

October 17, 2011

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, Donald C. Lancaster, Harry L. Foy, Jr., Robert L. Swanson and David T. Bunn.

Chairman Dunston called the meeting to order and asked the Board to consider approval of the consent agenda.

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

The items approved are as follows.

1. CONSENT AGENDA

- A. September 28, 2011 Minutes
- B. October 3, 2011 Minutes
- C. Releases, Adjustments, Refunds, and Tax Collection Report
- D. Agrarian Growth Zone Resolution & Application Renewal
- E. Approval of Sheriff's Bond
- F. Resolution calling for a public hearing and authorizing solicitation of financing proposals (see attachment on page 2366)

Item 1D.

RESOLUTION REQUESTING AN AGRARIAN GROWTH ZONE DESIGNATION

WHEREAS, Franklin County's qualification under G.S. 143B-437.10 (Article 31 Tax Credits) and G.S. 105-129.3B (William S. Lee Tax Credits) for an Agrarian Growth Zone (AGZ); and

WHEREAS, Franklin County Commissioners feel that an Agrarian Growth Zone will enhance the quality of life for the citizens of Franklin County; and

WHEREAS, Franklin County has no cities or towns with a population greater than 10,000 people; and

WHEREAS, Franklin County's census block 370690603005 has a poverty rate of 25.87% and is less than 5% of the County's total area;

NOW, THEREFORE BE IT RESOLVED that the Franklin County Commissioners do hereby request that Secretary Crisco make a written determination that the census block listed above satisfies the conditions and limitations to qualify as an Agrarian Growth Zone.

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

Stephen Phillips, Manager, Franklin County Public Utilities, was recognized and congratulated on his selection as the Employee of the Quarter ending September, 2011. Mr. Phillips has been employed with the county since November, 2007 and selected for this recognition by a committee of his peers. Mr. Phillips received a vacation day and a savings bond.

4. PURCHASE OF HOMESTEAD PROPERTY FOR THE V.E. AND LYDIA H. OWENS PARK

The Board was expected to receive a recommendation from the Parks and Recreation Advisory Board to move forward with the purchase of Homestead property for the development of the V.E. and Lydia H. Owens Park.

Chairman Dunston stated there was a request to table the item.

Commissioner Mitchell made a motion to table the discussion, seconded by Commissioner Swanson. The motion duly carried with all present voting "AYE."

5. ENGINEERING AGREEMENT WITH LPA GROUP

Triangle North Executive Airport has two projects currently underway. One is to complete the Storm Water and Spill Prevention Plan by building a fuel spill containment facility for Aviation Fuels. The request is for engineering support in designing and bidding the project in an amount not to exceed \$3,000. The project has been approved as grant eligible for Vision 100 State Funds. The maximum County share is 10% of the cost.

The second project includes land acquisition for future expansion of the airport. The request is for engineering support and liaison with various agencies in completing the acquisition. The request is for an amount not to exceed \$3,000 and has been approved as grant eligible for Vision 100 State Funds. The maximum County share is 10% of the cost.

The Board was asked to consider approval of agreements for engineering services with the LPA Group.

Commissioner Lancaster made a motion to approve agreements for engineering services with the LPA Group, seconded by Commissioner Bunn. The motion duly carried with all present voting "AYE."

6. APPOINTMENTS

A. Adult Care Home Community Advisory Committee

The Board was asked to consider the reappointment of Ms. Carolee Phillips to serve a three-year term on the Adult Care Home Community Advisory Committee. The reappointment is recommended by Kimberly Hawkins, Regional Ombudsman.

Commissioner McGhee made the motion to reappoint Ms. Carolee Phillips for a three-year term on the Adult Care Home Community Advisory Committee. The motion was seconded by Commissioner Mitchell and duly carried approval with all present voting "AYE."

B. Animal Advisory Board

Commissioner Mitchell nominated Mr. Steve Trubilla to serve on the Animal Advisory Board as his representative. The Board offered unanimous approval. Mr. Trubilla will serve a term that is scheduled to expire December 1, 2012.

C. Firemen's Relief Fund

Randy Likens, Emergency Services Director, asked that the Board consider appointments to the respective individual Local Firemen's Relief Fund Board of Trustees to include the following:

Bunn Fire District

Robert Moore (2 year term)

Kevin Alford (1 year term)

Centerville Fire District

Herbert G. Leonard (2 year term)

Epsom Fire District

Calvin Ayscue (2 year term)

Franklinton (Northwest Franklin Fire District)

Michael L. Devall (2 year term)

Gold Sand Fire District

Travis Day (2 year term)

Justice Fire District

Donnie Aycock (2 year term)

Mitchiners Crossroads Fire District

Richard Hoyle (2 year term)

Pilot Fire District

Gerald Jones (2 year term)

White Level Fire District

Delton Nelms (2 year term)

Youngsville (Western Franklin Fire District)

Fred Wheeler, Jr. (2 year term)

Commissioner Lancaster made the motion to approve each appointment suggested to the Local Firemen's Relief Fund Board of Trustees. The motion was seconded by Commissioner Mitchell and duly carried approval with all present voting "AYE."

D. Juvenile Crime Prevention Council

The Board was asked to consider the appointment of Ms. Kathy Harrelson to serve a one-year term on the Juvenile Crime Prevention Council.

Commissioner Mitchell made the motion to appoint Ms. Kathy Harrelson to serve a one-year term on the Juvenile Crime Prevention Council, seconded by Commissioner Swanson. The motion duly carried with all present voting "AYE." Ms. Harrelson will serve as a "representative of the United Way or other nonprofit agency."

E. Kerr-Tar Workforce Development Board

The Board was asked to consider the reappointment of Mr. Rob Brink to serve a two-year term on the Kerr-Tar Workforce Development Board.

Commissioner Lancaster made the motion to reappoint Mr. Rob Brink for a two-year term on the Kerr-Tar Workforce Development Board. The motion was seconded by Commissioner Bunn and duly carried with all present voting "AYE." Mr. Brink will continue to hold the Community Organization position on the Board. The reappointment was recommended by Vincent Gilreath, Workforce Development Director.

7. OTHER BUSINESS

No additional business items were discussed.

8. BOARD, MEMBER 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 Foy: Commissioner Foy asked if any charges had been filed against former Sheriff Pat Green. County Attorney Darnell Batton stated no indictments have been filed and commented the Grand Jury next meets on October 24, 2011.

Commissioner Bunn: No report was offered.

Commissioner Dunston: Commissioner Dunston acknowledged the upcoming birthday of Commissioner Bunn, and then encouraged fellow Board members to attend the County's Veterans Day activities on November 11, 2011.

Commissioner Lancaster: Commissioner Lancaster attended a recent meeting of the NCACC (North Carolina Association of County Commissioners) District Board of Directors meeting. He asked for time on the November 7, 2011 agenda in order to offer an update based on information received at that meeting.

Commissioner McGhee: Commissioner McGhee attended a recent informational meeting held by the Franklin County Agriculture Board relative to the Voluntary Agricultural Districting program. She said the group would soon be bringing suggested bylaw changes to the Board of Commissioners for its review.

Commissioner Swanson: Commissioner Swanson also attended the information meeting hosted by the Agricultural Board.

Commissioner Mitchell: No report was offered.

County Manager Angela L. Harris:

- Mrs. Harris shared brochures about a program entitled "Tilting Windmills." The program was recently offered to management within Franklin County Government in order to provide training in disability awareness. The training is offered by the North Carolina Division of Vocational Rehabilitation Services.
- Mrs. Harris stated public forums will be held at the Vance-Granville Community College Civic Center in Henderson on November 1, 2 and 3, 2011 as well as November 8, 9 and 10, 2011 at 2:30 P.M. The forum will offer an opportunity to meet the six finalists selected by the college's Presidential Search Committee for the presidency of Vance-Granville Community College.

- Mrs. Harris stated the PARTF (Parks and Recreation Trust Fund) grant relative to the Pilot Lions Park had now been successfully closed out.

9. CLOSED SESSION

- A. The Board was asked 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.
- B. The Board was asked to consider entering 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.

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 Mitchell and carried 6 to 1, with Commissioner Foy voting “NO.”

Commissioner Swanson then made the motion 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. The motion was seconded by Commissioner Mitchell and carried 6 to 1, with Commissioner Foy voting “NO.”

Chairman Dunston asked County Attorney Darnell Batton to briefly explain why the Board must enter closed session. Mr. Batton replied discussing personnel matters in open session is a violation of state statutes. He also stated the Board would be discussing litigation with the Town of Franklinton.

Following the closed session, Commissioner Lancaster made the motion to enter back into open session, seconded by Commissioner Bunn. The motion duly carried with all present voting “AYE.”

Chairman Dunston noted no action was taken.

Commissioner Mitchell then made a motion to adjourn, seconded by Commissioner Bunn. The motion duly carried with all present voting “AYE” and the meeting adjourned at 8:02 P.M.

Sidney E. Dunston, Chair

Kristen G. King, Clerk to the Board

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