

**April 19, 2004**

The Board of Commissioners of Franklin County, North Carolina, met in Regular Session at 7:00 P.M. in the Commissioner's Meeting Room located in the County Administration Building with the following Commissioners present: Chairman Raymond A. Stone, Vice-Chairman Harry L. Foy, Jr., Commissioners Jimmy R. Gupton, Robert L. Swanson, and John R. Ball.

Chairman Stone recognized the Youth Leadership Group in attendance from Franklinton High School and those in attendance from the Adult Leadership Group. Ms. Penny Young of the Franklin County Chamber of Commerce and Director of the Adult Leadership Group introduced Ms. Janice Dunham, the new Executive Director of the Chamber and Ms. Karen Wilson, Co-Director of the Adult Leadership Group.

### **Addition to the Agenda - 18-A. Public Utility Easement – Town of Louisburg**

Upon motion by Commissioner Ball, seconded by Commissioner Gupton, with all present voting "AYE", duly carried to accept the addition to the agenda.

#### **1. Consent Agenda**

Upon motion by Commissioner Swanson, seconded by Commissioner Gupton, with all present voting "AYE", duly carried approval of the following consent agenda items:

- A. Approval of minutes of Regular meeting held on March 15, 2004.
- B. Approval of Tax Collection Report for the period March 1 through March 31, 2004.
- C. Approval of Tax Releases and Refunds for the period March 1 through March 31, 2004.
- D. Petitions for Road Addition to the State Maintained Road System:
  1. Traylee Drive located in Traylee Subdivision, Phase 2, Youngsville

Township. Located at the intersection of Holden Road (State Road 1147) and Jackson Road (State Road 1137). There are a total of 2 occupied homes having street frontage. The application meets State requirements. (The Board approved a petition for Phase 1 at the March 3, 2003 meeting.)

2. Timberland Drive and Lumber Jack Drive located in Timberlands

Subdivision, Section II, Youngsville Township. Located approximately one mile south of the intersection of State Road 1108 and State Road 1103. There are a

total of 42 occupied homes having street frontage. The application meets State requirement.

## 2. Public Hearings

### A. Text Amendment

Proper notice having been given and the Board having received the information, a public hearing was held to receive comments on a proposed Text Amendment to amend Article 17 of the Unified Development Ordinance, Signs, Section 17-4 (K) Political Signs.

The Planning Board unanimously recommended approval of the proposed text amendment. The Board of Elections has asked that the Planning Board and Board of Commissioners revise the political sign ordinance Article 17-4 (K) to more closely follow the election schedule. Under the current ordinance, if the election resulted in a tie and the results were not certified within a 48-hour period, then there could be a situation in which the candidates would have to remove and then repost the signs for the run-off. The Planning Board feels that the revision proposed by the Board of Elections meets the intent of the ordinance and corrects future potential problems.

The ordinance presented to the Board was stated as follows:

#### Article 17, Section 17-4: (K) Political Signs

(K) *Political Signs*. Political signs shall not be illuminated, shall not be located within a public street right-of-way or located closer than 10 feet to the edge of street pavement or within a required sight triangle, shall not be attached to trees or utility poles, and shall be no taller than four feet. Political signs may be displayed during a period beginning 45 days prior to an election and concluding 48 hours after certification of the election by the Board of Elections. In the event of a runoff election, political signs for the candidates involved may remain on display until 48 hours after the runoff election. All portable and roof-mounted signs for political advertisement are prohibited. All signs that violate the above provisions and/or political signs that remain more than 48 hours after the election shall be removed for disposal by the county. Maximum size is 32 square feet.

Chairman Stone moved to amend the Text Amendment as follows. Commissioner Swanson seconded. **(changes are shown in highlighted bold print)**

(K) *Political Signs*. Political signs **(add) staked in the ground** shall not be illuminated, shall not be located within a public street right-of-way or located closer than 10 feet to the edge of street pavement or within a required sight triangle, shall not be attached to trees or utility poles, and shall be no taller than four feet. Political signs may be displayed during a period beginning 45 days prior to an election and concluding 48 hours after certification of the election by the Board of Elections. In the event of a runoff election, political signs for the candidates involved may remain on display until 48 hours after **(remove "the runoff election" and add) certification of the election by the Board of Elections**. All **(remove "portable and")** roof-mounted signs for political advertisement are prohibited. All **(add) political** signs in violation of the above provisions **(remove**

**"and/or political signs that remain more than 48 hours after the election")** shall be removed for disposal by the county. Maximum size is 32 square feet.

Chairman Stone declared the public hearing open.

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

Upon motion by Chairman Stone, seconded by Commissioner Swanson, with all present voting "AYE", duly carried approval of the Text Amendment as amended.

#### B. Rural Operating Assistance Program (ROAP)

Proper notice having been given and the Board having received the information, a public hearing was held to receive comments on the proposed Rural Operating Assistance Program (ROAP) Application for the period July 1, 2004 through June 30, 2005.

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. The amount allocated for EDTAP is \$47,071. 2) Work First/Employment Program is intended to provide operating assistance for transitional Work First and general public employment transportation needs. The amount allocated for the Work First/Employment Program is \$6,216. 3) Rural General Public (RGP) funds are intended to provide transportation service to individuals who are not human service agency clients. The amount allocated for RGP is \$32,216.

Chairman Stone declared the public hearing open.

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

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

### 3. Comments from the Public

Rosemary Champion, 1168 White Level Road, Louisburg, NC

- stated she was disappointed the Board supported Durham County on impact fees; stated new homes being built generate new jobs and development pays for itself

Ralph Knott, 310 Edward Lane, Louisburg, NC

- stated he was glad to see the Commissioners coming together as a Board and working together
- spoke about recreation and where the County has come from and where it is going in relation to recreation; stated recreation is critical to our youth and he has been dedicated to recreation for the past 25 years; provided a handout to the Board giving the history of

the recreation program in Franklin County

#### **4. Recognition of Employee of the Quarter**

The Board recognized and congratulated Mr. Gordon Layton, Public Utilities Department, as the Employee of the Quarter for the Quarter ending March, 2004. Mr. Layton has been employed with the County since October, 2001 and selected for this recognition by a committee of his peers. Chairman Stone presented Mr. Layton with a certificate and a savings bond.

#### **5. Economic Development Commission "Logo Contest"**

In planning for activities for "County Government Week", April 18-24, 2004, Franklin County Middle Schools participated in a "Logo Contest". Students were asked to design a logo that would reflect our changing County. The three winning logos will be incorporated and used on the Franklin County Economic Development Commission's letterhead, brochures and Internet information.

Mr. Ronnie Goswick, Economic Development Director, was in attendance to recognize the winners.

Nick Bell from Bunn Middle School was the 1<sup>st</sup> place winner and received a \$100 savings bond.

Bianca Bullock from Terrell Lane Middle School was the 2<sup>nd</sup> place winner and received a \$50 savings bond.

Ben Costolo from Bunn Middle School was the 3<sup>rd</sup> place winner and received a \$25 savings bond.

The Board congratulated the winners and thanked them for participating in the contest.

#### **6. Proclamation – Administrative Professionals Week 2004**

Administrative Professionals Week, formerly known as National Secretaries Week, was designated in 1952 to recognize the contributions of secretaries and other office support staff in business and government. Administrative Professionals Week is sponsored by the International Association of Administrative Professionals and is celebrated worldwide.

Governor Michael Easley proclaimed the week of April 19-23, 2004, as "**Administrative Professionals Week**" in North Carolina.

**ADMINISTRATIVE PROFESSIONALS WEEK**

2004

## A PROCLAMATION

**WHEREAS**, administrative professionals, including secretaries, administrative assistants, office managers and other administrative support staff, represent one of the largest segments of the world's workforce; and

**WHEREAS**, administrative professionals are those who master technology, effectively utilize their interpersonal and communication skills, manage projects and organize the office, apply their creativity to solve problems, and most importantly, have the willingness to learn and accept new challenges; and

**WHEREAS**, administrative professionals are vital contributors in today's team-oriented work environment and are key front-line public relations ambassadors for their organizations; and

**WHEREAS**, companies and organizations that invest in training and development and make a commitment toward delegating responsibilities that better utilize the skills of their administrative employees will have the best opportunity to excel in the 21st century and beyond; and

**WHEREAS**, Administrative Professionals Week, formerly known as National Secretaries Week, was designated in 1952 to recognize the contributions of secretaries and other office support staff in business and government, and to attract people to secretarial careers; and

**WHEREAS**, Administrative Professionals Week is sponsored by the International Association of Administrative Professionals and is celebrated worldwide, bringing together millions of people for various community events, educational seminars, and individual corporate activities;

**NOW, THEREFORE**, the Franklin County Board of Commissioners does hereby proclaim the week of April 19-23, 2004, as "**ADMINISTRATIVE PROFESSIONALS WEEK**" in Franklin County, saluting the valuable contributions of administrative professionals in the workplace.

Proclaimed this 19<sup>th</sup> day of April, 2004.

## 7. Proclamation – "National Week of Uninsured"

From May 10-16, 2004, "**Cover the Uninsured Week**" will feature events from coast to coast so that Americans can learn more about this urgent problem – important facts, like eight out of ten people who are uninsured either work or are in working families, or how minor illnesses become major because health care is delayed, and how one significant medical expense can wipe out a family's bank account.

Dr. Phillip Stover, M.D., Chairman, Franklin County Volunteers in Medicine Clinic, and Ms. Beverly Kegley, Vice-Chairman, were in attendance to present the Proclamation.

## **COVER THE UNINSURED WEEK**

**MAY 10-16, 2004**

### **PROCLAMATION**

**WHEREAS**, nearly 44 million Americans, equal to the combined population of 24 states, do not have health care coverage;

**WHEREAS**, eight out of ten people who are uninsured are in working families;

**WHEREAS**, there are 8.5 million children in America without health coverage;

**WHEREAS**, uninsured Americans live sicker and die younger than those who are covered, and suffer needlessly because they go without the health care they need;

**WHEREAS**, with health care costs climbing rapidly, employers and working families in our community are finding it harder to afford coverage;

**THEREFORE**, we recognize the urgency of seeking solutions to one of America's greatest problems, and hereby declare May 10–16, 2004, "**COVER THE UNINSURED WEEK**" in Franklin County, North Carolina.

Proclaimed this 19<sup>th</sup> day of April, 2004.

Upon motion by Vice-Chairman Foy, seconded by Commissioner Swanson, with all present voting "AYE", duly carried to proclaim April 19-23, 2004, as "**ADMINISTRATIVE PROFESSIONALS WEEK**" and May 10–16, 2004, "**COVER THE UNINSURED WEEK**" in Franklin County.

### **8. Resolution – Vance-Granville-Franklin-Warren Area Authority**

The VGFW Area Authority Board has requested the Board of Commissioners in each of the four counties to consider a resolution that will allow VGFW Area Authority to pursue a personnel system that is substantially equivalent to the State Personnel System. The areas in which VGFW would like to pursue substantial equivalency include 1) recruitment, selection, and advancement, and 2) classification and compensation.

Chairman Stone stated the area authorities operate under the State Personnel Act and this resolution will enable them not to have to go to State Personnel to post job vacancies and this will simplify their employment system.

Commissioner Ball asked if this was the only effect the change will have. He stated it was possible to make this change in 1991 and asked why has it taken so long. He asked if it would affect direct professionals.

Chairman Stone replied it would affect directors and clerical staff.

Commissioner Ball asked if it was a mechanism to protect staff.

Chairman Stone replied the change would help in the delivery of service.

Commissioner Ball expressed his reservation about the resolution.

Chairman Stone stated he would get more information and bring it back before the Board at the next work session for discussion.

Upon motion by Commissioner Ball, seconded by Stone, with all present voting "AYE", duly carried that this item would be displaced until further inquiry and placed back on the agenda for the regular meeting in May.

## **9. Progress Energy**

Ms. Martha Thompson was in attendance to update the Board on Progress Energy activities and plans affecting Franklin County. Ms. Thompson stated Progress Energy is a strong partner with Franklin County and looks forward to continuing working with the County.

## **10. Register of Deeds Backfile Conversion Project**

In November, 2003, the Register of Deeds office installed an upgraded indexing system, Resolution, which allows it to scan documents as they are recorded. Cott Systems, Inc., the vendor who installed the system, is willing to come on site and scan documents that date back to January, 1979 to match the index now on the Internet. The images are needed to go with the index.

There are approximately 548,100 images to be scanned at a cost of \$0.12 per image. The project also provides additional disc space. The total cost to the County is \$72,000.

Funding for this project has been identified in the current budget (Capital Improvement) and no additional fund balance appropriation is required.

Commissioner Gupton asked if it would be less costly for someone in the Register of Deeds office to scan the documents. Ms. Linda Stone, Register of Deeds, stated she does not have the staff required for this project.

Commissioner Ball asked if once the documents were scanned would the staff be able to maintain the indexing and if it would be updated daily. Ms. Stone responded yes.

Upon motion by Commissioner Swanson, seconded by Commissioner Gupton, with all present voting "AYE", duly carried approval of the project and approval of the necessary budget

amendment.

## **11. Presentation – Franklin-Granville-Vance Partnership for Children**

Mr. Garry Daeke, Development Coordinator, Franklin-Granville-Vance Partnership for Children, was in attendance to present information to the Board on programs that the partnership funds in Franklin County. Mr. Daeke also asked the Board to consider funding assistance from the County in Fiscal Year 2005 to purchase educational packages for the Parents As Teachers (PAT) program. These packages offer English/Spanish literature and tapes for Hispanic families with preschool children that are yet to be served by PAT. The Franklin County schools ESL Outreach program has identified these families and works in coordination with PAT. The request is for 200 packets at \$10 each for a total of \$2,000.

No action was required at this time. The funding request will be considered in the Fiscal Year 2004-2005 Budget.

## **12. FY 2003 Community Development Block Grant (CDBG) – Concentrated Needs (CN) Program**

Mr. Patrick Young, Holland Planning Consultants, was in attendance to present recommendations associated with CDBG-CN program in the Pilot community.

### **A. Housing Rehabilitation Services**

On January 28, 2004, the County's contract consultants, Holland Consulting Planners, Inc., directly solicited bids for housing rehabilitation services from six (6) qualified, experienced housing rehabilitation contractors through instructions to bidders for housing rehabilitation services. A notice advertising housing rehabilitation services was also posted in the Wednesday, February 4, 2004 edition of The Franklin Times.

The purpose of this solicitation was to obtain bids for the rehabilitation of three homes eligible for rehabilitation under the County's FY03 CDBG-CN program in the Pilot community, as follows:

1. Josephine Carpenter, 20 Parks Way
2. Pennie Pridgen, 5116 Old U.S. Highway 64
3. Alonzo and Martha Hartsfield, 37 Parks Way

A contractor's meeting for interested bidders was held on February 12, 2004 and attracted fifteen interested contractors. Bids were opened on February 26, 2004 and a total of six (6) bids were received for each house.

Bids were received from the following firms:



1. J.&J. Repairs, Erwin, NC
2. Dudley Construction, Inc., Tarboro, NC
3. Johnston-Lee-Harnett Community Action, Smithfield, NC
4. Richard Snyder, Jr., Franklinton, NC
5. Jones Plumbing and Home Improvement, Whitakers, NC
6. Derrick M. Bennett Construction, Louisburg, NC

All bidders submitted the required bid documents. The lowest responsible bidder for each unit is as follows:

Unit Number RE01 (Josephine Carpenter) - J.&J. Repairs - \$22,960

Unit Number RE02 (Pennie Pridgen) – Johnston-Lee-Harnett Community Action - \$25,317

Unit Number RE03 (Alonzo and Martha Hartsfield) – Jones Plumbing and Home Improvement - \$27,440

Each of the above contractors is willing and able to start the required work within the month. Therefore HCP has recommended, and I have concurred, in awarding the rehabilitation contract to the low bidders as described above.

All CDBG-CN costs will be paid from the CDBG-CN grant, at no cost to the County. The selected rehabilitation services firm will be supervised by HCP as part of their duties in administering the CDBG-CN for the County.

In referring to the bid tabulation form, Vice-Chair Foy inquired as to why J.&J. Repairs was recommended as the lowest bidder when J.L.H. Community Action submitted a lower bid of \$21,186 for the rehabilitation of Josephine Carpenter's property. Mr. Young stated J.L.H. withdrew its bid.

Upon motion by Commissioner Ball, seconded by Chairman Stone, with all present voting "AYE", duly carried approval of the contracts and authorized the Interim County Manager and Chairman to execute the housing rehabilitation services contract with the firms listed.

#### A. Demolition Services

On February 19, 2004, the County's contract consultants, Holland Consulting Planners, Inc., directly solicited bids for demolition services from nine (9) qualified, experienced demolition contractors through instructions for demolition services.

The purpose of this solicitation was to obtain bids for the demolition of up to ten (10) houses under the County's FY03 CDBG-CN program in the Pilot community, as follows:

1. Cheryl Cooke, 7 Parks Way
2. Shelton and Tonya Parks, 21 Bridges Way

3. Debbie Phillips (Masker), 30 Bridges Way
4. Alene Smith, 5153 Old U.S. Hwy. 64
5. Alene Smith, 5155 Old U.S. Hwy. 64
6. Joe Smith, 6 Parks Way
7. Frederick Owens, 5073 Old U.S. Hwy. 64
8. Julia Milligan, 5112 Old U.S. Hwy. 64
9. Henry and Shirley Conyers, 5120 Old U.S. Hwy. 64
10. Pilot Missionary Baptist Church, 4900 Avon Brantley Road

Some of these units (i.e.: owner-occupied units) will be replaced, others will simply be demolished and the lots cleared of the dilapidated, vacated properties that now exist.

Bids were received and opened on March 4, 2004 and a total of three (3) bids were received for each house.

Bids were received from the following firms:

1. D.L. Restoration, LLC, Raleigh, NC
2. Faulkner Grading and Landscaping, Inc., Henderson, NC
3. Terry A. Parker Grading, Clearing and Hauling, Four Oaks, NC

All bidders submitted the required bid documents. The lowest responsible bidder for each unit is as follows:

Units Number D01, D02, D07, and D08 – D.L. Restoration, LLC, - \$19,070

Units Number D03, D04, D05, D06, D09, and D10 - Terry A. Parker Grading, Clearing and Hauling - \$18,376

Each of the above contractors is willing and able to start the required work within the month. Therefore HCP recommends awarding the rehabilitation contract to the lowest responsible bidders as stated above.

All CDBG-CN costs will be paid from the CDBG-CN grant, at no cost to the County. The selected demolition services firm will be supervised by HCP as part of their duties in administering the CDBG-CN for the County.

Commissioner Ball inquired as to how Pilot Missionary Baptist Church qualified when an individual does not own it. Mr. Young stated the structure is eligible for demolition. Commissioner Ball asked if any of the owners of the units to be demolished were eligible to repay the cost of the demolition. Mr. Young stated none of the owners make enough money to repay the cost. He stated the removal of these hazardous structures would benefit the community

Commissioner Swanson asked if someone backs out could someone else be added in their place. Mr. Young responded Holland Consulting Planners would come back before the Board to amend the contract and the funds can only be used in the target area.

Commissioner Ball asked if the properties chosen were based on need. Mr. Young replied each unit selected meets the CDBG requirements, which are low to moderate income.

Upon motion by Commissioner Gupton, seconded by Chairman Stone, with all present voting "AYE", duly carried approval of the contracts and authorized the Interim County Manager and Chairman to execute the demolition services contract with the firms listed above.

### C. Well Drilling Services

In January of 2004, Holland Consulting Planners, Inc. requested that the County's contract engineering consultants, W.K. Dickson, Inc. solicit bids for the installation of an observation and production well in the Pilot community. The CDBG-CN program anticipates the installation of a community water well system in an area of the Pilot Community and the installation of approximately 1,100 linear feet of 8" C-900 PVC water main pipe in the same area. Additionally, 2" to 4" lateral water line extensions will be installed along side roads off of Old US 64 in the project area.

W.K. Dickson, Inc. directly solicited bids from qualified well drilling companies and received bids from two qualified firms on February 24, 2004. A description of the bid solicitation process and the engineer's (W.K. Dickson, Inc.) recommendations were provided to the Board in a February 26, 2004 letter from project manager Mark W. Fisher, P.E., W.K. Dickson, Inc., to Tom Couch, Director of Franklin County Water and Sewer.

Based on the information provided, Holland Consulting Planners recommend awarding the bid to N.W. Poole, Co. in the amount of \$10, 275.

All CDBG-CN costs will be paid from the CDBG-CN grant, at no cost to the County. The well drilling services will be supervised by WKD as part of their duties in administering the CDBG-CN for the County.

Commissioner Swanson asked if the bid included pumps. Mr. Young stated the pumps and water lines would be bid separately.

County Attorney Darnell Batton asked if easements had been obtained for the well and water lines. Mr. Young responded no, not at this time. Once the final site for the location of the well is determined, then at that time easements will be obtained.

Commissioner Gupton asked how deep would the well be. Mr. Young stated based on the geology and other well construction in the area, it is estimated at 200 feet but will drill as far as required to get water. Commissioner Gupton asked what if they hit rock. Mr. Young stated they would drill 400 to 500 feet if necessary. He stated sixteen homes would benefit from this well.

Upon motion by Commissioner Swanson, seconded by Chairman Stone, with all present voting "AYE", duly carried approval of the contract and authorized the Interim County Manager and Chairman to execute the contract for well drilling services to N.W. Poole, Co.

### **13. Franklin County Annex**

In June, 1997, the Mental Health Area Director made a request to the Manager to make the building/property known as the Franklin County Annex available to the Area Authority for clinical use. The County agreed and a deed was prepared on August 25, 1997 conveying the

property to the Area Authority for the sum of \$10.00. The deed stipulates that the "conveyance is made subject to the right of automatic reversion to the County should the facility cease to be utilized for program and treatment delivery under the auspices of Area mental Health".

Since that time the Area Authority has utilized this property for various treatment programs and currently houses the Franklin Child Development Center (CDC) at this location. The Center is slated to close as of June 30, 2004 due to a transition to inclusive settings such as home based and regular child day care centers. Therefore, the Area Board is recommending to the County Commissioners that the property be conveyed back to the County.

Upon motion by Commissioner Gupton, seconded by Commissioner Ball, with all present voting "AYE", duly carried to accept the property and instructed the County Attorney to prepare the documents for title transfer.

#### **14. Audit Proposals**

Interim County Manager and Finance Director Mr. Charles Murray reported to the Board that bids were solicited from eight auditing firms for the County's Fiscal Year Ending 2004. The County expressed intentions to renew with the successful bidder for a three-year period, however, no guarantee was provided. Bids were received from the following firms:

Holden, Moss, Knott, and Clark, CPA, Henderson, NC - \$37,450

Mills and Rouse and Company, Apex, NC - \$39,000

Winston, Williams and Creech, LLP, Oxford, NC - \$39,500

Dixon Hughes, Asheville, NC - \$48,200

In reviewing the proposals, Holden, Moss, Knott, and Clark, CPA has been determined to be the lowest responsible bidder for providing auditing services for fiscal year ending 2004.

Commissioner Ball asked Mr. Murray if new bidders charged a start-up cost and if they provided software. Mr. Murray responded no.

Upon motion by Commissioner Ball, seconded by Commissioner Gupton, with all present voting "AYE", duly carried to award the contract and authorize the Manager and Chairman to execute the contract for audit services to Holden, Moss, Knott and Clark, CPA for an amount of \$37,450.

#### **15. Architect's Contract – Human Services Building**

Mr. Harold Annis, Architect, was present to discuss with the Board an amended Agreement for Architectural Services for the Human Services Building for an additional \$15,900 in design services. The former manager previously approved the work and in order to proceed with the project the amendment must be considered by the Board.

Mr. Annis reported that the additional cost was due to items that needed addressed and this is why the scope of design services increased.

Chairman Stone reported to the Board the additional design work added to the original proposal:

Item 1: Add additional work throughout the existing building including adding walls, doors, reworking cabinets, ceilings, installing new plumbing fixtures, toilet partitions and accessories in public toilets, installing new carpet, vinyl wall covering in public areas, and quarry tile in lobby. Additional design fee: \$5,800.

Item 2: Remove existing 25 ton exterior mechanical unit that serves Health Services and install approximately five (5) new roof top heat pump units on the roof. Rework existing ductwork. Provide new electrical power for each of the roof top units. Additional design fee: \$5,300.

Item 3: Remove existing 25 ton exterior mechanical unit that serves Social Services and install approximately five (5) new roof top heat pump units on the roof. Rework existing ductwork. Provide new electrical power for each of the roof top units. Additional design fee: \$4,800.

Interim County Manager Charles Murray, Jr. reported that some of the work would be bid separately.

Commissioner Ball asked when did the design work begin. Mr. Annis replied two years ago or longer when the community college abandoned the building.

Commissioner Swanson asked Mr. Annis who gave him the authority to do the additional work. Mr. Annis replied no one. He stated he was at this meeting to get the approval of the Board.

Chairman Stone asked Mr. Annis how old are the units to be removed. Mr. Annis replied one of the units is the original and there was no zoning for heat and air.

Upon motion by Commissioner Ball, seconded by Commissioner Gupton, with all present voting "AYE", duly carried approval of the amended contractual agreement with Harold Annis, Architect, for the additional cost associated with the project.

## **16. Financing – Solid Waste Transfer Station and Human Services Building**

Upon motion by Commissioner Ball, seconded by Commissioner Swanson, with all present voting "AYE", duly carried to approve the following resolutions in order for the County to seek financing for the Solid Waste Transfer Station and the renovations to the Human Services

Building through the Local Government Commission and reimburse itself for expenditures the County may spend prior to the Local Government Commission's approval.

The resolutions are as follows:

**A. RESOLUTION AUTHORIZING THE FINANCE DIRECTOR OF THE COUNTY TO FILE AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF AN INSTALLMENT FINANCING AGREEMENT FOR FINANCING THE CONSTRUCTION OF A SOLID WASTE TRANSFER STATION AND THE RENOVATION TO THE COUNTY HUMAN SERVICES BUILDING AND TO SOLICIT BIDS FROM VARIOUS FINANCING INSTITUTIONS IN CONNECTION THEREWITH**

**WHEREAS**, the County of Franklin, North Carolina (the "County") desires to enter into an installment financing agreement pursuant to Section 160A-20 of the General Statutes of North Carolina for the purpose of financing the costs of constructing a new solid waste transfer station and renovating the County's existing human services building (collectively, the "Project"); and

**WHEREAS**, it is necessary to apply for and receive the approval of the North Carolina Local Government Commission in order to enter in such installment financing agreement for the purpose of financing the Project; and

**WHEREAS**, the County desires to solicit bids from various financial institutions to providing the necessary financing of the Project;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners (the "Board") for the County of Franklin, North Carolina (the "County") as follows:

1. The Board hereby authorizes and directs the Finance Director of the County to file an application with the Local Government Commission for approval of an installment financing agreement in a principal amount not to exceed \$1,750,000 for the purpose of financing the costs of the Project and hereby requests the Local Government Commission to approve the installment financing agreement and the proposed financing of the costs of the Project in connection therewith.
2. The Finance Director of the County is hereby authorized and directed to solicit bids from various financial institutions to provide for the financing of the Project. Any action heretofore taken by the Finance Director of the County in connection with the solicitation of such bids is hereby ratified and confirmed.
3. This resolution shall take effect immediately upon its passage.

Adopted this 19<sup>th</sup> day of April, 2004.

**B. RESOLUTION OF THE COUNTY DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES UNDER UNITED STATES DEPARTMENT OF TREASURY REGULATIONS**

**BE IT RESOLVED**, by the Board of Commissioners (the "Board") of the County of Franklin, North Carolina (the "County") as follows:

Section 1. It is hereby found, determined and declared by the Board as follows:

(a) Section 1.150-2 of the Treasury Regulations (the "Regulations") prescribes specific procedures which will be applicable to certain bonds or notes issued by the County including, without limitation, a requirement that the County declare its official intent to reimburse certain expenditures with proceeds of debt to be incurred by the County prior to, or within sixty (60) days of, payment of the expenditures to be reimbursed.

(b) This declaration of official intent is made pursuant to Section 1.150-2 of the Treasury Regulations to expressly declare the official intent of the County to reimburse itself from the proceeds of debt to be hereinafter incurred by the County for certain expenditures paid by the County on or after the date which is sixty (60) days prior to the date hereof.

(c) The County desires to expend its own funds for the purpose of paying certain costs of the construction, renovation and equipping of a human services building and the construction, acquisition and equipping of a transfer station of the County (collectively, the "Project"), for which expenditures the County reasonably expects to reimburse itself from the proceeds of debt to be incurred by the County.

(d) \$1,750,000 is the maximum principal amount of debt expected to be incurred for the purpose of paying the costs of the Project.

Section 2. This resolution shall take effect upon its passage.

Adopted this 19<sup>th</sup> day of April, 2004.

**C. RESOLUTION CALLING FOR A PUBLIC HEARING IN CONNECTION WITH AN INSTALLMENT FINANCING FOR THE CONSTRUCTION OF A SOLID WASTE TRANSFER STATION AND THE RENOVATION OF THE COUNTY HUMAN SERVICES BUILDING**

**WHEREAS**, the County of Franklin, North Carolina (the "County") is considering entering into an installment financing agreement pursuant Section 160A-20 of the General Statutes of North Carolina in the principal amount not to exceed \$1,750,000 for the purpose of providing funds, together with any other available funds, to pay the costs of constructing a solid waste transfer station and renovating the County's existing human services building; and

**WHEREAS**, in accordance with Section 160A-20(g) of the General Statutes of North Carolina, the County is required to hold a public hearing on such installment financing agreement;

**NOW THEREFORE, BE IT RESOLVED** that the Board of Commissioners for the County hereby fixes 7:00 p.m. on May 17, 2004 in the Commissioners' Meeting Room located in the County Administration Building in Louisburg, North Carolina, as the hour, day and place for the public hearing on such installment financing agreement and hereby directs the Clerk to said Board of Commissioners to publish notice of such public hearing once in The Franklin Times not later than the 10th day before said date.

**17. Bid Award – Solid Waste Transfer Station**

On April 8, 2004, bids were received for the construction of the Solid Waste Transfer Station.

Bids were received from four companies and the bid tabulation summary was provided to the Board. H.G. Reynolds has been identified as the lowest responsible bidder with a base bid of \$999,500 and a total bid including Alternates 1, 2, and 3 of \$1,319,800.

Vice-Chairman Foy asked how much of the bid was for the construction of the steel building. Interim County Manager Murray replied the project was bid as a single bid and items are not broken down into single line items. He stated the information was not available at this time but would be provided forthcoming.

Commissioner Gupton asked if the cost included fencing around the perimeter. Mr. John Faulkner, Solid Waste Director, replied no.

Mr. William Faucette, Jr., Municipal Engineering Services, stated the project consisted of a 10,000 sq. ft. steel building with a tipping floor. There will be enough room for trucks to get in and out and also room for public traffic. There will also be a shower for employees, lightening, etc.

Vice-Chairman Foy asked how much of the excess cost of the project covers the higher cost of steel. Mr. Faucette replied \$10,000 to \$20,000. Mr. Faulkner stated that a majority of the cost would be in concrete.

Commissioner Ball stated the bid is still under the initial estimated cost.

Commissioner Swanson asked if the bid is a complete package. Mr. Faulkner replied yes, everything is included to make the transfer station operable.

Vice-Chairman Foy stated that at the last meeting with the Board of Education it was discussed that the cost to build a new school is going up everyday due to the increase in the price of steel.

Interim County Manager Murray asked how long is the bid good for. Mr. Faucette replied either 15 to 30 days, he would have to check.

In referring to the bid tabulation, Vice-Chairman Foy asked what is Alternate 1. Mr. Faucette replied it is the cost of the iron aggregate topping for the concrete tipping floor.

Commissioner Ball stated the landfill is currently under review by the State. He feels that what has been presented is a turnkey project and the Board needs to move forward. He stated the County has an inadequate facility and asked the Board not to delay the project.

Upon motion by Commissioner Ball, seconded by Commissioner Gupton, with all present voting "AYE", with the exception of Vice-Chairman Foy voting "NO", duly carried to award the bid for the construction of the Solid Waste Transfer Station to H.G. Reynolds of Henderson, NC in the amount of \$1,319,800.

#### **18-A. Louisburg Water Contract**

The Board was provided the revised amendment to the Louisburg Water Contract. The



Louisburg Town Council approved this amendment at their Council meeting on April 12, 2004.

Upon motion by Commissioner Ball, seconded by Commissioner Gupton, with all present voting "AYE", duly carried approval of the amended agreement with the Town of Louisburg for the purchase of a minimum of 80,000 gallons of water per day.

### **18-B. Public Utility Easement – Town of Louisburg**

The Town of Louisburg is seeking an easement located on the west side of State Road 1264 (T. Kemp Road) for the purpose of constructing water and sewer lines. Mr. Murray stated he has reviewed the easement with Mr. C.L. Gobble, Town Administrator and County Attorney Darnell Batton, and the deed is in order.

Upon motion by Commissioner Ball, seconded by Commissioner Gupton, with all present voting "AYE", duly carry approval to grant the easement to the Town of Louisburg.

### **19. Appointments**

#### **A. Franklinton Planning Board Extraterritorial Jurisdiction**

The Town of Franklinton Board of Commissioners recommended re-appointing Mr. Pierre Giani and Ms. Denise Roberts. Each term is for three years, effective June, 2004 through June, 2007.

Upon motion by Commissioner Ball, seconded by Chairman Stone, with all present voting "AYE", duly carried approval of the re-appointments.

#### **B. Economic Development Commission**

The Franklin County Economic Development Commission recommended re-appointing Mr. Leelan Woodlief. The term is for three-years, from November, 2003 to November, 2006.

Upon motion by Chairman Stone, seconded by Commissioner Swanson, with all present voting "AYE", duly carried approval of the re-appointment.

#### **C. Franklin County Planning Board**

Ms. Clara Wright Frazier was recommended to fill the vacant position. The term is for three-years, expiring April, 2007.

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

## **20. Budget Ordinance Amendment #7**

The purpose of the Budget Ordinance Amendment is to reflect grants received as follows: Social Services – Crisis Intervention (\$19,380); CP&L Project Share (\$2,227); Wake Electric Round-Up (\$6,000); Emergency Food and Shelter (\$14,119); Special Children Adoption Fund (\$6,195); EMS – Insurance Proceeds (\$9,183); Sheriff's Department – Insurance Proceeds (\$3,966); Airport – Insurance (\$2,798); and the construction of the track at the Franklinton Park (\$49,300).

Upon motion by Commissioner Swanson, seconded by Commissioner Gupton, with all present voting "AYE", duly carried approval of Budget Amendment #7.

## **21. Board Committee Reports and Comments**

Commissioner Gupton:

- attended K.A.R.T.S. special meeting to discuss budget – they have extended their routes – there is almost no increase in their budget

Commissioner Ball:

- will attend the Kerr-Tar Council of Governments (COG) Board meeting this month
- reminded the Board that on May 19<sup>th</sup> the COG is hosting a dinner after the Legislative Briefing

Chairman Stone:

- will attend the May 19<sup>th</sup> Legislative Briefing and encouraged all Commissioners to attend

Commissioner Swanson:

- reported that Social Services has worked hard on their budget and the Social Services Board has reviewed it

Vice-Chairman Foy:

- attended the Health Board meeting – animal control was discussed – the Board looked at the possibility of the Humane Society placing volunteers at the shelter – the animal

control facility is just that, it is not an animal adoption facility – the Board’s big concern is liability if someone gets bitten or hurt – if they sign a waiver, it’s just a piece of paper – feels if the County can get volunteers there is no one available to supervise them – a new facility is needed for animal adoption – the Board feels it is best for the Humane Society to get their own land and their own adoption facility they can control

Commissioner Ball stated this is how most towns operate.

Vice-Chairman Foy stated the Health Department is doing the best they can with what they have to work with.

Commissioner Ball asked if the County could challenge the Humane Society and contribute to them to open a facility.

Vice-Chairman Foy stated that if the County gives to the Humane Society then would have to give to others.

Chairman Stone stated there is a problem of too many dogs running loose in the County. He stated he is meeting with Ms. Estep, President, Franklin County Humane Society, to discuss the issue. He feels there is a better approach.

Chairman Stone also reported the following:

- Department of Aging is making application for a grant from United Way for boxed meals for the Wheels on Meals program and prescription drug assistance - this money will be applied to next year’s budget
- Board members attended the opening ceremony for County Government Week
- the cut-off for applications for the County Manager’s position was extended to April 30<sup>th</sup>, after which time the Board will look at all applications and make a decision
- at the May 3<sup>rd</sup> Work Session, Commissioners will be asked to serve as ad hoc committees to review departmental budgets
- reported that the Board of Equalization and Review will begin its revaluation appeals Tuesday, April 27<sup>th</sup> at the Tax Department – at 5:30 P.M. someone from the Department of Revenue will be in attendance to give a presentation to the Board and the appeals process will follow at 6:00 P.M. – all other meetings will be from 6:00 – 10:00 P.M.

Vice-Chairman Foy also reported that he attended a ceremony for the crew of the *H.L. Hunley* April 17<sup>th</sup> in Charleston, SC. In the Civil War, the *Hunley* became the first submarine ever to sink an enemy ship and then it disappeared. The fate and location of the submarine and her crew remained a mystery for over 130 years until it was discovered on May 4, 1995. It was raised on August 8, 2000. The remains of the crew were laid to rest with full military honors.

## **22. Interim Manager’s Report**

Interim County Manager Murray reported to the Board that students and staff at Royale Elementary School were provided bottled water last week after a routine water sample taken from an outside faucet tested positive for bacteria.

### **23. Closed Session**

Upon motion by Commissioner Gupton, seconded by Commissioner Ball, with four voting "AYE", and with Vice-Chairman Foy voting "NO", duly carried approval for the Board to go into closed session at 9:15 P.M. to discuss personnel matters, potential litigation, and land acquisition.

At 10:30 P.M., upon motion by Commissioner Swanson, seconded by Commissioner Gupton, with all present voting "AYE", duly carried to return to open session.

Chairman Stone reported the Board authorized the purchase of 109.7 acres of land adjacent to the landfill for \$350,000.

Upon motion by Commissioner Ball, seconded by Commissioner Gupton, with all present voting "AYE", duly carried approval of the land purchase and instructed the County Attorney to make the purchase offer to the current owner.

Chairman Stone reported the Board approved the sale of 173 lots in Lake Royale and 2 non-Lake Royale lots sold during a public auction in upset bid process held April 17, 2004. The sale of this surplus property totaled \$197,826.

Upon motion by Commissioner Gupton, seconded by Commissioner Ball, with all present voting "AYE", duly carried approval of the surplus property sale.

At 10:35 P.M., upon motion by Commissioner Swanson, seconded by Commissioner Gupton, with all present voting "AYE", the meeting was recessed until May 3, 2004.

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RAYMOND A. STONE, CHAIRMAN KATHY MOORE, CLERK