

September 3, 2002

The Board of Commissioners of Franklin County, North Carolina, met in Regular Session at 7:30 P.M. in the Commissioner's Meeting Room located in the County administration Building with the following Commissioners present: Chairman John R. Ball, Vice-Chairman Robert L. Swanson, Commissioner Harry L. Foy, Jr., and Commissioner George T. Wynne. Commissioner Edward G. Strickland was absent.

1. Consent Agenda

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

- A. Approval of minutes of meeting held on August 12, 2002 and August 19, 2002, with the following amendment to the minutes of the meeting on August 19, 2002:

Amend the motion to read "Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with Chairman Ball and Commissioner Strickland voting "AYE", Commissioner Foy voting "NO" duly carried the approval for the Board to go into Closed Session".

- B. Acceptance of Tax Collector's Report for period July 15, 2002–August 15, 2002.
C. Approval of Releases and Refunds for period July 15, 2002–August 15, 2002.

1. Public Hearing – Community Development Block Grant – Concentrated Needs

Proper notice having been given this is the time and place set for a public hearing to obtain input relative to the intention of the County to apply for FY03 CDBG Concentrated Needs funding under Title 1 of the Housing and Community Development Act.

Dr. Ball declared the public hearing opened.

Ms. Tracey Tayloe of Holland Consulting Planners was present to address the grant application.

She stated there was only one house remaining for survey in the proposed target area for the Concentrated Needs Community Development Block Grant application. The most competitive area identified is located near the Pilot community. The proposed target area is located on Old US 64 between Avon Brantley Road and Thomas Arnold Road. This is approximately .8 miles from the intersection of Highway 39 and Old US 64; the actual target area is approximately .2 miles and includes sixteen (16) dwellings on Old US 64, Bridges Way and Parks Way. Three (3) of the units are served by an outhouse and have no other means of sanitary sewer disposal. Several of the residents indicate that they have periodically failing wells. The housing and secondary needs of these Franklin County residents are exactly those meant to be addressed through the N.C. Department of Commerce, Division of Community Assistance program.

Ms. Tayloe stated that according to the demographic survey information, ten (10) of the households are occupied by persons having between 11% and 20% of area median income. Four (4) households earn less than 10% of area median income. The neighborhood is

composed of nine (9) owner-occupied dwellings and five (5) tenant-occupied properties. According to information provided by the tenant occupants, each of the rental properties is owned by a different investor-owner. The tenant properties are as follows:

MINUTES OF MEETING OF SEPTEMBER 3, 2002---cont.

Investor-Owner:	Property:
Ham Logan	4900 Avon Brantley Road
Vance Satterwhite	5116 Old US 64
Henry Conyers	5120 Old US 64
Mayor Neal	20 Parks Way
Fred Watkins	5073 Old US 64

Two (2) properties are vacant. One of the vacant properties is dilapidated and not fit for human habitation; the other vacant property is structurally sound, but apparently vacant due to the poor health of the owner.

Two units are occupied by persons having physical infirmities; to address these special needs we will request that Independent Living design and fund the necessary modification. As local funds will not be given rating points in this funding cycle, the secondary source of funding may be a more important rating factor.

Ms. Tayloe stated that once Holland Consulting Planners receives a letter of commitment from Independent Living and obtains the engineering report and accompanying cost estimates, they will further refine the budget information for distribution to the Board of Commissioners. Ms. Tayloe asked that the Board approve to proceed with and submit the application.

Chairman Ball called for comments from the Board.

Commissioner Foy asked that out of the five tenant-occupied properties, would the owners make a profit off of what the County pays for to improve.

Ms. Tayloe stated the owner has to sign a rent control agreement.

Chairman Ball asked does this mean that the level of the property owner's income stated in Ms. Tayloe's report can never go over 30% of median. Ms. Tayloe answered no, not in ten years.

Commissioner Foy asked if once the property is rehabilitated, can the owner sell. Ms. Tayloe answered that there is a lien put on each property for eight years. If the owner sells, they have to pay the County back if they sell the property before the eight-year time period.

Chairman Ball then called for public comments and hearing none declared the public hearing closed.

Upon motion by Chairman Ball, seconded by Commissioner Swanson with all present voting "AYE" duly carried the approval of the Concentrated Needs Community Development Block Grant application and project.

2. Recognition of Employee of the Quarter

Ms. Regina McMullen, Tax Clerk II for the Franklin County Tax Department, was in attendance in order for the Board to recognize and congratulate her on her selection as the Employee of the Quarter for the quarter ending June, 2002. Ms. McMullen has been employed with the County since January, 1990.

Chairman Ball presented Ms. McMullen with a certificate and commended her on her knowledge of all aspects of her job, her patience, her organizational skills, and her excellent customer service skills.

Jim Wrenn, Director of the Tax Department, presented Ms. McMullen with a U.S. Savings Bond.

MINUTES OF MEETING OF SEPTEMBER 3, 2002---cont.

3. Board of Education – Request for Approval of Land Transaction

The Board of Education is requesting concurrence of the purchase of .372 acres adjacent to the Franklinton High School from J.M. Hight in the amount of \$44,500. The property will serve to tie the two tracts of land the high school occupies together and provide a safer access between the two tracts.

County Manager Richard Self stated that a business and rental unit are located on the property. He said the property has been appraised.

Upon motion by Chairman Ball, seconded by Commissioner Swanson with all present voting “AYE” duly approved the Board of Education purchasing .372 acres of land from J.M. Hight in the amount of \$44,500.

4. Communications Bid

Bids for the VHF Communications System Improvement Project were received and opened on July 30, 2002 at 1:30 P.M. Three bids were received of which one was disqualified. The two base bids, which were evaluated, were:

Wireless Communications, Inc.	\$740,220
Radio Communications Company	\$512,541

Both bidders were well qualified and the base bids included the same basic items. Add alternates are listed for inclusion and neither firm included these items in their base bid.

Members of the E-911 Committee have been included throughout the process and played an integral role in formulating the system design. The committee met last on August 16, 2002 when they discussed any remaining concerns with O2Wireless representative Jim Davey, P.E. The Committee requested time to submit some additional comments on the bids and the questions and answers were provided to the Board.

Several Add Alternates are recommended for inclusion in the final product:

1. Re-channel the rescue mobile and portable radios and the pagers (not to exceed

\$16,000)

2. Replace the existing dispatcher consoles (\$131,923)
3. Reconfigure all back up consoles (fire stations, etc) (not to exceed \$10,000 est.)
4. Remove the tower at the landfill (\$36,500)
5. Relocate non-911 users – Home Health, SHP, etc (not to exceed \$17,510)

After careful analysis of the proposals and follow up on questions raised by the E-911 Committee and engineers, O2Wireless Solutions has recommended Radio Communications Company (RCC).

The firm must achieve a 95/95 (95% coverage, 95% of the time) throughout the County. If any additional equipment is needed beyond that which was bid, the Company is obligated to provide the equipment within the bid amount.

Mr. Jim Davie spoke to the Board regarding the questions and answers to the additional comments from the E-911 Committee members. He stated that the two bids were very similar. The two base bids were dollar to dollar and feature to feature. He stated that as a result of the two rounds of questions and answers with concerns and recommendations, additions added to the bid were \$140,000 under the lowest bidder.

Chairman Ball asked for comments from the Board.

MINUTES OF MEETING OF SEPTEMBER 3, 2002---cont.

Commissioner Foy asked why there was so much difference in the two bid amounts. Mr. Davie answered they used the same technique, the basic approach, but the higher bidder included in their base bid an additional self-supporting tower and the lower bidder did not.

Commissioner Foy presented to the Board a letter he received from the Franklin County Firemen's Association prior to the meeting concerning the bid award.

County Manager Richard Self stated that the Association members were present at the E-911 Committee meetings and as far as he knew their questions had been answered. He stated this bid request was for performance based. The higher bidder gave an alternate bid which was more elaborate and included simulcast, which almost doubles the price.

Commissioner Foy asked if the bid included simulcast. Mr. Davie answered no, that the cost of an optional simulcast system is beyond the County's budget. The performance contract states that the equipment has to pass tests at the end of construction to prove that the County is getting 95/95 coverage. He also stated that the higher bidder's improvement to paging coverage showed less coverage even after adding more equipment throughout the County. The paging system also has to pass the tests.

Commissioner Foy then asked if the lower bidder gets paid if they do not pass the test. Mr. Davie answered no, they get paid on a payment schedule decided by the County. If equipment falls short of test, they will be given the opportunity to correct the problem and be re-tested. Once they pass the test, O2Wireless will give the County the go ahead with full payment.

Commissioner Swanson asked if the Fire and Rescue personnel raised questions during the

bid evaluation process. Mr. Davie answered yes, twice; once during the meeting of August 16th during a conference call. He later received a copy of the questions and concerns and did research with each bidder and answered again with a follow-up hand written response, which is included in the Board folder.

Commissioner Wynne asked if there was more concern with the pagers or telecommunication. Mr. Davie answered that pager reception is more difficult than mobiles due to size and power of the equipment. The RFP called for 95% coverage and both bidders demonstrated that this is what their base bid would give and the County does not need a more advanced system. He stated that there may be a need for more equipment to strengthen pager coverage in the County and if the County wanted greater coverage then it might need to be rebid. Commissioner Wynne then asked if the higher bidder was given the opportunity to bid on the five changes/additions to the RFP. Mr. Davie said they did but did not include new consoles. Commissioner Wynne asked how long will this new system last. Mr. Davie answered five to ten years. Commissioner Wynne stated that his main concern is if the equipment the County gets will benefit all departments and we not have to come back later to upgrade and cost the County more money. Mr. Davie said no, this should not happen. The computer prediction shows the County should be able to meet 95/95, which is the industry standard. It is the same criteria as other locations where you never get 100% coverage in mobile systems. Commissioner Wynne asked about the additional tower the higher bidder included. Mr. Davie stated that the second tower was an option but the lowest bidder found an alternative site.

Commissioner Swanson stated that it concerned him that fire and rescue personnel have questions and he does not feel the Board should vote on approval of bid award at this meeting.

MINUTES OF MEETING OF SEPTEMBER 3, 2002---cont.

Sheriff Robert Redmond spoke and said he was surprised by the letter presented to the Board prior to the meeting and would like to talk with the people who presented it.

County Attorney Darnell Batton stated that a consultant evaluated the bids and if the County needs to go with a different system than originally specified in the RFP then both bidders were responsible for providing the information for a different system. He suggested to delay the vote.

Commissioner Swanson stated that the Fire and Rescue personnel who use the equipment the most should have their questions answered before the Board awards the bid. He stated that he understands going with the lower bidder but wants to hear what the Fire and Rescue personnel have to say.

Darrell Chalk, Chairman, Fire Chief's Association, 3311 US #1 Highway, Franklinton, NC

Mr. Chalk stated that County Manager Self had done a wonderful job with this project. He stated that the County needs this system. He is not saying that the bidders are not capable of providing the system, but questioned if it will activate pagers in a person's house in the Epsom and White Level communities. He stated that the system needed to be fixed entirely, not 50%, fix it no matter what it takes. If the County does not have to money now to fix the problem completely, then save the money until it can. He also asked if the proposed system is going to be any good in five years. He suggested that the County spend money on an infrastructure by cutting using lines and use microwave

and own tower. He stated that the County could provide the labor to construct a building for the radio system. He does not want the County to spend money on something that does not work.

Commissioner Swanson asked Mr. Chalk if he asked these questions at any of the E-911 Committee meetings. Mr. Chalk stated yes, he wanted to know if the system is going to be fixed if it has problems.

Commissioner Foy asked if the County could do another RFP. Mr. Davie stated that if the County wanted 100%, the additional 5% could cost several million dollars to attain. The industry standard is 95%. He stated that both bidders responded to specifications in the RFP and would meet specific specifications related to performance base. He asked what corrective measures does the County want.

Commissioner Swanson stated that 50% coverage in the White Level community is not acceptable. Mr. Davie stated that the coverage would be greater once the new system is in place. Commissioner Swanson asked if the White Level community would then have 95% coverage and Mr. Davie stated no, the 95% was for the entire County, not any one specific area.

Commissioner Wynne asked if the areas not served now are only going have 50% coverage with the new system. Mr. Davie answered those areas might need 99% and the RFP did not ask for this percentage. He stated that technically, 5% of land area cannot have coverage. The County can increase remedial action and still strengthen but you are not talking about \$500,000 but millions and this is not an economical way to achieve that.

Chairman Ball asked Sheriff Redmond what 95/95 coverage meant to his department. Sheriff Redmond stated that his deputies will receive transmission.

MINUTES OF MEETING OF SEPTEMBER 3, 2002---cont.

Robert Mitchell, President, Firemen's Association, 205 Winston Street, Franklinton, NC

Mr. Mitchell stated that there are approximately 500 firemen in Franklin County. He feels the County needs to look at this issue more. He stated do you want to bet your life or your family's life on 5%. He stated that communication problems could contribute to the deaths of firefighters. He feels all options should be looked at. The firefighters are the ones whose necks are on the line. Chairman Ball asked Mr. Mitchell if his concern was pagers or mobile radios. Mr. Mitchell said the problem was not "talk out", the problem is receiving a page. Chairman Ball asked Mr. Mitchell if he was recommending 100% coverage. Mr. Mitchell responded "a person's life is priceless".

Mr. Davie stated that an alternate bid is one means of achieving higher coverage. In regards to paging, both bidders showed the same for added enhancement to bid for outer perimeters. Remedies are available to everyone but this particular base bid is identical. Can go to areas that are weak and enhance them more a less expensive way than simulcast.

Commissioner Foy asked if after the County upgrades, are there still going to be areas that

would still not get coverage. Mr. Davie responded that in some metal buildings the signal will be weak due to deflection of the signal. Systems are available to be used inside of buildings that will enhance the signal.

Ray Patterson, Past President, Firemen's Association

Mr. Patterson demonstrated that his pager did not go off during the meeting while other ones did therefore, no one was going to hear a page. County Manager Self reminded Mr. Patterson that the Administration Building was once a jail and built with steel reinforced walls which block signals.

Chairman Ball asked if there were any further comments.

Commissioner Swanson requested that County Manager Self have another meeting to address the concerns.

Upon motion by Commissioner Swanson, seconded by Commissioner Foy with all present voting "AYE" duly carried to table the vote and delay the bid award for the VHF Communications System Improvement Project.

County Attorney Darnell Batton stated there was no legal reason not to table the vote.

5. Public Comments

No one from the public signed up to make a comment.

6. Board Committee Reports and Comments

Chairman Ball announced that Shannon Road Church of God will hold a 9/11 Remembrance September 11, 2002 at noon at the Franklin County Court House.

He reported that he attended the North Carolina Association of County Commissioners conference and the strategy was to get the General Assembly to complete their work. The debt of the State was discussed. Does not know if the County will recover the money due to them from the State. A Resolution was passed on the drought situation and a Resolution was passed to keep the phrase "under God" in the Pledge of Allegiance.

Commissioner Swanson reported that he attended the Social Services Board meeting and that money is short and Social Services is trying to serve the County.

MINUTES OF MEETING OF SEPTEMBER 3, 2002---cont.

Commissioner Swanson made a motion to fill the vacancy created by Ralph Edwards's resignation from the Public Facilities Task Force with Mr. Ralph Knott. Commissioner Wynne seconded the motion and all present voted "AYE".

Commissioner Foy reported that he attended the Rescue Squads Association meeting August 22, 2002 in White Level. The topic of discussion was the E-911 upgrade. The Tax Department was present at this meeting and made a presentation on the GIS system. He announced that the Health Board meeting is scheduled for September 19, 2002 at 7:30 P.M.

7. Manager's Report

County Manager Self reported that the organizational meeting of the 20-year water and sewer study will take place Wednesday, September 4, 2002.

The Board was updated on Holland Consulting Planners, Inc.

- Hurricane Floyd Crisis Housing Assistant Program – 9 of the 10 rehabilitation houses are complete. 13 of the 14 remaining eligible replacement houses are complete.
- 2002 CDBG Concentrated Needs – after the final public hearing held during this meeting, he anticipates filing the application this week.

Mr. Self reported that there is still no resolution from the General Assembly on the budget.

Mr. Self reported that Laurel Mill School's water has tested positive for e-coli. Bottle water is being provided and the situation is being rectified.

Mr. Self reported that sewer backed up in the administration building last week. The situation is being corrected so it will not happen again (this is the third time). The carpet will have to be replaced due to extensive mold.

Other Business:

County Attorney Darnell Batton reported that a number of Foreclosures were conducted on Friday, August 30, 2002 and the County was the highest bidder and acquired the property. He suggested to the Board that they authorize the County Manager to execute future options on property that the County will acquire due to lack of bidding. Chairman Ball asked if we would have to sell the property for the price it was bid. Mr. Batton replied, no, the County can ask for more. Commissioner Wynne stated that in his opinion, appointing Mr. Self to oversee future options would be a "win" for the County. Chairman Ball suggested more briefing on the matter so the Board would understand and no vote would be made during this meeting.

There being no further business to come before the Board, the meeting was adjourned and recorded at 9:40 P.M.

JOHN R. BALL, CHAIRMAN

RICHARD B. SELF, CLERK