

September 15, 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., Commissioner Donald C. Lancaster and Lynwood D. Buffaloe.

Chairman Swanson called the meeting to order and asked the board to consider the consent agenda. Commissioner Buffaloe made the motion to approve the consent agenda, seconded by Commissioner Winters. The motion duly carried with all present voting "AYE." The items approved are as follows:

1. CONSENT AGENDA

A. Releases, Adjustments, Refunds, and Tax Collection Report

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. No comments were made.

3. DIVISION OF COMMUNITY CORRECTIONS JUDICIAL DISTRICT 9 ANNUAL REPORT

Royster Washington, Judicial District Manager, made a presentation outlining Community Correction activity in Franklin County over the past fiscal year. No action needed.

Commissioner Foy arrived at 7:05pm.

4. LOUISBURG SEWER OUTFALL BID AWARD

On September 9, 2008, eleven separate sealed bids were received for the construction of a gravity sewer line to provide service for the new Wal-Mart located in Louisburg. The bids ranged in price from \$816,594 to a low bid of \$434,803.45. The apparent low bidder for the project was Harris Equipment Company located in Warrenton, North Carolina. The bid tabulations were reviewed and certified by the engineer of record and the Public Utilities Department recommended award of the low bid as represented.

Public Utilities Director Bryce Mendenhall stated Harris Equipment Company had done quite a bit of work for Franklin County and said their quality of work is superior.

Commissioner Young then asked if this project assists with the development of Wal-Mart. Mr. Mendenhall stated yes and that it crosses the 401 side of the Wal-Mart project. Commissioner Young then asked if this was a project the county was taking on or if there was assistance in paying for the project. Mr. Mendenhall stated the project is a county endeavor. Commissioner Young then asked if the project was in the county or the town's jurisdiction. Mr. Mendenhall replied that it is within the town's jurisdiction. He said the line was designed and engineered by county engineers and would be inspected by county staff. He said when the project is done it would be turned over to the Town of Louisburg. He stated that subsequent to the board agreeing to fund the project, a requirement was added that the utility construction fee that the county has been placed on this line. He said the town agreed to the stipulation. He said that any development that takes place around this line, outside of the Wal-Mart project itself, would come back to the county to help offset costs.

To clarify, Commissioner Young stated there were other projects where the county helped municipalities but the cost was divided in half. She asked why this project was different. Mr. Mendenhall stated the project was partly an Economic Development Commission (EDC) project and partly a Development project. He said it was mostly an EDC project due to the sales tax that is expected to be generated from Wal-Mart and surrounding development. He said that is how the project was presented to the board.

Commissioner Young asked when the presentation was made. Mr. Mendenhall stated the contract with the engineer was signed in May, 2007. He said likely the presentation came before the board in March or April, 2007.

Commissioner Winters asked how the project compared to budget. Mr. Mendenhall stated the cost was \$85,000 under engineer's estimate.

Commissioner Lancaster asked about the wide range of bids received. Mr. Mendenhall stated all vendors bid on the same set of specifications.

Commissioner Buffaloe asked Mr. Mendenhall to confirm the project involved the use of a 12-inch line and asked if the lift station would be upgraded to match the 12-inch capacity. Mr. Mendenhall stated a 12-inch line would be used and said he understood the station was upgraded in Louisburg, but he said the station is restricted by downstream sewers regardless. He said the 12-inch would likely carry more water than Louisburg could handle because of transmission pieces in between. He said there was a 1600 acre area that was identified as drainage to this particular pump station.

Commissioner Buffaloe stated that one of the things talked about in early project discussions was that Louisburg would upgrade that lift station. He said his concern was that the station would be upgraded to handle the 12-inch line.

Commissioner Winters asked if Louisburg is already at its limit on this line, how the county would gain if other consumers are added. Mr. Mendenhall said Louisburg was not yet at its limit. He said if the line was taken to its full capacity they would not be able

to handle all downstream waters from that point without making upgrades to the Fox Pen, Greenhill, and transmission force main back to their plant. He said as new development is brought along the line, Louisburg would have to upgrade their facilities.

Mr. Batton then asked Mr. Mendenhall if the utility construction fee agreement was already in writing and binding with the Town of Louisburg. Mr. Mendenhall stated that it is and Mr. Batton stated that agreement was needed in writing before the bid was awarded and before any lines were conveyed.

Commissioner Buffaloe made the motion to award the bid to the lowest bidder, Harris Equipment Company, in the amount of \$434,803.45. The motion was seconded by Commissioner Dunston and duly carried with all present voting "AYE."

5. APPOINTMENTS

A. Adult Care Home Community Advisory Committee - approved

Kim Hawkins, Regional Ombudsman, recommended that the board reappoint Carolee Phillips to serve a second term (three years) and appoint Wanda Jones to serve a one-year term on the Adult Care Home Community Advisory Committee.

Commissioner Dunston made the motion to reappoint Ms. Phillips and to appoint Ms. Jones to the Adult Care Home Community Advisory Committee, seconded by Commissioner Lancaster. The motion duly carried with all present voting "AYE."

B. Economic Development Commission

Commissioner Foy was asked to consider an appointment to the Economic Development Commission. He stated he needed more time to seek out an appointment.

Mrs. King then stated she had received a recommendation from the Chair of the Juvenile Crime Prevention Council to appoint Joseph Patrick Olivieri. The recommendation was received after the agenda was set. Commissioner Young stated she knows Mr. Olivieri and stated he would make a good member.

Commissioner Young then made the motion to appoint Mr. Olivieri to the Juvenile Crime Prevention Council. The motion was seconded by Commissioner Buffaloe and duly carried with all present voting "AYE."

6. 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 informed the board of the 11th Annual Franklin/Granville/Vance Counties Home Builders Association Parade of Homes Banquet scheduled for September 26, 2008 at 6:00 P.M. at Embarq in Youngsville. She also mentioned a citizen's information workshop hosted by the North Carolina Department of Transportation to discuss the Sim's Bridge project. The hearing will be held Thursday, October 16, 2008 from 5:00-7:00 P.M. at the Mitchiner's Crossroads Firehouse, 2964 West River Road in Franklinton.

Commissioner Foy: Commissioner Foy stated he was leery of recent attacks by Attorney General Roy Cooper relative to convenient stores price gouging during and following the threat of Hurricane Ike. As a convenient store owner, he commented that his cost for fuel was constantly increasing and stated it's not always the convenient store that is responsible for price gouging. He stated his hope that consumers were informed of the facts.

Commissioner Winters: Commissioner Winters also made reference to escalating fuel costs and its affect on the county airport. He stated that he had learned a lot about fuel prices since he began service on the Airport Commission.

Commissioner Young: Commissioner Young attended a Mental Health meeting in August and commented there are issues with the Sheriff's Department dedicating so much time to mental health patients. She stated that much of the overtime costs from the Franklin County Sheriff's Department is a result of time being spent with mental health patients and suggested that magistrates receive crisis training in order to be able to identify those patients. Doing so would cut the amount of involvement time from local law enforcement. She also stated the assistance is available by mental health 24 hours a day. Commissioner Winters then suggested a joint meeting be held with the Sheriff, mental health and the local police chief's association. Mrs. Harris suggested the involvement of Social Services in the meeting as well.

Commissioner Dunston: Commissioner Dunston commented on his disappointment with the North Carolina Department of Transportation relative to the county's requests for traffic lights at various locations among other requests. Mrs. Harris then stated she had been in contact with NCDOT representatives and said expected follow-up information by September 17, 2008. Commissioner Young then stated she was told by NCDOT that the chance of placing traffic lights at the intersections of Highway 96 and Long Mill Road and Bert Winston and US Highway 1 were small. She stated that restricted crossovers may be a possibility.

Commissioner Buffaloe: No report.

Commissioner Lancaster: No report.

Commissioner Swanson: No report.

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

- The health department will hold a flu clinic for the public on October 17, 2008. This year the department will also host a flu clinic for county employees on October 24 and 31, 2008. The clinic is an effort to provide more services for/to county employees which could result in a cost savings and eliminate time away from work for employees.
- A resolution regarding the use of 911 funds will be brought forward at the next board meeting. State and congressional leaders will be asked to consider the use of those funds.
- A meeting with the Manager and John Rock will be held to discuss a possible lease for a new location for Board of Elections.
- Mrs. Harris stated she would attend a county administration course this week. The course begins Wednesday and will end Friday, September 19, 2008.
- She commented that an EMS employee will be transferred to the Planning Department. Funding for this position will also be transferred. The shift is a result of the county's decision to outsource EMS billing.

Economic Development Director Ronnie Goswick invited the board to attend the Committee of 100 Annual Banquet on Thursday, September 18, 2008 at 6:00 P.M. at Hill Ridge Farms in Youngsville.

7. CLOSED SESSION

Commissioner Buffaloe made the motion to enter 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 motion was seconded by Commissioner Dunston and carried 6 to 1, with Commissioner Foy casting the dissenting vote.

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

It was then announced that no action was taken.

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