

October 5, 2015

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 E. Shane Mitchell, Commissioners John M. May, Cedric K. Jones and David T. Bunn. Commissioners Don Lancaster and Harry L. Foy, Jr. were absent.

Chairman Dunston called the meeting to order and asked the Board to consider amending the agenda to include a closed session pursuant to the following North Carolina General Statutes:

- NCGS 143-318.11(a)(5) – Real Property Purchase/Contracts/Leases
- NCGS 143-318.11 (a)(3) – Attorney-Client Privileged Communication

Commissioner Jones made a motion to add the closed session to the agenda, seconded by Commissioner Mitchell. The motion duly carried approval with all present voting "AYE."

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

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

The items approved are as follows.

#### I. CONSENT AGENDA

- A. September 8, 2015 Minutes
- B. September 22, 2015 Minutes
- C. 2016 Board of Commissioners Meeting Schedule
- D. Consider TDA (Tourism Development Authority) request to fund a \$7,000 grant for the Vollmer Farm "Back 40 Fall Festival"
- E. Continuation of lease for space at Farm Service Agency (\$16,925 annually)
- F. Mitchiner's Crossroads Rural Fire Department, Inc. Tax Exempt Loan approval
- G. Budget Ordinance Amendment #3 (Pursuant to North Carolina General Statute 159-15, the County Finance Officer is requesting a budget ordinance amendment in the amount of \$18,000,000 for the fiscal year ending June 30, 2016 to amend the General Fund for the issuance of debt to pay off (refund) the 2005, 2006, and 2007 General Obligation Bonds. Fees associated with the payoff are part of the new bonds. The projected savings for the refunding of the GO Bonds is \$1,480,000.)
- H. Project Budget Ordinance for Franklinton Water System Improvements in the amount of \$1,327,476
- I. Consider Resolution of Road Abandonment and schedule subsequent public hearing for November 2, 2015
- J. Resolution appointing J. Bryce Mendenhall as an authorized official in order to execute documents required in connection with the Franklinton Water Improvements Project

#### 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. PETITION FOR ACCEPTANCE OF LATE APPLICATION

Tax Administrator Dan Williams informed the Board of a petition for acceptance of late application filed by the Lake Royale Property Owners Association (LRPOA). He said a deed was filed in December, 2014 identifying the parcels in question converting multiple lots into common area properties. He said the association received its bill in late July/early August and

subsequently informed the tax office the properties should be exempt. Mr. Williams examined the deed, and then explained to the LRPOA the statute that requires an application for exemption. The association quickly submitted the late application requesting the county process the application late. Mr. Williams pointed out that as a show of good faith the petitioners submitted payment for the taxes billed on the lots and noted if the late application is granted a refund would be generated.

According to Mr. Williams, pursuant to NCGS 105-282.1(a1), upon a showing of good cause by the applicant for failure to make a timely application, an application for exemption filed after the close of the listing period may be approved by the Board of County Commissioners. An untimely application for exemption or exclusion approved under this subsection applies only to property taxes levied by the county or the municipality in the calendar year in which the untimely application is filed. If the petition for late application is approved, the Tax Administrator will review the application for exemption, apply the appropriate statutes and generate tax levy abatements and/or refunds for the property qualified for exemption.

Mr. Williams offered the following presentation, then invited the petitioners to address the Board.

# Petition to Accept Late Application

2015 APPLICATION FOR EXEMPTION  
LAKE ROYALE PROPERTY OWNERS ASSOCIATION

## Purpose of Petition

Applications for Exemption under NCGS 105-277.8 due during normal listing period

- January 1 – January 31 annually

Acceptance of late applications under NCGS 105-282.1(a1)

- Authority with the Board of Commissioners
- Showing of "good cause"

## Sequence of Events

---

December 2014

- Deed recorded

July 2015

- Property tax bills prepared and mailed

August 2015

1. Bills returned to tax office referencing 2014 deed
2. Lake Royale POA informed of failure to apply for exemption
3. Late application and letter submitted with supporting documentation
4. Taxes paid by Lake Royale POA for the 146 parcels

## Petitioners

---

Lake Royale Property Owners Association

Tracy Clay, General Manager of the LRPOA and Dylan Bunch, board member and Treasurer of the LRPOA Finance Committee were in attendance. Ms. Clay explained the lots were to be converted to maintain greenways and improve the watershed within Lake Royale as indicated by the Division of Water Quality in prior years. However, Ms. Clay stated the lots were never converted. She said the LRPOA is currently working with its “Protect the Lake Committee” to resolve the issue.

Ms. Clay said the LRPOA was unaware of the need to file the late application, but did so as soon as it became aware.

Commissioner Dunston asked Mr. Williams if due diligence had been completed on the 146 lots. Mr. Williams stated he had not yet visited each lot but at first glance, he felt most would qualify for exemption.

Commissioner Bunn made a motion to accept the petition for late application, seconded by Commissioner Jones. The motion duly carried approval with all present voting “AYE.”

4. **RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF A \$1,604,000 COUNTY OF FRANKLIN, NORTH CAROLINA GENERAL OBLIGATION REFUNDING BOND, SERIES 2015A**

Chairman Dunston read aloud the title of the resolution and asked the Board to consider approval.

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

**5. RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF A COUNTY OF FRANKLIN, NORTH CAROLINA GENERAL OBLIGATION REFUNDING BOND, SERIES 2015b**

Chairman Dunston read aloud the title of the resolution and asked the Board to consider approval.

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

**6. OTHER BUSINESS**

Chairman Dunston noted the Board's October 19, 2015 meeting posed a conflict with a forum being held at Louisburg College entitled "An Oral History of School Desegregation in Franklin County, North Carolina." Chairman Dunston asked the Board to consider moving the meeting time from 7:00 P.M. on October 19, 2015 to 5:00 P.M.

Commissioner May made the motion to meet at 5:00 P.M. on October 19, 2015, seconded by Commissioner Jones. The motion duly carried approval with all present voting "AYE."

**7. 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:** Commissioner Foy was absent.

**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:** Commissioner Lancaster was absent.

**County Manager Angela L. Harris:** Mrs. Harris shared the following information:

- Maintenance Director Glen Liles has announced his retirement after 14 years of service.
- Mrs. Harris shared a slideshow of photographs highlighting the grand opening of CCB bank in downtown Louisburg.
- Mrs. Harris noted a handout had been distributed including sales tax projections for the upcoming year.
- Mrs. Harris noted Emily Huegel was recently hired as the county's Occupational Health and Safety Specialist. She said the addition of the position in the recent budget shows the Board values safety and wellness in the workplace. Ms. Huegel will focus on employee safety, workers compensation and employee wellness.

- Mrs. Harris congratulated Mr. Coy Floyd upon completion of a leadership course entitled “Leading for Results” at the School of Government, University of North Carolina at Chapel Hill as a Local Government Federal Credit Union Fellow.
- Human Resources Manager Kelly Faulkner was recently recognized as a manager of environmental safety and health programs and has completed quite a few courses in occupational safety, health and environmental safety.
- Emergency Services Director Jeff Lewis recently obtained the industrial hazmat certification.
- Board of Elections Director Lisa Goswick was recently recertified with the North Carolina Elections Administrator’s Course.
- Mitchell Robinson, Assistant County Manager of Finance briefed the board on sales tax projections for the upcoming year.
- Assistant County Manager Elton Daniels and Maintenance Director Glen Liles recently attended a recent strategic planning course.
- Assistant County Manager Elton Daniels is enrolled in the Municipal and County Administration Course at the School of Government.

## 8. CLOSED SESSION

Commissioner Mitchell made a motion to enter into closed session pursuant to North Carolina General Statute 143-318.11(a)(5) – Real Property Purchase/Contracts/Leases. The motion was seconded by Commissioner Bunn and duly carried approval with all present voting “AYE.”

Commissioner May made a motion to enter into closed session pursuant to North Carolina General Statute 143-318.11 (a)(3) – Attorney-Client Privileged Communication. The motion was seconded by Commissioner Jones and duly carried approval with all present voting “AYE.”

The Board entered closed session at approximately 7:57 P.M.

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.”

No action was taken as a result of closed session.

At 8:41 P.M., Commissioner Bunn made a motion to adjourn, seconded by Commissioner May. The motion duly carried approval with all present voting “AYE”

---

Sidney E. Dunston, Chair

Kristen G. King, Clerk to the Board

(blank page)