

JANUARY 4, 1999

The Board of Commissioners of Franklin County, North Carolina met in regular session at 7:30 P. M. in the Commissioners' Meeting Room in the County Administration Building with the following Commissioners present: Chairman James T. Moss, Jr., Vice Chairman Robert L. Swanson, Commissioner Harry L. Foy, Jr., Commissioner Edward Strickland, Commissioner George T. Wynne.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried the following Consent Agenda items approved:

- A. Minutes of the meeting of December 7, 1998.
- B. Change the regular meeting date of the Board from Monday, January 18 to Tuesday, January 19 due to
the Martin Luther King Day.
- C. Accept the Tax Collector's Report for the month of December, 1998.
- D. Approve the tax releases and refunds for the month of December, 1998.

Mr. Fred Hobbs, Consulting Engineer with Hobbs, Upchurch & Associates, reviewed with the Board a proposed contract for the engagement of his firm for the design of the third component of the water expansion project which will include distribution lines to provide water service to consumers along select routes.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson, voting "AYE" Commissioner Wynne, Commissioner Swanson, Commissioner Strickland, Commissioner Moss; voting "NO" Commissioner Foy approve the contract for engineering services for design of distribution lines and authorize the Chairman to execute on behalf of the County.

Mr. Earl Scott, Co-owner of A-1 Bail Bonds, appeared before the Board regarding his concerns with certain policy established by the Sheriff at the jail. Mr. Scott stated that Sheriff Redmond had barred him from doing business inside the jail. He stated that he was no longer allowed to surrender prisoners in, a secured area and that made it more dangerous for his agents and the jailers. He stated that a memorandum had been written to all jailers stating the policy that required that A-1 Bail Bond agents must go to the magistrate office and not the jail. He further stated that his was the only bond company that was listed in the memorandum. He further stated that he felt that this action was politically motivated and he threatened litigation if the matter is not resolved.

The Board of Commissioners acknowledged that the Sheriff is responsible for establishing policy regarding the administration of jail-related matters, and the Board requested that County Manager Leary contact the Sheriff to ascertain the manner in which the policy is being administered.

Mr. Chuck Murray, Finance Director, appeared before the Board to request that the Board approve Budget Amendment Number 14.

Upon motion by Commissioner Wynne, seconded by Commissioner Strickland with all present voting "AYE" duly carried approve BUDGET AMENDMENT NUMBER FOURTEEN (14); copy of amendment found in Budget Ordinance Book.

Mr. Tom Altieri, a representative of Holland Consulting Planners, appeared before the Board regarding a proposal by his company to provide professional services to assist the County in the formulation of its Land Use Plan Update/Hazard Mitigation Plan. The proposal addresses the criteria and objectives for plan development which are outlined in the Hazard Mitigation Grant Agreement. Holland Consulting Planners propose to complete the plan within eighteen months at a cost of \$40,000 which will be paid for with grant funds.

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MINUTES OF MEETING OF JANUARY 4, 1999 --- continued

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried engage Holland Consulting Planners, Inc. to provide consulting services to update the Land Use Plan and develop a Hazard Mitigation Plan at a cost of \$40,000.00 to be completed within eighteen months.

The Board discussed the lease between the County and the Perry School Alumni for that group to use the former Gold Sand Elementary School for recreational purposes for the community. The Perry School Alumni has requested permission to sublet a portion of this site to be used as a church for a period of two years. County Manager Leary stated that he had advised this group that the use of the premises for any purpose other than which is authorized under the lease may constitute a breach and jeopardize the continuance of the lease. County Attorney Batton stated that in his opinion that the use of county-owned property for religious purposes was inconsistent with the public purpose doctrine of the General Statutes of the State of North Carolina.

Upon motion by Commissioner Foy, seconded by Commissioner Swanson with all present voting "AYE" duly carried based on the advice of County Attorney Batton deny the request received from the Perry School Alumni for permission to sublet a portion of the former Gold Sand Elementary School for use as a church and authorize the County Manager to write a letter to the lessee advising them of the Board's action.

County Manager Leary stated that the Board had previously received a report from the Tax Administrator which discussed the feasibility of undertaking the next revaluation in-house. He further stated that this process should be initiated soon and requested that the Board establish a workshop date with the Tax Administrator to review the report and discuss the matter in greater detail.

The Board set Wednesday, January 27, 1999, at 7:00 P. M. in the Conference Room of the County Administration Building for a work session with the Tax Administrator to discuss the possibility of conducting the next revaluation in-house.

County Manager Leary stated that during the workshop meeting with the Towns of Louisburg and Bunn the Board indicated that it would establish a future workshop with the Town of Louisburg for the purpose of discussing water related issues.

The Board set Tuesday, February 23, 1999, at 7:00 P. M. in the Conference Room of the County Administration Building for a work session with the Town of Louisburg to discuss water related issues which are of mutual concern.

The Board discussed the fact that Chief Deputy Walter Beckham had retired and that some governmental entities allow retiring law enforcement officers to purchase their service revolvers for \$1.00 or for an amount equal to the original purchase price. In order to offer for sale this service revolver to Mr. Beckham the property must be declared surplus.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried declare Service Revolver Serial Number G182338 surplus and offer for sale to Walter Beckham for \$1.00.

Sheriff Robert Redmond requested that the Board approve the reallocation of an existing deputy position to that of sergeant. A civil process division has been established within his department and to maintain a chain of command this position reallocation is necessary.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried approve the reallocation of a deputy position in the Sheriff's Department to that of sergeant.

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MINUTES OF MEETING OF JANUARY 4, 1999 --- continued

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried Ms. Pat Goddard appointed to fill the unexpired term of Mr. C. W. Strother as Tax Assessor; term to expire in June, 1999.

Chairman Moss appointed Commissioner Strickland to serve on the KARTS Board, Private Industry Council/Workforce Development Board and Franklin-Vance-Warren Opportunity, Inc.

Chairman Moss, with all other Board members concurring, appointed Commissioner Swanson to fill the unexpired term of Dr. James G. Hardy on the Airport Commission; term to expire in April, 2001.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried the following appointments made to the Emergency Medical Services Advisory Board:

Swain Stallings, Franklin County Communications
fill unexpired term, term to expire March, 1999

Ann Barnhart, Franklin Regional Medical Center
fill unexpired term, term to expire March, 2000

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne, voting "AYE" Commissioner Swanson, Commissioner Wynne, Commissioner Strickland, Commissioner Moss; voting "NO" Commissioner Foy the Board went into Closed Session pursuant to General

Statute 143-318.11 (a) (3) and (6) to enable the Board to consider the qualifications of a prospective public employee and to review the matter of King v. Franklin County with the attorney.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried the Board reconvened into regular session.

County Attorney Batton requested that in order to settle the King v Franklin County lawsuit the Board endorse a proposed memorandum of agreement between Ken King and Franklin County whereby the County will obtain an aviation easement over Ken King property at a cost of \$80,000, with the State of North Carolina contributing 90% of the total cost.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne, voting "AYE" Commissioner Swanson, Commissioner Wynne, Commissioner Strickland, Commissioner Moss; voting "NO" Commissioner Foy, approve the memorandum of agreement between Ken King and Franklin County whereby the County will obtain an aviation easement over Ken King property at a cost of \$80,000, with the State of North Carolina contributing 90% of the total cost.

Commissioner Foy introduced a resolution which addressed the manner in which members of the Board should conduct themselves as Board members. Commissioner Foy offered a motion to adopt the resolution. Chairman Moss stated that members of the Board should have an opportunity to review the resolution and that it could be considered as an item of business on the next agenda. Commissioner Foy withdrew his motion.

There being no further business to come before the Board, adjournment recorded at 9:00 P. M.