MINUTES – APRIL 6, 2020

The Caswell County Board of Commissioners met in regular session at 9:00 a.m. on Monday, April 6, 2020. The meeting was held electronically using Zoom Webinar software. Members present: Rick McVey, Chairman, David J. Owen, Vice Chairman, Sterling Carter, William E. Carter, Nathaniel Hall, Jeremiah Jefferies and Steve Oestreicher. Also present: Bryan Miller, County Manager, Brian Ferrell, County Attorney, and Debra Ferrell representing The Caswell Messenger. Paula P. Seamster, Clerk to the Board, recorded the minutes.

WELCOME

MOMENT OF SILENT PRAYER

Chairman McVey thanked everyone for what they are doing during this time of the COVID-19, the department heads, the employees, and all the citizens of Caswell County.

Chairman McVey opened the meeting with a moment of Silent Prayer.

PLEDGE OF ALLEGIANCE

The Board of Commissioners and all the guests in the attendance recited the Pledge of Allegiance.

Chairman McVey asked the Board to identify themselves before making a comment so that clerk will be sure to list the correct name.

RESOLUTION APPROVING THE REMOTE MEETING PARTICIPATION POLICY OF THE CASWELL COUNTY BOARD OF COMMISSIONERS

Commissioner Owen moved, seconded by Commissioner Oestreicher to approve the resolution approving the remote meeting participation policy of the Caswell County Board of Commissioners. After a roll call vote the motion carried unanimously.

CASWELL COUNTY

RESOLUTION 2020-05

A RESOLUTION APPROVING THE REMOTE MEETING PARTICIPATION POLICY OF THE CASWELL COUNTY BOARD OF COMMISSIONERS

**WHEREAS,** the Caswell County Board of Commissioners acknowledges that there are circumstances that may prevent physical attendance at a meeting; and

**WHEREAS,** the North Carolina State Legislature has acknowledged strides in video and audio attendance to meetings as described in NC General Statute 143-318.10(d); and

**WHEREAS,** the Caswell County Board of Commissioners has determined that remote participation in meetings should only occur in County emergencies and under certain circumstances.

**NOW THEREFORE BE IT RESOLVED** that the Caswell County Board of Commissioners adopts the remote participation policy attached hereto.

This the 6th day of April, 2020.

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

Rick McVey, Chairman

Caswell County Board of Commissioners

Attest:

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

Paula P. Seamster

Clerk to the Board

PUBLIC COMMENTS

The Clerk to the Board read the public comments received via email.

“Dawn Dougherty, 2685 Ridgeville Road, Prospect Hill, I am Pro-Zoning Caswell County. Preserving the Past, Embracing the Future means preserving the agriculture and farming way of life, hunting, fishing, recreation, quiet residential beauty and tranquility here. Polluting industries have targeted this county now, and will continue to do so without zoning. There is nobody in this county who will not be affected in the future by asphalt plants, quarries, toxic dumps, and other noisy, noxious polluters, if zoning does not happen here. People’s land will be worthless, except to the plant next door or the dump down the street. People WILL get sick from toxic air and water. You have the power to do this for Caswell County’s future, please don’t let this slip by again. Our plan here was is to grow my apothecary business, grow organic herbs in my garden for use in my business, and grow a lot of our own food, have bees and possibly chickens. I am a holistic healer, a Reiki Master-Teacher, and I also had planned on building this business in my home, teaching students, as well as having clients come here for healing sessions. If this county had been zoned already, this nightmare wouldn’t be happening right now and I would be sitting in my home learning about beekeeping and planting my new herb boxes, and working on expanding my holistic business. Instead, we are here pleading with you to DO THE RIGHT THING for the future of this beautiful place in the world. The needs of the many outweigh the needs of the few. Everyone here should be terrified of the thought of this county being a welcoming place for companies that want to come in and destroy and pollute for profit, at the expense of our land, air, water, and wildlife. Many people don’t understand that this is for their current and future health and wellbeing, but many of us DO! PLEASE do the right thing for the greater good and future health of everyone in this county.”

“Leslie Zimmerman, 732 Solomon Road, Leasburg and Pat Warren, 36 Main Street, Prospect Hill. Commissioners, thank you and the Caswell County government staff for all you are doing to combat the COVID-19 crisis. We appreciate your work as we all try to stay healthy and safe. On your agenda is a request from a large group of citizens in Southeast Caswell County to start the process for consideration of zoning map and UDO amendments to put into place appropriate zoning in our area. We, as residents of the area to be zoned, are asking you to start a process which will formally allow you and the public to weigh in on this request. By voting in the affirmative, staff will be able to comment on the proposed zoning, the planning board will be able to comment on the proposed zoning, there will be a public hearing, and then you will be able to comment on and vote on the zoning package that is presented to you after the process. This is not a vote for zoning, just an agreement to the residents’ requests to be considered. Prior to sending this request, all of the 700+ property owners in the proposed area were notified by mail and invited to meetings about this zoning. Comments from those who responded are reflected in the proposal we are sending. We have noted broad support for adopting appropriate zoning that will allow residents to continue to use their property as they have but prevent others from introducing industries which negatively impact the current uses and harm the environment and our way of life. Finally, we recognize your work is focused on dealing with COVID-19 right now. You will not have to be involved with this zoning process until the planning board finishes its work. Hopefully, by that time, we will be getting back to a more normal environment. Again, we just want to get things started. We thank you for this consideration and look forward to having the process work as it should to allow everyone the opportunity to debate this request to help us preserve the character of our part of Caswell County.”

“My name is Cornelius Jones. I live at 1630 East Hughes Mill Road, Burlington, NC 27217. I have lived at this address for 38 years. I pay $1,200.00 a year in taxes. I am against the asphalt/ cement plant. I have COPD and take meds. I am glad I came to let you know about the plant you all want to put in to kill the air quality. I know my little $1,200.00 a year is a drop in the bucket to you all. The county doesn't care about the people or property valves on East Hughes Mill Rd. It started with smelly chicken houses. Then a place to house wild animals that you can smell a mile away from them. Where I live, I have over $300,000.00 invested in my property. I may be able to get $50,000.00 for it now. That is if they want to put up with noise and smell.  Thank all of you for hearing what i had to say.”

“My name is Carol Warren. My home address is 4220 Old NC Highway 86 North, Yanceyville, NC, but my husband and I spend time at that address as well as at his home in Prospect Hill. I am requesting that the zoning map and UDO amendments introduced by Commissioner Sterling Carter at your meeting today be passed on to the Planning Board for their review on April 28. I understand that it will come back to you for review after that. Of course, the urgent need for zoning in southern Caswell has become evident to us because of the planned Sunrock quarry and asphalt plant. Sunrock has acknowledged that the absence of zoning here makes it easier for them to locate in Caswell County. With neighboring counties already zoned, I am sure we must look very attractive to undesirable, polluting industries. Southern Caswell definitely needs to be protected from the noise, air pollution, water pollution, and depletion of the groundwater every resident depends on for drinking water.  But that leads to another concern. If other counties have regulations that discourage undesirable industry and we take action to protect Southern Caswell, what is likely to happen in central and northern parts of the county? It seems clear that any part of the county without this type of zoning is left completely vulnerable to Sunrock and the like. There should be no question that we need well-planned, light zoning county-wide to protect ourselves, our homes and our communities. Thank you.”

“My name is Sandy Warren and my mailing address is 4220 Old NC Highway 86 North, Yanceyville, NC. My wife and I also spend time at my home on Highway 86 South in Prospect Hill. I am requesting that the zoning map and UDO amendments for Southeast Caswell/Prospect Hill, introduced by Commissioner Sterling Carter today, be passed on to the Planning Board.”

“Good morning, I am Belinda Layne and I live at 1540 NC Highway 49 N in Prospect Hill. We are very concerned about the prospect of potential pollutant industries in our neighborhood of Prospect Hill.  It is in our best interests to have light zoning in this part (actually all parts) of Caswell County in order to keep these unwanted health hazards away from our homes and farms.  Thank you for your consideration of this matter.”

“Gay Pleasant, 1268 Painter Road, Prospect Hill. Commissioner Sterling Carter is going to submit a proposal this morning regarding badly needed zoning regulations for the Prospect Hill area.  This proposal represents many, many hours of work, research, letter writing, phone calls, meetings, effort and expense on the part of many local citizens.  If it were possible for the public to attend in person today, I can assure you we would have filled the courthouse to capacity.  Now more than ever, we understand that our homes are truly our castles.  We must protect our water wells as we have no other water sources. We must protect our air quality and our way of life.  We must have a measure of autonomy to act in our own best interest.  We sincerely hope you will take our efforts to heart, please approve the proposal today, and send it to the Planning Board immediately.”

(At 9:15 a.m. Commissioner W. Carter entered the meeting.)

RECOGNITIONS

Commissioner Owen recognized all the individuals that have been in the Emergency Operations Center. He added that they have handled this issue very well and have done a great job. Commissioner Owen stated that this is something that was not expected to happen and the county’s staff is doing a great job.

Commissioner Oestreicher seconded Commissioner Owen’s comments. He commended everyone at the EOC especially Jennifer Eastwood for keeping everyone updated with factual, relevant and appropriate information on the COVID-19 virus. Commissioner Oestreicher stated that everyone is being informed about the virus and added that it is recognition of Ms. Eastwood’s hard work and everyone else at the EOC.

ACTION ITEMS

APPROVAL OF AGENDA

Commissioner Owen asked to make an amendment to the Agenda to add a letter from Commissioner Oestreicher to the NC Department of Environmental Quality.

Commissioner S. Carter stated “Mr. Chairman, I would also like to make an amendment to the agenda. We had an appointment to a citizen board and committee that was put on hold and we have individuals that have submitted applications. I feel that this can be handled very quickly today if we add that for the Cemeteries Board of Trustees Committee.”

Commissioner Oestreicher asked if there was a way to publish documents that we don’t have included in the agenda such as the applications. Commissioner S. Carter responded “They are in the office.” Commissioner Oestreicher stated that this would be the first time the Board has seen the applications. Commissioner S. Carter responded “Four individuals reapplied, the individuals were applicants before and we have an additional individual Mr. J.R. Whitt making it a total of five and it would be at this Board’s discretion to select those four.”

Chairman McVey stated that he did not have the list of individuals that applied.

Commissioner Owen stated that he had not seen the new application so therefore he would not be in favor of moving forward in this appointment. He added that none of the committees are meeting now and without the new application he did not want to vote on this committee today. Commissioner Oestreicher responded that this was exactly the point he was trying to make.

Chairman McVey suggested that the appointments to the boards and committees not be added to the agenda. He suggested that the letter to NC DEQ be added to the agenda as Item 10.

Commissioner Oestreicher moved, seconded by Commissioner Owen to approve the agenda as amended. After a roll call vote the motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Owen moved, seconded by Commissioner W. Carter to approve the consent agenda. After a roll call vote the motion carried unanimously.

The following items were included on the Consent Agenda:

A. Approval of Minutes of March 2, 2020 Regular Meeting

B. Approval of Minutes of March 16, 2020 Special Meeting

Commissioner S. Carter stated “Mr. Chairman, one question before I move on to that item, do we have a copy of the DEQ letter in our agenda?” Chairman McVey responded “I have a copy of it; I was assuming everybody had a copy of it.” Mr. Miller responded “The letter to DEQ is not contained in the agenda however it was emailed out early this morning.” Commissioner S. Carter continued “I don’t have it in front of me but I did study it before but I just wanted to make that point.”

ZONING RECOMMENDATIONS

Commissioner S. Carter stated “The zoning recommendation that is before us is of course a request from the citizens of Prospect Hill. I hope you all have had time to study the information that was in the agenda packet. I will try to walk through it very briefly and take questions if you have any. This is a zoning district that I will describe by its boundaries. It begins at the southeast corner of the county heading west to Corbett Ridge Road. It goes north on NC Highway 86 and then north on NC Highway 119. Then it turns north onto Grier’s Church Road and heads east on Ridgeville Road. It goes southeast to Roxboro Lake Road and it goes east to the Caswell/Person County line and then back all the way down to the southeast corner of the county. I think I saw the estimate was 50 to 60 square miles. It includes basically the same structure that we have seen in our zoning presentation in that it has an agricultural/residential use for most of it. It also incorporates the rural districts like in this case the one for Prospect Hill that was presented to us. It allows for of course industrial and heavy industrial classifications but the main purpose of course is to combat against polluting industrial businesses. The map is in your agenda packet and again most of this zoning district is agricultural and residential. The citizen’s request reflects that they want to maintain their property values and their way of life and to prevent other industrial uses to come in other than the ones we are currently facing so it’s to preserve and protect that existing character. This zoning is not new to the county, we have a district for Hyco Lake that’s been in place for a long time and it has served its purpose well. It compliments what we are doing for the rest of the county as far as proposals are concerned and it’s very similar to the example we saw with Person County but it’s not a very complex zoning scenario. This of course has strong support from the residents. We’ve seen time and time again the Courthouse filled with individual citizens from the Prospect Hill area. We’ve had many public comments to that affect. They are trying to maintain their area of the county the way that it has been to prevent any measures that would threaten that and to date as far as the number of property owners in this district, it’s over 700. Those names and addresses are in your agenda packet attached and this is merely again just to send this to the Planning Board. This is not a vote for this specific plan. This is just a vote of confidence to send it to the Planning Board for them to consider and then of course all zoning proposals I think at the end of the day come back to us to deliberate and figure out the necessary details and take all points of perspective into consideration. So this is the recommendation again for this district to go to the Planning Board so that the process can be started on behalf of the citizens of Prospect Hill.”

Chairman McVey stated that he understands that this would have to go to a public hearing later on. Commissioner S. Carter responded “Yes.” Chairman McVey asked how many of the 730 property owners had been notified of this process. Commissioner S. Carter responded “I know there has been a more so grassroots boots on the ground effort from the residents and the concerned citizens. They have attempted to contact all of those property owners. Chairman McVey stated that this is the area they are looking at zoning is 970 parcels which is 25,938 acres. Commissioner S. Carter responded “Sure.” Chairman McVey continued that this would be a property value of $83,400,838 and a taxable value of $78,523,526. Commissioner S. Carter responded “Sure.”

Commissioner Oestreicher stated to Commissioner S. Carter that he understands that the detail for this proposal that was sent out in the earlier packet has been amended specifically to the table of permitted uses which has been modified. Commissioner S. Carter responded “My understanding is that there were slight changes made, yes.” Commissioner Oestreicher stated slight but significant but it is on supplemental regulations instead of permitted uses. Commissioner S. Carter responded “Okay.” Commissioner Oestreicher stated that it is specific to polluting heavy industrial uses. Commissioner S. Carter responded “Yes.”

Mr. Miller stated that the documents were available to display on screen if the Board would like. Commissioner S. Carter asked “The updated ones?” Mr. Miller responded “Yes.” Commissioner S. Carter continued “Yeah, okay.”

Commissioner Oestreicher stated that he thinks the important part here and his concern is that whatever the proposal is that it be consistent with what the County is planning and working towards with the 9 community meetings that are being held as well as the plan that is being put forth by the county manager and the planning director. He added that he thinks it is absolutely imperative that the plan is a kind of ‘rush to judgment’ and the only way it makes sense is if it is consistent with what is done for the rest of the county. Commissioner Oestreicher stated that he has had many discussions with the people in the affected area and there are basically two points of view. He stated that one is people do not want polluting industries and the other is people do not want to be told what they can and can’t do with their land and this needs to be put on a level playing field. Commissioner Oestreicher stated that surrounding counties have restrictions against polluting industries which is the reason they are ending up in Caswell and the only way to make sure everyone is on the same level playing field is to apply the same restrictions throughout the county and are consistent. He added that he recognized that this is what is not being done today but it is what will come back to the Board and if it is not consistent with what the county is doing then he will be vehemently opposed to it but he is not opposed to the map being submitted to the planning board.

Commissioner Owen stated that he agreed with Commissioner Oestreicher. He added that the Board has developed a process for zoning and the Board has also contacted the county’s legislatures and they are working on getting the county the legal ability to put this on the ballot for information. Commissioner Owen stated that he is not in favor of any change to this process and added that the county has a moratorium in place and is protected through for December for any polluting industries listed in that moratorium and he thinks the Board needs to be very careful about following through with this process. He stated that he did not have problem with this going before the planning board for review of consistency but he will not support any jump for zoning until the Board gets through the original process.

Commissioner Jefferies stated that his point of view is to put it on the ballot so every citizen in Caswell County can have their say on zoning. He added that the county has 8 months to get this done. Chairman McVey asked Commissioner Jefferies if he had a problem with this being sent to the planning board. Commissioner Jefferies stated that he did not have a problem with it being sent to the planning board but he would not vote for it.

Commissioner Hall stated that he probably received about a dozen calls over the weekend about this proposal and added that the Board represents all the citizens of Caswell County and not just southern Caswell. He added that the does not support sending this to the planning board and added that if something is going to be sent to the planning board it needs to be for the entire county. Commissioner Hall stated that if this is sent to the planning board the individuals called him will take it that the Board supports this for just southern Caswell and he did not want it to appear that way because he would not support something for one section of the county.

Commissioner S. Carter asked “Mr. Chairman this is a question for Bryan Miller the county manager, if a citizen a group of citizens or that minimum requirement group of property owners with the contiguous parcels, they do not have to come before the Board of Commissioners and request directly, my understanding is they can also go before the planning board, is that correct?” Mr. Miller responded “To the best of my knowledge yes that’s correct, they could present that request to the planning board but ultimately it would be the Board of Commissioners decision on whether or not to move forward with that request.” Commissioner S. Carter continued “Sure, of course. All of these details and all of these concerns I think will be handled at some point but I do believe that it’s going to end up at the planning board to consider because that is one of the rights of the citizens of the county is that they get together and they want to have a zoning proposal to present they can do so and of course it does come before this Board for a yah or nay and I hear mostly nays and that’s okay but I do think that we owe them the process to move forward, that’s my number one comment with this. As far as the table of uses and all of the other detailed components of this plan that is for the planning board and for this Board to consider and walk through, making changes or suggestions or take away when the time comes but this is merely starting the process for them and I think they were just giving us as the Board of Commissioners the courtesy to see this and be transparent from the start before they sent it over to the planning board but what I hear is the consensus mostly is against it and that’s okay. That is why this was brought as a presentation as a proposal today.”

Commissioner Hall stated that he did not see this based on the calls that he received because it was not presented to him as a courtesy to the Board. He added that it was presented to him that the Board needed to pass it on and to instruct the planning board to handle it. Commissioner Hall stated that the Board represents the whole county and not just southern Caswell and if all the citizens want to go to the planning board and bypass the Board he is fine with that.

Commissioner W. Carter stated that he had numerous calls over the last 3 or 4 days and he agreed with Commissioner Hall that this needs to be countywide and not just one section of the county. He added that as far as the zoning he agreed with Commissioner Jefferies that it needed to be put on the ballot.

Commissioner Owen stated that he kind of agrees with what is being said. He added that he really does not have a problem if the Board wants to pass this along to the planning board for review and to make sure it is consistent with all the zoning regulations that the county now has and what may be done in the future but he wanted to make it clear that he would not vote to do any zoning until the county’s process is finalized after all the meetings are done as well as putting zoning on the ballot. Commissioner Owen stated that he did not have a problem with sending it the planning board and if the planning board sends it back to the Board he would vote no until the county’s original process is complete.

Commissioner Oestreicher stated that basically everyone is saying pretty much what he said earlier. He added that this needed to be consistent with what the county is doing and there needs to be a level playing field for all the property owners in the county. Commissioner Oestreicher stated that he appreciates the work that has been done by the citizens in the southeastern part of the county and he believes there is little danger in submitting the map to the planning board to review and to see if it fits in with the plans of the county. He added that he would vote to do this but he believes it is a distraction for what the Board is trying to do for the whole county. Commissioner Hall agreed.

Commissioner W. Carter stated that he did not see the need to send it to the planning board if the majority of the Commissioners were against it.

Commissioner Oestreicher asked if there was a motion to move forward with this. Chairman McVey responded that there is currently no motion. He added that he was going to get a recommendation from the county manager.

Mr. Miller stated that the one thing that the Board has not asked of the planning board is it to start reviewing any document that is considering any zoning, any regulation concerning zoning, for a certain portion of the county or for the entire county. He added that this could be a good opportunity to pass this along to the planning board and to have them start a review of current areas that are planned in the county and to review what the county planner and he has put together in the zoning presentation and to have the planning board to weigh in on how zoning may or could look in the county. Mr. Miller stated that he thinks the supplemental regulations and the requirements that are included in the zoning application are probably more pertinent than the map at this point. He stated that his recommendation would be to send the whole package to the planning board and to review it for consistency. Mr. Miller stated that he thinks it would be a nightmare to have different zoning regulations for different areas of the county because it would be a nightmare to administer. He reminded the Board that the Planner will be out for an entire month.

Commissioner Owen moved, seconded by Commissioner W. Carter to accept the county manager’s recommendation to submit this to the planning board to review for consistency with what the county already has in place and what the county plans to do.

Commissioner Hall asked if this would be for the southern part of Caswell County only. Commissioner Owen responded that he did not identify a particular location; it is for the whole county.

Upon a vote of the motion through roll call, the Board voted unanimously.

RESOLUTION AUTHORIZING THE CASWELL COUNTY BOARD OF COMMISSIONERS’ CHAIRPERSON TO SIGN DISTRIBUTION REQUESTS FOR ALL NEEDS-BASED PUBLIC SCHOOL CAPITAL FUND NORTH CAROLINA EDUCATION LOTTERY GRANT

Mr. Miller stated that as the Board is aware the County and the School System received a $15 million needs-based grant to help with the construction of the Bartlett Yancey High School project. He added that as part of this project there is a 3 to 1 match and having said that the county has to make distribution requests to the Department of Instruction to be able to draw down those funds and to do this the Chairperson of the Board of Commissioners and the Chairperson of the Board of Education’s signature is needed. Mr. Miller stated that this resolution authorizes the chairperson to sign these documents to draw down the funds without having to come back to the Board every time for approval.

Commissioner Hall moved, seconded by Commissioner Jefferies to approve the resolution.

Commissioner Oestreicher asked if the Board had the resolution in writing anywhere and he asked what it would look like. Commissioner S. Carter responded “It’s in the agenda.” Commissioner Oestreicher stated okay.

Upon a vote of the motion by roll call, the motion carried unanimously.

RESOLUTION AUTHORIZING THE CASWELL COUNTY BOARD OF COMMISSIONERS’ CHAIRPERSON TO SIGN DISTRIBUTION REQUESTS FOR

NEEDS‐BASED PUBLIC SCHOOL CAPITAL FUND

NORTH CAROLINA EDUCATION LOTTERY GRANT

**WHEREAS,** the Caswell County Board of Commissioners is a political subdivision existing under the laws of the State of North Carolina vested with the powers and authority conferred upon counties by the laws of the State of North Carolina, acting through its Board of Commissioners; and

**WHEREAS,** on June 18, 2018 the County Board of Commissioners adopted a Bond

Order as provided for by the Local Government Bond Act to authorize the issuance of general obligation school bonds of the County "to pay capital costs of providing capital improvements to acquire, construct, improve, expand, renovate and equip County public school facilities including safety and security improvements to County schools and improvements, construction and renovation at the County's high school, and including related financing costs and other necessary or incidental costs" and providing that taxes will be levied in an amount sufficient to pay the principal of and interest on the bonds so issued, (hereinafter referred to as the "Bond Order"), and the said Bond Order was approved by a majority of County voters in the manner provided for by law on November 6, 2018; and

**WHEREAS,** the County Board of Commissioners voted to proceed with long-term financing of certain costs, including financing costs and other necessary or incidental costs in accordance with the Bond Order, of improvements, renovations, construction and equipping of Bartlett Yancey High School (hereinafter referred to at times as the “Bartlett Yancey High School Project" and sometimes as the “Project”) through the Community Facilities program of the United States Department of Agriculture, Rural Development (hereinafter referred to as the "USDA"), because USDA offers a financing term at an interest rate more advantageous to Caswell County than other available financing options; and

**WHEREAS,** in October of 2018 the County was awarded a grant by the North Carolina

Department of Public Instruction in the amount of $15 million from the Needs-Based Public

School Capital Fund that was established by the North Carolina General Assembly pursuant to

Session Law 2017-57, Section 5.3, as modified by Session Law 2017-212, Section 1.1 and

Session Law 2018-5, Section 5.3 to be used for construction of new school buildings at Bartlett

Yancey High School, and such grant includes conditions including a matching fund requirement for the County to provide one dollar in local funds for every three dollars provided under the grant as well as required project review by and reporting to the North Carolina Department of Public Instruction; and

**WHEREAS,** the County Board of Commissioners and the Board of Education desire the

County to finance the costs of the Bartlett Yancey High School Project pursuant to the powers and authority granted by North Carolina law utilizing funds received under the above-described grant and from the issuance of notes and/or bonds under the above-described Bond Order; and

**WHEREAS,** the receipt of funds from the Needs-Based Public School Capital Fund, the USDA and any other lender or underwriter providing interim or long-term financing for the Bartlett Yancey High School Project (each, hereinafter referred to individually as a "Funding Source" and together, collectively as the "Funding Sources"), is subject to a number of requirements and conditions to be fulfilled in a timely manner and as holder of the Supervisory Powers the Board of Education agrees to cause such requirements and conditions to be fulfilled and to present the County Board of Commissioners in a timely fashion with all instruments, agreements and other documents for review and approval as needed; and

**WHEREAS,** the County Board of Commissioners is committed to providing timely payments to Architects, Engineers, Contractors and anyone contracted by Caswell County in conjunction with the Bartlett Yancey High School Project; and

**WHEREAS,** the North Carolina Department of Public Instruction Needs-Based Public School Capital Fund Grant requires the authorization from both the Chairperson of the Caswell County Board of Commissioners and the Chairperson of the Caswell County Board of Education to draw down funds associated with the grant;

**NOW, THEREFORE,** be it resolved by the Caswell County Board of Commissioners, the Chairperson of the Caswell County Board of Commissioners may sign all North Carolina Department of Public Instruction Needs-Based Public School Capital Fund Grant Distribution Request forms in conjunction with the local match of 1:3 to draw down funding provided by the Needs-Based Public School Capital Fund Grant. Before signing the documents, the documents must be reviewed and approved by both the Board of Education Finance Department and the Caswell County Local Government Finance Department. The signed Distribution Request forms will be provided as information to the Caswell County Board of County Commissioners on a quarterly basis at the meeting where updates are given on the Bartlett Yancey High School Project.

This the 16th day of March, 2020.

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

Rick McVey, Chairman

Caswell County Board of Commissioners

Attest:

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

Paula P. Seamster

Clerk to the Board

NORTH CAROLINA DEPARTMENT OF

ENVIRONMENTAL QUALITY (NC DEQ) LETTER

Commissioner Oestreicher stated that as he mentioned in the Board’s last regular meeting the citizens of the county has asked the Board to do something about new polluting industries coming into the county and one existing coming into the county. He added that the Board has had many discussions but he did not believe that the Board has made a clear enough statement to the citizens about the Board’s position on this so to deal with that he prepared a letter for the Board’s review. Commissioner Oestreicher stated that there is one amendment he would like to make and that is that the Department of Air Quality also receives this letter. He suggested reading the letter to everyone since the print is very small on the screen with this modification and he asked if the Board would like for him to read the letter. Commissioner S. Carter responded “Yes.” Commissioner Oestreicher read the letter with the changes to include the North Carolina Department of Air Quality.

Commissioner S. Carter asked “Mr. Chairman, a couple of points, with the references to DEQ throughout the letter we are adding DAQ, is that correct?” Commissioner Oestreicher responded “That’s my desire to send it to both departments with that minor modification.” Commissioner S. Carter continued “Right. With the attachment I’m hoping that we could add the public comments that we received today to that number if that is okay.” Commissioner Oestreicher responded “That’s fine with me.” Commissioner S. Carter stated “And then my final point is I would hope that that all commissioners could sign this document.” Commissioner Oestreicher responded “I think that if we have commissioners that vote no or not agree to this I would not want it to go with missing signatures.” Commissioner S. Carter continued “Sure. Well if it is unanimous I would hope we could all sign it.” Commissioner Oestreicher responded “Yes sir.”

Commissioner Hall stated that he understands when some resolutions are approved that there may be a benefit for all commissioners to sign them but when conducting the business of the county one of the roles of the chair is to sign the Board’s documents and he did not have a problem with the chair signing this letter and to get it in the mail. Chairman McVey responded by saying that he thought that was the intention in the beginning and that he was going to go ahead and sign it if it were approved by the Board.

Commissioner Owen stated that he agreed and that the chairman should sign on behalf of the Board.

Commissioner Oestreicher stated that he knew that Commissioner S. Carter would want to full Board to sign the letter but the statement of the consensus of the Board kind of deal with this issue. Commissioner S. Carter responded “It does, I just thought when we have a document of this caliber going to a state department like that I think having all of the signatures shows a more visible solidarity but I have no problem with the Chairman signing it. It’s just I feel like it would be a more impressive visual effect to that department if they see the solidarity behind it but I have no problems with it otherwise. I would move that we approve the letter as amended.”

Commissioner S. Carter moved, seconded by Commissioner W. Carter to approve the letter as amended. After a roll call vote the motion carried unanimously.

COVID-19 UPDATE

Ms. Jennifer Eastwood, Health Director, updated the Board on COVID-19 pandemic. She stated that the number had not been updated today but there are 2,585 cases in North Carolina and that is 89 out of the 100 counties. She added that there have been 31 deaths and there are currently 261 individuals hospitalized. Ms. Eastwood stated that North Carolina has performed more than 40,000 tests statewide. She stated that Caswell County had its second case of the weekend when notification was received from the State lab. Ms. Eastwood stated that this case is pretty much last the case from last week’s positive in that the individual was exposed at work and the only individuals this person came in contact with was individuals at work and immediate family and the Health Department did make contact with those individuals to make sure that those individuals were quarantined to their homes and what to do if they had symptoms. She added that they have been working on communications for the last 3 weeks to make sure that information is being pushed out to the public and making sure that the county is ahead of what is coming and added that the county seems to be 2 to 3 weeks behind North Carolina. Ms. Eastwood stated that the epicenter is around the Charlotte are and added that things seem to be ramping up around this area so she urged everyone to continue to stay at home as much as possible. She added that on Saturday she noticed a lot of people out and about and she did not think people were taking this seriously. Ms. Eastwood stated that if you have to go out do not take other members of the family, stay 6 feet away from others, and avoid crowds of more than 10 people. She asked if anyone had any questions.

Commissioner Oestreicher thanked Ms. Eastwood for everything she is doing in this area and I have tried to repost her postings that were appropriate to the County but he wanted to know how she vetted or validated the information that she has received so he would know that it reflects the truth. Ms. Eastwood responded that when the Health Department posts a positive it comes through the State Lab and the other test results are showing up in the North Carolina Electronic Disease Surveillance System which is what the Health Department uses for all communicable diseases. She stated that they have asked the community health partners, the Caswell Family Medical Center and the Prospect Hill Community Health Center, to call in every day by 4:00 and they have been doing that and they have been in touch with the Brian Center, the Work Farm, and the Prison, and getting information from these community partners as well. Commissioner Oestreicher stated that this was exactly what he wanted to hear. Ms. Eastwood stated that if people want to see more of the data they can go to the North Carolina Department of Health and Human Services website because they have started a dashboard that has a lot of extensive information. Commissioner Oestreicher asked if Ms. Eastwood could send out a bulletin with the URL and that information so he could send it through this social media and to post it to the Caswell County Government website as well. Ms. Eastwood responded that she would do this.

Commissioner S. Carter asked “Mr. Chairman, a question for Ms. Eastwood, are we doing anything at the Health Department in regards to telemedicine, I see that the medical center is performing those services?” Ms. Eastwood responded that the two nurse practitioners have been investigating options and they did learn on Friday that that Health Department is part of a clinically integrated network with Community Care Physicians Network and they have reached a group purchasing deal with a telehealth vendor and they will be covering the cost of that and the Health Department hopes to go live with that next week. She added that the Health Department is splitting up how they see patients in that they are seeing well patients in the morning and sick patients in the afternoon. Ms. Eastwood stated that the Health Department is trying to no see people unless it is medically necessary and a lot of visits are being done by telephone without the video portion of it. Commissioner S. Carter continued “That’s great. Thank you so much.”

COUNTY MANAGER’S UPDATES

Zoning Community Meetings Update

Mr. Miller informed the Board that for the time being the scheduled Zoning Community Meetings have been postponed and these will be rescheduled once the COVID-19 has passed and this information will be given to the public once the meeting has been rescheduled.

State of Emergency Amendment and Extension

Mr. Miller updated everyone about the State of Emergency amendment and extension and added that the previous State of Emergency has been extended until it is rescinded by the Board or the Chairman. He added that this was amended to be consistent with Governor Cooper’s Executive Order 121. Mr. Miller stated that the clerk did a good job getting the State of Emergency out and for disseminating it to the news organizations.

Health Insurance Update

Mr. Miller informed the Board that the County Employees Health Insurance will increase by 1.3% and this is compared to last year’s projection of a 49% increase in premiums. He added that with this as being self-insured and seeing a 1.3% increase is really good and will help the Board during the budgeting process. Mr. Miller stated that the county plans to keep the plans as they are and keeping the $15 per employee payment share in place.

Commissioner S. Carter stated “Mr. Chairman, I just want to thank all the staff for their work on that. That’s remarkable that that’s where we are at currently compared to how we’ve been in the past with the scares that we’ve seen before so I want to thank Mindy and the rest of the staff for their work on a lot of that.”

Emergency Services Personnel Families First Act

Mr. Miller stated that he knew that the Commissioners are aware of the Families First Act that has recently came out which gave 80 hours of sick leave to someone who met four, five or six conditions that had to do with COVID-19 or dealing with a family member that is affected by COVID-19. He added that one of the provisions in this is that the County could exempt the emergency services personnel from the Families Act so this would mean that the emergency services personnel would not receive the 80 hours upon request. Mr. Miller stated that the reason this was put in the Families First Act is because there is a potential that an entire department could be scheduled off due to COVID-19 and it would prevent the department from being able to provide the services needed. He added that he spoke with the Sheriff, 911 director and Emergency Services director and they all agree to exempt the emergency services personnel from the Families First Act but the county should continue to work with them to meet their needs regarding COVID-19, childcare or whatever the case may be. Mr. Miller stated that unless there is strong opposition from the Board, emergency services personnel will be exempt from the Families First Act.

Commissioner Hall stated that before the county does this he would like to see the county come up with an alternative because he would hate to say that the county is going to exempt emergency services personnel and not have an alternative to cover them in case of medical emergencies. He added that he knew from the reports on the news that these are the individuals that are getting the COVID-19 at a higher rate than anyone else. Commissioner Hall stated that he understood the rationale for the provision but he would like to offer an alternative. Mr. Miller responded that this could be done.

Code Red Alternative

Mr. Miller informed the Board that the county is looking for an additional platform similar to Code Red but more informationally based rather than emergency based to push out information to the public. He added that if a platform is found he plans to move forward with the purchase of that platform if it can be purchased within the current budget. Mr. Miller that that he did not believe that Code Red is the platform to push out informational calls but he did believe that the county should be informing its citizens about things going on in the county. He stated that unless there is a strong objection from the Board the county is going to move forward with procuring a platform or purchasing a platform to be able to send out those informational things.

Commissioner Oestreicher commended the county manager for taking this on and added that he thinks it is an excellent solution to the situation. He added that it is very difficult to get information out to the residents due to spotting internet coverage and there is not a newspaper that covers the entire county. Commissioner Oestreicher stated that he thought it was an excellent idea and he knew that it would make a lot of the residents very happy to have this information and he fully supports the idea.

Commissioner S. Carter stated “Mr. Chairman, I just wanted to add my comment that I agree wholeheartedly with Commissioner Oestreicher and that it’s long overdue.”

Commissioner W. Carter agreed with Commissioner Oestreicher. He added that he wanted to thank the county manager and Ms. Eastwood for the job that they are doing. Commissioner W. Carter stated that he wanted to correct Commissioner Oestreicher on the fact that the county does have a countywide newspaper, The Caswell Messenger. Commissioner Oestreicher thanked Commissioner W. Carter for his comment and added that if the citizens are asked they either don’t subscribe to the Caswell Messenger or it is not a sufficient vehicle to cover the county in great depth.

Economic Development

Mr. Miller stated that he has asked the economic developer to be on the call today to let the Board know from an economic development standpoint what is going on in the county amidst the COVID-19 crisis but the IT director just informed him that she is not on the call so she may be experiencing internet issues. He added that she did send him an update via email. He stated “The Caswell Economic Development, The Chamber of Commerce and the Caswell Health Collaborative have had discussions and came to the conclusion that we need to work together to effectively help our community navigate and interpret the vast amounts of resources and programs being sent to our businesses, nonprofits and individual citizens. To our community, we wanted to inform you that a partnership of Caswell County Economic Development, The Caswell Health Collaborative and The Caswell County Chamber of Commerce is working to access, review, and sort through the myriad of assistance notices flooding our email in-boxes, the news and social media. A summary of the options that are viable for Caswell businesses, nonprofits, and workforce will be shared by the middle of April to assist those folks. In the meantime, should you have immediate questions, please do not hesitate to connect with us: Caswell County Economic Development – Cori Lindsay, clindsay@caswellcountync.gov, Caswell County Health Collaborative – Shannon Moretz, smoretz@caswellmedical.org, Caswell County Chamber of Commerce – Amanda Hodges, amanda@caswellchamber.org. We will be providing a detailed list of local, state and federal resources and programs available to our community along with a guide to help them think through possible suggestions and solutions during this unprecedented time. In the meantime, the three steps all businesses and nonprofits should take are as follows. First, businesses and nonprofits should start tracking their losses based on historic financials. Second, contact their insurance agent to see if they have coverage that will help with business interruptions. This will vary by policy. Third, contact their local banker where they have an established relationship and accounts to see what options they have immediately available. This is a brief summary of the main programs businesses may look at accessing: Federal Small Business Administration Paycheck Protection Program (PPP) • Businesses, cooperatives, sole proprietors, most nonprofits with less than 500 employees • Maximum of $10 million, based of 2.5 times your average monthly payroll but can be used for payroll, rent, or utilities • Loan payments may be deferred for 6 months and you may qualify for loan forgiveness Economic Injury Disaster Loan (EIDL) • Businesses, cooperatives, sole proprietors, most nonprofits with less than 500 employees • Maximum $2 million working to be used for capital loan Express Bridge Loan (Pilot Program) • Immediate short term loan of up to $25,000 • Can only be applied through “SBA Express Lenders” • Businesses need to have a previous relationship with the lender State of North Carolina NC COVID-19 Rapid Recovery Loans • Maximum of $50,000 based on two months of revenue • 6 months,, not interest, no payments with interest and payments starting on month seven • Applications can be submitted through NC Rural Center, Thread Capital, Carolina Small Business Development Fund, or Self Help Credit Union with funding provided by Golden Leaf Foundation We will continue to work diligently to help our community access all the resources and programs available to them. But we also want to help them understand all their options and how accessing these programs may affect them going forward.” Mr. Miller stated that he would be glad to share this information and he was also going to give a copy to the clerk to include in the minutes. He stated that if anyone is interested in any of these programs they can contact him directly at 336-694-4193. Mr. Miller stated that that he would be happy to answer any questions on any update that has been given. He added that the finance director has been tracking sales tax numbers. Mr. Miller stated that the county did get guidance on the sales tax numbers which will not necessarily impact the 2019-2020 fiscal year but the biggest impact would be in the 2020-2021 fiscal year so this needs to be kept in mind during the budget process.

Commissioner W. Carter asked the county manager when the Board would be getting the budget materials. Mr. Miller responded that the finance director has been working very hard on both the budget and with implementing the new finance software which has been a pretty rigorous process for her since she has been in training for the last 3 weeks at least 3 to 4 days a week so he anticipates the Board getting copies of the budget sometime in May, hopefully the first to the middle of May. Commissioner W. Carter stated that he has said this before but the county should be well ahead with the money coming in for Inspections. He added that he had noticed that the timber had been clear at the Pelham Industrial Park and he asked for an update on the project. Mr. Miller responded that this is correct and that Project CEAD is moving along well and added that Board should have a resolution to approve at the next meeting which is basically an agreement that transfers the land in Pelham to Piedmont Community College to act as a match so that PCC can draw down the $1.5 million that the state has through its grant process. Commissioner W. Carter stated that the county manager mentioned the economic developer and he knew that the county had to file something this year on the county airport that was being looked into to stay in status on the funding and he asked for a status on this. Mr. Miller responded that in the discussions that he has had with the state regarding airports is that there are two small portions of land in Caswell that meet the criteria to get an airport in Caswell. He knew that the money available is about 90 to 95% to build an airport but there is long process to go through and the county would have to be included in the state and federal aviation plan to be considered to be put on the list and then it is a timing game of who is approved on who, what, when and how. Commissioner W. Carter stated that the next step is for the Board to decide to look into an airport or to just forget it.

Mr. Miller asked the Board if there were any other questions.

Commissioner S. Carter asked “Mr. Chairman, I have one, just an update on how the childcare services were going for the county employees?” Mr. Miller responded that what has been found is that these services were not really being used and the county employees really did not need this service. He added that there was a total of 2 participants for the entire time and one was there for 4 or 5 hours and the other child was not there for very long either. Mr. Miller stated that when Governor Cooper came out with Executive Order 121 and limited gatherings to 10 or fewer people the Library was closed and staff was asked to leave and there have not been any county employees that have asked for childcare since so he did not believe there was a need for it in the first place. Commissioner S. Carter continued “Thank you.”

Commissioner W. Carter stated that he would like to applaud the county manager, Jennifer Eastwood, and other county employees for all that they are doing during this epidemic.

COMMISSIONER COMMENTS

Commissioner W. Carter stated that he knew that this is a trying time for everyone and he appreciated all the efforts from the county employees and department heads. He added that it was a very good report from Jennifer Eastwood and the county manager this morning. Commissioner W. Carter stated that he knew the county would get through this in just a matter of time and he only knew of 2 cases in Caswell County and he appreciated everything that everyone is doing.

Commissioner S. Carter stated “Mr. Chairman, just a comment, despite the county only have 2 cases I would just exhort our citizens and business owners throughout the county to heed the advice of our local health director, the North Carolina Department of Health and Human Services and CDC, about the gatherings limitation or restriction rather and the distancing requirement as well as the comments that Jennifer added today about taking trips though they be essential trips your whole family doesn’t have to pile up in a car and go to Dollar General and be exposed to who knows what at this time but I just hope that they will take it seriously and move forward so that we don’t have any more cases than necessary as the curve declines when that happens.”

Commissioner Oestreicher stated that he would like to echo and agree with Commissioner Bill Carter’s comments about going through difficult times and he thinks it just shows the quality of the county employees. He added that he was delighted that the employees have stepped up and are doing such a good job. Commissioner Oestreicher stated that he would like to say that this meeting has gone exceptionally well and he could not be more positive about the way it worked out and the way that everyone has participated according the precepts of how to get recognized and speak as well as the quality of the connections. He added that he is just amazed because it looked like the Board has been doing this for years and he thanked all of the participants for doing such a good job to make this meeting really productive and smooth.

Commissioner Owen stated that he agreed with all the sentiments that have been said and he wanted to remind the citizens that the county is behind the curve and he asked that the citizens bear on the side of safety because he did not want to see anyone else to contract this virus. He asked everyone to please adhere to what the health director said earlier. Commissioner Owen stated to the citizens of Caswell County that the employees are working hard to prevent this thing from becoming any worse than it has to be and asked that they adhere to the regulations and restrictions.

Commissioner Hall stated that everyone knew that the county is going to get through this but when it is over the county will have some financial issues that the Board will have to deal with. He added that he is glad to know that staff is looking at the sales tax receipts but he would be surprised if the 4th quarter receipts are not impacted by the COVID-19. Commissioner Hall asked that staff also look at the impact of the bond payments for the next year if the sales tax goes down. Commissioner Hall stated that his second comment has to do with the school system. He stated that there is a system in place where the county appropriates funds and those funds are transferred monthly on an equal basis. Commissioner Hall stated that the schools are not in session so his first question is, is the school spending the money in equal basis that is appropriated and the answer should be yes or not. He added that once the county appropriates funds is the county can’t take it back so that means to him that once the Board starts the budget process the Board will have to appropriate monies different next year. Commissioner Hall stated that the students are going to be behind and the school board needs to tell the Board how it plans to catch the students up and this may be year round school, summer school, or something extra but whatever it is it is going to cost and the Board needs to know upfront before starting the budget process how much this is going to cost and where the monies will come from especially if the school system is not spending all of the monies they are getting now. He wanted to the Board to start thinking about this and maybe discuss it at the next meeting.

Commissioner Jefferies thanked the county manager and all of his staff for everything that has been done and is being done. He thanked the county manager for allowing the employees to work from home if they can. Commissioner Jefferies stated that a lot of people in Caswell County are laid off and money is going to be short when it comes to paying taxes so the Board needs to look at all the options because with the COVID-19 nothing can be done about it. He added that he appreciated the job that everyone is doing.

Mr. Miller stated that he wanted to thank the folks that have been helping the county at the Emergency Operations Center – Donnie Powell, Marcy Williams, Barry Lynch, Jason Watlington, Kenneth Everett, and Josh Benfield. He thanked David Norris who is responsible for today’s meeting going as well as it has and Paula who has worked hand in hand with David to put this system together. Mr. Miller stated that this has been a real team effort. He added that Jennifer and he are able to do what they do because of the people who support them and he added that those people don’t often get recognition so he thanked those individuals.

Commissioner Oestreicher stated that he believed that the Board received a concern about suspending tax foreclosure due to COVID-19. He stated that the water department has suspended shut-offs and he believes that the electric company has done the same and he asked what the Board’s and the tax director’s feelings on tax foreclosures if a person is out of work and can’t make their tax payment. Chairman McVey responded that this is something that the Board needs to get with the tax director on at the next meeting. Mr. Miller responded that there has been some specific guidance from the School of Government about which tax payments that can be deferred and which ones cannot be deferred so he thought a thorough analysis of this information needs to be gone through before the next meeting or before any decisions are made.

Commissioner S. Carter asked “Could you email that to us?” Mr. Miller responded that he would look for what he could find because he thought this may have been in a blog post or an audio discussion.

Commissioner Oestreicher stated that he would like to put this on the agenda for the next meeting. Mr. Miller responded with an okay.

Commissioner W. Carter stated that he knew that a lot of people will be out of work and Caswell County is like a bedroom community where individuals travel to work but a lot of people are temporarily out of a job right now and he would be in favor of doing something for those individuals for the taxes.

Commissioner Hall stated that he was still concerned about the $57 million that was out of balance with the financial statements. He added that if the Board is looking at helping taxpayers the first thing the county needs to do is to make sure that the books are correct and he would like to see that reconciliation. Chairman McVey responded yes sir and added that he thinks they have been working on that. Commissioner Hall stated that this was brought up in January and now it is April. He asked how $57 million could be lost and no one can seem to find it. Chairman McVey responded that he was sure that this has been being worked on but he did not have any reports on it but he was told that the auditors were working on it.

Commissioner W. Carter stated that he had a paper from the tax office but he thought it was a mistake by the auditors when the county switched over with to the fire districts and he thinks this is where the money is off.

Commissioner Oestreicher stated that he agreed with Commissioner Hall and that the Board needed an explanation on the $57 million. Chairman McVey responded that he would see that the Board could get an explanation at the next meeting.

Commissioner W. Carter stated that he would be glad to give the county manager the paper he received from the tax director explaining everything.

Commissioner Hall stated that he did not want an explanation; he wanted a reconciliation on how the numbers tie in. Chairman McVey responded okay.

ANNOUNCEMENTS AND UPCOMING EVENTS

A. 113th NCACC Annual Conference – August 13 – 15, 2020 – Cabarrus County

Concord Convention Center

ADJOURNMENT

At 10:56 a.m. Commissioner Owen moved, seconded by Commissioner S. Carter to adjourn. After a roll call vote the motion carried unanimously.

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Paula P. Seamster Rick McVey

Clerk to the Board Chairman

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