

March 21, 2011

The Board of Commissioners of Franklin County, North Carolina, met at 5:15 P.M. at the Cooperative Extension Annex with the following Commissioners present: Chairman Sidney E. Dunston, Vice-Chairman E. Shane Mitchell, Robert L. Swanson, Penny McGhee, David Bunn and Harry L. Foy, Jr. Commissioner Donald C. Lancaster was absent.

The purpose of the meeting was Cooperative Extension's annual report/dinner.

This was an informal meeting and no action was taken.

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: Chair Sidney E. Dunston, Vice-Chairman E. Shane Mitchell, Penny McGhee, Harry L. Foy, Jr., David T. Bunn, Robert L. Swanson and Donald C. Lancaster. Commissioner McGhee left the meeting at approximately 9:42 P.M.

Chairman Dunston asked that the Board consider adding an item to the consent agenda. The item would be considered Item 1-G. Commissioner Swanson made the motion to add the item to the consent agenda, seconded by Commissioner McGhee. The motion duly carried with all present voting "AYE."

Chairman Dunston asked the Board to consider approval of the consent agenda. Commissioner Swanson made a motion to approve the consent agenda, seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE". The items approved follow.

1. CONSENT AGENDA

- A. February 20, 2011 Minutes
- B. February 21, 2011 Minutes
- C. March 1, 2011 Minutes
- D. Releases, Adjustments, Refunds, and Tax Collection Report
- E. Amendments: Economic Development Commission Bylaws
- F. Consider scheduling a meeting of the 2011 Board of Equalization and Review on April 26th at 6pm
- G. Agreement between Franklin County, Vance Granville Community College and the Franklin County Board of Education relative to Early College

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.

John Green, 20 Clover Court, Franklinton

- Mr. Green spoke on behalf of local police chiefs from the towns of Franklinton, Bunn, Youngsville and from Lake Royale. He stated the group supports the Mobile CAD system recently denied by the Board of Commissioners. He asked for the Board to reconsider. He said funds had already been spent by the departments preparing for the Mobile CAD software.

3. CON (CERTIFICATE OF NEED) PROPOSAL

Franklin Regional Medical Center President Jason Proctor provided information to the Board regarding a CON proposal for a 13 bed geriatric psych unit for Franklin Regional Medical Center. Mr. Proctor stated the unit would assist citizens age 65 and older who suffer from a variety of mental illness. He stated the unit would be beneficial for Franklin Regional Medical Center and the patients of the County. The unit will likely be located on the second or third floor of the hospital.

Commissioner McGhee made a motion to approve a letter of support of the CON proposal, seconded by Commissioner Foy. The motion duly carried approval with all present voting "AYE."

4. TRANSPORTATION IMPROVEMENT PROGRAM FOR TRIANGLE NORTH EXECUTIVE AIRPORT FOR 2011-2016

The Board was asked to review and approve the project listing for Triangle North Executive Airport Transportation Improvement Plan (TIP) for 2011-2016 to allow submittal to NCDOT Aviation Division to enable funding of Non Primary Entitlement funds.

Steve Merritt, Airport Manager, provided a summary of the project listing.

Commissioner Lancaster made a motion to approve the TIP for Triangle North Executive Airport, seconded by Commissioner Bunn. The motion duly carried approval with all present voting "AYE."

Mr. Merritt also provided a brief summary about the *Pilot Proficiency Program* and *You Can Fly Too* program that were held recently at Triangle North Executive Airport.

5. AUDIT CONTRACT FOR FY 2010-2011 FISCAL YEAR

The Audit Firm of Winston, Williams, Creech and Evans has agreed to hold the cost of the audit to the same amount as last fiscal year. The cost of the current contract is \$56,035.

Commissioner Swanson made a motion to approve an audit contract with Winston, Williams, Creech and Evans. The motion was seconded by Commissioner McGhee and duly carried approval with all present voting "AYE."

Commissioner Lancaster asked if checks and balances were in place.

Finance Director Chuck Murray stated checks and balances are in place and stated additional practices will be examined for the Sheriff's Department following the completion of an SBI (State Bureau of Investigation) investigation into former Sheriff Pat Green.

6. DISCUSSION: RADIO PROJECT

Emergency Communications Director Christy Shearin was expected to provide further information regarding the Radio Project, and estimated additional costs associated with the project and any remaining issues regarding the 911 fund, if any. Ricky Guidry, a representative of Custom Towers and Tom Ruck, Project Manager, Harris, Incorporated, were also expected to be available for Board questions.

County Manager Angela L. Harris asked the Board to consider recessing the meeting until a later date in order hold a separate session to discuss the radio project. She stated additional opportunities are being examined and other details needed to be worked out before a discussion should be held. She stated the presentation would be length. Some discussions may be held in a closed session.

The Board will consider recessing the meeting at the end of the evening, following the evening's closed session.

7. OTHER BUSINESS

No additional business items were brought forward for discussion.

8. APPOINTMENTS

The Board is asked to consider the following appointments.

As a reminder, the Board's procedure manual states if an appointment is not made within 60 days, the other various members of the Board of Commissioners may make the nomination, followed by appointment by the Board.

A. Airport Commission

An appointment was needed to the Airport Commission. (Commissioner Foy)

Commissioner Foy asked that he delay an appointment until the next Board meeting.

B. Board of Health

Five appointments were needed to fill vacancies on the Board of Health. By statute, those vacancies should be filled by an engineer, a registered nurse, a physician, an optometrist and an at-large member.

Commissioner Swanson nominated Linda Aycock to serve as an at-large member on the Board of Health. The motion carried unanimous approval with all present voting "AYE."

Commissioner McGhee asked Mr. Jason Proctor, Franklin Regional Medical Center President, for his assistance in identifying individuals who are eligible to serve on the Board of Health. Mr. Proctor agreed to offer his assistance.

C. Department of Aging Advisory Board

An appointment was needed to the Department of Aging Advisory Board. (Commissioner McGhee)

Commissioner McGhee nominated Ms. Linda Thames to the Department of Aging Advisory Board. The Board voted unanimously in favor of the motion.

D. Five County Mental Health Authority

Two appointments were needed from Franklin County to serve on the Five County Mental Health Authority Area Board. One of those members should have a business or legal background. The other position should be filled by a

Franklin County citizen, consumer or family member of a consumer of Five County Mental Health Services.

Commissioner Dunston nominated Jacqueline Sills to serve as an at-large member on the Five County Mental Health Authority Area Board. The Board voted unanimously in favor of the motion.

E. Nursing Home Community Advisory Committee

Kim Hawkins, Regional Ombudsman asked that the Board consider the reappointment of Susie Perdue, Peggy Kearney, Jackie Stallings, Mary Yarbrough and Clarence Williams to the Nursing Home Community Advisory Committee for a three-year term.

Commissioner Swanson made the motion to approve the reappointment of Susie Perdue, Peggy Kearney, Jackie Stallings, Mary Yarbrough and Clarence Williams to the Nursing Home Community Advisory Committee for a three-year term. The motion duly carried approval with all present voting "AYE."

F. Solid Waste Education Task Force

An appointment was needed to the Solid Waste Education Task Force. (Commissioners Foy)

Commissioner Foy asked to delay the appointment.

9. 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 read from a letter submitted March 18, 2011 by the Chairman of the Cumberland County Board of Commissioners expressing appreciation for the County's support of the North Carolina Veteran's Park project. A veteran from each county in the state had their hand cast in bronze and will be displayed in the park's Wall of Oath. Also, soil from each County will be included in the construction in the columns in the park. She presented the coin that was given to Franklin in honor of its participation in the North Carolina Veteran Park and reminded the Board that it is invited to attend the park's dedication on July 4, 2011 at 10:00 A.M. The coin will be displayed in the County's Veteran's Services Office.

Commissioner Foy: No comments were offered.

Commissioner Bunn: No comments were offered.

Commissioner Mitchell: Commissioner Mitchell commented on his attendance at the annual report provided earlier in the evening by Franklin County Cooperative Extension. With the new director in place (Charles Mitchell), Commissioner Mitchell said the staff of Cooperative Extension seemed excited about the tasks ahead.

Commissioner Lancaster: Commissioner Lancaster commented on his attendance at a North Carolina Department of Transportation TIP (Transportation Improvement Plan) meeting in Oxford regarding funding/plans for four-laning Highway 401 from Wake to

Franklin County. He said there are four sections of the project, one of which (Section D, Flat Rock Church Road to Louisburg) has not been funded. Franklin County's Triangle North Executive Airport stands to benefit from the road project. Commissioner Lancaster also followed up on a letter (the Board supported) to the North Carolina Department of Transportation requesting improvements to Cedar Creek Bridge before the opening of the new Franklinton High School. Commissioner Lancaster said the bridge was originally programmed for replacement in the 2018-2019 timeframe. However, the Department of Transportation has been able to move the project forward to the 2014-2015 timeframe. Additions to the project include realigning the existing roadway in order to improve the overall alignment.

Commissioner McGhee: Commissioner McGhee commented on her recent participation in the 2011 Legislative Conference sponsored by the National Association of Counties held in Washington, DC. She then mentioned a bill that would make counties responsible for funding charter school systems. In addition, she mentioned other future financial concerns based on cuts proposed by the State of North Carolina.

Commissioner Swanson: Commissioner Swanson stated he attended the annual report offered earlier in the evening by Cooperative Extension. He stated he is excited about the direction of the office which is now under the leadership of Charles Mitchell.

Commissioner Dunston: Commissioner Dunston also reported his attendance at the annual report of Cooperative Extension as well as the Department of Transportation TIP meeting in Oxford held earlier in the day.

County Manager Angela L. Harris:

- Mrs. Harris commented on her recent attendance of the National Association of Counties Legislative Conference held in Washington, DC. She stated that all meetings were recorded and available to those who were unable to attend.
- She mentioned that Franklin County was recently recognized as a pacesetter in the United Way Campaign.
- Mrs. Harris mentioned there is a newly assembled team at Cooperative Extension. She said one staff member is trained in *Steven Covey's Seven Habits of Highly Effective People*. Mrs. Harris has requested the course for county department heads.
- Mrs. Harris stated department heads and supervisory staff will undergo leadership training on March 22, 2011.
- She commented on progress of the Solutions Team. The group is bringing forward ideas that will likely be incorporated into the upcoming budget proposal.
- Mrs. Harris commented on an invitation to attend a reception for Congresswoman Renee Ellmers scheduled for April 11, 2011 at the Franklinton Town Hall.

10. CLOSED SESSION

Commissioner Bunn made a motion to enter into closed session pursuant to NCGS 143-318.11 (a)(3) and NCGS 143-318.11 (a)(6). The motion was seconded by Commissioner Swanson. The motion carried 6 to 1, with Commissioner Foy voting "NO."

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.

NCGS 143-318.11 (a)(6) to discuss a personnel matter.

The Board entered into closed session at approximately 7:42 P.M.

Commissioner McGhee left the meeting at approximately 9:42 P.M.

At approximately 10:38 P.M., following the closed session, Commissioner Swanson made a motion to enter back into open session, seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE."

In response to a settlement proposal made by the attorney for the Town of Franklinton, Commissioner Mitchell moved that:

- Town and County schedule an early mediation in the case,
- the mediation occur within the next 30 days or before April 21st,
- the mediation be a joint closed session of the members of the Town Council and the Board of Commissioners,
- the lawyers are to participate in the early mediation on behalf of their clients,
- all proposals be given reasonable consideration by Town and County, and
- all discussions in mediation be protected as settlement or offers of compromise under North Carolina Rule of Evidence 408.

Commissioner Swanson seconded Commissioner Mitchell's motion and the motion carried 5 to 1 with Commissioner Foy voting "NO."

Chairman Dunston recessed the meeting until Wednesday, March 30, 2011 at 7:00 P.M. The motion was seconded by Commissioner McGhee and duly carried with all present voting "AYE."

Sidney E. Dunston, Chair

Kristen G. King, Clerk to the Board