

## February 20, 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 to approve the consent agenda, seconded by Commissioner Buffaloe, with all present voting "AYE", duly carried.

### 2. Public Hearing

- A. Special use permit: Timothy Wrenn, 5 acres, Louisburg Township, US Hwy 401 & NC Hwy 39, AR zoning, expansion to an existing self-storage facility.

Pat Young, Planning Director, presented a request for a special use permit for Timothy Wrenn, 5 acres, Louisburg Township, US Hwy 401 & NC Hwy 39, AR zoning, expansion to an existing self-storage facility.

Chairman Dunston declared the public hearing open and called for public comments. Hearing none, the public hearing was closed.

Upon the motion of Commissioner Foy to approve the special use permit, seconded by Commissioner Lancaster, with all present voting "AYE" duly carried.

- B. Special use permit: Judy Downey/Church of Jesus Christ of Latter Day Saints, 4.10 acres, Louisburg Township, Dyking Road (SR 1235), AR zoning outdoor drama.

Pat Young, Planning Director, presented a request for a Special use permit for Judy Downey/Church of Jesus Christ of Latter Day Saints, 4.10 acres, Louisburg Township, Dyking Road (SR 1235); AR zoning; outdoor drama for a one time program for two consecutive evening. Expected attendance would be approximately 300 people. The petitioner is also asking for parking on the west side of Dying Road. The applicant has agreed to have security guards on site to ensure that persons attending the drama are safe and to make sure that parking is no closer than 50 feet from the road. When the applicant comes in for the actual permit, the county will conduct site verification to ensure parking is available as represented on the application. If the county inspects the site and the site is not what was presented on the application, the permit will not be given.

Chairman Dunston declared the public hearing open and called for public comments.

As required by a quasi-judicial zoning hearing, the County Attorney swore in Judy Downey offering testimony.

Judy Downey, 4016 Wiggins Road, Youngsville, NC, 27596

Ms. Downey presented a brief description of the play and stated the play is a historical drama based on a revolutionary soldier from our area. The base line of the story will be on freedom of speech.

Chairman Dunston called for further comments. Hearing none, the public hearing was closed.

Upon motion by Commissioner Foy to approve the special use permit, seconded by Commissioner Lancaster, with all present voting "AYE" duly carried.

C . Map amendment: Elmo, Ricky & Stuart May, 79.54 acres, Harris Township, Joe Denton Road (SR 1707), R-1 Zoning to R-30 Zoning.

Pat Young, Planning Director, presented a request for a Map amendment: Elmo, Ricky & Stuart May, 79.54 acres, Harris Township, Joe Denton Road (SR 1707), R-1 Zoning to R-30 Zoning. The Franklin County Planning Board, by the majority vote, recommended denial of this request. Mr. Young presented the difference in R-1 and R-30 zoning and modular and manufactured homes. Mr. Young stated the area was rezoned in 2003, from the original AR zoning with the intent to preserve a corridor along M.C. Wilder Road where there is a 12 inch water line and also to protect the potential value of the land.

Chairman Dunston declared the public hearing open and called for public comments.

Don DeJong, 428 Husketh Rd., Youngsville, NC 27596

Mr. DeJong presented the following statement: "As the owners of 68 acres of undeveloped property on Joe Denton Road, we are concerned about the recent request to rezone the May property. Our concern is based on the following considerations.

- There appears to be a high likelihood that the owners of the May property intend to rezone their land for the purpose of accommodating low cost mobile homes.
- Joe Denton already has two high density mobile home parks over the total distance of approximately 2 miles. It serves as a short cut route between M.C. Wilder Road and Ransdell Road. As a result it has more than its share of traffic for this type of rural property.
- My wife and I are very pro-development for Franklin County farmland, but not when the intended use threatens to devalue adjacent property.
- We would prefer to see a zoning change that would add to the tax base of the county...like stick homes or modular homes which could serve as adequate

yet attractive starter homes for first time home buyers and simultaneously increase real estate values.

- We ask therefore, that the commission reject the May family's request for a change of zoning from R1 to R30, which represents a considerable and unreasonable downgrade in usage restrictions.

Stewart May, 1790 Hwy 39 South, Louisburg, NC 27549

Mr. May stated there were two mobile homes on this property. He said one has been moved due to burglary, but at this time he has a permit to replace the one that was moved and said he would like to add three additional mobile homes. He is a farmer and grows tobacco, beans etc. He is not looking to make this property into a mobile home park. His intentions are to continue farming, making some rent money, due to the uncertainty of the farming future. Mr. May stated the area is located on Joe Denton Road on the left side approximately 4 to 6 acres away from the farm.

Pete Tomlinson, Attorney, 1363 NC Hwy 39 South, Louisburg, NC 27597

He represented the May's in several different actions and he was asked to speak on their behalf on the rezoning. He stated the May family was not aware the area had been rezoned. There are other uses that have been overlooked that the May's want for this section. All the other tracts that were rezoned are on the water line and said why the water line was stopped at the May's tract is unknown and asked the Board to consider this when considering changing the zoning back. He asked the Board to please consider the May's request.

Chairman Dunston declared this section closed and asked to defer until March 13, 2006.

- D. Public hearing on consideration of NC General Obligation School Bonds in the amount of \$45 Million and the resolution calling for the bond referendum on May 2, 2006.

Chairman Dunston declared the public hearing open and called for public comments.

Dr. Bert L'Homme 108 East Franklin Street, Youngsville, NC

Dr. L'Homme stated the progress of our community rests on what we do this evening. He encouraged the Board to vote to conduct the bond referendum on May 2 for \$45 million dollars. He said any delay would increase the course that will jeopardize the ability to meet the goals of our students. The need for a new high school in the Franklinton area, the current school is landlocked and does not have any more room for growth. Commissioner Foy questioned the use of the first \$30 Million." Response – "The first \$30 Million was for an addition and renovation to Louisburg High School & Franklinton High School and also to purchase property for a new high school and elementary schools." We need to redo poorly designed cafeterias, gyms and especially classrooms to meet an expected demand. He said there has been some talk about establishing year round school, but said this was an emergency response to solve an issue at the time, but said down the road it is not a good idea. We have to remember

we are in a 40 year old court order of desegregation of our schools so this determines where the schools should be built.

Tommy Piper, 109 South Bickett Blvd., Louisburg, NC

The first \$30 Million was to cover three projects listed; they were for an additional classroom (music/art classroom) for Bunn Elementary School & Laurel Mill Elementary, renovation at Youngsville Elementary. The Terrell Lane Middle School project was completed last August. The approximate cost for this project was \$7 million out of the \$30 million. It has been a difficult task trying to locate 70 acres of usable land in western Franklin County because most land is owned by private developers. We are close and at the present time; we are having good dialogue with some land owners. Franklin County is growing and people are bringing kids. All we are trying to do is to get ahead of the curve. The main amount will be used for Franklinton High and the fact remains that it is spread out over 3 blocks and it is landlocked. There will be approximately 1000 students in the next 5 years. We are feeling the spill over effect from Wake County.

John Long, Youngsville, NC, architect

Out of the first \$30 million bond it was used for the following: Louisburg High School - 6 new classrooms, Bunn Elementary School 2 new classrooms, Terrell Lane 8 new classrooms and Bunn High 13 new classrooms.

Bernard Hall, Franklin County School Board Chairman, 1573 NC Hwy. 39S.

We have asked for members of your board to be a part of our School Board Task Force. This committee will be looking at long range facility plans. This committee has been put together to evaluate the long range facility plan to try and stay ahead. We don't want to wait for kids to show up on our door steps and then decide we need new classrooms. The meeting will be held on February 27 and March 27 and the public is invited to attend. This group will be discussing the future use of the current Franklinton High School as well as future use of all current facilities and look at any potential facilities that are needed. School facilities are like all other buildings, they have to have upgraded.

Kenneth King 381 Clifton Pond Road, Louisburg, NC

Mr. King stated that he supported the \$30 million bond because it made sense and because it was the best thing we could do to support our schools and support our community. He is appalled that the schools would come back with a request even before they've spent the \$30 million. The voters should not be presented with a \$45 million school bond until the school system has spent the \$30 million it received in November 2004. No campus is perfect, why does the school board think we need a perfect high school when they have not spent the first \$30 million. We do not need to waste \$37 million on a pipe dream of a new school.

Bob Winters, 195 Black Cloud Dr., Louisburg, NC

He is not against public education, but asked why there was a rush for approval. Why can't this go on the ballot in November? Is this our only and best option? Have we looked at all avenues? Will year round schools help? Yes, it is an inconvenience but it is

an inconvenience for higher taxes. We can save money on buses, simply by changing the schools hours. He asked the Board of Commissioners not to write the school system a blank check.

Charles Fuller, 206 N. Main Street, Franklinton, NC

Franklinton High school was a grand facility when it was built. It was built in a time when there was no such thing as a computer, the average person did not have a car and when young students were sent to the same school. This is no longer the case and is still a quality facility that is maxed out. We have ten teachers that float during the day. We run 4 lunches to serve the students. The computer labs are too small. He said the school is ten computers short per classroom because there is not enough room. The hallways are too small to accommodate the number of students. Parking on campus is very limited, most of the students park in a public lot. Students must walk across a live public street. The gym is way too small; we cannot accommodate our guests during a big game. Most of our athletic facilities are off campus because there is no room for our students to practice; therefore, we have to transport them off campus in order for them to practice. Educational needs today are built on technology; Franklinton High School can not accommodate this task. The last time we ran computer cable through the school they had to drill through steel bends. This is very costly and timely. The original bond request was for \$80 million but we only received \$30 million. A new Franklinton High School was asked for in that bond. He is a long time citizen of Franklin County and every parent he has spoken to supports this bond.

Karen Stowe, 185 Windsons, Youngsville, NC

Ms. Stowe is an active parent and PTSA board member of Franklinton High School and the parent of 2 children that attend Cedar Creek Middle School and Franklinton High School. She said there is a need for a new high school. With our current growth in our community we will meet capacity within 6 years. This is based on our enrollment at Franklinton, Royal and Youngsville Elementary, Cedar Creek Middle and Franklinton High School. To add on to Franklinton High School, which was built in 1923, will be a problem because there is not enough land to support the need. As a taxpayer, I support this bond and will vote for it at the next election.

Chuck Stires, 151 Rocking Horse Lane, Youngsville, NC

The Franklin County Republican Party supports delaying the vote on the school bond until the November general election.

The Franklin County Republican Party supports all efforts to increase emphasis and resources for education in our County. Our children, well trained in fundamentals and principles by capable teacher and well equipped facilities, will be the leaders, skilled workers, business starters/owners and residents in Franklin County and North Carolina.

The Franklin County Commissioners are entrusted with the responsibility to fund education. We encourage and expect the Commission to study and use all available resources (for example existing buildings, development grants, public/private

cooperative projects, etc) carefully before triggering increased taxes as a means to bring success to the educational process in our County.

Because the need for the \$45 million bond fund apparently has come recently, it makes sense to require the Commission to present a well thought out, well developed and well documented set of alternatives to the citizens in public hearing prior to making any vote on the need or the dollar amount. The rush to a vote in May will certainly hinder adequate plan development and discussions especially with current heavy administrative load on the Commission.

A delay in the public vote beyond May will be needed to properly study and present information for public discussion. We encourage the Commission to set the vote on this important and potentially costly bond until the November general election.

Linda Frederickson 135 Broken Arrow Trail, Youngsville, NC 27596

As a lifelong resident of Franklin County, she said she chose to be here, but she feels it is her duty. She has taught at Louisburg Elementary, Franklinton High School and Cedar Creek Middle School and is presently the principal at Franklinton Elementary. She is a strong supporter of the bond referendum and support the bond to be voted on in May. She is a republican and the Republican Party does not share her views. It is a difficult task to raise taxes, but picture a child's face. The \$30 million bond is not a lack of trying to spend this. We have sat in on hours of meetings and travelled many miles on a bus looking for a site. Franklinton High School is a great school but we need a new high school, renovations at Bunn and Louisburg High School and we need a new elementary school. This is not a future need it is an immediate need. Yes it will make the taxes go up but this is worth it. We need quality education for every student in Franklin County and quality schools.

Yvonne Dalton, 105 Emerald Forest Dr., Franklinton, NC

Ms. Dalton is a 1985 graduate of Franklinton High School and member of Franklinton High School Business and Educational Alliance. The Alliance is supporting the students at Franklinton High and Franklin County community. We encourage you, the commissioners, to support this bond to ensure that our students are provided with the best and the continued growth in Franklin County.

Karen Pulley, 106 Justin Lane, Louisburg, NC

She is a member of Franklinton High School Business Alliance. She is a member of Royal Elementary PTSA and a Girl Scout Leader. Her husband is a broker and sees the growth in Franklin County every day. Our children deserve the newest technology, better athletic facilities, safe school, better instructional times and not crowded classrooms. As a business leader you look for the best tools to complete a task. Our children deserve the best tools to help them with their challenges and be proud to be a student in Franklin County.

Jenny Edwards, 803 Mason St. Franklinton, NC

As mayor of Franklinton, she can not guarantee the use of the parking lot for Franklinton High School and said it is owned by the railroad and they will only lease to the town on an annual basis. Franklin County is similar to Louisiana, something one day will hit us, and we will have a category 4 storm coming our way with the growth that is coming. It will be irresponsible for the county to neglect to vote this in on a timely manner. Put it on the ballot and let the citizens decide.

Maggie Halford, 732 Appaloosa Way, Wake Forest, NC

She has researched the numbers, there 728 students at Franklinton High School, in the year 2011 there will be 941 students graduating from Franklinton High School. There are 2546 homes to be built in Franklin County. She urged the commission to approve this bond for our children.

Brook Wheeler, 55 Chester Field Ct, Youngsville, NC

Principal at Cedar Creek Middle School, she expressed her support for the \$45 million bond. She is a Franklin County native, Bunn High School graduate, Franklin County school teacher now she is a Franklin County principal and most of all she is a parent of a Franklin County child. She recognizes the need for adequate facilities, she was most recently the principal at Riverside Magnet School, that was a school that went through renovation, and she still saw the need for technology. She can understand the need if Franklinton High school and Riverside only had 251 students. She is happy to be at Cedar Creek Middle School which is a beautiful school and we only have the capacity for 5 computers in each classroom. Even though their school is fairly new the technology needs in the future will be impacted. We cannot renovate Franklinton High School to accommodate the technology needs of today or in the near future. She spoke on Franklinton High School safety issues, parking and classroom space and more. And adequate facility is imperative for maximum student learning to take place. The projected growth for our county is becoming very noticeable as developers continue to purchase land and build housing developments, this growth is unavoidable. Education is a difficult job if you do not have adequate facility. How do we expect learning to take priority when we have to be concern about the safety of our building or where we are going to place students? Those things are important but shouldn't teaching and learning be the priority. She lives in Franklin County and does not want to spend any more money but said we should not let our children suffer. We should let our children have the best education possible and we can provide that, but we have to have adequate facilities. I ask for support for the children and teachers of our county.

Melissa Mikulski, 40 Old Stone Lane, Youngsville, NC 27596

She is not a long time resident of Franklin County; she moved here 4 years ago. She has two children, one at Franklinton and one at Cedar Creek. The subdivision she lives in will have 3 different sections with approximately 500 homes to be built. She urged the board to approve this bond because we are in urgent need for schools.

George Kelly, 413 Michael Scott Road, Rocky Mount, NC

Principal at Bunn High School. If we pass this bond, Bunn High School is at 910 students our compactly is approximately 750 students. We are enrolling new student's

everyday. If we don't do something to create more schools and more classrooms we are really going to have a mess. We currently have 14 teachers with out classrooms. Bunn High School is using their gym as 2 classrooms. If we get our new Franklinton High School hopefully, they will be taking some our kids. If we do not get a new high school then what is going to happen to Bunn High School. We are looking to build 15 classrooms in the next 18 months. Also, we will be building a new cafeteria; our present cafeteria is not a good eating environment. This bond will fund an auditorium that was promised to them out of the first bond. At this time it is not enough money in the current bond to cover the cost of the auditorium. We have 910 kids in our school without an auditorium, the North Carolina Curriculum demands that we have an auditorium. We have to have band and chorus concerts, meetings, speakers etc. He does not know how many high schools in North Carolina that has 910 kids and do not have an auditorium. You can ask the parents at Franklinton and Louisburg High School how many nights are their auditorium is used. In our community we do not have an auditorium hopefully; some of the money from this bond will place an auditorium in our school so we can give our families and community what they deserve.

Chris Blice, Principal Louisburg High School; Lives in Nash County

Thank you, for the first bond and for all the wonderful things it has for done to Louisburg High School. We added 6 new classroom spaces, renovating 8 more classrooms including our science lab which was a 1961 construction. We've added a new science lab, new computer lab, new main entrance for the school, office area, a new media center and cafeteria. In addition to that, the second bond will give us the ability to add to our lab space for our existing vocational classes. Example one class that needs lab space so the teacher can teach the basic principal of welding and basic construction techniques. The infrastructure of 1961 was very adequate for its time and now we have falling behind in times our classrooms are cool by 2 window units when the temperature is high we only could run one in each classroom because if we run them both we can blow out the building. The bond will go to fix a lot of things to our school. Support to the other two high school especially to the Franklinton High School. Looking at Franklinton High School as a principal he is amazed they are doing the things they do. Franklinton High school has been creative in getting things done. I have heard that we are dragging our feet in spending the first bond but, Louisburg High School has not done so. We having been meeting as a staff to ensure we are getting the best for the money and we are very excited about this bond. We are hoping that you are supporting this bond and will place it on the next election ballot.

Jan Alford, 536 Pilot Riley Road, Pilot, NC

Support of the proposed auditorium at Bunn High School. He has kids at Bunn High School as well as Bunn Middle School. He is unsure how much his 8<sup>th</sup> grader will use this auditorium in the future but it is something that is needed in our community. My understanding of every study/plan including the Department of Public Instructions facilities survey from 1994 again in 2000 and the Smith Senate Associate for planning growth study from 2002 has recognized the need for an auditorium for Bunn High School. A common auditorium may not give us what we need at Bunn High School. I think a multi-purpose building/auditorium will truly identify our needs. One of the greater

needs is the culture arts program it is impossible to have band concerts, drama, musicals, dances and class plays etc. with out such a building. The cultural art is necessary for a well rounded high school. Such a facility will provide a place for class meetings, club meetings and is necessary for junior and seniors to meet several times a year. The facility also provides a place where speakers could come to address larger groups of our students. It would provide a place for our community for events such as singing, dramas, alumni class meeting and fundraising events. As the president of the Bunn High School booster club, we are always looking for ways to raise money for the athletic program at the high school. The facilities will open great new possibilities that we do not have available to us now. Many times ideas are shot down and because of the possibility of a rain out. A multi-purpose building at Bunn High School will be a place for education. I have work with many youth that have no idea of what major they would like to do in higher educational institution. With a multi-purpose building I can see students getting directions for their eyes; it can give them many ideas of what field to pursue such as light sound, actors, actress, stage management etc. Such the fact the students will be given the opportunity to speak in front of large groups will give them confidence regardless of their chosen fields. They may want to be in state politics. We in Franklin County do a wonderful job of getting a dollar in and half out of every dollar that we spend. I see things going on in Nash and Wake County. That we can do as well. If any of you have every been to Nash Central High School, you can walk around that campus and admire what they have and we in Franklin County, do not have to have all the bell and whistles that Wake County has but on the other hand I don't want us to do without. So, I think the auditorium is a need for Bunn High School; he is in favor of the bond issue. When his father worked at Bunn High School 1972, when they needed work, the superintendent instructed them to go find rusted nails and reuse them. Find boards they needed for repairs at that time period we return money back into the state. That time period is what got us in the problem we have had for the past 15 years. He asked that we do not take a step backwards by not accepting this bond.

Ralph S. Knott, 310 Edward Lane, Louisburg, NC

There have been concerns and some answers have been given and there are other concerns that need answers. Some have been speaking on investment; there is no investment as important as our children. Our children are our leaders for the future. You can take a child and give them an education, when they go out in the world you can take everything in the world from them but you can not take that education. The mistake that we have made was with the first bond for \$30 million it should had been \$85 million, then they wouldn't have to be come back at this time. He has faith in the board of education as well as the county commissioners. If we keep waiting the land issue will cost us more money down the road. We need to move forward with this bond issue and I will support it as well as tell everyone he knows to support it. A lot of people are coming up and speaking about their kid's ages and what schools they go to. He is 72 years old and it's been a long time since he had children in school, but he is concerned about every child in this county of every race, they are all entitled to an education. We have to give it to them or someone else will. We talk about what the federal and state government should do for our children, but when it comes down we have to carry the load because these are our children and they will be our leaders in the

future. He is really pleased with the meeting tonight – he did not see any negative parts to it, people came up with good questions and a lot of them where answers and there will be other opportunities to answered between now and May 2<sup>nd</sup>. Thanked everyone for letting him speak. In his life he has wanted to be a lot of things but one thing he did not want to be was a county commissioner.

Scott Lerew, 1384 Sims Bridge Road, Kittrell, NC

He has become a big fan of the school board, since he became a task member to merger Riverside and Louisburg Elementary. Through that process he developed a lot of respect for the school board because of the decisions they have to make. The school bond is important and it is up to the board of commissioners to place this bond on the ballot. Not in favor of taxes being made, but he has a 7 year old that will end up at Franklinton High School. Maybe if this bond is passed is there other ways to support this bond with out raising the taxes? Maybe this is a question that needs to be asked. We know the lottery is on the horizon, are we going to receive dollars from that? From all the process he went through with Riverside he has never encountered a more thoughtful group of people who are responsible and concerned about being accountable as the superintendent office down to school board. I will challenge them to continue be accountable and good resources for our children. This bond is needed and schools have to be approved. He is a broker and one of the things that always come up “Why are the schools so old”? This is just one thing that comes up from citizens that are coming through. If we draw the people and the businesses this is the growth were we should be.

Bruce Youngbar, 655 Collins Mills Road, Casitia, NC

Ralph Knott hit the nail on the head; the bond should have been for \$85 million, we should be thinking of future and not present. Everyone is thinking present; all he sees is selfishness Bunn, Franklinton, Louisburg are my school project. What we need in this county is a county school; we need an opening up, where we have a facility that out do all others. We talking about our high school level, how are we going to have leaders of the future when we don't have the proper equipment? I was working with a guy on a car and I asked him why did you come out here without the proper tools? It took us 10 minutes where it should have taken us 10 seconds. All we need is to build a county school, shelf some of this you are thinking about, don't look at one area look at the entire Franklin County. This is not Bunn, Franklinton or Louisburg, this is Franklin County. All the citizens of Franklin County come together let that committee find a place that is big enough to build something that will hold the county situation in tow for the next 20 years.

Chairman Sidney E. Dunston called for further comments. Hearing none, the public hearing was closed.

Upon the motion of Commissioner Gupton to adopt the bond and order a resolution calling for the bond referendum on May 2, 2006, seconded by Commissioner Swanson, with all present voting “AYE”, duly carried.

Commissioner Lancaster stated we need to start looking for ways to pay for this bond; try to come up with some alternative ways besides maximizing and impacting the property taxes.

Commissioner Buffaloe stated there are some things out there, it won't take away all the potential in property taxes, but are some things that will not make such a big impact on the taxpayers as it appears to be presented. He encouraged the County Finance Officer to prepare a statement of what the potential is for ways to finance this. Mr. Buffaloe challenged the media to print this so everyone can understand.

Recess at 9:15 p.m.

Resume 9:29 p.m.

### **3. Comments from the Public**

Mr. Bruce Youngbar, 655 Collins Mill Road, Louisburg, NC  
He has visited the Franklin County pound quite a bit and he stated "that the employees at the animal shelter are not qualified to clean the facility and are not trained properly". These are good men and do not have anything against them personally, When you have a situation where you have many animals coming in and you begin to see disease problems, you need to have professional come in with proper equipment to take care of the problem. He asked the commissioners to find a private firm to go in this one particular area. This has been continuous thing over the years where these animals are coming down with different disease and spreading them through the whole lot. Then no one wants to adopt the animal, and then we have to put them down. He stated he knows about this and he can see the situation of what they are trying to do but, they are not trained to do this properly and this is making the problem get worst. Unless you completely eradicate the germs that are there by proper method they will stay there. The county could look into finding some private firm to go in there to de-germize the place every so often it will help the situation a great bit.

Chairman Dunston asked how often do you recommend Mr. Youngbar? About once a month? How much do you think it will cost? Approximate \$100 a month if you do it on a continuous bases, they know what they are doing. Our people do not know what they are doing? No! They do not; they do not understand the complication of these disease and things. With working with the government he has some experience in eradicating lead paint when children are involved. He knows the situations you can come into. We had to go back over jobs because the people where not properly trained and the lead was getting into the children bodies. I was a troubleshooter to go back to see where the problems where. They are good men and doing the best they can with what they have but, they are not qualified to deal with this type of gem situation.

### **4. Resolution of Private Sale**

At the direction of the board, following a request by the Perry's School Alumni, a resolution has been prepared for the board's consideration authorizing the conveyance of the former Gold Sand Elementary School Property, consisting of a total of 14.71 acres, for the sum of one dollar. This conveyance will include terms such that if the property ceases to be used for public purpose as shall be outlined, that the property will revert back to the county. The manager and county attorney will be available to answer other questions of the board related to this matter.

Upon the motion of Commissioner Swanson, seconded by Commissioner Stone, with all present voting "AYE" to move that for adopting the resolution and direct the county manager to proceed with the sale as outlined upon proper notice being given pursuant to law.

#### **5. Proposed Transfer of County Owned Real Property to Town of Louisburg**

In December of 2005 the county, through the foreclosure process for non-payment of property taxes, acquired two improved parcels located in the Town of Louisburg. Their addresses are 108 Edgerton Street and 604 Kenmore Avenue.

The county was previously unaware that the Town of Louisburg had condemned the houses located on these properties. Due to the current condemned status of these properties, the county will most likely be unable to sell them, and the Town is in the position of being obligated to require the county to clean up or demolish the houses to bring them into compliance.

In order to resolve this issue, and on the authority provided by GS160A-274 (b), county staff recommends that the county convey these parcels to the Town of Louisburg with the understanding that the Town will "raze" the improvements on both parcels and clean them up. It would be further understood that any money received by the Town as the result of the subsequent sale of these parcels, would first go to satisfy the Town's clean up and sale cost with second priority being to reimburse the county for monies paid at the foreclosure sale

Upon the motion of Commissioner Buffaloe, seconded by Commissioner Gupton, with all present voting "AYE" to move that for conveying these parcels to the Town with the staff recommended stipulations.

#### **6. Amendment To Sewer Use Ordinance**

Franklin County Public Utilities staff has developed a Fats, Oils, and Grease (FOG) program to be adopted as an amendment to the current Sewer Use Ordinance. This program will satisfy one of the requirements set forth by the North Carolina Division of Water Quality when they issued Franklin County a wastewater collection system permit. In conjunction with adoption of this program, Public Utilities staff will also be required to institute an education component which will require annual distribution to system customers. Public Utilities Director Bryce Mendenhall will be in attendance along with WWTP staff to answer any questions.

Planning Director Bryce Mendenhall introduce Steve Styers, superintendent of the water plant and Wrenn Scofield, lab analyst. He has supplied to the board to show the overview of the amends review not only by his staff and him but also the county attorney. We are actually amending the Sewer Ordinance that we have know in our testing of the fats, oils and greases for the FOG program.

#### Overview:

- Our existing Sewer Use Ordinance, Section 2.1 b 14, prohibits fats, oils or greases of animal or vegetable origin. This proposal is a modification to the existing ordinance.
- Main purpose of FOG program is to aid in the prevention of sanitary sewer blockages and inhibition of treatment process from contributions and accumulations of fats, oils and grease from industrial and commercial establishments (restaurants).
- It is important we modify and enforce this ordinance by creating a FOG Program to reduce and limit the amount of FOG entering our Sanitary Sewer System. Mechanisms used for a successful program include: education, permitting users, required cleaning schedule, inspection and sampling of interceptors (grease trap) with required record keeping.
- This amendment is also a requirement set forth by the Division of Water Quality during the issuance of FCPU's Sewer Collection Permit
- Our existing Sewer Use Ordinance, Section 2.1 b 14, prohibits fats, oils or greases of animal or vegetable origin. This proposal is a modification to the existing ordinance.
- Main purpose of FOG program is to aid in the prevention of sanitary sewer blockages and inhibition of treatment process from contributions and accumulations of fats, oils and grease from industrial and commercial establishments (restaurants).
- It is important we modify and enforce this ordinance by creating a FOG Program to reduce and limit the amount of FOG entering our Sanitary Sewer System. Mechanisms used for a successful program include: education, permitting users, required cleaning schedule, inspection and sampling of interceptors (grease trap) with required record keeping.
- This amendment is also a requirement set forth by the Division of Water Quality during the issuance of FCPU's Sewer Collection Permit

#### Modifications

- Existing allows 100 mg/l – change to 250 mg/l
- Creation of Administration Fees, Introduction Package (for new and existing customers), and Enforcement Matrix.
- Creation of specifications regarding Grease Interceptor
  - required minimum 1000 gal tank,
  - with “Hydraulic Jump Method” sampling area,

- minimum 24" manholes.

#### Customer Base

- 3 – Existing commercial food establishments
- 2 – Public Schools
- Industrial / commercial businesses throughout the towns of Youngsville and Franklinton.
- All current Public Utilities residential customers (education program only).
- It is important to note that this policy shall be adopted by our satellite sewer systems (Franklinton & Youngsville) in accordance with requirements in our Sewer Collection Permit.

Commissioner Lancaster asked: What would this do to the school system? Are they going to have to do anything different? Are they going to have to come up with more money? If you have an existing way that you are collecting grease know you are basically grandfather in, we are not going to make them go back and change the way the collect grease. One thing we might do is depending what the test indicate, we might increase their frequency of cleaning. It could incur them an additional cost. Generally the cost of pumping out a grease, cost is basically the same a septic tank approximate \$150 - \$250. Depends how well they are collecting grease on site. We have not spoken to the school system on this as of yet. If they do modification and they change their existing structure at that point then they will have to be at minimum specifications. New constructions or remodel or renovate current business at that point you will be under the new specifications. We are not going back to make existing ones change. We think we are catching this at a good point, we only have 5 that basically effected to go ahead to have in place so when the retail gets here it is in place.

Commissioner Buffaloe asked: Are Youngsville and Franklinton aware of this change? Youngsville is aware and has been expecting it before now but we were a little delayed to getting to them. In our contract with Franklinton for accepting their waste water they have to recognize pretreatment program hands down.

Upon the motion of Commissioner Buffaloe, seconded by Commissioner Gupton, with all present voting "AYE" to move that for adoption of the amendment to the Sewer Use Ordinance.

#### **7. CEDAR CREEK OUTFALL**

Franklin County Public Utilities staff has determined that the 8" sewer outfall line on Cedar Creek Road will reach full capacity in the near future. Based on residential growth patterns and projections the sewer line will begin to experience problems handling peak sewer flows. Staff has recommended to the manager that we initiate design to upgrade the line to a minimum 24" and change the alignment of its current location. Public Utilities Director Bryce Mendenhall will be in attendance to answer any questions.

We have been experience Cedar Creek Line. It has been in about 15 years, it was adequate when it was put in.

#### Presentation:

- Current outfall line provides gravity sewer service along Cedar Creek Rd from Hicks Road and enters into the Joe's Creek outfall line at the creek.
- Line receives all of the wastewater generated by the Town of Youngsville
- Line also currently receives wastewater from the following pump stations: Industrial Park, Brookfield, Farmington Oaks, and Royal Elementary.
- Line consistently runs at greater than 50 % capacity
- Current line conveys into the WWTP over 75 % of the average daily flow. (only Franklinton is excluded)
- During heavy rainfall events, line is unable to handle the incoming flow.
- Based on this fact we have experienced five sewer spills over the past 18 months and received a tentative 'Notice of Violation' from the Division of Water Quality.
- Anticipated redirection of wastewater from Industrial Park will help alleviate some of this problem but steady growth in the area will replace this flow in the near future.
- Expansion of Brookfield and Farmington Oaks along with two other approved subdivisions in the immediate area will quickly replace this flow.

#### Cost Analysis

- Projected cost of project (includes engineering cost which were figured at a rate of 10 % of total construction cost)
  - \$ 1.3 million – 24" PVC pipe
  - \$1.18 million – 20" PVC pipe
  - Cost does not represent an offer from a local developer who wishes to begin constructing a subdivision in the immediate area.
  - That commitment to the county could come in @ approximately \$225,000 - \$250,000.
  - Preliminary talks with another development group have shown that there is strong interest on their part to participate also. The extent of their possible participation has not been determined.

#### Cost Recovery

- An additional 471 lots will be built through expansions of Farmington Oaks & Brookfield and new construction in Ashton Meadows & Berkley Hall.

| Subdivision  | # of lots | Min Charge for Sewer (Annual) | Avg Charge for Sewer (Annual) |
|--|-----------|-------------------------------|-------------------------------|
| Brookfield   | 115       | \$ 31,050.00                  | \$ 57,132.00                  |
| Farmington Oaks  | 81        | \$ 21,870.00                  | \$ 40,240.00                  |
| Ashton Meadows   | 125       | \$ 33,750.00                  | \$ 62,100.00                  |
| Berkley Hall   | 150       | \$ 40,500.00                  | \$ 74,520.00                  |
|  |           |                               |                               |
| Total  | 471       | \$ 127,170.00                 | \$ 233,992.00                 |
|  |           |                               |                               |
| Line could potentially serve a drainage basin that has approximately 2900 acres.     |           |                               |                               |
| Conservative figures would show an average of 3 lots/acre for a total of 8700+ lots. |           |                               |                               |

Upon the motion of Commissioner Swanson, seconded by Commissioner Stone, with all present voting "AYE" to move that for Utilities to initiate engineering/design of a new sanitary sewer outfall to adequately handle sewer flows.

#### 8. Recommendation for Rehabilitation Contract Awards

The county's 2005 CDBG-SS program was held on February 7, 2006. Five contractors attended the contractors' (pre-bid) meeting. Only two of the five eligible contractors submitted bids. The Planning Director Pat Young will be in attendance to answer any questions.

Last fall the county was awarded a \$400,000 grant from the North Carolina Community Assistant for the repair and rehabilitation of houses in the county.

Our contractor back in January bid out three of the units identified as been suitable for repair. We are asking for two of the units to be awarded to the successful bidders. Strickland Constructions was the low bidder on both projects, in the interest of facilitating a quick and timely turn around, we are asking that one of the units be award to the second lowest builders which was \$55 dollars higher. These are small firms that only operate with one crew we can substantial increase the implementation time, close out the grant faster and hopefully make us eligible for additional grants in a timely fashion. We are recommending awarding Malone Construction the location of 602 S. Main Street, Franklinton for the amount of \$26,880 and Strickland Construction the location of, 2364 W. River Rd. Franklinton, for the amount of \$19,380.

Commissioner Foy asked: are these owner occupied homes not rental units? All homes are owner occupied.

Upon the motion of Commissioner Buffaloe, seconded by Commissioner Gupton, with all present voting "AYE" to move approval of contract awards.

## **9. Enhanced Fire Rescue Paging System Proposal**

Proposal from L. Robert Kimball & Associates Inc. to assist the County with the design, procurement, and implementation of an enhanced Fire and Rescue Paging System and to conduct a structural analysis of the radio tower at the Franklin County Sheriff's 9-1-1 Center.

County Manager stated: "As you can recalled during the early budget preparation for our process last year the 911 Steering Committee that had been meeting for the better part of the year identified a system as a prefer implementation for corrections to our fire safety and services, all across the county." We engage Kimball & Associates to identify problems they laid out solid recommendations. In the budget process last year this was identified as high priority project and authorize in the budget some \$600,000 on this project. This proposal and contract which would effective aloud to concluded.

Commissioner Stone asked: Will this be a continue bases or is Kimball firm is the expert in this field? County Manager stated: "they are experts; it was a service contract and several companies where looked at and Kimball was selected because of the expertise and they are a national firm."

Commissioner Lancaster asked: Why are we here. The earlier system was not done correctly.

Commissioner Foy: Are we going to have this check out before we pay anything?

County Manager stated: "That the previously system did not work as expected as it was design."

Communication Director, the last process we went through did not include as many people as it should have to address the problem on the system. We improved a lot on the last system, but it just had poor design. Commissioner Foy ask: Did you check this out. Ms. Shearin stated: They come highly recommended by many people in the state as well as they are going to come in and design a system just for us but the system will not be implemented until everyone/user tests the design. County Manager stated: Signing off the design work first for this group then the replacement of the new powers. The first step is the design. Commissioner Buffaloe stated: When we write the contract we can state that we will hold 25% of their money until it is an actual proving system. This is a standard procedure in a contract. We need we make sure we do not release until we know what the answer is. County manager stated: The county accepted the quality and standard of the last system without engaging the community that would used the system. We redesign the system of how to put this project together. Commissioner Gupton is concerned on how much we are paying 21 people on the payroll and we should not pay anything until we make sure that its works. Commissioner Stone asked: Have we looked at the design base how much of the present equipment can be used? This will be an upgrade to the system not a new system and will be able to be used in the county growth.

Sheriff Jerry Jones 2738 NC 39, Louisburg

Commissioner Dunston asked: These people on staff what about their pay? We learn from our past experience; we learned from the mistakes of our last system. The cheapest bid we found out is not the best bid. The end users the fire departments, rescues, volunteers and the people of Franklin County presented a program to the county at that time and they were cut out in the end and the cheapest bid was taken. We have learned from our mistake the people that were suppose to be looking out for our interest, the consults; Kimball Associates comes highly recommended from people with the same problems that we have and we have researched, the money we will be paying them is a small percentage of the total money if we have gone forward before and paid a little more upfront we would have been 6 years ahead of the game. They are a lot of rules and regulations that are coming in the future and Kimball are aware of them. They have been here and saw all the money we have spent in the passed– this will be add on and build on, they are going present a program that is going to use the structure that we all ready have. We are depending on them to take us the right way. We are going to work with the attorney to make sure everything is done properly. This will be a county wide system that is going to work.

Commissioner Dunston asked: Concerning the grant writer cost for \$120 per hour? There may be some money for grants that is available that Kimball and Associates has work with and aware of. The amount of money is very beneficial to pay them to go around looking for grants for us; where they may have more contacts than us since they have all the technology and professional available.

Upon the motion of Commissioner Swanson, seconded by Commissioner Buffaloe, with all present voting "AYE" for approval of L. Robert Kimball & Associates Inc. proposal and contract.

#### **10. Budget Ordinance Amendment 5**

Amend the special revenue fund to reflect additional revenue and grants received by the Health Department, Social Services Department, Aging Department and the Franklin County Library.

Upon the motion of Commissioner Buffaloe, seconded by Commissioner Gupton, with all present voting "AYE" for approval of budget ordinance amendment 5.

#### **11. Board, Manager and Clerk's Comments**

This is the time set aside for the Board of County Commissioners, the County Manager, and the Clerk to the Board to report on various activities. The Board may also discuss other items of interest.

Commissioner Foy, regarding the Mr. Don Rude case; has there been a judgment against him in getting the money back? County Attorney stated there was a criminal

action and probation sentence. The balance is \$256,000. Mr. Foy asked: To be placed in a motion that if we get the money back from him that it goes back to the taxpayer. Commissioner Dunston stated: that we do some research before we put this in motion. Commissioner Foy stated: in his travel around the county he is asked about things that go on in close selection what can he speak on? County Attorney stated: anything at closed section can not be talked about; but a good point is made for each section that your attorney advises the board what can be discussed and what can't be discussed. Example like personnel can not be spoken about.

Commissioner Stone asked: When can the board release information relating to a personnel matter? Can we ask the attorney to research the law find the balance between the public interest vs. the public right to know? I met with the council at NCSU we make awards to colleges and individuals to come up with energy saving proposes and educational proposal. The manager and I spent 2 afternoons last week interviewing 6 candidates COG executive director. Attended the African American History celebration last Friday.

Commissioner Buffaloe, meeting on CAMPO last in Rolesville highlighting Hwy 401 making it to 4 lines. Representative from Franklin County, RPO, and others have an excellent presentation by Pat Young and planning director of Rolesville. Everyone was very supported for widening of 401.

Commissioner Swanson, nothing to report

Commissioner Gupton, nothing to report

Commissioner Lancaster nothing to report.

County Manger Chris Coudriet, NCACC Medicaid proposal by removing from local government is \$3 million state wide and next year around \$500 million. The executive committee was not prepared to take a vote that was recommended to them by the sub-committee on February 16. So this action has been deferred to future date. But this is a high priority. Had budget kickoff on Wednesday, February 8 with the department heads to discuss the parameter that you outline to us. It is due in to us on March 15. The process is well underway.

## **12. CLOSED SESSION**

Pursuant to General Statute 143-318.11 (a) (6), a Closed Session will be held in order for the Board to discuss a personnel matter

Upon the motion of Commissioner Swanson, seconded by Commissioner Gupton, with all 6 voting "AYE", with 1 voting "NO" to go into closed session to discuss a personnel matter.

---

Sidney E. Dunston, Chairman

---

Chris Coudriet, Clerk to Board