

February 17, 2020

The Board of Commissioners of Franklin County, North Carolina, met for its Regular Meeting at 7:00 P.M. in the Commissioner's Conference Room located in the County Administration Building with the following Commissioners present: Chairman Sidney E. Dunston, Vice-Chairman Shelley L. Dickerson, Commissioners Cedric K. Jones, Mark Speed, Michael S. Schriver and Harry L. Foy, Jr. Commissioner David T. Bunn was absent.

Chairman Dunston called the meeting to order and asked the board to consider an addendum to the agenda to include closed sessions pursuant to the following North Carolina General Statutes:

- NCGS 143-318.11(a)(4) Industry/Economic Development
- NCGS 143-318.11(a)(3) Attorney-Client Privileged Communication

Commissioner Jones made a motion to amend the agenda to include NCGS 143-318.11(a)(4) Industry/Economic Development (Item 12). The motion was seconded by Commissioner Speed and duly carried approval with all present voting "AYE."

Commissioner Schriver made a motion to amend the agenda to include NCGS 143-318.11(a)(3) Attorney-Client Privileged Communication (Item 5). The motion was seconded by Commissioner Jones and duly carried approval with all present voting "AYE."

Chairman Dunston then asked the Board to consider approval of the consent agenda.

Commissioner Jones made a motion to approve the consent agenda. The motion was seconded by Commissioner Speed and duly carried approval with all present voting "AYE."

The items approved are as follows.

I. CONSENT AGENDA

- A. February 3, 2020 Minutes
- B. Releases, Adjustments, Refunds, and Tax Collection Report
- C. Girl Scout Week Proclamation

Item 1-C

Girl Scout Week Proclamation 2020

WHEREAS, the year 2020 marks the 108th anniversary of Girl Scouts of the USA, the largest and most successful leadership program for girls in the world; and

WHEREAS, 2020 also marks the centennial of the passage of the Nineteenth Amendment, a seminal moment for girls and women in our nation's history; and

WHEREAS, as the world's premier leadership development organization for girls, has emphasized public service, civic engagement, and fostering a sense of community in girls for over a century; and

WHEREAS, Girl Scouts works to champion the ambitions, cultivate the talents, and develop the skills of girls to be leaders in their own world, and in ours; and

WHEREAS, Girl Scouts combines time-tested, research-backed methods with exciting, modern programming that speaks to today's girls and is designed to cater to the strengths of girls' leadership development; and

WHEREAS, Girl Scouts offers girls 21st century programming in science, technology, engineering, and math (STEM); the outdoors; entrepreneurship; and beyond, helping girls develop invaluable life skills and take the lead early and often; and

WHEREAS, the Gold Award Girl Scouts already take on projects that have a measurable and sustainable impact on a community by first assessing a need, designing a solution, completing a project, and inspiring others to sustain it; and

WHEREAS, with more than 100 years of experience, Girl Scouts brings a wealth of knowledge to programs that deliver girls cornerstone experiences with benefits that last a lifetime; and

WHEREAS, today, more than 50 million women are Girl Scout alums, and 2.6 million girls and adults are current members;

NOW, THEREFORE, the Franklin County Board of Commissioners do hereby applaud the Girl Scout Movement and Girl Scouts – North Carolina Coastal Pines for providing girls with a safe, inclusive, all-girl space where they can hone their skills and develop leadership abilities, and I declare the second of March to be “Girl Scout Week in Franklin County.

2. COMMENTS FROM THE PUBLIC

This was the time set aside by the Board of Commissioners to allow individuals five minutes to address the Board on issues concerning the county.

Susan Decker, 306 Nortwick Road, Rolesville, NC

- Mrs. Decker provided a summary of improvements that continue to be made at the Franklin County Animal Shelter.

Rachel Rhoad, 1908 Westcott Road, Raleigh, NC

- Miss Rhoad shared a video presentation she noted was a school project regarding pet population and the importance of spaying and neutering animals.

3. UPDATE: FRANKLIN GRANVILLE VANCE SMART START

Garry Daeke, Service Promotion/Outreach Coordinator, updated the Board on services and projects provided to Franklin County families with young children.

No action was requested or taken.

4. UPDATE: PUBLIC SAFETY RADIO SYSTEM

Harris Representatives were in attendance to provide an update regarding the Public Safety Radio System.

On January 21, 2020, representatives were given 30 days to report back to the Board with an update on system issues and progress. In January, an issue with mobile radios had been identified since the implementation of Phase 2. Harris reportedly created a fix for the radios that would quickly be deployed at no cost to Franklin County. Harris also promised at that time to introduce an outreach program across all disciplines of emergency response to include education on how to best use the system and to receive feedback from users on the challenges they face with it.

Mike Axford (Harris representative) was present. He stated the problem with radio desensitization is unique to VHF in Phase 2 and that Harris had not experienced the issue with other users around the world. He said a fix had been determined and the next stage would be to deploy the remedy and work with end users over the next month or so.

The Board shared its disappointment in that Harris was asked to come back within 30 days of its January 21, 2020 meeting to share the results of a solution that had been implemented. Commissioners also expressed their concern in the system for the safety and well being of citizen as communication issues persist.

No action was requested or taken.

5. CLOSED SESSION

The Board was asked to enter into closed session pursuant to North Carolina General Statute 143-318.11 (a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

At approximately 7:43 P.M., Commissioner Speed made a motion to enter into closed session, seconded by Commissioner Jones. The motion carried 5 to 1, with Commissioner Foy voting in opposition.

At approximately 8:09 P.M., Commissioner Schriver made a motion to enter back into open session, seconded by Commissioner Jones. The motion duly carried approval with all present voting "AYE."

Chairman Dunston then read the letter (highlighted below) to those in attendance. Commissioner Speed made a motion to read the letter and provide it immediately to Harris Corporation (in care of Michael Hayes) demanding repairs to the system. The motion was seconded by Commissioner Dickerson and duly carried approval with all present voting "AYE."

Mr. Michael Hayes
L3 Harris Corporation
221 Jefferson Ridge Parkway
Lynchburg, VA 24501-6952

Reference: Harris P25 Radio/Paging Project

Subject: Defective Radio System Performance

Dear Mr. Hayes,

On May 7th, 2018 Franklin County entered into an Agreement with a L3 Harris (Harris) authorized service provider, Radio Communications Company (RCC) to furnish and install a Project-25 Phase 2 upgrade to the County's then-existing Harris Project-25 Phase 1 communication system. The cost for this Phase 2 conversion was established by Agreement to be \$2,492,771. The work was scheduled to be completed within 34-weeks of the County's Notice to Proceed.

Several implementation delays were encountered, and the County agreed to extend the completion date to accommodate the unanticipated delay in securing new VHF channel assignments from the Federal Communications Commission. In any case, the work was concluded, and County radio users were transitioned onto the Phase 2 configuration on June 19th, 2019.

Soon after this transition, users observed garbled audio, dropped calls, radio console audio level variations and poor coverage in areas where coverage was previously acceptable. In addition, Fire and Emergency Medical Services (EMS) users complained of distorted audio and poor coverage on the County's one-way simulcast paging system. Prior to the RCC deployment of the Phase 2 upgrade, the County's Fire and EMS paging system was reliable and provided acceptable audio quality and coverage. The work done by RCC to upgrade the County's Project-25 trunked radio systems tangentially rendered the County's radio paging system nearly unusable.

As Harris is the designer and manufacturer of the County's radio system and has certified RCC as a reseller and maintenance provider of Harris technology, the County subsequently insisted on Harris' direct involvement in the resolution of these radio performance problems.

The County's radio users have endured numerous intrusive software updates in Harris' prior attempts to resolve audio defects, coverage defects and related reliability problems. These various changes have failed to resolve the County's radio communication problems and often had resulted in a worsening of field conditions. At the present time, the following functional and operational defects remain:

1. One-Way Paging coverage and audio quality is unstable. Audio distortion is random yet severe. Paging coverage varies, day by day. And, finally, the paging system fails to function in outdoor locations that prior to Harris' cutover in June 2019 functionality was acceptable.
2. Phase 2 trunked radio coverage is markedly degraded as compared to the original Phase 1 coverage. Most recently, user agencies have complained of coverage defects in outdoor Louisburg in areas where the prime 911 tower site can be visually observed. Other such coverage anomalies exist throughout the County and are unacceptable.

3. Coverage within Youngsville has degraded since the Phase 2 deployment. This is inexplicable since a tower site was previously located and installed near to Youngsville that, in the original Phase 1 configuration, served to resolve coverage issues.
4. Phase 2 simulcast timing parameters are unstable and occasionally self-change, thereby introducing random audio quality anomalies within the radio system. These random anomalies appear to affect both P25 voice and paging operations.
5. The newly installed primary and secondary P25 network core functionality has been degraded by lost IP data packets. While Harris engineers have collected evidence where the likely cause of this defect is within the microwave backhaul system (which was electronically reconfigured by RCC as part of the Phase 2 work), Harris has failed to resolve the IP data packet issue. As a result, the secondary P25 core is essentially unusable.
6. The County determined where Harris radios, when placed in proximity to each other, emitted some amount of interference that prevented radio operations (termed: desensitization). Harris has developed hardware and software processes to resolve these issues, but the work has been slow, and users continue to endure degraded radio functionality.
7. Since the Harris Phase 2 deployment has been so riddled with performance shortfalls, the County directed Harris to return the system temporarily to Phase 1. Yet, the changes made to the configuration to accommodate Phase 2 have had the unintended consequence of degrading Phase 1, to where both modes are unacceptable.

The current state of the Harris P25 radio system here has exposed Franklin County's radio personnel and the County's citizenry to an unacceptable level of risk. The Franklin County Board of Commissioners thereby directs Harris as follows:

- A. By **March 18th, 2020** Harris shall provide to Franklin County a radio system configuration that fully resolves the issues described explicitly by Items 1-4.
- B. By **March 31st, 2020** Harris shall have fully resolved its primary/secondary P25 core issues, inclusive of any repairs to the microwave subsystem, if required.
- C. By **April 30th, 2020** Harris will have completed the installation of hardware/software as needed to fully resolve radio desensitization issues with Harris-supplied user radio equipment.

Finally, the quality and timeliness of radio maintenance services by RCC has been inadequate for the County's needs. Harris shall provide remedial P25 radio, microwave and paging system training to its RCC personnel and shall install and verify the functionality of an automatic alarm reporting solution whereby RCC personnel are immediately notified of Harris radio system anomalies. This work shall be completed by **April 30th**.

The above completion dates cited for Items A and B are **mandatory** and shall not be extended for any reason. If due to the inability of the County to provide user radios to Harris in a quantity sufficient to complete the work by **April 15th**, the County may consider a Harris request to extend that work's completion date. Otherwise, the completion date for Item C is mandatory.

This letter serves as Franklin County's Formal Demand Notice for Harris to immediately undertake these remedial tasks. If the requested steps are not taken by the dates specified, the County will consider other actions.

Regards,
Sidney E. Dunston
Chairman

6. ARCHITECT SELECTION FOR PUBLIC SAFETY ACCESS POINT (PSAP)

Requests for Qualifications for architectural and engineering services were received for the new PSAP building funded via an NC 911 Board Grant. According to Emergency Communications Director Christy Shearin, a total of eight responses were received. County staff and the consultant reviewed all responses and interviewed three firms. She asked the Board to consider

authorizing staff to negotiate a contract with the most qualified architectural and engineering firm for the new PSAP building and if a contract cannot be successfully negotiated, staff requested authorization to negotiate with the next most qualified firm.

Commissioner Schriver made a motion to authorize staff to negotiate a contract with the most qualified architectural and engineering firm for the new PSAP building. If a contract cannot be successfully negotiated, staff requests authorization to negotiate with the next most qualified firm. The motion was seconded by Commissioner Dickerson and duly carried approval with all present voting "AYE."

7. V.E. & LYDIA H. OWENS RECREATIONAL PARK/LAND & WATER CONSERVATION FUND GRANT (LWCF 37-01045)

Planning & Inspections Director Scott Hammerbacher requested authorization from the Board in order to execute deed modifications per requirements of the Land and Water Conservation Fund grant.

According to Mr. Hammerbacher, per the terms of the Land and Water Conservation Fund grant for the park in the amount of \$250,000 a deed restriction is required. Specifically, the grant contract states the following, "The Grantee agrees land acquired with Land and Water Conservation assistance shall be dedicated in perpetuity as a recreation site for the use and benefit of the public, the dedication will be recorded in the deed of said property and the property may not be converted to other than public recreation use without approval of the Department. The Grantee agrees to maintain and manage Land and Water Conservation assisted development/renovation projects for public recreation in perpetuity after project completion."

Listed below is the suggested language for the deed modification.

"NOTICE OF LIMITATION OF USE This property has been acquired or developed with Federal financial assistance provided by the National Park Service of the U. S. Department of the Interior in accordance with the Land and Water Conservation Fund Act of 1965, as amended, 16 U.S.C. 4601-5 et sec. (1970 ed.). Pursuant to a requirement of that law, this property may not be converted to other than public outdoor recreation uses (whether by transfer, sale or in any other manner) without the express written approval of the Secretary of the Interior. By law, the Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location."

Commissioner Schriver made a motion to authorize deed restrictions in order to maintain the property as a park in perpetuity per grant requirements. The motion was seconded by Commissioner Speed and duly carried approval with all present voting "AYE."

8. COURTHOUSE SECURITY UPGRADES

Information Technology Director Coy Floyd and Judicial Department representatives presented details on Courthouse Security Upgrades including a request to provide funding for the upgrades. Judicial Department Representatives included Superior Court Judge John Dunlow, District Court Chief Judge John Davis and Superior Court Trial Court Coordinator Ella Wrenn. Also, in attendance was Joe Duffy representing CourtCall.

According to Mr. Floyd, the installation of two additional card swipes will control access to the District Attorney's staff area at a cost of \$2,743. The CourtCall Remote Appearances video solution will allow electronic transmission of first appearances and courtroom proceedings between the courtroom and the jail facility. The process will enhance security and reduce inmate transports. The use of CourtCall is subject to AOC approval. The annual cost is \$7,200 and a two-year initial contract term is requested. A one-time cost of \$600 will be needed to establish the access point needed for installation. The estimated cost of \$10,543 will improve overall courthouse security and is supported by the Judicial Department and the Franklin County Sheriff's Office.

Judge Davis asked the Board to favorably approve the request. He stated CourtCall would reduce the number of inmate transfers between the jail and court therefore saving court time as well as increasing safety for the public and transporting officers.

Mr. Duffy is a representative of CourtCall. He provided an overview of how CourtCall works using laptops in the courtroom and kiosks in the detention center and stated the program is designed to increase safety and reduce costs. He stated the two-year contract includes maintenance at an annual cost of \$7,200.

Commissioner Schriver made a motion to approve funding for the upgrades. The motion was seconded by Commissioner Speed and duly carried approval with all present voting "AYE."

9. APPOINTMENTS

Library Board

Commissioner Foy was asked to appoint a representative. No appointment was made.

Emergency Medical Services Advisory Committee

Commissioner Foy nominated Scott Strickland to serve as his appointee. The motion was seconded by Commissioner Speed and duly carried approval with all present voting "AYE."

10. OTHER BUSINESS

- NCACC District Meeting (March 19, 2020) – Clerk to the Board Kristen G. King encouraged Commissioners to attend the event that will be hosted this year in Franklin County at The Loft on Main in Louisburg.

11. BOARD, MANAGER AND CLERK'S COMMENTS

This was the time set aside for the Board of County Commissioners, the County Manager, and the Clerk to the Board to report on various activities. The Board may also discuss other items of interest.

County Clerk Kristen G. King: Mrs. King asked the Board to consider a date on which to conduct a budget retreat. The Board tentatively scheduled the session for Thursday, March 12, 2020 at 3pm.

Commissioner Foy: No comments were offered.

Commissioner Bunn: No comments were offered.

Commissioner Dickerson: No comments were offered.

Commissioner Schriver: No comments were offered.

Commissioner Jones: No comments were offered.

Commissioner Speed: No comments were offered.

Commissioner Dunston: No comments were offered.

County Manager Angela L. Harris: Mrs. Harris commented on the following:

- Mrs. Harris stated the Franklin County Aging Department is working with the Kerr-Tar Agency on Aging to develop a new regional Aging Plan for 2020-2024. She said surveys are being conducted that will help guide priorities and help plan for future Aging

services. The new plan will address the needs of aging adults, caregivers, and person living with disabilities in our county.

- Mrs. Harris stated the Franklin County Health Department continues to educate the public regarding the Coronavirus. She said the department is encouraging citizens to take the same preventative measures as with the flu and stated there are no confirmed cases of the Coronavirus in North Carolina at this time.

12. CLOSED SESSION

The Board was asked to enter into closed session pursuant to North Carolina General Statute 143-318.11 (a)(4) Industry/Economic Development.

At approximately 8:42 P.M., Commissioner Schriver made a motion to enter into closed session, seconded by Commissioner Speed. The motion carried 5 to 1, with Commissioner Foy voting in opposition.

At approximately 9:08 P.M., Commissioner Schriver made a motion to enter back into open session, seconded by Commissioner Jones. The motion duly carried approval with all present voting "AYE."

No action was taken as a result of closed session.

At approximately 9:09 P.M., Commissioner Schriver made a motion to adjourn, seconded by Commissioner Speed. The motion duly carried approval with all present voting "AYE."

Sidney E. Dunston, Chair

Kristen G. King, Clerk to the Board

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