

April 21, 2003

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 Harry L. Foy, Jr., Commissioner Robert L. Swanson, Commissioner Jimmie R. Gupton, and Commissioner Raymond A. Stone.

1. Consent Agenda

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

- A. Approval of minutes of Regular meeting held on March 17, 2003 and Joint meeting with the Franklin County Board of Education held on March 31, 2003.
- B. Acceptance of Tax Collectors Report for the period February 16th through March 31st.
- C. Approval of Tax Releases and Refunds for the period February 16th through March 31st.
- D. Addition of the DOT Resolution on road conditions to the agenda.

2. Public Hearings

Proper notice having been given and the Board having received the information, this is the time advertised for a public hearing to receive comments on the proposed Rural Operating Assistance Program (ROAP) Application for the period July 1, 2003 through June 30, 2004.

Three programs included in the ROAP application are: 1.) Elderly and Disabled Transportation Assistance Program (EDTAP) which provides operating assistance for the transportation of elderly and disabled citizens (\$47,103.00). 2.) Work First/Employment Program is intended to provide operating assistance for transitional Work First and general public employment transportation needs (\$6,040.00). 3.) Rural General Public (RGP) funds are intended to provide transportation service to individuals who are not human service agency clients (\$30,857.00). No County appropriation is required since the necessary match is generated by fares.

Chairman Ball declared the public hearing open.

Upon a motion by Commissioner Swanson, seconded by Commissioner Gupton, with all present voting "AYE", duly approved the application for the Rural Operating Assistance Program.

3. Public Utilities & Works and Human Resources Directors

County Manager Richard Self introduced Tom Couch, Public Utilities & Works Director and Ursula Hairston, Human Resources Director, to the Board. Mr. Couch began work on April 10th and is in the process of familiarizing himself with water and wastewater staff and systems. Ms. Hairston will begin her duties on April 28th establishing the department to meet the needs of the County.

4. North Carolina Resource Conservation and Development Presentation

Joshua Spencer, District Conservationist with the USDA-NRCS discussed the proposed area for inclusion in the district and the opportunity to protect the natural resources through existing programs and grants. The district would include Franklin, Wake, Johnston, Durham, Nash and Wilson Counties.

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Commissioner Swanson questioned if the other counties in the district had adopted the program. Mr. Spencer stated approximately half of the counties had actually adopted the program. Commissioner Swanson questioned if a small county like Franklin County would be of some disadvantage. Mr. Spencer stated no and he would like to see the office for the district set-up in Louisburg. He stated no one county dominates a project. Commissioner Stone questioned if the NRC&D file all necessary tax forms properly. Mr. Spencer stated he isn't responsible for this but he could get verification on this matter for the Board. Vice-Chairman Foy questioned if Franklin County could withdraw at a later date if we find the County is at a disadvantage. Mr. Spencer assured the Board the County could withdraw at any time during the process.

Cindy Phelps with the Soil and Water Conservation Department stated the Franklin County Soil and Water Board passed this in August 2002. She stated she would like to see the Board consider this request.

Upon motion by Commissioner Gupton, seconded by Commissioner Stone, with all present voting "AYE", duly carried the approval of the request.

5. Voluntary Agricultural District Ordinance

Mike DeVaughn discussed the Voluntary Agricultural District Ordinance with the Board. He stated the purpose of the Ordinance is to promote agriculture values and the general welfare of Franklin County and more specifically, increase identity and pride in the agricultural community and its way of life; encourage the economic and financial health of agriculture; and increase protection from non-farm development and other negative impacts on properly managed farms, and increase protection from nuisance suits. Mr. DeVaughn stated there would be a \$35.00 application fee to cover the application process and the paperwork.

The Board accepted the committee report.

6. Redistricting Maps

Ms. Bobbie Richardson presented a redistricting plan for the election of County Commissioners. The proposed redistricting plan would provide each citizen the opportunity to vote on at least four County Commissioners. Ms. Richardson stated she feels the proposed redistricting map is fair to all citizens and participating parties.

The Board accepted the report.

Commissioner Stone presented his map for the Board's consideration.

7. Presentation – Lake Royale Ordinances

Paul Hershey and Bob Winters, representative from the Lake Royale Property Owner's Association, presented a request for special ordinances related to Lake Royale. Mr. Winters stated the ordinances would regulate the following: 1.) abandoned and/or hazardous motor vehicles and campers; 2.) noise; 3.) protection from civil or criminal actions related to vehicles; 4.) general nuisance, which would affect public health; 5.) limitation on types of animals allowed; 6.) a "leash law"; 7.) a curfew; 8.) discharge of firearms; 9.) consumption of alcoholic beverages; 10.) trespassing on Lake Royale property; and 11.) associated financial penalties.

County Manager Richard Self stated these types of regulations are associated with a municipality or other forms of local government. He stated an avenue open to Lake Royale is the creation of a Sanitary District, which would empower the POA with most of the authority granted to a municipality. He stated the

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proposed ordinance does not place a burden on the County to enforce and the responsibility rests with the POA.

County Attorney Darnell Batton stated a large portion of the property at Lake Royale is owned by people who are non-residents. He also stated Lake Royale requires a 2/3 majority vote to change the existing covenants. Paul Hershey stated there is 5,000 acres involved. He stated there is approximately 2,000 permanent year round residents which includes 900 full time residential homes and during the summer vacationing months the population at Lake Royale could exceed 10,000 people.

Darnell Batton recommended the need to check the existing ordinance with the proposed to see if any of the items proposed are already in the existing ordinance.

The request was tabled until the next meeting.

8. Presentation – Ham Radio Operators

Duane Tetterton, Amateur Radio Association, addressed the Board on the erection of ham radio operator towers in Franklin County. He stated he feels the current UDO, which does not allow any amateur radio tower over 35 feet is inappropriate and he feels the \$225.00 fee for the conditional use is not appropriate. John Clifton stated he wants to make sure the Amateur Radio Association Board is kept in the loop as far as any changes being made to the requirements for ham radio towers.

Interim Planning Director Matthew Winslow stated in October 2001 there was a major revision to the UDO, which requires any tower over 35 feet to have a conditional use permit. Mr. Winslow suggested obtaining information from surrounding counties and look at how they handle ham radios and present a report to the Planning Board and then bring it back to the Commissioners.

Chairman Ball stated there was a need to address this matter and he suggested Mr. Tetterton get with the County Manager, the Planning Department and the American Radio Relay League (ARRL) to discuss the issue and present it to the Planning Board. Mr. Tetterton stated he

would like to work with the Planning Department.

9. Board of Education – Request For Additional Funds For The Local Current Expense Budget For 2002-2003 Fiscal Year

The Board of Education needs additional funds for the Local Current Expense and is requesting an additional amount of \$353,200.00. Douglas Moore, Executive Director for Business and Finance for the Franklin County Schools, was present to answer questions. Mr. Moore stated the request of \$353,200.00 would balance the 2002-2003 budget. Mr. Moore stated State cutbacks have impacted Franklin County School Systems budget. County Manager Richard Self stated the County anticipates an additional \$55,000 from the adopted sales tax and the balance be transferred from capital outlay to the current budget expenses.

Upon motion by Commissioner Swanson, seconded by Commissioner Stone, with all present voting "AYE", duly carried the approval to authorize the transfer of \$298,200 from capital outlay to current expense and \$55,000 be appropriated from the County sales tax.

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10. Recognition of Employee of the Quarter

The Board recognized and congratulated Mr. William (Bill) Ayscue, Public Utility Superintendent of the Franklin County Department of Water and Sewer, as the Employee of the Quarter for the Quarter ending March, 2003.

11. Appointments to the Emergency Medical Services Advisory Council

Angie Callihan, Emergency Medical Services Director, requested the Board make the following appointments to the Emergency Medical Services Advisory Council:

Dr. Stephanie Brown, Medical Director, FRMC
Term Expired March, 2003

Steve Prieur, RN, Director of ER, FRMC
Term Expired March, 2003

Randy Pearce, Chief, Bunn Rescue
Term Expires April, 2003

Dr. William Low, Assistant Medial Director, FRMC
Replacing Dr. Woodburn – Term Expired March, 2003

Tom Dunning, Executive Director, FRMC
Replacing Ann Barnhart – Term Expired March, 2003

Scott Wheeler, Chief, Youngsville Rescue
Replacing Joseph Senter – Term Expires March, 2004

Jack Edgerton, Citizen-at-Large
Replacing Tex Finch – Term Expires April, 2004

Ms. Callihan also requested the Board to officially appoint Dr. Stephanie Brown as the EMS Medical Director and Dr. William Low as the Assistant Medical Director. This change is due to the new rules adopted by the State OEMS, which states it is the County's responsibility to appoint a medical director and assistant medical director. Ms. Callihan is requesting the Board consider compensating Dr. Brown \$12,000 annually for her services effective July 1, 2003.

Upon motion by Commissioner Gupton, seconded by Commissioner Stone, with all present voting "AYE", duly carried the approval of the presented appointments, appointment of Dr. Brown as the EMS Medical Director and Dr. Low as the Assistant Medical Director.

Upon motion by Commissioner Stone, seconded by Commissioner Gupton, with all present voting "AYE", duly carried the approval of compensating Dr. Brown \$12,000 annually for her services as EMS Medical Director effective July 1, 2003.

12. Parks and Recreation Advisory Board

Ralph Knott, Chairman of the Franklin County Parks and Recreation Advisory Board was present to update the Board on the fundraising effort for the track located at the Franklin County Park. Mr. Knott stated he was hoping the Franklin County Park will open in June, 2003. He stated the cost of the track project is approximately \$80,000. He stated the fundraiser had raised over \$80,000 to cover the costs of the 8-lane track. Commissioner Swanson thanked Mr. Knott for his effort.

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Upon a motion by Vice-Chairman Foy, seconded by Commissioner Swanson, with all present voting "AYE", duly carried the approval of amending the budget to show the money raised for the track at the Franklin County Park.

Chairman Ball called for a five-minute recess at 9:35 P.M.

Chairman Ball called the meeting back to order at 9:40 P.M. and proceeded with the proposed agenda.

13. Departmental Presentation – Tax Department

Jim Wrenn, Director of the Franklin County Tax Department, was present to give a presentation on the Franklin County Tax Department and its individual departments and their functions. Mr. Wrenn stated the revaluation should be finished visiting properties in the County by the end of August.

14. Resolution - Finance

The proposed Resolution is one of the final steps in securing the funds for the Waste Water Treatment Plant expansion. The Resolution approves the financing terms and associated

documents with Wachovia Bank, NA at a rate not to exceed 3.83%. County Attorney Darnell Batton stated Item 6 needs to be changed with the elimination of the 3rd sentence and amend the item to read "Upon the unavailability of the Chairman or Finance Officer, the County Manager may assume any responsibility or carry out any function assigned to the Chairman in this resolution".

Upon a motion by Chairman Ball, seconded by Commissioner Stone, with all present voting "AYE", duly carried the approval of amending Item 6 on the proposed Resolution.

Upon a motion by Vice-Chairman Foy, seconded by Commissioner Stone, will all present voting "Aye", duly carried the approval of the Resolution.

15. Budget Ordinance Amendment #9 and #10.

Budget Amendment #9 recognizes the receipt of additional revenue from DSS Reimbursements in the amount of \$28,186 to be expanded for emergency food and shelter and the CP&L Project Share; recognizes the receipt of \$13,500 from State DEA Funds to be spent on the Drug Enforcement program.

Budget Amendment #10 recognizes additional EMS Ambulance Fee Revenues to be allocated for part-time salaries in the amount of \$40,000. The need for additional part-time salary monies is due to unanticipated medical leave for full-time employees.

Upon a motion by Commissioner Swanson, seconded by Commissioner Gupton, with all present voting "AYE", duly carried the approval of Budget Ordinance Amendment #9 and #10.

16. Auditors Contract

This is the third year of the current audit engagement by the firm of Holden, Moss, Knott, Clark and Taylor. The firm has assisted the County in the CAFR as well as the final steps to meet the GASB 34 requirements on fixed assets. Finance Director Chuck Murray stated the cost is currently \$36,000 and the proposal is to increase the cost to \$37,000. Mr. Murray stated this is the third year of an existing three-year contract.

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Upon a motion by Commissioner Stone, seconded by Commissioner Gupton, with all present voting "AYE", duly carried the approval to award the contract and authorized staff to advertise for CPA services for next year.

17. Comments from the Public

No one from the public signed up to address the Board.

18. Board Committee Reports and Comments

Vice-Chairman Foy and Commissioner Swanson:

- No committee reports

Chairman Ball:

- Referenced an article in County Line on Home Rule

Commissioner Gupton:

- Attended KARTS meetings – reported they are obtaining budgeting, which shows very little increase
- Attended Kerr-Tar Regional Council of Governments Mini-Hub meeting

Commissioner Stone:

- Attended the Library Board meeting on the budget
- Attended the Mental Health Board meeting
- He and Chairman Ball represented Franklin County at the COG (Council of Government) meeting and the NCACC Legislative meeting

Chairman Stone made a motion, seconded by Commissioner Swanson, with all present voting “AYE”, duly carried the approval for the County Manager with the assistance from the County Attorney as needed to address the deteriorated and dilapidated former Epsom School. He requested the County Manager to report his findings to the Board no later than July 21, 2003.

Chairman Stone made a motion, seconded by Vice-Chairman Foy, with the following voting “AYE” – Vice-Chairman Foy, Chairman Ball, Commissioner Stone and the following voting “NAY” – Commissioner Swanson, Commissioner Gupton, duly carried the approval to abolish the position of Assistant County Manager effective July 1, 2003.

19. Manager’s Report

County Manager Richard Self reported the following to the Board:

- The annual Whistler’s Convention will be held April 22nd – 27th
- Vance Granville Community College has invited the Commissioners to attend a reception, which will be held prior to commencement services
- County is HIPPA compliant
- Presented the quarterly report from VGFW Area Mental Health
- Presented the year end report from the Ninth District Sentencing Services

20. Closed Session

Upon a motion by Commissioner Stone, seconded by Commissioner Swanson, with all present voting “AYE”, duly carried the Board went into Closed Session.

Upon motion by Commissioner Gupton, seconded by Vice-Chairman Foy, with all present voting “AYE”, duly carried the Board to break out of the Closed Session.

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Adjournment of Regular and Closed Session recorded at 10:45 P.M.

JOHN R. BALL, CHAIRMAN

RICHARD B. SELF, CLERK