

April 13, 2015

The Board of Commissioners of Franklin County, North Carolina, met for a Special Called Meeting at 3:00 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 E. Shane Mitchell, Commissioners Don Lancaster, Cedric K. Jones, John M. May and Harry L. Foy, Jr. Commissioner David T. Bunn was absent.

The purpose of the meeting was for the Board to consider a resolution authorizing Chairman Sidney E. Dunston to sign closing documents for the purchase of the Franklinton utility system and to conduct a closed session pursuant to North Carolina General Statute 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

Chairman Dunston called the meeting to order.

1. RESOLUTION

The Board was asked to consider a resolution authorizing the Chairman on behalf of the County to execute all documents necessary to close on the acquisition of the Waterworks and Sewer System owned by the Town of Franklinton pursuant to the signed Utility Asset Purchase Agreement.

Commissioner Mitchell made a motion to approve the resolution, seconded by Commissioner May. The motion duly carried approval with all present voting "AYE."

County of Franklin Resolution

A RESOLUTION AUTHORIZING THE CHAIR OF THE FRANKLIN COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE COUNTY TO EXECUTE ALL DOCUMENTS NECESSARY TO CLOSE ON THE COUNTY OF FRANKLIN'S ACQUISITION OF THE WATERWORKS AND SEWER SYSTEM OWNED BY THE TOWN OF FRANKLINTON PURSUANT TO THE SIGNED UTILITY ASSET PURCHASE AGREEMENT.

Whereas, on December 16, 2014, the Town of Franklinton, North Carolina (Town) entered into a Utility Asset Purchase Agreement (APA) with Franklin County, North Carolina (County), for the purchase of the waterworks and sewer system owned by Town (Utility System); and

Whereas, to consummate the Closing set forth in the APA and transfer ownership of the Utility System to County, County will be required to execute certain documents.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the County of Franklin does hereby authorize the Chair, Sidney E. Dunston, to execute all of the documents necessary to accomplish a Closing on the sale of the Utility System.

2. CLOSED SESSION

The Board was asked to enter into closed session pursuant to North Carolina General Statute 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price

and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

Commissioner Mitchell made a motion to enter into closed session pursuant to NCGS 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. The motion was seconded by Commissioner May and carried 5 to 1, with Commissioner Foy voting "NO."

At approximately 3:05 P.M., the Board entered into closed session.

At approximately 3:26 P.M., Commissioner Lancaster made a motion to enter back into open session, seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE."

At 3:27 P.M., Commissioner Mitchell made a motion to adjourn, seconded by Commissioner Jones. The motion duly carried with all present voting "AYE."

Sidney E. Dunston, Chair

Kristen G. King, Clerk to the Board