

October 24, 2016

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 Sidney E. Dunston, Vice-Chairman Cedric K. Jones, Commissioners E. Shane Mitchell, Don Lancaster, Harry L. Foy, Jr. and David T. Bunn. Commissioner John M. May participated in open session via Skype.

Chairman Dunston called the meeting to order and informed the Board Commissioner May wished to participate in the meeting via Skype. The Board agreed.

Chairman Dunston asked the Board to consider an addition to the consent agenda to include an interlocal agreement regarding the Stepping Up Initiative. Commissioner Lancaster made the motion to add the item to the consent agenda as Item 1-D. The motion was seconded by Commissioner Bunn and duly carried approval with all present voting "AYE."

Chairman Dunston then asked the Board to consider approval of the consent agenda.

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

The following items were approved.

1. CONSENT AGENDA

- A. October 3, 2016 Minutes
- B. October 6, 2016 Minutes
- C. Releases, Adjustments, Refunds, and Tax Collection Report
- D. Interlocal Agreement – Regional "Stepping Up Initiative" Program

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.

Susan Harris, 1072 Green Hill Road, Franklinton, NC

- Mrs. Harris asked the Board to consider expanding the length of time Wi-Fi is available at the Franklinton Library. She said there is now limited internet access at her home in Franklinton and her children must use the service at the library in order to complete homework assignments. Staff will look into the matter.

3. PUBLIC HEARING

Rezoning Request – Spaulding & Norris, PA (16-REZ-06)

The Board was asked to consider approval of a rezoning request by Spaulding & Norris, PA to rezone 1.896 acres at Cedar Creek Road (State Road 1116) in the Franklinton Township from Residential-1 (R-1) to Residential-8 (R-8).

Planning and Inspections Director Scott Hammerbacher noted the primary difference between the zoning designations is that R-8 allows for increased density. The subject property was rezoned approximately two to three years ago and is currently under construction. He said a minor land swap with an adjacent property had occurred and the request was made in order to make the property consistent with development currently in progress. Mr. Hammerbacher indicated the Planning Board had reviewed the rezoning request and recommended unanimous approval. He said the request was properly

noticed to adjacent landowners and noted the property does not have water/sewer allocation.

Chairman Dunston opened the public hearing.

Tom Spaulding, 972 Trinity Road, Raleigh

- Mr. Spaulding spoke as the applicant on behalf of Spaulding and Norris. He asked the Board to consider approval of the request and restated reasons for the request.

With no further comments, Chairman Dunston closed the public hearing at 7:25 P.M.

Commissioner Foy made a motion to approve the rezoning request, seconded by Commissioner Lancaster. The motion duly carried approval with all present voting "AYE."

4. LAND & WATER CONSERVATION FUND COMPLIANCE CERTIFICATION FOR OWENS PARK AT BULL CREEK

The Parks and Recreation Department applied for a grant through the Parks and Recreation Trust Fund (PARTF) in the amount of \$250,000. Included in the PARTF application was the option to also be considered for federal funds through the Land & Water Conservation Fund (LWCF). LWCF funds are only available to organizations not funded through PARTF. Franklin County did not receive PARTF funding during the latest cycle however the County's LWCF application was successful and is being recommended to receive \$250,000 from the Land & Water Conservation Fund, pending Board approval of the terms and conditions.

Assistant Manager Elton Daniels presented the request and stated \$250,000 is already budgeted to match the grant. There is a 30-day deadline to accept or decline the grant.

Commissioner Lancaster made a motion to approve the Land & Water Conservation Fund Compliance Certification with regards to the V.E. and Lydia H. Owens Recreation park "Owens Park at Bull Creek." The motion was seconded by Commissioner Jones and duly carried approval with all present voting "AYE."

5. UTILITY ADVISORY COMMITTEE ALLOCATION RECOMMENDATIONS

Public Utilities Director Bryce Mendenhall provided a report and addressed the following recommendations from the Utility Advisory Committee.

Summary of Request:

On October 11, 2016 the Utility Advisory Committee met to discuss proposed recommendations that were tabled at the September 6, 2016 Board of Commissioners meeting. From this meeting the following recommendations are being brought forward for your approval:

1. The following subdivisions that have received preliminary approval via the Planning Board be awarded allocation for the first Phase of their respective developments. They are as follows:
 - a. Clearwater Creek 60 lots, recording date of October 31, 2018
 - b. Legacy Subdivision 105 lots, recording date of June 30, 2017
 - c. Tarboro Rd Subdivision 18 lots, recording date of November 30, 2017
 - d. Cedar Ridge Subdivision 34 lots, recording date of June 30, 2017
2. No further residential allocations to be awarded in calendar year 2016. Current and proposed allocations for year 2016 equal 544 lots representing 136,000 gallons of water per day. Furthermore, staff will begin working on an ordinance to be brought to the Board of Commissioners that would limit yearly allocations of water and sewer. The ordinance would be a tool to manage remaining allocations while still encouraging growth in the County with limited resources.

Commissioner Mitchell made the motion to approve the recommendations noted above, seconded by Commissioner Lancaster. The motion duly carried approval with all present voting "AYE."

6. APPOINTMENTS

Firemen's Relief Fund Board of Trustees

Jeff Lewis, Emergency Services Director, asked that the Board consider appointments to the respective individual Local Firefighters' Relief Fund Board of Trustees to include the following:

Bunn Fire District:

Robert Moore (1 year term)
Kevin Alford (2 year term)

Centerville Fire District:

Herbert Gene Leonard, Jr. (1 year term)
Shad Leonard (2 year term)

Epsom Fire District:

Ray Merritt (1 year term)
Charles Hilliard (2 year term)

Franklinton (Northwest Franklin Fire District):

Michael Devall (1 year term)
David Robbins (2 year term)

Gold Sand Fire District:

Trey Hale (1 year term)
Rodney Hilliard (2 year term)

Justice Fire District:

Warren Harris (1 year term)
Greg Lloyd (2 year term)

Mitchiners Crossroads Fire District:

Richard Hoyle (1 year term)
Joe Jenkins (2 year term)

Pilot Fire District:

Gerald Jones (1 year term)
Kenny Williams (2 year term)

White Level Fire District:

Delton Nelms (1 year term)
Billy Brewer (2 year term)

Youngsville (Western Franklin Fire District):

Fred Wheeler, Jr. (1 year term)
Scott White (2 year term)

Commissioner Foy made a motion to approve the appointments to the Firefighters' Relief Fund Board of Trustees, seconded by Commissioner Lancaster. The motion duly carried approval with all present voting "AYE."

7. DISCUSSION/RESOLUTION REGARDING SALE OR LEASE OF FRANKLIN MEDICAL CENTER

The Board was asked to consider accepting one of three proposals submitted regarding the lease or sale of the former Franklin Medical Center and will consider adopting a resolution approving the entry by the County into formal negotiations with the selected proponent regarding the

lease or sale of Franklin Medical Center. If a proposal is selected and resolution approved, the Board intends to immediately begin negotiating the definitive terms of the lease or sale of the hospital facility with the chosen proponent. The acceptance of such proposal remains subject to successful negotiations resulting in the entry of a definitive document accomplishing the lease or sale of the hospital facility.

Chairman Dunston thanked each entity that offered proposals for the lease/sale of Franklin Medical Center and offered an opportunity for each to provide a recap of their respective proposal. The following entities submitted proposals:

- WakeMed Health & Hospitals
- Franklin County Healthcare Hospital and Practice Accountable Development Group
- Duke Lifepoint Healthcare

At the conclusion of comments, the Board was expected to continue discussions about the hospital in closed session.

8. CLOSED SESSION

This Board was then asked to enter closed session pursuant to the following North Carolina General Statutes:

- A. NCGS 143-318.11 (a)(2) regarding attorney-client privileged communication.
- B. NCGS 143-318.11 (a)(4) regarding industry/economic development.

Commissioner Mitchell made a motion to enter into closed session, seconded by Commissioner Jones. The motion was approved 6 to 1, with Commissioner Foy voting in opposition.

**Please note Commissioner John May did not participate in closed session.*

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

Commissioner Mitchell made a motion subject to affirmative representations made by Duke LifePoint this evening, that Franklin County enter into exclusive negotiations with Duke LifePoint in order to reach an agreement on documents that will result in the lease and potential sale of the former Franklin Medical Center and that these negotiations be completed within 90 days from today's date. The motion was seconded by Commissioner Lancaster and duly carried approval with all present voting "AYE."

On behalf of the Board, Chairman Dunston thanked all three applicants for submitting proposals and for their interest in Franklin. He said the Board believes Duke LifePoint will provide the best medical options for citizens at this time. Throughout the process the county sought a free standing emergency department with a full diagnostic facility. He said the Board feels Duke LifePoint offered the best proposal for that along with a realistic, sustainable vision for mental health care. He added that Duke LifePoint is also willing to commit to medical services in Youngsville that will benefit the county as well.

Chairman Dunston said the selection was a culmination of a great deal of work by the county, the Town of Louisburg, Senator Chad Barefoot and Representative Bobbie Richardson. He thanked all involved for their input and effort. The Board expects to enter into a definitive agreement and will continue to work diligently to finalize all details. He indicated the Board is confident Duke LifePoint will be a good partner in negotiations to provide healthcare for years to come.

Lastly, Chairman Dunston thanked citizens for their patience and for showing understanding in a complex process.

9. OTHER BUSINESS

Commissioner Jones made a motion to call for a public hearing on November 7, 2016 regarding a possible economic development incentive. The motion was seconded by Commissioner Mitchell and duly carried approval with all present voting "AYE."

Commissioner Lancaster made a motion to call for a public hearing regarding possible refinancing at a hearing on November 7, 2016. The motion was seconded by Commissioner Mitchell and duly carried approval with all present voting "AYE."

10. 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 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 said the Kerr-Tar Council of Governments (COG) is in the process of reapplying for a Brownfields Grant administered by the EPA. To accompany the grant application, the COG has asked requested letters of support from key partners within the community including the Board.

Commissioner Lancaster made a motion to provide a letter of support to accompany the grant, seconded by Commissioner Jones. The motion duly carried approval with all present voting "AYE."

At approximately 9:39 P.M., Commissioner Lancaster made a motion to adjourn, seconded by Commissioner Bunn. The motion duly carried approval with all present voting "AYE."

Sidney E. Dunston, Chair

Kristen G. King, Clerk to the Board

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