MINUTES – MAY 4, 2020

The Caswell County Board of Commissioners met in regular session at 9:00 a.m. on Monday, May 4, 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 opened the meeting with a moment of Silent Prayer. He asked everyone to remember all the frontline people, emergency staff, and the individuals that are sick in your prayers.

PLEDGE OF ALLEGIANCE

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

BOARD OF EQUALIZATION AND REVIEW

Commissioner Owen moved, seconded by Commissioner S. Carter to recess the meeting of the Caswell County Board of Commissioners in order for the Board to reconvene as the Board of Equalization and Review. After a roll call vote, the motion carried unanimously.

Commissioner S. Carter asked “Mr. Chairman, Sterling Carter again, I was absent at the last meeting, this is a question for either Brian Ferrell or Ms. Seamster do I need to be sworn in separately or does the last meeting count?” Mr. Ferrell responded that Commissioner S. Carter will need to be sworn in certainly before the Board begins to hear evidence on any quasi-judicial appeal and if the clerk has the oath it can be administered now.

Ms. Paula Seamster, Clerk to the Board, administered the following Oath of Office to the Caswell County Board of Equalization and Review.

OATH OF

BOARD OF EQUALIZATION AND REVIEW

Ido solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and I will faithfully discharge the duties of my office as a member of the Caswell County Board of Equalization and Review, and that I will not allow my actions as a member of the Board of Equalization and Review to be influenced by personal or political friendships or obligations, so help me God.

S/Sterling Carter **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Sterling Carter**

Mr. Bernard stated that he had one written appeal that was turned in on Friday. He added that the property owner has an appraisal and that appraisal will be gone through to compare apples to apples and once all the COVID-19 is over the Board will be able to hear the appeal in person.

Mr. Ferrell asked Mr. Bernard to identify the taxpayer and the parcel number. Mr. Bernard responded that the tax map is 72 and parcel 79 and the taxpayer is Bryan Miller. Mr. Ferrell stated that there is one appeal to hear and the adjournment date is today. He added that legislature passed late last week Senate Bill 704, in which he expects to be signed into law this week, which provides guidance on quasi-judicial hearings where an appeal can be heard during states of emergency when the boards are unable to meet in person. Mr. Ferrell stated that the county can work with the person to have an in person appeal if the state of emergency is no longer applicable or in light of the new legislation the county will be able to conduct the quasi-judicial hearing either way the appeal will be heard. He asked Mr. Bernard and the clerk if there were any other appeals. Mr. Bernard responded no. The clerk responded no.

Commissioner Owen moved, seconded by Commissioner S. Carter to adjourn the Board of Equalization and Review. After a roll call vote, the motion carried unanimously.

BOARD OF EDUCATION

BUDGETARY CONCERNS

Chairman Gladys Garland called the Board of Education to order.

Chairman McVey asked Dr. Carter to state where the School System stands regarding the budget and the County is looking at decreasing county funding and the County wants to know where every department is at before making decisions. Dr. Carter responded that the School System has submitted its budget request for next year. She added that what she is going to share is related to COVID-19. Dr. Carter stated that staff has been doing an amazing job and that this week is School Staff Appreciation Week and it could not have come at a better time with what the teachers and staff are doing with remote learning as well as the feeding program, with Transportation and Food Nutrition. She stated that there are 12 sites throughout the County where there are pick up opportunities for families. Dr. Carter stated that approximately 5,000 meals are served per week and that is down from what is normally served in a week for the school system so the school system is losing revenue for about 3,000 meals each week. She stated that the Board of Education voted take money from its fund balance to pay the frontline workers time and a half which is what most districts are doing so there is a loss there as well. Dr. Carter stated that if COVID-19 continues through June the School System will lose approximately $86,000 in the Child Nutrition Program and that is just from revenue loss. She added that making meals, packaging, and deliveries cost more money. Dr. Carter stated that over Spring Break items were more expensive because they had to be order shelf stable. She added that all the equipment that staff needs to stay safe such as sanitizers, etc. She stated that Transportation is funded by the State and the buses are being used for food delivery as well as Driver’s Ed vehicles. Dr. Carter stated that one item that the School System does not have funding for is the One to One Initiative chrome books have a life of 5 years and on June 30th that life ends. She stated that the Board of Education at its last meeting voted to purchase 1000 chrome books as a starting point and the text book funds were utilized for this and she added that there is still a need for 3,000 more chrome books. Dr. Carter stated that she is hoping this additional money will come from the CARES Act funding but until the Governor signs the county will not know what amount will be sent to Caswell County. She stated that the $97,000 that was received was to be used towards the Summer Reading Program so there is a need for remediation and recovery programs for the 3rd grade. Dr. Carter stated that many students have internet access for online learning but some students do not. She added that no one knew what reentry into the schools would look like this fall and what it would require. Dr. Carter stated that the social worker’s employment contract runs out this year and the school system needs 2 or 3 social workers. She stated professional development is a need for the staff with online learning. Dr. Carter stated to Chairman McVey’s question is she can only estimate what the losses will be. She added that salaries are 75% of the budget. Dr. Carter stated that the schools are still open but there is a little less utility cost but they are spending more in other items.

Commissioner Hall stated that his questions were more academic than budget. He asked what percentage of the students is able to use remote learning. Dr. Carter responded that all of the students are on remote learning. Commissioner Hall asked how many can actually use remote learning. Dr. Carter responded that the State considers remote learning through paper packages where the teacher calls them on a weekly basis or daily basis or remote learning can also be online. Commissioner Hall asked for the percentage of the students that can do remote learning online. Dr. Carter responded that none of the elementary students are not online because they do not have the devices and with the middle and high school students it is roughly 60 to 70%. She asked the Board to not hold her to these numbers because she has not talked to the principals. Commissioner Hall asked what the plan is to evaluate the students that may have gotten behind. Dr. Carter responded that the first thing it to make sure the School System has the funding to offer summer remote learning opportunities. She added that it will depend on what the State requires on distance learning but there needs to be some type of program for these students. Dr. Carter stated that these are called Recovery Classes at the State level in regards to COVID-19. She stated that once the School System knows what is available for funding and board approval the School Systems plans to offer a summer recovery program for the students. Dr. Carter stated that August 17th could be the first day of school and there is a lot that needs to occur between now and then. She stated that she hopes the CARES Act will fund this summer recovery program but this will not be known until the money is received. Commissioner Hall stated that it appears to him that the county may be moving towards year round schools for at least 2 years. He added that he did not think remediation for a couple of weeks will not help the students because a half of a semester was lost and those students had to get behind. Commissioner Hall stated that he hoped the School Board would be thinking about what is needed for educational purposes then let the Board know soon and not wait until the summer to figure out what is needed. He added that the School System needs to make sure that the students once completing high school can compete in the real world. Dr. Carter responded that she agreed 100% but right now she is waiting to see what funding is going to be available and once she has that she will be ready to make a plan and carry it to the School Board. She agreed that it could not be done in one summer and that it will be a long process but funding is needed to do this. Commissioner Hall asked what is being done for the graduating seniors. Dr. Carter responded that the State Board came out with very clear guidelines in March for seniors a far as graduation. She added that the guidelines were sent to every senior and Mr. Stokes had the opportunity meet with them on these guidelines. Dr. Carter stated that the grades were an individualized decision but she knew there were more options with the seniors this year than ever before because the State did not want to penalize any senior from graduating. Commissioner Hall stated that he understood this and he read those guidelines but his concern is if the seniors are academically ready to go on to college or to go into the work force. Dr. Carter responded that the seniors are academically prepared as any other student across North Carolina. Commissioner Hall stated that he was pushing for Caswell County. Dr. Carter responded that she thought the school system is doing an amazing job and she was not going to say that the seniors are not ready because they are prepared as they possibly can be. She added that there are students who are excelling and are going to the finest universities this fall. Dr. Carter stated that there are 5 or 6 students that the school system cannot find and they are trying to find them. She added that the teachers and the students are doing as good as any other school system in North Carolina. Commissioner Hall stated that he did not mean to come across so blunt but he was just concerned about the education and he appreciated Dr. Carter’s responses.

Chairman McVey asked about how the fund balance for the school system stood. Dr. Carter responded that the unrestricted fund balance is right at $2 million. She added that the Board dipped into this for emergency needs so it is less than it should be.

Commissioner Owen asked why the Chrome books were only usable for 5 years. Dr. Carter responded that the licenses expire on the Chrome books after 5 years so they are no longer usable but they can be used for parts. She added that the Board of Education purchased 1000 chrome books but there is a need for 3,000 more which will allow them to be put at the elementary school level especially the 3rd through 5th grades.

Commissioner S. Carter asked “Mr. Chairman, just a quick question, what does a chrome book cost?” Dr. Carter responded around $300 to $350.

Commissioner Oestreicher stated that the county funded part of the School’s budget by about $3.2 million and wanted to know if the School System was on track, under budget or over budget year to date. Dr. Carter responded that the School System is on track as best she could tell without the losses from COVID. Commissioner Oestreicher asked about the impact of not operating the schools. Dr. Carter responded that the School System is funded per pupil. She added that there are still the major operating expenses and more money has been spent on paper supplies due to the copying of the student packets. Dr. Carter stated that no one has been laid off and are still being paid. She stated that some of the employees are locally funded. Dr. Carter stated that the facilities cost still continues. She states that there is more cost due to COVID because of transportation, food services, copying, safety, and cleaning. Dr. Carter stated that she thinks the School System has been diligent to stay as close to budget as possible without going over. Commissioner Oestreicher stated that part of the budget is capital expenditures and he asked where those stood. Dr. Carter responded that the capital budget is right on target. She added that the roof repairs are still in process. Dr. Carter stated that the enclosure at Stoney Creek should be completed within the next month but this was not included in the capital budget. She added that the safety components in the schools have been finalized, the cameras are installed and the keyless entrances are in. Dr. Carter stated that the bid opening for the high school is tomorrow at 4:00 p.m. She stated that the School System is right on target with capital funding. Commissioner Oestreicher thanked Dr. Carter.

RECOMMENDATION ON BYHS RFQ FOR SOIL TESTING, MATERIAL TESTING, AND SPECIAL INSPECTION SERVICES

Mr. Miller stated that last month an RFQ was put out for soil testing, material testing, and special inspection services. He added that several responses were received back and Froehling & Robertson, Inc. was the highest scoring firm. Mr. Miller asked the Board to approve the recommendation and authorize the county to move forward with negotiations and if the negotiations are within budget to allow awarding the contract to the firm.

Commissioner Owen moved, seconded by Commissioner Jefferies to move forward with the recommendation on the soil testing, material testing, and special inspection services for Bartlett Yancey High School. After a roll call vote, the motion carried unanimously.

PUBLIC COMMENTS

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

“Elin Claggett, 108 Jaye Lane, Providence, NC. The Board of Education is requesting $3,844,000 to be approved by Commissioners. This is a $658,000 or 17% increase from Caswell Co. Schools’ budget resolution approved in December, 2019. First, this budget includes a Local Operating Budget Request of $2,750,000, again a $150,000 increase in spite of children missing school for almost 3 months. During the past 2 meetings, Co. Hall has asked why the County continues to pay for schools that are not in session. Why can’t these funds be reallocated for 2020-2021 fiscal year? School nurses are currently working with the Health Dept. to help track COVID-19 cases. Why aren’t funds re-assigned to the Health Dept.? Home school children, decrease services, and charge the taxpayers more. Salaries are the second item requested. On March 6, 2019, the Governor Cooper’s office stated “Teachers would see an average pay raise of 9.1% over two years with no teacher getting less than a 3% raise in either year” (2019-2021). For school staff who did not receive any supplements, the Board of Education voted on 11/25/2019 to give full-time staff $300 and part-time staff $200 Christmas bonuses for a total of $122,000. The Superintendent was given a huge raise, increasing her salary to $144,000. Meanwhile County employees did not receive cost-of-living raises, supplements, or Christmas bonuses. Maintenance and Environmental Health have been repeatedly denied requests for essential staff. Lastly, the 3rd request is $620,000 for Capital Outlay. Over $30 Million will be spent on BYHS over the next 1-2 years and taxes are scheduled to increase to cover the $18.5 Million debt. The current request includes roof repairs, HVAC upgrades, electrical upgrades, school repairs/weatherization, civic center repairs and landscaping – these same items were listed in the 2018 budget. In December 2019, the budget listed capital outlay of $494,000 plus building improvements expenditure of $1,498,676 – almost $2 Million dollars. Once again, what were these funds used for if not repairs and upgrades? In December 2019 the School Board’s budget included almost $1.4 Million from State Lottery Proceeds. What capital outlay projects were paid from these funds? One last question: How do you make a $57 Million budget oversight when the total Caswell County budget in 2019 was $35.7 Million? That’s not due to the fire tax nor an overall increase in property values. Even the reconciliation report had a $28.5 Million increase from fiscal year 2018 to 2019, leaving $19 Million unaccounted for. Where’s the accountability, Chairman and Board?”

“My name is Mimi Logothetis. I live at 9501 NC Highway 86 N, Cedar Grove, NC. I am not a Caswell County resident, I do not play taxes in Caswell County, nor can I vote for any of you on this board. But my property is the third residence from the Orange/Caswell line and what industry is permitted in your jurisdiction affects me and my air and water as much as anyone in Caswell County, and so I must speak. I am referencing the proposed quarry, hot asphalt plants (multiple), and cement mixing plants awaiting permitting on Wrenn Road and Highway 62. I have been keeping up with the development in the fight against these polluting industries, I have attended many Commissioner meetings since October of last year, when word first got to me about all of this, I have attended zoning meetings and watched as the community has risen up to speak out against the potential invasions into their neighborhoods, land and homes. I have watched and listened to hours of heart felt and emotional comments and fact based scientific data driven testimony about how this type of industry is ill-suited for these particular areas, watersheds, farm lands and residential parcels. I have written comment as well. I have written letters to the DEQ, DAQ, Governor Cooper, all that local representatives and state senators and house representatives, the state archaeology office and historic preservation office. I have also watched as you have thrown your hands up and proclaimed there is nothing you can do in your power to stop it and that all responsibility lies with the state in permitting. I listened as you blamed the people for not educating the general public about the benefits of zoning, washing your hands of any responsibility. The county lawyer and manager have used a lot of language to defend inaction and generally used any knowledge and opinion they have to set up in a defensive position to cover liability as opposed to use any of that expertise to go on the offense to find solutions and shut it all down. I asked that you, in your positions of community elected leadership, show some vision, fortitude and lead the way to see Caswell County into a future that holds promise and progress. Do not lie down and allow these large corporations to run over your better judgment and turn Caswell County into an environmental nightmare affecting all counties in its proximity. We will remember when this is all said and done.”

“Mark Zimmerman, 732 Solomon Road, Leasburg, NC. Good news!  The NC Division of Air Quality extended the public comment period for the Sunrock permit applications for Asphalt/Cement Plants and a quarry on Wrenn Road in Prospect Hill and Hwy 62 South in Anderson from April 30 to June 15.  That means there is time for the Caswell County government to add its comments as to why DAQ should deny Sunrock the permits it needs to operate its multiple plants in Caswell.  These two permits are in addition to the state permit Sunrock currently holds for the corner of Wrenn Road and Hwy 49.  Sunrock is seeking to operate three asphalt and cement plants and a 462 acre quarry in less than 10 miles of each other.
Asphalt plants emit noxious, cancer causing emissions from its production. Unfortunately, DAQ is considering each of these applications separately, so the cumulative effect of all the emissions will not be considered.  If you care about the residents of southern Caswell County, you will join us in asking DAQ to consider the cumulative effects of their polluting facilities in the county.
You now have until June 15. As our county elected officials, your request will carry important weight with DAQ.  Please help us keep Caswell County safe and healthy for all its residents.”

“My name is Kristin Parrott Newnam. I reside at 1703 Alvis Boswell Road Yanceyville. We believe the air quality permits for the asphalt plants and the quarry are fatally flawed. Today we ask the Board to join us in calling for a multiple source study of all the proposed polluting industrial plants. Attached are comments submitted by Blue Ridge Environmental Defense League on behalf of Protect Caswell, a large group of over 200 Caswell Citizens who care about the future of Caswell County. The draft permits are unenforceable because they fail to require hourly or daily limits on asphalt production. The draft permits omit assessment of toxic air pollutants from trucks exiting the plants fully loaded with hot asphalt. The draft permits, once issued, will grant the owner the ability to operate with impunity because there is either late enforcement or none at all. The draft permits fail to enforce North Carolina’s health based toxic air pollutant limits because it lacks hourly asphalt production caps for pollutants which means that they are uncontrolled. All of the above concerns warrant your efforts in requesting a multiple source study of all these proposed polluting industries. Because It Is NOT Too Late! They Do NOT have a permit, and your hands are NOT tied. "The American people have a right to air that they and their children can breathe without fear."*— Lyndon Baines Johnson.*” The clerk informed the Board that there was a 7 page letter that was attached to this public comment and that she had forwarded that email to the Board.

“My name is Leslie Zimmerman. I live at 732 Solomon Road, Leasburg. There is a fatal flaw in the future of Caswell County. 3 propane/natural gas/fuel oil-fired drum type hot mix asphalt plants with a capacity of 750 tons per hour, 11 hot mix asphalt storage silos, 3 asphalt loadout operations, 3 truck loadout operations, 3 reclaimed asphalt pavement crusher systems with 11 conveyors, 3 mobile crushers with generators, 2 used oil storage tanks, 6 liquid asphalt tanks, 3 diesel fuel storage tanks, 1 propane storage tanks, 3 asphalt heaters, 3 power plants at 3 separate sites in an area short of 10 miles. The proposed facilities represent an unprecedented industrial expansion for Caswell County, its questionable necessity and negative impacts. There will be a fatal flaw in the future of Caswell County unless the county takes this opportunity to stand with its people and make a request for a review of all permitting. It’s not too late; they do not have a permit.”

Commissioner S. Carter asked “Mr. Chairman, I just had a quick question, Ms. Seamster the second public comment, the lady that submitted comments, did she say she was on 86 North?” Ms. Seamster responded “Yes.” Commissioner S. Carter continued “And was not a resident of the County at the same time?” Ms. Seamster responded “That is correct. She is a resident of Orange County.” Commissioner S. Carter continued “Oh, okay, she has property here.” Ms. Seamster responded “No, she has property in Orange County but it is not far from the Caswell County line.” Commissioner S. Carter continued “Oh, got you, Orange County 86 North?” Ms. Seamster responded “Yes sir.” Commissioner S. Carter continued “Got it, thank you.”

RECOGNITIONS

Commissioner S. Carter stated “I just want to recognize all of the staff that’s working from home both from the county and from the school system. I know this is new to everybody but they are working some hard tough hours to do the best they can and with the remote learning I’ve seen, you know, the goods and the bads in that so we have to count our blessings in this situation but I do want to recognize all of the individuals that are doing all they can during the COVID-19 situation. This being the staff appreciation week for the school system I want to especially thank them.”

Commissioner Oestreicher recognized Jennifer Eastwood and the rest of the staff at the Health Department. He thanked them for doing a good job on publishing the daily updates on the COVID-19 virus.

Commissioner W. Carter recognized all the health officials and the county employees for the hard work that is being done during this trying time. He also recognized those at the Health Department.

Ms. Tracy Stanley stated that when Commissioner Hall was asking about the students being behind and how it was affecting them with COVID. She stated that as being a parent herself COVID did not cause students to be more behind than what they were before school let out. Ms. Stanley stated that if the kids were having problems before, they still will have problems no matter what was her statement.

RECESS

The Board took a brief recess. During this recess the Board of Education adjourned.

ACTION ITEMS

APPROVAL OF AGENDA

Commissioner Owen asked to add a closed session to the agenda for personnel (NCGS 143-318.11(a)(6)).

Commissioner Owen moved, seconded by Commissioner Hall 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 Jefferies 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 April 20, 2020 Regular Meeting

CASWELL COUNTY AREA TRANSPORTATION SYSTEM

Approval of Revisions to System Safety Plan (SSP), Adoption of the CATS Drug & Alcohol Policy and Adopt of Title VI Plan

Ms. Melissa Williamson stated that the Caswell County Board of Commissioners has approved all of these documents in the past. She stated that the he SSP must be reviewed annually and any revisions have to be approved by the Board of Commissioners. Ms. Williamson stated that the Drug & Alcohol policy is also included in the SSP but there were some changes to it as well. She stated that the main changes to the SSP, that was adopted by the Board on May 6, 2019, was simply updating the fleet information and staff information in the COOP Plan. Ms. Williamson stated that there were not many changes to the Drug & Alcohol Policy that the Board adopted on January 2, 2018. She added that the only change here was the term opiates was replaced by opioids. Ms. Williamson stated that there were minor changes to the Title VI Plan that was adopted by the Board on June 5, 2017. She stated that the main changes to this policy were updating fleet information and contact information. Ms. Williamson stated that once the census information comes out this information will need to be changed again.

Commissioner Hall stated that he had a concern because he did not see or hear anything about the current COVID-19 pandemic in the plan. He added that it needed to be acknowledged. Ms. Williamson responded that CATS does have a plan from the State and the Health Department that is posted in the training room. She added that COVID-19 is being addressed in the transit system. Commissioner Hall stated that he believed that it should be included in the policy.

Chairman McVey asked Ms. Williamson if she could put this into this policy. Ms. Williamson responded that she did not think that would be a problem. She added that when the State comes in they will look at the core plans. Ms. Williamson stated that CATS follows any guidance that is received from the County, Emergency Management, and NC DOT.

Commissioner Owen asked Ms. Williamson asked if there was a problem with adding this to the plan. Ms. Williamson responded that she could do that.

Commissioner Owen moved, seconded by Commissioner Jefferies to approve the Revisions to System Safety Plan (SSP), adoption of the CATS Drug and Alcohol Policy and adoption of Title VI plan with addition of the COVID-19 plan.

Commissioner Owen asked Commissioner Hall if this was good. Commissioner Hall responded that personally he would like to see the plan in place because there are several things that have to be considered such as social distancing, sanitizing as well as other things. Ms. Williamson responded that CATS has a written plan called the COVID-19 pandemic that was provided by the federal government. She added that this came out on April 13, 2020 and it covers the guidelines that CATS will be facing and are currently facing because CATS is still providing transportation. Ms. Williamson stated that she would send this to the clerk to get out to the Board.

After a roll call vote on the motion, the motion carried by a vote of 6 to 1 with Commissioner Hall voting no.

Commissioner S. Carter asked “Mr. Chairman, are we still doing roll call voting?” Chairman McVey responded yes. Commissioner S. Carter continued “I thought that this Board had determined a couple of meetings ago and I was just asking.” Chairman McVey responded that it was but it just did not work out that way.

APPOINTMENTS TO BOARDS AND COMMITTEES

Caswell County Cemeteries Board of Trustees & Commissioner Representative

Commissioner Owen moved, seconded by Commissioner W. Carter to appoint Jared L. Terrell, Lisa Ashby, Ginny Mitchell, Earl Wrenn and J.R. Whitt to this Board and to appoint Commissioner Sterling Carter as a Commissioner Representative to this Board as ad hoc with no voting privileges. After a roll call vote, the motion carried unanimously.

Commissioner S. Carter stated “Thank you sir.”

POLITICAL ROBO CALLS

Commissioner S. Carter stated “Gentlemen this is in your packet. I hope in the last two meetings you all have taken the opportunity to read the attached state and federal laws pertaining to this situation. I don’t feel like I need to go into great detail since most of its here in paper but we do have communication from Tracy Nayer with the Attorney General’s Office for the state acknowledging that we did have an incident on March 2, 2020 in relation to the County’s main phone number. I have also heard but I have yet to receive those screen shots that are also the Emergency Management number that may have also been used. This call was made to many individuals or citizens on the evening of Monday, March 2nd prior to the primary election. This was in motivation against my own reelection campaign and also for Ms. Stanley with the board of education. The concern is that our phone number was spoofed, hacked, whatever you choose to term it so that when people received the phone call they were thinking it was some official business from the County government and instead it was a very slanderous phone call that was politically driven. One individual identified who he was on the phone message. You can find both transcripts of the two individual messages in your agenda packet and the other individual without a doubt we recognize his own voice. This letter from Ms. Nayer is in relation to having the Commissioners file a complaint with the State Attorney General’s Office so that they can investigate it and handle the situation. It asks that we send recordings of the phone calls through the individual consumers to their website and the individuals that sent the recordings to me that evening are willing to do that but this also pertains to the Federal Communications Commission and that statute is Public Law 111-331 but that requires a separate complaint that this Board would have to either direct staff or do as a whole online. I feel that this is not a game that the County should not been taken advantage of in this way and it needs to be handled to make a point that we have zero tolerance for these kinds of behaviors.”

Commissioner Owen stated that he did not get the call and he wanted to know if the calls identified themselves as Caswell County Government. Commissioner S. Carter responded “Some individuals did relay to me that on the caller ID it said Caswell County Government but these were mostly home phones so therefore they could not take a screen shot of that call.”

Chairman McVey asked Mr. Ferrell if he had any advice on the law for political robocalls. Mr. Ferrell responded that the state and federal laws were included in the packet and the Board has been invited if it is inclined to do so to use the reporting investigation procedures of the Attorney General’s Office to see if there is any violation of the law. He added that the Commissioners do not have any ability to enforce criminal laws in North Carolina or the federal government so there is a complaint process and the suggestion from Commissioner S. Carter was to follow through with the complaint process to see if there was a violation with either state or federal law of spoofing of the County’s telephone number during the political campaign. Mr. Ferrell stated that it would be up to the Attorney General’s Office and the federal government to review and process any complaints that would come from this Board or any individual so it is not exclusive to the Board to forward a complaint. He added that since it was the County’s telephone number that was being used it would be the County that would have to make the complaint.

Commissioner Hall stated that he thought that anytime there is an attack or an assault on the democratic process it should be challenged and this attack or assault brings in the County government so the County government should challenge it.

Commissioner Hall moved, seconded by Commissioner S. Carter to file the appropriate appeals as designed by general counsel and Commissioner S. Carter to get a review of what happened.

Mr. Ferrell stated that these would be complaints with the State Attorney General’s Office and the FCC.

After a roll call vote on the motion, the motion carried unanimously.

COVID-19 UPDATE

Ms. Jennifer Eastwood, Health Director, stated that there are now 34 cases in the county, 10 of these are inmates as well as 3 farm workers. She stated that there is daily communication with the prison. Ms. Eastwood stated that there have been a lot of questions about why everyone is not being tested and that decision lies outside of the County’s jurisdiction and that is a state decision. She stated that a call was made to the state epidemiologist and it is not recommended that everyone be tested at this point due to the testing backlog. She stated that she has been in contact with Cooperative Extension to make contact with all the farmers and try to stay on top of that situation. Ms. Eastwood stated that on the DHHS website there is now a breakdown of cases by zip code. She stated that Milton shows a higher number of cases but most of these cases have been exposed to a known positive or are work related but there has not been community spread in Milton. Ms. Eastwood stated that she has received a lot of questions about opening the County government but the Governor and the Secretary of Health and Human Services has laid out a matrix on how the county will reopen. She added that she has heard rumors that Phase 1 may begin later this week but these matrixes are laid out on the DHHS website. Ms. Eastwood stated that the county has to have a sustain level or downturn in cases before moving into Phase 1. She added with Phase 1 the stay at home order will remain in place, some stores may be allowed to reopen retail stores but the gathering limits will still remain, face coverings will still be recommended, still have restrictions on congregate living facilities. Ms. Eastwood stated that she did not recommend that the County continue to telework through Phase 1 for the next 2 to 3 weeks and that the County limits the amount of people coming into the buildings. She stated that the clinic staff at the Health Department has been working really hard and starting Wednesday is Nurse’s Week so if you see any nurse or health care worker please say thank you.

Commissioner Oestreicher asked Ms. Eastwood which testing method was being used at the Health Department since he knew of at least 3 different types of testing. Ms. Eastwood responded that the Health Department is doing the nasopharyngeal swab. Commissioner Oestreicher asked if this was the one that goes way back…Ms. Eastwood responded that this is correct. She added that at this point that is the only one that is being recommended for the Health Department because it is the most effective. Ms. Eastwood stated the State is not recommending the rapid test to the Health Department. She stated that they are using the Health Department’s lab as well as the State lab in which the turnaround is in about 2 days. Ms. Eastwood stated that once someone is tested they are put into quarantine until the test results come back and they are asked to limit their movement and contact. Commissioner Oestreicher asked Ms. Eastwood to repeat the number of farm workers that tested positive. Ms. Eastwood responded that three tested positive.

Commissioner Owen asked about possible resources for disposable mask. Ms. Eastwood responded there are lots of patterns on line to make masks but individuals can wear bandanas, etc. She added that some are using socks and old t-shirts to make masks. Commissioner Owen stated that the elastic is hard to find. Ms. Eastwood responded that one could use ace bandages or nylon headbands. Commissioner Owen stated that he uses two bandanas with a coffee fiber between them for extra protection.

Ms. Eastwood stated that she has received a lot of questions about the stores and restaurants that are open and staff not wearing masks, some do not have the shields up; she stated that these were all recommendations but they are not required so this cannot be enforced locally. She added that it is up to the employer to make these decisions unless changes are made in the executive order.

Commissioner Oestreicher stated that when this outbreak first occurred the county declared a state of emergency status and one of the reasons for doing this was to make sure that the county would be available for any federal or state monies to reimburse the cost associated with the virus and he wanted to know if any money had been identified and if so had the county applied for it. Ms. Eastwood responded that the FEMA money will come later. She added that the Health Department has received some money from the state from the CARES Act based on the medical billing for 2019. Ms. Eastwood stated that she is in the process of a FCC grant to support telehealth because this is not being offered at the health department. She added that the county is trying to stay on top of the resources as they become available but to date there has only been a little information so far. Commissioner Oestreicher stated that he was very pleased to hear that Ms. Eastwood was staying on top of this and he encouraged her to keep up the good work because the county needed all the help it can get to the get those monies.

Commissioner Hall stated that over the weekend the North Carolina legislature authorized some monies that came down from the federal government and he is not sure how this money was divided up but he added that the counties will be getting some money. He added that it was proposed a minimum of $500,000 and then there was a discussion of $250,000 but it does appear that the county will get some money. Commissioner Hall stated that there was an option proposed of allowing the counties to share those dollars with the towns. Commissioner Hall asked Ms. Eastwood about the masks being a recommendation but not a requirement and added that the CDC had underestimated the value of masks and the distances that these germs can spread. He stated that if the governor made a recommendation can the local health board make a stronger recommendation. Ms. Eastwood responded that she would have to ask this question to the public health attorneys and added that she thought the county could make a recommendation but she did not think the county could make a requirement. Commissioner Hall stated that he wanted to use the word required and not recommended. Ms. Eastwood stated that she did not know the law in North Carolina but she would check into it and the Board of Health has a board meeting tomorrow night. Commissioner Hall stated that the county declared a state of emergency for one reason but that state of emergency may need to cover some other reasons. He added that there are very few people that are wearing masks out if public and this country has lost 60,000 people and he thought the county needed to be a little more aggressive to protect the citizens.

Commissioner S. Carter stated “Mr. Chairman, I wholeheartedly agree with all the sentiments of Commissioner Hall. I’ve also observed people not wearing masks in the county particularly the business owners and the food industry and at the places where you purchase groceries are very concerning to me. My understanding of the state recommendation is that was a baseline recommendation that if we thought it was best for the health and safety of our citizens to have a more strict recommendation or requirement whatever whichever that is supposed to be that we could do so and I think…didn’t the town of Hillsborough, Mr. Ferrell, do something to this effect recently?” Mr. Ferrell responded that in certain areas the locality does have the authority to have more stringent regulations but this would have to be looked into to see if this is possible. Commissioner S. Carter continued “I think at minimum the county should consider a stricter recommendation when it comes to masks and I would also encourage as Mr. Hall was talking about to discuss this at the Board of Health meeting, you said tomorrow night?” Ms. Eastwood responded yes the Board of Health meeting is tomorrow night. She added that the problem with requiring something is how it will be enforced. Ms. Eastwood stated that some people are wearing masks but they are wearing them incorrectly and she wanted to know who would enforce this and does the county have the resources to enforce this. Mr. Ferrell responded that in Durham for retail situations everyone is supposed to wear a mask so there are some localities that have rules with masks.

Commissioner Oestreicher stated that he thought the Board needed to be pretty precise in its thinking on this because if masks are not available and to make a requirement for people to wear masks would be unreasonable so it may need to be worded as face covering instead. Commissioner S. Carter responded “Sure.” Chairman McVey responded that he agreed with Commissioner Oestreicher and added that he thought the Board would be stepping out of line if the Board did not give individuals the option. He added that it should be up to the individual whether he or she wears a mask.

Ms. Eastwood stated that another thing to consider is right now Caswell County has only had a couple of cases that could not be tracked down where the virus started and the difference between Caswell and Orange County and other counties is they are in high community spread right now and that may be why they decided to take a firmer stance with the masks. She added that Caswell has a lot of people that work outside of the county and 85% of the cases have been due to exposure at work whether that was a nursing home, hospital or prison.

Commissioner Owen stated that it would be smart for the county departments to start planning on how to begin reopening procedures: when will everyone come back, how the department will operate, how business will be conducted, etc. He wanted to make sure that every department is looking for reimbursement money for anything that is related to COVID-19. Commissioner Owen stated that everyone needed to remember that Caswell County has less than 1% of its population that has tested positive with COVID-19. He added that he is not taking this lightly and he added that he will wear his mask. Commissioner Owen stated that he thought the retailers should wear the masks so others would feel comfortable. He did not want the Board to over step its bounds.

SALES TAX ESTIMATES

Ms. Gwen Vaughn, Finance Director, stated that the Department of Revenues has already sent out an update for the County’s March sales tax distribution and it is only about $2600 less than what was received in the prior month so that is a positive. She added that the North Carolina Association of County Commissioners advised the counties that it would be between a 10 to 50% reduction and then for July through September a 5 to 40% reduction and there is a staggering projection throughout January 2021. Ms. Vaughn stated that she would continue to monitor each month and base the projects on what the NCACC recommends. She stated that she would look at it from a county standpoint but she will make the best recommendation as she can.

Commissioner Hall asked what the percentage for March was. Ms. Vaughn responded that it would down 0.17%.

COUNTY MANAGER’S UPDATES

Project CEAD

Mr. Miller informed the Board that he had planned to have the land transfer for the joint project with the County and Piedmont Community College, Project CEAD, on this meeting but it will be on the next meeting. He stated that unless there were any objections he was going to proceed with the appraisals of the property.

Budget Calendar

Mr. Miller informed the Board that over the next two weeks a budget calendar will be set for the Budget Sessions. He stated that the Board will have this discussion at its next meeting. Mr. Miller stated that these will be done through Zoom meetings or if allowed through in person meetings.

County Government

Mr. Miller informed the Board that the Library is making 3D printed face masks for public safety. He added that they delivered several of these to the detention center and to the public health department. Mr. Miller stated that the Library is also chronicling the events that are taking place so there is a record of what the county has had to do, the hurdles that have been crossed, and how it has affected people on a daily basis. He stated that Plexiglas shields will be installed where it makes sense in several of the departments to protect the employees moving forward. Mr. Miller stated that Senior Services continues to deliver Meals on Wheels and he thinks they are starting a program where well calls will be made to get on the seniors. He stated that the Library applied for a grant through the Danville Regional Foundation for Verizon mobile hotspots and the Library was awarded that grant to buy about 40 hotspots that the school children that have access to Verizon service. Mr. Miller informed the Board that when the hotspots were ordered they were out of stock so the county hopes to receive those over the next 2 weeks.

Commissioner Oestreicher asked how the business center downtown was progressing. Mr. Miller responded that it is moving along fairly well. He stated that the ceilings have been painted and he expected sheetrock to be installed this week and it is still on schedule for a completion date for the end of May. Mr. Miller informed the Board that there will be a reimbursement resolution for the Co-Square project at its next meeting which would allow the County to be reimbursed for the funds spent by the County.

COMMISSIONER COMMENTS

Commissioner Owen informed the Board that the project on Highway 86 that was supposed to begin this month had been put on hold due to COVID-19 the Department of Transportation has lost quite a bit of revenue due to people not traveling. He stated that NC DOT is about $350,000 in the hole so this project has been postponed until 2024.

Commissioner W. Carter stated that he had several complaints about grass being too high on some of the roads and he was wondering if the DOT was going to contract the mowing of the roadways this year. Mr. Miller responded that he would get in touch with DOT to see what their plans are. Commissioner W. Carter asked the county manager how much of an impact on the budget this will be. Mr. Miller responded the Ms. Vaughn was still putting the number together. He added that the School budget was received last week. Mr. Miller stated that Ms. Vaughn is still waiting on some outside agencies to turn their budgets in but he planned to have something for the Board before the next its meeting. He added that he knew it would be a rough budget year because of anticipated revenue declines.

Commissioner S. Carter stated “Mr. Chairman, I was muted for about the last 5 minutes, I did have two questions for the manager when that section was still being discussed.” Chairman McVey responded “Alright.” Commissioner S. Carter continued “Are we spending any money on childcare for our employees?” Mr. Miller responded “No, not at this time.” Commissioner S. Carter continued “Alright. And second thing, you know we had a meeting today where we had the full school board on Zoom and it worked quite well, why do we have the joint meeting cancelled in May?” Commissioner W. Carter responded “That was the Town of Yanceyville that cancelled the meeting Sterling.” Mr. Miller responded “It was their rotation so they decided to cancel it.” Commissioner S. Carter stated “I know we discussed in the past about including everyone in a joint meeting could we not pursue that still?” Mr. Miller responded “We can look into it.” Commissioner S. Carter continued “I think it would be very productive if we had a joint meeting with the school board and the towns similar to kind of what we did today and if they can’t get on, you know, Zoom screen technology they could at least be sent a call in code, could they not?” Mr. Miller responded “Well I think everybody would have the call in code ability.” Commissioner S. Carter continued “Sure, okay. Well if we have the ability to do that Mr. Chairman and fellow Commissioners I think we should consider that.” Chairman McVey responded “Okay.” Commissioner S. Carter asked “Is that something that we can get in touch with them and know in a couple of weeks if we can do that?” Mr. Miller responded “We’ve reached out to the town, to the Town of Milton and to the Town of Yanceyville; we’ve spoken to them about their desire to meet with the Board of Education. I have talked to Dr. Sandra Carter about it so we are in discussions about those kinds of things and we will continue those and do what we can.”

Commissioner Hall stated that in regards to what Commissioner Sterling Carter had just brought up and with the federal dollars coming down soon he thought there would be an interest by the school and the towns to have a joint meeting. He added that the more communications during this time the better.

Commissioner Owen stated that whatever Zoom is costing the county could be an eligible expense to get reimbursed.

Commissioner Oestreicher asked if anyone had received any information from the Sheriff’s Department on releasing inmates due to COVID-19. Chairman McVey and Commissioner Owen responded that they were not aware of any.

Commissioner Hall stated that at the last meeting he mentioned to the county manager about fishing on the pier. He added that now with the difficult times being able to get out of the house and go fishing would be great for some of the seniors. Commissioner Hall stated that he hoped that he county manager would follow up and put this on the agenda for the next meeting. He added that several months ago Commissioner Sterling Carter mentioned changing some things at the lake regarding fishing and now would be a good time for the Board to consider fishing from the banks of personal property. Commissioner W. Carter suggested including the Chairman from the Farmer Lake Board on the next agenda for this. Chairman McVey agreed.

Commissioner Jefferies stated that he would like to see on the next agenda a vote for zoning to be put on the ballot in November. Chairman McVey responded that this item has already gone to the legislation and the county is waiting on a response in order to put it on the ballot.

Mr. Miller stated that he did not want to give anyone the perception that fishing is not allowed at Farmer Lake because fishing is allowed at the banks of the public access. He added that it is just that people tend to congregate or gather at the pier which creates a problem.

Commissioner S. Carter stated “Are we allowing fishing from boats?” Mr. Miller responded “Yes.” Commissioner S. Carter continued “Okay.”

Commissioner Hall stated that he understand what the county manager said but the county needs to make it know that social distancing is required and then let the people come out and fish. He added that fishing from the banks of private property is different.

ANNOUNCEMENTS AND UPCOMING EVENTS

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

 Concord Convention Center

Commissioner Owen asked Commissioner Hall if he knew what was being discussed as far as the convention. Commissioner Hall responded that the committee met on Friday and it is very unlikely that that convention will be held. He added that there are a few more decisions that need to be made but the majority of the commissioners in North Carolina are in the at risk age. Commissioner Hall stated that the Executive Board is going to make a decision within the next week or do but the indications are that this convention will not happen.

CLOSED SESSION

Commissioner Owen moved, seconded by Commissioner W. Carter to go into closed session to preserve attorney/client privilege (NCGS 143-318.11(a)(3)) and to consider the compensation, terms of appointment and performance of an individual public officer (NGS 143-318.11(a)(6)). After a roll call vote, the motion carried unanimously.

REGULAR SESSION

Commissioner Owen moved, seconded by Commissioner S. Carter to go back into regular session. After a roll call vote, the motion carried unanimously.

Commissioner S. Carter moved, seconded by Commissioner Hall to resume Zoning Community Meetings. After a roll call vote, the motion carried unanimously.

ADJOURNMENT

At 12:05 p.m. Chairman McVey adjourned the meeting.

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Paula P. Seamster Rick McVey

Clerk to the Board Chairman

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