

January 3, 2012

The Board of Commissioners of Franklin County, North Carolina, met for its Recessed Meeting at 5:00 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, and David T. Bunn. Commissioner Harry L. Foy, Jr. arrived at 5:04 P.M. after the start of the meeting. Commissioner Sidney E. Dunston arrived at 5:38 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 unanimously.

At approximately 5:02 P.M., the Board entered into closed session.

Commissioner Foy arrived at 5:04 P.M.

Commissioner Dunston arrived at 5:38 P.M.

At approximately 7:00 P.M., Commissioner Dunston made a motion to enter back into open session, seconded by Commissioner Swanson. The motion was approved unanimously with all present voting "AYE."

The Chairman announced that no action was taken as a result of closed session.

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.

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 and asked the Board to consider approval of the consent agenda.

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

The items approved are as follows.

1. **CONSENT AGENDA**

- A. December 5, 2011 Minutes
- B. Resolution Opposing State Regulations that Restrict Local Government Use of 911 Funds

C. Change Order for 2008 Bond Projects: Bid Package 2

Item 1-B

RESOLUTION OPPOSING STATE REGULATIONS THAT RESTRICT LOCAL GOVERNMENT USE OF 911 FUNDS

Whereas, the County of Franklin, 911 operations utilizes professional staff to operate a county-wide Public Safety Answering Point (PSAP) in the State of North Carolina, which is upgrading to a state of the art P25 Trunked VHF Simulcast radio system for all EMS, Fire, and Law Enforcement emergency calls; and

Whereas, the State of North Carolina has created legislation that regulates the manner in which local governments may utilize 911 revenue generated by a 70-cent monthly tax imposed on each telephone with these funds going directly to the State before any portion of the amount is returned to local governments for funding of community PSAPs; and

Whereas, the County of Franklin received a letter, dated December 13, 2010, from the North Carolina 911 Board advising that beginning July 1, 2011, the County will receive less 911 revenue than the previous year, which represents a reduction from \$450,013 to \$292,224 and further limits the local fund balance to 20%; and

Whereas, these State regulations have taken away authority from local governments by requiring them to go to the North Carolina 911 Board in order to seek additional funds, when needed, rather than the elected County Board of Commissioners and the taxpayers they represent; and

Whereas, Franklin County is further harmed by the North Carolina 911 Board's regulation authorizing them to unfairly take 911 funds received from Franklin County citizens and redistribute these valuable resources to other PSAPs, elsewhere in the State, which severely restricts Franklin County's ability to plan and save for future 911 technology, thus creating an additional hardship for local taxpayers; and

Whereas, the restrictive North Carolina 911 regulations severely limits Franklin County's PSAP and takes away local control from taxpayers, and those they elect, in ensuring that public safety is the utmost priority with an adequate fund balance to responsibly handle future needs.

Now, therefore be it resolved that the Franklin County Board of Commissioners requests that the North Carolina General Assembly revise the regulations currently used by the North Carolina 911 Board to allow the return of all locally generated 911 funds for local public safety use.

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: COMMISSIONER SIDNEY E. DUNSTON

Commissioner Sidney E. Dunston was recognized for his service as 2011 Chair of the Franklin County Board of Commissioners. Chairman Mitchell presented a plaque to Commissioner Dunston in appreciation of his service.

4. RADIO PROJECT STATUS CHANGE ORDERS REQUEST

Emergency Communications Director Christy Shearin provided additional information regarding additional change orders for the radio project discussed at the November 7, 2011 meeting. Chris Kelly, L.R. Kimball, Mike Browne, Harris Site Manager and Greg Strader, Harris Project Manager were in attendance.

Mrs. Shearin provided the following PowerPoint presentation.

RADIO PROJECT CHANGE ORDERS

January 2, 2012

PROJECT BUDGET

☒ Approved "not to exceed" Amount
(March 30, 2011)

... \$10,702,924

☒ Encumbered to Date: \$10,405,679.15

☒ Total Remaining Funds: **\$297,244.85**

CHANGE ORDERS NEEDED

☒ 911 Civils and Dispatch Center -
\$148,787.29 (Approved Nov. 2011)

... Electrical Upgrades, Incremental Furniture Changes, Anti-Static flooring, Acoustical Paneling and ceiling tiles, Disconnect consoles (radio) and reinstall, monitor changes, Tower Civils

☒ Remaining Funds - \$148,457.56

CHANGE ORDERS NEEDED (CONT.)

~~☒~~ Reprogramming - \$13,900

☒ Interop Solution - \$39,014

... 3 Mastr III stations utilizes current antenna system

☒ Interference Study - \$10,313

☒ Remaining Funds - \$99,130.56

Mrs. Shearin referred to the radio project budget and stated total remaining funds available total \$297,244.85. In November, 2011 the Board of Commissioners approved a change order for 911 Civils and Dispatch Center in the amount of \$148,787.29 leaving \$148,457.56 available for use. At that time, it did not approve a change order requested for Reprogramming at a cost of \$13,900, nor did it approve a change order request for the Interop Solution (\$39,014) or an Interference Study (\$10,313). Since the November 7, 2011 meeting, Mrs. Shearin stated Harris had assumed the cost of Reprogramming for the County, however the need for the Interop Solution and Interference Study remained.

With regard to the Interference Study, the Board asked if the need for the study was known prior to the start of the project. Mr. Kelly responded by saying an interference study is usually conducted less than ten percent of the time. He said in this case interference is more likely in this band due to congestion of channels. He stated Kimball wanted to be proactive in the event there are any future interference issues. He said in the past year, throughout the licensing process, a couple of items have changed such as adding another frequency that has another paging channel, which added more licensing parameters. He said with the additional steps it took in defining the frequencies, it made us also reevaluate how congested this area is. He mentioned that Wayne County, North Carolina had recently placed its system on the air within the last six months bringing about additional potential interference.

Mr. Kelly stated the Interference Study would identify any current interference problems which he does not anticipate. He also said the study would provide a benchmark if any problems should arise in the future and commented that conducting the study now would save time and County funds.

If interference is discovered, Mr. Kelly stated Harris would calculate and make sure the interference did not cause any system issues. If the interference does create problems for the system, Mr. Kelly said Kimball would make sure that adequate frequency was obtained that does not have that issue.

The Board asked Mr. Kelly why the Interference Study was not included in the original project proposal. Mr. Kelly stated it is seldom these studies are needed but said he felt it was necessary due to the additional risks that came in with the licensing. He said the measure was proactive in order to protect that County's investment.

Commissioner McGhee expressed her frustration that Mr. Kelly's statements conflicted with those of Mr. Michael Browne, Harris Site Manager when he addressed the Board on November 7, 2011 about the need for the study. She said Mr. Browne noted that interference studies are common. Because there are remaining funds available for the project, Commissioner McGhee stated her concern that the County may be taken advantage of.

Mr. Kelly responded by saying the studies are common, but said they are typically done only after problems arise as opposed to taking a proactive approach. He also confirmed that they study is typically more costly after the system is online.

Once again, the Board asked why the cost was not factored into the initial cost of the study.

Mr. Browne was in attendance and clarified the comments he made on November 7, 2011 to the Board. He said his comments made reference to the fact that interference often occurs "after the fact" and that the idea of being proactive with an Interference Study is not often done. He stated the problem that came into play were the frequencies that were licensed for the project were not completed until recently. He stated the exact frequency and spacing was not done until recently which is when the need for the study came up for discussion.

In order to assist with the Board's understanding of the request for the study, Chairman Mitchell provided a synopsis of his understanding of the series of events that had occurred with regard to the radio project. He said when the contract was originally done, the frequencies the County would be operating on were an unknown variable. Even after the contract was approved and awarded, he said those frequencies the County would be operating on were evolving due to licensing requests of the Federal Communications Commission (FCC). He said the frequencies obtained are located near other frequencies that could cause interference. He stated his understanding that interference could be caused by others who are not operating under the guidelines of the FCC. He said the study would identify potential problems.

Commissioner McGhee asked Mr. Kelly what would happen if the study was not done and interference occurred after the system went online. Mr. Kelly stated an interference study would be conducted at that time at a higher cost.

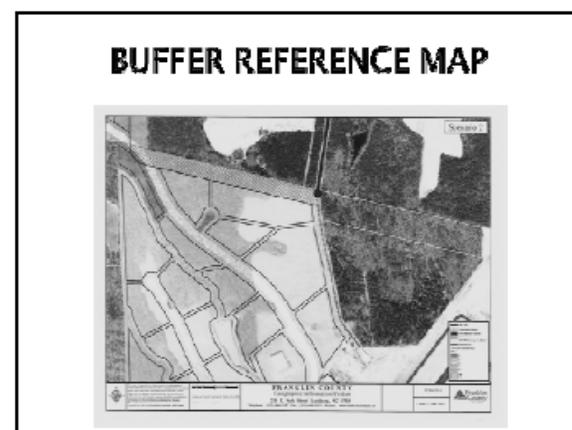
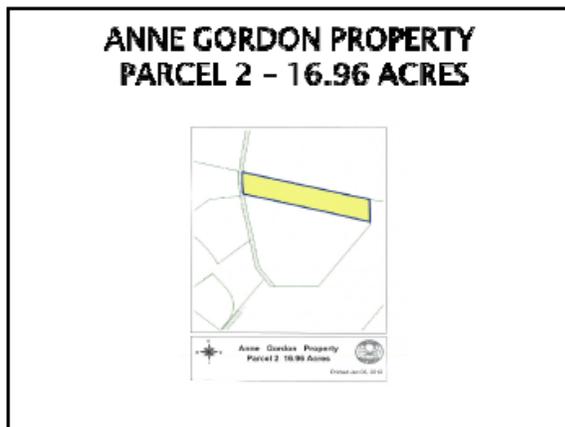
Commissioner Dunston made a motion to approve change orders for the radio project, seconded by Commissioner Swanson. The motion duly carried with all present voting "AYE." The change orders approved include the Interop Solution and Interference Study at a cost of \$49,327.

5. PURCHASE OF ANNE GORDON'S PROPERTY FOR THE EXPANSION OF TRIANGLE NORTH EXECUTIVE AIRPORT

Triangle North Triangle North Executive Airport is seeking additional property to expand corporate hangar area to the north of existing hangars and proposes to purchase 62.43 acres from Ms. Anne Gordon with 90% funding from the North Carolina Department of

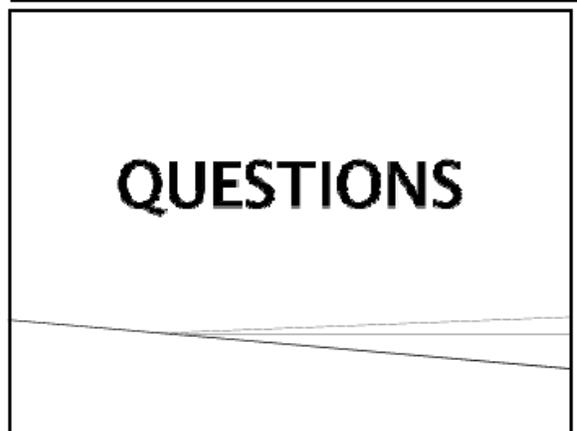
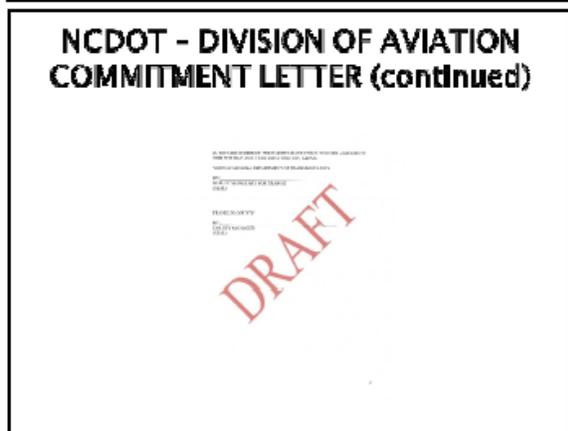
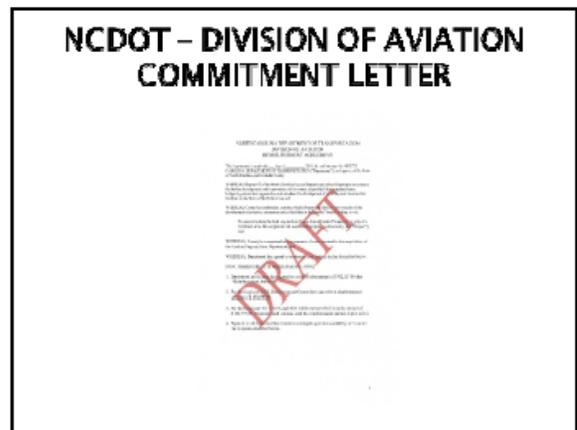
Transportation Division of Aviation and a 10% match from Triangle North Executive Airport.

Economic Development Director Ronnie Goswick provided the following PowerPoint presentation.



STATEMENT OF WORKS SUMMARY

DEVELOPMENT OF LPA GROUP	2	700,000.00	
CONSTRUCTION (INCLUDING EROSION CONTROL AND SLOPE STABILIZATION, LANDSCAPE IMPROVEMENTS, AND UTILITY WORK - 2012/2013)	2	844,910.00	
PERMITTING	5	100,000.00	
TOTAL BIDDING COST	5	1,644,910.00	
INTEREST @ 5% PER ANNUM (5) YEARS ON BIDDING COST	5	332,246.30	
PROGRAM @ 20,000,000	5	15,000,000.00	
NET COST (INCLUDING BIDDING COSTS, UNLIMITED WATER AND POWER COSTS, AND INTEREST)	5	16,977,156.30	
FUNDING OF PROJECT			
	NC DOT - AVIATION	FUNDING	
CONSTRUCTION	2	1,000,000.00	1,000,000.00
PERMITTING	5	1,000,000.00	1,000,000.00
TOTAL PROJECT COST	5	2,000,000.00	2,000,000.00
TOTAL	2	700,000.00	3,400,000.00



Terms of the agreement include the agreement by the North Carolina State Preservation Office to abandon the 300 foot buffer along SR 1703 from the Cascine Plantation to Airport property; relocated the existing cul-de-sac located on the south end of SR 1703 to the Cascine Plantation property line; maintain the current 500 foot buffer from the Cascine property line south into the Anne Gordon property; and maintain the 200 foot buffer from the Cascine Plantation property line south onto the Kerr Tar Regional Economic Development Corporation property.

Commissioner Swanson made a motion to approve the offer to purchase 62.43 acres of property from Ms. Anne Gordon for the purpose of expanding corporate hangar area at Triangle North Executive Airport. The motion was seconded by Commissioner Dunston and was approved 5 to 2, with Commissioners Foy and Bunn voting “NO.”

The total cost of the purchase is \$807,601. Triangle North Executive Airport will pay \$105,264 of the cost. The remaining portion of \$702,337 is guaranteed from the North Carolina Department of Transportation Division of Aviation.

6. ENGINEERING AGREEMENT WITH LPA GROUP

Triangle North Executive Airport has several potential projects underway. One of the projects is to develop the next item on the TIP (Transportation Improvement Plan) which is to relocate the utilities under the remaining commercial hangar site. Additional engineering support will become necessary with the purchase of the land adjacent on the north side of the airport. Potential utilities relocation to provide sanitary sewer service will require engineering assistance. According to Stephen Merritt, Airport Manager, this request is for engineering support and liaison with various agencies in developing these projects. This request is for an amount not to exceed \$5,000. These projects have been preapproved as grant eligible for Vision 100 State Funds. The maximum County share is 10%.

Commissioner Dunston made a motion to approve not to exceed agreements for engineering services with the LPA Group, seconded by Commissioner Lancaster. The motion carried approval 5 to 2, with Commissioners Bunn and Foy voting “NO.”

Commissioner Mitchell directed Mr. Merritt to consult with the County’s Public Utilities Director in advance regarding any connections to County utilities. He commented that doing so may save money by utilizing in-house expertise.

7. TAX YEAR 2010/2011 SETTLEMENT SUMMARY AND TAX OFFICE REPORT

Tax Administrator Jimmy Tanner presented a summary of the past year tax settlement along with a short review of improvements and results within the Tax Office.

Mr. Tanner provided the following PowerPoint presentation.

Franklin County Government

Franklin County Tax Administration
2010/2011 Tax Settlement

Presented By:
Jimmy Tanner, Tax Administrator

www.franklincountync.us

Franklin County Government

Introduction:

Summary of Fiscal Year 2010/2011 Settlement Report for previous tax year.

Quick review of other accomplishments by the Tax Office from the past year.

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Franklin County Government

2010 LEVY

Real Property	Total Billed	Actual Collections	Uncollected	% Collected
	\$29,480,374	\$29,006,392	\$ 473,982	98.40%
Personal Property (Including System Property)	Total Billed	Actual Collections	Uncollected	% Collected
	\$ 2,701,214	\$ 2,632,948	\$ 68,266	97.48%
Registered Motor Vehicles	Total Billed	Actual Collections	Uncollected	% Collected
	\$ 3,253,219	\$ 2,764,952	\$ 488,267	85.00%

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Total Levy

Total Billed	Actual Collections	% Collected
\$35,434,807	\$34,404,292	97.10%

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Comparison Overall Collection Rate

2008 / 2009	2009 / 2010	2010 / 2011
95.94%	96.62%	97.10%

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Comparison Prior Year Collections

Fiscal Year	Year Ending	Amount
2005 / 2006	6-30-06	\$ 850,441
2006 / 2007	6-30-07	\$ 884,048
2007 / 2008	6-30-08	\$ 681,402
2008 / 2009	6-30-09	\$1,001,978
2009 / 2010	6-30-10	\$ 1,120,171
2010/2011	6-30-11	\$ 1,103,096

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Franklin County Government

POINTS OF INTEREST (Collections)

- Collected on \$374,466 more in levy than last year
- Our internal Lock-Box system has worked flawlessly for the past year allowing our taxpayers to mail their payments to our office rather than an out of town address.
- The restructuring of our Collections office has resulted in increased collection rates for the prior two years and a decrease in foreclosures over the same period of time.

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Franklin County Government

POINTS OF INTEREST (Tax Office)

- Business Discovery project generated additional funds in the amount of \$256,000 for the 2010 tax year. Billed approximately \$294,000 and collected approximately \$256,000.
- Have revised the Assessor's website that enables taxpayers and customers to retrieve information quickly and easily. Will be beneficial to our taxpaying citizens especially throughout the reassessment process.
- Have implemented a new website for the Collections Office that enables taxpayers and customers to research collections information.

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Franklin County Government

QUESTIONS ?

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No action requested or taken.

8. UPDATE: FRANKLIN COUNTY 2012 REVALUATION

Tax Administrator Jimmy Tanner presented information regarding the 2012 revaluation project such as the anticipated date for releasing the Notice of Real Estate Assessed Value Notifications and a review of the new appeals process developed internally. Tim Cain, Assessment Solutions, Inc. Revaluation Contractor, was also in attendance.

Mr. Tanner stated he planned to appear before the Board consistently during the revaluation process in order to keep the Board heavily involved especially throughout the appeal process. Mr. Tanner stated the revaluation is not great new for a lot of people based on the state of the economy. However, he said he felt the decision to delay the revaluation from 2010 to 2012 was a good decision that would prove to be beneficial to taxpayers overall.

No action was requested or taken.

9. RESOLUTION TO ESTABLISH POLICY FOR APPROVAL AND OPENING OF CLOSED SESSION MINUTES AND GENERAL ACCOUNTS

The Board was asked to consider approval of a Resolution to Establish Policy for Approval and Opening of Closed Session Minutes and General Accounts.

Chairman Mitchell asked Kristen King, Clerk to the Board, to read aloud the resolution she prepared.

Commissioner Lancaster asked the Clerk to modify the resolution to state the County Attorney and Clerk would review the closed session minutes and general accounts on a quarterly basis. He then commented he was pleased that open closed session minutes and general accounts would be posted online in the future.

Commissioner Lancaster made a motion to approve the resolution, with the suggested modification, seconded by Commissioner McGhee. The motion duly carried approval with all present voting “AYE.”

**RESOLUTION
TO ESTABLISH POLICY FOR APPROVAL & OPENING
OF
CLOSED SESSION MINUTES AND GENERAL ACCOUNTS**

WHEREAS, The North Carolina Open Meetings Statute, G.S. 143-318.11 allows public bodies to meet in Closed Session for certain purposes; and

WHEREAS, the Statute requires a general account of the Closed Session so that a person not in attendance would have a reasonable understanding of what transpired for all Closed Session meetings, and requires these documents be made public once it is determined that public inspection would no longer frustrate the purpose of a Closed Session.

NOW THEREFORE BE IT RESOLVED, that the Franklin County Board of Commissioners does hereby establish the following policy for approval and opening of Closed Session minutes and general accounts effective the date herein adopted:

- The Board shall approve the Closed Session minutes and general account in Closed Session “to prevent the disclosure of information that is made privileged or confidential by G.S. 143-318.10(e).” Upon approval of Closed Session minutes and general account, said minutes and general account are deemed to be sealed until otherwise opened pursuant to the terms of this Resolution.
- The Board delegates to the County Attorney and the Clerk to the Board the responsibility to periodically review quarterly the Closed Session minutes and general accounts and to open the Closed Session minutes and general accounts for which the purpose of the Closed Session would no longer be frustrated by keeping them closed.
- The Board authorizes the County Attorney to sign and date the action to open any Closed Session minutes or general account; and to sign and date the action upon determination that any Closed Session minutes or general accounts should remain permanently sealed.
- The Board directs the Clerk to insert the opened Closed Session minutes and general accounts into a separate “Opened Closed Session Minutes and General Accounts Book,” which shall be available for public inspection.
- Further, the Board directs the Clerk to post such opened Closed Session minutes and general accounts upon the County’s website as soon as practical after such Closed Session minutes are opened.
- The Closed Session minutes and general accounts that the County Attorney determines should remain permanently sealed shall be kept in a separate “Sealed Closed Session Minutes and General Accounts Book.”

10. APPOINTMENTS

A. Chair Appointments

The Chair appointed individual commissioners to select county and regional boards and committees. The appointments are listed.

<p style="text-align: center;">Shane Mitchell Economic Development Commission Fire fighters Association Public Utilities Advisory Committee</p> <p style="text-align: center;">Sidney Dunston Project Advisory Committee for Scattered Site Housing Kerr-Tar Regional Council of Governments (COG) Kerr-Tar Rural Planning Organization (RPO) Work Force Development</p> <p style="text-align: center;">Harry Foy Aging Advisory Board Kerr-Tar Area Transit System (KARTS)</p>	<p style="text-align: center;">Don Lancaster Economic Development Commission Rescue Squad Association Public Utilities Advisory Committee Chamber of Commerce</p> <p style="text-align: center;">Robert L. Swanson Social Services Board Franklin-Vance-Warren Opportunity</p> <p style="text-align: center;">David Bunn Library Board Animal Advisory Board</p> <p style="text-align: center;">Penny McGee Board of Health Mental Health Board Public Utilities Advisory Committee</p>
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B. Juvenile Crime Prevention Council

The Board was asked to consider appointing Meg Wyatt and Onnie Mitchell-Burrell to serve on the Juvenile Crime Prevention Council as at-large representatives.

Commissioner Dunston made the motion to appoint Meg Wyatt and Onnie Mitchell-Burrell as at-large representatives on the Juvenile Crime Prevention Council, seconded by Commissioner McGhee. The motion duly carried with all present voting "AYE."

11. OTHER BUSINESS

Commissioner Bunn stated he would like for the Board of Commissioners to direct the Planning Board to revisit the County's sign ordinance as it relates to other rural counties. Commissioner Bunn made his request in the form of a motion that was seconded by Commissioner Lancaster. The motion carried unanimously with all present voting "AYE."

Planning staff was instructed to take a look at the ordinance and make a presentation to the Planning Board. Commissioner Bunn stated he feels the ordinance is too strict.

Commissioner McGhee made reference to a concern she presented at a recent Board meeting with regard to panhandling. She stated her feeling that an ordinance is needed in Franklin to address the topic. She requested the item be placed on the agenda under "other business" until the issue is resolved.

12. 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 reminded the Board that its next meeting is scheduled for Tuesday, January 17, 2012.

Commissioner Foy: No report was offered.

Commissioner Bunn: No report was offered.

Commissioner Mitchell: No report was offered.

Commissioner Dunston: Commissioner Dunston stated the Martin Luther King, Jr. Day celebration in Louisburg will begin at 10:00 A.M. on Monday, January 16, 2012 at the Franklin County Courthouse. He said the march will end at St. Paul's Episcopal Church on South Main Street for a service there.

Commissioner Lancaster: No report was offered.

Commissioner McGhee: Commissioner McGhee stated Franklinton's annual Martin Luther King, Jr. Day walk will be held on Saturday, January 14, 2012. The walk will be at the old Franklinton High School Gymnasium and will end at the First Baptist Church. She stated the event would begin at approximately 11:00 A.M. with a program at 11:30 A.M. She stated lunch would be served afterward. The public is invited.

Commissioner Swanson: No report was offered.

County Manager Angela L. Harris:

- Mrs. Harris noted a monthly financial report and debt report has been added to the County's website on the Finance Department page.
- Mrs. Harris noted Bunn EMS (Emergency Medical Services) recently relocated to the Sheriff's substation in Bunn. The landlord decided not to renew the lease.

At 8:10 P.M., Commissioner Lancaster made a motion to adjourn, seconded by Commissioner Bunn. The motion duly carried with all present voting "AYE."

E. Shane Mitchell, Chair

Kristen G. King, Clerk to the Board

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