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APRIL 6, 1992

The Board of Commissioners of Franklin County, North Carolina met in regular session at 7:30 P. M. in the Superior Courtroom of the Franklin County Office Building with the following Commissioners present: Chairman Robert L. Swanson, Vice Chairman James G. Hardy, Commissioner Harry L. Foy, Jr., Commissioner Ronald W. Goswick and Commissioner George T. Wynne.

Upon motion by Commissioner Wynne, seconded by Commissioner Hardy with all present voting "AYE" duly carried the minutes of the meetings held on March 7, 16, 27, 1992 approved.

Scott Mouw, Solid Waste Manager, was present and presented a list of names that the Solid Waste Task Force was recommending to receive the Wastebuster Awards. Awards were presented to Boston Gear, represented by Chuck Yahn and Woody Prouty; Teresa Davis; Amanda Beasley and Kira Peoples, Sixth Grade at Louisburg Elementary School.

Mike Wilson, United States Marshall's Office, appeared before the Board to discuss a need for jail facilities for federal prisoners. He stated that Franklin County was ideal location; he further stated that revenues received from the federal government to use this jail space could be used to pay for the jail facility.

Coach Mike Holloman and two members of the Louisburg College Lady Hurricanes, were present and Chairman Swanson presented a plaque and upon motion by Commissioner Goswick, seconded by Commissioner Wynne with all present voting "AYE" duly carried the following resolution adopted honoring the Lady Hurricanes for winning the 1991-1992 Women's Basketball National Junior College Athletic Association title:

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RESOLUTION HONORING THE LADY HURRICANES

WHEREAS, the Lady Hurricanes of Louisburg College have won the 1991-1992 Women's Basketball National Junior College Athletic Association title under the able guidance of Coach Mike Holloman; and,

WHEREAS, the citizens of Franklin County are extremely proud of their accomplishments; and,

WHEREAS, the Lady Hurricanes have brought national acclaim to Louisburg and Franklin County; and,

WHEREAS, these efforts exhibit tremendous dedication, diligence, and discipline that deserve our most sincere congratulations and admiration,

NOW, THEREFORE, BE IT RESOLVED BY THE FRANKLIN COUNTY BOARD OF COMMISSIONERS that Saturday, April 11, 1992 will be declared

LADY HURRICAN DAY

in Franklin County in observance of their most noteworthy achievement.

ADOPTED this the 6th day of April, 1992.

Proper notice having been given, this is the time and place set for a public hearing to receive comments regarding a proposed budget amendment to the county's 1990 Community Development Block Grant Program in the Howard Harris Road Community Revitalization Area.

Chairman Swanson declared public hearing open at 8:25 P. M. and recognized Jim Allred, Community Development Block Grant Consultant, who made comments.

Chairman Swanson then called for public comments and no one spoke.

Chairman Swanson declared public hearing closed at 8:30 P. M.

Upon motion by Commissioner Goswick, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following budget amendment approved:

**AMENDMENT NO. 2
1990 SMALL CITIES CDBG PROGRAM
FRANKLIN COUNTY, NC.**

A. Background

As currently approved by the state, the housing treatment for 17 substandard dwellings in the Howard

Harris Road Target Area includes 14 dwellings to be rehabilitated and 3 dwellings to be acquired, cleared and the occupants relocated. During the course of this project, 2 dwellings scheduled for acquisition and clearance were approved by the state for substantial reconstruction and have been treated.

Based on recent bids for the final group of 4 dwellings to be rehabilitated, it will be necessary to amend the project budget to utilize surplus funds from other line items for the housing rehabilitation activity. Such an amendment will require state approval inasmuch as the increase in the rehabilitation line item exceeds 10% of the total project budget.

B. Proposed Budget Amendment

<u>Activity</u>	<u>Current</u>	<u>Change</u>	<u>Amen</u>
Acquisition	\$ 11,000	\$ 7,000(-)	
4,000			
Sewer Improvements	205,000	-0-	
205,000			
Water Improvements	18,000	6,000(-)	
12,000			
Clearance	3,000	2,000(-)	
1,000			
Relocation	52,000	46,000(-)	
6,000			
Rehabilitation	200,000	72,000(+)	272,00
Administration	91,000	11,000(-)	
80,000			
TOTALS	\$ 580,000	-0-	-

Don Lancaster and Butch Watson, representatives of First Citizens Bank & Trust Company, were present to present and discuss proposed funding options for the proposed Franklin County Jail facility.

Earl Stegall, Division Engineer; Jimmy Joyner, Staff Engineer; Donald Wall, District Engineer; Cortez Lewis, Maintenance Engineer; North Carolina Department of Transportation, appeared before the Board to present the proposed 1992-1993 Secondary Road Improvement Program.

Don Newsome, North Raleigh Farms Subdivision and Darrell Norris, Fox Ridge Subdivision, were present and had questions regarding the paving of roads in subdivisions.

Upon motion by Commissioner Goswick, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following 1992-1993 Secondary Road Improvement Program approved:

**1992-1993
SECONDARY ROAD IMPROVEMENT PROGRA14
FRANKLIN COUNTY
APRIL 6, 1992**

Anticipated Allocation	\$ 763,238.00
Balance Brought Forward	14 623.00
Total	777:861.00

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Map No.	Priority	Description	Length (Miles)	Co St
ate Funds 1	15	Rural Road Paving SR1714 Robbins Road-From SR		
1715 1.2	\$ 4,000.00	to SR1103. (Partially funded 1990 1991 Funds \$134,312.00)		
2 16 SR 1445 Thomas Jones Road- From		SR1446 to a dead		
end	1.4	166,000.00		
3	17	SR1205 R. D. Collins Road - From SR1204 to a dead		
end	0.5	59,000.00		
4	18	SR1240 Rogers Road - From SR1239 to a dead		
end 1.7		203,000.00		
5	19	SR1236 Tommie Harris Road - From SR1235 to a dead		
end	0.3	35,000.00		
6	20	SR1638 Sykes Road - From SR1002		

Line	1.0	to the Nash County 119,000.00
		SUBDIVISION PAVING None
		PROPERTY OWNER PARTICIPATION None
		MAINTENANCE IMPROVEMENTS
Countywide		Paved and Unpaved Roads 136,314.00
		SAFETY PROJECTS
		Flashers, oversized signs, etc.. Projects to be determined with input from the Traffic Engineering
Branch.		15,000.00
		RIGHT OF WAY, 15,000.00
SURVEYS		
		CONTINGENCIES
		To be held for road additions, property owner participation, paving drives to rural fire departments, drainage needs,
etc.		25,547.00
		BALANCE
	0.00	

NOTE: In the event that right of way is not available on the above projects, we will move to the next road in priority.

Pursuant to and in accordance with G. S. 143-318.11 and upon motion by Commissioner Hardy, seconded by Commissioner Wynne with all present voting "AYE" duly carried the Board went into executive session to discuss legal matters with county attorney.

The Board reconvened into regular session and Chairman Swanson stated no action necessary as the result of the executive session.

Upon motion by Commissioner Goswick, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following resolution adopted:

**RESOLUTION OF THE FRANKLIN COUNTY BOARD OF COMMISSIONERS
FRANKLIN COUNTY, NORTH CAROLINA**

THAT WHEREAS, Franklin County is the owner of certain water and sewer distribution systems in Franklin County, North Carolina; and,

WHEREAS, Franklin Water and Sewer Authority (FWSA) is a body politic created pursuant to N.C.G.S. 162A; and,

WHEREAS, the Franklin Water and Sewer Authority (FWSA) has a contract to manage said utilities for the county; and,

WHEREAS, the county finds that it will be in the best interest of Franklin County and of Franklin Water and Sewer Authority for that portion of the water distribution lines and sewer utilities situate along U. S. Highway #1 from the Wake County Line in a northerly direction to a point just north of the intersection of U. S. Highway #1 and N. C. Highway 96 where the southern end of the four-lane section of U. S. Highway #1 begins (said section of U. S. Highway #1 is more particularly shown on the Department of Transportation plans for the improvement and four-laning of U. S. Highway #1) to be transferred to Franklin Water and Sewer Authority;

NOW, THEREFORE, BE IT RESOLVED BY the Franklin County Board of Commissioners that that portion of the water and sewer lines together with all pipes, valves, hydrants, mains, meter boxes, service laterals, pumping stations and force mains which are owned by Franklin County lying along U. S. Highway #1 from the Wake County Line in a northerly direction to a point north of the intersection of N. C. Highway 96 and U. S. Highway #1 where the southern point of the four-lane section of U. S. Highway #1 begins (as shown on the

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Department of Transportation plans for improvements to U. S. Highway #1) be transferred to Franklin Water and Sewer Authority; and,

That the consideration for said transfer shall be the continued working relationship between Franklin County and Franklin Water and Sewer Authority for the betterment of Franklin County and the continued authority of Franklin County to tap-on to the Franklin Water and Sewer Authority water and sewer lines for economic development projects without incurring tap-on fees or acreage fees said projects in keeping with the policies now in effect.

Adopted this the 6th day of April, 1992.

Bob Heuts, Economic Development Director appeared before the Board regarding adoption of resolution creating the Franklin County Airport Commission.

Upon motion by Commissioner Wynne, seconded by Commissioner Goswick with all present voting "AYE" duly carried the following resolution adopted creating the Franklin County Airport Commission:

RESOLUTION CREATING THE FRANKLIN COUNTY AIRPORT COMMISSION

WHEREAS, the Franklin County Board of Commissioners desires to vest certain of its powers and duties concerning the Franklin County Airport (the "Airport") in a body to be known hereafter as the Franklin County Airport Commission:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY:

SECTION I

Pursuant to North Carolina general Statute Sections 63-3, 63-53, 63-57, and 153A-274, there is hereby created the Franklin County Airport Commission (the "Commission"). The Commission shall serve at the pleasure of the Franklin County Board of Commissioners (the "Board") and shall consist of five members, two of whom are members of the Board. Two such members shall serve initially for three (3) years, two for two (2) years, and one for one (1) year, and until their successors are appointed; and at the expiration of their aforesaid terms, their successors thereafter shall be appointed by the Board of a term of three (3) years. Upon the occurrence of the Board member no longer being a County Commissioner, his or her term shall terminate and the Board shall appoint another member of its body to serve the remainder of such Commission term. Terms of the members shall commence on January 1 and expire on December 31. The initial appointment shall commence on January 1. The chairman of the Board shall appoint a secretary to the Commission.

SECTION 2

The members of the Commission shall elect their Chairman, Vice-Chairman, and Secretary annually in January. The Commission may appoint such other officers as it may deem necessary for the orderly procedure of its business, and adopt by-laws, rules, and regulations covering its procedure, not inconsistent with laws of North Carolina and ordinance of Franklin County. It shall hold regular meetings at such time and place as it may from time to time designate. Three (3) voting members of the Commission shall constitute a quorum. An affirmative action by a majority of the voting members of the Commission shall be necessary to constitute action by the Commission.

SECTION 3

The Commission shall prepare an annual budget request for the operation of the Airport which shall be submitted to the Board on or before the 15th day of April of each year. The Airport budget shall be as adopted by the Board, and the Commission shall operate the Airport within said budget as adopted. The expense of the construction, enlargement, improvement, maintenance, equipment, operation, and regulation of the Airport shall be the responsibility of Franklin County.

SECTION 4

The Commission appointed as herein provided by the Board shall act in an administrative capacity and shall be vested with the following authorities and powers; and it is hereby authorized and empowered:

4.1 To inform the Board regarding the establishment, construction, control, leasing, maintenance, improvement, operation, and regulation of airports and landing fields; to govern, pursuant to the direction of the Board of Commissioners, any airport or landing field owned, acquired, established, or constructed by Franklin County.

4.2 To adopt, repeal, amend, and re-adopt rules and regulations not inconsistent with this Resolution, for its own government, management, and operation.

4.3 To adopt, repeal, amend, and re-adopt rules and regulations with respect to traffic on and use of streets, alleys, driveways, roadways, parking areas, cross-walks and safety areas (not included in the public road systems of the State of North Carolina) located within the territorial limits of the lands comprising the Airport, including by way of illustration, but not in limitation of the authority herein granted, the establishment of routes of traffic, the regulation of speed, the location of parking areas, the regulation

and prohibition of parking and standing in designated areas of said streets, driveways, alleys, and roadways, the prohibition of obstruction thereof, the prohibition of vehicles and pedestrians on the aprons, ramps, taxiways, runways, and other designated parts of the Airport.

4.4 To adopt, repeal, amend, and re-adopt rules and regulations with respect to the use of the Airport and its facilities by the public, including by way of illustration but not in limitation of the authority granted, the terminal building, the ramps, aprons, hangars, taxiways, runways, water plants, and shops, and to prohibit the use of, occupation of, or trespass upon any part thereof.

4.5 Proceeding of the Commission shall be recorded, and a true copy of all such rules and regulations adopted by the Commission shall be certified under the hand of the Secretary of the Commission and filed with the Board.

4.6 To post, at appropriate places on the Airport, notice to the public of applicable rules and regulations pertaining to the Airport.

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4.7 To lease (without the joinder in the lease agreements of the County of Franklin) for a term not to exceed one (1) year, and for purposes not inconsistent with the grants and agreements under which the said Airport is held by said Franklin County, real or personal property under the supervision of or administered by the said Commission including, but not limited to, the Airport. The Commission shall also negotiate leases for longer periods of time on behalf of the County, but the Board retains its authority to enter into said longer term leases.

4.8 To negotiate with and enter into contracts with persons, firms, or corporations for terms not to exceed ten (10) years, for the operation of airline-scheduled passenger and freight flights, non-scheduled flights, and any other airplace activities, not inconsistent with said grant agreements under which the airport property is held by Franklin County, and to charge and collect reasonable and adequate fees, charges, and rents for the use of such property or for services rendered in the operation thereof.

4.9 To negotiate with and enter into contracts and leases with individuals, corporations, or other organizations for the purpose of providing fixed-base operator services. Said services may include, but not be limited to, the following: aircraft storage, FAA-approved domestic aircraft repairs, student training, demonstration and sale of aircraft, aircraft rental, and charter air taxi.

4.10 Within the limits of the appropriated funds, to hire, terminate, and fix the compensation of any personnel necessary for the proper operation and management of the Airport.

4.11 To operate, own, control, regulate, lease, or grant to others the right to operate, on the Airport premises other businesses, amusements, or concessions for a term not exceeding one (1) year, as it may appear to said Commission advantageous or conducive to the development of said Airport.

4.12 To negotiate and deal with the Federal Aviation Administration of the United States Government, the State of North Carolina, or any agency of said governments relating to the grading, constructing, equipping, improving, maintaining, and operating of airports and landing fields acquired under the authority of this resolution.

4.13 Notwithstanding anything contained to the contrary, the Airport Commission shall be subject to the direction, approval, and paramount authority of the Board which may alter, amend, repeal, or revoke all or any part of this resolution in its sole discretion.

SECTION 5

If any part or parts of this resolution shall be held to be unlawful, such unlawfulness shall not affect the validity of the remaining parts of this resolution. The Board expressly declares that it would have passed the remaining parts of this resolution, if it had known that such part or parts thereof would be declared unlawful.

SECTION 7

The Commission is authorized and empowered to adopt and use a seal.

SECTION 8

This resolution shall take effect from and after adoption. ADOPTED this the 6th day of April, 1992.

Mr. Heuts further discussed the need to make appointments of members to serve on the Airport Commission and presented a list of people that had expressed a desire to serve.

Upon motion by Commissioner Foy, seconded by Commissioner Hardy that the resolution adopted creating the Franklin County Airport Commission be amended to have a seven (7) member board in lieu of a five (5) member board. Voting "AYE" Commissioner Foy and Commissioner Hardy. Voting "NO" Commissioner Goswick, Commissioner Wynne and Commissioner Swanson.

Upon motion by Commissioner Wynne, seconded by Commissioner Hardy with all present voting "AYE" duly carried approve Request For Proposals For Architect/Engineer Services for design and construction of new Franklin County Jail as presented by County Manager Radford.

Upon motion by Commissioner Goswick, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following resolution opposing Senate Bill 917, Chapter 754 approved:

RESOLUTION OPPOSING SENATE BILL 917, Chapter 754

WHEREAS, House Bill 1232, later incorporated into Senate Bill 917 (Omnibus Study Bill-I) and ratified as Chapter 754, is entitled Act Authorizing the Legislative Research Commission to study the possibility of uniformly administering register of deeds offices through a state agency; and,

WHEREAS, the Franklin County Register of Deeds Office opposes any act to remove their operations from a county authority to an administration under a state agency; and,

WHEREAS, this decision is justified by the acknowledgment that the revenues collected and administered by the county would become revenue for the state,

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of Commissioners supports the efforts of the Franklin County Register of Deeds and members of the Sixth District in opposing the bill known as Senate Bill 917, Chapter 754, Session Laws for North Carolina by adoption of the foregoing resolution.

ADOPTED this the 6th day of April, 1992.

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Upon motion by Commissioner Hardy, seconded by Commissioner Wynne with all present voting "AYE" duly carried the following resolution urging action by North Carolina General Assembly regarding local governments approved:

RESOLUTION URGING ACTION BY THE NORTH CAROLINA GENERAL ASSEMBLY ON BEHALF OF LOCAL GOVERNMENT

WHEREAS, local government throughout the State of North Carolina and the nation is under ever increasing financial pressures resulting from unfavorable economic factors and limited sources of

revenue at a time when former federal and state responsibilities are being defunded, underfunded, or passed down to the local level through mandates; and,

WHEREAS, in response to such financial pressures it is necessary for local governments to safeguard its operations wherever possible; and,

WHEREAS, there are numerous areas where the North Carolina General Assembly can assist counties in meeting their service responsibilities to their citizens and in more rationally coping with diminishing revenues and expanding costs,

NOW, THEREFORE, BE IT RESOLVED BY THE FRANKLIN COUNTY BOARD OF COMMISSIONERS, that legislation be introduced in the North Carolina General Assembly to modify current law so as to address the following issues:

1. The cost of providing medical services to jail inmates. State law should make it clear that private insurance coverage includes the cost of furnishing necessary medical treatment to jail inmates and that the county is only secondarily liable for this expense. In addition, a system needs to be established to more effectively shift the full cost of incarceration including ordinary expenses for prescription drugs to the jail inmates themselves by constructive employment during their jail term and by subsequent collection methods. This cost should not be borne by law-abiding citizens through reduced services and higher taxes. Rather than mandating expensive jail complexes, state law should foster housing jail inmates in less expensive setting which facilitate good, honest, hard work which will teach the inmates a work ethic, promote job skills and benefit society.

2. The reduction of design cost for schools and other public buildings. Because of a myriad of state and federal regulations and requirements, the cost of architectural services for public buildings represents a tremendous burden on the taxpayers. Many organizations such as church denominations produce standard designs of their constituents. It is very likely that millions of dollars could be saved each year if the State of North Carolina provided such standard designs.

3. The thresholds for requiring architectural services for the construction and repair of public buildings should be increased. Currently, North Carolina General Statutes 133-1.1 and 143-135 require design by architect for relatively small projects which a large contractor can competently construct. The taxpayer should not bear the unnecessary cost of employing an architect and the increased contractor cost which usually results.

AND BE IT FURTHER RESOLVED that traditional sources of local government revenue should not be disturbed. Counties and cities perform essential services. The cost of these services, many of which are mandated, is constantly increasing as are the number of services mandated. To reduce state reimbursements or other county sources of revenue in such circumstances is to raise local taxes by action of the legislature. We, therefore, urge the North Carolina General Assembly and the North Carolina Association of County Commissioners to wholeheartedly support the integrity of local revenue sources.

AND BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to each member of Franklin County's Legislative Delegation and to the North Carolina Association of County Commissioners.

ADOPTED this the 6th day of April, 1992.

Upon motion by Commissioner Goswick, seconded by Commissioner Wynne with all present voting "AYE" duly carried the following resolution regarding public school energy costs adopted:

RESOLUTION REQUESTING PUBLIC SCHOOL ENERGY COSTS BE TREATED AS A STATE FINANCIAL RESPONSIBILITY

WHEREAS, the 1991 North Carolina General Assembly began the phase-out of state funding for public school energy costs; and,

WHEREAS, this action by the State of North Carolina places a new financial responsibility of \$373,440 on Franklin County Government and \$35,984,481 in all one hundred counties; and,

WHEREAS, sufficient notice was simply not provided to counties to prepare for this new financial burden; and,

WHEREAS, the primary responsibility of financing public school energy costs has historically been provided by the State of North Carolina; and,

WHEREAS, the North Carolina General Statutes do not specify public school energy costs as a local responsibility,

NOW, THEREFORE, BE IT RESOLVED that the Franklin County Board of Commissioners requests that the North Carolina General Assembly assume financial responsibility for public school energy costs.

BE IT FURTHER RESOLVED, that this Board requests assistance from the Franklin County Legislative Delegation, the North Carolina School Board Association, and the North Carolina Association of County Commissioners in this effort.

ADOPTED this the 6th day of April, 1992.

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Upon motion by Commissioner Hardy, seconded by Commissioner Goswick with all present voting "AYE" duly carried the following proclamation for North Carolina County Government Week approved:

PROCLAMATION NORTH CAROLINA COUNTY GOVERNMENT WEEK

WHEREAS, North Carolina's one hundred county governments have served the citizens of this state since 1663, providing services and leadership to all residents. During this long history, county governments have been active partners with the state in providing services to our citizens; and,

WHEREAS, North Carolina's counties are on the leading edge of many critical issues affecting our state and nation. These issues include environmental protection, social services, health care, emergency medical services, water and sewer services, child welfare, job training, law enforcement and drug/alcohol treatment; and,

WHEREAS, those citizens who serve in county government, either as elected or appointed officials, must be dedicated and have a strong sense of purpose to assure that services are provided without undue burden on the taxpayers,

NOW, THEREFORE, the Franklin County Board of Commissioners, do hereby proclaim April 5 through April 11, 1992 as

NORTH CAROLINA COUNTY GOVERNMENT WEEK

and urge our citizens to be more involved and aware of the issues facing our counties.

FRANKLIN COUNTY BOARD OF COMMISSIONERS

Upon motion by Commissioner Wynne, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following resolution declaring Happy Whistlers Week adopted:

**RESOLUTION
HAPPY WHISTLERS WEEK**

WHEREAS, the Franklin County Arts Council has formed the National Whistlers Convention and the National Whistlers Museum with headquarters in Louisburg in the County of Franklin, North Carolina, and

WHEREAS, these projects of the Arts Council has brought favorable national and international recognition to the county's government, community, and people; and,

WHEREAS, this recognition has produced pride and honor to the county's citizens with an opportunity to participate and to observe others participating in these worthwhile projects; and,

WHEREAS, the ancient art of whistling is being preserved with public displays of talent and artifacts in the nation's only museum of its kind; and,

WHEREAS, the art of whistling is both a performing art and a healthy expression of happiness for the community.

NOW, THEREFORE, BE IT RESOLVED that the Franklin County Board of Commissioners, in appreciation for the Arts Council's efforts to provide an educational and artistic service to the county's citizens, declare the week of April 20-26, 1992 as

"HAPPY WHISTLERS WEEK"

and commend its observance to all of the citizens of Franklin County.

ADOPTED this the 6th day of April, 1992.

Upon motion by Commissioner Wynne, seconded by Commissioner Goswick with all present voting "AYE" duly carried that Chairman Swanson be authorized to prepare letters to the United States Congressional Delegation regarding solid waste crisis in our region.

Upon motion by Commissioner Goswick, seconded by Commissioner Hardy that Dr. Delma Blinson, Rural Education Institute School of Education at East Carolina University, be employed to serve as merger consultant to assist in the merger of the Franklinton City and Franklin County School Systems. Voting "AYE" Commissioner Goswick, Commissioner Hardy, Commissioner Wynne and Commissioner Swanson. Voting "NO" Commissioner Foy.

Upon motion by Commissioner Goswick, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following budget amendment approved:

10-506-0590	Contingency	(\$ 13,000)
10-410-0040	Professional Services	\$ 13,000

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Upon motion by Commissioner Foy that the Board of Commissioners not adopt a proposed Franklin County Substance Abuse Policy. The motion died for lack of a second.

There being no further business to come before the Board, adjournment recorded at 10:00 P. M.