

June 2, 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. County Attorney Darnell Batton requested the board remove Item 1-D from the consent agenda to amend a non-controversial change. Commissioner Winters made the motion to remove Item 1-D, seconded by Commissioner Dunston. The motion duly carried with all present voting "AYE."

Mr. Batton explained his suggestion to revise the proposed utility easement regarding dispute resolution and notice provisions by amending Paragraph Three as follows:

3) The Town agrees that it will repair, rebuild or replace or pay the actual damages sustained by the Grantor caused by the construction, operation, maintenance, inspection, rebuilding and removal of said lines, and in going to and from said right-of-way strip, and will repair any extraordinary damage to any bridge or to any road due to heavy hauling to and from the said right-of-way strip if claim is made within thirty (30) days after such knowledge of damages are discovered by the Grantor.

Commissioner Dunston then made the motion to approve the revised Utility Easement to improve the Town of Louisburg's sewer facility, seconded by Commissioner Buffaloe. The motion duly carried with all present voting "AYE."

Commissioner Winters then made the motion, seconded by Commissioner Dunston to approve the remainder of the consent agenda. The motion duly carried with all present voting "AYE." The items approved are as follows:

1. CONSENT AGENDA

- A. May 19, 2008 minutes
- B. Request for addition of Green Valley Drive (Green Hill Subdivision) to the State Maintained Secondary Road System
- C. Proposed Environmental Health Fee Schedule FY 2008-2009
- ~~D. Request for Utility Easement to improve the Town of Louisburg's sewer facility~~
- E. Home and Community Care Block Grant

2. COMMENTS FROM THE PUBLIC

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.

David Kearney, 13 West College Street, Franklinton, NC

- Mr. Kearney read a letter expressing his personal concerns in reference to accountability and transparency in relation to public officials; issues regarding a recent conference in Washington, DC attended by county commissioners; and concerns about the availability of healthcare through Franklin Regional Medical Center.

3. UTILITY POLICY WORK PLAN

In September, 2007, the Board received a report from Public Utilities outlining several concerns regarding the amount of available public utility allocations. The County has

since contracted with Stearns & Wheler Engineering to review and analyze sewer allocations and to recommend other related utility policies for the Board's consideration. In anticipation of the upcoming completion of the analysis, Public Utilities and Planning staff presented a proposed Utility Policy Work Plan (UPWP) to the Public Utilities Advisory Committee (PUAC) on May 15, 2008. The PUAC unanimously recommends the plan to the Board of Commissioners for adoption. Patrick Young, Planning and Inspections Director, and Bryce Mendenhall, Public Utilities Director presented the UPWP.

See Attachment A – 060208

Commissioner Buffaloe made the motion to receive the report, seconded by Commissioner Winters. The motion duly carried with all present voting "AYE."

A motion was then made by Commissioner Winters to schedule a work session for June 19, 2008 at 9:00 A.M. to receive a report from Stearns & Wheler Engineering, seconded by Commissioner Young. The motion duly carried with all present voting "AYE."

4. REQUEST FOR UTILITY ALLOCATION – ASHBERRY VILLAGE

In March, 2008, the Planning Board entertained a request for a one year extension to a preliminary plat submitted by petitioner James T. Moss. The development represented in the petition is known as Ashberry Village and is located adjacent to Olde Liberty Subdivision along Long Mill Road. The Planning Board granted the one year extension based on several criteria which included 'Approval of utility allocations by the Franklin County Board of Commissioners'. The petition was presented to the Utility Advisory Committee on May 15, 2008 and it is recommended that the board approve the utility allocation request in its entirety with the following conditions:

- Phase I which includes 45 lots shall receive final plat approval and be recorded by the Franklin County Register of Deeds by **October 03, 2008**.
- Phase II which includes 53 lots shall receive final plat approval and be recorded by the Franklin County Register of Deeds by **December 03, 2008**.
- Phase III which includes 17 lots shall receive final plat approval and be recorded by the Franklin County Register of Deeds by **May 31, 2010**.
- Pursuant to section 29-7, (A), (6), Utilities, of the UDO, a fee of **\$5,031.25** shall be submitted to the Planning Department within 15 days of approval.
- Allocation shall not exceed **28,750 gallons per day** based upon the allowance of 250 g/pd per dwelling unit.

Commissioner Dunston made the motion to approve utility allocation for the proposed development based on specific performance factors, seconded by Commissioner Buffaloe. The motion carried 6 to 1 with Commissioner Winters casting the dissenting vote.

5. PROPOSED AMENDMENT OF THE FRANKLIN COUNTY ANIMAL CONTROL ORDINANCE

Franklin County Animal Control and the Animal Advisory Board requested that the County re-institute the use of Animal Control Officers as Certified Rabies Vaccinators to inoculate all animals released from the Franklin County Animal Shelter, accepting only those too young for inoculation or those redeemed by owners who can produce current rabies certificates.

Commissioner Winters made the motion to approve the policy change to the Animal Ordinance followed by an amendment to the Ordinance consistent with the policy. The motion was seconded by Commissioner Young and duly carried with all present voting "AYE."

Commissioner Winters then made a motion to increase membership of the Animal Advisory Board to add a veterinarian position as an ex-officio member. The motion was seconded by Commissioner Buffaloe and duly carried with all present voting "AYE."

6. FRANKLIN COUNTY SCHOOLS BUDGET REQUEST

Franklin County Schools System is requesting \$303,593 for non-recurring expenditures that need to be made for the new Long Mill Elementary School. Examples include the initial library collection and various operation software purchases. Funding must come from Fund Balance in the General Fund.

Doug Moore, Franklin County Schools Assistant Superintendant for Business and Finance, explained how the funds would be used and thanked the board for its consideration.

Commissioner Buffaloe then made the motion to approve funding \$303.593 for the new Long Mill Elementary School, seconded by Commissioner Dunston. The motion duly carried with all present voting "AYE."

7. APPOINTMENT

As a member of the Kerr-Tar Rural Transportation Planning Organization (RPO), Franklin County has a voting seat on the Rural Transportation Advisory Committee (RTAC) that is filled by a County Commissioner. The current RTAC member for Franklin County is Commissioner Sidney Dunston, who is eligible to be reappointed to the RPO board for a two-year term. The appointment would expire in June, 2010.

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

8. 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.

Clerk to the Board Kristen King: Ms. King reminded the board of County Assembly Day scheduled for June 10, 2008.

Commissioner Winters: Commissioner Winters stated he would like for the board to address (at its June 16, 2008 meeting) a felony expungement bill that is currently being considered by legislators. He stated he would like the board to address the bill in detail and possibly endorse a resolution against the felony expungement bill.

Commissioner Young: Commissioner Young commented on an article she read in *Popular Government Magazine* pertaining to financial forecasting for North Carolina Local Governments. She stated in light of the issues with the budget, she would like for the board to consider this concept for future financial planning. She asked the board to consider a workshop focused solely on this matter and for the matter to be brought before the board in August, 2008.

Commissioner Buffaloe: Commissioner Buffaloe commented on a recent Aviation Conference he attended.

Commissioner Swanson: Commissioner Swanson read a statement that called for public hearing on the proposed 2008-2009 budget for June 16, 2008.

Commissioner Buffaloe made the motion to set the public hearing for June 16, 2008, seconded by Commissioner Dunston. The motion duly carried with all present voting "AYE."

Interim Manager Angela Harris: Mrs. Harris mentioned an article that suggested a five-year financial model is standard practice. She noted that in the budget message (2008-2009), she suggested drafting a five-year plan for capital projects. Mrs. Harris made some suggestions as to how to keep the board apprised of all projects it has approved and the associated tax increase. She stated a budget meeting is scheduled for Thursday, June 5, 2008 and gave a tentative outline of the meeting. Mrs. Harris then briefly mentioned the following topics:

- Congressman Bob Etheridge will visit the Department of Social Services on Tuesday, June 3, 2008 at 11:30 A.M. to speak about the Farm Bill and how it affects food banks and pantries in North Carolina.
- Five hundred two employees attended harassment training recently at the County Administration Building. No travel was required. The training was provided at a cost of \$2.39 per person.
- The Wellness Committee hosted a health fair on Friday, May 30, 2008 in order to continue its promotion of health and wellness and to reduce health costs. Twenty-five vendors attended along with 150 county employees.
- Mrs. Harris met with representatives from SeedAmerica, BB&T and the Franklin County Arts Council. An arrangement with SeedAmerica was not determined to be an option (for a county museum) and the BB&T facility is still for sale.

9. CLOSED SESSION

Commissioner Dunston made the motion to enter into 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 Buffaloe and carried 6 to 1 with Commissioner Foy casting the dissenting vote.

Following the session, Commissioner Foy made a motion to enter back into open session, seconded by Commissioner Winters. The motion duly carried with all present voting "AYE."

It was announced that no action was taken.

Commissioner Winters made the motion to recess until June 5, 2008 at 9:00 A.M. The motion was seconded by Commissioner Lancaster and duly carried with all present voting "AYE."

Robert L. Swanson, Chairman

Kristen G. King, Clerk to the Board