

March 16, 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-Chair Shelley Dickerson, Harry L. Foy, Jr., Mark Speed, Cedric K. Jones, Sr. and Michael Schriver. Commissioner David Bunn was absent.

Please note this agenda was abbreviated from the original agenda due to precautions taken due to the Corona Virus.

Chairman Dunston called the meeting to order and 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 Foy and duly carried approval with all present voting "AYE."

The items approved are as follows.

I. CONSENT AGENDA

- A. Proclamation of a State of Emergency
- B. February 17, 2020 Minutes
- C. Releases, Adjustments, Refunds, and Tax Collection Report
- D. Resolution for the Continued Use of V.E. & Lydia H. Owens Recreational Park
- E. Budget Ordinance Amendment #3 (Pursuant to North Carolina General Statute 159-15, the County Finance Officer is requesting a budget ordinance amendment in the amount of \$54,065.)
- F. Resolution Supporting the Acquisition and Development of the Rail Corridors Referred to as the S-Line and SA-Line for the Benefits of Improved Passenger Rail, Improved Freight Movement, Improved Commuting Options and Economic Development
- G. Triangle North Franklin – Change Order #5

Item 1-A

PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death by the SARS-Co-V-2 Virus. This is a new strain of coronavirus previously unidentified in humans which can spread from person to person; and

WHEREAS, the World Health Organization ("WHO") declared COVID-19 as a Public Health Pandemic of International Concern on March 11, 2020. The United States Centers for Disease Control ("CDC") has reported the high public health threat posed by COVID-19, both globally and to the United States and has deemed it necessary to prohibit or restrict travel to areas designated by the CDC; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under Section 319 of the Public Health Service Act; and

WHEREAS, the North Carolina Department of Health and Human Services (“NCDHHS”) confirmed multiple cases of COVID-19 in this state; and

WHEREAS, the North Carolina Division of Emergency Management has activated the NC Emergency Operation Center to manage the health impacts of COVID-19; and

WHEREAS, The Governor of the State of North Carolina, in consultation with the Secretary of the NCDHHS, has declared a State of Emergency as defined by the N.C. Gen. Stat. 166A-19.3(6) and 166A-19.3(19) for the State of North Carolina based on the public health emergency posed by COVID-19; and

WHEREAS, in consultation with health care professionals and based upon guidance from the CDC and NCDHHS arrangements must be made immediately to take such actions that are deemed necessary and appropriate to ensure that COVID-19 remains controlled and that residents in Franklin County remain safe and secure; and

WHEREAS, the spread of the disease poses an imminent threat to property in the County and in municipalities due to illness-related absenteeism, particularly among public safety personnel, healthcare personnel, and persons engaged in activities businesses critical to the economy and infrastructure of the County and its municipalities; and

WHEREAS, local and state health departments must use all preventative measures, which will require access to available services, personnel, equipment, and facilities to respond to COVID-19; and

WHEREAS, the Franklin County Health Director has confirmed a public health threat due to the confirmed spread of COVID-19;

NOW, THEREFORE, pursuant to the authority contained in Article 1 of the NCGS Chapter 166A, Article 36A of NCGS Chapter 14, and the Franklin County Emergency Management Ordinance, the Franklin County Board of Commissioners does hereby proclaim a State of Emergency exists within the County of Franklin, NC and within the corporate limits of the Towns of Louisburg, Bunn, Youngsville and Franklinton; and

NOW, THEREFORE, BE IT FURTHER RESOLVED the Board further proclaims that the Emergency Operation Plan adopted by the Franklin County Board of Commissioners, and all applicable mutual assistance compacts and agreements are in effect and shall remain in effect until this proclamation expires or is rescinded. All Emergency Management personnel and county employees are hereby ordered to cooperate in the implementation of the provisions of the County’s Emergency Operations Plan and all applicable mutual assistance compacts and agreements, and to furnish assistance thereunder.

The Board directs that copies of this Proclamation be disseminated to the mass communications media for publication and broadcast, and that a copy of this Proclamation be posted in all public buildings as appropriate.

This Proclamation shall be effective immediately and shall remain in effect until rescinded.

PROCLAIMED this the 16th day of March, 2020 at 7:00 P.M.

Item 1-D

**RESOLUTION OF THE FRANKLIN COUNTY BOARD OF COMMISSIONERS
FOR THE CONTINUED USE OF V. E. & LYDIA H. OWENS RECREATIONAL PARK**

WHEREAS, Franklin County purchased the former Bull Creek Golf Course property in Cedar Rock and Louisburg townships, Franklin County for the purpose of creating a public park, and

WHEREAS, the County applied for and was granted a Land and Conservation Fund Grant to assist with the purchase and establishment of the park; and

WHEREAS, as a condition of receiving said grant, the County agreed to establish the park and dedicate in perpetuity as a recreation site for the use and benefit of the general public; and

WHEREAS, the park has been acquired and developed with Federal 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; that as a requirement for said assistance, the County agreed that the park property would not be converted to any other activity or purpose than as a public outdoor recreation facility without the express written approval of the Secretary of the Interior, it being understood that the Secretary could only approve such conversion if he finds that such conversion was in accord with then existing comprehensive statewide outdoor recreation plans and conditions, and then only upon such conditions as he deemed necessary to assure the substitution of other recreation property had at least equal fair market value and had reasonable equivalent usefulness and location;

NOW, THEREFORE, BE IT RESOLVED by the Franklin County Board of Commissioners that the V.E. and Lydia H. Owens Recreational Park has been established in accord with the above stated requirements and does hereby dedicate the V.E. and Lydia H. Owens Recreational Park in perpetuity as a recreational site for the general public;

NOW, THEREFORE, BE IT FURTHER RESOLVED that a copy of this resolution shall be posted at the park and recorded in the Franklin County Registry as a restrictive covenant requiring that the use of the property known as the "V.E. and Lydia H. Owens Recreational Park" be restricted for the recreational use and benefit of the public in perpetuity.

Item 1-E

BUDGET ORDINANCE AMENDMENT #3			
BE IT ORDAINED by the Board of Commissioners of the County of Franklin, North Carolina, that pursuant to North Carolina General Statute 159-15, the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2020.			
Section 1. To amend the General Fund to recognize additional funds received from NC Division of Soil & Water, changes in DSS funding from NC Department of Health and Human Services, additional funding for Health Department from NC Family Planning Program, additional grant funds received for the Sheriff Department from the NC Department of Public Safety, To amend the Federal DEA Fund to recognize additional DEA State Funds received in addition to Federal Funds received in previous fiscal year and not spent.			
Expenditures		Account #	Amount of Increase
Soil & Water- Travel and Training		10-606-0141	\$ 605
DSS -Low Income Home Energy Assistance		10-612-0351	\$ (25,000)
DSS-Crisis Intervention		10-612-0350	\$ 14,250
Health - Medical Supplies		10-592-0340	\$ 16,674
Sheriff-NCDPS PROJ012781		10-510-0432	\$ 20,620
DSS- Duke Energy Progress Project Share		10-612-0420	\$ 386
Equipment State Funds		41-510-1355	\$ 12,000
Equipment Federal Funds		41-510-0355	\$ 14,530
		Total	\$ 54,065
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Revenues		Account #	Amount of Increase
NC Division of Soil & Water		10-385-0700	605
DSS Crisis/LIEAP		10-377-0010	(10,750)
DSS Duke Energy Progress Energy		10-377-0011	386
State Family Planning		10-379-0220	16,674
NCDPS PROJ012781		10-358-0042	20,620
Federal DEA Fund Balance		41-399-0000	14,530
DEA State Funds		41-348-0000	12,000
		Total	54,065
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Section 2. Copies of this amendment shall be furnished to the Clerk of the Board of Commissioners, the Budget Officer, and the Finance Officer for their direction.			
Adopted this 16th day of March 2020.			
Chairman of the Board of County Commissioners			
Clerk to the Board			

Item 1-F

RESOLUTION SUPPORTING THE ACQUISITION AND DEVELOPMENT OF THE RAIL CORRIDORS REFERRED TO AS THE S-LINE AND SA-LINE FOR THE BENEFITS OF IMPROVED PASSENGER RAIL, IMPROVED FREIGHT MOVEMENT, IMPROVED COMMUTING OPTIONS AND ECONOMIC DEVELOPMENT

WHEREAS, the North Carolina Department of Transportation (NCDOT) has a long tradition of progressing successful passenger and freight rail projects and supporting the development of rail infrastructure; and

WHEREAS, NCDOT has worked with state, regional, and federal partners to develop plans for the federally-designated Southeast Corridor, a passenger and freight rail network extending from Washington, D.C. through North Carolina to Jacksonville, Fla.; and

WHEREAS, a Record of Decision to develop the Raleigh to Richmond portion of the Southeast Corridor was approved by the Federal Rail Administration (FRA) on March 2017, in accordance with the National Environmental Policy Act; and

WHEREAS, the development of the S-Line and SA-Line corridors support and promote economic development in communities along the corridor, including those in rural areas; and

WHEREAS, the developed S-Line and SA-Line would provide greater access to jobs, health care, and education and provide new options for the movement of both goods and people; and

WHEREAS, the developed S-Line and SA-Line would provide efficient and reliable commuting options for communities and businesses along the corridor;

WHEREAS, NCDOT anticipates pursuing federal grants to assist with the purchase of portions of the S-Line and the SA-Line in North Carolina and to study transit-oriented communities and development along the corridor.

NOW, THEREFORE, BE IT RESOLVED by the Franklin County Board of Commissioners that the Board supports the acquisition and development of the S-Line and SA-Line to provide for the full economic potential to be realized in the corridor; and,

BE IT FURTHER RESOLVED that the Franklin County Board of Commissioners encourages the appropriation of state funding for the non-federal share of any grants to support the acquisition and development of the S-Line and SA-Line.

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.

Phillip Cordiero, 134 USIA, Youngsville, NC

- Mr. Cordiero serves as Youngsville Town Manager. He read aloud a letter to the Board regarding local water supply.
- During Mr. Cordiero's comments, Commissioner Foy made a motion to provide an extension of time for additional comments. Commissioner Speed seconded the motion and the motion duly carried with all present voting "AYE."

3. UPDATE: CORONA VIRUS

Health Director Scott LaVigne provided an update. He stated there are 33 cases across 13 counties, but no deaths related to Corona Virus in North Carolina at this time. The national fatality case rate is approximately 2.4% versus .1% for influenza. Currently there are no confirmed cases of the virus in Franklin County.

In response to the virus, the Franklin County Health Department implemented the Joint Information Center on March 11, 2020. The intent was to provide communication to the community about the virus by phone. An email (CoronaVirus@franklincountync.us) was also set up for communication on March 12, 2020.

No action was requested or taken.

4. APPOINTMENTS

A. Board of Health

The Board was asked to consider the appointment of Michelle Bouchey (veterinarian).

Commissioner Jones made a motion to appoint Michell Bouchey to the Board of Health, seconded by Commissioner Schriver. The motion duly carried with all present voting "AYE."

B. Historic Preservation Commission

The Board was asked to consider the appointment of Dorothy Cooper.

Commissioner Speed made a motion to appoint Dorothy Cooper to the Historic Preservation Commissioner, seconded by Commissioner Jones. The motion duly carried with all present voting "AYE."

C. Kerr-Tar Workforce Development Board

The Board was asked to consider reappointing Fred Keller (private industry position) for a two-year term.

Commissioner Speed made a motion to reappoint Fred Keller to the Kerr-Tar Workforce Development Board, seconded by Commissioner Schriver. The motion duly carried with all present voting "AYE."

D. Library Board

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

5. OTHER BUSINESS

- NCACC District Meeting (March 19, 2020) – Clerk to the Board Kristen G. King informed the Board the meeting has been cancelled given recent recommendations issued by the North Carolina Department of Health and Human Services about containing spread of COVID-19.
- County Manager Angela L. Harris commented on the Proclamation of a State of Emergency approved earlier in the evening. She asked the Board to consider temporarily suspending all disconnects for non-payment of utility bills. All fees and charges will still apply and an amended ordinance is expected to be brought before the Board in April. Commissioner Schriver made a motion to temporarily suspend all disconnects until April 6, 2020. The motion was seconded by Commissioner Jones and duly carried approval with all present voting “AYE.”
- With the threat of Corona Virus looming, Mrs. Harris noted adjustments to hours and operations had been made for the Aging Centers, Parks and Recreation and Libraries.
- A brief update was provided on the emergency radio system. Harris Corporation representative Mike Axford said a response to the County’s demand letter was provided the week prior and that ten points in the demand letter had been responded to. Emergency Communications Director Christy Shearin stated the county’s consultant Nick Tusa, is on standby for questions if needed, but said she and Mr. Tusa are not certain all the demands within the letter were repaired. Feedback from Epsom Fire Departments offered issues that continue with pager activation. Mr. Axford stated Harris had not yet met with Justice, Epsom or Pilot Fire Departments. Commissioner Dunston asked Attorney Pete Tomlinson on where the County stands legally. Mr. Tomlinson said he would suggest the expert, consultant Nick Tusa, analyze the work as previously Mr. Tusa was prepared to declare Harris in default. Harris representative Alex Williams was also present and stated he would take the role of meeting with local departments and follow up directly with Mrs. Shearin. Commissioner Speed said he would like to hear from the Chiefs of northeastern departments by Friday, March 20, 2020. Harris agreed to report back by March 20th to make the county aware of what the problems are specifically in Epsom, Justice and Pilot.

6. BOARD, MANAGER AND CLERK’S COMMENTS

This is 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.

Chairman Sidney E. Dunston – No comments were offered.

Vice-Chair Shelley Dickerson – No comments were offered.

Harry L. Foy, Jr. – No comments were offered.

David Bunn – No comments were offered.

Mark Speed – No comments were offered.

Cedric K. Jones, Sr. – No comments were offered.

Michael Schriver – No comments were offered.

7. CLOSED SESSION

The Board was asked to conduct a closed session pursuant to the following North Carolina General Statutes:

- ✓ G.S. 143-318.11 (a) (5) Real Property Purchase/Contracts/Leases
- ✓ G.S. 143-318.11 (a) (3) Attorney-Client Privileged Communication
- ✓ G.S. 143-318.11 (a) (6) Personnel

At approximately 7:48 P.M., Commissioner Speed made a motion to enter into closed session pursuant to the statutes listed above. The motion was seconded by Commissioner Schriver. The motion carried 5 to 1, with Commissioner Foy voting in opposition.

At approximately 8:33 P.M., Commissioner Schriver made a motion to enter back into open session. The motion was seconded by Commissioner Speed and duly carried approval with all present voting “AYE.”

No action was taken as a result of closed session.

Commissioner Speed then made a motion to adjourn, seconded by Commissioner Schriver. The motion duly carried approval with all present voting “AYE.”

Sidney E. Dunston, Chair

Kristen G. King, Clerk to the Board