

AUGUST 20, 2001

The Board of Commissioners of Franklin County, North Carolina, met in regular session at 7:30 P. M. in the Commissioners Meeting Room located in the County Administration Building with the following Commissioners present: Chairman Robert L. Swanson, Vice Chairman George T. Wynne, Commissioner Harry L. Foy, Jr., Commissioner Edward G. Strickland. Commissioner John R. Ball was absent for this meeting.

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

- A. Minutes of meeting held on August 6, 2001
- B. Forwarding of road petition to the Department of Transportation requesting that Old Stone Land and Wood Pond Circle in the Old Farm Subdivision be added to the State Highway System

Mr. Bob Winters, a resident of Lake Royale, was in attendance to request that the County consider the purchase of the Lake Royale water system from TESI. Mr. Winters stated that TESI has requested the State Utilities Commission to approve a rate increase of approximately 65% and he provided documents illustrating how this increase will affect the 3,000 residents at Lake Royale. He further stated that if the reported number of users were county customers that the increase in revenue would be approximately \$55,000 per year. Mr. Winters stated that it was his understanding that there was a proposed subdivision to be located on John Mann Road and that the county water mains could be extended to that area for additional water customers. He again urged the Board to consider the purchase of this water system from TESI.

The Board instructed Acting County Manager Harris to contact TESI to ascertain the interest in the sale of this water system and the cost of the maintenance of the water system in Lake Royale.

Mr. Neil Mallory, Executive Director, Kerr-Tar Regional Council of Governments, was in attendance to review recent legislation that would allow rural counties to establish Rural Transportation Planning Organizations to plan rural transportation systems and to advise the North Carolina Department of Transportation on rural transportation policy. The adoption of a Memorandum of Understanding for Cooperative, Comprehensive and Continuing Transportation Planning and the Establishment of a Rural Transportation Planning Organization will enable a Rural Planning Organization to be established for Region K. The Department of Transportation will provide 80% of the funds to support the ROP with the remaining 20% funding to be provided the first year by the Council of Governments. Mr. Mallory indicated that applications for grants would be submitted for funding in the future.

Upon motion by Commissioner Wynne, seconded by Commissioner Strickland with all present voting "AYE" duly carried adopt memorandum of understanding entitled "MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION"; copy of this Memorandum of Understanding is attached and made a part of these minutes.

Mr. Neil Mallory, Executive Director of the Kerr-Tar Regional Council of Governments reviewed with the Board grant applications prepared by the Council of Governments for Franklin County for an Economic Development Administration Grant in the amount of \$1,500,000 and an Industrial Development Fund Grant in the amount of \$500,000. Mr. Mallory stated that both these grants had been awarded and he was requesting approval from the Board for a contract between Franklin County and the Council of Governments for EDA Administrative Services and a contract for Industrial Development

Fund Grant Administrative Services whereby the Council of Governments
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would administer these grants on behalf of the County. The cost to administer the EDA Grant would not exceed \$24,000 and the cost to administer the IDF Grant would not exceed \$2,000.

Upon motion by Commissioner Strickland, seconded by Commissioner Swanson with all present voting "AYE" duly carried approve administrative contracts authorizing the Kerr-Tar Council of Governments to administer the Economic Development Administration Grant at a cost not to exceed \$24,000 and the Industrial Development Fund Grant at a cost not to exceed \$2,000 and authorize the Chairman to execute on behalf of the County.

Ms. Martha Mobley, Agricultural Extension Agent, was in attendance to request that the Board adopt a resolution of support for a grant submitted to the Golden Leaf Foundation through North Carolina State University-Department of Crop Science to assist in efforts of the Franklin County Goat Producers Cooperative's efforts to focus on increasing the quality of meat goats as well as developing new markets. The Goat Producers Cooperative was created in an effort to develop a profitable market for new products necessitated by the decline in tobacco production.

Upon motion by Commissioner Foy, seconded by Commissioner Strickland with all present voting "AYE" duly carried adopt resolution entitled "RESOLUTION OF SUPPORT FRANKLIN COUNTY GOAT PRODUCERS COOPERATIVE, INC.;" a copy of this resolution is attached and made a part of these minutes.

Mr. Ronnie Goswick, Economic Development Director, was in attendance to review with the Board a Non-Disturbance and Attornment Agreement whereby long-term leases for hangar space at the Franklin County Airport, if sold, could continue until the end of the lease period even if Carlina, the Fixed Base Operator, was no longer operating at the Airport. This agreement will allow the leaseholder to work directly with Franklin County and any ground lease payment going to Carlina would then come to the County.

Upon motion by Commissioner Strickland, seconded by Commissioner Wynne with all present voting "AYE" duly carried approve the Non-Disturbance and Attornment Agreement and further authorize the County Manager to sign Agreements as presented on behalf of the County.

County Attorney Batton presented to the Board for their consideration an amendment to the Fixed Base Operation Lease and Operating Agreement whereby the lessee shall cause to be constructed, installed or erected by May 1, 2002, two T-hangars with dimensions of no less than 50 feet by 210 feet each with capability to house 9 airplanes. In addition, Lessee shall construct, install, or erect by May 1, 2003, two corporate hangars, with a minimum of 7,800 square feet each, for the storage of corporate and private aircraft.

Upon motion by Commissioner Wynne, seconded by Commissioner Strickland with all present voting "AYE" approve Amendment to the Fixed Base Operation Lease and Operating Agreement.

Mr. Dave Munden, Recreation Director, was in attendance to review with the Board and request adoption of the By-Laws Governing the Franklin County Greenway Advisory Board. The Board adopted a resolution on June 4, 2001, creating the Greenway Advisory Board as recommended by the Recreation Master Plan and the Comprehensive Land Use Plan for the purpose of identification and planning for greenways and open space. Mr. Munden requested that the Board consider adoption of the by-laws.

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Upon motion by Commissioner Wynne, seconded by Commissioner Strickland with all present voting "AYE" duly carried adopt By-Laws Governing the Greenway Advisory Board and authorize the Chairman to execute on behalf of the County.

Mr. Munden also requested the Board to adopt an amendment to the By-Laws Governing the Recreation Advisory Board. The proposed amendment was adopted by the Recreation Advisory Board on August 8, 2001.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried adopt Second Amendment to the By-Laws Governing the Recreation Advisory Board as recommended by the Recreation Advisory Board.

The Youngsville Fire Department applied for a loan in the amount of \$133,000 for the purchase of a fire truck and the financial institution making the loan has requested the County to acknowledge this financial transaction. The County is in no way obligated to repay any portion of this debt.

Upon motion by Commissioner Wynne, seconded by Commissioner Strickland with all present voting "AYE" duly carried acknowledge that the Youngsville Fire Department has applied for a loan in the amount of \$133,000 for the purchase of a fire truck.

The Board reviewed the Tax Collector's Office Activity Report for the period July 1, 2002 to August 15, 2001, as prepared by Acting Tax Administrator Jim Wrenn. This report summarized the activities that were taking place in the Tax Office, the number of ad-valorem tax bills, vehicles bills, garnishments & attachments and foreclosures.

Mr. Willie Cook, a Franklin County citizen, was in attendance to make comments on 1) support of a Franklin County resident for county manager 2) the return of illegally collected taxes by Donnie Rudd to the taxpayers 3) resolution of the Donnie Rudd matter.

Upon motion by Commissioner Foy, seconded by Commissioner Strickland with all present voting "AYE" duly carried that the regular meeting of the Board scheduled for Monday, September 3, 2001 be changed to Tuesday, September 4, 2001, due to the Labor Day Holiday.

Upon motion by Commissioner Wynne, seconded by Commissioner Strickland, voting "AYE" Commissioner Wynne, Commissioner Strickland, Commissioner Swanson; voting "NO" Commissioner Foy the Board went into Closed Session pursuant to General Statute 143-318.11 (a) (3) in order that the Board could consult with the County Attorney and General Statute 143-318.11 (a) (6) in order that the Board could consider the qualifications of a prospective public employee.

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

Chairman Swanson stated that no action was necessary as a result of the Closed Session.

County Attorney Batton informed the Board that he needed adoption of a resolution authorizing him to begin condemnation proceedings for seventeen acres of the W. M. Freeman heirs property located adjacent to the Franklin County Airport. This property will be used for runway expansion. Mr. Batton indicated that this resolution would be similar to the one adopted by the Board on July 2, 2001, authorizing him to begin the condemnation proceedings on the W. M. Freeman Heirs property located

adjacent to the Franklin County Landfill.

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Upon motion by Commissioner Strickland, seconded by Commissioner Wynne with all present voting "AYE" duly carried approve resolution authorizing the County Attorney to begin condemnation proceedings for seventeen acres of the W. M. Freeman heirs property adjacent to the Franklin County Airport to be used for runway expansion and authorize the Chairman to sign on behalf of the County; resolution attached and made a part of these minutes.

Acting County Manager Harris informed the Board that the date of October 3 had tentatively been set as the date for a reception for the North Carolina Board of Transportation. This reception will be a joint effort of the County and the municipalities within the county. This time will be used to inform members of the Board of Transportation of the transportation needs in Franklin County.

Acting County Manager Harris discussed with the Board the need to set dates for work sessions for the revised Unified Development Ordinance. Ms. Harris stated that it might be beneficial if the Board conducted a joint work session with the Franklin County Planning Board as a kick-off meeting prior to the work sessions.

The Board concurred and a joint meeting with the Franklin County Planning Board was set for Tuesday, September 4, 2001, at 5:00 P. M. in the Commissioners Meeting Room located in the County Administrative Building prior the regular Board meeting scheduled for 7:30 P. M.

County Attorney Batton presented copies of "Procedures For Meetings Of The Franklin County Board of Commissioners". Mr. Batton stated that he had prepared this document for the Board's review and possible adoption at a later date.

There being no further business to come before the Board, adjournment recorded at 9:30 P. M.

Robert L. Swanson, Chairman Jean Gordon, Clerk to the Board