**MINUTES – March 4, 2019**

The Caswell County Board of Commissioners met in regular session at the Caswell County Historic Courthouse in Yanceyville, North Carolina at 9:00 a.m. on Monday March 4, 2019. Members present, Chairman, Rick McVey, David Owen, William E. Carter, and Steve Oestreicher. Also present: Bryan Miller, County Manager, Brian Ferrell, County Attorney, and Ashley Kirby Powell, Administrative Assistant recorded minutes. Members absent: Sterling Carter, Nathaniel Hall, and Jeremiah Jefferies.

**MOMENT OF SILENT PRAYER**

Chairman McVey opened the meeting with a moment of silent prayer.

**PLEDGE OF ALLEGIANCE**

The Board of Commissioners and all guest in the audience recited the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

Commissioner W. Carter motioned to approve the agenda, seconded by Commissioner Owen. The motion carried unanimously.

**APPROVAL OF THE CONSENT AGENDA**

Commissioner Owen motioned to approve the consent agenda, seconded by Commissioner W. Carter. The motion carried unanimously.

**PUBLIC COMMENTS**

Chairman McVey opened the floor to public comments.

John Claggett 108 Jaye Lane, Providence, North Carolina came before the Board to talk about transparency or the lack thereof. The County Website list 26 Boards or Committees. The Hunting and Wildlife Advisory Committee does not list when it meets, since they had a public hearing recently regarding the Kennel Ordinance. The Piedmont Emergency Medical Services Advisory Council, Social Services Board, Health Board, and CATS Transportation Advisory Board also has not updated any information. When asked who is responsible for keeping the County websites information up to date, he was told the Department Heads and was also told some Department Heads do not report under the Board of Commissioners general control. Also he thought that it was the reason that Commissioner have seats on these different Boards and Committees, there is an ongoing problem with the public getting information from this County from Emergency Services to general everyday items. Then proceeded to state General Statute 132-6.1 “Databases purchased, leased, created, or otherwise acquired by every public agency containing public records shall be designed and maintained in a manner that does not impair or impede the public agency’s ability to permit the public inspection and examination of public records and provided a means of obtaining copies of such records”.

Craig Hoxie 7569 US Hwy 158 East Leasburg, North Carolina, stated his concerns about the Dollar General coming to Leasburg. There was no efforts to make the community aware if this project and that a private company could come in and purchase land for sale. This is why the County needs zoning to help property owners protect their property from things happing like this.

Chris Johnson 3233 Kerr Chapel Road Elon, North Carolina, questioned what the purpose of the Kennel Ordinance is when there are regulations established by the County.

Cynthia Drake 7699 Jack Adcock Road Oxford North Carolina, questioned the purpose of the Kennel Ordinance and stated her concerns.

Chairman McVey closed Public Comments.

**RECOGNITIONS**

There were none.

**DISCUSSION ON PROPERTY REVALUATION**

Chairman McVey opened the floor to Tax Director, Thomas Bernard. Mr. Bernard stated that he had received the Sales Ratio Study which was 99.3% and there has not been hardly any change from the year before, and recommend putting the Revaluation process off till 2020. Chairman McVey questioned how much money would it save the County if we do not revaluate this year. Mr. Bernard replied $200,000.00. Commissioner Oestreicher questioned how many sales he had to compare to the value. Mr. Bernard replied 60-100.

Commissioner Owen moved to approve the Resolution Delaying the Effective Date of a Reappraisal of Property in Caswell County, seconded by Commissioner W. Carter. The motion carried unanimously.

**A RESOLUTION DELAYING THE EFFECTIVE DATE OF A REAPPRAISAL OF PROPERTY IN CASWELL COUNTY**

**WHEREAS**, GS 105-286 mandates a reappraisal of property at least every eight years, and

**WHEREAS,** GS 105-286(a)(3) Authorizes a Board of County Commissioners to advance the period so that a reappraisal occurs more often than every 4 years, and

**WHEREAS**, once an advanced reappraisal occurs, it has the effect of resetting the next required reappraisal for four years after the advanced reappraisal, and

**WHEREAS**, Caswell County has advanced its reappraisal period so that the last reappraisal occurred on January 01, 2016, and

**WHEREAS**, Caswell County’s next mandated four year reappraisal is required for January 1, 2020, and

**WHEREAS**, Caswell County had planned to have an advanced reappraisal effective for January 1, 2020, and

**WHEREAS**, the Caswell County Board of Commissioners feel that a revaluation for January 1, 2020 should be delayed and that the 2016 tax assessments are fair and equitable.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Caswell County that:

1. The scheduled reappraisal for an effective date of January 1, 2020 is hereby revoked and rescinded.
2. Pursuant to the authority granted in GS 105-286(a)(3), the next scheduled reappraisal for Caswell County is set for an effective date of January 1, 2021.
3. A copy of this resolution shall be provided to the Property Tax Division of the North Carolina Department of Revenue and to the Towns of Milton and Yanceyville.

Adopted this 4th day of March 2019.

S/Rick McVey \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Rick McVey, Chairman

Caswell County Board of Commissioners

ATTEST:

S/Paula P. Seamster\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Paula P. Seamster

Clerk to the Board

**DISCUSSION ON DOLLAR GENERAL COMING TO LEASBURG**

Mr. Miller stated that today Matthew Hoagland, County Planner has brought maps of the South Hyco Creek Watershed and the Hyco Lake Zoning Area. Then opened the floor to Matthew Hoagland, County Planner.

Mr. Hoagland stated that these maps are for clarification purposes there has been some discussion about extending the Hyco Lake Zoning Area and/or the South Hyco Creek Watershed area. Then presented the Board with Sketch Plan maps, a current map of parcel as it stands, and did a brief overview of the maps. This property is not located in the Hyco Lake Zoning Area or the Watershed.

Commissioner Oestreicher questioned the location in reference to the Hyco Lake Zoning area. Mr. Hoagland replied, the Hyco Lake Zoning area is to the North and West of the property. Commissioner Oestreicher questioned what is the limitations or restrictions in that area. Mr. Hoagland replied, there is no zoning at the proposed Dollar General site. Commissioner Oestreicher questioned in the location that is zoned. Mr. Hoagland replied the Hyco Lake Zoning Area is broken up into three categories, residential, commercial, and industrial. There is currently a Dollar General in the Hyco Lake Zoning Area, which is located in the business zoning area of Semora

Mr. Miller stated when you have a zoned area you normally have a proposed plan for that area that shows residential, commercial, and industrial. Those areas are normally grouped together, that is not the current situation for the Hyco Lake Zoning Area, you mainly have residential and resort for the majority of that area. There are also specific parcels that have been exempt or have an amendment to that parcel. If the Board choose to zone then we need to take a look on what we are trying to achieve during this zoning process. Tomorrow night at 6:00 p.m. at the Pelham Community Center in Pelham North Carolina to discuss zoning for the County and ask questions to the general public. We also plan to have other meetings in the future and will share those dates with the Board when they are scheduled.

Mr. Ferrell stated that zoning at the base level is the way government controls use and physical development of property within its jurisdiction. The zoning ordinance restrict uses to certain districts and within those districts it controls the physical use of certain sites, setbacks and height limitations on new construction. In Caswell County we have in additional to the Hyco Lake district, you have some general development control on particular uses unified development ordinance was put in place. There is a section on specific performance standards related to certain developments, which regulates setbacks and a 50ft buffer on property lines currently in the unzone areas of the county outside of the Hyco Lake Zoning the county has no use restrictions on the property. If the county is interested in zoning only certain areas that is allowed in the state statue it states you have to have 640 acres of 10 separate parcels separately owned. If you would like to do a standalone district that is the minimum amount of the county or institute land regulations County wide. The County needs to develop a plan and give the Planning Board an opportunity to weigh in and provide recommendations to the Commissioners on either the text amendment. Then the next step would be a public hearing which is required, and the Board could consider the new amendment or ordinance; this is a very lengthy process.

Commissioner W. Carter questioned if the County can do satellite zoning and understands that this could be a lengthy process. Mr. Ferrell replied, that he recommended that the Board to think broader than one particular development and not sure of time frame with Dollar General if we are able to help them. Spot zoning in North Carolina has been declared illegal cause of presumption of validity.

Commissioner Owen questioned if the County expanded the Hyco Lake Zoning area would that require 640 acres. Mr. Ferrell replied, no if you are expanding an existing area.

Commissioner Oestreicher questioned if Leasburg had any boundaries. Mr. Hoagland replied no, just a postal code overlay. Commissioner Oestreicher stated he was looking for some way to define the area of expansion from an historic perspective. Mr. Ferrell replied, that would require a pretty detailed look at the individual parcels.

Commissioner W. Carter questioned why the certain areas of the Hyco Lake Zoning areas was mapped the way it was. Mr. Hoagland replied he was not sure and asked Mr. Ferrell to explain the time frame of spot zoning. Mr. Ferrell replied, if the developer has vested it rights under the Statutory Interest they are protected, this may not apply to this situation just wants to make the Board aware. He was not sure if the Board could move fast enough to stop Dollar General from coming to Leasburg.

Commissioner Oestreicher stated that he understands the issues of the citizens of Caswell County, the Board has made a great decision planning meetings to start looking at county wide zoning. With the future of economic development this is something the Board should consider protecting the citizens’ property and suggested spot zoning instead of county wide zoning. The Boards goal is to welcome growth to the County with businesses and the County does not need to send a message that we do not welcome growth. As a Board we need to be careful and not target Dollar General that we are just trying to protect the historic part of Leasburg and if they would consider placing it in another part of Leasburg the Board should help them with that process. Commissioner Owen stated that he agreed with Commissioner Oestreicher to a certain extent an recommended county wide zoning and the Board needs to offer protection to the land owners of Caswell County and agreed that the county did not need to send a message that Caswell County is against economic development. Commissioner Oestreicher suggested that the Board look at both options county wide zoning and spot zoning.

Mr. Miller state that there will be three public meetings held to discuss zoning, one at Pelham Community Center art 6:00p.m. March 5, 2019. The dates for the other meetings have not been set yet, when they are he will share the information with the Board.

Commissioner Oestreicher questioned the steps to expand the Hyco Lake Zoning Area. Mr. Miller replied that he can get Commissioner Oestreicher that info. Commissioner Oestreicher questioned if there needed to be a motion to get these steps started. Mr. Ferrell replied no, just prepare the staff. Commissioner Oestreicher suggested to the Board to inform the County Manager to direct staff to prepare for this matter and to look at both options. Commissioner Owen agreed.

**PROPOSED CASWELL COUNTY KENNEL ORDINANCE**

Chairman McVey stated that many citizens have reached out to him with concerns on the Proposed Kennel Ordinance and at this time he had no plans voting on it today nor is this a public hearing today. He received a letter from the Hunting and Wildlife Advisory Board today and questioned Mr. Miller if there will be a public hearing on this matter. Mr. Miller replied, yes. Chairman McVey directed Mr. Miller to set up a public hearing at the next Commissioners meeting.

Commissioner Owen stated his issues and suggested that the Board should have the changes in place with the Kennel Ordinance before the public hearing is held. Chairman McVey replied yes, and that he had asked the Commissioners to bring their suggestions today to this meeting. Mr. Miller stated that he will take the comments and add them into a draft that we currently have. Then post the Ordinance on the Caswell County website and make them available to the public, before the public hearing is held, due to the time of this process it will not be ready for the next meeting and suggested it to be at the second meeting in April.

Commissioner Owen questioned Mr. Miller if he had received a letter from the Federation of Dog Clubs and the American Kennel Clubs. Mr. Miller replied, no. Commissioner Owen replied these letters state a lot of concerns that he has and will share these letters with Mr. Miller. This is one incident that happened in Caswell County and we need to proceed carefully, he is more concerned about individual’s rights and protecting them. The Board needs to look at this from a commercial stand point and we currently have an Animal Ordinance in place. One of his concerns is the definition in the Kennel Ordinance and the Animal Control Ordinance, they should be the same and we need to decide if we are going to deal with the commercial side of this. Currently North Carolina does not have a Kennel Ordnance in place and have failed multiple times trying to pass it, other States that have a Kennel Ordnance the average limit is 12 animals. Then suggested that the Board to study and not make any rash decisions based on the incident that happened.

Commissioner W. Carter stated that he is not in favor of the Kennel Ordinance.

Commissioner Oestreicher stated from his understanding this was drafted to deal with the puppy mill incident, as the current Ordinance stands it does not protect the County from that incident again because the number of dog is too high and is not restrictive enough. Suggested to reduce the number of breeding dogs or number of dogs in possession in the current Animal Control Ordinance.

Chairman McVey directed Mr. Miller to make the changes to the draft and bring it back to the Board. Mr. Miller replied yes, and that he would bring it back at the second meeting in April. Commissioner Oestreicher suggested to modify the current Ordinance to be more specific for kennel rather than have a standalone Kennel Ordinance. Mr. Miller replied he would look at both.

**RECESS**

*The Board took a brief recess.*

**DISSCUSSION ON COOPERATIVE AGREEMENT REGARDING THE IMPROVEMENT, RENOVATION, CONSTRUCTION AND EQUIPPING OF BARTLETT YANCEY HIGH SCHOOL**

Mr. Ferrell presented the Board with the proposed changes to the MOU. After a lot of discussion the Board agreed to schedule another meeting to go over the changes.

**CASTASTROPHIC INMATE MEDICAL INSURANCE PROPOSAL**

Mr. Miller stated that we currently have a Catastrophic Inmate Medical Insurance plan in affect that will carry the county through the rest of the year the cost of the program is $5,386.30 and it does include the Central Hospital. We are going to move forward on signing the Catastrophic Inmate Medical Insurance Proposal due to the fact that cost is included in the Sheriff Department’s budget as he was informed by the Finance Director.

**COUNTY MANAGER’S UPDATES**

Mr. Miller stated that the County had just implemented the new phone system which is voice over IP and it provides the county with greater functionality and reduced cost. Then recognized Ashley Kirby Powell and David Norris for all their hard work and dealing with the challenges with this new system.

Added the public hearing on zoning at the Pelham Community Center on March 5, 2019 to the announcements.

Commissioner Oestreicher made an announcement about the PTRC invited the public to review VI Plan for The Piedmont Triad Rural Planning Organization and any citizen who is interested in transportation planning opportunities look at the Caswell County website under news and announcements.

**ANNOUNCEMENTS AND UPCOMING EVENTS**

1. Joint meeting – Stokes County, Rockingham County and Caswell County –Pine Hall, NC-April 11, 2019 @ 6:30 p.m.

2. District meeting-April 25, 2019 @ 5:00p.m.-Chatham County

**CLOSED SESSION**

Commissioner W. Carter motioned to go into closed session at 11:40 a.m., seconded by Commissioner Oestreicher. To consider the compensation, terms of appointment and performance of an individual public officer (NCGS 143-318. 11(a)(6)) and to prevent the disclosure of information that is privileged or confidential (NCGS 143-318.11 (a)(1)). The motion carried unanimously.

**REGULAR SESSION**

Commissioner Owen moved, seconded by Commissioner Oestreicher to resume the regular meeting. The motion carried unanimously.

**ADJOURNMENT**

At 12:33 p.m. Commissioner Owen moved, seconded by Commissioner Oestreicher to adjourn. The motion carried unanimously.

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Ashley K. Powell Rick McVey

Administrative Assistant Chairman