

October 15, 2012

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, Harry L. Foy, Jr., Cedric K. Jones, David T. Bunn and Don Lancaster.

Chairman Mitchell called the meeting to order and asked the Board to consider adding two closed session topics to the agenda to include the following:

- NCGS 143-318.11 (a) (4) Industry/Economic Development
- NCGS 143-318.11 (a) (6) Personnel

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

Commissioner Lancaster made a motion to remove Item 1-C from the consent agenda for further discussion, seconded by Commissioner Swanson. The motion duly carried with all present voting "AYE."

Chairman Mitchell then asked the Board to consider approval of the consent agenda. Commissioner Lancaster made a 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. October 1, 2012 Minutes
- B. Releases, Adjustments, Refunds, and Tax Collection Report
- ~~C. Architectural Contract for Jail Renovation~~
- D. Budget Ordinance Amendment #1 (Pursuant to North Carolina General Statute 159-15, the County Finance Officer is requesting a budget ordinance amendment in the amount of \$152,605 for the fiscal year ending June 30, 2013 to amend the General Fund to appropriate the expenditures and revenues for the Franklin County Health Department, Social Services and Aging Department.)

Regarding the Architectural Contract for Jail Renovation, (Item 1-C) Commissioner Lancaster asked where funding would come from. County Manager Angela L. Harris said she anticipated money would be borrowed for construction. She said funding for the architectural contract had been set aside in the current budget. Commissioner Lancaster questioned the percentage of architect fees and how much of the jail renovation project came from state mandates.

Sheriff Jerry Jones responded by saying he feels mandates are forthcoming and that he is trying to get ahead of mandates based on the architect's recommendations regarding renovations/repairs to the 16-year-old structure.

Commissioner Dunston made a motion to approve the Architectural Contract for Jail Renovation, seconded by Commissioner Swanson. The motion passed 4 to 3, with Commissioners Bunn, Lancaster and Foy voting "NO."

It was noted the contract is for the architect only, not for construction costs.

- See further action pertaining to the Architectural Contract for Jail Renovation in Item 5-B.

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.

Roger Lytle, 571 Williams White Road, Zebulon

- Mr. Lytle thanked Commissioners Bunn, Foy and Lancaster for voting against the Architectural Contract for Jail Renovation. He suggested future contracts with architects include a set fee rather than a percentage of fees. Secondly, Mr. Lytle stated the County should be careful of State mandates and commented some of the items included in the jail renovation project are a waste of County tax dollars.

3. RECOGNITION OF EMPLOYEE OF THE QUARTER

Vicky Howell, Nursing Supervisor, Franklin County Health Department, was recognized as the Employee of the Quarter ending September, 2012. Ms. Howell has been employed with the county since April, 2011 and selected for this recognition by a committee of her peers. Ms. Howell received a vacation day and a cash award.

4. AIRPORT GROUND LEASE POLICY

According to Steve Merritt, Airport Manager, two individuals are interested in leasing property at Triangle North Executive Airport for the purpose of building a hangar for aviation use. The Board was asked to discuss the appropriate terms and conditions for executing such a lease and the benefits to be derived by such leases.

Mr. Merritt spoke on behalf of the Airport Commission. He stated all hangars are full with nine on the waiting list for individual hangars. He said three different individuals desire to construct larger hangars and wanted to discuss options with the Board and see how it wishes to proceed.

Mr. Merritt stated Paul and Nancy Fayard of Fayard Enterprises wish to build or lease a large hangar for the maintenance, repair and overhaul of aircraft at Triangle North Executive Aircraft. Mr. Merritt suggested two options. He said the County could build the hangar and lease it or suggested Fayard Enterprises build the hangar and lease land from the County.

If the County chose to build the 12,000 square foot hangar, he said it must come up with approximately \$1 million. He said the airport receives a grant allocation of \$150,000 each year to assist with various projects, but said only three years of the money could be banked which would only offer \$450,000 towards the \$1 million that would be needed in order to build the hangar.

If the Board chose to lease the land, Mr. Merritt suggested a 40-year lease in which tenants would sign upon the Board of Commissioner's approval. He said the hangar would then revert to the County at the end of the 40-year lease. The advantage to the airport would be that there is no upfront cost. He said there would be one septic tank to move at an approximate cost of \$2,000 to \$3,000.

Regarding the hangar, Mr. Merritt said projected revenues at roughly \$4,000 per year for the airport land lease. He also commented on property tax received from both the hangar and the aircraft inside the hangar. Fuel sales would be an additional source of revenue.

Commissioner Lancaster commented the project is “capitalism as it is supposed to work where the private investor takes the risk, not the County.”

Mr. Merritt said if the first long term lease is approved, he feels others will be interested as well.

By consensus, the Board gave Mr. Merritt direction to move forward with the concept of a long term ground lease policy.

County Manager Angela L. Harris suggested a written report of the information presented.

5. OTHER BUSINESS

- A. Commissioner Dunston said he understands the Parks and Recreation Advisory Board has reached consensus on a recommendation for the next park site that will be brought to the Board of Commissioners for consideration. Commissioner Dunston suggested that more than one tract of land be brought forward and suggested that at least three properties be presented.

Commissioner Dunston made a motion directing that the Parks and Recreation Advisory Board present its top three choices to the Board of Commissioners for consideration. The motion was seconded by Commissioner Swanson and duly carried approval with all present voting “AYE.”

Commissioner Lancaster noted the advisory board would likely have no problem with the request, but stated it went by the specific instructions of the Commissioners to present one property for consideration.

- B. For clarification purposes regarding the Architectural Contract for Jail Renovation, County Manager Angela L. Harris asked the Board if there were particular terms of the agreement that should be vetted with the architect. Commissioner Lancaster stated he simply felt the fees were in excess. Commissioner Lancaster stated he was concerned about borrowing money and said he felt the architect’s fee schedule needed to be further negotiated.

Commissioner Dunston made a motion to rescind his earlier motion to approve the Architectural Contract for Jail Renovation. The motion to rescind was seconded by Commissioner Jones and duly carried approval with all present voting “AYE.”

Commissioner Dunston then made a motion to direct the Finance Director to contact the architect and attempt to negotiate a lower fee for his services and if need be to ask the architect to meet with the Board to get further instructions as to what needs to be done. The motion was seconded by Commissioner Lancaster and duly carried approval with all present voting “AYE.”

A work session to further discuss jail renovation was scheduled for November 8, 2012 at 5:30 P.M. at the Franklin County Jail on T. Kemp Road in Louisburg. The meeting will begin in the Jail Conference room.

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 Lancaster: No comments were offered.

Commissioner Jones: Commissioner Jones stated he attended the ribbon cutting for the Franklinton Head Start Center. He also attended the State of the College Address held at Louisburg College along with the anniversary celebration of Louisburg Fire Department.

Commissioner Dunston: Commissioner Dunston attended the anniversary celebration of Louisburg Fire Department as well as the 225th anniversary celebration of Louisburg College.

Commissioner Foy: No comments were offered.

Commissioner Bunn: No comments were offered.

Commissioner Mitchell: Commissioner Mitchell acknowledged Commissioner David Bunn's birthday on October 22, 2012. He invited the public to attend a retirement celebration in honor of 32 years of service by Commissioner Robert L. Swanson. The event will be held November 15, 2012 from 4:00 -7:00 P.M. at Justice Fire Department. He mentioned the grand opening of the Bunn Solar Farm scheduled for Wednesday, October 24, 2012 from 3:30-5:30 P.M. as well as the United Way of Franklin County Siren2 Cook-off contest scheduled for October 27, 2012 at the Louisburg Wal Mart. Lastly, he mentioned the Franklin County Firefighter's Association 50th anniversary celebration scheduled for October 28, 2012 from 2:00-5:00 P.M. at Triangle North Executive Airport.

Commissioner Swanson: No comments were offered.

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

7. CLOSED SESSION

- A. North Carolina General Statute 143-318.11(a)(4) to discuss matters relating to the location and/or expansion of industries or other businesses in the area served by the County, including agreements on a tentative lists of economic development incentives that may be offered by the public body in negotiations.
- B. North Carolina General Statute 143-318.11(a)(6) in order for the Board to discuss a personnel matter.

At approximately 8:05 P.M., Commissioner Swanson made a motion to enter into closed session, seconded by Commissioner Dunston. The motion carried 6 to 1, with Commissioner Foy voting "NO."

At approximately 8:51 P.M., Commissioner Dunston made a motion to enter back into open session, seconded by Commissioner Swanson. The motion duly carried with all present voting "AYE."

Chairman Mitchell announced no action was taken as a result of the closed session.

Chairman Mitchell then called for two public hearings to be held on November 5, 2012 to include the CDBG closeout for Palziv and for an economic development incentive for an existing company located in the County.

At approximately 8:52 P.M., Commissioner Dunston made a motion to adjourn, seconded by Commissioner Swanson. The motion duly carried with all present voting "AYE."

E. Shane Mitchell, Chair

Kristen G. King, Clerk to the Board