

April 6, 2009

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, Bob Winters, Donald C. Lancaster, Harry L. Foy, Jr. and E. Shane Mitchell. Vice-Chairman Penny McGhee-Young and Commissioner Sidney E. Dunston were absent.

Chairman Swanson called the meeting to order and asked the Board to make a correction relative to Item 1-I. The requested amount should have been \$4,000 as opposed to \$1,600. Commissioner Winters asked if there are measures in place to examine a return on investments made through the Tourism Development Authority (TDA). TDA member Richie Duncan was present and stated there are mechanisms already in place for evaluation.

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

1. CONSENT AGENDA

- A. March 12, 2009 minutes
- B. March 16, 2009 minutes
- C. March 25, 2009 minutes
- D. Consider scheduling a meeting of the 2009 Board of Equalization and Review on April 27th at 6pm and a second meeting on May 7th at 6pm if needed
- E. 2009 Spring Litter Sweep Proclamation
- F. Telecommunication Review Fee
- G. Public Safety Telecommunicator's Week Proclamation
- H. TDA (Tourism Development Authority) request to fund a \$1,300 grant for the Third Annual 2009 Franklin County Historic Homes Tour
- I. TDA request to fund a \$4,000 grant for the Preddy Fest Bluegrass Music Festival
- J. TDA request to fund a \$8,000 grant for the International Whistlers' Convention
- K. TDA request to fund a \$4,000 grant for the High Flight Community Day
- L. Resolution by Governing Body regarding application for stimulus act funds for sewer projects

ITEM 1-E

SPRING LITTER SWEEP 2009

A PROCLAMATION

WHEREAS, the North Carolina Department of Transportation organizes an annual Spring statewide roadside cleanup to ensure clean and beautiful roads in North Carolina; and

WHEREAS, the Spring 2009 "**LITTER SWEEP**" roadside cleanup will take place May 3 – 9, 2009 in Franklin County to encourage local governments and communities, civic and professional groups, businesses, churches, schools, families and individual citizens to participate in the Department of Transportation cleanup by sponsoring and organizing local roadside cleanups; and

WHEREAS, Adopt-A-Highway volunteers, Department of Transportation employees, Department of Correction inmates and community service workers, local government agencies, community leaders, civic and community organizations, businesses, churches, schools, and environmentally concerned citizens conduct annual local cleanups during "**LITTER SWEEP**" and may receive certificates of appreciation for their participation; and

WHEREAS, the great natural beauty of our State and a clean environment are sources of great pride for all North Carolinians, attracting tourists and aiding in recruiting new industries; and

WHEREAS, the cleanup will increase awareness of the need for cleaner roadsides, emphasize the importance of not littering, and encourage recycling of solid wastes; and

WHEREAS, the 2009 Spring cleanup celebrates the 21st anniversary of the North Carolina Adopt-A-Highway program and thousands of volunteer groups that donate their labor and time year round to keep our roadsides clean; and

WHEREAS, the "**LITTER SWEEP**" cleanup will be a part of educating the children of this Great State regarding the importance of a clean environment to the quality of life in North Carolina;

NOW, THEREFORE, the Franklin County Board of Commissioners, does hereby proclaim May 3 – May 9, 2009, as "**SPRING LITTER SWEEP**" time in Franklin County, and encourages all citizens to take an active role in making their communities cleaner.

ITEM 1-G

PROCLAMATION

**A PROCLAMATION TO DESIGNATE APRIL 12-18, 2009
PUBLIC SAFETY TELECOMMUNICATOR'S WEEK**

WHEREAS, emergencies can occur at anytime that require law enforcement, fire or emergency medical services; and

WHEREAS, when an emergency occurs the prompt response of emergency responders is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our emergency responders is dependent upon the quality and accuracy of information obtained from citizens who call 9-1-1; and

WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Telecommunicators are the single vital link for our emergency responders by monitoring their activities by radio, providing them information and insuring their safety; and

WHEREAS, each telecommunicator has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

NOW, THEREFORE, the Franklin County Board of Commissioners does hereby proclaim April 12-18, 2009, as "PUBLIC SAFETY TELECOMMUNICATOR'S WEEK" in Franklin County in honor of the men and women whose diligence and professionalism keep our county and citizens safe; and urge our citizens to observe this week in honor of all telecommunicators nationwide who answer our calls for help.

ITEM 1-L

RESOLUTION BY GOVERNING BODY OF FRANKLIN COUNTY

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater collection systems, and

WHEREAS, Franklin County has need for and intends to construct a wastewater collection system project described as the Youngsville Regional Lift Station.

WHEREAS, Franklin County intends to request state (loan or grant) assistance for the project, as authorized by the American Recovery and Reinvestment Act of 2009

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY:

That Franklin County the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State (loan or grant) award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of Franklin County to make scheduled repayment of the loan, to withhold from Franklin County any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Robert Lee Swanson, Board Chairman, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a (loan or grant) to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

ITEM 1-L

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater collection system, and

WHEREAS, The Franklin County has need for and intends to construct a wastewater collection system, project described as **Rays Creek Sewer Outfall line**, and

WHEREAS, The Franklin County intends to request state (loan or grant) assistance for the project, as authorized by the American Recovery and Reinvestment Act of 2009

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY:

That Franklin County, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State (loan or grant) award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of **Franklin County** to make scheduled repayment of the loan, to withhold from **Franklin County** any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Robert L. Swanson, Chairman, Board of Commissioners, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a (loan or grant) to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

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.

Dewey Botts, 675 Howard Tant Road, Zebulon, NC

- Mr. Botts is President of the Person Place Preservation Society. He invited the Board to attend the Third Annual 2009 Franklin County Historic Homes Tour scheduled for April 18-19, 2009. He said he expects over 400 people to attend.

3. CONTRACT AMENDMENT: L. ROBERT KIMBALL & ASSOCIATES

Franklin County contracted with L. Robert Kimball & Associates to provide professional consulting services to enhance Franklin County's Fire and Rescue paging system in February 2006. Due to the increase in the amount of time required to complete the initial phase of this project, an amendment was needed to the contract for additional services necessary to complete the project.

Chairman Swanson removed the item from the agenda to be discussed at a later date at the recommendation of the County Attorney.

4. BUDGET ORDINANCE AMENDMENT #6: REQUEST FOR SHERIFF VEHICLES

The Sheriff has collected approximately \$600,000 over the budgeted amount by housing additional Federal Inmates and has also saved roughly \$200,000 by outsourcing food preparation at the jail. He has requested 14 new vehicles for the fiscal year to replace old vehicles in the fleet that could not be funded when the budget began in July 2008.

In reference to the Sheriff's plans to purchase Chrysler vehicles, Commissioner Winters stated his understanding that Chrysler may cease operations and said he was concerned about supporting warranties. He asked the Sheriff about the purchase of Ford Crown Victoria's. Sheriff Pat Green stated he actually preferred Crown Victoria's but stated the Chrysler's were approximate \$300 cheaper per car. He stated his request included the purchase of 13 patrol cars and one patrol van. He stated it would cost \$365,000 to have the vehicles "road ready."

Commissioner Winters then suggested moving forward in concept until the County could see what will happen with Chrysler.

Commissioner Winters then made the motion to approve budget ordinance amendment #6 (including 14 vehicles) for up to \$368,000 in the event the Sheriff and County Manager determine it necessary to purchase Ford Crown Victorias. The motion was seconded by Commissioner Mitchell and duly carried with all present voting "AYE."

Sheriff Green stated his department will continue to bring in revenue to try and offset the budget by July 1, 2009.

5. RESOLUTION EXEMPTING HEALTH & HUMAN SERVICES RENOVATION

The Board was asked to consider a resolution that would exempt the Health & Human Services renovation (needed space for Board of Elections) from G.S. 143-64.31.

County Manager Angela L. Harris explained that the County had worked with Architect Harold Annis in the past and said she would like to continue to use his services without the "Request for Qualifications" (RFQ) process. She stated her belief that for a couple thousand dollars, Mr. Annis should be able to finish feasibility work and provide a rough estimate regarding space needs for the Board of Elections at the Health & Human Services Building. Mrs. Harris stated that since Mr. Annis is an architect of record, the RFQ process is not required.

Commissioner Mitchell made the motion to approve the resolution, seconded by Commissioner Foy. The motion duly carried with all present voting "AYE."

Chairman Swanson then asked the Board to consider the addition of two items to the agenda including:

- Call for public hearing for the refunding/refinancing transaction
- Appointments: Consider the appointment of Eldora Perry to the Nursing Home Advisory Committee.

Commissioner Winters made the motion to add both items to the agenda, seconded by Commissioner Lancaster. The motion duly carried with all present voting "AYE."

**Resolution Exempting Health & Human Services Renovation
(Needed Space for Board of Elections)
From G.S. 143-64.31**

WHEREAS, G.S. 143-64.31 requires the initial selection of firms to perform architectural, engineering, and surveying services without regard to fee;

WHEREAS, the County proposes to enter into one or more contracts for such services for work on Health & Human Services (Needed Space for Board of Elections); and

WHEREAS; H. S. Annis, AIA, Architect has served as the Architect of record for prior renovation, up fits to the Health & Human Services;

NOW, THEREFORE the Franklin County Board of Commissioners of the Franklin County Government
RESOLVES:

Section 1. The above-described project is hereby made exempt from the provisions of G.S. 143-64.31 for the reasons stated in this resolution.

Section 2. This resolution shall be effective upon passage.

6. CALL FOR PUBLIC HEARING FOR THE REFUNDING/REFINANCING TRANSACTION

Chuck Murray, Finance Director, stated in order to refinance bonds that the County has already issued in previous years, a public hearing must be called for and held. Mr. Murray anticipates a better rate that could save the County approximately \$725,000.

Commissioner Winters then made the motion to move forward and call for the public hearing for the refunding/refinancing transaction, seconded by Commissioner Foy. The motion duly carried with all present voting "AYE."

7. APPOINTMENTS

A. Nursing Home Advisory Committee

The Board was asked to consider the appointment of Eldora Perry to the Nursing Home Advisory Committee by recommendation of Kim Hawkins, Regional Ombudsman.

Commissioner Foy made the motion to appoint Ms. Perry to the Nursing Home Advisory Committee, seconded by Commissioner Lancaster. The motion duly carried with all present voting "AYE."

B. 911 Board

At the Board's March 16, 2009 meeting, it voted to expand the membership of the 911 Board to include a County Commissioner.

Commissioner Winters made the motion to appoint Commissioner Shane Mitchell to the 911 Board, seconded by Commissioner Swanson. The motion duly carried with all present voting "AYE."

C. Adult Care Home Community Advisory Committee

An appointment was needed to the Adult Care Home Community Advisory Committee. Kim Hawkins, Regional Ombudsman, recommended that Sadie Burnette be appointed to fill the position formerly held by Ms. Debbie Conner.

Commissioner Swanson made the motion to appoint Sadie Burnette to the Adult Care Home Community Advisory Committee, seconded by Commissioner Winters. The motion duly carried with all present voting "AYE."

8. 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.

Commissioner Lancaster: No report.

Commissioner Mitchell: No report.

Commissioner Dunston: Commissioner Dunston was absent.

Commissioner Foy: No report.

Commissioner Winters: No report.

Commissioner Young: Commissioner Young was absent.

Commissioner Swanson: No report.

County Clerk Kristen King: No report.

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

- A report on activity by the Register of Deeds office was distributed.
- She mentioned North Carolina Senate Bill 758 regarding the Secondary Road Program. The bill would turn over the costs to counties. She suggested the Board approve a resolution in opposition to the bill.
- Mrs. Harris stated ADM money has been removed from the Senate's proposed budget.
- She stated the North Carolina House of Representatives will soon begin its work on the budget.
- She mentioned a conversation she had with North Carolina Representative Lucy T. Allen today, and said North Carolina House Bill 59 was introduced as a local bill regarding 911 monies. She said other counties are interested as well and stated a statewide bill has been introduced and being considered.

- On April 3, 2009, Mrs. Harris met with Molly Manson who is completing a fellowship and assigned to Senator Richard Burr's office. Ms. Manson was briefed on a number of initiatives in Franklin County.
- Mrs. Harris mentioned electronic mail received by Jon Long, MBAJ Architecture, regarding upcoming deadlines as they pertain to school construction. He has stated that direction is need by April 22, 2009 regarding Franklinton High School. Mrs. Harris met with School Board Chair Paige Sayles recently and said bonds will be sold on July 21, 2009.
- Mrs. Harris stated the application period for Tax Administrator has closed and asked the Board to come by the office of Kelly Faulkner, Human Resources Manager, to review the applications.
- Mrs. Harris stated she has been in touch with representatives from Brennan and Associates, the group hired to do the jail study. Brennan is seeing competitive bids on projects they are associated with. Mrs. Harris said it would be beneficial to schedule a work session with an update on pricing information as it relates to construction and operational costs. She would like for the Board to revisit the jail project and to make decisions. Commissioner Lancaster then stated he would like firm answers about lottery and ADM monies and the future of those funds as well as exactly how much money Franklin will receive from the stimulus package and where it is going. Mrs. Harris stated she is uncertain of when that information will become available.
- Mrs. Harris stated she has spoken with Steve Winstead with the North Carolina Department of Transportation. Mr. Winstead will provide an update at the April 20, 2009 meeting.

Commissioner Swanson adjourned the meeting at approximately 7:43 P.M.

Robert L. Swanson, Chairman

Kristen G. King, Clerk to the Board

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