

**January 17, 2012**

The Board of Commissioners of Franklin County, North Carolina, met for a Special Called Meeting at 6:30 P.M. in the Commissioner's Meeting Room located in the County Administration Building with the following Commissioners present: Chairman E. Shane Mitchell, Vice-Chairman Robert L. Swanson, Penny McGhee, Donald C. Lancaster, David T. Bunn, Harry L. Foy, Jr. Commissioner Sidney E. Dunston arrived at 6:34 P.M. after the start of the meeting.

Chairman Mitchell called the meeting to order and asked the Board to consider entering into a closed session pursuant to North Carolina General Statute 143-318.11 (a)(6), in order for the Board to discuss a personnel matter.

Commissioner Swanson made the motion to enter into closed session pursuant to North Carolina General Statute 143-318.11 (a)(6), in order for the Board to discuss a personnel matter. The motion was seconded by Commissioner McGhee and carried with a 5 to 1 vote. Commissioner Foy voted "NO."

At approximately 6:32 P.M., the Board entered into closed session.

At approximately 6:54 P.M., Commissioner Swanson made a motion to enter back into open session, seconded by Commissioner Bunn. The motion was approved unanimously with all present voting "AYE."

No action was taken.

Commissioner Dunston then made a motion to adjourn, seconded by Commissioner Swanson. The motion duly carried with all present voting "AYE" and the meeting adjourned.

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

Chairman Mitchell called the meeting to order.

Commissioner Dunston made a motion to appoint Mr. Pete Tomlinson as County Attorney per North Carolina General Statute 153A-114 which states the Board of Commissioners shall appoint a county attorney to serve at its pleasure and to be its legal adviser, at a rate of \$125 per hour. The motion was seconded by Commissioner Foy and duly carried approval with all present voting "AYE." Mr. Tomlinson will now manage tax foreclosures.

Chairman Mitchell removed Item 1-D (Deed of Trust Release for Triangle North Franklin County) from the consent agenda for individual consideration.

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

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

The items approved are as follows.

**1. CONSENT AGENDA**

- A. January 3, 2012 Minutes
- B. Releases, Adjustments, Refunds, and Tax Collection Report
- C. 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 \$176,360 for the fiscal year ending June 30, 2012 to amend the General Fund to reflect grants and donations received by the Health Department, Library, Sheriff's Office, and Planning. Also, the Register of Deeds Office has completed its Redaction Project.)
- ~~D. Deed of Trust Release for Triangle North Franklin County~~

Following approval of the consent agenda, Commissioner Dunston made a motion to approve the Deed of Trust Release for Triangle North Franklin County, contingent upon approval of the County Attorney. The motion was seconded by Commissioner Swanson and duly carried approval with all present voting "AYE."

**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. No comments were offered.

**3. RECOGNITION OF EMPLOYEE OF THE QUARTER**

Marie Neve, Accounting Specialist, Franklin County Finance, was recognized as the Employee of the Quarter ending December, 2011. Ms. Neve has been employed with the county since June, 2007 and selected for this recognition by a committee of her peers. Ms. Neve received a vacation day and a savings bond.

**4. RECOGNITION OF EMPLOYEE OF THE YEAR**

Tommy Harris, Building Inspector, Franklin County Planning and Inspections, was recognized as the Employee of the Year ending December, 2011. Mr. Harris has been employed with the county since November, 2004 and selected for this recognition by a committee of his peers. Mr. Harris was also awarded Employee of the Quarter for the quarter ending March, 2011. He received a plaque and a cash award.

**5. UPDATE: FRANKLIN COUNTY 2012 REVALUATION**

Jimmy Tanner, Tax Administrator, provided information regarding the 2012 revaluation project. Tim Cain, Revaluation Contractor, Assessment Solutions, Inc., was available to provide additional details in advance of the valuation notices being mailed. Included in the presentation was a live demonstration of the electronic appeal process.

No action was requested or taken.

**6. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SCATTERED SITES GRANT APPLICATION**

Franklin County is eligible for a \$400,000 grant through the North Carolina Department of Commerce Community Investment and Assistance (NCDCCIA) division for housing rehabilitations. The County advertised for grant application services on two separate occasions but only received one submittal which was from the Wooten Company. The County received permission from NCDCCIA to negotiate an agreement with the Wooten

Company. The Wooten Company submitted a proposal to prepare the grant application for a fee not to exceed \$7,000. If approved, fees would be reimbursed by NCDCCIA following the submittal and approval of the grant application.

Commissioner McGhee made the motion to award a contract to the Wooten Company to prepare grant application for a fee not to exceed \$7,000. The motion was seconded by Commissioner Dunston and duly carried approval with all present voting "AYE."

Tammy Davis, Plans Review Coordinator, was in attendance for Board questions.

**7. ENDORSEMENT OF PURCHASE OF THE HOMESTEAD FOR V.E. OWENS PARK**

Members of the Parks and Recreation Advisory Board were in attendance to ask the Board to consider endorsing the purchase of The Homestead for \$400,000 to build the V. E. and Lydia H. Owens Park. Mr. Edgar Owens left the Franklin County Recreation Commission 80% of his estate to purchase land and construct a recreational park. There are several amenities already located on the property. Plans include the addition of a pond, walking trail and playground area.

The following PowerPoint presentation was offered by Parks and Recreation Advisory Board Chairman Jan Alford, board member Chris Schmidt and Parks and Recreation Director Oliver Greene.

<p><b>V.E. and Lydia H. Owens Recreational Park</b></p> <p>Proposal presented by the Recreation Advisory Board to the Franklin County Commissioners January 17, 2012</p>	<p><b>The Homestead</b></p> <p>1912 NC Highway 39 South Louisburg, NC 27549</p>	<p><b>The Homestead</b></p>  <p>116 acres 26 acres cleared / 90 acres wooded Purchase Price \$400,000 (Determined Replacement Cost of Improvements \$390,000)</p> <p>Camp capacity: 66 housed Total camping capacity: 300+</p>
<p><b>Ranger Office</b></p>  <p>1194 Square Feet</p>	<p><b>Camp Store</b></p> 	<p><b>Picnic Shelter #1</b></p>  <p>Fireplace, Fire Ring, Flagpole 2 Picnic Tables, Cold Water Sink 1 Toilet/1 ADA Toilet 2 Private Showers with Dressing Room Electricity &amp; Water Near-by Tent Camping &amp; Security Light Available for 12 months use</p>

### Picnic Shelter #2



2 Fireplaces, 6 Toilets (1 ADA Accessible)  
 6 Sinks, Dishwashing Sink  
 6 Picnic Tables  
 7 Private Showers with Dressing Rooms  
 1 ADA shower with Dressing Room  
 Security Light  
 Fire Circle with Benches  
 Horseshoe Pits

### 9 Tree Houses



Each Tree House has space for 4 cots  
 Ceiling Fan  
 Electricity  
 Lockable Doors  
 Screens  
 2 Tree Houses are ADA Accessible  
 No heat  
 Security Light

### The Lodge



Exterior Fireplace, HVAC System  
 2 ADA Access Ramps  
 Dining Hall  
 Parking Area &  
 Volleyball/Badminton Area  
 Capacity to sleep 40  
 Available for 12 month use

### Lodge Exterior



Covered Porch with Picnic Tables  
 Rear Deck with Picnic Tables Flagpole  
 Grill with Fire Ring

### Lodge Interior



Kitchen Facilities  
 2 Bathrooms (1 ADA Accessible)

### Field # 1



15 Acres  
 1 Outhouse with 4 Toilets and  
 1 ADA Toilet, Fire Ring, Security Light  
 8 Winterized Water Hydrants  
 Capacity: 50 Campers

### Field #2



Stage 16' x 20'  
 ADA Accessible  
 200 amp Electric Service  
 2 Flagpoles, 2 Fire Circles, 1 Water Hydrant  
 Capacity: Over 500 (hillside seating)

### Field # 2

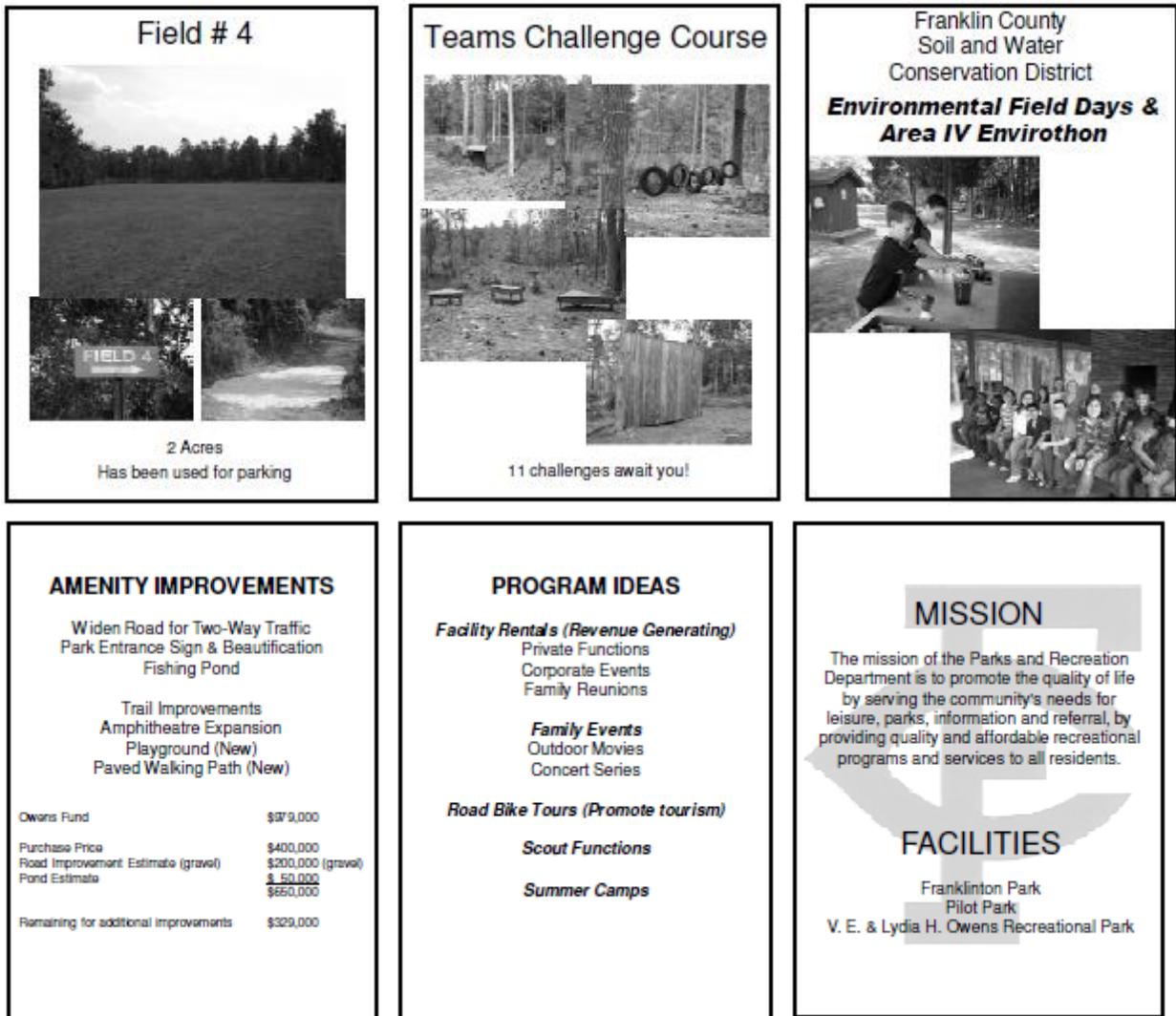


15 Acres  
 2 Outhouses each with 4 Toilets and  
 1 ADA Accessible Toilet  
 5 Fire Rings  
 6 Water Hydrants  
 2 Picnic Tables  
 Volleyball

### Field #3



10 Acres  
 1 Outhouse with 4 Toilets and  
 1 ADA Accessible Toilet  
 4 Water Hydrants, 2 Fire Rings  
 Capacity: 50 Campers



It was noted in the presentation that 12 properties were considered. The number was narrowed to three and The Homestead, currently owned by the Girl Scouts, was selected. The property includes 116 acres at a purchase price of \$400,000.

Commissioner Swanson asked if there is an easement on the property in order to construct a two lane road. Mr. Greene stated it was.

Commissioner Bunn asked if a dam located on the property would need to be altered. Mr. Greene stated it would not be affected.

Commissioner McGhee asked if the property would need to be rezoned. She was informed the property would not need to be rezoned unless the County decided to subdivide and sell. Commissioner McGhee understood the Parks and Recreation Advisory Board voted 4 to 3 in favor of The Homestead and asked why the vote was not unanimous. Mr. Greene stated some members felt a site in the Royal Community was preferable due to its location.

During the presentation, Mr. Greene stated a pond could be developed on the property for an estimated \$50,000. Commissioner McGhee asked how the estimate was obtained. Mr. Greene stated Mr. Kevin Martin, a soil and environmental consultant, and developers he consulted with provided the estimate which does not include stocking the pond with fish. Commissioner McGhee felt the estimate was low.

Commissioner Swanson asked if the purchase price included paving the road that leads into The Homestead. Mr. Greene stated it did not include paving, but included gravel.

Commissioner Dunston inquired about the location of the other properties examined. He was informed potential sites included property in the communities of Moulton, Royal and

Pearces. Property on East River Road was also examined as well as three properties in the Town of Louisburg. Commissioner Dunston indicated there had been interest in Jackson Mill Pond. Mr. Greene noted the property had been examined and stated the purchase price was approximately \$1,000,000. Mr. Greene noted Laurel Mill had also been considered by the advisory board but concluded the location would not serve the entire County as well as The Homestead.

Commissioner Dunston stated recreational facilities do not exist north or northeast of Louisburg. Mr. Alford stated in the process of seeking land, the advisory board utilized a map to identify all areas of recreational facilities in Franklin County and said the board especially considered areas where recreational facilities did not exist. Mr. Alford stated every property presented to the board was visited and examined. In terms of value, Mr. Alford stated approximately \$390,000 worth of improvements had already been made to The Homestead and said improvements were not included in the purchase price. Mr. Alford said compared to other properties, The Homestead was of great value even though it was not necessarily the best location.

Commissioner Lancaster serves on the Parks and Recreation Advisory Board. He stated he was a member of the search committee and noted The Homestead was selected because it possessed many amenities and a large amount of acreage. He also stated use of the property could begin immediately upon purchase.

Commissioner Bunn asked if there was more than one road that accessed the property. He was informed there is a path that is being used for an emergency exit on property not owned by the Girl Scouts.

Commissioner Swanson stated forty percent of the eastern portion of the County had no recreational opportunities whatsoever and said citizens in those areas travel considerable distances to utilize parks already in existence. Commissioner Swanson also stated his concern that the park is situated a considerable distance off of the highway. He said the park would not be safe and said he felt The Homestead was not the best location.

Commissioner McGhee said any remaining from the project should be utilized at this park and not used for improvements at other County parks.

Commissioner Dunston stated he was impressed with the amenities located on The Homestead property, but said he too had security concerns. He commented he is concerned about cost estimates provided for building a pond. Lastly, he mentioned the need for turn lanes on Highway 39 leading into the property. Mr. Greene stated a turn lane would not be required because of the type of park it is.

When asked if a decision was urgent, Mr. Alford stated the property would be placed on the market and made available to the public as of January 31, 2012.

Following the presentation, the Board was asked to consider endorsement of the purchase.

Commissioner Lancaster made a motion to endorse/approve the site. A second was not received and the motion died for lack of a second.

Commissioner Mitchell thanked the Parks and Recreation Advisory Board for its diligence in seeking a property since February, 2010. He commented the site would be

suitable if it were located elsewhere. He also commented on concerns he had with regard to safety and emergency access.

## 8. APPOINTMENTS

### A. Bunn Planning & Zoning Board, ETJ

The Board was asked to consider the reappointment of Ms. Diane Barrett to serve on the Bunn Planning & Zoning Board, ETJ for a three-year term.

Commissioner Dunston made the motion to reappoint Ms. Diane Barrett to the Bunn Planning & Zoning Board, ETJ, seconded by Commissioner Foy. The motion duly carried with all present voting "AYE."

### B. Five County Mental Health Board

Commissioner McGhee was expected to consider the reappointment of Mr. T.A. Gardner, Junior to the Five County Mental Health Board to serve in the capacity of attorney or someone with a background in business. The term is three years.

Commissioner McGhee made the motion to reappoint Mr. Gardner, seconded by Commissioner Swanson. The motion duly carried approval with all present voting "AYE."

With regard to a vacancy on the Juvenile Prevention Council, Chairman Mitchell stated Bunn Police Chief Kent Winstead was interested in volunteering his time.

## 9. OTHER BUSINESS

- Panhandling Ordinance Discussion

At a previous Board meeting, Commissioner McGhee expressed safety concerns for individuals panhandling along busy highways in Franklin. Commissioner McGhee stated she was not interested in an ordinance, but rather a method of ensuring safety.

Sheriff Jerry Jones was in attendance and stated he had conducted research regarding the matter. He noted the issue has previously been complaint driven and suggested the matter continue to be monitored and handled in the same manner by the Sheriff's Office when dangerous activity is observed.

Commissioner McGhee was satisfied with the Sheriff's suggestion and asked to take the matter off of future agendas at this time.

## 10. 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 report was offered.

**Commissioner Foy:** No report was offered.

**Commissioner Bunn:** No report was offered.

**Commissioner Mitchell:** Commissioner Mitchell asked Commissioner Swanson to represent the Board at a meeting on January 19, 2012 in Henderson. The purpose of

the meeting will be to discuss concerns of the Kerr Tar Regional as they pertain to transportation. Commissioner Mitchell also reminded the Board of the annual banquet of the Franklin County Chamber of Commerce scheduled for the evening of January 19, 2012.

**Commissioner Dunston:** No report was offered.

**Commissioner Lancaster:** No report was offered.

**Commissioner McGhee:** Commissioner McGhee provided an update of recent activity of the Health Board. She stated the State has decreased the bio terrorism budget. She also stated there are two bills to be considered next year at the State level with regard to the consolidation of all human services and the regionalization of counties with less than 75,000 citizens. Commissioner McGhee said she attended an event in Franklinton in honor of Martin Luther King, Jr. Day. She said the event was uplifting and helpful in understanding the needs of citizens. She also mentioned Franklinton High School recently made news headlines for recognition of its Biotech Lab. Materials for the lab were donated by Novozymes North America. She said Franklinton is the first high school in North Carolina that offers this program for its students.

**Commissioner Swanson:** No report was offered.

**County Manager Angela L. Harris:**

- Mrs. Harris commented on the National STEM Video Game Challenge. The event is expected to spark student interest in creating educational video games and participation in the national challenge. The event will be held February 9, 2012 at 7:00 P.M. at Franklinton High School.

## 11. CLOSED SESSION

At approximately 8:30 P.M., Commissioner Dunston made a motion to enter into closed session pursuant to the following North Carolina General Statutes. The motion was seconded by Commissioner Swanson and carried approval 6 to 1, with Commissioner Foy casting the dissenting vote.

- A. NCGS 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.
- B. 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 (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

At approximately 9:06 P.M., Commissioner Dunston made a motion to enter back into open session, seconded by Commissioner McGhee. The motion duly carried with all present voting "AYE."

No action was taken.

At 9:07 P.M., Commissioner McGhee made a motion to adjourn, seconded by Commissioner Lancaster. The motion duly carried with all present voting "AYE."

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E. Shane Mitchell, Chair

Kristen G. King, Clerk to the Board

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