray area because by all appearances, they haven't been active for several years. As I mentioned, we gave these property owners the benefit of the doubt in communicating with them to allow them the opportunity to come into compliance or to detail the nature of their operations, if they wished to come into compliance and not be regulated by the ordinance.

Commissioner Massengill said I don't have a question. As Mr. Jefferies just stated, I'd like to make a motion, and it's be a two-fold motion. I move that these properties be given to December 31st of this year to come into compliance with the grandfather rules. Even though Mr. Hoagland has contacted them at one time, within this motion I would ask by October 31st if you haven't gotten any paperwork from the ones you said that were in business operating, make a phone call make a visit to them. Let them know we've given you essentially an extra year, and that's because we don't want to close anybody down. That's not what we're about.

A **motion** was made by Commissioner Massengill and seconded by Commissioner McVey and **carried unanimously** to give the businesses until December 31, 2022 to come into compliance with the grandfathering provision, and ask that if by October 31st, if Mr. Hoagland haven't received any paperwork from the remaining businesses, that he make a phone call or a visit to them. (Commissioners Dickerson, Hall, Jefferies, Massengill, and McVey voted in favor.)

The County Manager said Commissioners, thank you for your hard work on this item. Since we have two commissioners out today and one attending virtually, you will see this again on your next upcoming agenda for another vote.

ACTION ITEMS:

WASTE AND RECYCLING WORKERS WEEK PROCLAMATION:

County Manager Miller said Commissioners, you have in your agenda packet a resolution for waste and recycling workers' week. I'll read the resolution.

WHEREAS, the Caswell County Board of Commissioners recognize the often thankless job of waste and recycling workers; and,

WHEREAS, Caswell County operates a Solid Waste Division employing multiple valuable employees that provide exemplary service through the Solid Waste Division; and,

WHEREAS, the employees of Caswell County Solid Waste Division and hauling companies contracted by Caswell County make significant contributions to the safety, health, and welfare of our citizens; and,

WHEREAS, with an area spanning 428 square miles, Caswell County depends on the collection of waste and recyclables to promote a clean and safe community; and,

WHEREAS, according to the Centers for Disease Control and Prevention, the eradication of many diseases in the Western World is due in large part to higher public sanitation standards resulting from effective garbage disposal; and,

WHEREAS, the proper collection and disposal of waste and recyclables are vital to preventing disease, litter, and illegal dump heaps; and,

WHEREAS, Caswell County values and celebrates our local Solid Waste Division and the employees for their commitment to our residents, businesses, and communities in keeping Caswell County safe and clean;

NOW, THEREFORE BE IT RESOLVED, the Caswell County Board of County Commissioners do hereby proclaim June 17-23, 2021 as Waste and Recycling Workers Week in Caswell County.

Commissioners, we also have many of our Solid Waste workers here today.

A **motion** was made by Commissioner McVey and seconded by Commissioner Massengill and **carried unanimously** to approve the resolution. (Commissioners Dickerson, Hall, Jefferies, Massengill, and McVey voted in favor)

Mr. Chairman, to those workers that we have here today, I would like to extend my sincere appreciation for the job they do. Thank you. All applauded them in appreciation.

CONTRACT FOR LEGAL SERVICES FOR BRIAN FERRELL:

The County Attorney, Brian Ferrell said, good morning Commissioners. Every year we take a look at the legal services contract. It's time to do that again. In conjunction with your budget exercises, this year the County Manager and I have talked about a little bit different approach that hopefully will allow a little bit more free flow of services to the county and some predictability in fees. What we're talking about moving to is essentially a flat fee engagement that allows the County Manager, Department heads, and those that need legal services to call and get that help or email and get that help. We're going to do it on a flat fee basis that is roughly equal to the average of the last couple of years' services provided. So the idea is that we have a flat fee. You guys can use the service of our firm as you see fit. We don't have to worry about a six-minute phone call and charging you for that or a reluctance to pick up the phone because there may be a charge for that. We're going to be available to the county to perform the services, and we're going to essentially just have a flat fee come in every month that roughly approximates what you've been paying anyway. So it's a little bit different process. I think at the end of the day financially, it will be a similar experience to the county and perhaps result in some increased service. So that's what you have in front of you today. Other than that, the agreement looks largely the same as it has in prior years. I'm happy to talk with you about that, if you have any questions for me.

Commissioner Dickerson said I have one. What is standard practice in most counties? Do they have a retainer with a set amount like that? Whether the law firm does anything that month, they still draw that minimum, which is \$6,500. So on a month where the county doesn't have a lot of need for legal resources, won't the taxpayers be left holding the bag? Attorney Ferrell said well that's a two-part question there. The first part is does other counties do this. Some other counties do have this arrangement. There are various arrangements, as you can imagine, across the state. Some attorneys are employed full-time in-house with full-time counsel. Some are on a retainer plus hourly basis, and some are on this sort of flat fee retainer basis. So as far as I know, the agreements run the gamut, and it just depends on the particular needs and wants of the parties as to what a particular jurisdiction has. The second question you asked is about those months where you don't need the service. The idea here is that the budget would be sort of equalized every month. So you're right. Some months in our relationship the bills are smaller. Right now the retainer amount, which you're still paying is \$3,500 a month. So you're paying that no matter what right now, but then some months if there's heavy services, that bill can be pretty high. It can go over and it does go over the \$6,500 a month. So you've got an uneven essentially monthly budget for your legal services because it's largely dependent on the need. The idea here is we take the experience of the last couple of years, and look at it. It's in the \$70,000 range. So essentially what we're doing is equalizing on a monthly basis the legal services budget to reflect really what you've been paying the last couple years. We're just avoiding the highs and lows in the monthly fees. So that's the idea. I think it will result in similar fees overall, but instead of having the lows and the highs in the budget, it'll just be the same. So happy to talk more about that Commissioner Dickerson.

June 6, 2022

Commissioner Massengill said is there a time limit on this. If we got five lawsuits going at one time and you're working full-time for us, is there a time when you start charging extra? Attorney Ferrell said that's a great question. The answer to that is yes. So extraordinary services like you just mentioned, litigation, which usually your insurance defense company handles most of your litigation. From time to time, as the Board knows, there are certain issues that insurance doesn't cover, and our firm will step in and do that work. Largely that's performed by a litigation partner of mine. So abnormal expenses have to be excluded from that retainer. Otherwise we wouldn't be able to perform the service. It can't be an unlimited. So your routine services that you need, all of that is included. You're not going to get a bill for that at the end of the month other than the retainer, but extraordinary expenses, and you can see some carve outs in the agreement, such as your bond work, we're not going to do for the flat fee. If there's a significant financing that is in excess of what you normally do, that's going to be an addition. So there are some carve outs from that general retainer. That's designed, Commissioner Massengill, to do just what you expect, which is to make sure that I don't become a full-time employee for the retainer amount and my firm doesn't deplete its resources. So thank you for that question.

Commissioner Massengill asked Mr. Ferrell, how much is the fee? I'm looking in my budget things, and I can't seem to find it. It's \$6,500 per month, which equates to about \$78,000 a year. The idea was that that was very similar to what your yearly budget was at the end of the year last year. This year the County Manager may have a little bit more information about those numbers, but it's roughly equivalent. Commissioner Massengill said correct me if I'm wrong, Mr. Manager, but my brain's not working too good. Where did I see \$85,000? Did I see \$85,000 somewhere? Is that just a figment of my imagination. County Manager Miller said oh you did. You saw it in the budget documents. So in the budget documents, I scheduled the flat fee rate plus a small amount of additional money just in case we had to go over. Just in case for some of those additional services that Mr. Ferrell spoke about. Then Commissioner Massengill asked how many years do we go over the \$6,500 a month or \$78,000. County Manager Miller said when I first came, the bills were running about \$90,000-\$95,000 a month. Progressively, that bill dropped over the course of four or five years to about \$65,000. Here lately, that bill has started to increase again to more than \$75,000. So it would be my recommendation, for all the reasons stated by the county attorney, that the board approved this service agreement.

Commissioner Dickerson said I have one more question. Somebody break it down a little bit more on the simple side for me. If we're going to pay \$6,500 a month and if we go over that amount, it's still going to be charged to the county. What benefit is it to us to give them a set amount every month. Why don't we pay as we go? That way on the months that we don't use it, the county saves money. If we go over and we're going to have to pay it anyway, then we're going to pay it one way or the other, but you're not giving them a set amount of money for a month that they didn't do a lot of work in. Am I missing something here? Attorney Ferrell said the benefit that I see, and again if you prefer, this is a little bit different. This is a different way to charge for legal services. Quite frankly if you like and prefer the traditional sort of lower retainer with a hourly rate, we can go that way. I will tell you the hourly rate is going to have to increase,

June 6, 2022

if we go that route, but we can certainly do that. So the benefit I see, and again we can try it this year, if you're so inclined to see how it works. If it doesn't work, we can go back. But the benefit that I see is that instead of the County Manager saying well I better not call about that contract review, we've spent a lot of time with Kennon Craver this month. I better hold off. Instead of having to make those sorts of decisions, the routine or the bulk of the work that we do is going to be a free flow of information that you don't have to worry about should he call and get that advice or should the department head seek some review of a particular item. They can just call and don't have to worry about getting charged for that. Whereas otherwise it would be subject to the billable rate. So that's sort of the benefit that I see. Again if the county's more comfortable with the traditional smaller retainer and hourly rate, that's fine with me. I can come back to you with another agreement that reflects that. This is just a little bit different approach that hopefully allows the county to receive additional services.

Commissioner Jefferies said I heard what he said \$6,500 a month, but I think what we need to do before we pass the budget is let's get the whole Board here and just talk about this thing. Some Board members might have some more questions that they want to bring up rather than passing the thing today. That's the way I look at it. It needs to be tabled for tonight until the Board is here. \$6,500 a month is a lot of money.

Commissioner Massengill said Mr. Chairman to a certain extent I agree with Commissioner Jefferies. What I'd like to see is maybe for the last three years, how much we've spent on Mr. Ferrell's fees, if that would not be too much work Mr. Miller, so that we can compare monies. I agree with Mr. Ferrell and you to a certain extent. If I've already paid Mr. Ferrell and I've got a question that could probably be answered in two sentences, but I think I may know the answer, I may not call Mr. Ferrell. If I've already paid him, I can call him and talk for 20 minutes and get a paragraph answer versus a yes or no just to cover yourself. There's pros and cons, but I'd like to see the monies. The County Manager said we'll have that information for you.

Attorney Ferrell said I appreciate all those questions. That's one of the reasons we're bringing this to you a little early this year because I understand it's a little change and want you to have the information. I can fairly easily prepare the alternative arrangement that's more of the status quo with an increase in the in the hourly rate so you can have both so you can see the different approaches. It's really as far as I'm concerned six or one half dozen. So I'm open to whichever approach the county's most comfortable with.

Chairman McVey said if there's no other objections, we'll table this to the next meeting.

Commissioner Massengill said we can table it until we discuss it in the budget session.

Commissioner Hall said I agree with Commissioner Massengill's request for the amounts over the last three years, but I would also like to see the amounts that we paid other attorneys. I would also, if it's appropriate, like the Board to have kind of a general work session with our attorney so that we can clarify some things or I can clarify some things that might be on my mind. We can do it better in a work session, and it could be a short one. Rather than just looking at this document and taking action. Chairman McVey asked the Board when would they like to have

June 6, 2022

this work session. Commissioner Hall said well since we've got these budget sessions and everything else, we can find out what's convenient for the other board members and for our general counsel. Just contact them, and ask can you give us 30-40 minutes in a work session so that we can just ask our questions openly and candidly. Commissioner Dickerson said I am on vacation this week, and I am doing this meeting by Zoom. So I'm requesting that you not put another one on this week. If we do this work session, please do not put it in the middle of the day. I need to either do it in the morning time or the evening time and have as much notice as I can to be able to schedule my job around it. Chairman McVey said so when do you all want to schedule this? We can do it at a budget meeting. We have a budget meeting this week at 9:00 am. County Manager Miller said Commissioners, I'm happy to speak with the County Attorney and provide you with additional dates and times at one of your upcoming meetings. Maybe you can schedule a meeting then. Chairman McVey said okay.

Commissioner Hall said one final question. Is it appropriate or would it be appropriate that we do this in closed session? Attorney Ferrell said what I would say about that is if you'd like to talk with me about my performance as County Attorney, that's certainly something that you can do. If you want to give me an evaluation or just talk with me generally about the performance, I think we can do that in closed session. But as far as the general budgetary impacts of the two different arrangements, I believe that's an open session item, but if there are other performance or particular terms that you'd like to discuss, the rules do allow for closed session for that. Generalized discussion like we've had this morning, I would say let's continue it in an open session. Commissioner Hall said some of my questions might relate to performance or prospective performance based on what I'm hearing. Attorney Ferrell said well I do think if you want to give me sort of an evaluation or talk about my performance generally then that would be a permitted closed session topic. So perhaps there's components of the discussion that are open session and components that are closed session. That would be fine. We could do whichever you like first, and then go in and out of closed session appropriately. Chairman McVey asked Mr. Miller to set this up, and County Manager Miller said yes he would.

COUNTY MANAGER'S UPDATES:

The County Manager said Commissioners, I have several updates for you that basically came from our last meeting. First, I've been asked to check on the facilities provided by elections for residents to use the restrooms. The first question posed was their money allotted in the budget, and there was. Then the question was why a cost if bathrooms are in the building, and the answer to that is in some voting precincts the facilities inside the building do not meet the requirements set by state statute. So for that reason and that reason alone, the Board of Election needed to find an alternative to using the facilities inside. That's the first update.

The second update is revising the job description of the Economic Developer. As part of the salary study, job descriptions are being completed. As soon as they are complete, we will provide the Board with the job description for the Economic Developer, and revisions can be made at

June 6, 2022

that time. It may also be necessary to make revisions to the Economic Development Strategic Plan as well at that time.

The third update that I have is speaking of branding. Commissioner Hall had asked about branding. I have spoken with both Commissioner Hall and with the Economic Developer to discuss branding. In these conversations I've tried to gain a better understanding of what branding means to all of the parties involved, as well as trying to gauge the outreach expected throughout this process. I believe that there will need to be additional training for those involved in the process maybe by the UNC School of Government or perhaps the Council of Governments. There also need to be extensive community outreach, which should be reviewed by all parties involved, whether it be the Chamber of Commerce, the EDC, or whatever organization is involved. I'll just tell you, this will not be a fast process, if it's done correctly. If you want to go quick, go alone. If you want to go far, go together. If we want to go together, this will not be a fast process.

So Commissioner Dickerson had asked about toughening of the Solid Waste penalties and fines. I have spoken with the DA's office. The Sheriff's office has been informed of any problematic areas that may exist. The DA's office cannot give advice to local governments on their police powers, but they can inform the Sheriff's office of potential problems. After speaking with the Sheriff, he believes the DA's office will prosecute violations of the Solid Waste Ordinance as written in the amended ordinance. So you can expect to see that on an upcoming agenda for your approval.

Commissioner Massengill asked about the HIDO, and how we stood on that. You received your information on this week's agenda packet.

June meetings, school security, and contingency balance are topics for the Joint meeting between the Board of Commissioners and the Board of Education, which has been scheduled, and these questions and concerns can be addressed with the Board of Education at that time. There are also questions about metal detectors, and here again that can be answered at that point in time.

As for budget work sessions, we have completed two, and have another session scheduled.

Commissioner Dickerson also asked about cameras in the classrooms. Here again the joint meeting is scheduled, and these questions and concerns should be addressed with the Board of Education at that point in time.

Commissioner Hall spoke about Courthouse security. I've spoken with the Sheriff, and he has spoken with the Clerk of Court. We will be meeting to devise a plan to rectify any current security issues we have at the new Courthouse.

Commissioner Jefferies asked about sound in this meeting room. The Clerk to the Board called, and we have a meeting with Mr. Bellamy scheduled for tomorrow. So we're meeting with him tomorrow to discuss the sound.

June 6, 2022

The last point is Commissioner Hall had requested that each member of the Board recommend two people from each district or the county as a whole, if they're not elected as a district, to serve on the branding committee as well as other committees that the county may have need for residents to serve. So just as a reminder. Please be looking for those people. Commissioners, I'm happy to answer any additional questions you have, but at this time that's all the updates I have.

Chairman McVey asked if anybody have any questions for Mr. Miller. Commissioner Massengill said I think at the last meeting or the meeting before, I asked about Mr. Powell coming and giving us an update for the school. Where are we with that? County Manager Miller said we'll schedule a session with Mr. Powell as soon as we can.

Commissioner Dickerson said Mr. Miller, we had spoken prior to the meeting on the state weighing in on local ordinances and making them more difficult to have any teeth. Did you ever find out any more about what we were talking about? County Manager Miller said no, I haven't. I believe you're referring to the fact that if a violation is committed, Mr. Ferrell can help me with this, the person committing the violation cannot be prosecuted, if they don't commit another violation within so many days. Is that the part that you're referring to? Commissioner Dickerson said yes, and it was 30 days, the time frame that was in that correspondence. The County Manager asked Mr. Ferrell would he speak on that. Attorney Ferrell said sure. So the big picture is the state legislature has essentially made it more difficult to enforce criminally violations of local ordinances. And now there is essentially an affirmative defense to a violation that's being prosecuted criminally, if the alleged violator has not committed the same violation within that 30-day period. So as a mechanism to attempt to reduce the criminal enforcement, certain ordinances can no longer be enforced criminally at all, but those that can, are subject to a new set of affirmative defenses. We can bring that statute forward to you, but essentially it does what it's intended to do. It makes it more difficult to enforce criminal penalties for local ordinance violations. The County Manager said I also believe they capped the fees or the penalties at \$500. Is that correct? Attorney Ferrell said for criminal violations, and the County Manager said yes. Attorney Ferrell said I believe that's right. Commissioner Dickerson said what kind of madness did the general assembly have power like that. That is outrageous that the state step all over local government like that and take away the authority to enforce ordinances that are put on the books. Well we all should be outraged that the state has went past their boundaries. I know that in the big pyramid of government, they're above the localities, but this is taking away an important tool that we need to be able to enforce ordinances on a local level. I'm outraged by that. Attorney Ferrell said I understand. It is a change and certainly something to talk with our legislators about, if you have concerns there. Commissioner Dickerson said well I would like to see what we need to do to do that. I mean I know we're only one of 100 counties, but if the rest of the counties are under the same restrictions that we are, all the localities ought to be pushing back against state and telling them to back off. We know how to run our local government. We know what's best in our localities, and how dare they overstep their boundaries and take away one of the tools we have to keep order and things going in the direction they should go as a county. Can we do

June 6, 2022

something or draft a letter to the state legislator to get them to explain in detail why they did this. That would be a first step toward getting some kind of correspondence going and finding out why they did it. County Manager Miller said Commissioner Dickerson, I'm happy to, if the Board directs me to write a letter and request an explanation regarding that change. Commissioner Dickerson said I would like to see that happen. The Chairman asked what was the pleasure of the Board? Do you want to vote or take a consensus on sending a letter?

A motion was made by Commissioner Dickerson to have the County Attorney or County Manager draft a letter to the State, and ask them to explain why they took power away from the localities enforce the ordinances we have on the books. Commissioner Massengill seconded the motion, but wanted to know who we're going to write the letter to. Commissioner Dickerson said we could start out with a big dog in the crowd, and send it to Berger's office. We can see what kind of response we get. We can start there, and go going another direction, if we don't get what we're looking for

A **motion** was made by Commissioner Dickerson and seconded by Commissioner Massengill and **carried unanimously** to have the County Attorney or County Manager draft a letter to the State, and ask them to explain why they took power away from the localities enforce the ordinances we have on the books. (Commissioners Dickerson, Hall, Jefferies, Massengill, and McVey voted in favor)

COMMISSIONER COMMENTS:

Commissioner Massengill: I know it doesn't matter if I'm there or not, but I have a funeral to conduct on Wednesday morning at 11 o'clock. So I can't be at the budget work session. Just so the Board knows.

Commissioner Hall: I attended the Piedmont Triad Council of Government's executive meeting this past week, and we had several action items, in fact it was 13 of them. Two of the things that kind of caught my attention directly impacted Caswell County. The first was that through ARPA money, our county has received money for family care giver support. Mini grants to all of the members in the county. From my reading of the report, listening, and getting a list of those people that got mini grants, Caswell County didn't apply. They had a limited amount of money of course, but everybody that applied received some funds. I think that we need to kind of step up our game a little bit, and when we have dollars available that can help Caswell County in some way, we ought to try to get some of those dollars. These mini grants were for respite, repairs, and other small things that our citizens might need, especially senior citizens. So I just wanted to bring that to the attention of the Board. The other thing that caught my attention was that we had to vote to approve a budget transfer from Caswell County to another organization. It's not even a local government. It's because we were not able to spend our meals on wheels money. The problem is and has been for a while, that we don't have enough volunteers, but I

June 6, 2022

think on these critical things, that we need to look at all options available. I don't know the answer. Before giving up money, I don't even know if it was considered, could we have hired somebody to deliver those meals. The biggest problem it seems for us was getting somebody to serve the western part of the county. Here again we will have to use more creativity when we have these dollars available. We're going to have to be a little more aggressive and try to spend it.

Commissioner Massengill: Commissioner Dickerson you said you were not going to be able to be here Wednesday. Is that correct? Commissioner Dickerson said that is correct. I'm on vacation. I'm sitting here looking at the ocean. My vacation was scheduled months ago. So the meetings had been put in place, but I gave prior notice that I was not going to be available. This one is a 9 a.m. meeting, and I knew before I was elected that this meeting was going to be put in place. I have made arrangements around it, but the other ones I'm not going to give up two more days with my family to make the meetings. They should not have been put on the week when I was down here at the vacation destination. Commissioner Massengill said Mr. Chairman since we set it at 9 am thinking Mr. Dickerson could be here; could we change it? I didn't know if some of the others might want to attend the funeral. Chairman McVey said yes I'd like to change it because I'd like to attend the funeral myself. So when would you like to reschedule the budget work session. Chairman McVey said do you want to do it on Thursday, Friday, or wait until the next week. Commissioner Dickerson said it'd be nice if we wait until next week. Then I could be at the meeting. Commissioner Massengill said I'm sorry to ask that Mr. Chairman, but I'd like to be here for this meeting. I apologize for asking, but I just wanted to be here for this budget meeting. Chairman McVey said we want everybody there. What about the 13th to the 15th. We're getting back to where I was at originally at the 16th. Will the 13th work for everyone? That's a Monday. Evening maybe? Commissioner Dickerson said that'll work for me. I can work my job around that. You all pick morning or evening, it doesn't matter. I'll do my job before or after the meeting. Chairman McVey said let's try to reschedule this budget meeting for the 13th. Commissioner Massengill said is that okay with you Mr. Miller? Chairman McVey asked if they wanted to do it in the evening? Do you want to do it at six or seven? No one had a preference so Chairman McVey said let's set it for 6 o'clock on Monday the 13th. We'll reschedule that for Wednesday night at the library, if we can get it.

ANNOUNCEMENTS AND UPCOMING EVENTS:

- **Board of Education Meeting June 7, 2022 at 7 pm at Gunn Memorial Library**
- **BYHS Graduation Saturday, June 11, 2022**
- **Budget Work Session June 13, 2022 at 6 pm at Gunn Memorial Library (if available)**
- **Fireworks July 1, 2022**

June 6, 2022

Commissioner Hall asked do we know what the setup will be this year for graduation?
Chairman McVey said I do not know. We received that information a couple meetings ago about calling the lady Kim to let her know if we were attending. We were supposed to call the let her know if we were going. I did call and tell her there would be at least two or three of us there. Commissioner Hall asked if we could ask the County Manager to find out. The County Manager said I'm happy to, and I'll make that call today. Chairman McVey said all she could tell me was it was either going to be on the field or in the Civic Center.

ADJOURNMENT:

A **motion** was made at 9:54 pm by Commissioner Jefferies and seconded by Commissioner Hall and **carried unanimously** to adjourn the meeting. (Commissioner Dickerson, Hall, Jefferies, Massengill, and McVey voted in favor)

Carla R. Smith
Clerk to the Board

Rick McVey
Chairman

June 6, 2022



CASWELL COUNTY PLANNING DEPARTMENT

Non-conforming High Impact Development Ordinance Properties Analysis

Prepared by: Matthew Hoagland
Caswell County Planning Director

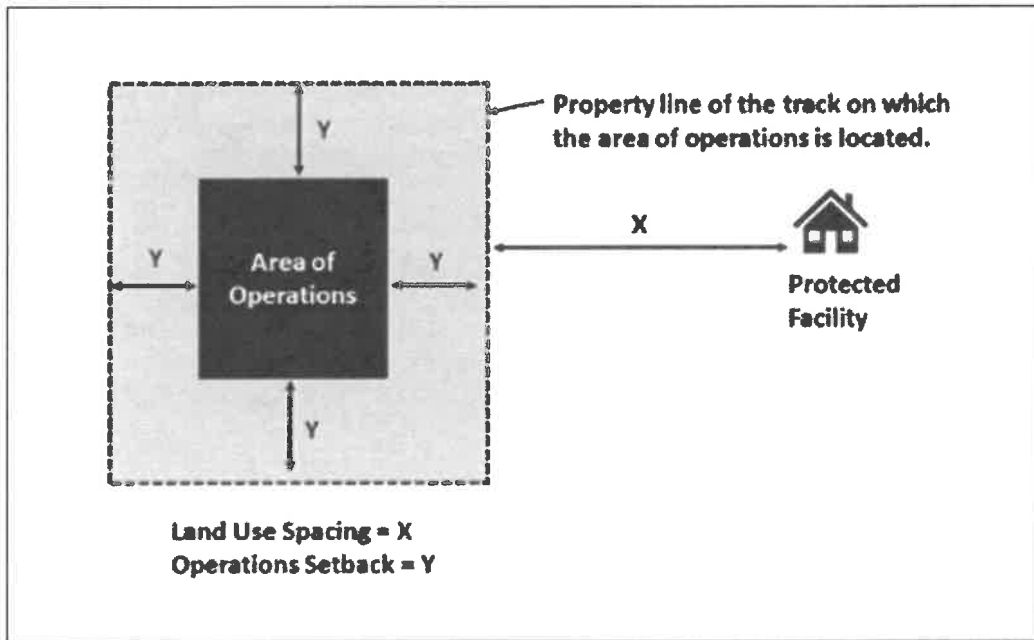
June 6, 2022

HIDO Regulations Summary:

Figure 1: Land Use Table

Classification	Min. Lot Size	Building Height	Land Use Spacing (X)	Operations Setback (Y)	Stream Setback
Class I	10 acres	40 feet	—	150 feet	100 feet
Class II	10 acres	40 feet	500 feet	150 feet	100 feet
Class III	50 acres	40 feet	1,500 feet	500 feet	150 feet
Class IV	100 acres	40 feet	1,500 feet	500 feet	150 feet

Figure 2: Land Use Spacing and Operations Setback Diagram



Protected Facilities:

- | | |
|---|--|
| <ul style="list-style-type: none"> 1. An educational facility; 2. A North Carolina licensed child care facility; 3. An NC licensed assisted living facility; 4. A North Carolina licensed nursing home; 5. A public or privately owned hospital; 6. A rural medical center; | <ul style="list-style-type: none"> 7. A church; 8. A dwelling unit; and 9. Historic landmarks recognized by North Carolina Department of Natural and Cultural Resources |
|---|--|

Property 1:

Keck Logging
7190 NC Highway 87N
Gibsonville, NC 27249

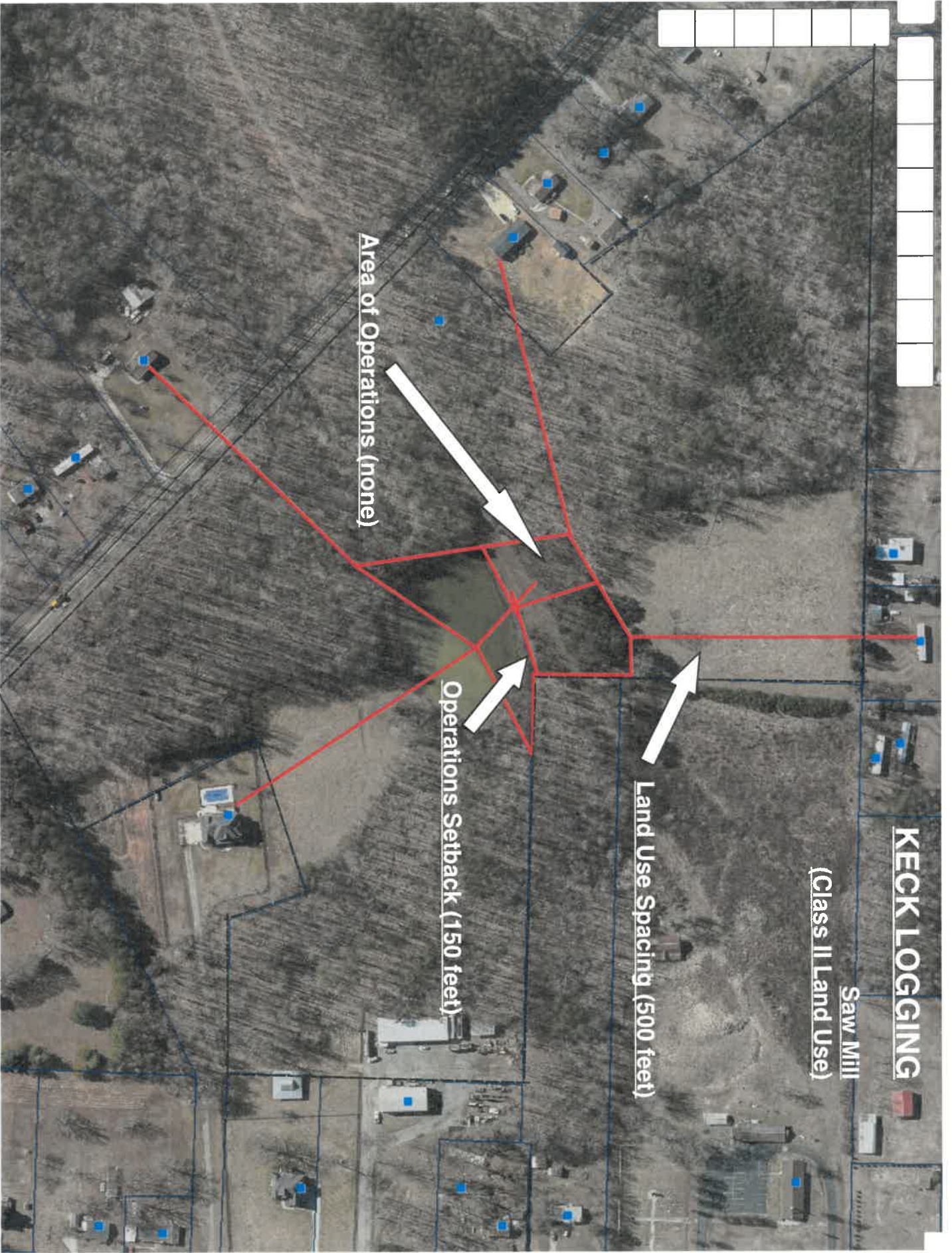
Land Use:

Saw Mill (Class II Use)

Needed to comply with HIDO: (see attached map)

- 1) Measure 500 feet from all neighboring protected facilities (Land Use Spacing)
- 2) Re-draw property line based on distance from protected facilities
- 3) Measure an additional 150 feet for internal Operations Setback

Result: These measurements would result in zero net Area of Operations



KECK LOGGING

Saw Mill
(Class II Land Use)

Land Use Spacing (500 feet)

Operations Setback (150 feet)

Area of Operations (none)

1974

7330 NC HWY 87 N

1977

2990 NC HWY 87 N

1978

7272 NC HWY 87 N

1990

7254 NC HWY 87 N

1996

7228 NC HWY 87 N

7190 NC HWY 87 N

Permit for Saw Mill:
August 20, 2020

1986

1983

7115 NC HWY 87 N

1935

7077 NC HWY 87 N

1994

7053 NC HWY 87 N

2020

7029 NC HWY 87 N

1955

6991 NC HWY 87 N

2004

610 BROWN'S CHAPEL RD

1988

6962 NC HWY 87 N

2006

576 BROWN'S CHAPEL RD

2018

223 ALAMANCE DR

2014

245 ALAMANCE DR

1965

185 ALAMANCE DR

189 ALAMANCE DR

123 ALAMANCE DR

61 ALAMANCE DR

2021

1943

412 BROWN'S CHAPEL RD

1980

1968

488 BROWN'S CHAPEL RD

1951

514 BROWN'S CHAPEL RD

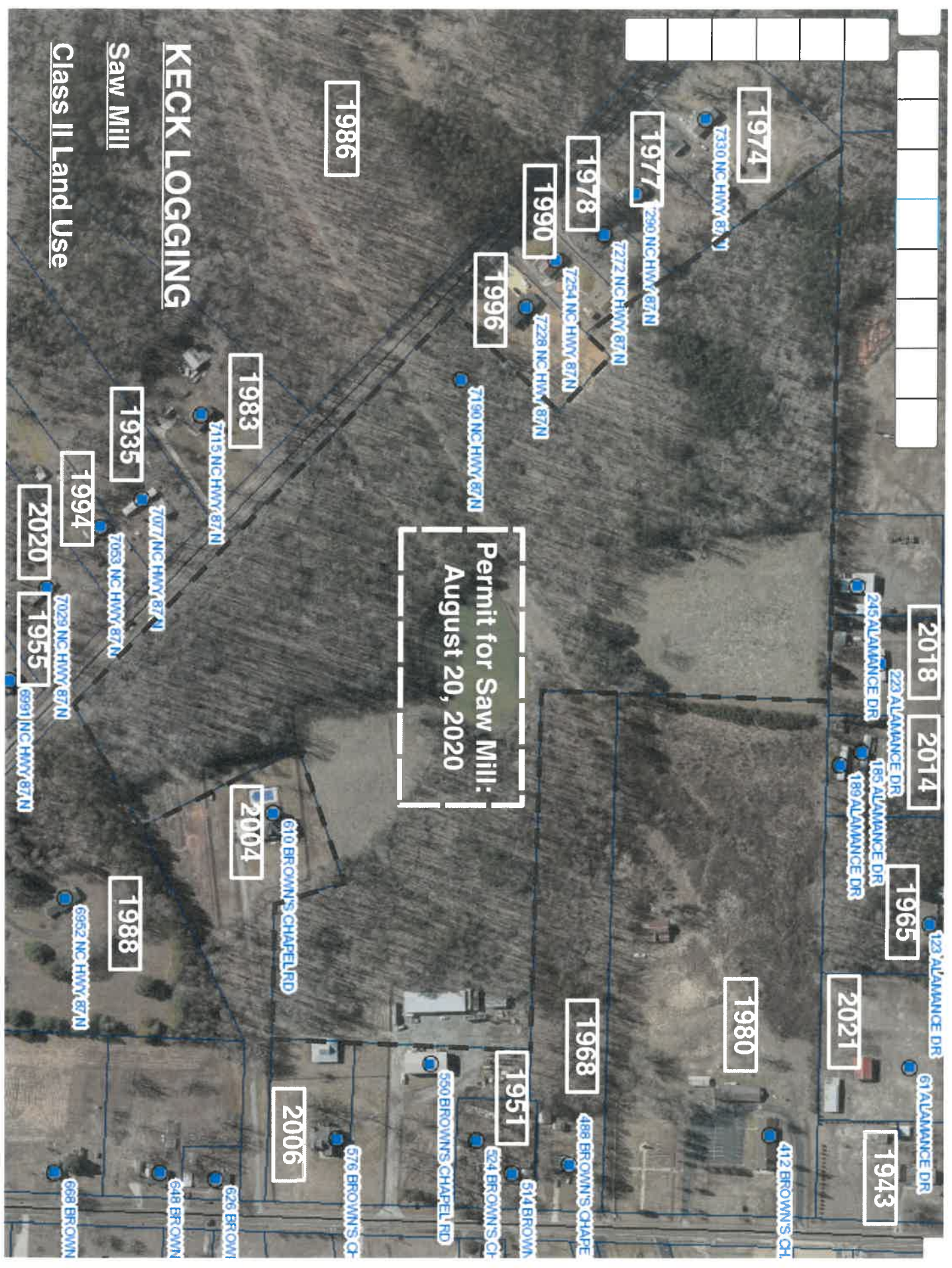
550 BROWN'S CHAPEL RD

524 BROWN'S CHAPEL RD

KECK LOGGING

Saw Mill

Class II Land Use



Property 2:

Pelham Rock Quarry
1675 Quarry Access Rd.
Pelham, NC 27311

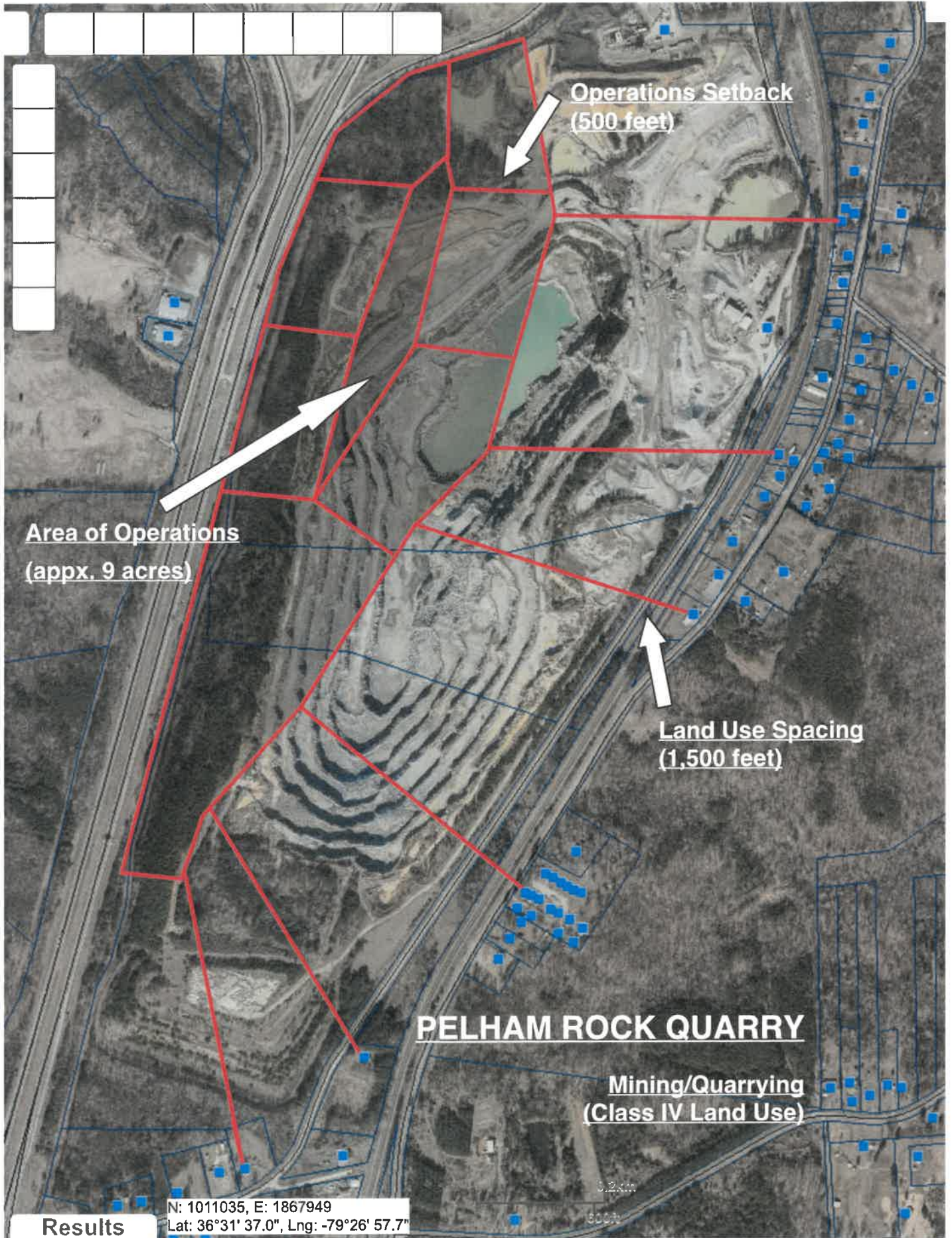
Land Use:

Mining/Quarrying (Class IV Use)

Needed to comply with HIDO: (see attached map)

- 1) Combine all three existing properties into one.
- 2) Measure 1,500 feet from all neighboring protected facilities (Land Use Spacing)
- 3) Re-draw property line based on distance from protected facilities
- 4) Measure an additional 500 feet for internal Operations Setback

Result: These measurements would result in an approximate nine-acre Area of Operations



**Operations Setback
(500 feet)**

**Area of Operations
(appx. 9 acres)**

**Land Use Spacing
(1,500 feet)**

PELHAM ROCK QUARRY

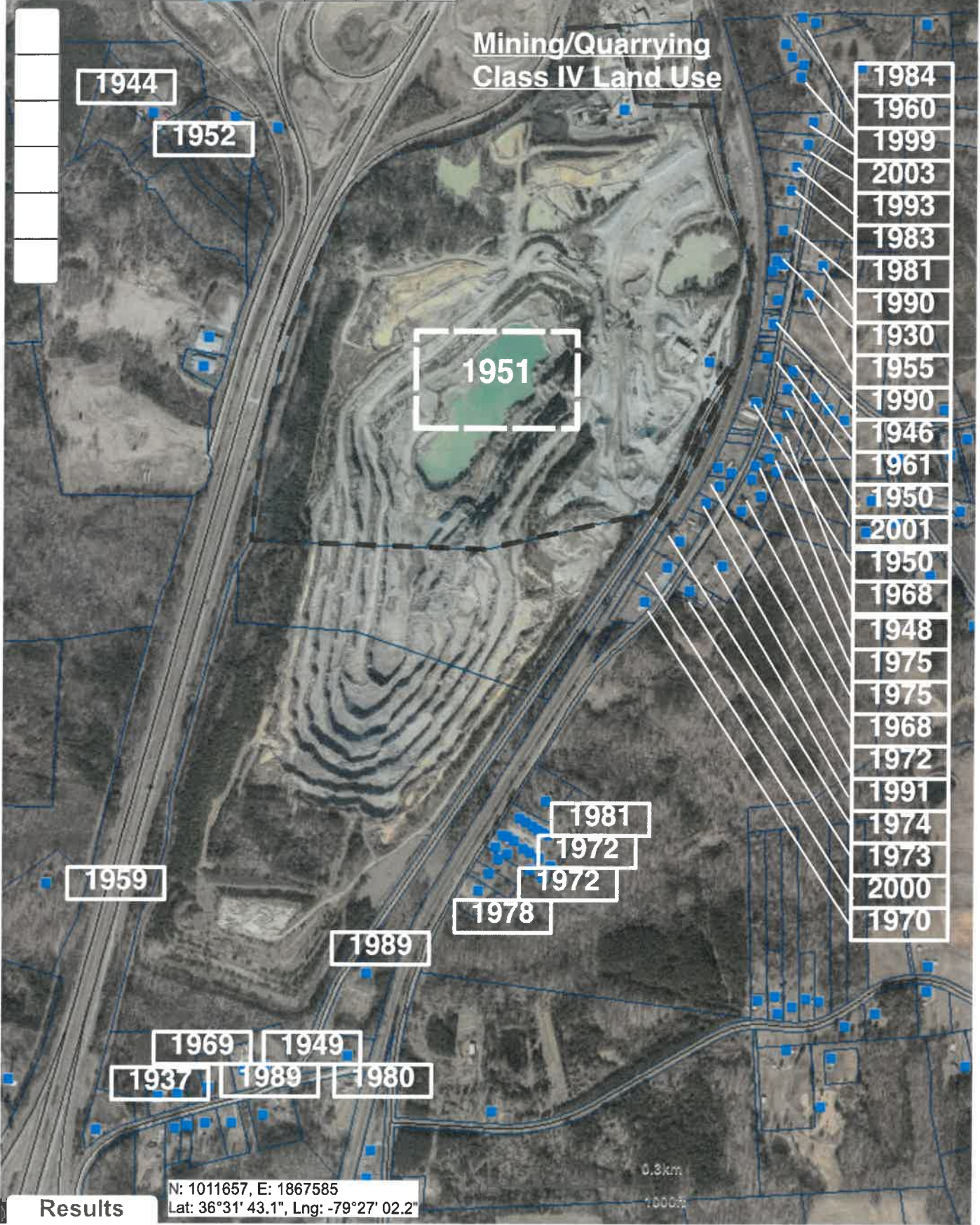
**Mining/Quarrying
(Class IV Land Use)**

Results

N: 1011035, E: 1867949
Lat: 36°31' 37.0", Lng: -79°26' 57.7"

PELHAM ROCK QUARRY

Mining/Quarrying
Class IV Land Use



Results

N: 1011657, E: 1867585
Lat: 36°31' 43.1", Lng: -79°27' 02.2"

Property 3:

Foss Recycling
2508 Walter's Mill Road
Providence, NC 27315

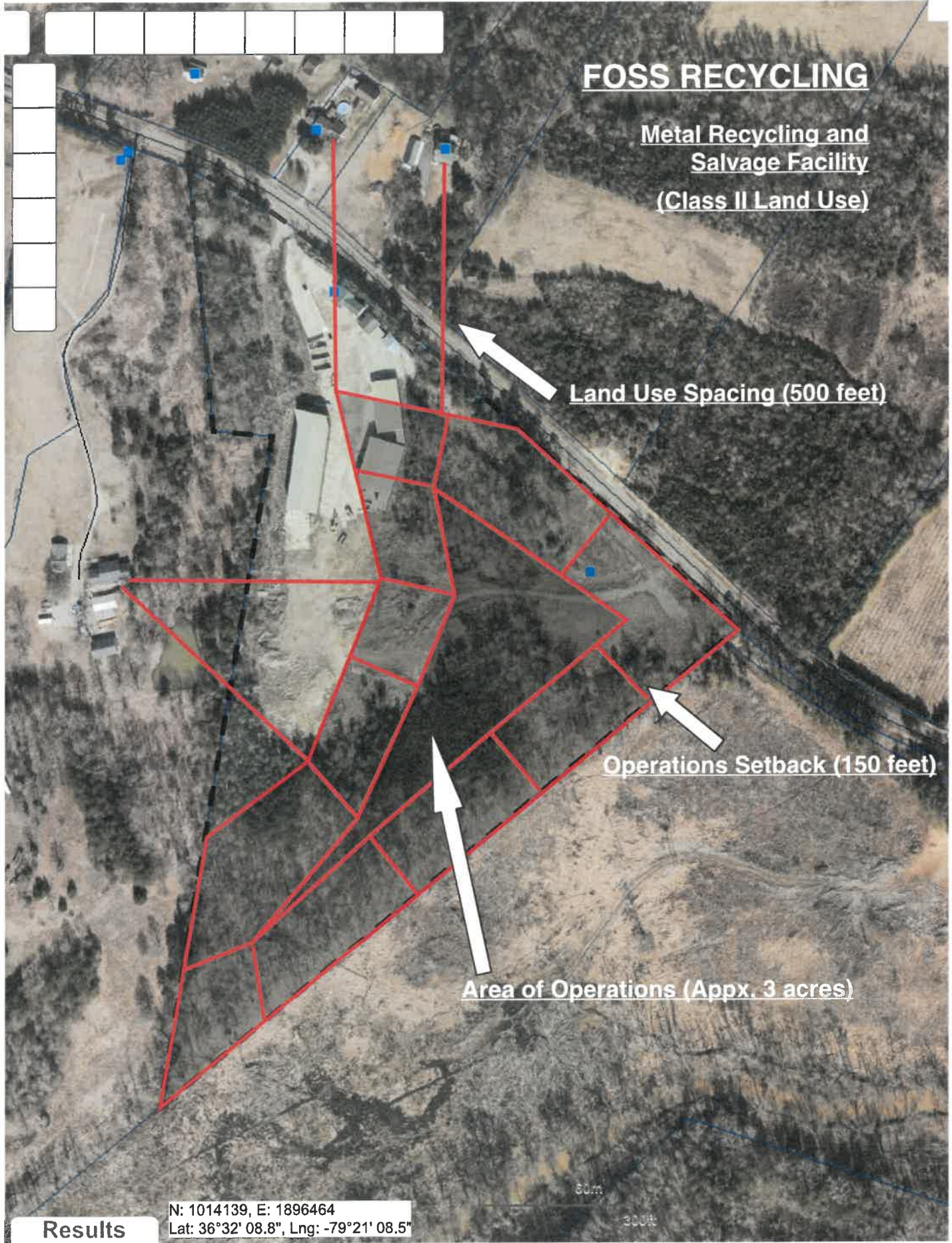
Land Use:

Metal Recycling and Salvage Facility (Class II Use)

Needed to comply with HIDO: (see attached map)

- 1) Measure 500 feet from all neighboring protected facilities (Land Use Spacing)
- 2) Re-draw property line based on distance from protected facilities
- 3) Measure an additional 150 feet for internal Operations Setback

Result: These measurements would result in an approximate three-acre Area of Operations.



--	--	--	--	--	--	--	--	--	--

FOSS RECYCLING

Metal Recycling and Salvage

Facility

Class II Land Use

2258 WALTER'S MILL RD

1930

2451 WALTER'S MILL RD

2497 WALTER'S MILL RD

2440 WALTER'S MILL RD

2438 WALTER'S MILL RD

2366 WALTER'S MILL RD

1997

1990

2539 WALTER'S MILL RD

2308 WALTER'S MILL RD

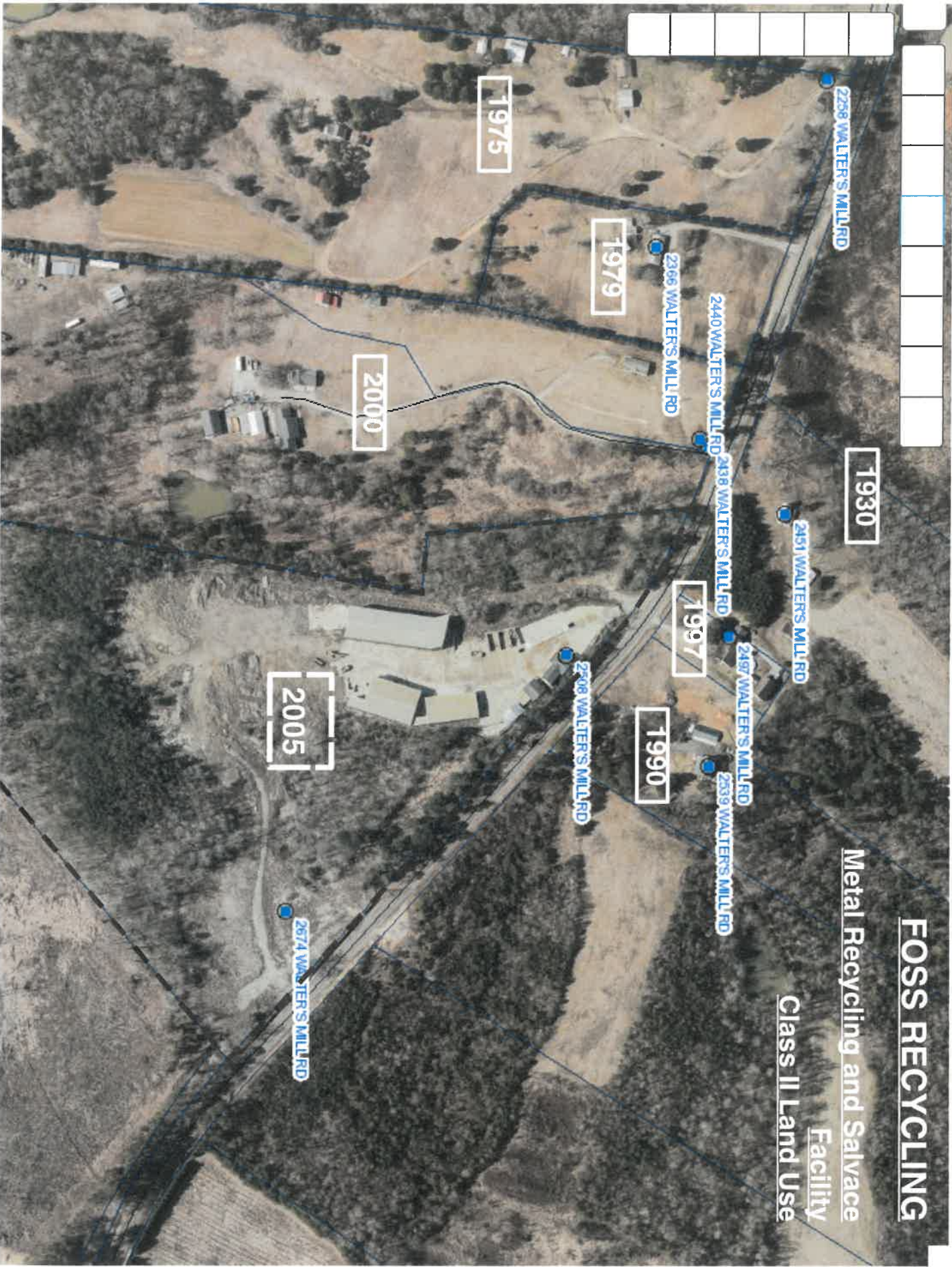
1975

1979

2000

2005

2674 WALTER'S MILL RD



Property 4:

Resource Extraction Facility
135 Barnwell Road
Prospect Hill, NC 27314

Land Use:

Resource Extraction Facility (Class IV Use)

Needed to comply with HIDO: (see attached map)

- 1) Acquire more land to ensure the property is at least 100 acres
- 2) Measure for 1,500-foot Land Use Spacing and 500-foot Operations Setbacks

Result: Unless property is enlarged to at least 100 acres, it is impossible to continue operations.

Details [hide](#)

 [Identify Adjoining Parcels](#)

Select Features by Buffer

Parcels

Map and Parcel: 0133 083
Tax Number: 0133.00.00.0083.0000
Owner: JOEL L LYNCH JR
476 HWY 119

MEBANE NC 27302
Parcel Address: 135 BARNWELL RD
Parcel City: PROSPECT HILL
District Code: 52
Deed Book: 569 Pg: 804
Taxed Acreage: 10.17000008
2nd Deed Book: 572 Pg: 1023
3rd Deed Book: 16 Pg: 175

Attributes at point: N: 927003, E: 1938295

Townships

Name: HIGHTOWERS

Voting Precincts

ENR_DESC: PROS_PROSPECT HILL

Elementary School Districts

Descr: SOUTH ELEMENTARY

Zoning

No Zoning

135 Barnwell Rd., Prospect Hill

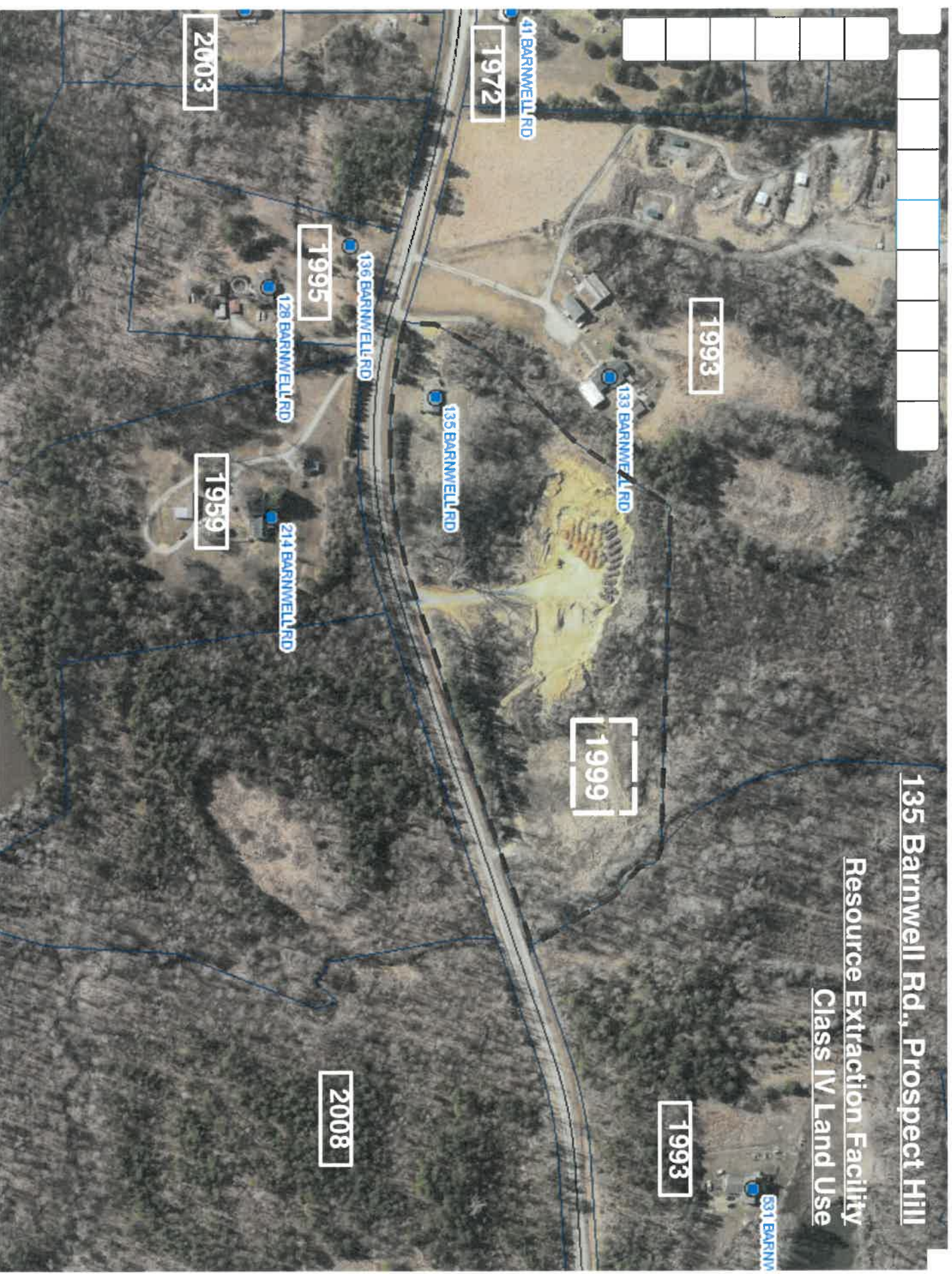
**Resource Extraction Facility
(Class IV Land Use)**

***Property needs to be at least 100 acres to
comply with Section 14-71 Land Use Table**



135 Barnwell Rd., Prospect Hill

**Resource Extraction Facility
Class IV Land Use**



Property 5:

Milesville Road Saw Mill
1867 Milesville Road
Elon, NC 27244

Land Use:

Saw Mill (Class II Use)

Needed to comply with HIDO: (see attached map)

- 1) Measure 500 feet from all neighboring protected facilities (Land Use Spacing)
- 2) Re-draw property line based on distance from protected facilities
- 3) Measure an additional 150 feet for internal Operations Setback

Result: These measurements would result in an approximate 2/10th acre Area of Operations.

Milesville Road Saw Mill

Saw Mill (Class II Land Use)

Operations Setback (150 feet)

Land Use Spacing (500 feet)

Area of Operations (2/10 acre)

1867 MILESVILLE RD

1860 MILESVILLE RD

1976 MILESVILLE RD

2074 MILESVILLE RD

2047 MILESVILLE RD

2124 MILESVILLE RD

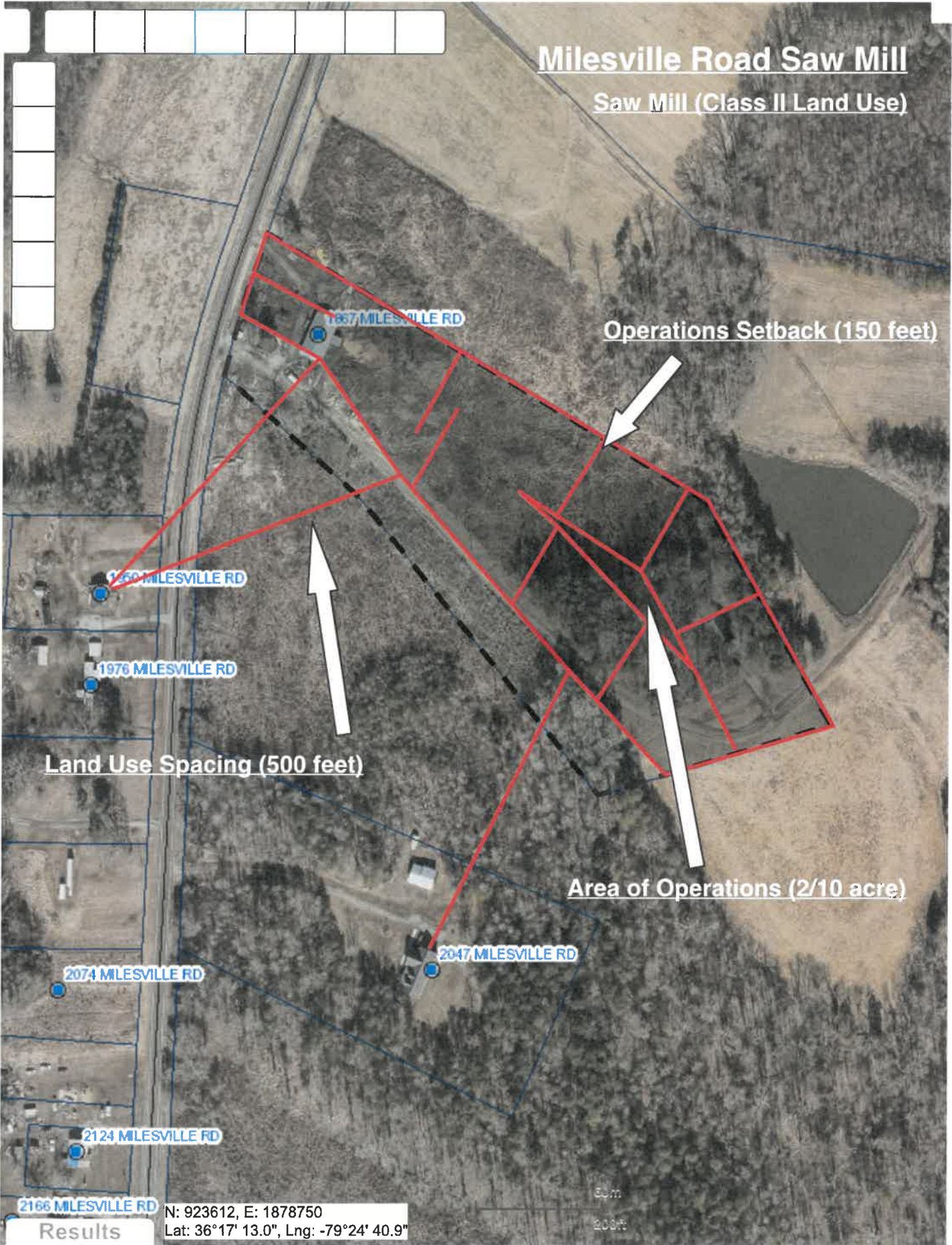
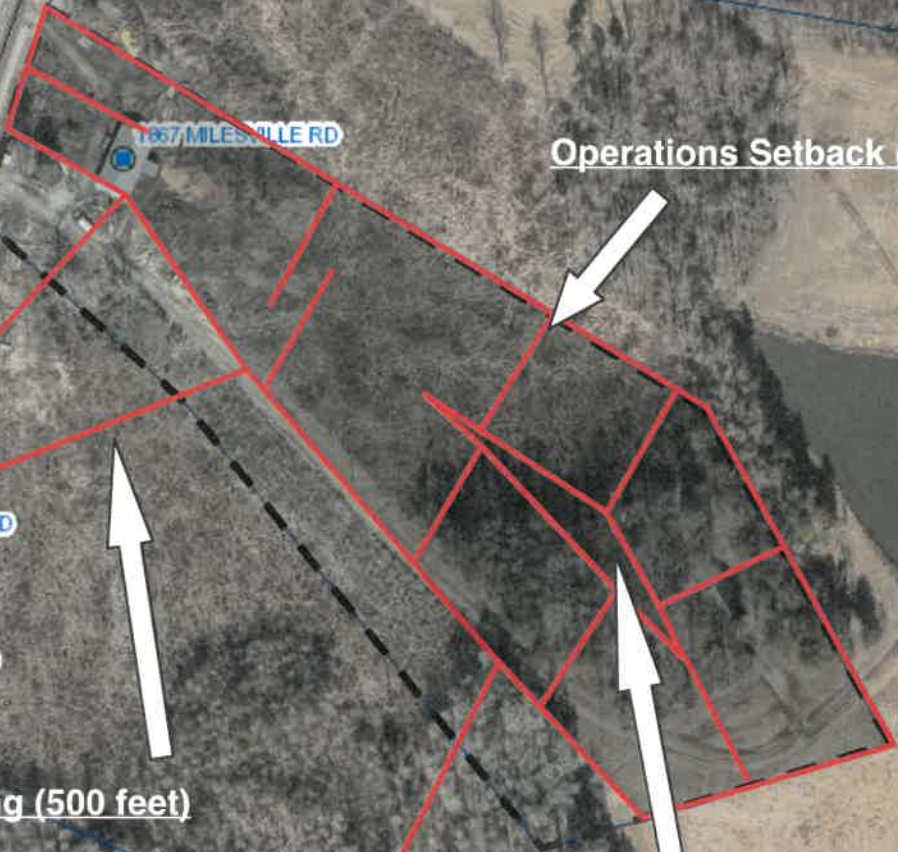
2166 MILESVILLE RD

Results

N: 923612, E: 1878750
Lat: 36°17' 13.0", Lng: -79°24' 40.9"

0.5m

200ft



**MILESVILLE ROAD
SAW MILL**

Saw Mill

Class II Land Use

1651 MILESVILLE RD

1961

1867 MILESVILLE RD

1995

1958

1950 MILESVILLE RD

1976 MILESVILLE RD

2082 MILESVILLE RD

1935

2046 MILESVILLE RD

2005

2011

2047 MILESVILLE RD

2074 MILESVILLE RD

1976

2124 MILESVILLE RD

2166 MILESVILLE RD

2005

2200 MILESVILLE RD

100m

300ft

N: 923783, E: 1878414
Lat: 36°17' 14.7", Lng: -79°24' 45.1"

Results

Property 6:

Pagetown Road Saw Mill
1031 Pagetown Road
Elon, NC 27244

Land Use:

Saw Mill (Class II Use)

Needed to comply with HIDO: (see attached map)

- 1) Measure 500 feet from all neighboring protected facilities (Land Use Spacing)
- 2) Re-draw property line based on distance from protected facilities
- 3) Measure an additional 150 feet for internal Operations Setback
- 4) Relocate all operations on the property to within the new Area of Operations

Result: These measurements would result in an approximate 5.7-acre Area of Operations.

Pagetown Road Saw Mill

Saw Mill (Class II Land Use)

Operations Setback (150 feet)

905 PAGETOWN RD

933 PAGE TOWN RD

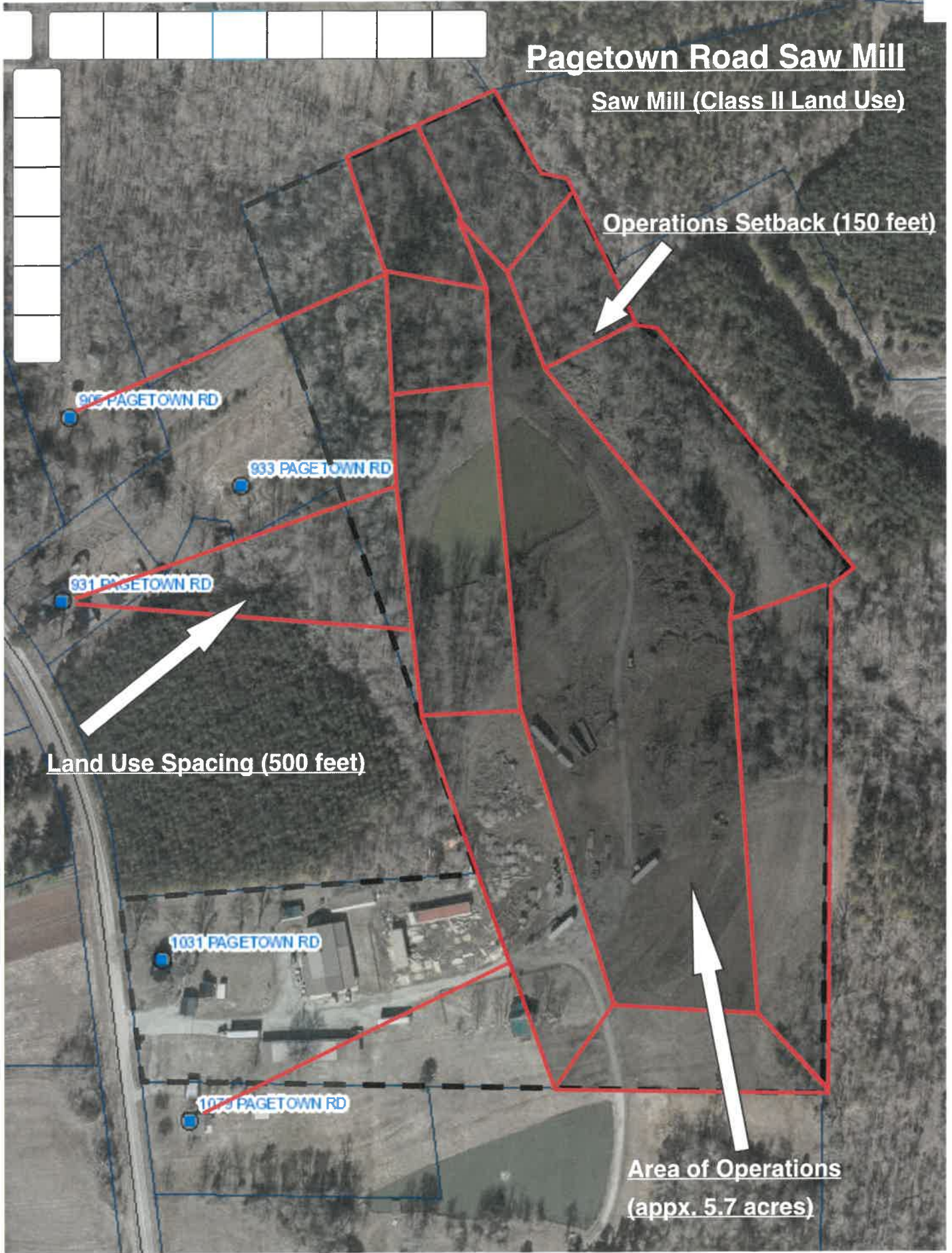
931 PAGETOWN RD

Land Use Spacing (500 feet)

1031 PAGETOWN RD

1075 PAGETOWN RD

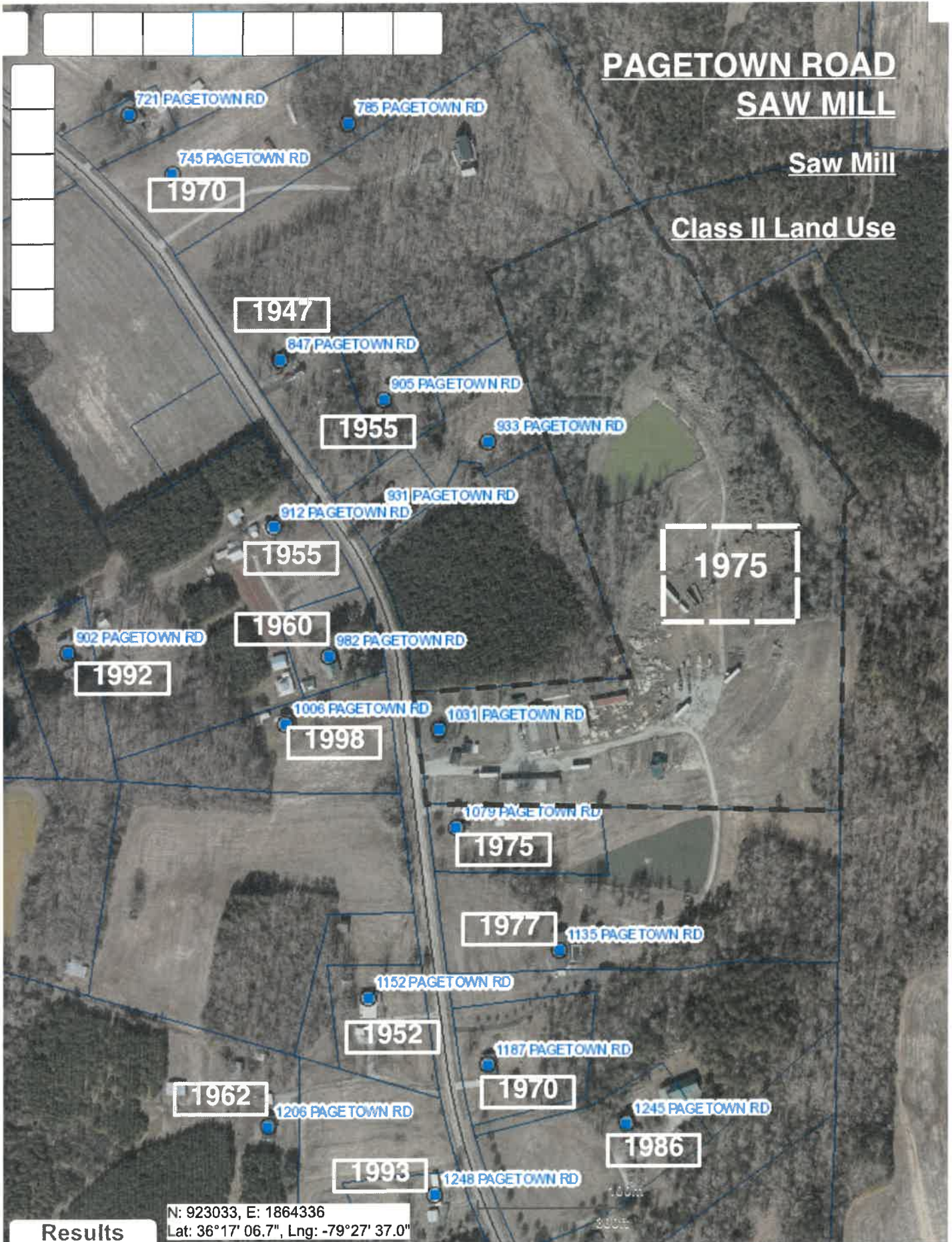
Area of Operations
(appx. 5.7 acres)



PAGETOWN ROAD SAW MILL

Saw Mill

Class II Land Use



N: 923033, E: 1864336
Lat: 36°17' 06.7", Lng: -79°27' 37.0"

Results

Property 7:

Caswell Raceway
359 Solomon Lea Road
Leasburg, NC 27291

Land Use:

Race Track (Class III Use)

Needed to comply with HIDO: (see attached map)

- 1) Acquire more land to ensure the property is at least 50 acres
- 2) Measure for 1,500-foot Land Use Spacing and 500-foot Operations Setbacks

Result: Unless property is enlarged to at least 50 acres, it is impossible to continue operations.

Details [hide](#)

 [Identify Adjoining Parcels](#)

Select Features by Buffer

Parcels

Map and Parcel: 0143 193
Tax Number: 0143.00.00.0193.0000

Owner: RONALD MARION DEES
220 GWEN ROAD

HILLSBOROUGH NC 27278

Parcel Address: 359 SOLOMON LEA RD

Parcel City: LEASBURG

District Code: 52

Deed Book: 471 Pg: 434

Taxed Acreage: 6.34000015

2nd Deed Book: 424 Pg: 331

3rd Deed Book: 12 Pg: 80

Attributes at point: N: 964614, E: 1954119

Hyco Lake Zoning

Zone: RR

Descriptio: Resort Residential

Townships

Name: LEASBURG

Voting Precincts

ENR_DESC: LEAS_LEASBURG

Elementary School Districts

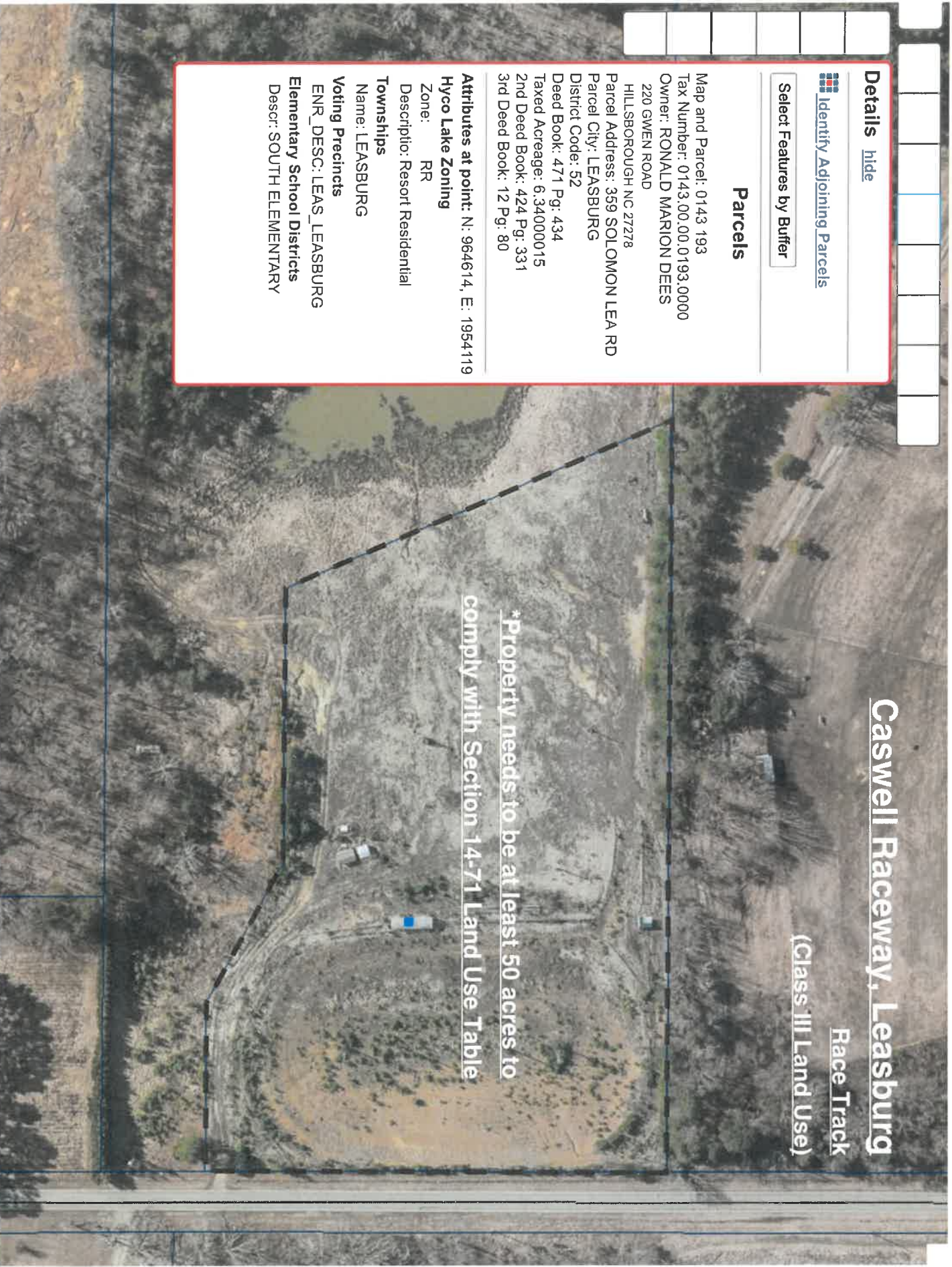
Descr: SOUTH ELEMENTARY

Caswell Raceway, Leasburg

Race Track

(Class III Land Use)

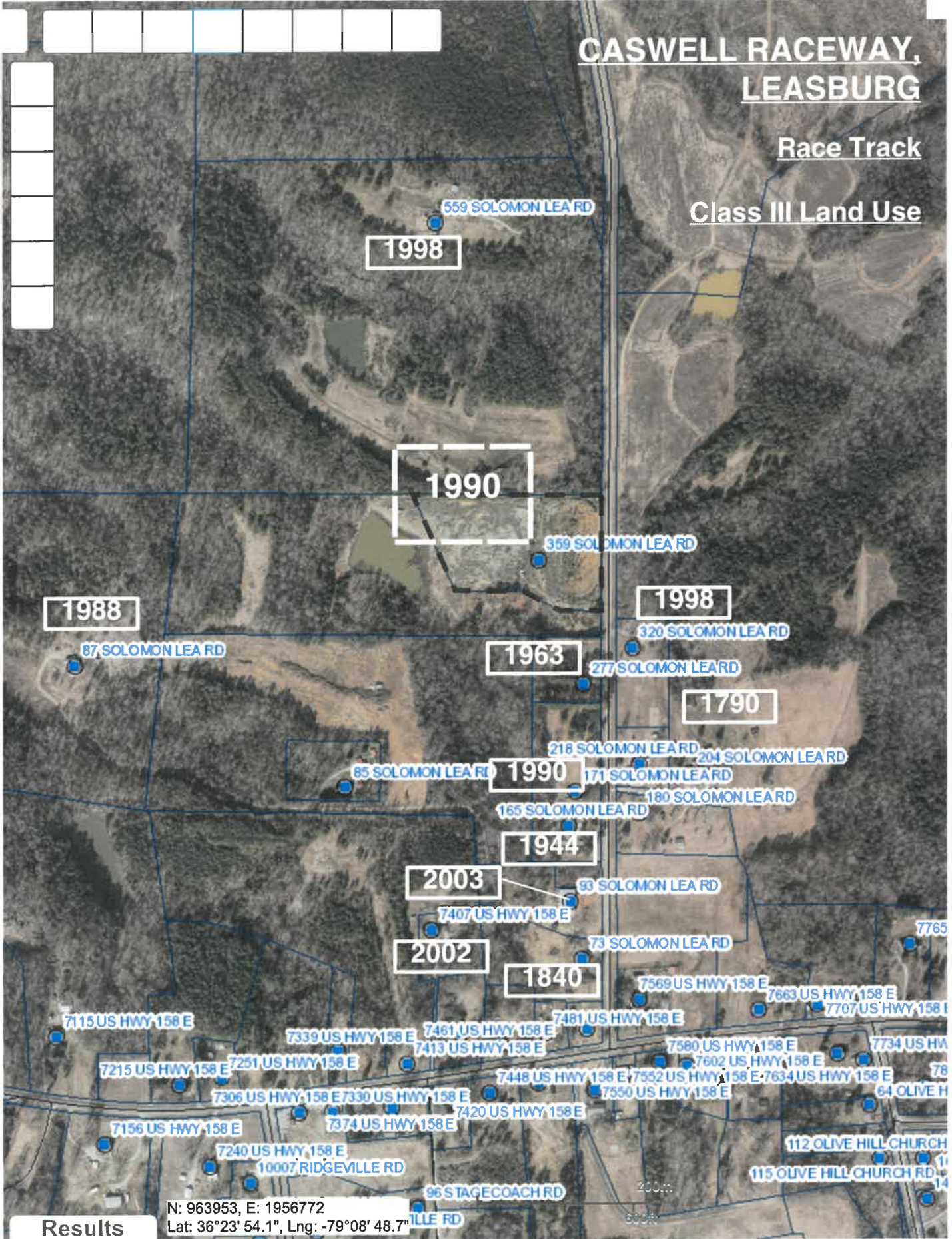
*Property needs to be at least 50 acres to
comply with Section 14-71 Land Use Table



CASWELL RACEWAY, LEASBURG

Race Track

Class III Land Use



1998

1990

1988

1998

1963

1790

1990

1944

2003

2002

1840

Results

N: 963953, E: 1956772
Lat: 36°23' 54.1", Lng: -79°08' 48.7"

Property 8:

Piedmont Electric Membership Cooperative
64 Rascoe Dameron Road
Burlington, NC 27217

Land Use:

Renewal Energy Generating Facility (Class I Use)

Needed to comply with HIDO: (see attached map)

- 1) *Land Use Spacing not applicable on Class I uses*
- 2) Measure 150 feet for internal Operations Setback
- 3) Relocate all operations on the property to within the new Area of Operations

Result: These measurements would result in an approximate 14.4-acre Area of Operations.

Piedmont Electric Solar Field

Renewal Energy
Generating Facility
(Class I Land Use)

--	--	--	--	--	--	--	--	--	--



Area of Operations
(appx. 14.4 acres)

Land Use Spacing
(not applicable)

Operations Setback (150 feet)

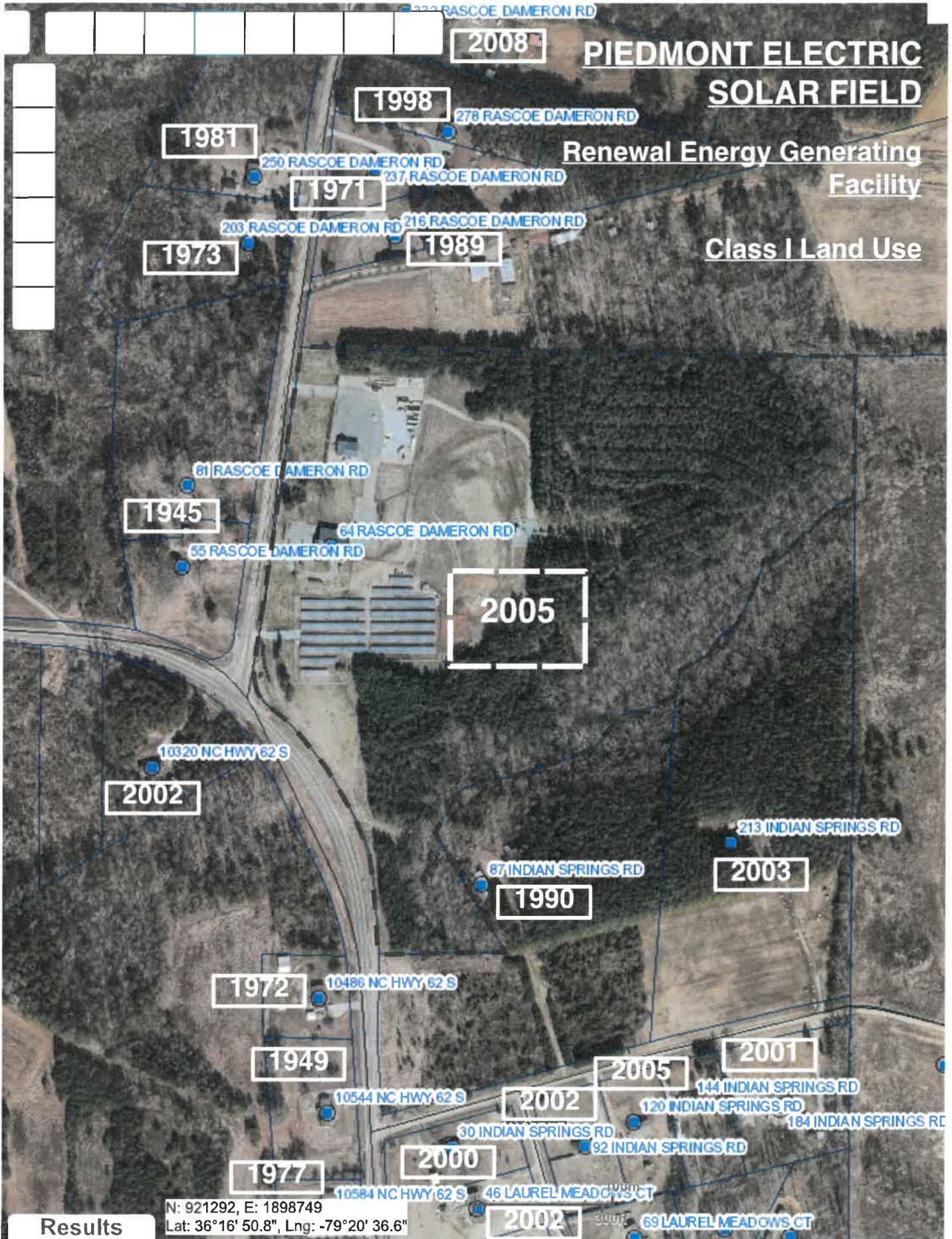
87 INDIAN SPRINGS RD

213 INDIAN SPRINGS RD

55 RASCOE DAMERON RD

61 RASCOE DAMERON RD

64 RASCOE DAMERON RD



Results

Property 9:

Cypress Creek Solar Farm
2961 Shady Grove Road
Providence, NC 27315

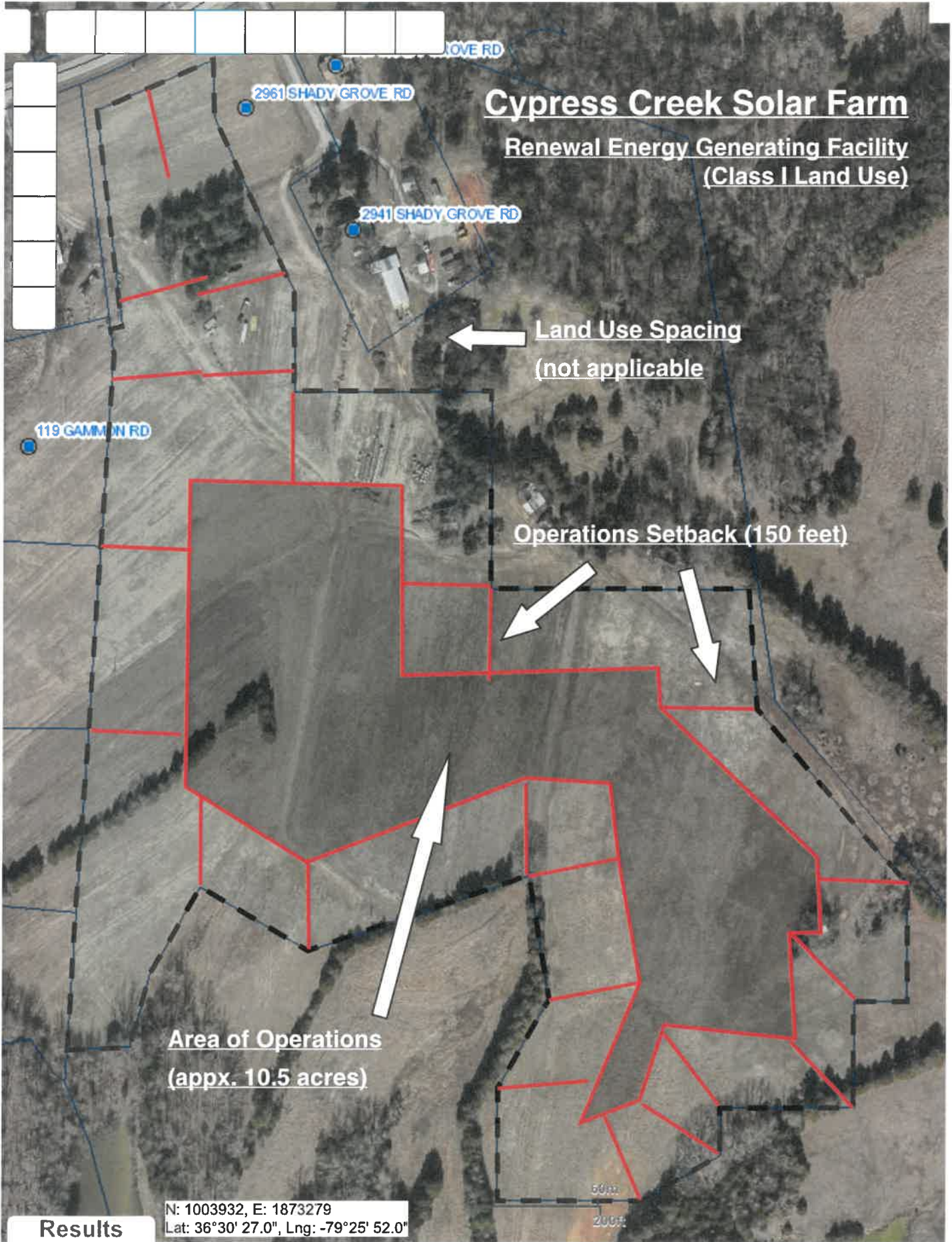
Land Use:

Renewal Energy Generating Facility (Class I Use)

Needed to comply with HIDO: (see attached map)

- 1) *Land Use Spacing not applicable on Class I uses*
- 2) Measure 150 feet for internal Operations Setback
- 3) Relocate all operations on the property to within the new Area of Operations

Result: These measurements would result in an approximate 10.5-acre Area of Operations.



Cypress Creek Solar Farm

Renewal Energy Generating Facility
(Class I Land Use)

Land Use Spacing
(not applicable)

Operations Setback (150 feet)

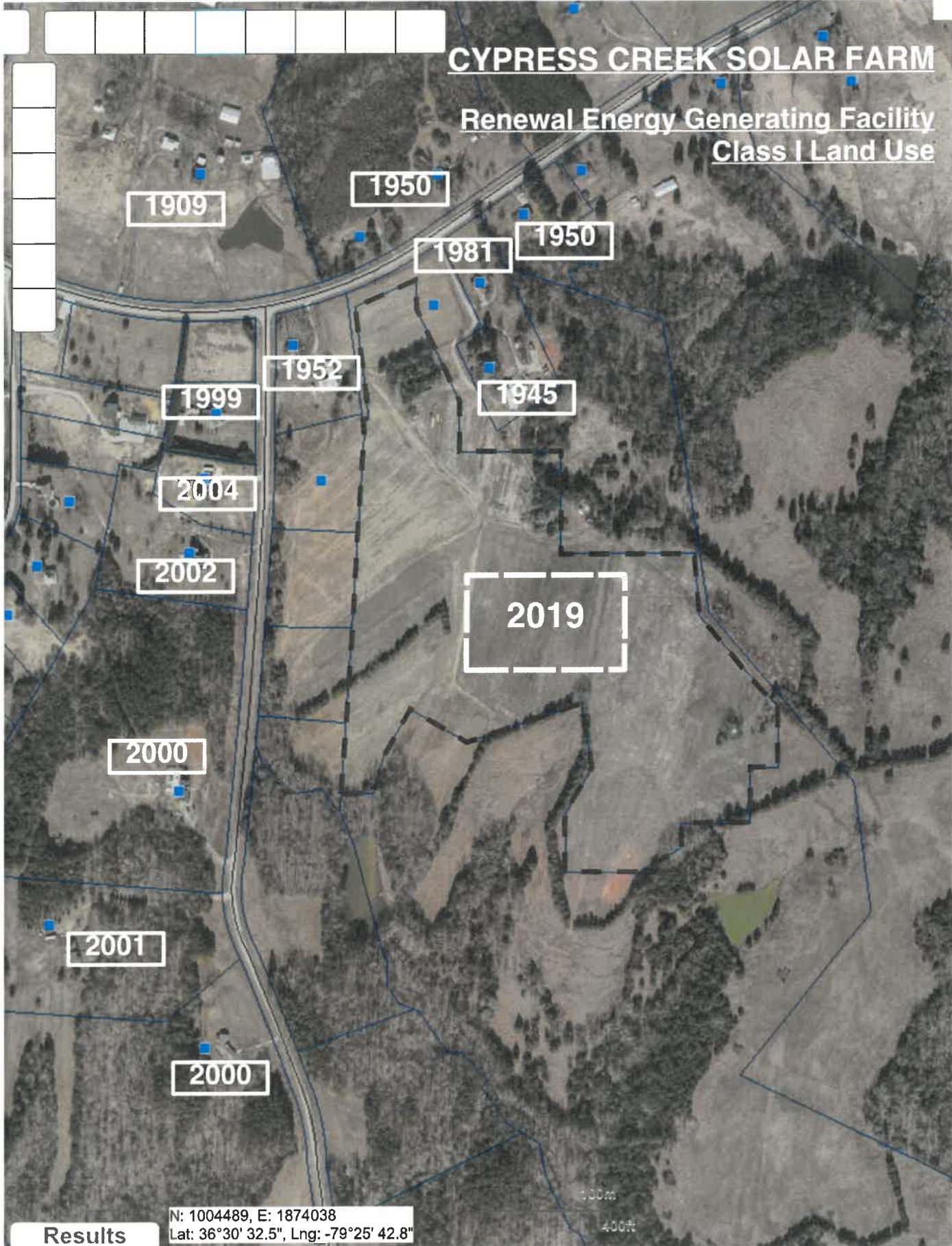
Area of Operations
(appx. 10.5 acres)

Results

N: 1003932, E: 1873279
Lat: 36°30' 27.0", Lng: -79°25' 52.0"

CYPRESS CREEK SOLAR FARM

Renewal Energy Generating Facility
Class I Land Use



1909

1950

1950

1981

1952

1945

1999

2004

2002

2019

2000

2001

2000

Results

N: 1004489, E: 1874038
Lat: 36°30' 32.5", Lng: -79°25' 42.8"

100m
400ft

Property 10:

Strata Solar Solar Farm
Highway 62 North
Blanch, NC 27212

Land Use:

Renewal Energy Generating Facility (Class I Use)

Needed to comply with HIDO: (see attached map)

- 1) *Land Use Spacing not applicable on Class I uses*
- 2) Measure 150 feet for internal Operations Setback
- 3) Relocate all operations on the property to within the new Area of Operations

Result: These measurements would result in an approximate 20.3-acre Area of Operations.

Tools

Measure Tools

Area: 20.3 acres
Length: 7886 feet (1.5 miles)

Select Features by Buffer

This data is NOT accurate.
It is for entertainment purposes only.
Coordinates are in State Plane Feet.

Easting (x)	Northing (y)
1917580	979187
1918568	979191
1918707	979148
1918550	978871
1918070	978913
1918073	978867
1917476	978867

Land Use Spacing
(not applicable)

3180 NC HWY 62 N

3125 NC HWY 62 N

65 ZIMMERMAN RD

Strata Solar Solar Farm

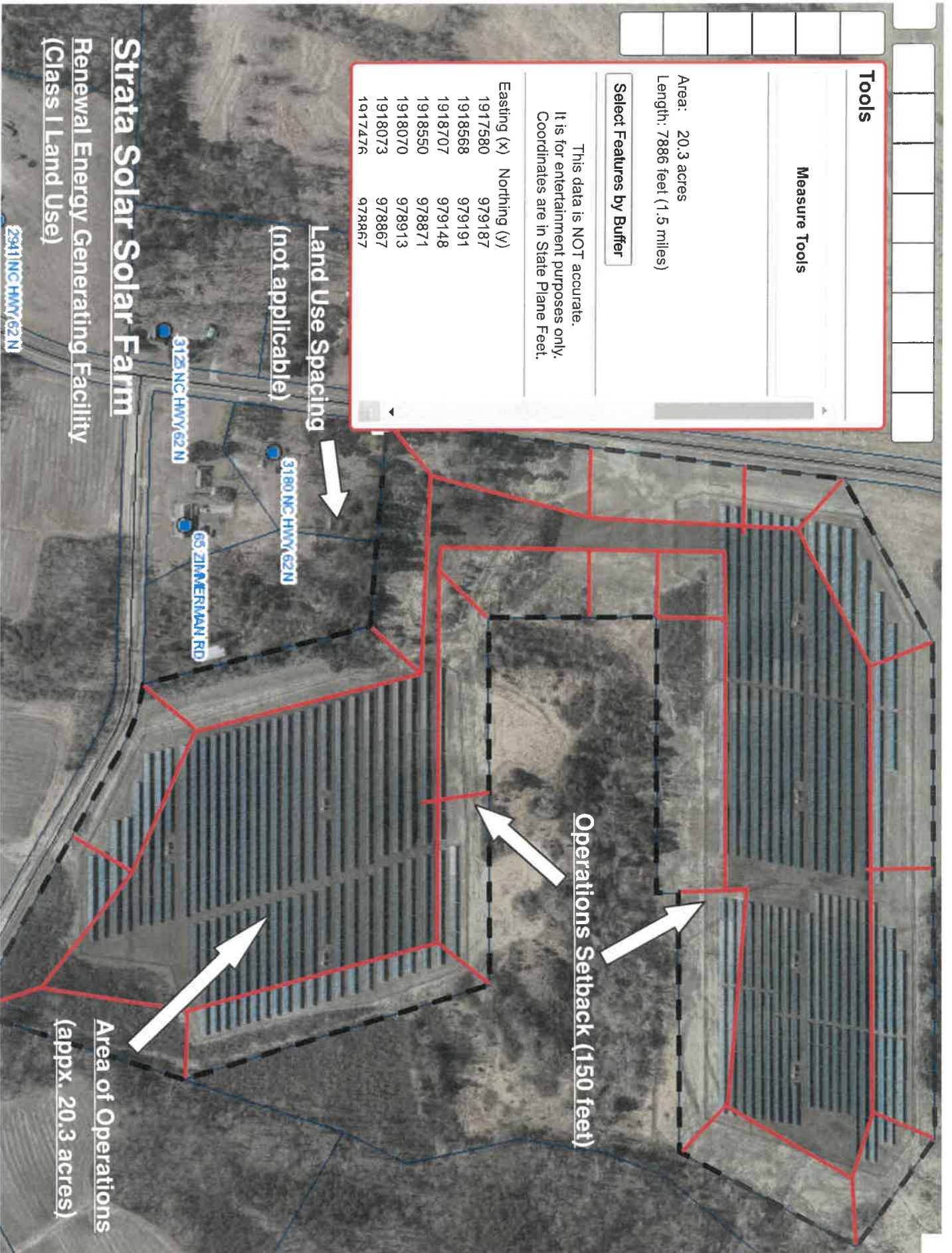
Renewal Energy Generating Facility

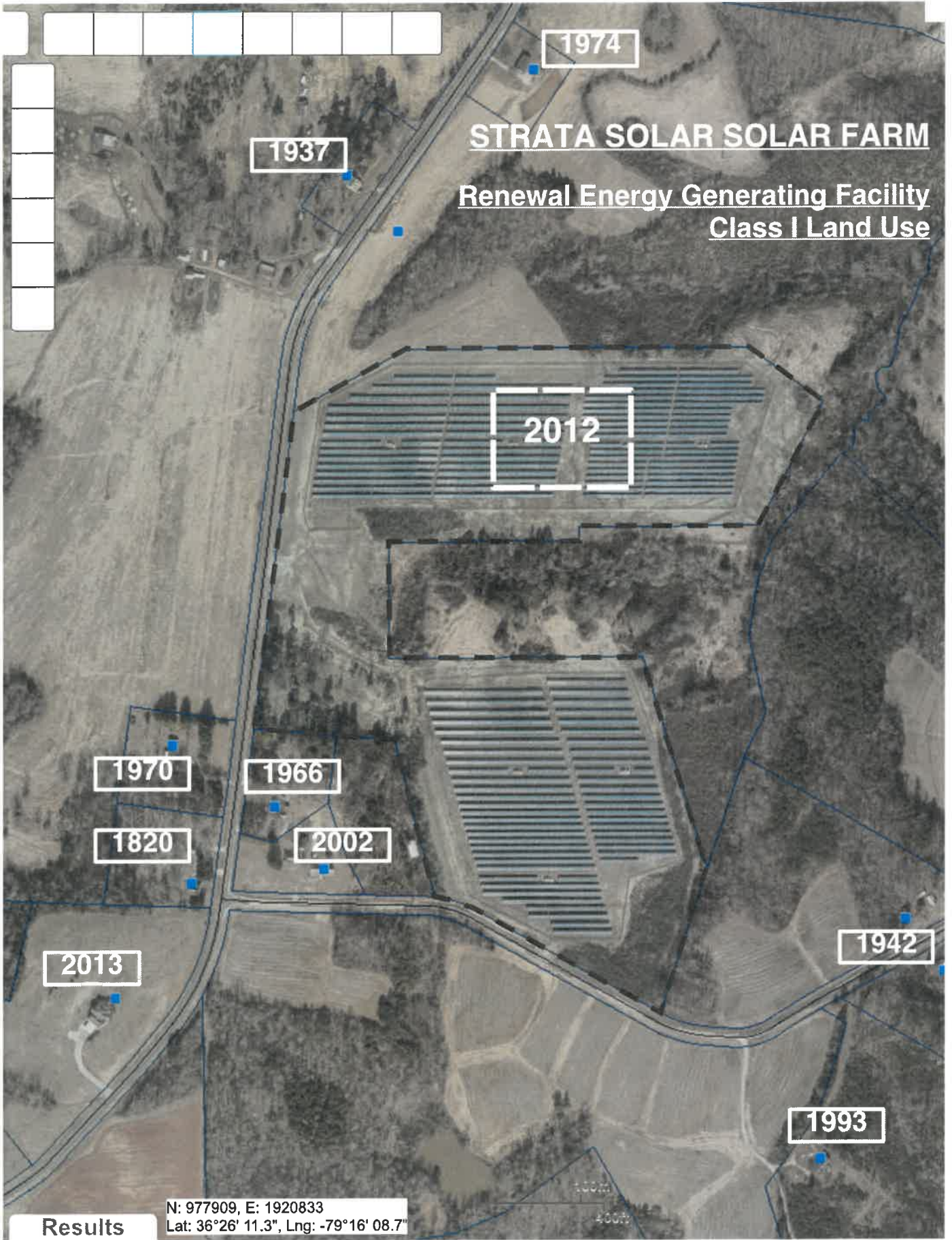
(Class I Land Use)

2941 NC HWY 62 N

Operations Setback (150 feet)

Area of Operations
(appx. 20.3 acres)





STRATA SOLAR SOLAR FARM
Renewal Energy Generating Facility
Class I Land Use

2012

1937

1974

1970

1966

1820

2002

2013

1942

1993

Results

N: 977909, E: 1920833
Lat: 36°26' 11.3", Lng: -79°16' 08.7"

Property 11:

Yanceyville 2 Solar Farm
573 Highway 62 North
Blanch, NC 27212

Land Use:

Renewal Energy Generating Facility (Class I Use)

Needed to comply with HIDO: (see attached map)

- 1) *Land Use Spacing not applicable on Class I uses*
- 2) Measure 150 feet for internal Operations Setback
- 3) Relocate all operations on the property to within the new Area of Operations

Result: These measurements would result in an approximate 21.4-acre Area of Operations.

Yanceyville 2 Solar Farm

Renewal Energy Generating Facility
(Class I Land Use)

Operations Setback (150 feet)

Land Use Spacing
(not applicable)

Tools

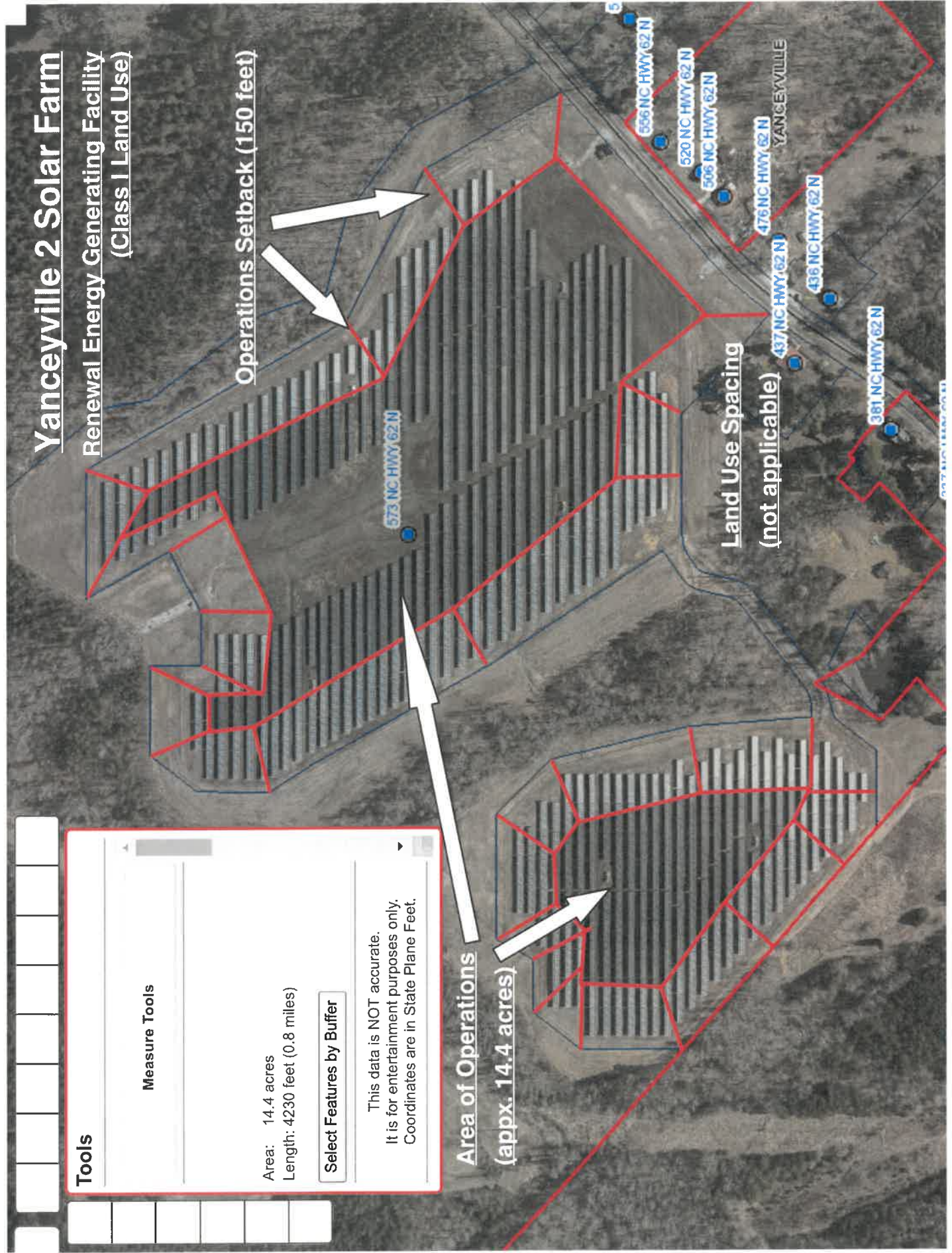
Measure Tools

Area: 14.4 acres
Length: 4230 feet (0.8 miles)

Select Features by Buffer

This data is NOT accurate.
It is for entertainment purposes only.
Coordinates are in State Plane Feet.

Area of Operations
(appx. 14.4 acres)



YANCEYVILLE 2 SOLAR FARM

Renewal Energy Generating Facility
Class I Land Use

1930

735 NC HWY 62 N
620 NC HWY

1970

686 NC HWY 62 N
718 NC HWY 62 N

2004

612 NC HWY 62 N
584 NC HWY 62 N

1978

556 NC HWY 62 N
520 NC HWY 62 N
506 NC HWY 62 N

1974

1953

437 NC HWY 62 N
436 NC HWY 62 N

1965

1940

1960

381 NC HWY 62 N
337 NC HWY 62 N
309 NC HWY 62 N
253 NC HWY 62 N
336 NC HWY 62 N

1948

2014

573 NC HWY 62 N

1967

1952

257 NC HWY 62 N

1954

1950

163 NC HWY 62 N

1950

646 KIMERO RD

743 KIMERO RD
733 KIMERO RD

YANCEYVILLE





CASWELL COUNTY BOARD OF COUNTY COMMISSIONERS
RESOLUTION RECOGNIZING JUNE 17-23, 2022 AS WASTE AND RECYCLING
WORKERS WEEK

WHEREAS, the Caswell County Board of Commissioners recognize the often thankless job of waste and recycling workers; and,

WHEREAS, Caswell County operates a Solid waste Division employing multiple valuable employees that provide exemplary service through the Solid Waste Division; and,

WHEREAS, the employees of Caswell County Solid Waste Division and hauling companies contracted by Caswell County make significant contributions to the safety, health, and welfare of our citizens; and,

WHEREAS, with an area spanning 428 square miles, Caswell County depends on the collection of waste and recyclables to promote a clean and safe community; and,

WHEREAS, according to the Centers for Disease Control and Prevention, the eradication of many diseases in the Western World is due in large part to higher public sanitation standards resulting from effective garbage disposal; and,

WHEREAS, the proper collection and disposal of waste and recyclables are vital to preventing disease, litter, and illegal dump heaps; and,

WHEREAS, Caswell County values and celebrates our local Solid Waste Division and the employees for their commitment to our residents, businesses, and communities in keeping Caswell County safe and clean;

NOW, THEREFORE BE IT RESOLVED, the Caswell County Board of County Commissioners do hereby proclaim June 17-23, 2021 as Waste and Recycling Workers Week in Caswell County.

This the 6th day of June, 2022.

S/Rick McVey
Rick McVey, Chairman
Caswell County Board of Commissioners

Attest:

S/Carla Smith
Carla Smith, Clerk to the Board