

December 20, 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 Robert L. Swanson, Vice-Chairman Lynwood D. Buffaloe, Commissioners Harry L. Foy, Jr., Raymond A. Stone, Jimmie R. Gupton, Sidney E. Dunston, and Donald Lancaster.

1. Consent Agenda

Chairman Swanson read the following consent agenda items:

- A. Approval of minutes of the Regular meeting held on November 15, 2004 and approval of minutes of the Special meeting held on December 6, 2004.
- B. Approval of Tax Collection Report for the period November 1 through November 30, 2004.
- C. Approval of Tax Releases and Refunds for the period November 1 through November 30, 2004.
- D. Resolution – Petition for Road Addition to the State Maintained Road System: Hardwood Drive located in Stonefield Subdivision, Phase Two and Phase Three, Franklinton Township. The petition meets state requirements.
- E. Resolution Supporting Agricultural and Swine Industry With Environmental Safeguards
- F. Designation of Commissioner Stone as the voting delegate at the North Carolina Association of County Commissioner's Legislative Goals Conference, January 13-14, 2005.

Chairman Swanson stated there was an addition to the consent agenda:

- G. Resolution - Designation of Applicant's Agent – North Carolina Division of Emergency Management.

County Manager Chris Coudriet stated the designated agent form would authorize him to execute and file applications for federal and/or state assistance on behalf of the county for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. This would be associated with some of the Homeland Security Funds that have been coming in and other disaster oriented relief funds from the state or federal government. The State's Emergency Management Division recognizes the former manager as the designated agent and Mr. Coudriet asked the Board to designate him as the agent.

Upon motion by Chairman Swanson, seconded by Commissioner Stone, with all present voting

"AYE", duly carried approval of the addition to the consent agenda.

Motion was made by Commissioner Stone, seconded by Vice-Chairman Buffaloe, with all present voting "AYE", to adopt the Rules and Procedures that were in effect November 30, 2004 for this term of the Board of Commissioners subject to amendment of these rules as needed.

Upon motion by Commissioner Stone, seconded by Commissioner Lancaster, with all present voting "AYE", duly carried approval of the consent agenda items as amended.

1. Comments from the Public

Mr. Bob Winters, 211 Lake Royale, Louisburg, NC

Mr. Winters spoke regarding the Board's scheduled closed session to discuss spending more money on the airport. He urged the Board to consider what the county has put into this project over the years and what is the county getting out of it. Is it time to turn it over to somebody privately? The county will still get the tax benefits of having airplanes there and more tax benefits if a private individual owns it by charging them property taxes. It seems like every four months or so there is more and more money going out and no money coming in.

2. Board Members Committee, Commission, and Board Appointments for 2005

Chairman Swanson made the following appointments:

Raymond A. Stone

- Mental Health Board
- Kerr-Tar Regional Council of Governments (COG)
- HUB Exploratory Committee

Harry L. Foy, Jr.

- Board of Health (Chair)
- Aging Advisory Board

Donald Lancaster

- Economic Development Commission
- Rescue Squad Association

Jimmy R. Gupton

- Firemen's Association
- Kerr-Tar Area Transit System (K.A.R.T.S.)

Sidney E. Dunston

- Project Advisory Committee for Scattered Site Housing
- Kerr-Tar Regional Council of Governments (COG) Alternate

Lynwood D. Buffaloe

- Chamber of Commerce
- Library Board
- Economic Development Commission

Robert L. Swanson

- Kerr-Tar Rural Planning Organization (RPO)
- Social Services Board

Upon motion by Commissioner Foy, seconded by Commissioner Lancaster, with all present voting "AYE", duly carried to accept the appointments of Commissioners to the various committees, commissions, and boards.

Chairman Swanson recognized Commissioner Stone for his year of service as the Board's Chairman for 2004. Commissioner Stone was presented a plaque. Commissioner Stone stated he accepted the plaque with a great deal of pleasure and has enjoyed working with the Commissioners during the year. Commissioner Stone provided the following remarks:

"A brief report of stewardship by the Board of Commissioners for the year just concluded the first Monday of December, 2004."

"Management – The first three months of management were marked by tension, lack of trust, and division between the Board and its manager. On March 1, 2004, the Board acted decisively by releasing the manager, effective that day. By unanimous vote the Board appointed Charles Murray Interim County Manager. Mr. Murray continued his duties as Director of Finance. For a time during his seven months tenure, Mr. Murray also served as Director of Recreation, Director of EMS, and Director of Utilities."

"The Board conducted a thorough search for the position of manager. From thirty-five applicants, five were selected for interviews and thorough background checks. In September, by unanimous vote, Christopher Coudriet, then the Washington County Manager, was selected to fill the position of Franklin County Manager, effective October 4, 2004."

"Both Mr. Murray's service and Mr. Coudriet's brief service convinced the Board that excellent choices were made."

"The Board looks upon its current management with confidence and optimism and with great appreciation for Mr. Murray's interim service."

"Since March of this year the Board has approached issues, problems, and opportunities as a team of overseers, working harmoniously with the manager and department heads to deliver creditable service to Franklin County citizens."

"Clearly the change of management was the most significant act taken by the Board this year."

"Taxes and Budget - Early in the year the Board concluded tax revaluations by sitting as the Board of Equalization and Review. Tax valuations rose from \$2.4 billion to 3 billion dollars. A revenue neutral tax rate would have been 82½ mills but through economies and elimination of duplications the tax rate was set at 79 mills, the lowest in a decade.

"The budget making process involved two of the five Commissioners sitting with the interim manager to review departmental budget requests. All five Commissioners thus became well informed about county government functions and services. An expenditure budget of \$61,000,000 was adopted in June for the current fiscal year. While holding some request neutral, the Board was able to increase public school funds 9.72% above the previous year."

"Happily I can report that as we come to the half-year mark, expenditures have been held below budget appropriations."

"The flow of county government was not all smooth. The crash of a questionably purchased and operated helicopter resulted in the death of a deputy sheriff. That matter has not been fully resolved as we await the findings of the FAA."

"The Board continues to chart its course as it seeks to balance population growth with increased need for services. Using the tools at its disposal, principally zoning, the Board will continue to try to balance these two pressures. How to achieve a desirable balance between industrial, commercial, and residential growth may well be the greatest challenge this term and future terms of Commissioners will face."

"The Commissioners worked well with the Board of Education, and the Local Government Commission to place a 30 million-dollar bond issue before the people to finance school improvements and expansion. Voters overwhelmingly approved that measure and the Board of Education reports plans are already being drawn for construction projects."

"Other problems and opportunities continue. To name three, leadership of the Health Department, development of the Airport, and the HUB project, a regional approach to economic development."

"As chairman of the Board this year it was my honor and privilege to work with the other four Commissioners, and the newly appointed management to provide the best services as efficiently and economically as possible to citizens in need from funds provided by the tax payers."

"Now we sit as a seven member Board quite differently elected than the previous five-member Board. Our challenge is to mint the trust the people of Franklin County has placed in us as their governing body. With hope, confidence, and optimism let us work toward making Franklin County a better place to live, work, and play then ever."

1. Appointments – Health Board

Commissioner Foy stated he recently turned in two Citizens Participation Applications for consideration of the Board for appointments to the Health Board. One was for the position of a licensed dentist, Dr. Emmett Ackerman and the second was Ms. Marguerite Moore to fill the expired term of one of the at-large public representative positions on the Board. Since these two applications were turned in several more applications have been received from citizens interested in serving on the Health Board. Commissioner Foy requested to defer action on the appointment of Ms. Moore to the at-large position at this time but would like to move forward with the appointment of Dr. Ackerman to the dentist position on the Health Board. The term is for three years, expiring December, 2007.

Upon motion by Commissioner Foy, seconded by Commissioner Lancaster, with all present voting "AYE", duly carried approval of the appointment of Dr. Emmett Ackerman, Jr., DDS, to fill the expired term of the licensed dentist position on the Health Board.

2. Franklin County Department of Social Services "Challenge for Children 2003" Recognition

In January 1997, the North Carolina Department of Health and Human Services Division of Social Services issued the first annual "Challenge for Children", asking every county Department of Social Services in North Carolina to make foster care backlog reduction a top priority for the child welfare system. Participating counties, including Franklin County, documented a backlog reduction for the fifth consecutive year. Statewide, 2,041 children that were in foster care on January 1, 2003, were in a permanent home on December 31, 2003. A clear focus on the safety and well being of children has made a difference for a lot of children and youth. Staff from the Franklin County Department of Social Services' Foster Care Division were present and the Board commended them for their commitment to these children.

Chairman Swanson presented Ms. Nicki Griffin, Director, Franklin County Department of Social Services, with the following certificate:

Certificate of Commitment

Presented to

Franklin County

Department of Social Services

For its Participation in the

North Carolina Department of Health and Human Services Division of Social Services

Fifth Annual

"Challenge for Children 2003"

A Program Designed to Make Foster Care Backlog Reduction a Top Priority for the Child Welfare System

Ms. Griffin recognized Ms. Velvet Perdue, Children's Services Program Manager, for her hard work in making this possible and in leading the Child Welfare Division. Also, David Guin, Agency Attorney, has done an excellent job in helping them work towards getting these children placed in homes.

3. Budget Ordinance Amendment #4

Mr. Charles Murray, Jr., Finance Director, stated the total amount of the budget ordinance amendment is \$84,339. This is revenue into the county. No county dollars involved. This amendment to the General Fund and E-911 Fund reflects additional funds received by the Aging Department in the amount of \$24,585, which will be used to provide extra meals at the Senior Centers and provide additional transportation for seniors. They also plan to purchase a treadmill and a computer. United Way provided a grant to the Library in the amount of \$4,419 to purchase additional books. Elections received a grant in the amount of \$6,810 to upgrade its technology for voting machines. Insurance proceeds in the amount of \$48,525 were received for damages resulting from a lightning strike to the communications tower in August, 2004.

Upon motion by Commissioner Stone, seconded by Commissioner Lancaster, with all present voting "AYE", duly carried approval of Budget Ordinance Amendment #4.

4. Board Committee Reports and Comments

Commissioner Stone reported that he, County Attorney Darnell Batton, County Manager Chris Coudriet, and Finance Director Charles Murray attended the HUB meeting in Henderson Thursday, December 16th. Representatives from the four counties participating came together to talk about the details of putting together some type of contractual arrangement whereby each county will participate in the development of this regional industrial prospect. It was a very productive meeting. No decisions were made. Suggestions were made to the attorney and he is in the process of working on a draft, which will be presented to the Exploratory Committee, and before any action is taken it will go before each Board of Commissioners for study and adoption.

Chairman Swanson reported that he attended the Kerr-Tar Rural Planning Organization (RPO) meeting Thursday, December 16th. Discussion was to set their top five priorities for the upcoming year. They will meet again after Christmas and he will report back to the Board after that meeting.

Commissioner Gupton reported he attended the K.A.R.T.S. meeting. They finalized the budget. More money is needed from participating counties to purchase five new handicap vans.

Commissioner Lancaster reported he attended the Committee of 100 meeting December 15th. They are working on scheduling a retreat to discuss economic development issues. They have set up a Planning Committee, which is scheduled to meet January 5th. This committee is made up of about twenty-five people consisting of Commissioners, Economic Development Commission members, Committee of 100 members, municipalities and county managers.

Motion was made by Commissioner Stone, seconded by Vice-Chairman Buffaloe, with all present voting "AYE", duly carried to request the Board of Health to move with deliberate speed and a sense of need to recruit and to employ a fully qualified Director of Health and to compliment the Acting Director, Ms. Sandra Wood, for her extended service as the Director.

Commissioner Foy stated the Health Board has been looking at applications the past two to three years and to this date they have either not been qualified or have not had good references. Commissioner Stone stated two to three years is a very long time. He feels the position should be filled by a person who is fully qualified and who is certified by the state as capable of being the Director of Health. Citizens want the Health Board to move to find a person. Commissioner Foy stated he could assure they are looking but are not going to make any rash decisions and get somebody they are unhappy with.

Commissioner Dunston stated as a member of the Health Board he could assure the Health Board has operated within the best interest of the citizens of Franklin County. Regardless of what the newspapers or anyone else says, the Health Department, in his opinion, has done a super job to protect the health of the citizens of Franklin County. Finding someone to fill this position is not as easy as said and done, but he assures that the Health Board has worked diligently to try and find someone to fill that position even though it has taken quite a bit of time, it is still going to take more time. He feels that instead of being pushed by certain interest groups in addressing this issue, the Board needs to be responsive to and supportive of what the county has, which is a person that has done a tremendous job. Letter qualifications do not necessarily qualify a person to run an organization. Commissioner Dunston stated that it bothers him that Commissioners have sat for three years as well and have said nothing and assuming now have to make a motion because of media coverage.

Commissioner Stone stated the news media has not commented to him on this matter.

Manager's Report

County Manager Chris Coudriet reported the following:

The boundary discrepancy between Franklin and Wake counties remains a high priority for the manager and attorney. No disagreement exists between either Franklin or Wake but instead with the developer of the Richland Hills Subdivision. Four lots the developer

thought to be in Wake are actually in Franklin. The development company and its lawyers have presented a written statement as to why the lots were thought to be in Wake County, and the written statement goes further by asking that the lots remain a part of Wake County. In 1992 an agreement between the Franklin and Wake counties tax administrators set the standard of where the boundary line is, however, that line was not officially adopted by either County Board of Commissioners. The attorney and the manager will meet this week with Wake County staff to discuss the impacts of officially adopting the line at the 1992 standard and to discuss the impacts associated with the Richland Hills Subdivision. It is expected that by the January meeting of the Franklin County Board of Commissioners that a recommendation to ask the North Carolina Geodetic Survey firmly establish the boundary can be made.

A planning team is working to address the issues raised through public comment concerning the Adequate Public Facilities Ordinance. It is the intent of the team to bring back to the Board of Commissioners, in a workshop setting, an amended ordinance that reflects comments from the development community but maintains the core principle of the planning document.

The water and sewer extension policy is under review by the Economic Development Office and the Water and Sewer Department. The review is centered on crafting a policy extension that is good for economic development but accounts for the lack of a capital improvement fund in the water and sewer enterprise.

The manager, the attorney, the clerk to the board and the interim health director has spent time addressing the current animal control ordinance and its provisions for limited, controlled animal adoption. Specific discussions have centered on county liability for allowing adoption, resource requirements, and the current status of the humane society's efforts to establish an animal adoption shelter in the county.

It is suggested that the Board of Commissioners host a planning retreat in late January or early February. The intent of the retreat is to outline key strategic priorities and identify indicators of success for those priorities. The retreat will serve as an instrument in budget development for fiscal year 2005/2006.

5. Closed Session

Pursuant to General Statute 143-318.11 (a) (5), a Closed Session will be held in order for the Board to discuss the proposed acquisition of real property.

Upon motion by Chairman Swanson, seconded by Commissioner Stone, with Commissioners Swanson, Stone, Gupton, Buffaloe, Lancaster and Dunston voting "AYE", and Commissioner Foy voting "NO", motion carried to go into closed session at 7:45 P.M.

At 8:15 P.M., upon motion by Commissioner Stone, seconded by Commissioner Dunston, with all present voting "AYE", duly carried to return to open session.

Upon motion by Commissioner Stone, seconded by Commissioner Gupton, with Commissioners Stone, Gupton, Swanson, Buffaloe, Lancaster and Dunston voting "AYE", and

Commissioner Foy voting "NO", motion carried to appropriate county funds in the amount of \$15,010 to match state and federal funds for the purchase of property on Sam Horton Road.

Chairman Swanson reported due to the holidays, the Board's January work session will be held Monday, January 10th and the regular meeting will be held Monday, January 24th.

At 8:17 P.M., upon motion by Chairman Swanson, seconded by Commissioner Stone, with all present voting "AYE", the meeting was adjourned.

ROBERT LEE SWANSON, CHAIRMAN KATHY MOORE, CLERK