MINUTES – DECEMBER 17, 2018

The Caswell County Board of Commissioners met in regular session at the Caswell County Historic Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, December 17, 2018. Members present: Rick McVey, Chairman, Jeremiah Jefferies, Vice-Chairman, Sterling Carter, Nathaniel Hall, Steve Oestreicher and David Owen. Absent: William E. Carter. Also present: Bryan Miller, County Manager, Brian Ferrell, County Attorney and Luke Burris representing The Caswell Messenger. Paula P. Seamster, Clerk to the Board, recorded the minutes.

MOMENT OF SILENCE

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

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Commissioner Jefferies moved, seconded by Commissioner Owen to approve the agenda. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Owen moved, seconded by Commissioner Jefferies to approve the Consent Agenda. The motion carried unanimously.

The following item was included on the Consent Agenda:

A. Approval of Minutes of December 3, 2018 Regular Meeting

PUBLIC COMMENTS

Chairman McVey opened the floor to Public Comments.

Chairman McVey asked if there was anyone that would like to speak during Public Comments. With no comments Public Comments was closed.

RECOGNITIONS

Chairman McVey thanked everyone that involved in the most recent snow storm. He added that there was a lot of work from every department such as 911, DOT, Sheriff, fire departments and many different individuals that were involved in this program and he is just very proud of everyone. Chairman McVey stated that a lot of fire departments were open 24 hours a day throughout the storm and provided generators and services to the citizens of Caswell County and he thanked everyone involved and stated he really appreciated everyone involved.

Chairman McVey stated he would like to also give big congratulations to the fire departments because the county has received their insurance ratings and they should be lowers. He added that the fire departments did a fantastic job with their training.

Commissioner Hall asked Chairman McVey if the Board would be informed about the new ratings. Chairman McVey responded that he thinks the Board will be informed at the meeting on January 7th. He added that the fire departments and insurance agencies will be coming before the Board.

Commissioner Oestreicher stated the he read in the newspaper that it seemed to be focused on the Yanceyville Fire Department and the insurance rating adjustment. He asked if this could be clarified if it is countywide or just Yanceyville. Chairman McVey responded that it should be countywide in the 5 to 6 mile district. Commissioner Oestreicher stated that this is what he thought but it was not the way the article was written. Commissioner Owen responded that it would be different ratings in the different areas. He added that every area did not get the same rating that Yanceyville did.

SOUTHERN HEALTH PARTNERS

Captain Mike Adkins came before the Board and informed it that the Detention Center had an inmate that was incarcerated from September 17, 2016 through October of 2017 and this inmate accumulated a lot of medical bills. He added that Southern Healthcare Partners was covering the medical bills and at the end the total bill for safe keeping in Raleigh and the portion that Southern Healthcare Partners was not able to cover was $110,397.99. Captain Adkins stated that the Department of Public Safety is stated that Caswell County needs to pay this amount to cover the inmate’s medical bills. He added that the county checked with the catastrophic insurance company and it was not able to insure this amount because of a policy issue.

Sheriff Tony Durden stated that Caswell County had an inmate that had to be sent to safe keeping because the county could not take care of his medical needs. He added that the inmate was sent to safe keeping through the Department of Corrections. Sheriff Durden stated the inmate was diagnosed with cancer so the county is responsible for this medical bill. He added that the county contracted this out with Southern Health Partners and there is a threshold of $30,000 that will be paid outside of the jail. Sheriff Durden stated that this inmate’s bill exceeded $130,000 so the Department of Corrections stated that Caswell County owes them for the $100,000 bill. Sheriff Durden stated that the same thing happened last year but the bill only went over by $20,000 and the bill was taken care of by the catastrophic insurance but it was not covered this time. He added that the county went through all the legal means to see why it was not covered and it was something about policy as Captain Adkins stated. Sheriff Durden stated that the Department of Corrections was not recognized as an outside vendor until recently. He added that he wanted to make the Board of Commissioners aware of the outstanding medical bill.

Commissioner Owen asked for some clarification on the medical bill. He asked the Sheriff if he was informed at any time that parts of the bill would not be covered. Sheriff Durden responded no and then he added that the bills were sent in but he was under the impression that the bills were being taken care of. Commissioner Owen asked if the insurance company let the county know that this was not being taken care of. Sheriff Durden responded that an itemized bill was sent monthly and all the bills were worked up and sent to Finance. He added that after the threshold he believed the bill is correct.

Commissioner Oestreicher asked if the submission to the catastrophic coverage was rejected based on a technicality because the provider was not covered by the insurance. Sheriff Durden responded that this is correct. He added the bill was rejected based on their specifications and that the provider was not under their umbrella at the time and now they are. Commissioner Oestreicher asked if the bill would have been paid if the provider had of been covered. Sheriff Durden responded if they would have been in network. Commissioner Oestreicher asked if Southern Health Partners knew that this provider was not covered. Sheriff Durden responded that the county runs into a problem in this type of situation because the inmates cannot be taken to an ordinary doctor. He added that inmate was in jail for kidnapping and assault with a deadly weapon. Sheriff Durden stated that this inmate shot his wife in the foot and he kidnapped his wife and would not let her go so he had a pretty hefty bond of about $250,000 so he had to be taken to Central Prison. Commissioner Oestreicher stated that he was struggling that someone had to know the bill was going to be pretty high. He asked why research was not done to find out. Sheriff Durden responded that 3 years ago the county had a bill for $100,000 for an inmate that was on dialysis three times a week and this inmate was under a $150,000 bond and was a threat to public safety. Commissioner Oestreicher stated that maybe he did not pose his question properly but he wanted to know if a better choice could have been made to get an approved provider. Sheriff Durden responded no sir. Commissioner Oestreicher asked if this matter is at an end point. Sheriff Durden responded that he has taken it as far as he can take it. Commissioner Oestreicher asked if there are any further remedies for this matter. Sheriff Durden responded no. Mr. Ferrell responded that he is not ready to say that. Commissioner Oestreicher thanked Mr. Ferrell.

Mr. Ferrell stated that he agrees with the Sheriff that the Department of Corrections has submitted a bill for an inmate that was in the custody of Caswell County and by statute that leaves the burden of satisfying the bill with Caswell County. He added that Commissioner Oestreicher raised the question about the catastrophic policy and he thinks there is still information that needs to be gathered. Mr. Ferrell stated that he did not want to get into any health information but he does think the bill to the Department of Corrections is due but he was not prepared to say that the county has exhausted all available remedies at this point.

Sheriff Durden stated that he has taken it as far as he can take it and it has been given to the county attorney. Mr. Ferrell responded that he has been working with the Sheriff’s Office and is still waiting on some information about a specific location of treatment. He added that the Sheriff is right that there is nothing more that he can do on it and the bill is past due to the Department of Corrections. Mr. Ferrell added that during the 2011-2012 timeframe the legislature shifted the burden of inmate healthcare away from the providing hospital and onto the county government that is housing the inmate. He added that it has been said by a number of county officials throughout the state that this is one of the many unfunded mandates that the legislature has shifted to counties. Mr. Ferrell stated that some of the larger counties are budgeting three or four million dollars to cover catastrophic medical coverage for inmates. He added that this is a statewide issue. Mr. Ferrell stated that the county is not covered right now with a catastrophic coverage policy but he did think that it would be beneficial for the county to have this type of policy but maybe not through the same agency.

Chairman McVey stated that he did not think the Board needed to take action on this yet. He wanted to wait to see what the county attorney could find out. Mr. Ferrell responded that there is a past due bill that is owed to the Department of Corrections. He added that he is working on some type of reimbursement from the insurance company but the invoice did need to be paid and the county is technically responsible for the bill. Chairman McVey stated that this would be brought back at the January 7th meeting. Mr. Ferrell stated that he is waiting on information that stated exactly where the inmate received treatment while in the custody of Central Prison. He added that if all the treatments were received inside the prison nothing will be paid.

Commissioner Oestreicher asked if there is an assessment of the portion that the county would have to pay even if the bill was covered. Mr. Ferrell responded that the insurance company says they are not responsible for any of the bill. Commissioner Oestreicher asked if the provider was approved as a provider would the bill have been covered. Mr. Ferrell responded that there is a $30,000 deductible and the policy is in addition to the primary coverage.

Mr. Ferrell asked if the Sheriff’s Office has everything that is needed to receive the itemized bill. Captain Adkins responded that a request was made to the Department of Corrections and he is still waiting on a response. He added that he is running into some issues with the information being released due to HIPAA regulations. Mr. Ferrell stated that work is still being done on this issue. He added that the key is to find out the facility that the treatment actually took place. Mr. Ferrell stated that there is a hospital in Central Prison.

Commissioner S. Carter stated “Mr. Chairman that is part of what I was going to say, I am hoping that this inmate received treatment outside of Central Prison so that we won’t have to pay it.”

Chairman McVey thanked Sheriff Durden and Captain Adkins.

NCACC COMMITTEE APPOINTMENTS

Chairman McVey asked Commissioner Hall if he had any suggestions or any other Board member that serves on a committee has a suggestion on these appointments.

Commissioner Owen stated that there are subcommittees that the NCACC has. He added that he serves on the committee for General Government. Commissioner Owen stated that there are several committees but it did think it would be good for the Board to be involved in these committees. He added that Commissioner Hall made the suggestion that we make appointments but he had asked that Board members just sign up for one or more of the committees.

Commissioner Hall stated that the NCACC Board of Directors met with past weekend and went over the goals. He added that he could bring the list by departments and the Board would be able to see the issues that are before the Association. Commissioner Hall stated that he is on the Education committee as well as the Goals Committee. He added that he thinks it would be helpful if the Board saw the committees as well as the goals that go with each committee.

Commissioner Oestreicher asked what the timeframe was on these appointments. Commissioner Owen responded that anyone can join at any time, it is done online.

Commissioner Owen stated that he was wondering when the goals would be coming out. Commissioner Hall responded that the committee was still working on them and some of them were changed around but the goals should be out in January. He added that he could bring the ones that were worked on over the weekend. Commissioner Owen stated that it would be great to see the goals ahead of the conference so the Board could give him directions on how to vote.

Commissioner S. Carter stated “We will be meeting on the 7th so that will give us time.” Commissioner Owen responded that the conference is at the end of that week.

Chairman McVey asked Commissioner Hall if he would provide that list. Commissioner Hall responded that he would get the list to the Board.

COUNTY MANAGER’S UPDATES

Proposed Caswell County Kennel Ordinance

Mr. Miller passed out a proposed Caswell County Kennel Ordinance to the Board. He stated that several months back he informed the Board that he would give the Board a proposed Caswell County Kennel Ordinance that would hopefully address some of the issues the county has had with puppy mills, etc. He asked the Board to take the time to review the proposed ordinance and proposed starting this conversation at a later date.

Agriculture Educational Center

Mr. Miller stated a presentation was made before the Board of Commissioners about a proposed Agriculture Educational Center for PCC at the Pelham Industrial Park. He added that a lot of information floating around the communities, some of it accurate, some of it not so accurate so he made the recommendation for the Board to have a public hearing on this matter so members of the public can speak about the proposal and the proposal can be presented so everyone can hear the exact same thing at the same time. Mr. Miller stated that information will come from the President of Piedmont Community College, the Economic Developer as well as himself. He suggested having this public hearing during the second meeting in January.

Chairman McVey stated to put that on the calendar for January 21, 2019.

Application Deadline for Tropical Storm Michael

Mr. Miller stated that Ms. Seamster had sent out email which spoke about the application deadline for Tropical Storm Michael to apply for the SBA Disaster Assistance Program. He added that the deadline is January 14th. Mr. Miller stated that he knew all the Commissioners received the email but during a public meeting he wanted it to be included in the minutes to make it public about this program because it could be helpful to some of the county’s citizens. Mr. Miller stated with the permission of the Board he would give a copy to Luke after the meeting so if he so chooses he could put this information in the newspaper.

Commissioner S. Carter asked “Just a clarification, this is a loan correct not a direct relief?” Mr. Miller responded that is correct and it is administered by the Small Business Association.

Commissioner Owen asked if the Board could go back to the Ag Center. He stated that it came to his mind a couple of weeks ago and it may be something that PCC may want to include in this presentation to the Board and that is what PCC perceives as increased financial needs if this facility is built in Caswell County. Mr. Miller agreed that this is something that needs to be addressed.

ANNOUNCMENTS AND UPCOMING EVENTS

A. Commissioner Planning Work Session – Monday, January 14, 2019 @ 9:00 a.m. –

911 Center

B. State of the County – Tuesday, January 15, 2019 – Caswell Pines – More information

to come.

C. Caswell County Board of Commissioners, Town of Yanceyville and Town of Milton

Joint Meeting – Thursday, February 7, 2019 at 6:00 p.m. – Thomas Day Tavern,

Milton.

ADJOURNMENT

At 7:05 p.m. Commissioner Jefferies moved, seconded by Commissioner Owen to adjourn. The motion carried unanimously.

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Paula P. Seamster Rick McVey

Clerk to the Board Chairman

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