

CASWELL COUNTY BOARD OF COMMISSIONERS
MEMBERS PRESENT

August 7, 2023
OTHERS PRESENT

John Dickerson, Chairman
Tim Yarbrough, Vice Chair
Ethel Gwynn
Finch Holt
Jeremiah Jefferies
Rick McVey
Frank Rose

Bryan Miller, County Manager
Carla Smith, Clerk to the Board
Aisha Gwynn, Assistant County Manager
Jennifer Hammock, Finance Director
Russell Johnston, County Attorney

The Board of Commissioners for the County of Caswell, North Carolina, met in regular session on Monday, August 7, 2023 at 6:30 pm at the Gunn Memorial Library.

WELCOME:

Chairman Dickerson called the meeting to order, and welcomed everyone to the Caswell County Board of Commissioners Meeting. We will start out with a moment of Silent Prayer, and the Board of Commissioners and all the guest in attendance stood and recited the Pledge of Allegiance.

PUBLIC COMMENTS:

Elin Claggett: 108 Jaye Lane, Providence, NC. Please record verbatim.

Today, I'll simply highlight answers to Commissioners' questions from last Board meeting. Due to time limits, you may follow along with your handouts which provide more detailed documentation.

NC DOT

Commissioner question: Does DOT district engineer still update BOC on plans for the upcoming year?
Answer: On December 21, 2020, Mr. Archer, NCDOT's new Division 7 Engineer, last addressed the BOC. Mr. Robinson, project engineer, emailed me on 7/28/2023 and stated that the schedule for different phases of passing lanes & shoulder improvements on Hwy 86 from US 158 to the Virginia State line will be solidified in the next few months.

PROGRESS OF AUDITS

Commissioner question: How are the CPA firm, finance, and audits?
Answer: CPA Isley turned data over to Auditor several weeks ago, but additional documentation is required. As of 7/21/2023, Ms. Edmundson from NC Treasurer has been updated on the County's progress. Only Caswell has not filed FY21 audit, 92 counties have filed for FY22 and FY23 audit is due in October. There's been no public discussion of a contract for a new auditor & related FOIA request remains unanswered. Given that no expenditures from FY21, FY22 or FY23 were available publicly during recent budget discussions, it is unclear how 2 years of audits can be completed concurrently by a new firm. To summarize: over 2 years, quarter million dollars and still counting.

COST OF FY21 AUDIT:

Commissioner question: How much has the audit cost the county?

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Answer: Costs for the FY21 budget audit include \$54,750 for initial auditors' contract, \$44,628 extended contract services of retired Finance Director, \$30,000 for initial contract with consultant CPA Isley and \$40,000 to extend Isley's contract. The FY23 budget lists contractual services of \$85,000, making a minimum cost to date of \$254,378. The original auditor's contract also included monthly invoices for extended work and billing continues.

LAND USE REGULATION – BILLBOARDS

Commissioner question: Has the Town of Yanceyville said they [Casino] can't have billboards inside Town limits?

Answer: Billboards in Yanceyville are NOT limited to advertising only Town businesses. The Town's ordinance, reviewed in June 2023, does not restrict content of advertising but does specify size, distance for placement & structure of signage. This was verified by the Town's Manager and a Council member. There are currently billboard advertisements for businesses in Danville and Martinsville within Yanceyville's Town limits.

PAYMENT TO BOARDS & COMMISSIONS

Commissioner question: If we start paying boards a stipend, what will it cost if implemented today?

Answer: Currently 22 boards are listed on the County's website. 7 meet rarely, are multi-district or funded by the State. 5 boards currently pay their members a sum of \$18,880 for 30 volunteers - as approved in your FY24 budget. The remaining 10 boards are unpaid. A stipend of \$20 per member per meeting equals \$11,280 for the additional 73 community volunteers. This is the cost if implemented today - not \$50,000. Since a FOIA request to Finance 3 weeks ago remains unanswered, I've contacted 17 department heads & board members directly. The chart provided you also includes ex-officio members and commissioners' pay.

ECONOMIC DEVELOPER DIRECTOR

Last Friday, I read on social media that Mr. Tony Smith was hired to fill this position and I'd like to congratulate him. I also applied May 18, 2023. My resume includes a Doctorate in Public Administration, a certificate in Economics, administrative experience, grant writing, and instructor of community assessments. Since moving to Caswell in 2006, I worked 9 years at CFMC, was hired as interim Health Director, and served on the Veterans Memorial Committee. Although well qualified, I was never afforded the opportunity for an interview. Perhaps it's age or gender discrimination. Perhaps this is personal bias or simply a failure of standard operating procedure for hiring practices which contributes to unfilled vacancies in multiple departments. Is this fair, honest and open government?

Commissioners, this statement addresses only a few examples of disinformation from one single meeting, but the pattern is not new. If this was your personal business, what would you change? Thank you for your time.

RECOGNITIONS:

Commissioner Holt: I'd like to welcome Mr. Johnston. Attorney Johnston said thank you Commissioner Holt. I'm glad to be here. Thank you.

AGENDA:

APPROVAL OF AGENDA:

Chairman Dickerson said there is one addition to the agenda that's not listed. It'll be item 14, and it is the County Manager's Contract.

Commissioner McVey said I'd like to also amend the agenda. I'd like to take up the Farmer Lake Board request. Chairman Dickerson asked what item number would you like to see that as? Commissioner McVey said wherever you would like. Chairman Dickerson said to the Clerk, that can be item 14 and the other item 15.

A **motion** was made by Commissioner Dickerson and seconded by Commissioner McVey and **carried unanimously** approve the agenda as amended. (Ayes: Commissioners Holt, Gwynn, Jefferies, McVey, Rose, Yarbrough, and Dickerson)

APPROVAL OF CONSENT AGENDA:

a. July 17, 2023 Regular Meeting Minutes

A **motion** was made by Commissioner Jefferies and seconded by Commissioner Yarbrough and **carried unanimously** approve the consent agenda. (Ayes: Commissioners Holt, Gwynn, Jefferies, McVey, Rose, Yarbrough, and Dickerson)

DISCUSSION ITEMS:

BOARD OF EDUCATION JOINT MEETING DATES:

County Manager Miller said Commissioners, as you're aware, you were provided with an email requesting a carryover for rescheduling the Board of Education dates. I think you have three options. One is to reschedule to a future date. One is to reschedule to a date that coincides with the Board of Commissioners meeting. Based on the current schedule, this could occur no earlier than September 4th, but maybe as late as September 18th. Your third option is to cancel the meeting until the second fiscal quarter for the Board of Commissioners to allow the Board of Education to settle into the first months or so of school. We're happy to take any dates that you'd like to reschedule the meeting to or to request the cancellation of the meeting all together.

Commissioner Jefferies said could we have a short agenda and then have Board of Education meeting at the same time? It's just a suggestion. Chairman Dickerson said does that suit the other board members?

Commissioner Yarbrough said September 4th, Mr. Miller, is the earliest it could be? County Manager Miller said yes. That's Labor Day. So it would be the 5th. Commissioner Yarbrough said either of those dates are fine with me, the 5th or the 18th. One of the September meetings is what you are saying? County Manager Miller said that's correct.

A **motion** was made by Commissioner Yarbrough and seconded by Commissioner Gwynn and **carries unanimously** to move the Board of Education meeting to September 18, 2023. (Ayes: Commissioners Holt, Rose, Yarbrough, Jefferies, McVey, Gwynn, and Dickerson)

MEETING WITH CONGRESSWOMAN VALERIE FOUSHEE:

County Manager Miller said Commissioners, you've had a request from Congresswoman Valerie Foushee to meet with Board members or a few Board members on Wednesday, August 16th from 10 a.m. to 10:45 a.m. that day. So I would suggest that maybe two or three members of the Board volunteer or the Board appoint two or three members to meet with the Congresswoman at that time and date. Commissioner McVey asked morning or afternoon. County Manager Miller said from 10 a.m. to 10:45 a.m.

Commissioner Yarbrough said I'm a little confused, and I usually am. She's in Congress; she's not in legislation. Is that right? County Manager Miller said well we were sent an email by Moira Marek requesting the meeting to meet on Wednesday, August 16th from 10 a.m. to 10:45 a.m. Commissioner Yarbrough said I was thinking that we were in Kathy Manning's districts. County Manager Miller said she's the new representative of Caswell County. She is a U.S representative for North Carolina's 4th Congressional District. Commissioner Yarbrough said okay.

Chairman Dickerson said what's the pleasure of the Board? Do we have any volunteers?

Commissioner Rose said the 16th, there's something going on at PCC. A tour. You say this is from 10 to 10:45 a.m.? County Manager Miller said yes. Commissioner Rose said I mean I have no problem volunteering.

Commissioners Ethel Gwynn and Jeremiah Jefferies also volunteered.

Chairman Dickerson said we have three volunteers.

NCACC VIRTUAL CAUCUS:

County Manager Miller said Commissioners, the NCACC is holding a Virtual Caucus. They need a representative I believe on the 14th to serve as a representative of Caswell's Board. Commissioner Holt asked when is this? County Manager Miller said it'll be at 10 o'clock a.m. Then Commissioner Holt asked what date? Response was August 14th.

Commissioner Gwynn said I cannot be in the meeting on the 16th. I have a meeting with PTRC that day.

County Manager Miller said in this meeting specifically it is to appoint or to elect the District Director.

Chairman Dickerson said what is the pleasure of the Board?

Commissioner McVey said what time did you say it was, and County Manager Miller said 10 o'clock. Commissioner Yarbrough asked how long do you think the Virtual Caucus will last? County Manager Miller said it's for one purpose, and that one purpose is to elect the District

Director. Honestly if you follow the pattern of historical Directors, it follows a pattern. It follows Randolph, Davidson, Rockingham, Alamance, Caswell, Guilford and then it starts over. Randolph, Rockingham, Alamance, Caswell, and Guilford. It pretty much does that all the way down with the exception in the last couple of years. In the last couple years Guilford, no Alamance served two terms in a row. Then Guilford served two terms in a row. Then it started back off with Randolph. So just judging from history, the next Deputy or next Director should come from Davison. So it's almost like it's a pattern. They just need somebody there. Commissioner Yarbrough said I know it is virtual, but can you do it from home? Or do you have to come here? County Manager Miller said no you can do it from home, here, Co-Square, or anywhere you would like. Commissioner Yarbrough said you just need one? County Manager Miller said yes, and Commissioner Yarbrough said I'll take care of that.

ACTION ITEMS:

FAMILY SERVICES POLICY REVIEW:

County Manager Miller said Commissioners, in your agenda packet there was a series of Family Services policies. These policies need to be reviewed by the Board of Commissioners. They are for the continuing operations of Family Services, and they are required by the grants. They are the same policies that we've had for many years. For several years right? Aisha Gwynn, Director of Family Services agreed. So there have been no changes other than the dates the policies were reviewed. Chairman Dickerson asked do you need a motion? County Manager Miller said it would be nice. Yes. I think realistically we just need to make sure the policies have been reviewed by the Board, but if the Board would approve those, we would certainly appreciate that.

A **motion** was made by Commissioner Dickerson and seconded by Commissioner Holt and **carried unanimously** to approve the Family Services policies that were reviewed. (Ayes: Commissioners Holt, Rose, Yarbrough, Jefferies, McVey, Gwynn, and Dickerson)

CASWELL COUNTY PERSONNEL POLICY AMENDMENT:

County Manager Miller said Commissioners, in your agenda packet there was an amendment to the Caswell County Personnel Policy. The Personnel Policy is reviewed by the Board and approved by the Board. You can see in red what we have included.

It is recommended no fewer than three people attend meetings which require spaces to be secured with doors closed. This is instituted for employee safety, accountability of all participants, and to reduce liability for county government. Caswell County does recognize this may not be possible, necessary, or permissible in all cases. Certain functions involving finance, payroll, HIPPA, disciplinary discussion, and many other instances may warrant a deviation from this recommendation. Therefore, if at any time an employee feels it in their best interest, they may request an additional person to attend such meetings.

We would simply ask that the Board approve that policy amendment.

A **motion** was made by Commissioner Yarbrough and seconded by Commissioner Rose and **carried unanimously** to approve the policy amendment. (Ayes: Commissioners Holt, Rose, Yarbrough, Jefferies, McVey, Gwynn, and Dickerson)

FY 24 RURAL STATE OPERATING TRANSPORTATION GRANT:

County Manager Miller said Commissioners, Mrs. Williams is not with us today. So I'll fill that as well. This is the Rural State Operating Transportation Grant in the amount of \$114,523. There is no required match for this grant. This is the first time this grant has been offered through NCDOT / PTD. This grant will cover motor fuel, tires, and oil changes, and help CATS out with their operations. Once again it's \$114,523, and there is no required match. Commissioner Holt asked what other requirements are there? County Manager Miller said there are no... The only clawback requirements would be if the money went unspent i.e. we didn't need it or we weren't able to spend it, that we would need to repay that money back. But if we need it, we spend it. If we don't need it, we send it back.

A **motion** was made by Commissioner Jefferies and seconded by Commissioner McVey and **carried unanimously** to accept the grant. (Ayes: Commissioners Holt, Rose, Yarbrough, Jefferies, McVey, Gwynn, and Dickerson)

BOARD AND COMMITTEE DISSOLUTION RECOMMENDATION:

County Manager Miller said Commissioners, you asked me to provide you with a list of boards and committees that in my opinion could be dissolved. The first committee that I recommend is a Caswell County Cemetery Board of Trustees. This was created several and I say several but four or five years ago and has really never gotten off the ground. I'm not aware of any meetings that have taken place with it, and they've never been to the Board to make any type of recommendations. So I would recommend that you dissolve the Cemeteries' Board of Trustees. Do you want to take these one by one? Chairman Dickerson asked if all of them were this cut and dry. County Manager Miller said all but one in my opinion. I think the one that you may want to think about is the Hunting and Wildlife Advisory. It became very clear to me in speaking to Chairman of the Hunting and Wildlife Advisory Committee that they were not provided with guidance when the board transited. They're really not sure. They thought that their only charge was to deal with issues when they came up in Caswell. When the truth is Rockingham County has a great Hunting and Wildlife Advisory. They put on events for kids, get kids interested in hunting and wildlife, and so on and so forth. After speaking with Mr. Harris, I recommended to him, and I told him my recommendation to the Board would be to hold off on dissolving this committee for a while. In my opinion, it would be a good idea for him as well as a couple of other of his members to attend a couple of meetings at Rockingham and see the kind of things that they're doing in their Hunting and Wildlife Advisory. The Board will come back and talk with the Commissioners about it and see if that was the kind of thing that they wanted to do to proceed.

Chairman Dickerson said so do you need to have a motion and a second on each one of these committees as you go forward or do you just need to consensus of the Board to do away with them? County Manager Miller said I really do need a motion. The Board created the committees.

Chairman Dickerson said first up is the Cemetery Board of Trustees. Commissioner Jefferies said we need to keep them to keep the cemeteries cleaned up.

A **motion** was made by Commissioner Jefferies and seconded by Commissioner Gwynn and **carried unanimously** to keep the Cemetery Board of Trustees. (Ayes: Commissioners Holt, Rose, Yarbrough, Jefferies, McVey, Gwynn, and Dickerson)

County Manager Miller said so we spoke about the Hunting and Wildlife Advisory Committee.

A **motion** was made by Commissioner Holt and seconded by Commissioner Rose and **carried unanimously** to keep the Hunting and Wildlife Advisory Committee. (Ayes: Commissioners Holt, Rose, Yarbrough, Jefferies, McVey, Gwynn, and Dickerson)

County Manager Miller said so the next committee we have is the Gunn Memorial Library Advisory Board. The Gunn Memorial Library Advisory Board does a good job, and they meet fairly regularly. The reason that I would advise the Board to dissolve this committee is because we have two different boards. We have the Friends of the Library and the Library Advisory made up of the exact same people except for one person. They meet two different times. So it would be my recommendation to move the powers and duties of the Library Advisory Board amongst the Friends of the Library, let them have one meeting, and move forward with them serving both roles. The only difference and the biggest difference between the two boards is: One the Library Advisory Board meets at 5 o'clock in the evening and the Friends of the Library meets at 11 o'clock during the day. So the Library Advisory Board would allow people that worked a little later in the day to be able to attend the Library Advisory. But other than the one person, it's the exact same people.

Chairman Dickerson asked if there was any discussion from the Board members. Commissioner Holt asked are both of them sanctioned by the Board? County Manager Miller said no. One of them is a 501C3 that helps with donations and holds fundraisers, and that's the Friends of Library. The Board authorized to, and they're not really authorized to ask, they just give you advice. That board is sanctioned by the Board. Commissioner Holt said one is sanctioned, but you also want the fundraising. County Manager Miller said well I think what I'm saying is the sanctioned one isn't doing fundraising. Transferring those powers and duties onto the 501C3, and they can give advice and recommendations to the Board just like they do to library staff. Chairman Dickerson said that sounds logical to myself.

A **motion** was made by Commissioner Dickerson and seconded by Commissioner McVey and **carried unanimously** to consolidate the two boards. (Ayes: Commissioners Holt, Rose, Yarbrough, Jefferies, McVey, Gwynn, and Dickerson)

County Manager Miller said the Recreation Commission is the exact same thing as the Library Advisory Board with one big exception. That's that the Recreation Commission hasn't met in many, many years. Pre-COVID. It's never been a board that made recommendations to the Board of Commissioners on a regular basis at all. We do have a group, the Recreational Development Foundation, which is very active in the county, and they kind of serve as Friends of the Library do in the same capacity for Parks and Rec. So I would make the same recommendation.

A **motion** was made by Commissioner McVey and seconded by Commissioner Dickerson and **carried unanimously** to dissolve the Recreation Commission. (Ayes: Commissioners Holt, Rose, Yarbrough, Jefferies, McVey, Gwynn, and Dickerson)

County Manager Miller said yes, we have one more the Cultural and Heritage Preservation Committee. So that committee is an interesting committee. It was formed because the Board of Commissioners took up an item. Someone wanted to the place of object of remembrance on County property. The Board was split on whether they wanted to do it or whether they did not. So the Board didn't really want to move on it. They moved to create the Heritage and Preservation Committee, which meets as needed. I'm not sure of any meeting that they've had in quite some time because it wasn't needed. But regardless of the number of meetings they've had or when they meet, what I'd say is they're only going to make recommendations to the Board. Ultimately it's up to the Board of Commissioner one way or the other to approve or disapprove of any artwork or any monument that the County receives. So it's almost a redundant process. So my recommendation would be to dissolve that committee. The Board of Commissioners has to deal with it anyway. That's the reason that I would recommend dissolving that committee.

A **motion** was made by Commissioner McVey and seconded by Commissioner Yarbrough and **carried unanimously** to dissolve the Heritage and Cultural Preservation Committee. (Ayes: Commissioners Holt, Rose, Yarbrough, Jefferies, McVey, Gwynn, and Dickerson)

FARMER LAKE BOARD REQUEST:

Commissioner McVey said members of the Farmer Lake Board would like to have an alternate appointed. Mr. Steve Eaton. We need to vote on this if we can. Mr. Eaton has worked with the board before and done an outstanding job. Sometimes some members who have health issues can't be there so they need an alternate.

A **motion** was made by Commissioner McVey and seconded by Commissioner Gwynn and **carried unanimously** to appoint Steve Eaton as an alternate on the Farmer Lake Board. (Ayes: Commissioners Holt, Rose, Yarbrough, Jefferies, McVey, Gwynn, and Dickerson)

COUNTY MANAGER CONTRACT:

Chairman Dickerson said at the end of the last meeting, the motion was made to buy our Mr. Miller's contract, and there was a lot of confusion over what was going on. I've got phone calls. I am going to bring that back up tonight so that we can deal with this issue.

A **motion** was made by Chairman Dickerson that we buy out the County Manager's contract and the motion was seconded by Commissioner Holt.

Commissioner Yarbrough said question Mr. Chairman. By buyout, explain to me and the rest of the Board what you are refer to as buying out his contract. Chairman Dickerson said in the contract he is entitled to certain financial compensation if his employment is terminated with the county. I think it's several months of pay plus any sick time, comp time, and vacation. All of that. Commissioner Yarbrough said that sounds more like you are firing the County Manager rather than buying out the contract. Chairman Dickerson said however you want to word it. Commissioner Yarbrough said you made the motion. I wanted an explanation of what the motion was. Chairman Dickerson said his employment will be terminated, and his contract will be paid out according to the terms of it. Commissioner Yarbrough said severance package more or less. Chairman Dickerson said yes sir. Chairman Dickerson asked if there was any further discussion.

A **motion** was made by Commissioner Dickerson and seconded by Commissioner Holt and **carried 4-3** to terminate the County Manager's contract and pay it out. (Ayes: Commissioners Dickerson, Holt, Jefferies, and Gwynn. Nays: Commissioners McVey, Yarbrough, and Rose.)

County Manager Miller said thank you Commissioners. It's been an honor.

A **motion** was made by Commissioner Holt to appoint Tony smith to act as Interim County Manager until we find a new County Manager. Chairman Dickerson said he is qualified. I have spoken with Mr. Smith and he has agreed to do that if we so chose to move in that direction as a Board.

Commissioner Jefferies asked who is Tony Smith. Chairman Dickerson said he is the New Economic Development Coordinator. He said he would do this until we could find a new permanent replacement for the County Manager. Commissioner Rose said I think we need to look into having Mrs. Williamson act as County Manager temporarily until we can get a position replacement. Due to the fact that she is an employee. She knows a lot of this stuff. Chairman Dickerson said we have a motion and a second on the floor, and as such we will vote on that motion if there is no further discussion.

A **motion** was made by Commissioner Holt and seconded by Commissioner Dickerson and **carried 4-3** to appoint Tony smith to act as Interim County Manager until we find a new County Manager. (Ayes: Commissioners Dickerson, Holt, Jefferies, and Gwynn. Nays: Commissioners McVey, Yarbrough, and Rose.)

Commissioner Jefferies said Mr. Smith is going to need some help so he asked to have Melissa Williams assist Mr. Smith. Chairman Dickerson said she will assist him, but he will be in charge. Commissioner Gwynn said I agree with Commissioner Jefferies.

COUNTY MANAGER'S UPDATES:

There were no County Manager Updates.

COMMISSIONER COMMENTS:

Commissioner Jefferies: My comment is that we don't terminate an employee unless we go with them to their office. We need to secure things like his computer. That's been ever since I been around. Commissioner Holt said that is why I asked him to stop. I think it ought to be handled right now.

Chairman Dickerson said Carla is there any way to get in contact with I.T. now as far as email access. The clerk said I can call Jason Benson, I.T. Director. Chairman Dickerson said that will be wise.

Commissioner Jefferies said that is just my opinion. Chairman Dickerson said you make a valid point. We will try to take care of that.

ANNOUNCEMENTS AND UPCOMING EVENTS:

- August 17, 2023 at 6 pm Joint Town Meeting at the Milton Town Hall inside the Thomas Day Museum.
- August 19, 2023 Kid's Day at Farmer Lake 8:30 am – 12 noon
- August 21, 2023 Commissioners Meeting at 6:30 pm at the Historic Courthouse
- August 24-26, 2023 NCACC Annual Conference

CLOSED SESSION:

To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee. NCGS 143-318.11(a)(6).

Chairman Dickerson said is that necessary to have the Closed Session? Commissioner McVey said I think it was to go over Mr. miller's evaluation. Chairman Dickerson said we will cut that.

Commissioner Holt said I think we need to ask Carla to help us get the keys, computer, and all that. The Clerk said I spoke with Jason Benson and told him we would call him back. Then Commissioner Holt said Mr. Johnston we may need your services to help us get through this. Attorney Johnston said certainly. I wasn't prepared to discuss this tonight, but I also think it will be a great idea to call the Sheriff's Department. Chairman Dickerson asked the Deputy to stick around.

Commissioner Jefferies said I have a grandson that is 13 and I don't want to bring him down to Farmer Lake if kids 13 can't fish. What age can fish? Commissioner McVey said bring him. If he wants to fish, he can fish.

ADJOURNMENT:

A **motion** was made at 7:13 pm by Commissioner Holt and seconded by Commissioner McVey and **carried unanimously** to adjourn the meeting. (Ayes: Commissioners Holt, Gwynn, Jefferies, McVey, Rose, Yarbrough, and Dickerson)

Carla R. Smith
Clerk to the Board

John Dickerson
Chairman

AUGUST 7, 2023