

January 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 Raymond A. Stone, Vice-Chairman Harry L. Foy, Jr., Commissioner Jimmy R. Gupton, Commissioner Robert L. Swanson, and Commissioner John R. Ball.

Chairman Stone recognized students from Louisburg High School's Journalism Class and their instructor, Mr. Joe DeSantis.

Mr. Matthew Winslow, Planning Director, requested the Board amend the Agenda to include an appointment to the Hazard Mitigation Committee and to revise the Amateur Radio Ordinance.

Upon motion by Commissioner Ball, seconded by Vice-Chairman Foy, with all present voting "AYE", duly carried, the Agenda was amended.

1. Consent Agenda

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

A. Approval of Tax Collectors Report for the period December 1, 2003 through December 31, 2003.

B. Approval of Tax Releases and Refunds for the period December 1, 2003 through December 31, 2003.

C. Petition for Road Addition to the State Maintained Road System - Deer Run Drive located in Deer Run Estates Subdivision, Youngsville Township, 2.2 miles south of the intersection of Route NC 56 and State Road 1105. The application meets State requirements.

2. Public Hearings

Proper notice having been given and the Board having received the information, a public hearing was held to receive comments on the proposed intent to close Winston Street (State Road 1207) from its intersection with State Road 1210 to its intersection with US Highway 1.

At the June 16, 2003 Board of Commissioners meeting, a Petition for Road Abandonment to the State Maintained Road System was brought before the Board for consideration. Winston Street (State Road 1207) is a dirt road off US Highway 1 that serves only one property owner. Property on one side of the road belongs to the petitioner and property on the other side of the road belongs to the railroad. The petitioner has documentation that the railroad property reverts to the petitioner if it is abandoned. Since the statues require abandoned rights of ways to be split between property owners, the entire property would revert to the petitioner. The Board agreed to hold a public hearing. All cost associated with the closing would be paid by the petitioner.

At the November 17, 2003 meeting of the Board of Commissioners, the Board adopted a resolution declaring the Board's intent to close the public road and approved to hold a public hearing.

Chairman Stone declared the public hearing open.

Mr. Charles Davis, attorney for the petitioner, was present. He stated the petitioner owns all the land surrounding the property and no one has objected to the road closure.

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

Upon motion by Commissioner Swanson, seconded by Vice-Chairman Foy, with all present voting "AYE", duly carried approval of the road closure.

3. Recognition of Employee of the Quarter

The Board recognized and congratulated Ms. Cynthia M. Jones, 4-H Program Coordinator, Cooperative Extension Office, as the Employee of the Quarter for the Quarter ending December 2003. Chairman Stone presented Ms. Jones a certificate and a U.S. Savings Bond.

4. Recognition of Employee of the Year

The Board recognized and congratulated Mr. William Ayscue, Public Utilities Superintendent, Franklin County Department of Water and Sewer, as the 2003 Employee of the Year. Chairman Stone presented Mr. Ayscue a certificate, a plaque and a cash award.

Chairman Stone presented Vice-Chairman Foy a plaque to honor him for the time he served as Chairman to the Board of Commissioners.

5. Kerr-Tar Hub

Mr. Neil Mallory, Executive Director of the Kerr-Tar Regional Council of Governments, was present to update the Board on the Kerr-Tar Hub. The Hub is a multi-county collaboration to create a technology center that will serve as a magnet for business investment in the Region K. It will target innovative and growing companies making advanced products, providing on-site training, services, facilities and networks to help them remain globally competitive and continue to hire. Jobs created in the Hub will offer attractive wages for local technicians and others ready to train for needed skills. The Hub will provide access to the combined assets and reasonable costs of Region K, with linkages to the world-class Research Triangle Park, RDU airport and other nearby amenities.

Vice-Chairman Foy asked Mr. Mallory if he had any figures on the cost to build the Hub. Mr. Mallory responded no. He is working with engineers now. He stated \$480,000 is needed for the next phase, has \$180,000 grant in hand, and a \$250,000 grant application has been sent to the EDA. A balance of \$50,000 is needed for the project. Each County involved is being asked to allocate \$5,000.

Chairman Stone asked what the time frame is for the money needed. Mr. Mallory stated immediately to thirty days. He stated Vance County has appropriated \$5,000 and Franklin County is the second County to consider the request.

Commissioner Gupton stated he has attended some of the Hub meetings and recommends the project. He feels the Hub will give an advantage to Franklin County.

Upon motion by Commissioner Gupton, seconded by Commissioner Ball, with all present voting "AYE", duly carried to appropriate \$5,000 to the hub project from unappropriated fund balance. (A copy of the presentation is on file in the County Clerk's office.)

6. Financing the School Construction Program

Mr. Bernard Hall, Chairman, Franklin County Board of Education, Mr. Johnny Alford, Franklin County Board of Education, and Dr. Bert L'Homme, Superintendent, Franklin County Schools, were present to hear a report from Davenport and Company on means

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to finance school construction. Chairman Stone thanked Chairman Hall for all his efforts and hard work, and extended a welcome to Dr. L'Homme.

Mr. Ted Cole and Mr. Robert High from Davenport and Company, LLC, presented potential methods of financing the Franklin County Board's of Education request for construction needs throughout the County. It should be noted, the County is not obligated to the firm. Mr. Cole stated that County Manager Richard Self asked him to look at financing of school construction in the County.

Vice-Chairman Foy asked Mr. Cole what his business does. Mr. Cole responded the company is an investment firm that works with local governments in financing schools, water and sewer, etc. Their work for Franklin County involves identifying preliminary capital funding options for the County to finance school construction and renovation.

Mr. Cole provided a PowerPoint presentation, which showed three possible phases for financing the school needs.

No action was required. A copy of Davenport's presentation is on file in the County Clerk's office.

7. Community Health Assessment

Ms. Sandra Wood, Interim Health Director, presented the Franklin County Health Department's Community Health Assessment for 2003. The document identifies health needs as compiled from a County survey and state statistics.

No action was required. A copy of the report is on file in the County Clerk's office, the Chamber of Commerce, and each branch of the Franklin County Library.

8. Health Board Appointments

The Franklin County Health Board recommended Dr. George D. Davis, III to fill the vacant licensed veterinarian position on the Board. The term is for one year, expiring December 2004.

The Health Board also recommended the reappointment of the following members:

Mr. James D. Speed, Member at Large, reappoint to a two-year term, expiring December 2005 (term expired December 2003).

Mr. Darren Matthews, Member at Large, reappoint to a two-year term, expiring December 2005 (term expired December 2003).

Ms. Nancy White, Registered Nurse, reappoint to a three-year term, expiring December 2006 (term expired December 2003)

Upon motion by Vice-Chairman Foy, seconded by Commissioner Swanson, with all present voting "AYE", the appointment of Dr. Davis and the reappointment of Mr. Speed, Mr. Matthews and Ms. White were made for the stated terms respectively.

9. Youngsville Industrial Park Water/Sewer Project

Mr. Ronnie Goswick, Economic Development Director, reported to the Board Captive-Aire

Systems' plan to build a new manufacturing facility in the Youngsville Industrial Park. The project will save 115 jobs that would leave Franklin County if this project does not locate on this site. In addition, there will be \$3,000,000 invested in building, new equipment and improvements on this site.

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Cost to Franklin County is estimated: \$67,912 for sewer and \$45,525 for a 12" water line and \$35,075 for an 8" water line. Mr. Goswick and Mr. Tom Couch, Public Utilities Director, have met and feel the County would be better served to install the 12" water main in order to insure adequate water pressure and fire protection in the future. The total cost of sewer and a 12" water line will be approximately \$141,797 including contingencies, engineering and inspections. The investment will generate \$29,985 in ad valorem taxes per year or \$209,895 in seven years. The payback on this project is projected at 4.7 years.

Upon motion by Commissioner Swanson, seconded by Commissioner Gupton, with all present voting "AYE", duly carried approval of the project with the necessary budget amendment from unappropriated fund balance.

Mr. Goswick also presented a road petition to the Board for approval.

Upon motion by Commissioner Ball, seconded by Commissioner Gupton, with all present voting "AYE", duly carried to amend the contract with DOT to extend the new industrial park road 3,100 feet to 3,950 feet at no additional cost to the County.

10. Project Budget Ordinance Amendment - Airport

Mr. Ronnie Goswick, Economic Development Director, was present to discuss the amendment. The purpose of the amendment is for the purchase of security equipment such as cameras and lights, fence repair, replacement of the runway end identifying lights and the installation of high intensity runway lights.

Revenues which will be available to complete the project are a \$150,000 grant from the ND Department of Transportation and \$16,667 in County funds. The County funds are already appropriated in the current budget.

Upon motion by Commissioner Ball, seconded by Commissioner Gupton, with Commissioner Ball, Commissioner Gupton, Commissioner Swanson, and Chairman Stone voting "AYE", Vice-Chairman Foy voting "NO", motion carried to approve the project budget ordinance amendment and instructed Mr. Goswick and Mr. Randy Likens, Safety Officer, to study security at the airport.

11. Budget Ordinance Amendment #4

The purpose of the Budget Ordinance Amendment is to reflect grants and donations received by the following departments: Cooperative Extension Service for goat marketing (\$50,000 grant), Department of Aging for fuel assistance (\$1,000 grant), Department of Social Services for Christmas families (\$10,000 donation), and an Emergency Medical Services supplemental grant to update their emergency phone system (\$12,835 grant). The total of additional revenues is \$73,835.

Upon motion by Commissioner Swanson, seconded by Chairman Stone, with all present voting "AYE", duly carried, the Budget Ordinance was amended.

12. Lake Royale Lots

At the December 15, 2003 Board meeting, Darnell Batton, County Attorney, was directed to work with the various interested parties and present a method of selling the lots from tax foreclosures at Lake Royale.

Mr. Batton stated that currently the Lake Royale Property Owners Association (POA) is not collecting dues from the County. He stated it serves no purpose for the County to hold on to the lots with the exception of one lot with a pump station and three lots with cemeteries, which will not be sold. Some of the other properties might not sell and the lots may be purchased by the POA for its use as greenways and open space through a negotiated offer-upset bid process.

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Mr. Bob Winters, Lake Royale POA, was present and stated the POA Board of Directors has agreed to the arrangement but wanted him to present a condition to the Board of Commissioners. The condition reads:

"The conditions behind this agreement are extraordinary and as such the arrangement should not be construed as precedent setting. The Board of Directors of the Lake Royale POA hopes the Commissioners recognize that by its release of any claims we are acting in good faith and with the combined continuing interests of both the Lake Royale Community and Franklin County in mind."

Upon motion by Commissioner Gupton, seconded by Commissioner Swanson, with all present voting "AYE", duly carried approval of the County Attorney's recommendations and gave authorization to dispose of the foreclosed property at Lake Royale as presented. (Recommendations on file in the County Clerk's office.)

13. Changes to Procedures for Meetings of the Franklin County Board of Commissioners Proposed at the Work Session, January 12, 2004

A. Motion to amend Section 1-C of Procedures for Meetings:

"All items to be placed on the agenda for Workshops, Work Sessions and Committee Meetings shall be submitted by the Board Chairman five (5) calendar days prior to the next scheduled meeting."

Upon motion by Commissioner Gupton, seconded by Vice-Chairman Foy, with all present voting "AYE", duly carried approval of the amendment.

B. Motion to amend Section II-B of Procedures for Meetings:

"(b) any contract for equipment, supplies, **services (delete "services")** or construction obligating less than \$10,000.00 County funds, including those committing no funds."

Upon motion by Commissioner Ball, seconded by Commissioner Swanson, with all present voting "AYE", duly carried approval of the amendment.

C. Motion to amend Section II-B of Procedures for Meetings:

"Contracts for consultant and/or advisory services shall be submitted to the Board for advice and consent before execution."

Upon motion by Commissioner Ball, seconded by Commissioner Swanson, with all present voting "AYE", duly carried approval of the amendment.

D. Motion to amend Section II-B of Procedures for Meetings:

"Contracts duly approved by the Board shall be signed by the Chairman **or (change to "and")** the Manager."

ACTION REQUESTED: Consider the amendment.

Upon motion by Commissioner Ball, seconded by Vice-Chairman Foy, with Commissioner Ball, Vice-Chairman Foy, Commissioner Swanson, and Chairman Stone voting "AYE", Commissioner Gupton voting "NO", motion carried approval of the amendment.

14. Proposed Amendment to the Procedures for Meetings of the Franklin County Board of Commissioners to Change the Regular Meeting Schedule

At the February 18, 2003 Board meeting, the Board approved amending the Procedures for Meetings to combine the two regular monthly meetings to be held on the

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third Monday of each month beginning at 7:00 P.M. in April 2003, supplemented with quarterly work sessions. Since August 2003 a work session has been held the first Monday night of the month and the regular meeting held on the third Monday night of each month.

Proposal was referred to February work session for discussion.

15. Amendments to the Personnel Policy Proposed at the January 12, 2004 Work Session

A. Motion to amend Article I, Section 6-A of the Personnel Policy:

The County Manager or his designee shall serve as the personnel officer and shall be responsible to the Board of County Commissioners for the administration and technical direction of the personnel program. The County Manager shall have the following responsibilities.

Appoint, suspend, and remove all county officers and employees except those who are elected by the people or whose appointment is otherwise provided for by law; **except when department headships are to be filled, the manager shall present the top two applications to the Board, stating why the top applicant is superior to the next with a job description and a proposed entry salary. With consent of the Board, the top applicant is presented to the Board for approval in open session.** All appointments, suspensions, and dismissals shall be carried out in accordance with the policies and procedures outlined in this personnel policy.

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

B. Motion to amend the Personnel Policy by adding Section 43. Manager:

When the Manager is to be out of the County for more than a full day, Saturdays, Sundays, and holidays excepted, he/she shall submit a report to the Board members no less than two days in advance of the planned absence stating why he/she is to be away, length of absence, benefit to the County, and estimated cost, if any.

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

16. Clerk to the Board Position

The Board discussed separating the position of Manager and Clerk.

Upon motion by Commissioner Ball, seconded by Chairman Stone, with all present voting "AYE", duly carried to appoint Ms. Kathy Moore as the Clerk to the Board effective immediately.

Ham Radio Ordinance Amendment Article 15A (added to the Agenda)

Mr. Matthew Winslow presented the ordinance amendments to the Board.

Upon motion by Vice-Chairman Foy, seconded by Commissioner Gupton, with all present voting "AYE", duly carried approval of the ordinance. (Copy of signed ordinance on file in the County Clerk's office.)

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Hazard Mitigation Committee Appointment (added to the Agenda)

Mr. Matthew Winslow recommended Mr. Lynn Buffaloe.

Upon motion by Commissioner Stone with all present voting "AYE", duly carried approval of the appointment of Mr. Buffaloe to the committee.

17. Comments from the Public

John Bell, 122 Black Cloud Drive, Louisburg

- concerned over new tax values and taxes

Chairman Stone stated the law requires the County to publish the revenue neutral tax rate and the County is carrying out the law in performing a revaluation every eight years.

Ralph Knott, 310 Edward Lane, Louisburg

- stated Franklin County has a County Manager form of government and the Board needs to let the County Manager do his job

Victoria Greene Epps, 420 Mount Olive Church Road, Franklinton

- concerned over new tax valuation and appeal process

18. Board Committee Reports and Comments

Commissioner Gupton:

- attended K.A.R.T.S. meeting – finalized their budget for next fiscal year – purchased three new vans which will help accommodate those citizens who need transportation for dialysis

Commissioner Ball:

- attended NCACC meeting – formed a committee to study how Counties are ranked for work force training – Franklin County is currently a Tier 5 and because of this, the County gets less money for training workers – matter is to go before Legislature for vote to potentially become a Tier 3 County
- asked that the Chair and the County Manager decide on a format for the budget

Vice-Chairman Foy:

- attended a pig pickin at the Franklinton Senior Center

Chairman Stone:

- received a letter from the Department of Commerce regarding the Wastewater Treatment Plant
- Scott Capps, District Engineer, NC DOT, sent a list of the number of roads the DOT has completed paving in the County
- Reminded the Board of the Council of Government Region K meeting in Henderson January 22nd - Commissioner Ball will be in attendance to discuss Mental Health
- reported to the Board that the Work Session for February would need to be held on Monday, February 9th rather than February 2nd due to a conflict with his schedule

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19. Manager's Report

County Manager Self reported the following to the Board:

- a draft of the bidding procedures has been provided to the department heads to review and make suggested changes if needed
- Mr. Johnny Gilliam is coordinating with Dr. Perdue for the interior layout of the morgue - from there, we will be able to talk with contractors to find the least expensive approach and still maintain the visual impact on the Sheriff's Office.

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- has met with the communication firm and will be meeting again Wednesday, January 21st to find a permanent solution to the pager problem
- is working on compiling a draft firearms ordinance for the Board's consideration at a work session, hopefully in March
- Representative Lucy Allen informed the County that Governor Easley will be signing a proclamation on January 29th recognizing the 225th anniversary of Franklin County, Louisburg, and Warren County.

There being no further business to come before the Board, Vice-Chairman Foy made a motion to adjourn the meeting. Adjournment recorded at 10:30 P.M.

RAYMOND A. STONE, CHAIRMAN RICHARD B. SELF, CLERK