

April 6, 2015

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 E. Shane Mitchell, Commissioners Don Lancaster, John M. May and Harry L. Foy, Jr. Commissioner David T. Bunn and Cedric K. Jones were absent.

Chairman Dunston called the meeting to order, and then called for a brief recess in order to convene the Board of Equalization and Review.

Commissioner Foy made a motion to recess, seconded by Commissioner Mitchell. The motion duly carried approval with all present voting "AYE."

Commissioner Foy made a motion to convene the 2015 Board of Equalization and Review. The motion was seconded by Commissioner Lancaster and duly carried approval with all present voting "AYE."

Tax Administrator Dan Williams noted there are eight known appellants for review. He will coordinate with the Clerk to the Board to determine two future meeting dates for the Board of Equalization and Review.

At 7:07 P.M., Commissioner Foy made a motion to recess the Board of Equalization and Review, seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE."

Chairman Dunston then reconvened the Board's regular meeting and asked the Board to consider approval of the consent agenda.

Commissioner Lancaster made a motion to approve the consent agenda, seconded by Commissioner May. The motion duly carried with all present voting "AYE."

The following items were approved.

I. CONSENT AGENDA

- A. Resolution Adopting a Policy for Mutual Assistance with Other Law Enforcement Agencies
- B. Resolution of Support for Kerr Lake Regional Water System Proposed Interbasin Transfer Petition
- C. Consider TDA (Tourism Development Authority) request to fund a \$1,500 grant for the 7th Annual Franklin County Historic Homes Tour
- D. Consider TDA (Tourism Development Authority) request to fund a \$600 grant for Touring Historic Downtown Louisburg
- E. Public Safety Telecommunicator's Week Proclamation
- F. National County Government Month Proclamation
- G. Spring Litter Sweep 2015 Proclamation
- H. Surplus of 2008 Dodge Durango to the Town of Louisburg (VIN #1D8H839N58F126847)
- I. Audit Contract for FYE 2015

**RESOLUTION ADOPTING A POLICY FOR MUTUAL ASSISTANCE
WITH OTHER LAW ENFORCEMENT AGENCIES**

WHEREAS, pursuant to North Carolina General Statutes § 160A-288, the governing body of a county may adopt appropriate guidelines for the purpose of mutual assistance with other municipal and county law enforcement agencies; and

WHEREAS, pursuant to said laws, the law enforcement assistance to be rendered authorizes lending officers to work temporarily with officers of the requesting agencies, including in an undercover capacity, and lending equipment and supplies; and

WHEREAS, it is deemed to be in the best interests of the citizens of Franklin County to adopt a reasonable policy and guidelines whereby reciprocal law enforcement assistance can be both rendered to and obtained from other governmental jurisdictions; and

WHEREAS, such reciprocal assistance is necessary for effective law enforcement for the protection of the citizens of Franklin County;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS THAT:

1. The Sheriff is hereby authorized to enter into mutual assistance arrangements with other municipal and county law enforcement agencies, provided that the head of the requesting law enforcement agency makes such a request in writing.
2. The Sheriff is hereby authorized to permit officers of the Franklin County Sheriff's Office to work temporarily with officers of the requesting agency, including in an undercover capacity, and the Sheriff may lend such equipment and supplies to requesting agencies as he deems advisable.
3. All such request and authorizations shall be in accordance with North Carolina General Statutes § 160A-288, as applicable.
4. While working with a requesting agency, an officer shall have the same jurisdiction, powers, rights, privileges and immunities (including those relating to the defense of civil actions and payment of judgments) as the officers of the requesting agency in addition to those the officer normally possesses.
5. While on duty with the requesting agency, an officer shall be subject to the lawful operational commands of the officer's superior officers in the requesting agency, but the officer shall for personnel and administrative purposes, remain under the control of the officer's own agency, including for purposes of pay. An officer shall furthermore be entitled to worker's compensation and the same benefits to the extent as though he were functioning within the normal scope of the officer's duties.
6. The Sheriff is hereby authorized to enter into mutual assistance agreements with other law enforcement agencies in accordance with such reasonable arrangements, terms and conditions as may be agreed upon between the respective heads of the law enforcement agencies.

Commissioner Lancaster moved for the adoption of the foregoing resolution.
Commissioner May seconded the motion and, upon vote, the same was adopted.

This the 4 day of April, 2015.

**RESOLUTION OF
SUPPORT FOR KERR LAKE REGIONAL WATER SYSTEM
PROPOSED INTERBASIN TRANSFER PETITION**

WHEREAS, Franklin County is located within portions of the Tar and Neuse River basins; and

WHEREAS, the Kerr Lake Regional Water System has already obtained an allocation of storage in Kerr lake from the US Army Corps of Engineers equivalent to an average annual water demand of 20 mgd; and

WHEREAS, the customers of the Kerr Lake Regional Water System have projected reasonable increases in water demand based on moderate growth projections and continued efforts to replace unreliable and often contaminated groundwater supplies with reliable treated water; and

WHEREAS, the total of all the Kerr Lake Regional Water System Partners and wholesale customers is projected to require an average annual water demand of almost 14 mgd and 17.4 mgd on an average basis in a maximum calendar month by 2045, which is less than the allocation provided by the US Army Corps of Engineers; and

WHEREAS, the projected interbasin transfer in 2045 is 14.2 mgd on an average basis in a maximum calendar month and exceeds the current grandfather IBT of 10 mgd; and

WHEREAS, the proposed interbasin transfer can occur using existing pipeline infrastructure already in place; and

WHEREAS, the alternatives to the transfer all have substantially higher cost, significant potential environmental impacts from pipeline and other infrastructure construction, with no identified benefit to the environment; and

WHEREAS, the effects of the proposed transfer in the Roanoke River basin on key indicators of lake levels, dam outflow and hydropower generation have been analyzed and shown to have no detrimental impacts; and

WHEREAS, wastewater facilities treating wastewater from use of this additional water have previously had impacts analyzed and have already received their permits; and

WHEREAS, the local governments have required program elements to minimize potential impacts of growth:

NOW THEREFORE, the Franklin County Board of County Commissioners resolves that: The Governing Board of Franklin County supports the requested interbasin transfer request of the Kerr Lake Regional Water System as an efficient means to meet the projected water demands of the region it serves.

ADOPTED this the 6th day of April, 2015.

Item 1-E

PROCLAMATION
A PROCLAMATION TO DESIGNATE APRIL 12-18, 2015
PUBLIC SAFETY TELECOMMUNICATOR'S WEEK

WHEREAS, emergencies can occur at anytime that require law enforcement, fire or emergency medical services; and

WHEREAS, when an emergency occurs the prompt response of emergency responders is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our emergency responders is dependent upon the quality and accuracy of information obtained from citizens who call 9-1-1; and

WHEREAS, Public Safety Telecommunicators are the first contact our citizens have with emergency services. They provide steady guidance and support in a caller's most frantic and panicked moments; and

WHEREAS, Public Safety Telecommunicators are the single vital link for our emergency responders by monitoring their activities by radio, providing them information and insuring their safety; and

WHEREAS, Public Safety Telecommunicators are more than a calm and reassuring voice at the other end of the phone, they are the "unseen first responders"; and

WHEREAS, each telecommunicator has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

NOW, THEREFORE, the Franklin County Board of Commissioners does hereby proclaim April 12-18, 2015, as "PUBLIC SAFETY TELECOMMUNICATOR'S WEEK" in Franklin County in honor of the men and women whose diligence and professionalism keep our county and citizens safe; and urge our citizens to observe this week in honor of all telecommunicators nationwide who answer our calls for help.

PROCLAIMED, this the 6th day of April 2015.

Item 1-F

National County Government Month - April 2015
PROCLAMATION
"Counties Moving America Forward: The Keys are Transportation and Infrastructure"

WHEREAS, the nation's 3,069 counties serving more than 300 million Americans provide essential services to create healthy, safe, vibrant and economically resilient communities; and

WHEREAS, counties move America forward by building infrastructure, maintaining roads and bridges, providing health care, administering justice, keeping communities safe, running elections, managing solid waste, keeping records and much more; and

WHEREAS, Franklin County, NC and all counties take pride in their responsibility to protect and enhance the health, welfare and safety of its residents in efficient and cost-effective ways; and

WHEREAS, through National Association of Counties President Riki Hokama's "Transportation and Infrastructure" initiative, NACo is encouraging counties to focus on how they have improved their communities through road projects, new bridges, building new facilities, water and sewer improvements and other public works activities; and

WHEREAS, in order to remain healthy, vibrant, safe, and economically competitive, America's counties provide transportation and infrastructure services that play a key role in everything from residents' daily commutes to shipping goods around the world; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to actively promote their own programs and services to the public they serve; and

NOW, THEREFORE, BE IT RESOLVED THAT I, Sidney E. Dunston, Chairman, do hereby proclaim April 2015 as National County Government Month and encourage all county officials, employees, schools and residents to participate in county government celebration activities.

"COUNTY GOVERNMENT MONTH IN FRANKLIN COUNTY"

and urges all citizens to be more involved in and aware of issues facing our counties by volunteering for county programs, voting in elections and attending public meetings.

PROCLAIMED this the 6th day of April, 2015.

Item I-G

**SPRING LITTER SWEEP 2015
BY THE FRANKLIN COUNTY BOARD OF COMMISSIONERS
A PROCLAMATION**

WHEREAS, the North Carolina Department of Transportation organizes an annual spring statewide roadside cleanup to ensure clean and beautiful roads in North Carolina; and

WHEREAS, the spring 2015 LITTER SWEEP roadside cleanup will take place April 18 to May 2, 2015, and encourages local governments and communities, civic and professional groups, businesses, churches, schools, families and individual citizens to participate in the Department of Transportation cleanup by sponsoring and organizing local roadside cleanups; and

WHEREAS, Adopt-A-Highway volunteers, Department of Transportation employees, Department of Correction inmates and community service workers, local government agencies, community leaders, civic and community organizations, businesses, churches, schools, and environmentally concerned citizens conduct local cleanups during LITTER SWEEP and may receive certificates of appreciation for their participation; and

WHEREAS, the great natural beauty of our state and a clean environment are sources of great pride for all North Carolinians, attracting tourists and aiding in recruiting new industries; and

WHEREAS, the cleanup will increase awareness of the need for cleaner roadsides, emphasize the importance of not littering, and encourage recycling of solid wastes; and

WHEREAS, the 2015 spring cleanup will celebrate the 27th Anniversary of the North Carolina Adopt-A-Highway program and its volunteer groups that donate their labor and time year round to keep our roadsides clean; and

WHEREAS, the LITTER SWEEP cleanup will be a part of educating the children of this great state regarding the importance of a clean environment to the quality of life in Franklin County;

NOW, THEREFORE, the Franklin County Board of Commissioners, does hereby proclaim April 18 to May 2, 2015 as the SPRING LITTER SWEEP in Franklin County, and encourages citizens to take an active role in making their communities cleaner.

PROCLAIMED this the 6th day of April, 2015.

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.

Dwayne Collins, 222 Moore's Pond Road, Youngsville, NC

- Mr. Collins retired from the Franklin County Sheriff's Office in January, 2015 and said he wishes to receive his service weapon. The item will be further discussed during "Other Business."

Dewey Botts, 675 Howard Tant Road, Zebulon, NC

- Mr. Botts commented on the need to better compete with Wake County for good teachers.

3. HOLDEN ROAD SUBDIVISION/WINSLOW CUSTOM HOMES ALLOCATION REQUEST

Public Utilities received a water/sewer allocation request for development on Holden Road in Youngsville. The request was for Phase I which consists of 38 lots to be recorded no later than December 31, 2015. The Town of Youngsville Planning Board and Board of Commissioners formally supports this development. The Utility Advisory Committee reviewed and approved the development based on the attached phasing plan as submitted by consulting engineers. Full allocation to the development is contingent upon any special requirements imposed by the Town of Youngsville being satisfied and also the submittal of a 25% security deposit of applicable fees by the developer within ten days of board action.

Commissioner Lancaster made a motion to approve the water/sewer allocation, seconded by Commissioner Mitchell. The motion duly carried approval with all present voting "AYE."

4. BOND ORDER

The Board was asked to consider an order authorizing the sale and issuance by the County of Franklin, North Carolina not to exceed \$3,000,000 combined enterprise system revenue bond, series 2015 and authorizing the execution and delivery of certain documents in connection therewith.

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

Chuck Murray, accountant and former Finance Director, commented approval of the bond order is the final step regarding acquisition of the Franklinton utility system.

5. OTHER BUSINESS

County Manager Angela L. Harris introduced Mitchell Robinson as the county's Assistant County Manager of Financial Services. Mr. Robinson thanked the Board and citizens for the opportunity to serve.

Chairman Dunston thanked retired Finance Director Chuck Murray for his service to Franklin County and wished him well in retirement.

Commissioner Foy then made a motion to sell Dwayne Collins his service weapon in the amount of one dollar. The motion was seconded by Commissioner Lancaster and duly carried approval with all present voting "AYE."

6. 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: No comments were offered.

Commissioner Foy: Commissioner Foy commented on a letter from Senator Harry Brown regarding a bill that would change the way sales tax is distributed in all 100 counties. He said the county would benefit financially if the bill is approved and asked the Board to consider a resolution in support in the near future. Chuck Murray, accountant and former Finance Director, stated the county could realize approximately \$5.8 million in revenue each year if the bill is approved.

Commissioner Bunn: Commissioner Bunn was absent.

Commissioner May: Commissioner May said he is concerned about the large trees surrounding the Franklin County Courthouse. He fears the trees will damage recent renovations to the courthouse if not removed. County Manager Angela L. Harris stated preliminary estimates on tree removal have been received.

Commissioner Jones: Commissioner Jones was absent.

Commissioner Mitchell: No comments were offered.

Commissioner Dunston: No comments were offered.

Commissioner Lancaster: No comments were offered.

County Manager Angela L. Harris: No comments were offered.

7. 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 4 to 1, with Commissioner Foy voting "NO."

At approximately 7:27 P.M., the Board entered into closed session.

At approximately 8:11 P.M., Commissioner May made a motion to enter back into open session, seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE."

Chairman Dunston stated the Board (in closed session) discussed a possible amendment to the Utility Asset Purchase Agreement with the Town of Franklinton.

Commissioner Mitchell then made a motion to approve the amendment to the Franklinton Utility Asset Purchase Agreement as presented. The motion was seconded by Commissioner Lancaster and duly carried approval with all present voting “AYE.”

County Manager Angela L. Harris invited the Board to participate in the Historic Home Tour scheduled for April 18 and 19, 2015.

At 8:13 P.M., Commissioner Mitchell made a motion to adjourn, seconded by Commissioner May. The motion duly carried with all present voting “AYE.”

Sidney E. Dunston, Chair

Kristen G. King, Clerk to the Board

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