

January 7, 2008

The Board of Commissioners of Franklin County, North Carolina, met for a Work Shop at 5:00 P.M. in the Commissioner's Meeting Room located in the County Administration Building with the following Commissioners present: Chairman Robert L. Swanson, Vice-Chairman Penny McGhee-Young, Commissioners Lynwood D. Buffaloe, Sidney E. Dunston, Harry L. Foy, Jr., Bob Winters and Donald C. Lancaster.

Chairman Swanson called the meeting to order for the purpose of discussing the policies and procedures of the Board of Commissioners. This discussion was a continuation of a Work Shop held December 3, 2007.

The Board continued its dissection of the document, considering each statement's relevance individually. As a result, the Board asked that its "public signup sheet" note that any person, including persons who wish to speak during the informal public comment period, presenting matters before the Board which includes written materials, provide in advance sufficient copies to the Clerk for distribution to each Board member, the County Attorney and all members of the press. The Board asked that the statement also be placed on the county's website to ensure the public has an opportunity to be aware of proper procedure.

The Board was unable to finish analyzing the entire document and is expected to continue its discussion at 6:00 P.M. on February 4, 2008 prior to its regular meeting.

The Board's regular meeting followed the Work Shop at 7:00 P.M. and Chairman Swanson called the meeting back to order.

The Chairman asked the Board to consider adding a third closed session topic pursuant to NCGS 143-318.11 (a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged to discuss potential litigation with the Estate of Marcus A. Coppedge vs. Franklin County Sheriff. He also asked the Board to consider changing the order of the agenda to hold the closed session (Item 8) prior to the portion of the agenda dedicated to Board, Manager and Clerk's comments (Item 7).

Commissioner Lancaster made the motion to add the closed session topic and to reverse the order of Item 7 and Item 8. The motion received a second by Commissioner Dunston and carried unanimously with all present voting "AYE."

1. CONSENT AGENDA

A. November 5, 2007 minutes

- B. November 19, 2007 minutes
- C. December 3, 2007 minutes
- D. December 20, 2007 minutes
- E. ~~Consideration of an amendment to Planning and Inspections Fee Schedule to allow for refund of permit fees~~
- F. Consideration of approval for Project Ordinance for the Revaluation Project in the amount of \$708,000
- G. Consideration of approval for Project Ordinance for the FY06 Community Development Block Grant – Concentrated Needs Project
- H. Consider approval of new rate for private stock of shingles vaccine
- I. Request for addition of Oak Park Boulevard (Oak Park Subdivision Phase 1) to the State Maintained Secondary Road System
- J. Releases, Refunds and Tax Collection Report
- K. Consider a Resolution adopting the Franklin County Animal Advisory Board Bylaws
- L. Consider a resolution regarding access road funds for Triangle North Franklin (HUB Site)
- M. Consider approval of the School Bond projects certificate of substantial completion for Youngsville Elementary, Laurel Mill Elementary and Bunn Elementary; and a credit change order for Youngsville Elementary
- N. Consider approval of amended lease with CNC Mechanical

The Board was then asked to consider approval of the consent agenda. At that time, Commissioner Winters asked to remove Item 1-E for further discussion. The motion was seconded by Commissioner Dunston and duly carried with all present voting “AYE.”

Upon motion to approve the remainder of the consent agenda by Commissioner Buffaloe, seconded by Commissioner Lancaster, the motion duly carried with all present voting “AYE.”

In reference to Item 1-E (**Consideration of an amendment to Planning and Inspections Fee Schedule to allow for refund of permit fees**) Commissioner Winters inquired about the consequences of failing an inspection with a partial structure remaining and asked if the county would turn around and refund the inspection fees.

Pat Young, Planning Director, stated the intention of the amendment is to give him, in his capacity, the discretion to make a decision on a case by case basis without having to bring each scenario to the Board for consideration.

Upon motion by Commissioner Winters to approve Item 1-E, seconded by Commissioner Lancaster, with all present voting “AYE,” the motion duly carried.

Chairman Swanson then introduced the County’s new Health Director Eric Ireland and stated that Mr. Ireland comes to Franklin from Guilford County with nearly twenty years of experience in public health.

Mr. Ireland thanked the Board and stated he is making plans for a permanent residence in Franklin County.

2. PUBLIC COMMENT

This is the time set aside by the Board of Commissioners to allow individuals five minutes to address the Board on issues concerning the county.

Donnie Eatmon, 161 Rossie Jones Road, Middlesex, NC

- Mr. Eatmon stated he is on the Board of Directors for the Pilot Fire Department and asked the Board of Commissioners to consider in the near future, a flat tax base for Franklin County. He said doing so would allow for equal treatment for all fire departments in the county and that funding be distributed equally so that every citizen can receive the same level of emergency service.

In creation of the Pilot Fire Department budget, Commissioner Lancaster reminded Mr. Eatmon to include all of the department's needs so that Commissioners could properly make a decision.

3. BUDGET UPDATE

Chuck Murray, Finance Director, offered a PowerPoint presentation giving a financial update as requested by the Board at its December 3, 2007 meeting.

(See Attachment A – 010708)

Mr. Murray offered that general fund expenses totaled \$29,437,408 at mid-point and said general fund revenues totaled \$31,049,488 at mid-point. He stated that after the first four distributions, the county is approximately \$300,000 behind on sales tax. He said some of the shortfall is due to a reporting change at the state level. Mr. Murray reported that the Franklin Regional Airport is self supporting and doing well with a current surplus of \$30,527. He also reported on water and sewer activity and mentioned that to date, \$29,458,970 had been spent on school bond projects.

In reference to debt position, he said outstanding principal debt as of December 31, 2007, totaled \$87,614,329. He followed that by saying total fund balance is \$18,597,430. Undesignated and unreserved fund balance totaled \$13,157,668. The fiscal year 2007-2008 general fund budget is \$65,015,346.

Mr. Murray presented a copy of the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2007 and asked the Board to review the document as auditors are scheduled to attend the Board's January 22, 2008 meeting to formally present the report. Lastly, he presented financial statements for December, 2007 and reminded the Board these statements are sent to each Commissioner monthly.

4. RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS, AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION AND APPOINTING BOND COUNSEL IN CONNECTION WITH THE PROPOSED ISSUANCE OF SCHOOL BONDS BY THE COUNTY

The Board was asked to approve the resolution authorizing the filing of an application not to exceed \$53 million for school related construction.

Upon motion by Commissioner Lancaster to approve the resolution, seconded by Commissioner Dunston, with all present voting "AYE," duly carried.

5. FRANKLIN COUNTY SCHOOL BOND REFERENDUM COMMUNICATIONS PLAN

The Board was asked to consider cost sharing with the Franklin County Board of Education equal to 50% of a communications plan regarding the public education efforts for the 2008 Franklin County school bond.

Interim County Manager Angela Harris stated that materials created would not advocate for or against the school bond, but stated it would merely provide important information voters needed to make an informed decision. Mrs. Harris said the Board of Education would secure the contract. She said the Board of Commissioners is asked to share in the cost not to exceed \$12,000.

Paige Sayles, Board of Education Chair, said this is the best way to get information out to the voters. She said staff will present the information which will then be crafted by an outside agency if approved tonight. That message would then be delivered to the public by both boards. In reference to a question as to why staff isn't taking on the task, Chair Sayles stated given the growth and the activity of both boards and its staff, it would be more suitable for one experienced individual to put together one cohesive message. She also stated that \$12,000 was a reasonable amount for this type of service and said another vendor requested \$40,000 for the similar services.

Doug Moore, Franklin County Schools Assistant Superintendent of Business and Finance, was also present. He commented that Gazella Communications has experience in dealing with governmental issues and works specifically with school systems and governmental agencies on similar projects.

Commissioner Lancaster has been involved in some of the meetings pertaining to this issue and said the county needs the bond approved and feels the information must be properly disseminated. He said \$12,000 was a small price to pay for good information.

Commissioner Foy contended that school staff could do an adequate job creating the message and complimented the Board of Education on prior campaigns.

Commissioner Buffaloe then made a motion to approve the cost sharing request for the school bond referendum communications plan. The motion was seconded by Commissioner Dunston and carried 6 to 1, with Commissioner Foy casting the dissenting vote.

Gazella Communications is expected to deduct any services that are not used.

6. APPOINTMENTS

A. Chair Appointments

The Chairman was asked to appoint individual commissioners to select county and regional boards and committees.

Chairman Swanson said commissioners seemed satisfied with the boards and committees they currently serve on and asked them to continue that activity for another year.

In reference to a newly created committee, Chairman Swanson asked Commissioner Winters to serve on the Animal Advisory Board as an ex-officio member. Commissioner Winters agreed to serve.

The current list of Chair appointments is as follows:

Lyn Buffaloe

Economic Development Commission
Fire fighters Association

Sidney Dunston

Project Advisory Committee for Scattered Site Housing
Kerr-Tar Regional Council of Governments (Cog)
Kerr-Tar Rural Planning Organization (RPO)

Harry Foy

Aging Advisory Board
Kerr-Tar Area Transit System (KARTS)

Don Lancaster

Economic Development Commission
Chamber of Commerce
Rescue Squad Association

Robert L. Swanson

Social Services Board
Franklin-Vance-Warren Opportunity

Robert Winters

Library Board
Work Force Development
Animal Advisory Board

Penny McGee Young

Board of Health
Mental Health Board

B. Airport Commission

Two appointments were needed to the Airport Commission. (Commissioner Foy and Commissioner Lancaster)

Commissioner Lancaster nominated Dr. Albert N. Corpening. The Board gave unanimous approval and one appointment remains.

C. Department of Aging Advisory Board

One appointment was needed to the Department of Aging Advisory Board. (Commissioner Winters)

No appointment was made.

D. Upper Neuse River Basin Association

One appointment was needed to the Upper Neuse River Basin Association.

No appointment was made. Commissioner Buffaloe said he would work to find an alternate to serve.

E. Industrial Facilities Pollution Control Financing Authority

Two appointments were needed to the Industrial Facilities Pollution Control Financing Authority to replace Charles Davis and Wesley Berry.

Commissioner Winters nominated Mark A. Boblett. The Board gave unanimous approval and one appointment remains. Mr. Boblett's term will expire September, 2009.

F. Emergency Medical Services Advisory Committee (EMSAC)

Four appointments were needed to the Emergency Medical Services Advisory Committee.

- Commissioner Lancaster made the motion to appoint Barbara J. Stiehl to serve as the “physician appointed by the Medical Director.” The motion was seconded by Commissioner Winters and duly carried with all present voting “AYE.”
- Commissioner Lancaster nominated Ryland Grissom to serve as his representative on the EMSAC. The Board gave unanimous approval.
- Commissioner Young nominated Nat Sandling to serve as her representative on the EMSAC. The Board gave unanimous approval.
- Commissioner Dunston nominated Zollie Gill to serve as his representative on the EMSAC. The Board gave unanimous approval.

G. Animal Advisory Board

Appointments were needed to the Animal Advisory Board. This is a newly created board that shall consist of ten members. Seven of the ten shall be appointed by the Franklin County Board of Commissioners with each commissioner having one nominee to the board along with one appointed commissioner. The Franklin County Director of Animal Control and the President of the Franklin County Humane Society shall serve as ex-officio members of the board. All members nominated by a commissioner shall serve co-terminous to the commissioner’s term of office, and each commissioner nominee serves at the pleasure of the board.

Earlier in the meeting, Commissioner Winters agreed to serve as an ex-officio member.

Next, each board member was asked to make an individual appointment to the Animal Advisory Board.

- Commissioner Buffaloe nominated John Ryan
- Commissioner Lancaster nominated Diane Barrett
- Commissioner Young nominated Brenda Simmons

Commissioner Buffaloe then made a motion to approve the three names that were presented. The motion was seconded by Commissioner Lancaster and duly carried with all present voting “AYE.”

The four remaining vacancies are expected to be filled at the board’s January 22, 2008 meeting.

7. CLOSED SESSION (formerly BOARD, MANAGER AND CLERK'S COMMENTS)

Chairman Swanson asked the Board to consider going into closed session to discuss three topics as follows:

- A. The Board will consider going into Closed Session pursuant to NCGS 143-318.11 (a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. The matter of discussion will be pending litigation of Larry Green vs. Franklin County and others; and the estate of Ted Horton vs. Franklin County and others.
- B. The Board will consider going into Closed Session pursuant to NCGS 143-318.11(a)(4) to discuss matters relating to the location and/or expansion of industries or other businesses in the area served by the County, including agreements on a tentative lists of economic development incentives that may be offered by the public body in negotiations.
- C. The Board will consider going into Closed Session pursuant to NCGS 143-318.11 (a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. The matter of discussion will be potential litigation with the Estate of Marcus A. Coppedge vs. Franklin County Sheriff.

Upon motion by Commissioner Buffaloe to enter into closed session, seconded by Commissioner Dunston, the motion carried 6 to 1, with Commissioner Foy voting "NO." Commissioners then entered the closed session at approximately 8:00 P.M.

At approximately 9:35 P.M., Commissioner Dunston made a motion to enter back into open session. The motion was seconded by Commissioner Buffaloe and duly carried with all present voting "AYE."

County Attorney Darnell Batton announced that no action was taken and announced that Franklin County Sheriff Pat Green had a presentation to make at this time.

Sheriff Green stated that at approximately 9:30 P.M. on December 31, 2007, Marcus Coppedge lost his life in a fatal accident involving a Franklin County Deputy. Since that time the Sheriff said Deputy Crystal Mitchell had been placed on administrative leave with pay.

Based on preliminary information obtained from the deputy and from the State Highway Patrol, the Sheriff asked the Board to consider paying \$7,842.19 to the Coppedge family for funeral expenses they were unable to pay. He also asked the Board to continue praying for the Coppedge family and for Deputy Mitchell.

Commissioner Dunston then made a motion to approve the Sheriff's request, seconded by Commissioner Young, with all present voting "AYE," duly carried.

Following a question by Commissioner Winters as to where funding would come from, County Attorney Darnell Batton stated the money was not currently in the Sheriff's budget and said the funds would likely come from the general fund.

Sheriff Green ended the discussion by saying he felt paying for funeral expenses was the "right thing to do."

8. BOARD, MANAGER AND CLERK'S COMMENTS (formerly CLOSED SESSION)

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 Buffaloe: Commissioner Buffaloe reminded the Board of the Community Development Plan Advisory Committee kickoff meeting scheduled for 6:00 P.M. on January 8, 2008. He also reminded the Board of the Chamber's annual banquet scheduled for 7:00 P.M. on January 8, 2008.

Commissioner Dunston: No report.

Commissioner Foy: No report.

Commissioner Winters: No report.

Commissioner Young: Commissioner Young indicated that she will ask the Board to consider a resolution at its next meeting (January 22nd) asking the General Assembly to continue funding the Juvenile Crime Prevention Council. She said currently the program has no funds to offer the program which assists youth in giving alternatives to bad behavior.

Commissioner Swanson: No report.

Commissioner Lancaster: No report.

Interim County Manager Angela Harris: Mrs. Harris presided over her first meeting since the departure of former Manager Chris Coudriet and offered an update on her transition thus far. She offered the following:

- Mrs. Harris said she will keep the Board apprised on its request for a traffic light at the intersection of Highway 96 and Long Mill Road.
- She reminded the Board that the STIP had recently been distributed.

- She stated the Board can expect an update on the Communications upgrade at the next regular board meeting.
- Mrs. Harris commented the Economic Development Commission will begin offering quarterly updates beginning January 22, 2008.
- She mentioned the County's Information Technology (IT) Department will soon visit Cumberland County to learn about animal tracking software they use.
- She also mentioned that IT is continuing to explore options for broadcasting board meetings.
- In reference to recent concerns expressed about gym fees, Mrs. Harris stated in the 2007-2008 budget, the Board made a decision to no longer subsidize gym fees. Now that local groups say the fees are burdensome, staff will begin exploring whether or not to reverse that action.
- Mrs. Harris met with Cedric Jones, Cooperative Extension Director, to be brought up to speed on the county's "Green Initiative."
- She mentioned the response received from Franklin Regional Medical Center as it pertains to the hospital providing compliance reports.
- She informed the Board of approval she granted to downgrade a position within the Tax Department.
- Mrs. Harris said she has met with Kelly Faulkner, Human Resources Manager, to discuss training needs as it applies to worker's compensation. She said she would like for Mrs. Faulkner to obtain the necessary skills to cross train in that area.
- She stated that she completed paperwork authorizing a five percent increase for the Public Utilities Director. She indicated the increase had already been previously approved, but not completed.
- Mrs. Harris gave an update on the Epsom School deconstruction project and said the county will realize funds received from the sale of salvageable goods.
- Lastly, she stated that 17 applications for County Manager had been received. Seven of the 17 have previous county administration experience. She said \$2100 had been spent for advertising.

County Clerk Kristen King: Mrs. King informed the Board that she will soon be attending Clerk's School at the end of January. She also mentioned that for the first time, the Board's agenda packet was available online to both the Board and the public. Additionally, she informed the Board of the upcoming grand opening of the county's wellness room scheduled for January 16, 2008.

At approximately 9:50 P.M., Commissioner Swanson adjourned the meeting.

Robert L. Swanson, Chairman

Kristen G. King, Clerk to the Board