CASWELL COUNTY BOARD OF COMMISSIONERS MEMBERS PRESENT

March 21, 2022 OTHERS PRESENT

Rick McVey, Chairman David Owen, Vice Chairman Nathaniel Hall Jeremiah Jefferies Steve Oestreicher William Carter (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, March 21, 2022 at 6:30 pm in the Historic Courthouse.

WELCOME:

Chairman McVey called the meeting to order and paused for a moment of Silent Prayer. Then the Board of Commissioners and all the guest in attendance recited the Pledge of Allegiance.

PUBLIC COMMENTS:

The following individuals appeared before the Board to make public comments:

Elin Claggett, 108 Jaye Lane, Providence, NC.

As Commissioners, you each took an Oath of Office which reads "I do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and I will faithfully discharge the duties of my office as Commissioner of Caswell County, so help me God." This does not say 'I get to pick and choose which laws of North Carolina I will support.' One NC law is the Public Records Law.

On June 16, 2014 an employment agreement for the County Manager stated that this Employee may be suspended for "Cause" and lists 6 reasons including "failure to follow established rules and policies of the county" and failure to follow instructions of Commissioners. The Public Records Policy, approved October 2019, requires public record orders to be completed within a reasonable period of time.

On Dec. 30, 2021, I questioned the completion date for the June 30, 2021 annual budget audit. The retired finance director's pay plus the consultant CPA would have covered the expense of a full time accountant – as recommended in the 2020 year's budget audit and discussed March 11th. On Jan. 20, 2022, I added to the FOIA request asking for salaries and/or legal fees paid to all attorneys in 2020 and 2021. This is relevant your discussion on March 14th about in-house bill & tax collections. How do you approve \$1 million off-budget spending or begin the next budget discussions without an audited & reconciled budget? I have recently contacted the Assistant to the NC Attorney General, District Liaison for Office of Senate President Pro Tempore, Director from State & Local Government Finance Division and Director of NC Open Government Coalition. They all concur that your response, or lack of response, has been unsatisfactory and not consistent with NC Public Records Law. With their guidance, on March 4th, I rewrote my request in legalese with greater specificity for records. Still no response.

However, enforcement of this NC law remains dependent upon instructions from Commissioners and compliance from staff. Any resident who is denied access to public records may apply to the General Court of Justice for an order compelling disclosures. There will be changes next November and perhaps new commissioners will be willing to advocate for residents and adhere to their oaths of office to follow ALL NC laws. Another agenda today with no action items, no budget or manager updates listed.

RECOGNITIONS:

There were no recognitions.

AGENDA:

APPROVAL OF AGENDA:

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

APPROVAL OF CONSENT AGENDA:

- a. March 4, 2022 Special Meeting Minutes
- b. March 7, 2022 Regular Meeting Minutes
- c. March 11, 2022 Special Meeting Minutes

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

Commissioner Carter joined virtually at 6:35 pm.

DISCUSSION ITEMS:

ECONOMIC DEVELOPMENT ACTION PLAN:

County Manager Miller said Commissioners as I understand from the last meeting, the Board would like to entertain more economic development recruitment. We are happy to go through this process and put the needed funding in the upcoming fiscal year's budget that would be

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needed to do economic development recruitment. As we have talked about before, the current Economic Strategic Plan was not focused on recruitment, but it was focused on entrepreneurships and growing small businesses, which is a totally different tactic. We are happy to entertain recruitment in whatever way you see fit, and we are happy to include those funds in the upcoming year's budget.

Commissioner Owen said well let's proceed and get that in the plan.

DEVICES FOR COMMISSIONERS:

The County Manager said Commissioners, in your agenda packet there were several recommendations from the Caswell County I.T. Department. The number one option is a 10.2 inch iPad with an iPad case that includes a keyboard and a Bluetooth mouse. This is the option that our I.T. Department recommends. The second option would be the Microsoft Surface Laptop 4 - 15". There is a big difference in price between the two options, but really it's up to the preference of the Board on how we proceed.

Commissioner Oestreicher asked what would we do with the existing Surface Pros. The County Manager said we would recycle those, and they would be used by other county departments. Then Commissioner Oestreicher said could we use them. Does everyone have to have the same device? County Manager Miller said for ease of accessibility, it would be easier for the entire Board to have the same thing, but we are happy to entertain whatever the Board wants. Does the iPad run Outlook said Commissioner Oestreicher? The County Manager said there is an iOS application for Outlook. Commissioner Oestreicher said what email, and Bryan Miller said the same email. Mr. Oestreicher said Outlook will be on the iPad, and Mr. Miller said that can interface with Outlook for the iPad.

The County Manager said many of the board members had used an iPad in the past and may be more familiar with iPads than laptops. Mr. Miller thinks that was one of the reasons for this recommendation and the ease of use of the iPad. They are fairly easy to use and update. The laptop does provide far more functionality. We are happy to take direction from the Board on what you would like or we are happy to bring it back at the next meeting, if you would like.

Commissioner Owen said I have always found the iPad easier to work with. It really doesn't matter to me because I won't have it long. I don't want to push on either of them. I think having the keyboard with it will make a difference. I have a keyboard with my personal one and it helps.

Commissioner Hall asked the Chairman if we could go back to item 7 for a second. The Chairman said to the Economic Action Plan, and Commissioner Hall said yes. Mr. Hall said I'm not sure what direction we just gave to the County Manager. Is it our intention for him to bring back an Economic Development Plan? Commissioner Owen said he assumes that is what our County Manager will do. He will redo the plan that we have to include recruitment. Commissioner Hall said will we then have to vote on that plan. Chairman McVey said I would say so. The County Manager said to Commissioner Hall that he is happy to do whatever the Board instructs. The way Mr. Miller had perceived this to work is we would bring back the Economic Development Recruitment Plan along with the budget in the budgeting process. If the Board approves the budget, then the Board would have to approve the plan at the same time. But if you would like for us to split it into two separate items, we can certainly do that. Commissioner Hall said so you are saying during the budgeting process, but I would prefer that we get the plan with the budget sooner. At that time, we can decide if we move it to the budget process. The County Manager and Commissioner Owen said that was fine with them, and Chairman McVey agreed.

ACTION ITEMS:

There were no action items considered.

COUNTY MANAGER'S UPDATES:

The County Manager said commissioners, I have two updates for you. We have received notice that there are Internet Service Providers submitting bids for the State GREAT (Growing Rural Economies with Access to Technology) Grant process. To achieve the maximum scoring criteria for the grant process, each entity planning to apply would need a resolution or one carefully worded resolution that would apply to all entities requiring the county to provide a \$250,000 match. A resolution matching this description will probably be on your next agenda that coincides with the timing of the submission of the application. The GREAT Grant would allow another +/- 1000 households to receive broadband internet access in the county. The county contributions for those receiving less than \$8 million in ARPA funds were capped at \$250,000 regardless of the 15, 20, or 50 percent match that is usually required for the project. This is anticipated to be somewhere in the neighborhood of a \$5,000,000 project. At the lower end of required matches, a \$750,000 match would be required. Specifically, in the grant criteria, it says if you receive less than \$8 million in ARPA funds your match would be capped at \$250,000. It is a competitive scoring process. So for us to receive the maximum amount of points, we would need to provide the \$250,000 match. The County Manager said he is happy to answer any questions. Mr. Miller said he has been in touch with internet providers that do indicate that they are planning on applying for that grant.

Commissioner Oestreicher said did you say 400 or 4,000 connections in the county. The County Manager said 1,000. It will cover an additional 1,000 households. Commissioner Oestreicher said in addition to what. The County Manager said in addition to the RDOF funding that has already been awarded to ISPs (Internet Service Providers). So the way the process is working, in County Manager Miller's mind, that the ISPs were awarded RDOF funds through the Rural Digital Opportunity Fund. The GREAT Grant allows census tracts with speeds of less than 25 meg download and 3 meg upload to be eligible for those tracts. That's what the GREAT Grant process would cover. So after we get those residents covered, there's a program called CAB,

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Continuing Access to Broadband. The speeds are not as stringent as the 25-3. If somebody had 25-3, the CAB program may consider them not to be covered. For instance, if the census tract has one house in that whole census tract that is covered, that whole tract is considered covered. What the CAB program realizes is there may be a hundred other houses or ten other houses in that census tract that are not covered. The CAB program will allow us to go after those additional households in addition to the GREAT Grant and RDOF. But that process needs to be undertaken after the award of the GREAT Grant, because before the GREAT Grant is awarded we don't know which households are considered covered or which households are considered not covered. So the CAB program is something we will work through a little later. It is Mr. Miller's understanding that there is about \$4 million set aside for each county through the CAB Program. Hopefully by the time RDOF is finished and the GREAT Grant is finished, we will not need \$4 million to be successful with the CAB program. Hopefully it will be closer to \$1 million, but that funding is available up to \$4 million.

Commissioner Oestreicher said it sounds like there's overlap between RDOF and the GREAT Grant. The County Manager said you're entirely correct. There was overlap between RDOF and the GREAT Grant. Now the census tracts that were covered by RDOF are no longer covered by GREAT. They have released the tracts that were covered three years ago. They have released those census tracts from that GREAT Grant award, and ISPs can now apply for those households in this round of GREAT Grant funding. Commissioner Oestreicher asked which ISPs are applying for the GREAT Grants. The County Manager said he knows of one or potentially two that plan to apply, but there could be ten that plan to apply. Then Commissioner Oestreicher asked if Spectrum is one of them, and the County Manager said he would imagine Spectrum is one. Mr. Oestreicher said that's what they told us. That they are going to go beyond the RDOF. County Manager Miller said yes. Then Commissioner Oestreicher asked the County Manager what he was asking the board to do, and Mr. Miller said he was just making the Board aware that there's going to be a resolution in your next agenda packet that supports ISPs serving +/- 1,000 households with broadband internet service. So that those ISPs can get a better score or more competitive score, which gives us better potential of getting underserved or not served residents in this county served with high speed broadband internet. Commissioner Oestreicher asked if that resolution will also include a commitment to spend \$250,000, and Mr. Miller said that is correct. Next Commissioner Oestreicher asked by when. When is that commitment needed. The County Manager said by the end of the RDOF funding cycle. Commissioner Oestreicher asked which is, and the County Manager said not RDOF but GREAT Grant. The last one I think was 18 months or 24 months from the date of the award. Commissioner Oestreicher said so you're proposing we would put that in next year's budget. Mr. Miller said yes, but if they're going to receive the maximum amount of points available, the Board will need to make that commitment by its next meeting. Mr. Oestreicher said so it's \$250,000 to get 5 million. County Manager Miller said to get \$5 million worth of broadband infrastructure within the county.

Commissioner Hall said so it's my understanding now that \$250,000 match on 5 million for service 25-25. For 25 up and 25 down speeds. The County Manager said well the requirement of the GREAT Grant is that the service will provide 25 down and 3 up. That's a requirement of the GREAT Grant. However, the internet service providers that I've spoken with are set to offer up to one gig of internet service, not a minimum of 25-3. So with the scoring criteria, the higher the speed that you offer the better your score is.

Then Commissioner Hall said so we've got to make some decisions by the next meeting. Is there a breakdown of the cost of higher than 3 up and 25 down? A breakdown to go higher than that. The County Manager said no. Here again this is a state program. So the state requires that the ISPs do at least 25 down 3 up with this program. So I don't know that we have the ability to go in and say could we do \$500,000 if you can provide 200 up and 100 down. Because it's a state program, I think they'll follow the state guidelines. What I'm saying though is the ISPs are set to deliver competitive rates for competitive speeds. Commissioner Hall said can you find out before the next meeting, and the County Manager said yes. Mr. Hall said this is 2022. I wouldn't be wanting to pay or willing to pay \$250,000 for 3 up and 25 down speeds. That's next to nothing. Then County Manager Miller said I can tell you the internet service providers that I've spoken with will offer up to one gig of internet service. Commissioner Hall said yes, you said that earlier. They're offering but at what cost, and you just said also that we didn't have the ability, I would use this word, to negotiate since it is a state program. Mr. Miller said right. Mr. Hall said so I want to find out what we can do because 3 up and 25 down is just ridiculous. The County Manager said yes it's not really that good. Mr. Hall said okay my final question Mr. Chairman. What is the status of Spectrum? They're supposed to be here or about here by now. County Manager Miller said Spectrum's already turning on service in Caswell County. They're already turning on service to customers off of Kerr's Chapel Road and Milesville Road. Mr. Hall said okay. That's just barely in Caswell. County Manager Miller said they have an area that they plan to complete within the next two months and turn on the entire census block.

Then County Manager Miller said I do have one more update commissioners. I want to bring a fact regarding the HIDO (High Impact Development Ordinance) to the Board. One clause in the HIDO is that in order for an existing business to be entitled to the grandfather provision, they had to apply by Dec. 21, 2021. To date we have had zero applications for that grandfather-in clause. We know there are 8 to 12 business that are not in compliance with the HIDO that had existed before the HIDO was adopted. The Planning Department did not contact these businesses prior to the Dec. 21, 2021 deadline, and all of these businesses were unaware of the need to register with the Planning Board. Based on this information, we would like to extend the application period by six months to allow the Planning Department time to reach out to those businesses individually and to allow them enough time to comply with the requirements. I would like to hear your suggestions, and if hearing none, we will proceed as planned. Just know there is a process that we have to go through with this. If we proceed as I have prescribed, it will have to go to the Planning Board, and the Planning Board will have to review and make a recommendation to the Board of Commissioners. Then we'll have to have a public hearing. After the public hearing, we'll have to have an ordinance amendment. So I just want you to know how things look, what we plan to do, and hear any comments about how we plan to go about it.

Commissioner Owen said well personally I think it's the right thing to do by extending it. They didn't know about it. Chairman McVey asked if the Board was okay with that.

Commissioner Oestreicher said does the Planning Board have to approve the extension or just make a recommendation. County Manager Miller said I think they have to review and make a recommendation. I know we have our county attorney on with us, and maybe he has some thoughts on this.

Attorney Ferrell said good evening. The county manager is correct. Just like any other ordinance amendment process, in the land use context, the Planning Board will review and make a recommendation to the Board. Then the Board will ultimately decide.

Commissioner Oestreicher said since the Planning Board meets tomorrow, will this be done at tomorrow's meeting. The County Manager said I can ask the County Planner to review this with the Planning Board tomorrow. I can ask him to do that, but I think ultimately it's up to the Chair of the Planning Board whether or not they take the issue up.

Attorney Ferrell said just to clarify Mr. Chairman and members of the board, there's a statutory process or an ordinance process for the amendment that will need to travel the path outlined in the ordinance. So certainly there's nothing at all that would keep the Planning Board from being apprised of the issue and having some preliminary consideration. But the County Planner will just need to follow the proper ordinance process for the amendment.

Commissioner Hall said just some clarification here. I think I heard that it's up to the Chair of the Planning Board whether it's added to the agenda for tomorrow. Is there any type of public notice or advertising that needs to be done for the Planning Board to add this on the agenda? Attorney Ferrell said there may be Commissioner Hall. That's why I was saying the Planning Board can certainly be made aware of the issue and get some preliminary feedback. But there is a public hearing process. It will just need to follow the normal amendment channel, which may require an additional Planning Board meeting to consider it. They can certainly start the process by getting an update tomorrow. Commissioner Hall said so does that mean it's a follow-on process. Do we have to wait for the Planning Board to make a decision? Attorney Ferrell said you have to wait for the Planning Board to make a recommendation.

County Manager Miller said commissioners, we'll make every effort to follow the process and to do it as quickly as possible.

Commissioner Hall said final thought. Can the Planning Director start this notification process? It seems like that's something that should have been done some time ago. Can you go ahead and start that? Attorney Ferrell said certainly the outreach to the existing businesses could start yesterday or today. Yes. The County Manager said and that has already happened. The outreach to the existing businesses.

Commissioner Hall said just concerns Mr. Chairman, that it seems like every time we start something time gets away from us. There are unknown barriers, it brings up excuses, and the can gets kicked down the road. I just want to make sure we get started as soon as we can.

Commissioner Oestreicher said Mr. Ferrell, isn't there a 45-day deadline for the Planning Board to come with a recommendation. Attorney Ferrell said there is a deadline for which the Planning Board must provide the recommendation from their first consideration of the item. Again the process for their initial consideration I believe is laid out in the ordinance and how that comes to them. So yes there's a deadline. It will not drag out. The Planning Board doesn't have the ability to drag out a recommendation longer than the ordinance provides, if that's the question. Commissioner Oestreicher said when does that 45 days start. If Mr. Hoagland provides them preliminary information tomorrow, does it start tomorrow, or would it be after their next meeting? Attorney Ferrell said I would have to look at the ordinance. I'm happy to pull it up, and see what it says. As we're talking, I don't know the answer to that question.

Commissioner Owen said one of the items on this ordinance is, since we are talking about the number of days, it says if the governing board does not receive a written report on the text amendment from the Planning Board within 30 days of referral of the text amendment to the Planning Board, the governing board may act on the amendment without the Planning Board's report. It says 30 days in this. Now that may include other days of notification of that, but it says 30 days in this from UNC Government.

The County Manager said commissioners, we understand this is a priority for the Board, and we will work as quickly as possible to get this back in front of this Board for approval.

Commissioner Oestreicher asked can you also put together a timeline on this, and the County Manager said yes. Commissioner Oestreicher said with deadlines and actions required, and the County Manager agreed.

COMMISSIONER COMMENTS:

Commissioner Carter: Mr. Chairman, I think we asked the County Manager to check to see about all three boards meeting together. Has any progress been made on this? All three boards getting together for a quarterly meeting like we used to. The County Manager said we do not have a date yet, but we're moving forward with that.

Commissioner Jefferies: I have a question for Commissioner Owen. I know I voted yes for the pay schedule. I asked you was your motion what I said and you said yes, but it wasn't what I said. When I talked about the pay study, I said that we would make nobody goes over \$60,000. I asked you if your motion was like I said and you said yes. But it was not made that way. Commissioner Owen said well I didn't understand that. I thought you meant the 2% for those making over \$60,000. That is what I thought you were talking about. Commissioner Jefferies said 2% and nobody goes over \$60,000. I had talked to the County Manager and the Chair about this. They said it could be done, but it wasn't done. Commissioner Owen said but you didn't make an amendment to my motion. Commissioner Jefferies said no he didn't amend the motion, but he asked if Mr. Owen's motion was as he stated. Commissioner Jefferies said he just wanted to clear that up. Commissioner Owen said he made the motion according to the sheet he received from the County Manager.

ANNOUNCEMENTS AND UPCOMING EVENTS:

- April 4, 2022 Board of Commissioners Meeting at 9:00 am
- April 11, 2022 Caswell Economic Development Meeting at 1:00 pm

CLOSED SESSION:

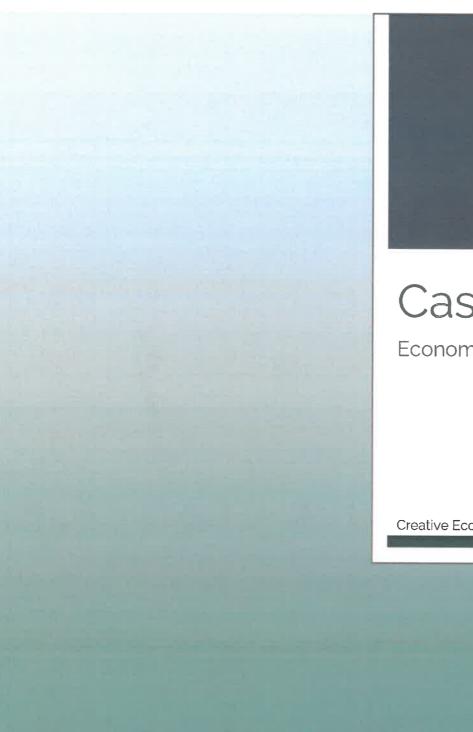
A **motion** was made at 7:09 pm by Commissioner Owen and seconded by Commissioner Jefferies and **carried unanimously** to prevent the disclosure of information that is privileged or confidential, which privilege is hereby acknowledged NCGS 143-318.11(a)(1). (Commissioners Hall, Jefferies, Owen, Oestreicher, Carter, and McVey voted in favor)

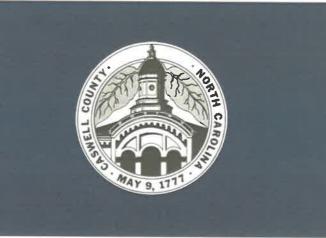
A **motion** was made by Commissioner Owen, seconded by Commissioner Carter and **carried unanimously** to return to open session at 7:17 pm. (Commissioner Hall, Jefferies, Owen, Oestreicher, Carter, and McVey voted in favor)

ADJOURNMENT:

A **motion** was made at 7:18 pm by Commissioner Owen and seconded by Commissioner Jefferies and **carried unanimously** to adjourn the meeting. (Commissioner Hall, Jefferies, Owen, Oestreicher, Carter, and McVey voted in favor)

Carla R. Smith Clerk to the Board Rick McVey Chairman





Caswell County

Economic Development Action Plan

Creative Economic Development Consulting

Executive Summary

Caswell County is working hard to reinvigorate its economy. Citizens and leaders alike want more local jobs that pay a betterthan-average wage. Those new jobs will lead to an increased tax base, which in turn will support improved government services, economic diversification to help weather recessions, and reduced out-commuting, improving the quality of life. The goal of better paying jobs also addresses the persistent low income levels in the county and encourages higher skill levels in the workforce. To develop this Action Plan for Economic Development, Caswell County engaged citizens in surveys, community leaders in a focus group, and the Economic Development Advisory Committee for input. The goals recommended in this action plan are priorities identified by the citizens and leaders of the county. We encourage a full read of this report and the supporting research to fully understand the rationale of the action plan.

Economic Development Goals and Strategies Summary

-(Goal: Increase Marketing and Communications to Leverage Existing Resources and Raise Awareness of Caswell County as a Location for Business, Tourists, and New Residents
	 Strategy: Create and maintain an economic development website separate from the county government website. Strategy: Bring together partner agencies for collaboration and communication. Strategy: Use social media and e-communications to raise awareness of Caswell County. Strategy: Create and maintain a common calendar of events.
-(Goal: Increase Support to Entrepreneurs and Small Businesses
	• Strategy: Entrepreneurship training • Strategy: Explore a mixed-use incubator facility. • Strategy: Explore an ag-related enterprise center.
-[Goal: Recruit More People to Caswell County
	 Strategy: Create a database of people with a personal connection to Caswell County for a recruitment campaign. Strategy: Create an endowment at PCC that will provide free community college tuition to high school graduates. Strategy: Get creative with housing development.

Goal: Engage and Coordinate Connectivity

• Strategy: Identify best practices in serving rural areas and funding telecommunications networks. • Strategy: Quantify the gaps and telecommunications needs.

Economic Development Action Plan

The overall goal of Caswell County Economic Development is to create more local jobs that pay a better-than-average wage. Along with more jobs will come an increased tax base, economic diversification, and reduced out-commuting. Working on these goals will also address low-income levels and the limited, small local market for goods and services. It will also indirectly encourage higher education and skill levels in order to secure new jobs.

Caswell County's greatest opportunities for local job creation will come from existing business growth, small business expansion, new business start-ups, and business recruitment. Approximately 65%-75% of new investment and job creation come from existing businesses. Small business and sole proprietors make up 88% of employment in the county. Outside businesses that will find Caswell County's assets attractive will most likely be small companies who want to be near the Triad or Triangle and can take advantage of natural resources.

Caswell County's economic development program needs a multi-faceted approach. However, with resources so very limited, it is important to focus on a few goals. The goals recommended in this action plan are priorities identified in two meetings of Caswell County leadership. The first was comprised of members of the County Commission and Economic Development Advisory Board. The second was a group of business, nonprofit, and community leaders. Together they brought focus to the economic development program.

ECONOMIC DEVELOPMENT GOALS

- Increase Marketing and Communications to Leverage Existing Resources and Raise Awareness of Caswell County as a Location for Business, Tourists, and New Residents
- Increase Support to Entrepreneurs and Small Businesses
- Recruit More People to Caswell County
- Incourage and Coordinate Connectivity



Hardware Recommendations for Caswell County **Board of Commissioners** provided by Jason Benson IT Director

Product pricing and availability subject to change



Option 1 2021 APPLE 10.2 INCH IPAD 64GB \$329





Option 2 IPAD MINI 8.3INCH 64GB \$459

CASE WITH KEYBOARD \$39.99

BLUETOOTH MOUSE \$10.98

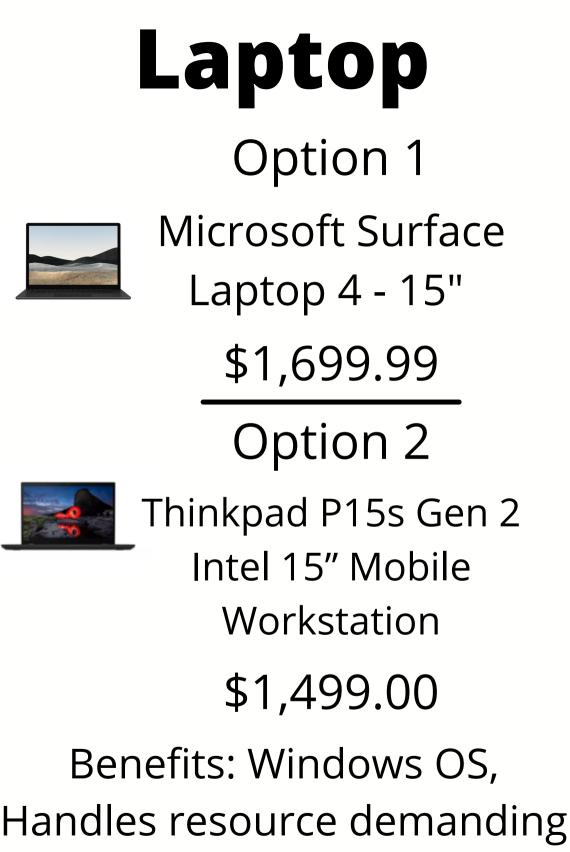
Benefits: Low Cost, Portability, Ease of Use, Standardization (iOS)

Hybrid



Microsoft Surface Pro 7+ 12.3" \$1,778.99

Benefits: Windows OS but with the portability / low profile of an iPad



tasks, multi-app usage easy.