

July 21, 2008

The Board of Commissioners of Franklin County, North Carolina, met for its Regular Meeting at 7:00 P.M. in the Commissioner's Meeting Room located in the County Administration Building with the following Commissioners present: Chairman Robert L. Swanson, Vice-Chairman Penny McGhee-Young, Bob Winters, Sidney E. Dunston, Harry L. Foy, Jr., Donald C. Lancaster and Lynwood D. Buffaloe.

Chairman Swanson called the meeting to order and asked the board to consider approval of the consent agenda.

Commissioner Dunston made the motion to approve the consent agenda, seconded by Commissioner Buffaloe. The motion duly carried with all present voting "AYE."

1. CONSENT AGENDA

- A. June 2, 2008 minutes
- B. June 5, 2008 minutes
- C. June 12, 2008 minutes
- D. June 16, 2008 minutes
- E. Releases, Refunds, and Tax Collection Report
- F. 2007-2008 Tax Settlement
- G. TDA (Tourism Development Authority) request to fund a \$3,200 grant to Lake Royale for the Triathlon event and \$10,000 to Louisburg College for the Concert Series
- H. Request for addition of Putting Green Lane (Country Club Farms Subdivision Phase IV) to the State Maintained Secondary Road System
- I. Budget Ordinance Amendment #1 (Pursuant to North Carolina General Statute 159-15, the County Finance Officer is requesting a budget ordinance amendment for the fiscal year ending June 30, 2009 to reflect a grant received by the Franklin County Library and approved by the Board of Commissioners in FY 2007-2008.)
- J. North Carolina Department of Transportation Vision 100 Grant
- K. New CPT Code charge for the Health Department
- L. Rate increases for Dental and Clinical CPT Codes based on statewide average of Medicaid Cost Report
- M. Health Department Sliding Fee Scale
- N. Resolution Providing Approval for the Spin-off of Time Warner Cable, Inc.
- O. Revision of minutes for November 19, 2007

2. COMMENTS FROM THE PUBLIC

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

Rosemary Champion, 1168 White Level Road, Louisburg

- Mrs. Champion spoke in reference to the creation of the county's Comprehensive Development Plan (CDP). She stated she had attended each meeting since the 2007 kickoff and stated she has been impressed with the work of staff and facilitators providing information to citizens. However, Mrs. Champion stated she is also disappointed in the attendance of committee members and stated that sometimes only half of them attend. She commented that the CDP is an important undertaking and stated she was disappointed the Planning Board was taking the project lightly. She urged the board to touch base with its appointed representation on the Planning Board and asked them to emphasize the importance of the CDP.

Mrs. Champion asked the board to be proactive rather than reactive. She then commented on her disappointment in the level of citizen input. She stated citizens who attend CDP meetings have the opportunity to express their comments in writing, but stated she wanted to make certain citizen input is relayed to committee members.

Chuck Stires, 151 Rockinghorse Lane, Youngsville

- Mr. Stires spoke in reference to the felony expungement resolution the board would consider later in the evening's agenda. He stated his hope that proper attention would be given to the resolution he said has been written to protect citizens rather than criminals. He stated because of recent gang legislation passed by the General Assembly, the community is at risk. He said after two years, gang members can have their records erased from view. He stated the inclusion of a "bad" law is not grounds for accepting the "bad" law and stated commissioners should take a stand on the side of the citizens. He said if the board does not agree with the resolution presented, it makes a statement that the board does not agree with the increase risk to citizens. He stated that six other towns and boards have passed similar resolutions and commented that silence can be interpreted as hiding criminal records from the people commissioners represent.

3. RECOGNITION OF EMPLOYEE OF THE QUARTER

Sandra Stafford, Administrative Extension Secretary, Franklin County Cooperative Extension, was recognized on her selection as the Employee of the Quarter ending June, 2008. Mrs. Stafford has been employed with the county since August, 2003 and selected for this recognition by a committee of her peers. Mrs. Stafford received a vacation day and a savings bond.

4. PUBLIC HEARING

A. Text Amendment: Chapter Two – Zoning Ordinance, Article 6-1 (Table of Permitted Uses), allow Churches in the R-80 District

The Planning Board proposed to amend the UDO to allow for churches as a permitted use within the R-80 WS District. When evaluating allowable permitted uses within the R-80 District, the Planning Board is of the opinion that a church should be considered as an allowable use provided all watershed requirements are adhered to. The proposed amendment is in conformance with criteria established within the Comprehensive Land Use Plan in addition to regulations for the R-80 District as established within the UDO.

Planning Director Pat Young explained the text amendment and stated the proposed use is considered an acceptable use. The Planning Board, by unanimous vote, recommended approval of the proposed text amendment at its June 12, 2008 meeting.

Chairman Swanson opened and closed the public hearing at 7:10 P.M., however no public comments were made.

Commissioner Dunston made the motion to adopt the text amendment to the Franklin County Unified Development Ordinance (UDO) to amend Article 6, Section 6-1: Table of Permitted Uses to allow churches as a permitted use within the R-80 WS District. The motion was seconded by Commissioner Foy and carried with all present voting "AYE."

B. ROAP

Notice of this hearing was posted in the July 5, 2008 edition of the Franklin Times. The request is for sub allocation of funds to DSS, KARTS, and Department of Aging for 08/09 allocation.

Interim Manager Angela Harris stated ROAP (Rural Operating Assistance Program) is a program the county participates in each year and stated the Department of Social Services, Department of Aging and KARTS (Kerr Area Rural Transportation System) are all given a portion of the allocation.

Chairman Swanson opened and closed the public hearing at 7:12 P.M. with no public comments made.

Commissioner Young asked Department of Social Services (DSS) Director Nicki Griffin to comment about funding provided to Five County Mental Health. Commissioner Young stated she was informed the group (Five County Mental Health) receives funds from four other counties to assist the developmentally disabled with transportation to their jobs. She commented that Foster Norman (Five County Mental Health Director) stated he had never had to attend a public hearing like the one held this evening in order to receive ROAP funds. Commissioner Young asked Mrs. Griffin to explain why Franklin County was different than other counties.

Mrs. Griffin stated that Mr. Norman could certainly apply for a sub allocation of ROAP funding for mental health and stated that is why the application is advertised for two weeks in the local newspaper and available for review for proposed sub recipients. She stated Mr. Norman could come in prior to the public hearing and review the proposal and ask for a portion of funding, but stated he had not done that. She then confirmed there are mental health recipients who travel to "sheltered work groups" via the funding from ROAP received through DSS. She said many mental health recipients are receiving assistance, but stated they are not considered sub recipients.

Commissioner Buffaloe asked why other counties don't have the same process. Mrs. Griffin stated she didn't think Franklin County was different, but stated "we just may be doing it in a different way. I would encourage the Area Mental Health Director to come and let's discuss a collaborative effort in applying for funds for a particular target population."

Commissioner Dunston then made the motion to approve sub allocation of ROAP funds, seconded by Commissioner Buffaloe. The motion duly carried with all present voting "AYE."

5. NCDOT SECONDARY ROAD PROGRAM

Steve Winstead, District Engineer, presented the North Carolina Department of Transportation (NCDOT) Secondary Road Program for 2008-2009. Mr. Winstead also introduced other NCDOT staff in attendance including J. Wally Bowman, Division 5 Engineer. The total proposed allocation for Franklin County is \$1,682,845, leaving 21.05 miles still left unpaved in Franklin.

Commissioner Dunston made the motion to approve the Secondary Road Paving Program for 2008-2009, seconded by Commissioner Winters. The motion duly carried with all present voting "AYE."

Commissioner Young asked Mr. Bowman to consider concerns from citizens who live in the Mitchiner's Crossroads area. She said there are concerns about the length of time it will take to replace Sims Bridge and stated closing the area for travel poses an access problem for emergency traffic and fire protection services. Mr. Bowman stated he did not know the details of the project, but stated he would obtain the information for the board.

Commissioner Buffaloe also asked Mr. Bowman to revisit the need for a stop light at the intersection of Long Mill Road and Highway 96. He said a letter was sent from the board asking for consideration of traffic patterns with the opening of Long Mill School. He said he hoped that a change could be made before a fatality occurs. He also asked for similar consideration at the intersection of Bert Winston Road and US Highway 1.

6. COMPRESHENSIVE DEVELOPMENT PLAN ADVISORY COMMITTEE UPDATE

Patrick Young, Planning and Inspections Director, introduced Beau Mills of Fountainworks who gave a brief PowerPoint presentation on the status of the Comprehensive Development Plan Advisory Committee. The presentation gave Commissioners an opportunity to hear about the CDPAC's progress thus far and next steps to create the CDP for board consideration. Highlights of the presentation are as follows:

Status

Phases of Work

Phase 1: Completed in March
Understand the **Principles** and the values that relate to them

Phase 2: Completed in April
Review and discuss the **Trends** impacting the Principles – a changing world

Phase 3: Completed in May
Identify **Goals** for each of the Principles and the Trends that Impact them

Phase 4: Current Program
Learn about and consider **specific tools** that can be used to meet goals. These will form the basis for the recommendations to Board of County Commissioners

Five principles adopted by the County Commissioners

- Reduce costs of growth and maximize the benefits of growth
- Plan for growth and share the costs of growth with towns, state, federal and private sector
- Protect the natural environment
- Encourage a range of suburban, small town, and rural development options
- Incorporate the county's rural character and the agricultural heritage in growth considerations

Current Program for the CDPAC

Phase 4: Work on tools for a CDP
With the goals as a basis for their work, the CDPAC is in the process of reviewing specific tools that will form the basis of the CDPAC's recommendations to the Board of County Commissioners.

Subsequent meetings scheduled for:

Tuesday, August 12, 2008 at 5pm
Tuesday, September 9, 2008 at 5pm
Tuesday, October 14, 2008 at 5pm
Tuesday, November 11, 2008 at 5pm

The PowerPoint presentation in its entirety is attached.

See Attachment A - 072108

Commissioner Winters stated the board chose a hybrid model early on and stated he didn't see the hybrid model in the presentation given tonight. Planning Director Pat Young stated when the group started (in terms of concentrated growth) there were status quo and hybrid models. As specific tools are identified he said he felt the board would see the hybrid mindset implemented. He reminded the board the trends were set by staff and the goals were set by the CDPAC committee. He said the plan will always be brought back to a hybrid mindset.

In response to comments made earlier in the evening by Rosemary Champion, Commissioner Dunston asked what measures are being done to make certain that citizen concerns are being addressed. He was informed that members of the public are given the opportunity to sit in and listen and are asked for their thoughts. He was also assured that citizen comments are shared with committee members. A formal regional meeting will be held to hear formal feedback from the public.

Mr. Young stated a detailed meeting summary of public input would be retained and that staff will try to incorporate that as well. He said meetings have been heavily advertised in *The Franklin Times* and on the Planning Department web site. He stated public is important and desired. He also commented on attendance at the CDPAC meetings and stated he would like to see greater attendance. He commented that members who have been present have worked diligently on the CDP.

Commissioner Young asked Mr. Young how much money had been spent on advertising the meetings with *The Franklin Times*. In response, Mr. Young stated approximately \$4,000 over eight months. He stated that maximum exposure was needed to get information to the public in order for them to have an opportunity for input. He confirmed the size and cost of the advertisement had recently been reduced and commented he would accept any ideas from the board on how to improve communication with the public.

At approximately 7:45 P.M. the presentation ended and was accepted by the board.

~~7. FRANKLIN COUNTY VOLUNTEERS IN MEDICINE UPDATE~~

Beverly Kegley, Executive Director, was scheduled to provide an update to the board on the operation of the Franklin County Volunteers in Medicine Clinic. The update has been rescheduled for the August 4, 2008 meeting due to health reasons.

8. FRANKLIN COMMUNITY HEALTH SERVICES UPDATED

William Massengill, Chief Operating Officer, Wake Health Services, Inc., updated the board on the opening of the new, Franklin Community Health Services site; services currently provided; and progress on additional services. Also in attendance was Penny Washington, CEO; Dr. Thuhuong Trinh; and Medical Services Specialist Toni Champ.

Dr. Trinh gave a testimony of one of the patients she's treated in the five weeks since the opening of Franklin Community Health Services in Franklinton. She stated the new clinic is not perfect, but stated assistance is being given to those who have nowhere else to go because they are either uninsured or underinsured.

Mr. Massengill then gave the following PowerPoint presentation highlighting the operations of the new clinic. He stated everyone is accepted at the clinic and said Medicaid and Medicare insurance is accepted. He said the clinic will provide care no matter the changing circumstances and insurance status.

Franklin Community HEALTH SERVICES 



A new idea in health care... Quality care you CAN afford!

OUR LOCATION





Franklinston Town Square
3386 US #1 HWY
Franklinston, NC 27525
919-494-2493
Hours of Operation : Monday - Friday, 8:15 a.m. - 5:30 p.m.

OPEN HOUSE








- > Franklin Community Health Services officially opened its doors on Monday, May 21, 2008.
- > Our Open House was held on Tuesday, June 17, 2008 from 2:00 p.m. - 6:00 p.m.
- > Refreshments were on hand and tours were conducted of the site.
- > First Aid kits and toothbrushes were distributed to everyone that came to the event.
- > Flyers and appointment cards were distributed in the community prior to the event. Distribution went to churches, barber shops, drug stores, parking lots, convenient stores and more.
- > Free Blood pressure check/BMI coupons cards were also distributed in the community.

MEET OUR PROVIDERS



Thuhsong L. Trinh, MD, Family Medicine
Dr. Trinh joined Wake Health in May, 2008. She received her undergraduate degree from Princeton University (Princeton, NJ) in 1990 and her Doctor of Medicine degree from the Medical University of South Carolina (Charleston, SC) in 1994. Dr. Trinh completed her internship and residency in Family Medicine at the Medical University of South Carolina (Charleston, SC) in 1997. She is board certified in Family Medicine.



Brian T. Swanson, MD, Clinical Director
Internal Medicine, Pediatrics, and Infectious Diseases
Dr. Swanson joined Wake Health as Clinical Director in February, 2008. He received his undergraduate degree from Swarthmore College (Swarthmore, PA) in 1992 and his Doctor of Medicine degree from Harvard Medical School (Boston, MA) in 1999. Dr. Swanson completed his internship in Internal Medicine and Pediatrics in 2001, residency in Internal Medicine and Pediatrics in 2004, and his Fellowship in Infectious Diseases in 2007, all at UNC Hospitals (Chapel Hill, NC). He is board certified in Internal Medicine, Pediatrics, and Infectious Diseases.

MEET OUR STAFF



Kim Pender, Registered Nurse



Donna Epps, Medical Assistant



Toni Champ, Medical Services Specialist

SERVICES PROVIDED





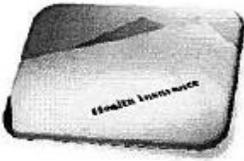





- > Sick Care
- > Pediatric Care
- > After hours services
- > Women's health
- > Family planning
- > Geriatric care
- > Immunizations
- > Camp & sports physicals
- > Diabetes education & management
- > Hearing & vision screening
- > Access to medications
- > Medicaid eligibility assistance
- > Travel Assistance (KARTS) - Kerr Area Rural Transportation
- > Dental and Mental services ...coming soon

INSURANCES PROVIDED

- > Insurances Accepted
- > Medicare
- > Medicaid
- > Private Insurance
- > Discounts for the uninsured



QUESTIONS/COMMENTS



Commissioner Swanson asked Mr. Massengill to explain the reason for delay in opening the clinic. Mr. Massengill stated the delay was strictly due to the inability of finding medical office space.

At approximately 8:00 P.M. the presentation ended and was accepted.

9. ANIMAL CONTROL ADOPTION / REDEMPTION / SPAY-NEUTER FEE

The Franklin County Animal Control Advisory Board members have identified several priority items for review and discussion related to animal services and fees in the county. Under the existing Animal Control Ordinance, animals can be adopted and

redeemed with no cost to the owner and/or adopter. The current policy is not consistent with other Animal Control Ordinances in the state.

Animal Control Director Graham Stallings gave the following PowerPoint presentation which included details about the grand opening of the new animal shelter and a breakdown of all proposed fee changes.

**Franklin County
New Shelter Facility
and
Proposed
Fees/Changes**

By Graham Stallings
July 21, 2008

New Facility

- Construction 99% complete
- Cistern system 75% complete
 - Piping installed around entire facility with guttering.
 - Tank installation and final hook-up pending approval of grant funds. Already received \$6,100 funding for this project.
 - Projected final cost to be approximately \$19,000.

New Facility Grand Opening

- Grand opening will be Saturday, August 16, 2008 from 11am-3pm
- This will be an event for all citizens of the county to attend.
 - Opening ceremonies with local, state and congressional representatives attending.
 - Guided tours, door prizes, K-9 demonstration, local bluegrass band, light refreshments.
 - Traffic control, parking and site transportation provided by Sheriff and his staff.

Proposed Fees and Changes

- The Franklin County Animal Control Advisory Board has reviewed the existing animal control ordinances and recommended changes to our adoption, redemption, boarding and spay/neuter process.

Adoption Fees

- Adoption fees vary from county to county.
- Of the counties researched and depending on services provided by other shelters, adoption fees varied from \$15-\$115. Some of the services provided included physical examinations, spay-neuter, rabies vaccinations, de-worming, flea/tick baths and micro chipping.

Adoption Fees

- At this time, Franklin County does not have an Adoption Fee in the existing ordinance.
- The Board has recommended and we are requesting an adoption fee of \$25.00 for all dogs/cats.
- Our adoption fee will only include rabies vaccination and flea/tick treatment administered before an animal is adopted out of the shelter.

Redemption/Boarding Fees

- Redemption and boarding fees vary from county to county as well.
- Research on redemption fees vary from \$25-\$100 and boarding fees, from \$3-\$10.

Redemption/Boarding Fee

- Under the existing ordinance, Franklin County does not have a redemption fee; however, a boarding fee of \$7.50 for the first day and \$2.50 for each subsequent day is assessed.
- The Board recommends a redemption fee of \$25.00 with no boarding fee with the exception of quarantined animals. The quarantined animal boarding fee will be \$5.00 per day.

Spay-Neuter Fee

- Here again spay-neuter fees vary from county to county which are based on services. Some are included in the adoption fee.
- As a better "guarantee" of reducing animal overpopulation, some counties offer transportation of the animal to a local veterinarian to receive the surgeries. This fee is included in the adoption fee. The shelter is relieved of its responsibility once the animal is delivered to the vet.

Spay-Neuter Fee

- Article III, Section 3-4B of the Franklin County Animal Control Ordinance states that "All unsterilized animals (5) five months of age or older adopted from the shelter must be either spayed or neutered within 30 days of their adoption". ...
- In addition to the established adoption fee, the Board recommends a spay-neuter deposit of \$50. When written proof that the required spaying or neutering has been performed by a licensed veterinarian, the \$50 deposit will be reimbursed to the adopter.

Questions

Mr. Stallings recommended the following fees:

- Adoption fee of \$25 for all dogs and cats (rescue groups would be exempt)
- Redemption fee of \$25 with no boarding fee with the exception of quarantined animals
- Quarantined animal boarding fee will be \$5 per day
- Spay-Neuter deposit of \$50 which will be reimbursed to the adopter once proof is given that the required spaying or neutering has been performed by a licensed veterinarian

Commissioner Buffaloe asked if animal control had a system in place to make certain the spay/neuter procedure is completed if the adopter decides not to reclaim their deposit. Mr. Stallings said he did not have a process in place nor the staff to verify that information. County Attorney Darnell Batton suggested the county look at some means of verifying if an animal has been spayed or neutered to keep within the intent of the animal control ordinance. He also suggested that the Humane Society not be charged with regulating which groups are deemed true "rescue groups" and said that responsibility should be supervised by county staff.

Commissioner Winters suggested that rescue groups be considered for the exemption by holding a 501(c)(3) status.

Commissioner Dunston stated the county needed tight controls and stated that Animal Control needs to establish who is a rescue group and who is not. He said this responsibility should not be charged to the Humane Society.

The board discussed whether or not to charge adoption fees to rescue groups outside of the Franklin County area. Mr. Batton suggested beginning the program and assessing those fees in the future.

Commissioner Winters then made the motion to accept the proposed fees and changes to the Franklin County Animal Control Ordinance, accepting rescue groups as defined or accepted by the Animal Control Director. The motion was seconded by Commissioner Buffaloe.

Commissioner Foy then asked Finance Director Chuck Murray if they Humane Society had turned in funding from fundraising efforts towards construction of the Animal

Shelter. Mr. Murray stated a \$10,000 deposit had been received. Mr. Stallings stated these contributions are designated for items such as furniture that were excluded from the 2008-2009 county budget.

Commissioner Winters' motion duly carried with all present voting "AYE."

10. JAIL EXPANSION

Following an extensive jail study by Brennan and Associates, a proposed expansion of 354 beds was recommended to meet the needs of the county for the next 20 years. This expansion could be supplemented by housing Federal Inmates for the US Marshal.

Sheriff Pat Green stated he would not go over the same information already presented to the board in work sessions. He reiterated the reason the US Marshal came to Franklin County was because of its close proximity to Raleigh and because of previous working relationships with the county. He stated the US Marshal's desire to have all federal inmates in one jail, reducing costs and the chance for escapes. He cautioned the board stating there are several other counties who are interested in the offer made to Franklin and he said if a decision isn't made soon, the county will not only lose additional federal inmates, but it would also lose the current federal inmate population (and the revenue stream associated) as well.

The Sheriff provided a copy of the Intergovernmental Agreement with the U.S. Department of Justice and said he anticipates a successful renegotiation in the rate for per diem per inmate if the county moves forward with the jail expansion. He said the rate has already been adjusted from \$40 per day to \$63 per day. He anticipates the rate will increase to \$75 per day. That figure does not include revenues obtained from transporting inmates. He stated the county is reimbursed mileage and an hourly rate for the officers.

Commissioner Dunston had questions about what the county is required to pay for federal inmate medical costs. The Sheriff stated the county pays for routine health care. The US Marshals handle care above routine level.

Todd Davis, Brennan Group representative went over revenues and expenses. A summary is provided below. A full report is on file in the County Clerk's office.

Total Expenses and Revenue



Current Jail Budget plus Debt Service	\$3,892,109.00
Current Federal Marshal Revenue	\$1,138,669.00
Total County Expenses after Federal Revenue	\$2,753,440.00
Estimate New Jail Budget plus Debt Service on both New and Current Jail	\$9,567,614.81
Estimated Federal Marshal Revenue @ \$63/Day	\$6,898,500.00
Estimated Federal Marshal Revenue @ \$75/Day	\$8,212,500.00
Total County Expenses after \$63/Day revenue	\$2,669,114.81
Total County Expenses after \$75/Day revenue	\$1,355,114.81
Difference in County Expenses from Current to New Based on Federal Revenue @ \$63/Day	(-) \$84,325.19 (Less than current Budget)
Difference in County Expenses from Current to New Based on Federal Revenue @ \$75/Day	(-)1,398,325.19 (Less than current Budget)

*If no additional beds are added then the revenue from the Federal Marshals will decrease due to the decreasing number of available beds that can be leased to them.

**No assumptions are shown from other revenue generating sources such as increased inmate phone revenues, increased inmate commissary commissions, increase in collecting medical co-pays from inmates.



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Commissioner Young stated her understanding that typically an increase in the number of people served equates to a decrease in the cost per person that is served. She said if the county increases the number of inmates that we serve it seems the cost to provide that service per inmate would decrease. She asked how the county can justify an increase to \$75 after the jail is built, after numbers have increased and the actual cost to provide the service goes down. Mr. Davis responded with an explanation of how the "feds" calculate per diem. He stated the system is "different" and takes into account local economic models, actual cost, and debt service. He said the rate is calculated by the Sheriff's Office and the US Marshals. He stated there is a new model being used now to calculate per diems and stated it was completed as in Intergovernmental Agreement between the Sheriff's Office and the Federal Marshals.

Sheriff Green then stated the per diem was based on socio-economics, population, unemployment rate, and cost of living in the county compared to other surrounding counties. He stated the county can and will renegotiate transportation because new ways have been discovered to make more money for the county rather than getting paid per hour and by mileage. He said he may be able to negotiate even higher than \$63 per diem.

Commissioner Lancaster said the bottom line is the county will save \$1.4 million dollars. He then asked if there were any historical examples of other counties (that have expanded their jails) going back and successfully renegotiating their per diem. The Sheriff stated that Mecklenburg and Edgecombe counties were successful.

Commissioner Dunston asked if Wake County is building a new jail and whether or not Wake houses federal inmates. The Sheriff stated Wake expands every three to four years and said the only reason it houses federal inmates is due to quick turnaround times in getting the inmates to the Wake County Courthouse. He said approximately 40 inmates are housed there. Commissioner Dunston asked if Wake County was in competition with Franklin for inmates. The Sheriff responded the Wake County has enough of their own local population and they don't want federal inmates.

Commissioner Young stated she had some questions for the Finance Director about how this project affects our debt ratio; how it affects us as a county and our debt service compared to where we stand with our revenues; and if this will affect our future bond

rating. Without a signed agreement from the Federal Marshals she stated her belief that the LGC (Local Government Commission) will look to the taxpayers to pay for this project. The Sheriff interjected that the US Marshal does not sign a contract with anyone in the United States of America and stated the Intergovernmental Agreement is the best we'll get in terms of a signed agreement. Commissioner Young stated the LGC would not consider the US Marshals, but they will consider what the county can hold in debt. At that time, the Sheriff asked the board to consider that in approximately seven years, the county will be forced by a federal judge to add on to the Franklin County Jail whether the federal inmates are here or not, based on local and state inmate population. He said per diem rates always increase because of the increased amount of crime and commented that they do what they say they are going to do.

Commissioner Winters again asked Mr. Murray (Finance Director) what the effect would be on the county's bond rating if money was borrowed on an installment loan basis.

Mr. Murray stated he couldn't answer that question until the bond rating is received. He said our debt ratios are already high and will only get higher as the \$53 million dollars (for the school bond) is issued. As fund balance decreases, he said that will be a key sign to rating agencies that they will consider when they rate the next bond issue. He said there are many factors that play a factor including the economy, how many jobs have been added and lost, and others. He said when the fund balance decreases and debt increases; those are bad indicators for a bond rating. He stated a rating is not based on future revenue projections, but rather it is based on "what you are at the time."

Mr. Murray stated the LGC will look at revenue stream projections and future borrowing. He said when the board adopts its resolution in saying how the county will pay back debt; it will state the board is going to raise taxes to pay for the project. Obviously, he said if the revenue comes in taxes wouldn't need to be increased. He said what the LGC is saying is they want to know the county will raise taxes to pay debt if the revenue doesn't come in. He stated the LGC is conservative and said without a contract in hand from the US Marshals, the LGC would not likely accept projected revenue in its ratio.

Mr. Murray said an issue of concern is that money will have to be borrowed up front and he said payments will have to be made before the jail is complete. He stated first debt service payment will come in and no additional revenue will be associated with that for the first year and possibly two years.

Commissioner Swanson pointed out that if the county loses the 90 beds currently used for federal inmates, it will lose the \$1.6 million it is receiving now.

In reference to jail expansion, Mr. Murray stated the county would likely have to issue COPS (Certificates of Participation). He said the county would be selling bonds and issuing debt service payments.

Mentioning the county's current fund balance level of approximately 15-16%, Commissioner Young asked how the county would come up with initial funding. Mr. Murray stated taxes would have to be increased or more cuts would have to be made.

Commissioner Winters asked why the county couldn't fund the expansion through an installment loan.

Mr. Murray stated his problem is that all of the money has to be borrowed at one time. He stated interest on that could be earned.

Commissioner Dunston asked about the use of a non qualified bank loan. Mr. Murray stated "yes," if he could find a bank that would loan \$36 million for 20 years at a low interest rate. However, he said LGC approval is still required. He said the LGC will make certain the county obtains the best possible deal.

Commissioner Winters stated his problem with selling bonds for 20 years when he felt the money could be paid back in ten years on an installment loan.

Mr. Murray again stated there is a timing issue that must be dealt with.

Commissioner Foy then asked about the need to look at other capital items the county needs to borrow money for. He asked if the LGC ever says “no” to a county in terms of borrowing. In reply, Mr. Murray stated the LGC would not grant approval if fund balance was at eight percent. He said the LGC would inquire about future debt and possibly insist the county prioritize. Commissioner Foy said the board needs to thoroughly examine future projects.

Commissioner Young asked if money would be borrowed for the communications project and Mr. Murray replied by stating the county would be borrowing eight to ten million dollars in the next six months for water and other infrastructure.

Commissioner Lancaster then clarified the county would soon be forced to look at redoing its sewer system.

Commissioner Dunston stated no other projects had identifiable revenue streams associated. He reiterated jail expansion does have revenue associated, but said if the project is not approved revenue will be lost for Franklin and mentioned the Sheriff's earlier statement that a new jail would have to be built soon anyway.

Commissioner Winters stated he doesn't think the board has any choice but to approve the expansion.

Commissioner Lancaster stated no matter what is decided tonight, additional savings need to go toward debt to accelerate paying off debt within 10-12 years. Mr. Murray stated some of the bonds will be callable and some will be non-callable depending on how the bonds are structured. He stated with COPS it would be difficult to pay toward principal. He stated an installment purchase is possible depending on each bank.

Commissioner Young made the motion that the board come back at a later date with a clear understanding of how jail expansion will change the county's debt ratio, how it will affect the bond rating, and to look at where the county has considered debt on other items that are going to come up in the future. She also stated she wanted the board to work on a prioritized list and make sure the board understands the position it will be in and said that if at the same time the board agrees to move forward with this that the board then pinpoint where it will come up with the \$2.8 million that we need to make payments before a revenue stream can be applied. The motion was seconded by Commissioner Foy.

In further discussion, Commissioner Swanson asked the board to remember the possibility the county could lose over a million dollars relative to the federal inmate population already housed in Franklin. He urged the board to make certain the county doesn't lose the revenue it currently receives or potential future revenues.

Commissioner Lancaster said there is only one way he would agree to Commissioner Young's motion. He asked that the board come back together within the next week and make a decision. Commissioner Young agreed.

Commissioner Foy said it sounds like the US Marshals are playing “hard ball” by saying the county may lose 80 beds. He stated he was pleased with the amount of associated revenue, but said he was concerned there would be no written guarantee.

Sheriff Green stated if Franklin County doesn't approve the project, another jail will receive the inmates. He said there are other counties who want to house federal inmates, but said the US Marshal has placed those counties on the “back burner” until a decision was made in Franklin.

Mr. Murray reminded the board that the LGC will not allow one to borrow money to make money. He said any interest earned could be used toward the expansion.

At approximately 9:25 P.M., the Chairman called for a vote on Commissioner Young's motion. The motion failed 2 to 5 with Commissioners Young and Foy voting in favor of the motion.

Commissioner Swanson then made the motion to accept the jail expansion proposal, seconded by Commissioner Winters. The motion carried 5 to 2, with Commissioners Young and Foy voting "NO."

11. JAIL MEAL PREPARATION CONTRACT

The Sheriff has received proposals from three vendors to provide jail meal preparation services for inmates. Canteen Correctional Services has provided the lowest bid. Based on the contract cost, the county is expected to realize a savings in excess of \$400,000.

The Sheriff stated he had always heard there was a potential for savings by outsourcing jail meal preparation and said several good bids were received. He stated the company would keep all present staff with the exception of one employee who recently announced retirement and one who has only been working with the county for 18 months.

Commissioner Dunston asked if the county would continue to provide meals for *Meals on Wheels*. In reply, the Sheriff confirmed and commented that fresh meals will be prepared daily.

Commissioner Young thanked the Sheriff for his prompt response in examining this issue at the board's direction during recent budget meetings.

Commissioner Winters made the motion to enter into a contract with Canteen Correctional Services, Inc. for inmate meal preparation and reminded the board that the motion to approve the FY 2008-2009 budget included a provision that when the Sheriff was able to bring forward savings for meal preparation, a certain portion of the savings would assist with the payment of overtime. The motion was seconded by Commissioner Dunston and duly carried with all present voting "AYE."

12. REQUEST FOR UTILITY ALLOCATION - COBBLESTONE

On June 12, 2008, the Planning Board entertained a request for the re-approval of the Cobblestone Subdivision preliminary plat submitted by the petitioner, Four Winds Development. The development is located on the south side of Tarboro Road in Youngsville Township. The proposal is for the subdivision of approximately 17.55 acres into 14 residential lots. The subdivision is intended to be served by individual septic tanks and county water. Planning Board approval was granted conditionally upon Board of Commissioner approval of allocation. According to Public Utilities Director Bryce Mendenhall, further approval is contingent upon the developer receiving final plat approval by June 12, 2010. He also stated a deposit of \$262.50 shall be submitted to the Planning Department within 15 days of approval and allocation of county water shall not exceed 5,040 gallons per day based upon the allowance of 360 gallons per day per dwelling unit.

Commissioner Buffaloe made the motion to approve the utility allocation, seconded by Commissioner Dunston. The motion duly carried with all preset voting "AYE."

13. REQUEST FOR UTILITY ALLOCATION - WAFFLEHOUSE

On June 2, 2008, planning staff approved a zoning permit for a proposed Wafflehouse located at the southwest corner of NC 96 and US 1 in Youngsville Township. The permit was issued for an approximately 1,535 square foot restaurant with a maximum occupancy of 38 customer seats. According to Public Utilities Director Bryce Mendenhall, approval was granted conditionally upon allocation of water and sewer services by the Franklin County Board of Commissioners. He also stated a certificate of occupancy shall be secured by December 2, 2009; allocation is subject to the development adhering to all adopted regulations established within the County's Fats,

Oils and Grease Program; and allocation of County water and sewer shall not exceed 1,500 gallons per day.

Commissioner Dunston made the motion to approve the utility allocation, seconded by Commissioner Lancaster. The motion duly carried with all present voting "AYE."

14. RESOLUTION ON FELONY EXPUNGEMENT

The board was asked to consider a resolution against pending legislation before the North Carolina General Assembly which would allow the felony records of criminals to be expunged and removed from review.

Interim Manager Angela Harris stated the General Assembly has adjourned and stated she the bill is now "dead." However, she stated anti-gang legislation has been recently passed.

Commissioner Winters reminded the board that the resolution was his proposal and stated just because the anti-gang bill had been passed, that doesn't stop the intent of the felony erasure bill. He stated he did not receive a copy of the anti-gang legislation until shortly before the beginning of this evening's meeting and said he didn't get an opportunity to examine it closely. He said it seems that even though it's been done one time, it's not all inclusive and said there are still a lot of felonies out there that he personally doesn't want to see erased. He feels this is still a good resolution and said he worries about school administrators or law enforcement officers who may have to work side by side with convicted felons without knowing about it.

Commissioner Winters then made the motion to accept the felony Expungement resolution, seconded by Commissioner Lancaster.

Commissioner Dunston then responded to comments made earlier in the evening by Mr. Chuck Stires as it pertained to the expungement resolution. He stated it is unfair of Mr. Stires to form an assumption about a board member's character based upon their vote. Commissioner Dunston stated he could not support a resolution that would not give a young person the opportunity to become a productive citizen.

Chairman Swanson called for a vote on the motion.

The motion to approve the resolution failed 2 to 5, with Commissioner Lancaster and Winters voting in favor of the motion.

15. BOARD, MANAGER AND CLERK'S COMMENTS

This was 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.

County Clerk Kristen King: Mrs. King asked the board to consider a possible change of venue for its August 18, 2008 board meeting, stating a controversial Special Use Permit Request (Sunrock) may cause overcrowding in the board's meeting room. She stated a planning board meeting pertaining to the same issue was moved to the Hamilton Hobgood Courthouse Annex where approximately 180 people attended. The board directed the clerk to examine the possibility of relocating the meeting to Louisburg High School or Louisburg Elementary School. Mrs. King also reminded the board of the Franklin County Animal Shelter Grand Opening scheduled for Saturday, August 16, 2008 from 11:00 A.M. until 3:00 P.M. The new shelter is located on T. Kemp Road in Louisburg. Mrs. King reminded the board of an invitation to attend an update at the Boys and Girls Club. She mentioned an invitation to attend an update at Louisburg College on July 29, 2008 at 7:30 A.M. At that time, County Attorney Darnell Batton warned the board that if four or more commissioner planned to attend and hold "discussions" the board should recess this evening's meeting. If no discussion was planned, Mr. Batton recommended adjournment.

Commissioner Lancaster: No report.

Commissioner Buffaloe: No report.

Commissioner Dunston: No report.

Commissioner Foy: No report.

Commissioner Winters: Commissioner Winters suggested looking into an employee incentive plan where employees (excluding management) are rewarded for money saving ideas. He asked the Human Resources department to investigate other counties who have similar programs.

Commissioner Young: Commissioner Young again mentioned that she'd like to schedule a work session for the board to examine future financial forecasting (5, 10 and 15 years out) to talk about the county's bond rating goals and its debt ratio goals. This was discussed in the month of June.

Commissioner Swanson: No report.

Interim Manager Angela Harris: Mrs. Harris reported on the following:

- A check has received for the Pilot Lions Park (PARTF) for approximately \$132,000.
- An inquiry has been made by the IT Director about providing email accounts for various boards and commissions. She recommended that individuals be assisted with a free email service. She stated security and expense was a concern.
- Brick had been stolen and recovered from the old Epsom School Site. An individual has been arrested for the theft and the brick is now being stored at the Maintenance Department.
- In reference to a land donation offer made to the county in June, 2008, a meeting will be held July 30, 2008 with Kevin Martin and a full report will be given to the board on August 4, 2008.
- A logo recently adopted by the Economic Development Commission was presented to the board for use in other departments. **Commissioner Buffaloe made the motion to adopt the logo for use throughout the county. The motion was seconded by Commissioner Dunston and duly carried with all present voting "AYE."** Materials with the new logo will be ordered after current stock is diminished.
- Space is available for lease at several locations in Louisburg. Those locations include the cornerstone building on Main Street, the former BB&T building on Nash Street as well as several newly renovated offices on Market Street. Space is also available at the Health and Human Services Building. Commissioner Young asked that discussions with mental health providers be held in a timely fashion if the offices they currently rent are needed in order to provide enough time to locate alternative office space.
- The quarterly Economic Development Commission update was not given tonight based on the volume of topics on the agenda. The update was rescheduled for August 4, 2008.

16. CLOSED SESSION

At approximately 10:13 P.M., Commissioner Dunston made a motion to enter into a closed session pursuant to General Statute 143-318.11 (a) (6), in order for the board to discuss a personnel matter. The motion was seconded by Commissioner Swanson and carried 6 to 1, with Commissioner Foy voting "NO."

At approximately 11:30 P.M., Commissioner Lancaster made the motion to enter back into open session, seconded by Commissioner Dunston. The motion duly carried with all present voting "AYE."

The clerk distributed updated information received from the Sheriff's Office concerning the Detention Services Intergovernmental Agreement. Commissioner Young stated the

Sheriff mistakenly distributed an older copy of the agreement in which the guard/transportation hourly rate was incorrect.

Chairman Swanson stated a discussion was held in closed session about hiring a county manager.

Commissioner Dunston then made the motion to hire Angela L. Harris to serve as County Manager for an indefinite period with a salary of \$92,500. The motion was seconded by Commissioner Young and duly carried with all present voting "AYE."

Commissioner Winters made the motion to recess until Tuesday, July 29, 2008 at 7:30 A.M. when the board joins Louisburg College Interim President Dr. Rod Foth for an update on activity at Louisburg College. The motion was seconded by Commissioner Young and duly carried with all present voting "AYE."

Robert L. Swanson, Chairman

Kristen G. King, Clerk to the Board