



## Caswell County Board of Commissioners

144 Court Square, Yanceyville, NC 27379

[www.caswellcountync.gov](http://www.caswellcountync.gov) | ph: 336-694-4193 | fax: 336-694-1228

Commissioners Tim Yarbrough, Frank Rose, John Claggett, Finch Holt, Greg Ingram, Tony Smith, Brian Totten

### BOC MINUTES | Work Session Meeting | July 7, 2025, 5:00pm, Historic Courthouse

#### MEMBERS PRESENT

Tim Yarbrough, Chair  
Frank Rose, Vice Chair  
John Claggett  
Finch Holt  
Greg Ingram  
Tony Smith  
Brian Totten

#### OTHERS PRESENT

Scott Whitaker, County Manager  
Melissa Williamson, Deputy County Mgr.  
Russell Johnston, County Attorney

.....  
The Board of Commissioners (BOC) for the County of Caswell, North Carolina, met in a Work Session meeting scheduled on Monday, 7/7/25, at 5:00pm at the historic courthouse in Yanceyville, North Carolina.

**Welcome:** Chairman Yarbrough called the meeting to order. All were invited to pause for a moment of Silent Prayer and to recite the Pledge of Allegiance.

**Consent agenda:** This included the meeting agenda and open session minutes for 6/16/25 and 5/28/2025 and 6/2/25 budget sessions. A motion was made by Commissioner Smith and seconded by Commissioner Ingram to approve the Work Session agenda and minutes. Commissioner Claggett noted inaccuracies to 6/16/25 minutes and stated that on page 4, Ms. Sharpe responded to his question and not the Deputy County Manager. On page 7, under Commissioner Comments, it should read "consensus results."

A motion was made by Commissioner Smith and seconded by Commissioner Ingram to approve the Work Session agenda and minutes as corrected. The motion carried unanimously.

**Recognitions:** Vice Chair Rose recognized first responders and NCDOT for doing an excellent job responding to all the flooding across the County. There were five roads that sustained severe damage, but fortunately there were no fatalities. Commissioner Smith acknowledged that 60,000 square feet of steel building had been delivered to Pelham Industrial Park. Chairman Yarbrough echoed Vice Chair Rose's comments regarding the work of first responders.

#### **Public comments:**

Kyle Warren-Love, Caswell resident and Caswell Chapter Coordinator for the Health Collaborative, spoke on behalf of the Caswell Community Council and invited everyone to participate in National Night Out 8/5, 5pm-9pm at Caswell County Parks and Recreation Center in Yanceyville. The purpose of the free event is to encourage community partnership with first responders. He extended an invitation to the Commissioners to participate in the dunking booth event.

#### **Action Items:**

**Public hearing re: Solid Waste Ordinance amendment:** Manager Whitaker recapped the discussions held during the Budget Workshop. A.J. Fuqua, Solid Waste Director, was present to answer questions. A motion was made by Vice Chair Rose and seconded by Commissioner Smith to open the public hearing. No one was present for comments or discussion. Commissioner Holt asked if anyone discussed taking legal actions if the Ordinance

amendments are passed. Attorney Johnston replied that it was his understanding that prior issues were resolved between the Town Manager and the County Manager. Manager Whitaker concurred. Director Fuqua spoke about the availability fee that everyone will now pay. Multi-family units will pay per lot or dwelling for availability fee. There is a disposal fee exemption process included in the packet for review. Items must be approved before being accepted at the landfill. Paid contractors must provide a list to the County. If a hauler does not provide a list, they cannot operate.

A motion was made by Commissioner Claggett and seconded by Vice Chair Rose to close the public hearing and return to regular session. A motion was made by Smith and seconded by Commissioner Ingram to approve the Solid Waste Ordinance revisions to Chapter 26 of the Caswell County, NC Code of Ordinances as presented. The motion carried unanimously.

**Dept. of Juvenile Justice probation lease (339 Wall St., rooms 405 and 406):** Manager Whitaker stated that General Statutes require counties to provide space for probation officers. The two offices being considered are located at Guilford Mills and would be a continuation lease for three years. Attorney Johnston addressed paragraph 8 of the lease agreement which reads "Lessor shall be liable to Lessee for any loss or damages suffered by Lessee which are a direct result of the failure of Lessor to perform an act required by this lease, and provided that Lessor could reasonably have complied with said requirement." He would like to see language that addresses if the Lessee causes loss or damage to the County, the Lessee will be responsible for said loss or damage. He was concerned about protecting the County in case of damage. Commissioner Holt asked if money was requested for repairs to elevators? No one recalled. He questioned why the County is making repairs if leasing the building. Manager Whitaker clarified that there were two rooms in the building. Attorney Johnston stated that the County is required to provide accommodations and provide them at the County's expense. Manager Whitaker noted that the items were included in the adopted budget.

A motion was made by Commissioner Totten and seconded by Vice Chair Rose to approve the lease with the recommended changes by the Attorney. The motion carried unanimously. Staff will bring the item back if the changes are not accepted.

**NCACC Annual Conference voting delegates:** Manager Whitaker spoke about the August NCACC annual conference. Commissioners Smith, Ingram, Manager Whitaker, and Deputy Manager Williamson will attend. Commissioner Smith stated that he and Commissioner Ingram discussed the matter and Commissioner Smith would be the single voting delegate and Commissioner Ingram would serve as alternate.

A motion was made by Vice Chair Rose and seconded by Commissioner Totten to approve Commissioner Smith as the voting delegate and Commissioner Ingram will be the alternate. The motion carried unanimously.

**Support letter for Milton's SEID Grant for water improvements:** Manager Whitaker stated that the Town of Milton wants to install a secondary well pump house and upgrades to their existing water lines. Milton is seeking a grant thru the Southeast Crescent Regional Commission. It is called the Strengthening Economic Infrastructure and Development (SEID) grant. The Town of Milton has requested a letter of support. Manager Whitaker referenced the drafted letter included in packet for the Board's consideration.

A motion was made by Commissioner Smith and seconded by Commissioner Ingram to approve the drafted letter in support of the Town of Milton's water improvements and SEID grant application. The motion carried unanimously.

#### **Discussion Items:**

**Enbridge pipeline project (T-15 Reliability Project)—access road and easements:** Manager Whitaker introduced the item. The pipeline project is getting closer to activity. The topic concerns access roads and easements just inside County landfill. Enbridge is asking for an extension of the pipeline with permission to construct a permanent access road from Foster Road to Highway 86N.

Enbridge made an initial financial offer for the proposed access. There will need to be some improvements made including gate access in key locations at the landfill. Manager Whitaker indicated there is room for negotiation on the initial offer. He wanted to introduce the topic at this meeting with visuals of where the proposed road would be located. The Manager noted that there are benefits to having the road to allow landfill staff to monitor both sides of the pipeline. It would also serve as a secondary fire break in helping to protect neighboring properties if there were a brush fire. It will also facilitate inconveniences for landfill staff and the public during construction. An Enbridge representative will be present at the next meeting to answer questions.

Commissioner Smith asked if the road would be paved or compacted gravel. Director Fuqua indicated that it will not be paved but will be crusher run or railroad rocks. Commissioner Holt asked if Enbridge was buying the right of way? Manager Whitaker responded that it would be a purchase and not a lease. Commissioner Holt also asked what that would do to the area of road below Highway 86. Director Fuqua stated that the access road will come off landfill road around the area where the compactor is located. It will not cut off any County access to recycling or the County impound lot. The County currently owns land on both sides of the pipeline. Enbridge will enter behind the compactor so there is no interruption to public operations. Vice Chair Rose commented that he would like to see upgrades to the gates at no cost to the County. He would also like to see the entrance gate be automated. County staff would not have to be on site after hours. Director Fuqua shared that the proposal was for half of the gates to be coded, and the other half would be manual. The second gate would be push-button for entrance and an electronic eye for exit. Once the gate is moved, there will be wire along the wood side to keep out unauthorized entrances.

Chairman Yarbrough questioned who would be responsible for road maintenance. Director Fuqua replied that it would need to be included in the contract. Commissioner Smith asked for the width of the existing easement for the pipeline. The existing easement is 50' and the request is for an additional 75'. Attorney Johnston commented on Commissioner's Holt's concern. There is a paragraph in the easement that is entitled Grantor's Reservation Rights. It states that "Grantor reserves the right to use the property and easement area for all purposes that do not unreasonably interfere with the rights granted herein and that are not inconsistent with rules and regulations of the North Carolina Utilities Commission." Director Fuqua commented that Enbridge has been very cooperative thus far. A second gate will be constructed at the pipeline that will be double locked—one key for the County and a universal lock used by Enbridge.

**Sheriff's Office training facility and firing range—MOU changes:** Manager Whitaker reminded everyone that the item was approved at last meeting. The Sheriff's Office indicated the desire to have a different MOU and SOP; and the County Attorney has reviewed the Sheriff's MOU and has proposed some changes. Attorney Johnston stated that the Sheriff's Department was not comfortable with asking officers to sign a waiver because they were on a firing range. The Sheriff's Department contends that training is in the line of duty and officers are covered by County Insurance and should be covered while using the firing range for training. Questions posed to the insurance underwriter included whether the facility and County officers participating in training are covered under the County's current insurance policy while using the firing range? If the Sheriff's Department allowed outside agencies to use the firing range, would they need to sign a liability waiver or agreement to ensure the County is not held responsible for any incidents or injuries that may occur during their use? The response received from the senior underwriter indicated that the use of the firing range by deputies for training would be covered under the County's insurance policy. A waiver may be a good idea for use by outside private entities. Workers' compensation would be excluded for outside entities. There may be some liability coverage available depending on the nature of the claim or loss.

In analyzing the original approved MOU compared with the one proposed by the Sheriff's Office, the language is similar to the original MOU. The Attorney would like to see language that requires communication between the Sheriff's Office and County Manager in case of a safety incident or injury at the firing range and to know what is occurring on County property. Manager Whitaker interjected that he was not interested in micromanaging the Sheriff's Office, but it would be good to know when Sheriff's office was using the range. Attorney Johnston stated that he had no problems with the Sheriff's MOU, but it was prudent for there to be communication between the Sheriff and County Manager. Attorney Johnston stated that language in the Sheriff's proposed policy mirrors the original agreement. The Board can approve both documents with a single motion.

Commissioner Smith questioned the 65 max decibel level not being included in the MOU. Attorney Johnston started that it was not voted on in the final motion. Commissioner Holt questioned other departments having access. The

Attorney stated that this MOU would only apply to Caswell County Sheriff's Office employees. Commissioner Ingram clarified that when Caswell County uses another range, there is no waiver, but if an incident occurs, that follows the officers. If someone comes from another department to use the Caswell range, their county handles what happens. Attorney Johnston read Section 3 paragraph (e) of the proposed MOU stated that the facility would only be used by Caswell County Sheriff's Department and shall not be intended for use by the general public. The Attorney recalled that if the Sheriff ever wanted to allow external agencies, it would be brought back to the Board for approval. Vice Chair Rose concurred with the Attorney's recollection. Commissioner Smith expressed concern about the inclusion of decibel readings being included in MOU. The Planning Director indicated that the highest decibel reading was 58 without any vegetation.

A motion was made by Commissioner Smith and seconded by Commissioner Ingram to approve the Sheriff's MOU and policies with changes recommended by the County Attorney regarding communication with the County Manager; and the inclusion of a 65 maximum decibel reading. The motion carried unanimously.

**Animal Protection Society (APS) Animal Control shelter contract:** Manager Whitaker stated that the County has not maintained a contract for animal shelter services but has maintained a good working relationship with Animal Protection Society for those services. The desire now is to put a formal contract in place. Late last year, APS notified the County that they would not be able to provide the level of shelter services that they had been providing at the same County allocation. Last budget year, the APS allocation was \$174,125 that was paid monthly. APS proposed moving that amount to \$305,000. The County supported \$225,000 which was approved in the budget—less than what was originally proposed.

The Manager and Attorney have been in deliberations with the APS Board and having meetings with APS Attorney about a formalized contract. Work continues a draft contract, and the Manager hopes to have a draft at the 7/21 meeting for consideration. There are multiple issues being discussed with the APS Board and will be forwarded to the Board. The Chair stated that he did not feel the Board wanted to spend more than the \$225,000. He added that he felt the Board should not get involved in negotiations at this point. Vice Chair Rose referenced an email that talked about the loss of grants if the euthanasia rates increased. He asked what grants APS gets and how much are they. Manager Whitaker will ask for more details on the grants. The Manager indicated that the minutes were incorrect that five animals are euthanized a year. Commissioner Totten asked what the biggest expense of operations is. Manager Whitaker will ask about the grants and forward financials from last year. It was noted that there have been 20 years since the County has had a formal contract.

**K&B Consulting economic development contract:** Manager Whitaker spoke about the Board's decision to contract for Economic Development assistance. Ken Bowman (K&B Consulting) serves on the Pennsylvania Board of Supervisors in Virginia. The Manager shared highlights from Mr. Bowman regarding his credentials. He asked for anything specific that the Board would like to see in a contract. Attorney Johnston and the Manager are currently working on a draft contract. Attorney Johnston noted that one of the issues is under compensation. The original contract proposed 20 hours per week up to 40 hours. The attorney proposed a minimum of 10 hours per week and a maximum of 25 hours per week. Because of a perceived conflict of interest, Mr. Bowman is to notify Caswell County of any potential conflicts of interest between his position with Caswell County and his position with the Board of Supervisors in Virginia.

Commissioner Holt questioned Commissioner Smith's participation. The Manager interpreted that because of Commissioner Smith's past involvement with such projects, he was a good person for initial meetings and to be briefed. Commissioner Smith responded that he had been on the League for Economic Development for six months. Mr. Bowman asked for an initial meeting with Commissioner Smith as a member of the Economic Development Board. Commissioner Smith stated that he would not be involved in additional meetings unless it was the pleasure of the Board. He further commented that if Mr. Bowman is contracted thru Caswell, propriety information shall not be shared beyond the State line. Attorney Johnston stated the matter was addressed in paragraph 6.2, entitled "Nondisclosure and Nonuse Obligations." The Attorney did not feel there was a conflict with Mr. Bowman being on the Board of Supervisors based on language in the contract. Commissioner Holt would like to see item 2 removed. Commissioner Smith would agree to pass on any information.

**FY25–26 budget amendment—HR Specialist position:** Manager Whitaker stated that Interim Manager Renee Paschal mistakenly left out the HR Specialist position during budget preparation. The former employee was no longer with the County, but the position was intended to be back in budget. Ms. Paschal asked the Manager to bring the item forward as a budget amendment this month. He added that he spoke with Johnna and the Finance Department to see if the position is really needed and everyone agreed it was a critical part of HR. The Manager would like the HR director to be able to recruit for the position. The amendment is for \$50,000 and expenditures for \$50,000. Vacancy savings will likely cover the cost. The item will be placed on the 7/21 meeting for action. Commissioner Smith thinks it is necessary to fill the position. He recalled discussing online employment applications and asked about the status. Deputy Manager Williamson was not sure it was being worked on, but she was not sure it was implemented. She added that the HR role is a lot for one person to handle all HR duties.

**Workers' Compensation claims:** Deputy Manager Williamson stated that she received an invoice from local EMS for a claim that had been turned in on Workers' Compensation. She reached out to Charles DeAngelo, the manager of Client Services for Sedgwick to see why there was an invoice for a Workers Comp claim. The actual invoice was \$1294.50 for EMS transport. Sedgwick paid \$906.15 which left a remaining balance of \$388.35. Mr. DeAngelo informed Ms. Williamson that there is a fee schedule for all of NC that is set by the NCIC. When the bill is not paid in full, it is normally sent and the amount for service that was outside of the fee schedule. If a County is using their own services, most of them will absorb the cost when it relates to Workers Comp injuries. If Sedgwick pays \$388.35 for the County, it will make the Workers' Comp figures increase. Local EMS noted that they have no authority without approval from the Board. Ms. Williamson checked with Johnna Sharpe regarding the County writing off the claim and Ms. Sharpe felt it made sense. Chairman Yarbrough asked if this needed to become a policy or to be handled on case-by-case basis. Manager Whitaker felt it was ok to be handled on a case-by-case basis. EMS does not have the authority to make the decision but will work with the County on a resolution.

A motion was made by Vice Chair Rose and seconded by Commissioner Smith to approve the County writing off the EMS bill of \$388.35. The motion carried unanimously.

**Formation of new Caswell Safety Committee:** Manager Whitaker discussed the OSHA inspections and pending report. He believes there needs to be a reboot of the Safety Committee and hopes to have a slate of committee members by the 7/21 meeting for Board action.

#### **Appointments/re-appointments:**

**Tourism Development Authority (CCTDA) Board—Mindy Stener:** A motion was made by Commissioner Smith and seconded by Commissioner Totten to reappoint Mindy Stener to the Tourism Development Authority for a three-year term. The motion carried unanimously.

**Board of Health—Shannon Moretz:** A motion was made by Commissioner Claggett and seconded by Vice Chair Rose to reappoint Shannon Moretz to the Board of Health for a three-year term. The motion carried unanimously.

**SR Farmer Lake Advisory Board—Vennie Beggarly:** Manager Whitaker indicated that the policy dictates three-year terms, but there is a four-year term for this Board per the roster. He asked the Board for clarification, and no one was sure. He felt everything should be three-year terms. Attorney Johnston will research the General Statutes but feels it is in the Board's perspective to determine terms. A motion was made by Vice Chair Rose and seconded by Commissioner Ingram to reappoint Vennie Beggarly to the SR Farmer Lake Advisory Committee. The motion carried unanimously.

#### **Reports, updates, or comments:**

**Manager:** Manager Whitaker provided an update from last evening's flooding. Thanks to all emergency responders. There was no financial report due to the timing. It will be included in the regular meeting packet. The latest target for the audit to be complete is by the end of August. The new HR Director starts 7/28.

**Attorney:** (none).

Commissioners: Commissioner Smith asked if staff had heard from the City of Danville regarding the water and sewer agreement for Pelham Park. The Manager had no additional information but will follow up. Commissioner Smith would also like to pursue moving the land sale revenues in a capital fund for land acquisition. Manager Whitaker stated that he would share more information at the next meeting.

Vice Chair Rose attended the 7/4 fireworks event and stated there was great turnout. He asked to keep the Dabbs family in thoughts and prayers in the loss of Tony Dabbs, a former fireman.

Commissioner Claggett spoke about an ongoing issue with public meeting minutes. He recalled mentioning the Board's consensus results not being accurately recorded. The 7/16 minutes had not been posted. He questioned why the minutes preparation was contracted out? He commented on the appearance of a conflict with the Manager also being the Clerk. He noted that it was the Board's responsibility to provide direction for the administration of County government and to ensure efficient operations and services. He recommended that all board consensus results and PowerPoints as well as minutes preparation be completed locally and made public in a reasonable timeframe as per the General Statutes.

Chairman Yarbrough received a call from Congressman Brad Knott's office to know if the County needed federal assistance. He asked the Manager to review and establish a list of needs, if necessary. The Chair read a list of upcoming meetings.

**Announcements, events, and meetings:** Various ones were announced as listed on the agenda.


**Closed Session to:** A. consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege as provided under NCGS 143-318.11(a)(3)—opioid litigation update; and, B. consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an employee as provided under NCGS 143-318.11(a)(6).

A motion was made by Vice Chair Rose and seconded by Commissioner Ingram to go into closed session. The motion carried unanimously.

Adjournment: Commissioner Smith moved, seconded by Commissioner Ingram, to adjourn the meeting. The motion carried unanimously, and the meeting was adjourned at 8:30pm.

.....  
Respectfully submitted by Michelle Parker (*external Clerk contracted to prepare minutes on behalf of Caswell*),

  
\_\_\_\_\_  
K. Scott Whitaker  
Clerk to the Board

  
\_\_\_\_\_  
Tim Yarbrough  
Board Chair