

July 17, 2006

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

1. CONSENT AGENDA

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

- A. June 12, 2006 minutes
- B. June 19, 2006 minutes
- C. Tax collection report
- D. TDA by-law amendment
- E. School construction contracts for additions and renovations at Louisburg High School in the amount of \$7,808,670
- F. Resolution providing for the issuance of \$20,000,000 general obligation school bonds

Upon a motion to approve the consent agenda by Commissioner Swanson, seconded by Commissioner Gupton, with all present voting "AYE", the motion duly carried.

2. PUBLIC HEARING

- A. Zoning Map Amendment: Ann Marie DellaMorte, 75 Acres, Louisburg Township, State Road 1110 (E.F. Cottrell Road) & State Road 1701 (Otis Burroughs Road), O/I to R-30

Planning Director Pat Young informed the Board this request was recommended by the Planning Board. He stated the measure passed with a majority vote with one dissention.

At approximately 7:11 P.M., Chairman Dunston declared the public hearing open.

Ann Marie DellaMorte, 80 Fiddler's Drive, Youngsville, NC

- DellaMorte is managing the request for the property owner (Gary Strickland). DellaMorte stated there were no current plans for development and said the primary concern involves a home that is already located on the property.

Victor Alston, 20 Candis Drive, Louisburg, NC

- Mr. Alston owns property near the area in question. He stated he would like to know more details about the actual intent for the property and what types of development are allowed in R-30 districts.

Aileen Rogers, 147 E.F. Cottrell Road, Louisburg, NC

- Ms. Rogers' property is adjacent to the area in question. She too expressed concerns about the type of development that could legally be located there if the tract was rezoned.

Bob Winters, 195 Black Cloud Drive, Louisburg, NC

- Mr. Winters stated that a mistake was made when the area was previously rezoned to O/I due to the amount of residential development in the area.

Gary Strickland, 463 Flat Rock Church Road, Louisburg, NC

- Mr. Strickland owns the property in question and stated he had no intentions of developing the land. He said he only wants to protect the home of one of his children which is located on the land.

At approximately 7:34 P.M., the public hearing was closed.

Commissioner Foy made a motion to accept the recommendation of the Planning Board for approval of the zoning map amendment, seconded by Commissioner Lancaster. The motion carried 6 to 1, with Commissioner Dunston casting the dissenting vote.

B. Zoning Map Amendment: Log Cabin Kennels, 5.27 Acres, Louisburg Township, US Hwy 401, R-30 to HB (Highway Business)

Planning Director Pat Young stated this recommendation carried unanimous approval by the Planning Board. A kennel is already in operation on the site. Now, the owners would like to expand their business with the intent to offer vet services and pet supplies.

At approximately 7:38 P.M., Chairman Dunston declared the public hearing open.

Allison Asher, 2032 US Highway 401, Louisburg, NC

- Ms. Asher is the petitioner who restated her intent to expand the business allowing for retail sales and other services.

At approximately 7:40 P.M., the public hearing was closed.

Upon a motion by Commissioner Foy to approve the zoning map amendment, seconded by Commissioner Lancaster, with all present voting “AYE” the motion duly carried.

C. Text Amendment: Article 17., Section 17-4, (K) Political Signs

Planning Director Pat Young stated during the recent primary, his office received numerous complaints concerning the height of political signs. Young said planning staff doesn't foresee a detriment to the health and safety of the public by changing height restrictions of the signs from 4 to 6 feet tall. He stated the Planning Board agreed unanimously.

At approximately 7:52 P.M., Chairman Dunston declared the public hearing open.

Bob Winters, 195 Black Cloud Drive, Louisburg, NC

- Mr. Winters asked the Board why it would consider regulating signs on private property stating such action would violate the Constitution and citizen's first amendment rights.

At approximately 7:53 P.M., the public hearing was closed.

Commissioner Stone made a motion to approve the text amendment and the recommendation of the Planning Board, seconded by Commissioner Gupton.

Commissioner Lancaster asked to amend the original motion, seconded by Commissioner Foy to include “political signs are exempt from all time limitations when placed in or on individual residences or on a business premises, signs should be within a maintained landscaped area and all other limitations will apply.” The amendment failed with Commissioners Foy and Lancaster voting “AYE” and Commissioners Stone, Buffaloe, Dunston, Swanson and Gupton voting “NO”.

Upon the original motion by Commissioner Stone to approve the text amendment, seconded by Commissioner Gupton, with all present voting “AYE” duly carried.

3. COMMENTS FROM THE PUBLIC

No comments were made.

4. 2005-2006 TAX SETTLEMENT

Deputy Tax Collector Bobbie Gravitt presented the annual tax settlement stating 96.93% of taxes were collected for 2005-2006. Gravitt said the total levy increased by 4.83% and also stated the tax office collected \$1,239,777.53 more than the previous fiscal year. The Collector’s office has additionally reported an increase in the collection rate over last year by 0.17%.

Upon a motion by Commissioner Stone to approve the tax settlement and to charge the Tax Administrator to collect taxes due Franklin County for FY 2006-2007, seconded by Commissioner Buffaloe, with all present voting “AYE”, the motion duly carried.

5. AVIATION GRANT

Franklin County Economic Development Director Ronnie Goswick addressed the Board asking it to consider approval of the North Carolina Department of Transportation Vision 100 Grant in the amount of \$150,000. The grant is awarded each year to help meet the needs of the Franklin County Regional Airport. The grant requires a match of 10% or \$16,667. The Franklin County Regional Airport Commission has determined it would like to use these funds to help construct two nine-plane t-hangars.

Upon a motion by Commissioner Buffaloe to approve the grant, seconded by Commissioner Stone, the motion carried 6 to 1, with Commissioner Foy casting the dissenting vote.

6. TEN-YEAR SOLID WASTE PLAN

Franklin County Solid Waste Director John Faulkner briefed the Board on the updated ten-year solid waste plan submitted to the state every three years that addresses the county’s plan for solid waste collection, disposal, and overall waste reduction. Faulkner stated the plan includes every facet involved in solid waste management. He highlighted improvements such as the county’s new transfer station, improvements in collections at convenience centers to accommodate growth, an increase in recycling and new recycling programs. Faulkner confirmed the county has a more efficient operating system compared to the former plan submitted to the state three years ago.

Upon a motion by Commissioner Swanson to approve the ten-year solid waste plan as presented and commend Faulkner on a job well done, seconded by Commissioner Gupton, with all present voting “AYE”, the motion duly carried.

7. SOLID WASTE ORDINANCE

Franklin County Solid Waste Director John Faulkner also presented changes to the solid waste ordinance he said was originally adopted more than ten years ago. Faulkner stated the ordinance now provides language to address and define the new solid waste availability fee. It also addresses illegal dumping and provides new language allowing fire departments to manage illegal burning. Faulkner said the document mildly addresses bird flu and how to dispose of those animals.

Upon a motion by Commissioner Stone to adopt the ordinance, seconded by Commissioner Gupton, with all present voting "AYE", the motion duly carried.

8. ADMINISTRATIVE MANUAL UPDATES

In the summer of 2005 the Board adopted a revised administrative manual to guide daily operations of county government. The manual defines the expectation that county staff review and recommend amendments on an annual basis. County Manager Chris Coudriet used the following PowerPoint presentation to highlight proposed changes. He stated the manual is discussed with every county employee upon orientation. Employees are provided a copy of the manual as well.

Summary of Proposed Changes

Performance Evaluation (page 16)

- establishes a quarterly review rather annual
- serves as the basis for experience pay, career advancement, and any future merit program

Merit (page 46)

- "Merit increases are not automatic but are awarded for exceptional work achievements"
- "Upon determination of meritorious performance, the department head may recommend an increase in pay . . . only those employees who meet expectations may be eligible . . ."
- "All merit increases are dependent upon availability of budgeted funds"

Holiday Schedule (page 54)

- Change days off if Christmas falls on Sunday
- Days off: Friday, Monday, and Tuesday

Compensatory Time (page 61)

- Defines consequence of not using compensatory time
- "Any hours over the maximum (240) will be forfeited at the end of the calendar year"

Educational Involvement Leave (page 77)

- Notes activity not eligible for leave
- "Employees may not use educational involvement leave to attend daycare related events"

Insurance Coverage after a Catastrophic Event (page 80)

- New benefit regarding health insurance
- "In the event that any employee with a minimum of 10 years of service suffers a catastrophic event that makes the employee become permanently disabled, the employee

will become eligible for health insurance coverage until they become Medicare eligible. The employee must apply and determine eligibility to receive Social Security disability. Once the employee becomes Medicare eligible, the employee must notify the county”

Donated Leave (page 62)

- Defines minimum time away from work as 20 consecutive days [to be eligible]
- Notes that donated leave cannot be used on an intermittent basis

Upon a motion by Commissioner Stone to approve the recommended amendments subject to clerical improvements, seconded by Commissioner Buffaloe, with all present voting “AYE”, duly carried.

9. BOARD APPOINTMENTS

Lee Yarborough has requested that he not be reappointed to the Board of Directors for Research Triangle Regional Partnership. David Williams has expressed interest in serving on the Board for the term beginning July 7, 2006 and ending June 30, 2009.

Upon a motion by Commissioner Stone to name David Williams to the Board of Directors for Research Triangle Regional Partnership for the term ending July 7, 2009, seconded by Commissioner Lancaster, with all present voting “AYE”, the motion duly carried.

Two appointments are needed to the Rural Planning Organization Transportation Advisory Committee. These positions are currently held by Commissioner Robert Lee Swanson and Louisburg Mayor Karl Pernell. Mayor Pernell has stated an interest in serving. Commissioner Swanson requested that he no longer wished to serve on the board.

Upon a motion by Commissioner Buffaloe to reappoint Mayor Pernell to the RPOTAC and reappoint Commissioner Swanson until a suitable replacement is found, seconded by Commissioner Lancaster, with all present voting “AYE”, duly carried approval.

Chairman Dunston then briefly recognized Franklin County Economic Development Director Ronnie Goswick for being appointed as a member of the North Carolina Economic Development Board and elected as President of the North Carolina Economic Developers Association. Stewart’s Jewelers in Louisburg was also recognized as the Franklin County recipient at the Small Business Week Luncheon held in Henderson.

10. BOARD, MANAGER AND CLERK’S COMMENTS

Commissioner Foy: Commissioner Foy reminded the Board of the 16th annual Senior Fun Day in the Park scheduled for Tuesday, July 18, 2006.

Commissioner Stone: Commissioner Stone stated he is pleased with the General Assembly’s first step of capping Medicaid costs to counties.

Commissioner Buffaloe: Commissioner Buffaloe mentioned improvements at the Franklin County Airport and stated fuel sales are increasing.

Commissioner Swanson: Commissioner Swanson also mentioned the airport and commented

on its benefits to all Franklin County citizens.

Commissioner Gupton: Commissioner Gupton mentioned that KARTS (Kerr Area Rural Transportation System) is still searching for a Director and stated it continues to look for ways to cut costs.

Commissioner Lancaster: Commissioner Lancaster offered information pertaining to a conference call he participated in dealing with negotiations on the HUB site. He said the Franklin County Committee of 100 is also nearing a decision on their next development project and mentioned a date will be forthcoming for the annual banquet.

Commissioner Dunston: Commissioner Dunston highlighted several functions the county has attended promoting positive growth of Franklin County. One such event was a breakfast with Embarq, the new "Sprint" in our area. He said "good things" are on the horizon from Embarq that the county can benefit from. He also mentioned attendance at the grand opening of a new cancer treatment center in Louisburg and a Franklin County Chamber of Commerce *Business after Hours* event at Johnny's Barbeque in Louisburg.

County Clerk Kristen King: Mrs. King reminded the Board of Senior Fun Day on July 18, 2006 and also mentioned the Franklin County Chamber of Commerce *Revive after Five* event scheduled for August 1, 2006 at Hill Ridge Farms in Youngsville. Mrs. King also notified the Board of the NCACC Healthcare Summit scheduled for July 21, 2006 from 10 A.M. until 2 P.M. in Raleigh.

Chairman Dunston asked the Board to consider rescheduling the August 7, 2006 meeting due to a scheduling conflict with the annual NACo (National Association of Counties) conference which several commissioners plan to attend. The manager stated because the August agenda is not burdensome at this time, the Board may wish to consider conducting only one meeting on August 21, 2006.

Upon a motion Commissioner Stone to cancel the August 7, 2006 meeting, and call for a special meeting if necessary, seconded by Commissioner Buffaloe, with all present voting "AYE", the motion duly carried.

County Manager Chris Coudriet: Mr. Coudriet reported on Medicaid relief stating the county capped out at \$2.9 million. He says the county will continue to pay on a monthly basis until it reaches the \$2.9 million. If statewide county costs exceed \$27.1 million, he said the county would again have to pick up participation. Mr. Coudriet also commented on the new employee performance evaluation system stating it appears to be the most objective and fair instrument reflective of how the County currently does business. He briefly mentioned a forthcoming report from the Franklin County Economic Development Office reflecting statements of action that have been taken since the joint planning session held May 31, 2006. Mr. Coudriet reminded the Board of a request made to the Environmental Management Commission to delay a decision on reclassifying part of the water supply/watershed on the Neuse River. He said he expects a report within a week by the county's engineers identifying feasibility of intake. Mr. Coudriet also addressed the APSO (Adequate Public Schools Ordinance) stating it went into effect July 1, 2006. He said county staff is progressing in terms of planning sessions with school administration staff to finalize the capital improvement plan. Finally, he said the County's new QRV (Quick Response Vehicle) program is now fully operational with two sport utility vehicles serving emergency medical needs in the Bunn and Youngsville areas overnight.

11. CLOSED SESSION

At approximately 8:53 P.M., upon a motion by Commissioner Buffaloe to enter into a closed session pursuant to NCGS 143-318.11(b)(5) to instruct staff concerning the position to be taken with regard to negotiating the acquisition of real property by purchase, seconded by Commissioner Swanson, the motion carried 6 to 1 with Commissioner Foy casting the dissenting vote.

Upon a motion by Commissioner Stone to enter back into open session, seconded by Commissioner Gupton, with all present voting "AYE", the motion duly carried and the Board went into open session at approximately 9:32 P.M. and announced no action was taken.

Upon a motion to adjourn by Commissioner Lancaster, seconded by Commissioner Gupton, with all present voting "AYE", the motion duly carried.

Sidney E. Dunston, Chairman

Kristen G. King, Clerk to the Board