

**July 7, 2014**

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: Vice-Chairman John M. May, Commissioners Cedric K. Jones, Harry L. Foy, Jr., Don Lancaster, E. Shane Mitchell and David T. Bunn. Chairman Sidney E. Dunston was absent.

Vice-Chairman May called the meeting to order and asked the Board to consider approval of the consent agenda.

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

The following items were approved.

**1. CONSENT AGENDA**

- A. Releases, Adjustments, Refunds, and Tax Collection Report
- B. 2013-2014 Tax Settlement

**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.

**Teri Sparrow, 376 Moores Pond Road, Youngsville, NC**

- Mrs. Sparrow received a letter from PSNC Energy regarding a public meeting on July 8, 2014 relative to installation of a natural gas pipeline project in Franklin County. She inquired if Commissioners planned to attend. Mrs. Sparrow was informed Chairman Dunston and Commissioner Lancaster plan to attend.

**Bruce Baker, 383 Gay Road, Zebulon, NC**

- Mr. Baker spoke in reference to an item on the agenda regarding a bid award for landscaping services. Mr. Baker submitted one of the two bids received and said he is disappointed the County is paying for services it is not receiving. He stated the lowest bid is not always the best bid and stated the current landscaper (A OK Landscaping) often uses pesticides to kill the vegetation rather than maintaining it by cutting. Mr. Baker asked the Board to consider other options instead of awarding the bid to A OK. Mr. Baker also stated his concerns the company is owned by a County employee who holds the company's pesticide license. He feels it is a conflict of interest.
- Commissioner Foy asked how many bids were received and was informed two bids were submitted. Commissioner Foy said he had received complaints about the bidding process and the services of A OK in the past.

**3. BID AWARD: LANDSCAPING**

A bid opening for a three-year contract for landscaping was held on June 19, 2014. At that time, two companies submitted bids that ranged from \$47,980 to \$34,000 per year. The lowest bid was submitted by A OK Landscaping. Wake and Franklin Grounds, LLC submitted the second bid.

Finance Director Chuck Murray stated a bidding process for landscaping is held every three years. He stated an advertisement was placed in the newspaper and sent directly

to several landscaping companies. He said two bids were received with the current landscaper (A OK) providing the lowest bid.

Maintenance Director Glen Liles restated the advertisement for bids was placed in the newspaper. He was surprised only two bids were received as six to eight are typically submitted. Upon opening and examining bids, he stated A OK submitted the lowest which was nearly \$14,000 cheaper than the bid submitted by Wake and Franklin Grounds, LLC. Mr. Liles stated five additional sites were added to the proposal for the 2014-2015 fiscal year to include 911 tower sites. Even with the additional sites, he said A OK was only \$500 more than the previous contract. He said he had some concerns/issues in the past with A OK's performance, but each time a concern was presented, it was quickly resolved.

Commissioner Jones asked if A OK was following every item on the proposal. Mr. Liles said that has not always been the case, but restated any concerns had been quickly addressed and resolved.

Commissioner Bunn asked about the conflict of interest brought to the Board's attention by Mr. Baker during public comment. County Manager Angela L. Harris said to her knowledge there is no financial interest by the County employee.

Commissioner May asked if there is any connection between the employee and the landscaping project. Mrs. Harris stated the employee does not supervise the project.

Commissioner Mitchell stated his understanding the person who holds the pesticide license is the individual who is to be in direct supervision of those applying pesticides.

Commissioner Lancaster made a motion to table the discussion to the Board's meeting on August 4, 2014.

Commissioner Lancaster then withdrew his motion and made a second motion to reject both bids in order to rebid the landscaping project. The motion was seconded by Commissioner Foy and duly carried approval with all present voting "AYE."

Commissioner Mitchell asked for a clearly stated description of work to be included in the agenda package when the project is brought back before the Board in order to better assist in its decision. Staff was asked to research requirements for a pesticide license and how it must be properly managed.

#### **4. APPOINTMENTS**

##### **A. Agricultural Advisory Board**

The Board was asked to consider appointing Robert Richards (Harris Township) and Travis Nelms (Louisburg Township) for a three-year term to expire in 2017. The Board was also asked to reappoint Robert Sykes (Franklinton Township) for a second three-year term to expire in 2017.

Commissioner Lancaster made a motion to appoint Robert Richards (Harris Township) and Travis Nelms (Louisburg Township) to a three-year term to expire in 2017 and to reappoint Robert Sykes (Franklinton Township) for a second three-year term to expire in 2017. The motion was seconded by Commissioner Foy and duly carried approval with all present voting "AYE."

##### **B. NCACC Voting Delegate**

The Board was asked to designate a voting delegate to represent the County at the 107<sup>th</sup> Annual Conference of the North Carolina Association of County Commissioners to be held in Buncombe County August 14-17, 2014. Commissioners Dunston and Jones are registered to attend.

Commissioner Lancaster made a motion to appoint Commissioner Dunston to serve as the Board's voting delegate, seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE."

C. Youngsville Planning Board ETJ

The Board was asked to appoint Marcus Hurt to serve a three-year term as a Town of Youngsville Extraterritorial Jurisdiction (ETJ) member for the Youngsville Planning Board.

Commissioner Bunn made a motion to appoint Marcus Hurt to serve a three-year term as a Town of Youngsville Extraterritorial Jurisdiction (ETJ) member for the Youngsville Planning Board. The motion was seconded by Commissioner Mitchell and duly carried approval with all present voting "AYE."

**5. OTHER BUSINESS**

No additional business items were discussed.

**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:** Mrs. King reminded the Board of a community meeting sponsored by PSNC Energy on July 8, 2014 at Hill Ridge Farms relative to a natural gas pipeline project. She asked the Board to be mindful of the open meetings law, but stated the information meeting is intended to be an opportunity for citizens to ask questions of subject matter experts in attendance. Mrs. King also reminded the Board of the State of the County Address scheduled for July 24, 2014 at Vance Granville Community College's Franklin County Campus.

**Commissioner Foy:** No comments were offered.

**Commissioner Bunn:** No comments were offered.

**Commissioner May:** No comments were offered.

**Commissioner Jones:** No comments were offered.

**Commissioner Mitchell:** No comments were offered.

**Commissioner Dunston:** No comments were offered.

**Commissioner Lancaster:** No comments were offered.

**County Manager Angela L. Harris:** Mrs. Harris reminded the Board of a ribbon cutting scheduled for the Boondocks Building in Youngsville on July 14, 2014 at 5:30 P.M. She also reminded the board of a community dedication of the Feeding Franklin Garden scheduled for July 10, 2014 at 5:00 P.M. at the Franklin County Sheriff's Office.

**7. CLOSED SESSION**

The Board was asked to enter into closed session pursuant to North Carolina General Statute 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 approximately 7:28 P.M., Commissioner Lancaster made a motion to enter 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.

The motion was seconded by Commissioner Mitchell and approved with a 6 to 1 vote with Commissioner Foy voting "NO."

Following closed session at 9:10 P.M., Commissioner Bunn made a motion to enter back into open session, seconded by Commissioner Lancaster. The motion duly carried with all present voting "AYE."

At 9:10 P.M., Commissioner Mitchell made a motion to adjourn the meeting, seconded by Commissioner Bunn. The motion duly carried with all present voting "AYE."

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Sidney E. Dunston, Chair

Kristen G. King, Clerk to the Board