

June 20, 2011

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: Chair Sidney E. Dunston, Vice-Chairman E. Shane Mitchell, Donald C. Lancaster, Penny McGhee, David T. Bunn, Harry L. Foy, Jr. and Robert L. Swanson.

Chairman Dunston called the meeting to order and asked the Board to consider adjustments to the agenda. He asked the Board to remove Item 8 (Closed Session) from the agenda and to move Item 6 (Appointments) to the first item of business.

Commissioner McGhee made the motion to make the adjustments to the agenda suggested by Chairman Dunston. The motion was seconded by Commissioner Lancaster and duly carried approval with all present voting "AYE."

1. APPOINTMENTS

A. Jury Commission

The Board was asked to consider an appointment for the Jury Commission for a two-year term.

Franklin County Clerk of Superior Court Alice Faye Hunter was in attendance and explained to the Board the purpose of the Jury Commission. Ms. Hunter stated the three-member commission (one member is appointed by the Board of Commissioners) operates according to statute. This Commission reviews the names that are to be placed into the jury pool for the biennium beginning July 1, 2011.

Commissioner McGhee made the motion to appoint Jenny Edwards to serve a two-year term on the Jury Commission, seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE."

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

Commissioner Lancaster made a motion to approve the consent agenda, seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE." The items approved are as follows.

2. CONSENT AGENDA

- A. June 1, 2011 Minutes
- B. June 6, 2011 Minutes
- C. Releases, Adjustments, Refunds, and Tax Collection Report
- D. Support letter for Foreign Trade Zone for Research Triangle Regional Partnership
- E. CDBG Scattered Site Grant Amendment (08-C-1820)

3. 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.

Alice Faye Hunter, 3114 NC 561 Highway, Louisburg, NC

- Ms. Hunter spoke on behalf of Dr. William Owens regarding the Estate of Edgar Owens who "remembered" Franklin County in his will with a donation to the

Franklin County Parks and Recreation program. Ms. Hunter stated the final distribution is \$163,769.80.

Jeremy Neal, 2859 White Level Road, Castalia, NC

NC House Representative Glen Bradley, 144 Ridgewood Road, Youngsville, NC

- Mr. Neal and Representative Bradley spoke in opposition to proposed VRA (Voting Rights Act) districts. VRA's are required by a 1965 federal statute aimed at guaranteeing legislative representation for minorities. According to Mr. Neal, the proposed maps split Franklin County and he fears Franklin would become a minority. He stated if Franklin stayed as a "whole" county it would be represented otherwise the county may "lose its voice." Mr. Neal stated if the maps are approved they would be in effect for ten years at minimum. He also commented the proposed districts would cost the county more money at election time based on the additional number of ballots needed as well as confusion at the polls. Representative Bradley informed the Board the Redistricting committee will hold meeting to hear public comments on the proposed VRA maps on June 23, 2011. The Board was also asked to provide a statement in opposition to the proposed districts. Mr. Neal stated he spoke both as a citizen of Franklin and as Chair of the Franklin County Republican Party. NC House Representative Bradley serves District 49 which represents the counties of Franklin, Halifax and Nash.

Following the comments, Commissioner Lancaster made a motion to go on record in opposition to the plan for Franklin County. The motion was seconded by Commissioner Foy and duly carried with all present voting "AYE."

4. PUBLIC HEARING

2011-2012 Proposed Budget

This was the time scheduled to hear public comments on the proposed 2011-2012 budget.

At 7:19 P.M., Chairman Dunston opened and closed the public hearing with no comments offered from the public.

5. HAZARD MITIGATION PLAN UPDATE

The County is required to update its Hazard Mitigation Plan every five years in order to maintain its eligibility for disaster assistance according to Planning and Inspections Director Scott Hammerbacher. The Multi-Jurisdictional Hazard Mitigation Plan includes all towns located within the County with the exception of the Town of Wake Forest. The Board was asked to consider adoption of the updated Hazard Mitigation Plan and consider approval of the attached resolution. Mr. Hammerbacher stated his belief that all municipalities in Franklin County had already adopted the plan, with the exception of the Town of Louisburg which is scheduled to review the item tonight (June 20, 2011) as well. He stated the plan had already been reviewed by the Federal Emergency Management Agency, the North Carolina Department of Emergency Management, Franklin County Emergency Management and the Kerr-Tar Council of Governments.

Commissioner McGhee made the motion to adopt the updated Hazard Mitigation Plan (by resolution), seconded by Commissioner Swanson. The motion duly carried with all present voting "AYE."

RESOLUTION OF ADOPTION
Franklin County
Multi-Jurisdictional Hazard Mitigation Plan

WHEREAS, the citizens and property within Franklin County are subject to the effects of natural hazards and man-made hazard events that pose threats to lives and cause damages to property, and with the knowledge and experience that certain areas, i.e., flood hazard areas, are particularly susceptible to flood hazard events; and

WHEREAS, the County desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214—Senate Bill 300 effective July 1, 2001), states in Item (a) (2) "For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after November 1, 2004, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act"; and

WEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local government must develop an All-Hazards Mitigation Plan in order to receive future Hazard Mitigation Grant Program Funds, and

WHEREAS, it is the intent of the Board of Commissioners of Franklin County to fulfill this obligation in order that the County will be eligible for state assistance in the event that a state of disaster is declared for a hazard event affecting the County;

NOW, therefore, be it resolved, that the Board of Commissioners of Franklin County hereby:

1. Adopts the Franklin County Multi-Jurisdictional Hazard Mitigation Plan Update; and
2. Vests the County Manager with the responsibility, authority, and the means to:
 - (a) Inform all concerned parties of this action.
 - (b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map, and identify floodplain or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining floodplain and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
 - (c) Adjust the boundaries of County and municipal planning jurisdictions whenever a municipal annexation or extraterritorial jurisdiction revision results in a change whereby a municipality assumes or relinquishes the authority to adopt and enforce floodplain management regulations for a particular area in order that all Flood Hazard Boundary Maps (FHBMs) and Flood Insurance Rate Maps (FIRMs) accurately represent the planning jurisdiction boundaries. Provide notification of boundary revisions along with a map suitable for reproduction, clearly delineating municipal corporate limits and extraterritorial jurisdiction boundaries to all concerned parties.
3. Appoints the County Manager to assure that the Hazard Mitigation Plan is reviewed annually and in greater detail at least once every five years to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Franklin County Board of Commissioners for consideration.
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan Update.

6. OTHER BUSINESS

No additional business items were discussed.

7. 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 commented the Board is scheduled for one regular meeting in the month of July on July 11, 2011. County Manager Angela L. Harris interjected that Mrs. King provided information earlier in the day (via email) regarding a visit to Fayetteville, NC on July 4, 2011 for the NC Veteran's Park dedication.

Commissioner Foy: Commissioner Foy commented the tax on gasoline and highway diesel is increasing an additional 2.5 cents. He asked commissioners to keep that in mind while making decisions on the proposed budget in which no tax increase is suggested. Commissioner Foy also inquired about progress in the investigation of former Franklin County Sheriff Pat Green. He stated 141 days have passed and the SBI

(State Bureau of Investigation) investigation is not complete. County Attorney Darnell Batton stated he contacted the SBI in reference to the investigation and was told the investigation was “that of the SBI and not Franklin County.” He said at such time the investigation is turned over to the Attorney General’s Office it would then be their purview to take their time to conduct a complete investigation.

Commissioner Bunn: No report offered.

Commissioner Mitchell: No report offered.

Commissioner Lancaster: Commissioner Lancaster highlighted some of the accomplishments over the last year offered to counties by the North Carolina Association of County Commissioners (NCACC).

Commissioner McGhee: Commissioner McGhee commented the NCACC’s Justice and Public Safety Steering Committee stopped the North Carolina House of Representatives and the North Carolina Senate from making the decision to push misdemeanants back down on the county without counties obtaining any dollars for the misdemeanants.

Commissioner McGhee then made a motion to hold a third budget work session on Wednesday, June 22, 2011 at 6:00 P.M. The motion was seconded by Commissioner Swanson and duly carried approval with all present voting “AYE.”

Commissioner Swanson: No report offered.

Commissioner Dunston: No report offered.

County Manager Angela L. Harris: No comments offered.

8. ~~CLOSED SESSION~~

~~The Board was asked to consider entering into closed session pursuant to NCGS 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 7:28 P.M., Commissioner Mitchell made a motion to recess until June 22, 2011 at 6:00 P.M. seconded by Commissioner Bunn. The motion duly carried with all present voting “AYE.”

Sidney E. Dunston, Chair

Kristen G. King, Clerk to the Board