MINUTES – OCTOBER 1, 2018

The Caswell County Board of Commissioners met in regular session at the Caswell County Historic Courthouse in Yanceyville, North Carolina at 9:00 a.m. on Monday, October 1, 2018. Members present: Nathaniel Hall, Chairman, Rick McVey, Vice-Chairman, Sterling Carter, Jeremiah Jefferies, David Owen and Kenneth D. Travis. 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 Hall informed everyone present that Commissioner Bill Carter is in the hospital and asked that everyone keep him in their thoughts and prayers.

Chairman Hall 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 Owen moved, seconded by Commissioner McVey to approve the agenda. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Travis moved, seconded by Commissioner McVey to approve the Consent Agenda. The motion carried unanimously.

The following items were included on the Consent Agenda:

A. Approval of Minutes of September 17, 2018 Regular Meeting

B. Approval of FY 2018-2019 Budget Amendment #2

PUBLIC HEARING – FY 2019-2020 COMMUNITY TRANSPORTATION PROGRAM, CAPITAL 5310, AND CAPITAL CALL FOR PROJECT GRANT APPLICATIONS

Commissioner Travis moved, seconded by Commissioner Owen that the Board enter into a public hearing to receive comments on the FY 2019-2020 Community Transportation Program, Capital 5310, and Capital Call for Project Grant Applications. The motion carried unanimously.

Ms. Melissa Williamson stated that the Caswell County Area Transportation System (CATS) is required to complete the Community Transportation Grant Application, the Capital Call for Project Grant Application and the Capital 5310 Grant Application for Fiscal Year 2019-2020 by November 2, 2018. She added that CATS is required to hold a public hearing and the public hearing notice was run in the Caswell Messenger. CATS is requesting three replacement buses as well as two computers. Ms. Williamson stated that the Capital 5310 purchase of service’s objective is to provide transportation services that meet the special needs of elderly persons and persons with disabilities to which mass transportation services are unavailable, insufficient or inappropriate. She added that all matching funds are used with local transportation dollars or with other grants. Ms. Williamson stated that in Administrative CATS is requesting $121,571, in Capital $165,254, in the 5310 Purchase of Service CATS is requesting $15,000 for a total of $825,825 in the grant requests to NC DOT.

Commissioner Jefferies stated that the matching will be $36,262. Ms. Williamson responded that this was correct and that $1500 of that would come from the ROAP grant application and the remaining amount will come out of the CATS revenue surplus.

Chairman Hall asked for questions or comments from the public. With no questions or comments from the public Chairman Hall declared the public hearing as closed.

Commissioner Jefferies moved, seconded by Commissioner S. Carter to approve the CATS grant applications as proposed. The motion carried unanimously.

PUBLIC COMMENTS

Chairman Hall opened the floor to Public Comments.

Ms. Jennifer Eastwood, Health Director, stated that she is here today to talk about flu shots. She added that last year was proven to be one of the deadliest flu seasons on records. Ms. Eastwood stated that of the children that got the flu 180 died and 80% of those were not vaccinated. She added that it is hard to predict what the flu season will be every year but the CDC is urging everyone to get vaccinated early in the season this year preferable by the end of October. Ms. Eastwood stated that Danielle Elmore, Public Health Nurse and Immunization Nurse Coordinator and herself will be in the back room giving flu vaccines free to the commissioners, staff and any of the public that would like to get one today. She added that the Health Department will have a Drive Thru Flu Vaccine Clinic on Halloween, October 31st from 9:30 to 2:30 in the parking lot of the Health Department. Ms. Eastwood stated that this is a way for the Health Department to exercise its preparedness plan in case the Health Department would ever have to do a mass vaccination of the population against some type of outbreak.

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

RECOGNITIONS

Commissioner S. Carter stated “I do not but I have a possible future suggestion, I saw in Rockingham, I am sorry not Rockingham, Person County’s Board of Commissioners recognized Judge Galloway and his retirement and I thought that may be a good service for this Board to provide for what he has done for the citizens of the county over the years and we might could have that prepared for maybe the next meeting. Is that sufficient timing Paula for your requirement?” The clerk responded yes. Commissioner S. Carter continued “Yes so that’s my suggestion and I was going to see what the Board thought about that.”

Chairman Hall asked what the Boards thoughts were on this as far as a resolution.

Commissioner S. Carter stated “I will be happy to write it.”

Chairman Hall stated that there was a consensus with the Board.

Chairman Hall acknowledged and recognized Ms. Rhonda Griffin and the Staff at the Library for sponsoring Dr. Christine Darden during the Hoedown. He added that Dr. Darden made a fantastic presentation.

DISCUSSIN ON SALE OF COUNTY PROPERTY AT LANDFILL

Chairman Hall stated that a citizen came before the Board and requested to purchase two pieces of property at the landfill. Chairman Hall asked the Board if there was an interest in selling either piece of property or both pieces of property and if so the Board can direct the county manager to move forward with the appropriate process for the disposition of county property.

Commissioner Owen was in favor of selling either one or both pieces of property.

Commissioner Travis was in favor of selling the small piece of property but was hesitant with the larger piece of property.

Commissioner S. Carter asked “Mr. Chairman may I ask the county manager a question?” Chairman Hall responded yes. Commissioner S. Carter continued “How much land do we have over there total including these two parcels?” Mr. Miller responded that he was not sure on the total acreage for the total site. He added that if the landfill wanted to expand the only option would be to expand to Option #2. Commissioner S. Carter continued “And that was going to be my follow up comment, on the larger parcel I agree with Mr. Travis that I don’t mind parting with that 1.3 acre, the triangle that I am going to refer to it as but I see the close proximity to our current facility there with the second parcel, the 23 acres so I am not in favor or selling the larger parcel.”

Commissioner Owen stated that he assumed that the land has been there since the landfill was built and it is still sitting there. He added that he is in favor of selling the smaller tract. Commissioner Owen stated that there has been discussions about moving the impound lot to the back of the facility which would be suitable. He added that there has been talk about building a workshop and where the impound lot is now is a perfect location for the workshop. Commissioner Owen stated that he did not know why the county would want to hold on to this property but he was not recommending selling all of the land but maybe some of it.

Commissioner Jefferies stated that he did not have a problem with selling the property and he agreed with Commissioner Owen.

Commissioner McVey stated that he did not have a problem with selling the property. He agrees with selling the small piece and he would entertain selling half of the 23 acres in the back.

Chairman Hall stated that there seems to be an interest in selling at least some of the property at the landfill and he asked general counsel to go over the process before directing the county manager on what to do.

Mr. Ferrell stated that there are specific ways that the county can pursue disposition of its county property but he added that the Board has not received a set price or a firm offer to purchase this property. He stated that the next step would be to authorize the county manager to enter into negotiation for the sale of the property and assuming there is a firm offer in that negotiation the county would then use the negotiated offer upset bid process. Mr. Ferrell stated that the offer would come back to the Board and if the Board accepts the offer then this offer would be set up for the upset bid process and there would be a public notice in the newspaper with the proposed offer and there will be a time period in which any other party could come and make an offer to increase the bid until the final offer is made. He added that a survey will need to be done on the property and he added that he would assume that the county would want the purchaser to pay for this cost. Commissioner Owen responded that in his discussion with the citizen he was willing to pay for the survey. Mr. Ferrell stated that he assumes that the county would want to make this an as is sale.

Commissioner Owen moved, seconded by Commissioner McVey to direct the County Manager to proceed with the negotiated offer upset bid process.

Mr. Ferrell stated that what would be brought back before the Board is the landowner’s offer and then the Board can decide if this offer is acceptable before starting the negotiated offer upset bid process.

Mr. Miller stated that he would enter into a negotiated offer upset bid process for Option 1 and then again for Option 2 so there will be two options and then the Board can approve or deny each request separately.

Upon a vote of the motion, the motion carried by a vote of five to one with Commissioner Travis voting no.

DISCUSSION ON LEGISLATIVE GOALS

Chairman Hall stated that the Board has talked several times about the legislative goals to be submitted to the North Carolina Association of County Commissioners. He added that the Board agreed with the legislative goals that Commissioner Owen had submitted earlier. Chairman Hall asked the Board if there were any more legislative goals to add or discuss.

Commissioner Owen stated that Commissioner Jefferies had mentioned something at the last meeting. Commissioner Jefferies responded that it was regarding reducing the migrant workers’ salaries. Chairman Hall asked if this was a federal rule. Commissioner Jefferies responded that it was in the federal court now. Chairman Hall stated that Commissioner Jefferies would like for the NC legislatures to support reducing the required hourly rate for migrant workers.

Commissioner Owen recommended that his also be sent to the representatives in Washington as well.

Chairman Hall stated that one of the goals referred to broadband and he suggested tightening the wording to allow utility companies to lease their access broadband capabilities to other entities. Commissioner Owen responded that he did not have a problem with this. Chairman Hall stated that these legislative goals need to be submitted to Ms. Seamster so she can submit them online. Mr. Miller stated that this goal would be a right of way issue. Chairman Hall stated that he would get with the county manager and clerk on the wording of this goal.

APPOINTMENTS TO BOARDS AND COMMITTEES

Agricultural Advisory Committee

Chairman Hall asked if any of the applicants were related. Four Board members responded yes. Commissioner S. Carter responded “Father and daughter-in-law, I am sorry father and daughter.” Chairman Hall wanted to make sure the Board was aware of this.

Commissioner Travis asked if there are any guidelines as far as relatives being on a board together. The clerk responded no. Commissioner S. Carter responded “There are ethics guidelines on the application itself. You have the ethics guidelines in the application itself.” Commissioner Travis asked if there has ever been anything like this before. Chairman Hall responded that he is not aware of it happening before. Commissioner Travis stated that he knows each of the applicants and he does not have a problem with this. Commissioner McVey responded that he feels like they will do what is in the best interest of the county. Commissioner S. Carter stated “I will remind you what the application says, the only thing I see is you have a question if any family member is employed by the county or to an organization that is affiliated with the Board of Commissioners in which you are seeking membership and it’s a yes or no and an explain. As far as the ethics go on this application I don’t see anything where that is stated as a straightforward conflict of interest but it does ask the applicant to explain if you have a conflict of interest with another board member or another person applying and I assuming you would indicate it so I agree with the comment made about the two individual applicants as well. I think it would be fine to accept both but I just wanted to go through what the application says.”

Chairman Hall stated that he is not comfortable with appoint more than one family member to a board that the Board appoints and he asked general counsel for his comments.

Mr. Ferrell stated that did not know of anything that was in the rules that would prevent family members to a board. He added that this board and most of the county boards are advisory and does not have any independent decision making authority. Mr. Ferrell stated that nepotism is always an issue in organizations and added that this may be a decision for the Rules of Procedure in December but there is not a rule now.

Commissioner Owen moved, seconded by Commissioner McVey to appoint David Byrd, Nate Bruce, Susanne B. Hawkins and Elizabeth Mason to the Agricultural Advisory Committee. The motion carried by a vote of five to one with Commissioner Hall voting no.

MEMORANDUM OF UNDERSTANDING BETWEEN THE US DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE AND THE NC DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES – DIVISON OF SOIL AND WATER CONSERVATION AND THE CASWELL SOIL AND WATER CONSERVATION DISTRICT AND CASWELL COUNTY, NORTH CAROLINA

Chairman Hall asked if the Board had the opportunity to read through the memorandum.

Commissioner Owen moved, seconded by Commissioner S. Carter to approve the MOU. The motion carried unanimously.

RECESS

(The Board took a brief recess to allow those in attendance to get a flu shot.)

ADDITIONAL MAINTENANCE POSITIONS REQUEST

Mr. Miller stated that everyone is aware that the county staff is having a difficult time keeping the grass mowed and the buildings cleaned due to short staffing in the Maintenance department. He asked the Board to approve 2 additional maintenance personnel: 1 for Facilities and 1 for Grounds Maintenance. Mr. Miller stated that Maintenance is down 2 positions.

Commissioner Travis asked if these 2 positions would replace the 2 positions that are down. Mr. Miller responded no that this would be 2 new additional positions. Commissioner Travis then asked if this would replace the 2 down positions and then add 2 new positions. Mr. Miller responded no it would just be adding 2 new positions. He added that there are 2 personnel out on medical leave right now but are expected to return to work.

Commissioner S. Carter asked “Mr. Chairman, fellow Commissioners, I was just thinking a month or two ago, I may be wrong, did we approve to fill one of the current existing positions through a temp position?” Mr. Miller responded that the County has had a temporary position listing on the website for quite some time, have received 2 applications but have not filled that position. He added that this position does not include benefits.

Commissioner McVey stated that he was looking for a middle type person for Maintenance. He added that this person would be able to do certain types of repairs and take over when the Maintenance Director cannot respond.

Commissioner Owen stated that in the original conversation there was a discussion about one position. He asked for the range of salary for a Facilities person. Mr. Miller responded $24,400. Commissioner Owen then asked for the salary for the Grounds maintenance. Mr. Miller responded that this position would depend on if it were an entry level or a higher level position.

Commissioner McVey asked about the salary for a middle ground position. Mr. Miller responded that this position would be around a Grade 17 which would be about $31,000.

Commissioner Travis stated that when the Board passed the budget this last time the Maintenance Director asked for a position and the Board did not approve this position and now the Board is talking about hiring new positions. He added that there is no need to have a budget if the county is not going to abide by it. Commissioner Travis stated that he knows there is a need but the County is not being run like it should be. He added that he knows the county needs these positions but he cannot support this.

Commissioner Owen stated that he agreed with Commissioner Travis but there comes a time when the county has to consider this an emergency situation.

Commissioner McVey stated that he does not want to do this either but the county is in a position that it has to do something.

Commissioner Travis asked the county manager to see how much this would cost to contract it out. Mr. Miller responded that it would be cheaper to contract the mowing out but as far as the cleaning he has not heard back on this. He added that it is more advantageous for the county to conduct the cleaning services instead of contracting this out due to HIIPA regulations.

Commissioner Jefferies stated that the county had a contract before with cleaning and it worked well and he did not know why the county gave it up.

Commissioner S. Carter stated “In regards to the cleaning and mowing I completely agree it’s better to have staff at this point in time.”

Commissioner McVey asked the county manager about the ballpark cost of contracting the mowing. Mr. Miller responded that the mowing would be around $70,000 yearly.

Chairman Hall stated that he thought the county needed to hire somebody.

Commissioner S. Carter asked “Mr. Chairman I have another follow up on that temporary position, is there something we may could do, I don’t know what the situation was but could we do something to enhance the possibility of hiring somebody temporarily, it seems like we are in a rut? You talked about hiring one person but you still got two people out indefinitely.” Commissioner McVey responded that he did not know that the county could rush hiring someone but he did know that the HR department is making an effort to get these two positions filled but it is just sitting there. He recommended hiring one middle person.

Commissioner McVey moved, seconded by Commissioner Owen to hire 1 supervisor position for Maintenance.

Commissioner Travis asked what the salary would be for the supervisor. Commissioner McVey responded $31,000. Mr. Miller responded that he believed the salary would be $31,000 or $31,500.

Chairman Hall stated that the county needs to establish a position with a starting range of $31,000 to $34,000. Mr. Miller responded $31,500. Chairman Hall asked Commissioner McVey is this was the essence of his motion. Commissioner McVey responded yes.

Commissioner Jefferies suggested promoting someone to this position before going outside. Chairman Hall responded that anybody on staff can apply for this position.

Upon a vote of the motion, the motion carried by a vote of five to one with Commissioner Travis voting no.

REQUEST FOR PROPOSAL – VEHICLE REPAIR AND MAINTENANCE SERVICES

Standard County Fleet

Larger County Fleet

Mr. Miller stated that at the last meeting he gave the Board a copy of a RFP that could be used to secure the vehicle maintenance and repair and it is presented to the Board again in its agenda packet. He added that there are two RFPs, one for the standard county vehicles and the other is for the larger county vehicles such as ambulances and diesel vehicles.

Commissioner Travis asked the county manager if this included all of the vehicles that county owned. Mr. Miller responded that these RFPs do not include the vehicles for the Sheriff’s office. Commissioner Travis asked why the Sheriff’s office vehicles were not included. Mr. Miller responded that in discussions with the Sheriff’s office they asked not to be included in this RFP. Commissioner Travis stated that he does not agree with this because the money comes from the same place to pay for the bills. He added that he did not care where the Sheriff’s vehicles were taken but he did not like the idea of the Sheriff’s office not wanting to be included in the RFP. Mr. Miller responded that the Sheriff’s office indicated that their repairs and their services are specialized to some degree and they needed the ability to take their units to separate places to have work done for different repairs. Mr. Miller agreed that the RFP did not seem appropriate for the Sheriff’s office and he was instructed not to include these vehicles. Commissioner Travis asked the county manager if he worked for the Board or the Sheriff. Mr. Miller responded that he works for the Board. Commissioner Travis stated that the Board directed the county manager to include all the county cars in this RFP and the Sheriff has nothing to do with this. He added that he understands when it comes to going to a body shop but as far as oil changes, brakes, etc. should be contracted with one place. Commissioner Travis did not agree that the Sheriff’s office vehicles had to be taken to a different place from all the other county vehicles. He added that the cars belong to the county and not one person and the taxpayers of the county pay the bills on every car. Commissioner Travis also stated that he did not know why the Sheriff was even asked.

Commissioner McVey asked the county manager if the county has entertained hiring one person in house to handle the general service on the county vehicles. Mr. Miller responded that the Board has talked about the liability associated with maintaining the fleet and that is the reason why this was done. He added that he has talked to the Board about putting out an RFP for the last three meetings and if that is not what the Board wanted him to do he should have been instructed otherwise but he would be happy to do that if the Board instructed him to do that. Commissioner McVey asked why this would increase the liability because the county carries liability insurance. He asked the county manager to figure what it would actually cost the county to hire someone to handle the general maintenance. Mr. Miller responded the situations that would not be covered such as oil filters not being installed correctly, etc. and the Board has discussed these issues.

Commissioner Travis stated that the county would have to carry liability insurance for the garage and one person cannot handle the whole fleet of the county. He added the Board has talked about this before.

Commissioner Owen stated that the Board did instruct the county manager to prepare this RFP and the original purpose was to make sure the county is putting its county employees in a safe vehicle.

Commissioner Jefferies asked if the county was planning to have one shop or share the responsibility with several shops. Commissioner Travis responded that it could be divided up but it needed to be the same prices.

Chairman Hall stated that this is at the proposal point now and if the Board decides to move forward it can be decided how everything should be handled.

Commissioner S. Carter stated “I just want to bring our attention back to the point that Commissioner Travis raised which I agree to, Sheriff’s vehicles should be included in this, I wholeheartedly agree with that.” Chairman Hall responded that the Board is at the point of making a motion. Commissioner S. Carter continued “So I would ask advice on that subject, does this proposal need to be drastically rewritten to include them?” Mr. Miller responded no. Commissioner S. Carter continued “No. And then my follow up thought on that based on the manager’s comments where the Sheriff mentioned there were specialty services for some of these vehicles, I feel like we should kind of know what that is so that we can move forward properly with their maintenance as well and know what our big picture is her but I am happy to entertain a motion to include the Sheriff’s vehicles at this point.”

Commissioner S. Carter moved, seconded by Commissioner Travis to move forward with the 2 RFPs and to include the Sheriff’s vehicles as well. The motion carried unanimously.

COUNTY MANAGER’S UPDATES

MedAssist Program

Mr. Miller stated that the MedAssist Program is listed under the Announcement and Upcoming Events. He added that as the Chairman requested he had a list of the medications sent to the Board of Health for review and this was discussed that the Board of Health meeting. Mr. Miller stated that multiple departments have asked if their staff can help with the program on October 12th from 9 a.m. to 2 p.m. He added that each volunteer slot would be for 3 hours and they need 75 volunteers and they currently have 5 volunteers.

RFQ for Architectural and Engineering Services

Mr. Miller stated that he RFQ for Architectural and Engineering Services are scheduled to be received on October 15th.

Chairman Hall asked what this RFQ is for. Mr. Miller responded that this was for the renovation and construction of the Caswell Enterprise Center on the Square.

Commissioner S. Carter asked “Mr. Chairman, back to your first update about the volunteers, who should any of us contact with volunteers? Contact you or contact them?” Mr. Miller responded to contact him.

Chairman Hall stated that there was a question from the county manager on the Med Assist program about volunteers and whether staff could volunteer. He added that except for the Sheriff’s Office, Register of Deeds office all other employees report to the county manager. Mr. Miller responded that the Health Department and DSS did not report to him. Chairman Hall stated that unless there is some objection from the Board the county manager can make the decision on whether or not county employees can volunteer their time. Mr. Miller responded that he is happy to do that with the Board’s approval.

Commissioner Owen asked if the employees would go through their supervisor or director before coming to the county manager. Mr. Miller responded absolutely.

ANNOUNCMENTS AND UPCOMING EVENTS

A. Pelham Volunteer Fire Department Pork Jam/50th Anniversary

 Celebration – Saturday, October 6, 2018

 B. MedAssist Mobile FREE Pharmacy – Friday, October 12, 2018

 9:00 a.m. to 2:00 p.m. Caswell County Parks and Recreation

 C. 6th Annual Caswell Breast Cancer 5K – Saturday, October 13,

 2018. Registration at 8:00 a.m.

 D. 1st Annual Domestic Violence Awareness Benefit Concert &

 Fish Fry Fundraiser – Saturday, October 13, 2018 11:00 a.m.

 to 2:00 p.m. – S. R. Farmer Lake

 E. Piedmont Triad Regional Council 50th Anniversary Celebration

 Wednesday, October 17, 2018 at 11:30 – 2:00 p.m.

 F. The Health Summit – Thursday, October 25, 2018 at 8:30 a.m.

 to 1:30 p.m. – Cottontail (600 Craghead Street, Danville, VA).

Chairman Hall stated that he wanted to highlight Item E. and added that all Commissioners, perspective commissioners and some staff are invited to the Piedmont Triad Regional Council’s 50th Anniversary Celebration. He added that everyone needed to let the clerk know today if they plan to attend.

The clerk announced that 19 pints of blood was collected at the Community Blood Drive last Thursday. She added that the 2018 Piedmont Clerks Academy would be held in Caswell on Friday, September 28th and she invited to the Board to attend. The clerk read a thank you card from the Family of Herbert H. Rudd, Sr.

Mr. Kenneth Rothrock stated that he wanted to address the Board to introduce himself. Mr. Rothrock stated that he is running for the new district, District 50. He gave a background about himself.

CLOSED SESSION

Commissioner Owen moved, seconded by Commissioner Travis to go into Closed Session to prevent the disclosure of information that is privileged or confidential (NCGS143-318.11(a)(1)). The motion carried unanimously.

REGULAR SESSION

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

Chairman Hall stated that there have been some discussions about having a joint meeting with the School Board concerning the School Report Cards. The clerk has not started the meeting preparation as of yet due to the meeting with the Social Services Board which was proposed to be on Monday, October 15th at 5:00 p.m. and she asked for suggestions on a date for meeting with the School Board. Chairman Hall recommended having a meeting in November with the School Board.

Commissioner Travis recommended having the joint meeting with the School Board the second meeting in November before the Board meeting and if the School Board cannot do it that is fine.

Commissioner Owen stated that two boards needs to have a meeting on school security. Chairman Hall did not think these two issues needed to be mixed.

The consensus of the Board was to have a joint meeting with the School Board on Monday, November 19, 2018 at 5:00 p.m.

ADJOURNMENT

At 11:04 a.m. Commissioner Travis moved, seconded by Commissioner McVey to adjourn. The motion carried unanimously.

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Paula P. Seamster Nathaniel Hall

Clerk to the Board Chairman

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