

January 6, 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 Chairman Ball, seconded by Vice-Chairman Foy, with all present voting "AYE" duly carried the following Consent Agenda Items approved:

- A. Approval of minutes of Regular meeting held on December 2, 2002 and Special Called meeting held on December 13, 2002, with the following corrections to the draft minutes of the December 2nd meeting:

Correction to Item 1 – Election of Chair and Vice-Chair

Correct the voting results for the Chair to read "Voting "AYE" for nomination of Chairman Ball to serve as Chairman for the next year, Commissioner Foy, Chairman Ball, Commissioner Stone".

Correct the voting results for the Vice-Chairman to read "Voting "AYE" for the nomination of Commissioner Foy to serve as Vice-Chairman for the next year, Commissioner Foy, Chairman Ball, Commissioner Stone".

- B. Acceptance of Tax Collector's Report for November 15, 2002 through December 15, 2002.
- C. Approval of Releases and Refunds for November 15, 2002 through December 15, 2002.
- D. Budget Amendment #5:
- Recognize receipt of \$10,174 special appropriation for senior centers
 - \$4,700 State Asthma funds and contributions to be expended in the clinics
 - \$3,000 in State Public Health funds for general health expenditures
- A. Additions to the State Maintained Road System:
- Williamston Ridge Drive, Exbury Drive, Widegon Court, and Totten Court in Williamston Ridge Subdivision
 - Mark Street and Mike Court in Allen Acres Subdivision

1. Presentation of Annual Health Report

Ms. Sandra Wood, Interim Health Director, was present to update the Board on the State-of-the-County's Health Report. She stated that the report is part of the Consolidated Agreement with North Carolina Department of Health and Human Services (DHHS) and local health departments. The purpose of the report is to relate current information on the health status of the county. For several years, local health departments along with their collaborative partners were recommended to develop a community assessment every two years for their county however, the

DHHS has changed the recommendation for counties to develop a community assessment every four years which is scheduled to be completed by December 2003. During the three interim years, local health departments are encouraged to develop a State-of-the-County's Health Report that would serve as a yearly update of health concerns and the actions taken to address them.

Ms. Wood stated that the report would give public health more visibility in the community, serve as a resource for community groups, civic organizations and churches to develop strategic goals and objectives to make their community healthier. The report could also be used to educate and inform community members, community leaders, agencies, organizations and others about past
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year's progress on certain health issues, enlighten and influence the development of policies that affect the health of the community, guide the production of budgets of health programs being planned, and recruit interested community members to participate in future activities.

Ms. Wood reported that the information included in the report gives a review of major morbidity and mortality data for the county, a review of the health concerns selected as priorities, the progress made in the last year on these priorities, and a review of any changes in the data that guided the selection of these priorities. Also included are changes in the county that affect health concerns, such as, economic and/or political changes, new funds or grants available to address health problems. The report includes new emerging issues that affect health status, and the ways community members can get involved with ongoing efforts.

Ms. Wood stated that Franklin County Health Department strives to meet the health needs of the county by providing primary and preventative health services. Their ongoing public health services include child health, dental health, WIC (Women, Infant, Children), adult health, family planning, communicable disease control, immunization, sexually transmitted diseases control, health education/health promotion, home health, and animal control. The department has started developing interventions and activities that specifically address these issues.

Ms. Wood reported that through policy and environmental changes in schools, work sites and communities, the health department has worked to increase public awareness regarding good nutritional habits and the importance of increasing physical activities. Proper nutrition and physical activity are essential in reducing the risk of developing heart disease, cancer, and stroke. Many do not get the nutrition needed due to poor dietary habits, or get the physical activity needed because of inadequate resources. Ms. Wood also reported that the health department and its partners are currently promoting "5 A Day" program to eat more fruits and vegetables and walking routes at schools to increase physical activity in the community.

Ms. Wood stated that the Healthy Carolinians for Franklin County partnership, which began in 2001 under the leadership of Franklin County Health Department, is a process developed by the state to empower local citizens to determine the health and safety priorities for their communities. The membership is made of a diverse

group of key representative of local public and private health care providers, schools, businesses, religious groups, county and local governments, childcare providers and special interest organizations. Their mission is to improve health status and prevent premature death and injury for residents of the county regardless of age, income, or educational level through a collaborative effort. The partnership has identified three community concerns: childhood asthma, breast health, and heart health. Their initiatives consist of collaboration with the following projects: Franklin County Asthma Coalition, Franklin County Healthy and Physical Fitness Council, and "Circle of Caring Project". Each group meets on an individual bases to improve the health quality of life enjoyed by all Franklin County residents. Other initiatives implemented in 2002 are a countywide health fair, asthma education in schools, development of walking routes for physical activity in schools, car seat safety, bike safety education, Circle of Caring Lay health advisors training on breast health, and changed school policy offering 1% and 2% low-fat milk for all Franklin County schools.

Commissioner Gupton asked Ms. Wood about Franklin County being the highest in the state for heart disease and cancer. Ms. Wood stated that these were the leading causes of death among Franklin County residents.

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Chairman Ball asked Ms. Wood about the partnerships and what the Health and Physical Fitness Council contributes. Ms. Wood stated they help promote nutrition in schools and work to encourage citizens to support, promote, and participate in healthy lifestyle choices for healthy eating and physical activity. Chairman Ball also asked Ms. Wood if she and her staff met with the three groups to determine what each does. Ms. Wood responded yes, they decided on which areas to focus on with limited funds and limited staff and still be able to get information to Franklin County residents. Chairman Ball if there are others involved. Ms. Wood stated yes, the schools. They can pull more people in and get more accomplished. Chairman Ball asked Ms. Wood if she served as the coordinator. She replied yes.

Commissioner Stone inquired about the summary on causes of death reported in 1999 through 2000, was this a completed count. Ms. Wood responded that it was a two-year count. Commissioner Stone asked what is the Health Department doing about working with teen pregnancies. Ms. Wood responded that the Health Department has some funds available but the schools limit what the Health Department can teach. Commissioner Stone asked Ms. Wood if she collected data on teen pregnancy. Ms. Wood responded yes. Commissioner Stone asked if it was an increasing problem. Ms. Wood responded that teen pregnancy was increasing in the white population and decreasing in the black population except for ages 15 to 19, there is an increase in the black population.

Chairman Ball asked Ms. Wood if Aids was a significant problem in Franklin County. Ms. Wood responded no. Chairman Ball asked what is the estimated number of Aids cases reported. Ms. Wood responded three. Chairman Ball asked Ms. Wood what was the relation of deaths to births in Franklin County. Ms. Wood

responded that she would have to check into. Chairman Ball stated that according to the weekly report from Linda Stone, Register of Deeds, the number of deaths exceeds births.

2. Public Health Early Intervention – Infant/Toddler Program

Chairman Ball reported that the counties of Vance, Granville, Franklin, and Warren were recently reviewed in the North Carolina Infant/Toddler Program. Franklin County received a score of 99%. In addition to being of tremendous benefits to the citizens of Franklin County, this was the highest score of the four counties. Chairman Ball recognized Ms. Sandra Wood to receive the Certificate of Merit. Ms. Wood recognized Ms. Tina Green and Ms. Masa Reaves. Ms. Wood stated that it was a team effort to reach 99% compliance and she was very proud of the hard work involved in developing a plan and reaching goals. Chairman Ball along with Vice-Chairman Harry Foy, Jr., who is the Health Board Chairman, presented the Certificate of Achievement to Ms. Wood, Ms. Green, and Ms. Reaves.

3. Solid Waste Transfer Station

Chairman Ball stated that John Faulkner, Franklin County Landfill Director, and representatives from Municipal Engineering Services, PA were present to address the request for award of engineering bids on the Solid Waste Transfer Station. He stated the County has outgrown the existing transfer station as shown by the nearly doubling of solid waste handled by the site since the existing transfer station was constructed. The County has been working toward compliance with the transfer station for several years. The budget for this project includes engineering, site preparation, utilities, paving, fencing, as well as the building itself. Under NC General Statute 143-64.31 (Declaration of Public Policy), engineering services must be bid based on qualifications and price cannot be considered. The statutes do allow for a "design/build" under NC General Statute 143-128.1 (Construction Management at Risk Contracts), however, this statute still requires that an engineering firm be employed under NC GS 143-64.31. There are exceptions to this, a request presented to the state explaining why the local government should be exempt from state law, or special

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local legislation. Counties can pass legislation on a case by case basis to request that a specific project be bid by engineers on a cost basis if circumstances warrant such action.

Chairman Ball stated that competitive bids were received from Municipal Engineering, Joyce Engineering (\$750,000 - \$1,000,000) and Withers and Ravenel (\$1,429,450).

Chairman Ball reported that a facility very similar to the design the county is looking at in Franklin County is in Iredell County and was constructed in 1996 for a cost of \$992,636 plus engineering fees of \$115,685. It allows for (1) expansion, (2) more than one truck can discharge its load at the same time, and (3) it separates small vehicles from the large trucks for safety. Facilities are included for the staff to clean up which meets OSHA standards, including bloodborne pathogens. The County's current facility has several potential uses including tires, recycling, etc.

Chairman Ball reported the existing permit on the transfer station, which was completed in 1994, was for five years. The state is putting attention on the existing facilities to enforce compliance. Current penalties for non-compliance are in the range of up to \$5,000 per day and the state can force the closure of the site. The backup data presented to the Board contains the areas in which we are out of compliance.

Chairman Ball recognized Mr. Faulkner. Mr. Faulkner thanked the Board for the opportunity to return before the Board to address this request. He stated that the current transfer station dumping area is too small (50 feet by 50 feet). The yearly tonnage has grown from 28,000 tons to 50,000 tons per year in ten years. He stated that the transfer station would receive 20-30 tons per hour depending on what day of the week it is. The old transfer station will assume a new use. It can be used for handling and loading tires. The station collected 650 tons of used tires last year. The cost to process this amount is \$48,100, which could be reduced by top loading tires at the transfer station instead of paying Central Carolina Tire for loading them from a pile on the ground. There are tire funds that can be used to make improvements if needed. Mr. Faulkner stated other uses for the transfer station include using it as a recycled material processing area, or using it to handle metals, plastics or aluminum. There are potential grant funds that can be used for recycled projects.

Mr. Faulkner stated that the State of North Carolina Solid Waste Section is encouraging Franklin County to build a new transfer station. He stated Franklin County would be issued a temporary permit (12 months) until a new station is built. The inspection reports state various problems that need to be considered. Mr. Faulkner presented the Board with a copy of the inspection reports, a copy of the current Solid Waste Transfer Station Operation Permit, and the permitting requirements for Solid Waste Transfer Stations in North Carolina (a copy of each is on file in the County Clerk's office).

Mr. Faulkner also presented the Board with a copy of the General Statutes explaining the process for selecting an engineer. The General Statutes also discusses the idea of design build or construction at risk. Information provided by the Institute of Government was also presented to the Board. It discusses bidding procedures, construction options and engineer selection (a copy of the General Statutes and the information from the Institute of Government are on file in the County Clerk's office).

Mr. Faulkner reported that Franklin County needs a facility with a large enough floor space to keep the daily solid waste contained. He stated that a fully covered and enclosed facility was needed to help control and manage the litter problem. He stated wind blown material is really bad at the current site. He

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stated the new solid waste transfer station would again last at least ten years and probably 20 years more. The new area designated for the transfer station allows growth. The current area has no area to grow. He stated the new transfer station in time could be used for a recycling facility if Franklin County decides to build a new landfill.

Mr. Faulkner provided each Commissioner a handout of information from each of the three engineering proposals he received. The information provides hourly rates, experience, and estimated cost for the construction of the proposed transfer station. He stated is choose Municipal Engineering based on their experience and references.

Mr. Wyatt McGhee, Solid Waste Task Force member, was present and spoke to the Board regarding a site visit to the Solid Waste facility in Iredell County that Municipal Engineering designed. He stated it was on the outskirts of Statesville and is a very clean, first class facility. He gave credit to the engineering firm stating you get what you pay for. He stated Municipal Engineering has designed a lot of these transfer stations and there are redundancies in them. They have incoming lanes, drop off locations, a commercial area and a municipal area. Mr. McGhee stated such things as the floor surface will not hold up over the years and that's why a special floor is needed. He stated that the Iredell County site had re-cycling built into the facility. He stated that we need to save the landfills for things that need to go to a landfill.

Mr. Faulkner introduced Mr. Wayne Sullivan of Municipal Engineering. Mr. Sullivan stated that the Iredell County facility design allowed for commercial haulers, cars and pick-ups. He stated there were 1,200 vehicles a day at this facility. He shared several photos of transfer stations Municipal Engineering has designed. He stated that most of the proposed work for a new transfer station would be the site design. The engineer decides how best to build on a site. Municipal Engineering will be responsible for permits (construction and operation), erosion control, construction bid documents (advertising, taking bids and evaluating bids). They would also be responsible for general construction observation, oversee pay request and approve final payment. Mr. Sullivan stated that during the preliminary design an hourly rate could be decided.

Chairman Ball asked Mr. Faulkner where on the existing property the new transfer station would be built. Mr. Faulkner responded it would be built on the 40 acres recently purchased.

Commissioner Stone asked Mr. Sullivan if his fees were scaled by the Society of Professional Engineers as architect's fees were by the American Institute of Architects. Mr. Sullivan responded yes. Commissioner Stone asked Mr. Sullivan how many change orders they had on previous jobs. Mr. Sullivan responded less than 5% on a 4 million-dollar project. He stated they try to make sure not to have to have change orders. Commissioner Stone asked Mr. Sullivan why Franklin County's construction costs for the facility was \$850,000 verses another county's facility costing \$1.4 million. Mr. Sullivan stated the Franklin County cost was for the building only and the other was for the building plus the site. He also stated that the building cost would be reduced some from the estimate. Commissioner Stone asked Mr. Sullivan if the bids received would be what they asked for. Mr. Sullivan responded yes, the pre-bidder would oversee the bids, evaluate, and come back before the Board with their recommendation.

Commissioner Swanson asked if in the bid process would the actual cost to the

County be more accurate than the estimated construction cost. Mr. Sullivan responded yes.

Vice-Chairman Foy asked if the project would be inspected by Franklin County inspectors. Mr. Sullivan responded yes.

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County Attorney Darnell Batton stated \$60,000 was the not to exceed amount for construction observation and construction administration. He asked who decides on how much is spent of the \$60,000. Mr. Faulkner responded that he and the County Manager would decide. The engineer would not be on site the entire construction time.

Commissioner Stone asked if Municipal Engineering would sign off on various construction phases. Mr. Sullivan responded yes, it has to be signed off before you could go to the next phase of construction.

Vice-Chairman Foy commented on the building plans. He stated that Municipal Engineering had a two-week turnaround but Franklin County inspectors have their own rules. Mr. Sullivan stated that the general plans are submitted to the Department of Insurance.

Commissioner Stone asked if Municipal Engineering conducts the inspection process. Mr. Sullivan responded yes.

Commissioner Swanson asked who negotiates the \$60,000 not-to-exceed spending. Mr. Sullivan responded this figure is based on an hourly rate. Mr. Faulkner responded also, stating the not-to-exceed cost would be managed by him, the engineer and the County Manager. Chairman Ball stated that real time needs will determine the use of the \$60,000 not-to-exceed spending.

Commissioner Gupton stated to Mr. Faulkner in regards to space for debris being loaded, he recommends the space be a covered space to prevent wind blown debris.

Mr. Faulkner reported to the Board that there would be an opportunity in the bidding process for local contractors.

Upon motion by Chairman Ball, seconded by Commissioner Swanson, with all present voting "AYE", duly carried awarding the engineering contract to the Firm of Municipal Engineering Services Company, PA in an amount not to exceed \$92,000 for design, etc. and \$60,000 for construction oversight.

4. Storm Debris Budget Amendment

Chairman Ball reported to the Board that the grinding of the storm debris is anticipated to cost approximately \$300,000. Since Franklin County has been designated by the Federal Government as eligible to receive disaster assistance, 75% will be reimbursed by the Federal Government. In all previous disaster declarations, the State has paid the 25% match. The County is proceeding under the assumption that the state will reimburse this amount to the County. The

grinding operation is going smoothly. The County was very fortunate to have the grinder on site when the storm struck. The mulch is being disposed of as quickly as possible due to limited space availability.

Mr. Charles Murray, Franklin County Finance Director, was present to discuss the Budget Amendment. He stated that it has been estimated that the clean up may cost anywhere from \$200,000 to \$400,000. There is a lot of debris and having this amendment allows us to make payments for debris clean up.

Commissioner Gupton asked John Faulkner how much the debris grinding service was costing a day. Mr. Faulkner responded for a ten to twelve hour day cost is at \$400.00 per hour.

Vice-Chairman Foy asked Mr. Faulkner what are they doing with the mulch. Mr. Faulkner responded it is being used for fuel at a paper plant. Vice-Chairman Foy asked if they were grinding 1,300 tons originally and Mr. Faulkner responded yes, that was before the ice storm. The grinding machine automatically shows
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the time used. He stated the sheriff department has handled traffic at the Landfill.

Commissioner Stone asked if 75% reimbursement is expected from FEMA and 25% reimbursement is expected from the State than there will be no cost to the County. Mr. Murray responded, yes, this is correct.

Vice-Chairman Foy asked Mr. Murray when would the County know if the State would reimburse the 25%. Mr. Murray responded hopefully soon.

Upon motion by Chairman Ball, seconded by Commissioner Stone, with all present voting "AYE", duly carried the approval of Budget Amendment #6.

At this time, Mr. John Faulkner responded to a concern that Commissioner Swanson commented on at the December 2, 2002 Board of Commissioner's meeting in reference to the Edward Best Convenience Center site. Commissioner Swanson had stated that he had received complaints from people who had been turned away because the containers were full. He had asked why couldn't the containers be hauled away and empty ones available during the day. Mr. Faulkner reported to Commissioner Swanson that an effort has been made to increase site pick up of the containers and provide additional empty containers, and complaints have decreased.

5. Comments from the Public

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

6. Board Committee Reports and Comments

Chairman Ball reminded the Board of the upcoming NCACC Legislative Goals Conference. He stated that Medicaid and the Retirement System resources would be included in the agenda.

Chairman Ball reported that the north side of Wake Forest has annexed into

Franklin County and future annexations were possible.

Chairman Ball reported that the County had received a letter from Boyce and Isley regarding the County's participation in suing the State for County money they withheld. County Manager Richard Self stated the NCACC suggested not participating in the lawsuit.

Commissioner Stone asked if the Board had any thing they wanted discussed at the Legislative Goals Conference. Commissioner Swanson stated that the NCACC will have the agenda set and Commissioner Stone was voting on behalf of the Franklin County Board of Commissioners.

Commissioner Stone also reported an incident of roaming unidentified dogs in Franklin County and requested that the County Manager draft an ordinance requiring all animals must have proper identification and proof of the rabies vaccination. Ms. Sandra Wood, Interim Health Director, was present and stated that the State has laws in place for rabies. Chairman Ball asked County Manager Self and his staff to look into Commissioner Stone's request.

7. Manager's Report

County Manager Self reported to the Board that the N.C. Department of Transportation debris removal is going slowly and so far appears to be concentrated along the Wake/Franklin County line. He stated he would be communicating with DOT to advocate for a faster schedule. He stated a temporary storage facility for debris was a possible solution. The State would be responsible for grinding. He asked the Board to consider approving the request for a temporary storage facility.

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Upon motion by Commissioner Swanson, seconded by Vice-Chairman Foy, with all present voting "AYE", duly carried the approval of a temporary storage facility for storm debris.

Mr. John Faulkner stated that the State would oversee the site to make sure everything is okay.

Mr. Self reported to the Board that a possible meeting date for a joint meeting with the Board of Education to discuss the capital needs of the School system is planned for January 21, 2003 at 5:30 p.m.

Mr. Self informed the Board that the upcoming Chamber of Commerce Annual Banquet conflicts with the Board Retreat on January 24th. He asked what was the Board's pleasure? They responded that a full day on Saturday, January 25th beginning at 7:30 a.m. until they finish would be sufficient.

Mr. Self also reported to the Board that Wake Forest is a new water customer. Commissioner Swanson asked what is the amount of water they are buying. Mr. Self responded that we were selling water only to those residents living in Franklin

County. Vice-Chairman Foy asked if they were also buying from Wake County. Mr. Self responded yes, for those residents who are living in Wake County.

There being no further business to come before the Board, motion was made by Commissioner Stone to adjourn, seconded by Vice-Chairman Foy, with all present voting "AYE". Adjournment recorded at 9:45 P.M.

JOHN R. BALL, CHAIRMAN RICHARD B. SELF, CLERK