MINUTES – FEBRUARY 18, 2019

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, February 18, 2019. Members present: Rick McVey, Chairman, Jeremiah Jefferies, Vice Chairman, Sterling Carter, William E. Carter, Nathaniel Hall, Steve Oestreicher and David Owen. 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 SILENT PRAYER

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 Oestreicher asked to amend the Agenda to add a discussion on the Historic Preservation Fund that Commissioner Owen emailed to the Board. Chairman McVey responded that this item will be added after #8.

Mr. Miller asked to amend the agenda to add a Closed Session. Chairman McVey responded that this item will be added after #13.

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

APPROVAL OF CONSENT AGENDA

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

The following item was included on the Consent Agenda:

A. Approval of Minutes of January 30, 2019 Special Meeting

B. Approval of Minutes of February 4, 2019 Regular Meeting

C. Approval of FY 2018-2019 Budget Amendment #6

PUBLIC HEARING – AGRICULTURE EDUCATIONAL CENTER

Commissioner Owen moved, seconded by Commissioner W. Carter that the Board enter into a public hearing to receive comments on the Agriculture Educational Center. The motion carried unanimously.

Mr. Miller stated that he and Dr. Pamela Senegal, President of Piedmont Community College, would present the information on the options for the Agriculture Educational Center. He gave the Board and those present why the Agriculture Educational Center is important. Mr. Miller stated that Caswell County has identified agriculture as a pathway forward and is associated with technology and education. He added that the PCC Agriculture Technology programs give residents and affordable option to increase their educational level while at the same time increasing the educational level of the county which encourages economic development. Mr. Miller stated that an agriculture center and educational center was identified in the county’s success in the 2014 Comprehensive Plan, 2016 Commissioners Planning Work Session and the 2018 Economic Development Action Plan. He added that grant submissions are only accepted from the beginning of March through the middle of March. Mr. Miller stated that the committee needs direction to meet the deadlines associated with the project. He added that the committee has identified two separate sites for the project: Site 1 is in Pelham and Site 2 is in Yanceyville.

Dr. Senegal stated that from an educational standpoint the reason why this project is important is for individuals that want to pursue a career in agriculture here in Caswell County. She added that there are 150 members of the Future Farmers of America at Bartlett Yancey High School and this does not include the members of the Home School network. Dr. Senegal stated that the Ag program at Mount Olive is $21,000 a year, at NC State it is $10,000 a year, and at PCC it would be around $5,000 a year. She added that the second reason is PCC wants to leverage its Connect NC Bond funds, in 2015 PCC was allotted a pool of money and the PCC Board has identified that it wants to spend $1.4 million in Caswell County but there is a requirement of a local match. Dr. Senegal stated that all of these funds need to be expended by the end of 2020. She gave the Board the estimates of overall cost for this project which is $3,265,000 which includes an education building, storage facility, greenhouses, etc. Dr. Senegal stated that other educational opportunities as well. She added that the yearly operating costs are estimated at $100,000.

Mr. Miller gave the Board a comparison of the two sites: Pelham just off Highway 29 near the Visitors Center and Yanceyville located on County Home Road between Firetower Road and Caswell Pines Golf Club. He added that the Pelham site is owned by the County and encompasses 78.02 acre with the caveat that if PCC does not fulfill this opportunity the property will revert back to the County. Mr. Miller stated that this property can be used as a match for the $1.4 million in NC Connect Bond funds. He added that this site has water and sewer. He added that prior to Caswell County purchasing this property it was tobacco farm land. Mr. Miller stated that the Cooperative Extension, Soil & Water office and Farm Service Agency would remain in Yanceyville but would have a satellite office at the Pelham location if needed. He added that the site meets 6 of the 10 recommendations from the 2014 Comprehensive Plan. Mr. Miller stated that this site was identified by the UNC School of Government Finance Institute as a competitive site for business development in a 2016 study. He added that future plans could include a Farm to Table restaurant, a country store and market as well as many other opportunities. Mr. Miller stated that when the project discussions started the Yanceyville site was not known about and he wanted to review the most frequently asked questions from the public meetings.

Commissioner W. Carter asked if both these sites could have a farmers market. Mr. Miller responded that both sites could have a farmers market. Commissioner W. Carter stated that with the traffic on 29 a lot of people would stop for a farmers market if located in Pelham.

Mr. Miller stated that one of the questions asked was if the soil was really bad at Pelham. Mr. Miller responded that soil samples were collected and the results from N.C. State are that the soil will need lime and fertilizer which are typical additives in a farming operation at a total cost of $13,488 for the first year. He added that the soil type is a sandy loan which he understands from the County’s extension agents to be good soil. Mr. Miller stated that the second question was about the ground being too rocky since the rock quarry is right across the highway. He added that according to reports provided by the Environmental Health Department when gathering data from well drilling applications the rock area averages around 12 ½ feet below the surface which gives plenty of room for roots to form.

Dr. Senegal stated that the next question receive was that Pelham was just too far away for residents to drive to it. See added that they looked at all the volunteer fire departments in the county and came to the conclusion that Pelham is between 17 and 35 miles from various locations in the county.

Dr. Senegal discussed Option 2: Yanceyville site. She added that an option came about during the community meetings and it is a 140 acre working farm in Yanceyville. Dr. Senegal stated that this property has a price tag of $1.5 million and will have to be purchased whereas the County already owns the Pelham site.

Mr. Miller went over the tax implications of the project: Option 1 the County owns the property so there is $0 tax implication and over a 10 year period there is an estimated .7 cent tax rate increase. He added that with Option 2 it would remove $876,936 from the tax received and over a 10 year period there is an estimated 2.5 cent tax rate increase for the project to continue because the property would have to be purchase and sewer installed. Mr. Miller stated that the economic development impact for Pelham is high due to the close proximity to Highway 29 and the economic development impact for Yanceyville is low due to it not being on a main highway.

Dr. Senegal stated the next item is sewer and water availability: Option 1 already has water and sewer utilities available and option 2 has water but it does not have sewer utilities available at this time. She added that North Carolina Department of Commerce worked with the federal government to identify high potential opportunity zones in which business can invest and with their profits, their capital gains, for the first 10 years are at zero and in option 1 that is the only opportunity zone that has been identified in Caswell County. Dr. Senegal stated that option 2 is not inside a federal opportunity zone.

Mr. Miller continued with Internet Access: Option 1 internet access is available with multiple providers and Option 2 internet access is not currently available at this site.

Dr. Senegal asked the PCC Board of Trustees to raise their hand so that everyone would see who is present at the meeting and she thanked them for being at the meeting to support the project. She added that at the Board of Trustees meeting in January this project was discussed and the board of trustees’ wishes to support the Caswell on the Farm project at the Pelham site and that is their recommendation to the Board of Commissioners.

Mr. Miller stated that he echoed that sentiment after going through the data he recommends the Pelham site as well if the Board wishes to pursue this project.

Commissioner Oestreicher asked Dr. Senegal what the impact would be if neither site was selected. Dr. Senegal responded that the PCC Board of Trustees would unearmark the funds for Caswell County and use these funds at the Person County PCC site if nothing is done.

Commissioner W. Carter asked Dr. Senegal to touch on the other programs that would be offered at this site. Dr. Senegal responded that there are lots of ideas that could be included such as a processing center, hiking trail, Entrepreneurship, short term training programs that are topic focused on Ag, small engine repair, pesticides, etc. but it will depend on dollars and timing.

Commissioner Oestreicher asked Dr. Senegal if she had a forecast or projection on the number of potential students that would go to this site. Dr. Senegal responded that typically when a new program begins there is a ramp up phase and because this program was started in October it is considered a pilot program. She added that they are actively recruiting students into the program and they expect to have over the next 3 years between 25 and 30 students just in the Ag program but there will be all sorts of other programs that would quadruple that number.

Commissioner Jefferies asked how students are enrolled in the program now. Dr. Senegal responded that 5 students are enrolled now but through the small business programs focused on Ag there is an average of 15 to 20 participants in the program and five or six of those programs are ran every semester. She added that several have expressed an interest in the program and PCC is still building awareness of the program. Dr. Senegal stated that the program was delayed because it had to be accredited and get approved for financial aid before it could be offered. Commissioner Jefferies stated that he visited Mount Olive and they had 20 students and they are drawing from 16 counties. He added that Caswell County does not grow peanuts, cotton or potatoes. Commissioner Jefferies stated that he is not against the program but he thinks the site should be centrally located. Commissioner Jefferies stated to the county manager that he thought there was 100 acres of land for sale for $500,000 and what was presented was 140 acres for $1.5 million so he wanted to know what happened. Mr. Miller responded that he has not been involved in negotiations for land at all because the Board has not directed him to do that. He added that if the Board chooses Yanceyville as the site tonight he would gladly look into all the options that are available. Mr. Miller stated that Dr. Senegal had those conversations. Dr. Senegal added that this was a private sale that was brought to PCC’s attention and $1.5 million was the asking price that was given.

Chairman McVey asked if there were any more questions from the Board before hearing from the public.

Chairman McVey asked if there was anyone that would like to speak that is against the Agriculture Education Center being located in Caswell County. No one came forward. Chairman McVey then asked if there was anyone that would like to speak on Yanceyville being the site location.

Mr. David Byrd, 9773 NC Highway 62 South, stated that he is in favor of bring agriculture education to Caswell County but he is for centrally locating this site so all students that want to participate will have an equal opportunity.

Mr. V. Mac Baldwin stated that his concern is that the county is talking about an agriculture school which implies dirt and we are going to be asking these students to grow something in the dirt and dirt requires organic matter. He added that the site at Pelham has pine trees and there is no one within 10 miles of this site on either side that is farming in that community and it is not productive for farm land. Mr. Baldwin stated that he would like to see the children get the best dirt that they could get to grow their projects on because we want to encourage them to be good producers. He added that he thinks that Yanceyville is hands down a better site.

Mr. Hester Vernon, 3629 Yarboroughs Mills Road, Milton, stated that he agrees with the speakers that spoke before him that the center needs to be located in the center of the county where all the students can get the same opportunity. He added when talking about plots that will be a lot of time involved and it could be late nights. He stated that he agrees with Mr. Baldwin about what is on the property now is scrubby trees; it has not grown trees sufficiently. Mr. Vernon stated that this land was purchased as an industrial site and he thinks the Yanceyville site is a better site and location.

Chairman McVey then asked if there was anyone that would like to speak on Pelham being the site location.

Ms. Shannon Moretz, 1117 Deer Trail, Reidsville, stated that she tries hard to stay out of a mess but when things like this project comes up she feels like everyone needs to be heard and she is concerned that this is going to be another tremendous opportunity that the County will let slip through its fingers. She added that everyone is the room is aware of countless opportunities that slipped away because someone decided that there was a better idea. Ms. Moretz stated that she cannot remember another time that the ‘economic development gods have smiled upon Caswell County and said here is something that can really be your future for the entire county.’ She added that she hears the concern about centrally locating this facility and added that she would buy this if people were concern about the people in Pelham getting access to healthcare and mental health, there are lots of things that people in Pelham do not have but they do have an industrial site that the county has been sitting on for 20 or 30 years and is perfect for this project. Ms. Moretz stated that she cannot believe that Piedmont Community College entered into this haphazardly or did not do their homework and if this is what PCC has decided that they want to do the county should say thank you and do everything it can to work with PCC instead of working against PCC.

Ms. Lou Ann Reaves, 358 Wall Street, Yanceyville, stated that she had a speech written up but she feels that Shannon Moretz summed up her feelings exactly and she did not need to add any more to it. She asked the Commissioners to vote their conscious. Ms. Reaves stated that it would be a tax burden on the citizens if the Board chooses to not put this project in Pelham. She asked the Board to give the citizens of Pelham to show what they can do with their community and with their land.

Lt. Coronel Retired Antonio Foster, 933 Ashland Road, Ruffin, stated that he came to basically say thank you. He stated thank you to the President of PCC, thank you to the county manager, for their vision and foresight for getting this project off the ground. He added that he knows for a fact that the President and her staff has been working hard on this project and have identified all the details that can be identified. Mr. Foster stated that he is originally from Pelham so he may be a little bit biased but he has been all over the world and came back to this great county and he is excited that all the outskirts of the county are being looked into and it is important to develop the entire county. He stated that the President could have taken the $1.4 million and put it somewhere else. He wants everyone to be on the same sheet of music, singing the same song. He thanked his fellow Board of Trustees for PCC, the President, the county manager and the Board of Commissioners.

Mayor Alvin Foster, 203 Chandler Road, Blanch, stated that he is the mayor of the Town of Yanceyville as well as the Chairman of the Economic Development Commission. He stated that this presentation was given to the Economic Development Commission and it is in support of this project in Pelham for two reasons. One is people have been too possessive of regions in the county. He added that he looks after Yanceyville because that is his primary concern as mayor but as chairman of the Economic Development Commission they have to look at what is best for the county as a whole. Mayor Foster stated that he would love to have the project in Yanceyville but economic feasibility the project belongs in Pelham because of the location, traffic, and there is a potential to grow this facility into something else other than the educational aspect such as an added value processing center where farmers can sell their products to the public, a farmers market, test plots, research as well as tourism. Mayor Foster stated that Highway 29 will become an interstate sometime in the early 2020s. He added that a component of this project will stay in Yanceyville at the PCC campus and the farm agencies will stay in Yanceyville. Mayor Foster stated the Town Council supports this project in Pelham. He stated that there are probably people in Person County wondering why this money is being spent here in Caswell County but Dr. Senegal’s heart is in Caswell County as well as Person County and she has the best interest for Caswell. Mayor Foster stated that as mayor of Yanceyville and chairman of the Economic Development Commission he supports the project being located in Pelham.

Mr. David Wrenn, 130 Shady Grove Road, Providence stated that he was a member of the Board of Commissioners when the property was purchased in Pelham and it was a tobacco farm at the time so he knows it grows crops. He added that Pelham is a great place to live and this property was bought with a vision that this area would grow because of the interstate highway and the growth of the county. Mr. Wrenn stated that no it is not centrally located but the same people that say this put their children on school buses and send them all over the county, there used to be centrally located schools but that changed. He added that individuals drive 20 to 30 miles to eat supper and that doesn’t stop them. Mr. Wrenn stated that this is an economic development opportunity that is bought and paid for and there is no need to look for property to spend more tax dollars. He asked to Board to utilize what it has and save the tax dollars for something else down the road.

Mr. Kent Williamson, 461 Graves Road, stated that he did not come to speak but after hearing what he heard he wanted to say on behalf of the PPFG which is the Piedmont Progressive Farmers Group that is located in the Cherry Grove area and after looking at all the benefits of this project and what it could do for this county we joined in and agree that it should be in Pelham. He added that the county can buy all the dirt it needs for $1.5 million but the location in Pelham has the interstate and endless opportunities for the county. Mr. Williamson stated that PPFG supports this project 100%.

Ms. Susan Kelly, North Carolina Cooperative Extension, stated that her territory is 20 counties but she has spent more time in Caswell County than any of the others in the 4 months that she has had her job. She added that she would tell the county where to place this project but the Cooperative Extension will be a partner in this and would be excited to work with the community college and the county. Ms. Kelly stated that what is different here in Caswell that a lot of other rural counties don’t have is and that is planning and foresight for the food systems and agriculture systems so she is excited about that and she tells people all the time that they would not believe what they are doing in Caswell County. She added that the Cooperative Extension is non-formal educators for NC State and NC A&T and extend the research of these universities and would be a great partner in this project. Ms. Kelly stated that the Cooperative Extension has a youth development program called 4-H and a lot of the kids are entrepreneurs and interested in the agricultural industry as well so there is more than FFA members in the county.

Mr. Mike Lanier, Cooperative Extension Area Agent, stated that he would like to give a perspective on Ag economic development and the economics of growing produce. He stated that he grew up in Edgecombe County in the 1960s and there was a model for small agriculture back then and if you had 10 acres of tobacco and had a small hog operation you could support a family and send the kids to school but a lot of those small farm opportunities are not available anymore. Mr. Lanier stated that in Orange County they support small produce farms and started an incubator and a beginning farm program there which started in 2008 and now there are dozens of small produce farms in northern Orange County. He added that the piedmont has population centers that sell directly to consumers so the small farms are 2 to 4 acres of produce and the good farmers with experience call grow $40 to $50,000 an acre and net $15 to $20,000 depending on the debt they are carrying. Mr. Lanier stated that Caswell is not far from Greensboro or the triangle markets. He stated that farmers will travel to sell their produce. Mr. Lanier stated that he is supportive of this kind of project because it will revitalize the economy in the rural areas.

Mr. Thomas Hoskins stated that he wanted to thank everyone that spoke tonight but the good thing will be when those students come out of that school and solve something brilliant for this country and this community. He added that everyone needs a chance and now is the time to give it and quit dragging the anchor.

Commissioner Owen moved, seconded by Commissioner W. Carter to close the public hearing on the Agriculture Educational Center. The motion carried unanimously.

Commissioner Owen moved, seconded by Commissioner Oestreicher to proceed with the Pelham site for the PCC Agribusiness Technology Campus.

Commissioner Jefferies stated that he would like to amend the motion that every member of the Board to go to Mount Olive to visit that operation.

Commissioner Owen stated that he would like for his motion to stand as stated.

Mr. Ferrell stated that what Commissioner Jefferies has offered is a secondary motion or a procedural motion to delay the vote until the Board visits the Mount Olive facility and if there is a second the Board would vote on this motion first before the original motion.

Commissioner Jefferies moved, seconded by Commissioner Hall for the Board to visit the Mount Olive facility before voting on the center.

Commissioner W. Carter stated that the visit to Mount Olive was brought up at the last meeting and no one went to visit the facility. Commissioner Jefferies responded that the day that was discussed was not a good day for the Mount Olive facility. Mr. Miller stated that this was correct the director could not meet on the day that the Board was available.

Upon a vote of the motion to visit the Mount Olive facility, the motion failed by a vote of 2 to 5 with Commissioners S. Carter, W. Carter, McVey, Owen and Oestreicher voted no.

Chairman McVey stated that now the Board will vote on the main motion.

Commissioner Oestreicher stated that the motion was to proceed with the planning, permit applications, etc., etc. Commissioner Owen responded that it would be anything that would be included in doing it at the Pelham site.

Commissioner Hall stated that he seconded Commissioner Jefferies motion because he did not see any indication on the agenda that this would be voted on tonight. He asked general counsel what will happen if the Board takes a vote on something that is not on the agenda. Mr. Ferrell responded that the item is on the agenda. Commissioner Hall stated that the item is on the agenda for a public hearing. Mr. Ferrell responded that there is a motion to proceed with the project in Pelham and he believes the motion is in order but there could be another motion to delay which would be in order if that is the will of the Board.

Upon a vote of the motion to proceed with the Pelham site for the PCC Agribusiness Technology Campus, the motion carried by a vote of six to one with Commissioner Jefferies voting no.

RECESS

The Board took a brief recess.

PUBLIC HEARING – PROPOSED CASWELL COUNTY KENNEL ORDINANCE

Commissioner Owen moved, seconded by Commissioner W. Carter that the Board enter into a public hearing to receive comments on the Proposed Caswell County Kennel Ordinance. The motion carried unanimously.

Mr. Miller stated that the Board had a draft of the Kennel Ordinance in their agenda packets. He added that the draft has been approved by APS. Mr. Miller stated that in reviewing the ordinance the attorney for APS and himself have had a couple of conversations on the proposed ordinance. He informed the Commissioners that he had sent them a summary that summarizes the proposed ordinance over the weekend. Mr. Miller stated that he feels the ordinance deals with the top tier of what would be seen in a traditional setting. He gave the example of 7 breeding females which would not be incorporated in any of the kennels in the county so this ordinance would not require them to register with Animal Control along with the 20 animals or more and the 50 sales per year. Mr. Miller stated that he would be glad to answer any of the Board’s questions before entering into the public comments period of the hearing.

Commissioner Owen asked the county for a clarification, he asked if he was suggesting that the numbers in the ordinance may be a little high. Mr. Miller responded yes and that a reduction in the numbers would not be out of the question because it would not encompass the problems that have occurred in the past.

Commissioner Oestreicher stated that he looked over the document in detail and has a long list of items that he would like to see changed but instead of going through the list he agreed with the county manager on the number of each animal in each category. He added that in his communications with the author, she looked at two other counties similar ordinances and those numbers were lower than what is in the proposed ordinance. Commissioner Oestreicher stated that hearing the county manager’s comment on the numbers not capturing the areas of concern in the county he suggested lowering the numbers by 50% in general. He stated that the other blatant item is the proposed ordinance allows the owner of the kennel to be a convicted animal abuser while the kennel cannot hire anyone that has that so he would like to see this fixed. Commissioner Oestreicher proposed that the Board hears the public comments and then at the next Board meeting the commissioners come with detailed comments in writing, make those changes that are agreed upon and at the latest vote at the second meeting in March. Commissioner W. Carter responded that he agrees with Commissioner Oestreicher that anyone charged with animal abuse should not be allowed to have a kennel.

Commissioner S. Carter asked “Mr. Chairman may I with Commissioner Oestreicher’ s approval as well maybe invite Ms. Steffan for a general overview of what this covers so the public can hear from her as well before the comments and program of discussions, is that appropriate?” Chairman McVey responded that this would be fine as long as the consensus of the Board agrees. He asked Ms. Steffan to come forward.

Ms. Kim Steffan, 3598 Corbett Ridge Road, Mebane, stated that she is a longtime volunteer with the Animal Protection Society’s Board and her day job is a lawyer so the APS asks her to a lot of things like the proposed kennel ordinance. She added that she had drafted the kennel ordinance as a starting point for the commissioners and in doing that had looked at other counties from other counties but tailored it to Caswell County. She added that as far as the numbers they are at the upper range of what the Board may want to do and APS would be thrilled if the numbers were lowered because it would make the ordinance more effective and gives it a better impact. Ms. Steffan stated that when she was drafting this ordinance she was not aware that the Pelham incident that arose was as small as it was and only had 3 or 4 breeding females. She stated that the ordinance is designed to have 3 objectives in mind: 1) to prevent puppy mills, 2) hoarders and 3) too many animals financially. Ms. Steffan stated that this draft ordinance is in addition to the Animal Control and Welfare Ordinance that the Board approved last year. She added that if a person has a large amount of animals they would need to get a permit from the county in order to do this; this is for any category such as non-commercial and commercial. Ms. Steffan stated that an animal abuser question is addressed in Section 3.A.VI. She asked Commissioner Oestreicher if he had a better way to express that she would like to see it. Commissioner Oestreicher responded that knowing that someone has committed that offense is one thing but prohibiting them from doing it is a strong way to word it. Ms. Steffan stated that this is certainly an improvement and that is why the draft is before the Board for feedback. She asked if there were other questions she could help the Board with.

Commissioner S. Carter stated “Mr. Chairman, one of the points in my conversation with Ms. Steffan today was the requirement for it to be strictly a North Carolina veterinarian and I asked her if that could be opened up to Virginia veterinarians as well and the answer was yes that we could change that language so that’s one of my recommendations as far as the language goes. While speaking now I want to express my position on the number of animals on those points that were made earlier that I do believe that the 7 female dogs as it mentions in the ordinance should be cut in half or if not just make it 3 based on the Pelham incident that we went through last year and with the number of dogs in the, correct me if I am wrong, the breeders is that the twenty number?” Ms. Steffan responded that the 20 is for non-commercial, people who own animals for any purpose they are subject to the ordinance and that is one of the numbers that was thought to be appropriate to reduce. Commissioner S. Carter continued “And my point with that is cutting that in half because if you have 10 animals I feel like you should be held up to these standards because things can get out of hand with large numbers. And the other number was?” Ms. Steffan responded that there are two other numbers in the ordinance and one of those is the high volume retailer and right now there is none in the county so she does not think this is a big risk but she included it in the ordinance because it is in other counties ordinances and it may arise in the future and the other number is if they sell 20 or more puppies in a calendar year. Commissioner S. Carter stated “And that was the other number I was looking for with the 20, for individuals that sell 20 or more I think that should be cut in half to 10 to be more fair to different breed litter sizes. The only other thing I have with this is of course at the end and I might as well mention it now so it will be in the minutes if we discuss this at a further meeting, is the citations in the last part…” Ms. Steffan responded she thinks it is in 8C. Commissioner S. Carter continued “Yes, 8C on page 9 in the proposed ordinance, the third sentence down it says ‘the civil penalties’ or the sentence before it says ‘An Animal Control officer or his designee may issue to the permittee or any owner or keeper of an animal in violation of this Ordinance a citation’ etc. I wanted to remove the word ‘may’, if we have an ordinance we need to follow by our own rules and follow through with these penalties. That is all I have Mr. Chairman.”

Chairman McVey started down the list with the individuals that signed up for the public hearing.

Ms. Jo Sicz, 1453 County Home Road, Blanch, stated that she received a copy of the proposed ordinance and read through it and she did not to say anything because it has taken a year to get a proposed ordinance but there were some things that she had questions about. She stated that the ordinance talks about having an animal cruelty investigator and she asked if the county has one and if not she asked if the county was going to get an animal cruelty investigator. The second question she had was if the puppy mill from last year is still open and if so how many times has Animal Control been out there to check on it. The third question was if there are any commercial breeders in Caswell County. Ms. Sicz stated that she searched the internet and she found one commercial breeder, Doodles and Poodles in Semora, so she knows there is at least one but she did not know how to find all the commercial breeders in the county. She stated that one thing that is missing in the proposed ordinance and that is something that tells the residents how to file a complaint or to request that something be looked into such as calling Animal Control and leaving a message. Ms. Sicz stated that there is nothing in the proposed ordinance about confidentiality about someone that reports something like this. She stated that during the last episode there were death threats made to the individuals that were speaking about that puppy mill. Ms. Sicz stated that in the last section, Section 8 about penalties there is nothing mentioned about confiscation of the animals if it is a really bad situation is there only going to be a fine or will there be a plan for this type of situation. She added that she thinks the fines are too low and should be much higher to make it hurt.

Dr. Mitch Foster, 1841 Bethesda Church Road, Ruffin, stated that he support the proposed kennel ordinance and he added that he is also a volunteer member of the Animal Protection Society’s board and the biggest thing this ordinance does is to protect the animals in the county because they are the ones that are hurt by this. He added that some of the puppy mills are good and he stated that one of his clients is a really good commercial breeder but there are bad commercial breeders that are only in it for the money. Dr. Foster stated that surrounding counties already have strong ordinances so they may come to Caswell County if the ordinance is not strong. He added that this ordinance gives Animal Control some tools to be able to enforce the protection of these animals. Dr. Foster stated that before Animal Control could only go out and the county has tried to go through the court system and it always fails but the Board gives Animal Control the tool of specifics on what to look for then concrete citations can be given and he thinks the citations are fines for every day they are out of compliance so it will hit their pockets. He passed around pictures of animals at puppy mill sites around the county.

Ms. Lisa Watlington, 90 Westwood Drive, Yanceyville, stated that she agrees with everything that has been said about protecting the animals but she is concerned about who will be held accounting. She asked how everyone will know if Animal Control does their job and that is her main concern. Ms. Watlington stated that yes the county says it will do this and that Animal Control will go out but she wanted to know who is going to hold Animal Control accountable for what they do.

Ms. Kim Steffan stated that Ms. Sicz had asked about question about Animal Control or an animal control investigator seizing the animal and this is located in Section 6. Revocation of Permit under a. ‘Animal Control and Animal Cruelty Investigators shall have the authority to impound any animals from a permittee whose permit has been or is being revoked, in the event the Animal Control Officer or Animal Cruelty Investigator determines that such impoundment is reasonably necessary to prevent neglect or cruelty to the animal or a risk to public health.’

Commissioner Jefferies moved, seconded by Commissioner W. Carter to close the public hearing on the Proposed Caswell County Kennel Ordinance. The motion carried unanimously.

Commissioner Owen asked before moving to the next item he wanted to know if this would be placed on the agenda for further discussion.

Commissioner Oestreicher stated that he had already suggested that at the next meeting that the commissioners bring written comments that can be discussed and incorporate it into a revised draft and agree upon that revised draft and at that time vote or have further consideration vote on it no later than the second meeting in March and he stated that he would make that in a form of a motion is needed.

Commissioner Oestreicher moved, seconded by Commissioner S. Carter to bring the proposed Caswell County Kennel Ordinance back at the next meeting, March 4th, and that the commissioners would bring written comments that can be discussed and incorporate it into a revised draft and agree upon that revised draft and at that time vote or have further consideration vote on it no later than the second meeting in March on the 18th. The motion carried unanimously.

PUBLIC COMMENTS

Chairman McVey opened the floor to Public Comments.

Ms. Adrienne Duncan, 9491 Leasburg Road, Leasburg, stated that she and her husband own property in Leasburg on the Caswell County side. She stated that her neighbor received a letter that a Dollar General was going to be built at 7654 US Highway 158 and she has a petition that has been signed by over 452 people and most of them are Leasburg residents as well as comments that they have posted about having a Dollar General in Leasburg. Ms. Duncan stated that the proposed site is adjacent to a cemetery, the Leasburg Community Cemetery, and there are also two homes on either side of the proposed site. She added that there is no intersection where the proposed site is so she thinks there will be a problem with traffic. Ms. Duncan stated that the Hyco Lake Watershed District is on the north side of 158 but is not on the south side of 158 and if it were on 158 between Solomon Lea Road to Highway 119 then this would not be an issue and she believe the south side should be added to the Hyco Lake Watershed because the water from Hyco Creek goes to Hyco Lake via Cobb Creek. Ms. Duncan stated that the Leasburg area is very historic and there are a number of homes that were built in the early 1800s and right now there are 12 homes and buildings within a quarter mile radius of the proposed location for the Dollar General store. She stated that the neighbors are against this because it will affect the historic value of the property, affect the watershed, and there will be a safety concern because there is not intersection there. Ms. Duncan stated that Leasburg has a community of 200 residents and she has over 400 signatures stated that a Dollar General is not wanted in Leasburg Proper. She stated that she received a letter stating that there would be a public meeting on February 28th in the Historic Courthouse. She asked the Board to add this to its agenda for discussion at the next Board meeting because the Board needs to hear from the citizens of Leasburg.

Ms. Barbara Wilson, 66 Lakeview Drive, Pelham, stated that she represents the Mount View Community located on Law Road in Pelham. She stated that there is about 225 feet of state road including Jefferies Road which is not maintained and this area is full of debris, garbage, trash and other waste. She asked that the Board look into this problem to make Mount View Community a much better place for the residents.

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

RECOGNITIONS

Commissioner Oestreicher stated that on January 15th Caswell County was diminished by the loss of Margaret Nell Smith and that Margaret was a significant contributor to the quality and culture of life in Caswell County. He added that Margaret was the county’s virtual poet and eh wanted the Board to recognize that fact and express the condolences to the family and recognize that she will be greatly missed.

Commissioner Owen recognized the new 911 Director, Mr. Kenneth Everett and asked him to stand and welcomed aboard.

Commissioner Owen made an announcement that the Conservators Center is open again and received no issues from the USDA.

Commissioner Hall read a press release from Senator Berger’s office ‘On Thursday, Senator Phil Berger appointed Caswell County Sheriff Tony Durden to the North Carolina Human Relations Commission. Durden was appointed to serve as Sheriff by the Caswell County Board of Commissioners in 2017, and was elected in 2018 to serve a full four year term, becoming the first African-American Sheriff ever to be elected by the people of Caswell County. He has worked in the Caswell County Sheriff’s Office since 1997, has an Associate’s Degree in Criminal Justice from Piedmont Community College, and received his Advanced Law Enforcement Certificate in April 2014. “Sheriff Durden will bring an important voice to the Human Relations Commission and I commend him for his commitment to serve,” said Senator Berger.’

Commissioner S. Carter stated “First I would like to congratulate the Sheriff on that appointment. It is exciting to have him involved in a state level commission. I want to thank Mr. Oestreicher for mentioning the name Margaret Smith, she was a dear friend of mine and she will be missed but I know though the citizens of the county especially the senior center and with the veterans her memory will live on and I hope that what she wrote will be compiled one day because that will be a special treat for the citizens to be able to enjoy the beautiful words that she spoke. I am also glad of course that the Conservators Center is open.”

Commissioner W. Carter stated that the Sheriff’s appointment by Senator Berger is quite an honor and he would like to suggest that the Board prepare a letter or recognition to the Sheriff or a plaque. Commissioner S. Carter responded “I think a letter would be appropriate.”

Commissioner W. Carter moved, seconded by Commissioner Oestreicher to present Sheriff Tony Durden with a letter of recognition for the Board of Commissioners for his appointed by Senator Berger. The motion carried unanimously.

Chairman McVey asked the county manager to handle the letter on behalf of the Board.

HISTORIC PRESERVATION FUND

Commissioner Oestreicher thanked Commissioner Owen and the National Park Service about the notification that they are accepting $5 million in grants to support the preservation of historic buildings in rural communities across the country that are listed in or eligible for inclusion in the National Register of Historic Places through the Historic Revitalization Subgrant Program (HRSP). He had that he had copies of this information for anyone in the public that would like this information. Commissioner Oestreicher added that this is one way to deal with some of the zoning issues that have come up recently.

APPROVAL OF APPLICATION FOR PUBLIC SCHOOL BUILDING CAPITAL FUND NORTH CAROLINA EDUCATION LOTTERY

Dr. Sandra Carter stated that she is here on behalf of the Board of Education to seek approval on an application to pull down $1.4 million from the Educational Lottery Funds. She reminded the Board that the bond was for up to $36.5 million, $15 million of that was from a grant that was awarded and then the Board of Education committed $3 million from the North Carolina Lottery Funds/ADM Funds. She continued by saying of that $3 million, $1.4 million was earmarked for school safety and that is for safety upgrades in 5 of the 6 schools. Dr. Carter recapped some of the safety upgrades that will occur: create vestibules in each of the 5 schools and a secondary buzz in system into those vestibules, keyless entry systems to those schools, additional cameras and wiring in those schools, enclosed breezeway at Stoney Creek to connect the main building to the cafeteria, a SRO office built in the vestibule at Dillard Middle, and fire alarm systems at North and South Schools will be upgraded. Dr. Carter stated that she knows that the Board of Education and Board of Commissioners is working towards putting together a memorandum of understanding so that everyone can work together but the safety of the schools needs to start now.

Commissioner Oestreicher stated that the $1.4 million is for all the schools except for Bartlett Yancey High School. Dr. Carter responded yes sir. Commissioner Oestreicher asked if the construction, remodel and upgrades require being put out for bids. Dr. Carter responded that a lot of work would be handled in house and they have already contact DPI which handles the upgrades. She added that the sketches have already been submitted to DPI and there is usually a 2 week turnaround. Dr. Carter stated that she hopes that the maintenance teams will be able to do the vestibules but the enclosed corridor at Stoney Creek would be bided out. Commissioner Oestreicher asked about the process with the keyless entries and cameras. Dr. Carter responded that they go with the best of three bids and would be done in house.

Commissioner Owen asked about walk through metal detectors. Dr. Carter responded that the school system already has those and are ready to be utilized once the vestibules are built at Dillard and the other metal detector would be used at Bartlett Yancey High School. Commissioner Owen continued by saying that his question was if every student would walk through the metal detector. Dr. Carter responded not necessarily because the metal detector can be moved randomly to different doorways on different days. Commissioner Owen stated that he understands that but we have seen that there have been students that have brought guns on campus so therefore it is a hit or miss and he asked if we are really doing what needs to be done to protect the students. He added that there is always a potential for this to happen if every student is not walking through these metal detectors. Dr. Carter responded that Commissioner Owen is right and that is why there needs to be a SRO housed at each school. She added that there needs to be a person manning that walk through metal detector and that again is another money issue.

Commissioner W. Carter moved, seconded by Commissioner S. Carter to approve the application for the $1.4 million from the Education Lottery Funds.

Commissioner Owen stated “This is as a citizen and as a commissioner as well, this Board took hits by several of your board members that we showed a lack of concern for the safety and security for our students and yet what bothers me is the fact that evidently there was $500,000 because we could have done everything on this list except the keyless entry for $307,000 and yet the board chose to remodel or redo or add to the Administration Building so I just take that a little bit personal. It looks like to me that we could have already been protecting our students much better than we have. I just wanted to make that statement. I am going to vote for it but I wanted to make that statement.” Dr. Carter responded that she hoped that this would have occurred in December but the upgrade at the Central Office is because of the Americans Disabilities Act need. She added that the Central Office has become a hub of professional development but they are not meeting the ADA requirements for restrooms so the board did due diligence with that.

Upon a vote of the motion, the motion carried unanimously.

DISCUSSION ON PART TIME PERMANENT BUILDING INSPECTIONS POSITION

Mr. Miller stated that at the last Commissioner’s Work Session the Board had indicated that it would like to see a job posting for a Part Time Permanent Building Inspector to join the Building Inspections Office. He passed around the job description which would have an annual salary of $17,964 which includes 50% benefits and the person would work 1040 hours a year. Mr. Miller stated that after this discussion there has been some interest in this position so he thanked Commissioner Jefferies for his recommendation.

Commissioner Oestreicher stated that certifications were discussed at the Work Session but he did not see that included in the job description. Mr. Miller responded that the certifications were emailed later in the day and will be placed under Knowledge, Skills and Abilities. He added that these are to have a state certification or the ability to obtain a state certification within a certain amount of time. Commissioner Oestreicher asked if this would be added to the job description. Mr. Miller responded that it would be.

Commissioner Owen moved, seconded by Commissioner S. Carter to proceed with the job posting of the Part Time Permanent Building Inspector. The motion carried unanimously.

APPROVE OF RESOLUTION HONORING THE LIFE AND SERVICE OF WILSON CAREY

Commissioner S. Carter stated “Fellow Commissioners for the sake of saving time I think this resolution speaks for itself. I hope that in the future we can continue the preservation of our County’s history by researching individuals that deserve these honors and recognitions. Mr. Carey is an exemplary example full of public service like I have never seen before being a student of local and state history. This guy was even known nationally after researching articles and newspapers all across the country. He was not from Caswell County originally but lived here for a great portion of his life so I will read the resolution if that is okay with the Board.”

**A RESOLUTION**

**HONORING THE LIFE AND SERVICE OF**

**Wilson Carey**

**WHEREAS,** Wilson Carey was born on August 1st, 1831 in Amelia County, Virginia, the proud son of free parents, and educated in the common schools of Richmond, Virginia; and

**WHEREAS,** Wilson was a farmer by trade and first moved to Caswell County in 1855, where he married his devoted wife of over forty years, Frances “Fannie” Kimbrough of Caswell County in 1860, and was the loving father of fifteen; and

**WHEREAS,** Wilson became one of the first African American schoolteachers in Caswell County following the American Civil War and owned a farm in the Anderson’s Store community; and

**WHEREAS,** Wilson became active in politics and served as one of the first leaders of the Republican Party of Caswell County, holding that position with undisputed sway for many years, standing up for the principles of Liberty, Freedom, sound money, prosperity and progress for all; and

**WHEREAS,** Wilson represented Caswell County as a delegate to the Constitutional Convention of 1868- one of only 13 African Americans; and

**WHEREAS,** Wilson was elected to the North Carolina House of Representatives in 1868- one of only 20 African Americans; and

**WHEREAS,** Wilson was appointed as Postmaster of Yanceyville in 1869 by President Ulysses S. Grant- serving as North Carolina’s first African American Postmaster; and

**WHEREAS,** Wilson was duly elected to the North Carolina Senate in 1870, but was not awarded his seat due to racial tensions and political turmoil, being terrorized from the state for nearly two years; and

**WHEREAS,** Wilson courageously returned to Caswell County and public service in 1872, as Caswell County’s first elected African American County Commissioner; and

**WHEREAS,** Wilson was again elected by the citizens of Caswell County to the North Carolina House of Representatives in 1874; and

**WHEREAS,** Wilson again represented Caswell County in the Constitutional Convention of 1875- one of only six African Americans and the only African American to serve in both the 1868 and 1875 conventions; and

**WHEREAS,** Wilson served on the Committee of Suffrage and Eligibility and advocated to amend the State Constitution to exempt disenfranchised voters from paying poll taxes; and

**WHEREAS,** Wilson served an additional three terms in the North Carolina House of Representatives in 1876, 1878 and 1888 respectively; and

**WHEREAS,** Wilson and his family were again terrorized from the state in 1889, and for being faithful to the cause of the Republican Party for so many years, was appointed as a Watchman and Messenger for the Bureau of Animal Industry in the United States Department of Agriculture by President Benjamin Harrison, and maintained this position during the Cleveland, McKinley and Roosevelt Administrations; and

**WHEREAS,** Wilson through his passionate and selfless service, willingly gave of his time, resources, security, guidance, wisdom, knowledge, and zeal to further the cause of Freedom, Liberty and Equality for all, and served his town, county, state and country to the best of his ability;

**NOW, THEREFORE, BE IT RESOLVED,** that we,the Caswell County Board of County Commissioners, on behalf of the citizens of Caswell County, do hereby formally honor the life and service of Wilson Carey and hereafter recommend his name for remembrance and study by the citizens and students of Caswell County, and further resolve to nominate his name to the North Carolina Highway Historical Marker Program to honor his life and unique story of courageous service for generations to come through a highway marker suitably located for public display. In honor of this year’s celebration of Black History Month, we further resolve as part of the result of Wilson Carey’s vision for our county, state and nation, as was his hope in years past-his cause has triumphed.

Adopted on the eighteenth day of February, 2019.

 S/Rick McVey \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ S/Jeremiah Jefferies\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Rick McVey, Chairman Jeremiah Jefferies, Vice Chairman

 S/Nathaniel Hall\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ S/William Carter\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Nathaniel Hall William Carter

 S/David Owen\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ S/Sterling Carter \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 David Owen Sterling Carter

 S/Steve Oestreicher\_\_\_\_\_\_\_\_\_\_\_\_

 Steve Oestreicher

Commissioner S. Carter moved, seconded by Commissioner W. Carter to adopt the resolution honoring the life and service of Wilson Carey. The motion carried unanimously.

Commissioner S. Carter stated “Mr. Chairman I just wanted to make one more point with this, I would hope that maybe with the final copy of the resolution that Paula will have us sign that we might could display this in this building somewhere and provide copies to the school system like to the 8th grade North Carolina History student as well as the American History classes at Bartlett Yancey so that the students of the County are aware that this individual is worthy of a study.”

COUNTY MANAGER’S UPDATES

Conservators Center Update

Mr. Miller stated that the County received the inspection report from the USDA on the Conservators Center and the report read that there were no non-compliant items were documented on the inspection report. He added that the inspection and exit report were conducted with the facility representatives and it was signed by Dr. Mary Ann McBride.

Commissioner Oestreicher stated that it was his understanding that they are open and operational again. Mr. Miller responded that the requirement for the facility to be open as it pertains to our ordinance is that their enclosures are secure. He added that Commissioner Hall had mentioned that the Board had mentioned the need to revisit the Animal Control and Welfare Ordinance on exotic animals.

ANNOUNCMENTS AND UPCOMING EVENTS

The Clerk informed the Board about the Mini Heart Health Fair that will be held at the Senior Center on Tuesday, February 19th from 10:00 to 12:00 and the Piedmont Triad Regional Council will have their Party Bus in front of the Pavilion on Wednesday, February 20th starting at 10:30 a.m.

Commissioner W. Carter stated that back in the summer and early fall he had several people to approach him about the County getting an airport. He added that the Department in Virginia came in and shortened the runway at the Danville Airport 600 feet so the larger jets have to land in Durham/Raleigh or Greensboro. Commissioner W. Carter stated that he and the county manager asked the economic developer to look into this. He attended the Shiloh Airport Board meeting and asked what would be involved in doing this as well as the Danville Airport Board meeting. He had a study from the economic developer and he asked the clerk to send this out the Board. Commissioner W. Carter stated that the county could receive a grant for 90% of the cost to build an airport and it would be good to have it located in the Milton/Semora area. He asked if this could be put on the agenda for the second meeting in March.

Commissioner Owen reminded that Board that it received an email that the Health and Human Services Steering Committee will have a conference call on Wednesday, February 20th at 2:30 p.m. and the main discussion will be about the Social Services Regional Supervision and Collaboration Working Group which recently released its Stage 2 report on Social Services Reform in North Carolina.

Commissioner Hall advised the Board that he was planning to attend the Legislative Conference in Washington, DC. He stated that he attended this conference last year and there was a lot of good information shared last year. Commissioner Hall stated that North Carolina plans to run a commissioner from Person County as one of the officers of the NaCo again this year and this starts at the Legislative Conference. Commissioner Jefferies stated that he plans to attend the Legislative Conference as well.

Commissioner S. Carter stated “I was just wondering if we have a consensus of the Board to add Ms. Duncan’s item to the agenda for the next meeting regarding possible zoning and the Dollar General issue for discussion. I feel like we deserve to give the residents of Leasburg that attention. Chairman McVey stated that he needed a consensus of the Board on whether to put this item on the agenda or not. Commissioner Hall responded that the Board needs some directions from general counsel. Mr. Ferrell stated that he would be happy to give a status report of zoning land use restrictions or the lack thereof in Caswell County. Commissioner Oestreicher asked the county attorney to look specifically at the Hyco zoning on one side of the street and not the other and if there is any opportunity there. Mr. Ferrell responded that he would have the Planner to bring the zoning maps so that the Board can see the zoned area around Hyco Lake as well as the watershed maps.

CLOSED SESSION

Commissioner Oestreicher moved, seconded by Commissioner Owen to go into Closed Session to consider the compensation, terms of appointment and performance of an individual public officer (NGS 143-318.11(a)(6)). The motion carried unanimously.

REGULAR SESSION

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

ADJOURNMENT

At 9:35 p.m. Commissioner Owen moved, seconded by Commissioner Oestreicher to adjourn. The motion carried unanimously.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Paula P. Seamster Rick McVey

Clerk to the Board Chairman