

## February 16, 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, Sidney E. Dunston, Donald C. Lancaster, Harry L. Foy, Jr. and E. Shane Mitchell. Vice-Chairman Penny McGhee-Young was absent.

Chairman Swanson asked the Board to consider approval of the consent agenda. Commissioner Dunston made the motion to approve, seconded by Commissioner Winters. The motion duly carried with all present voting "AYE." The items approved are as follows:

### 1. CONSENT AGENDA

- A. January 26, 2009 minutes
- B. February 2, 2009 minutes
- C. Releases, Adjustments, Refunds, and Tax Collection Report
- D. Annual report of unpaid taxes that are liens of real property
- E. Budget Ordinance Amendment #5 (Pursuant to North Carolina General Statute 159-15, the County Finance Officer is requesting a budget ordinance amendment in the amount of \$174,486 for the fiscal year ending June 30, 2009 to reflect grants received by the Social Services Department, replacement of sheriff vehicles involved in collisions, donations received by Aging for prescriptions, appropriation for EMS incentives and capital outlay, and additional monies for maintenance and repairs at the Airport.)
- F. Audit contract for FYE 2008-2009

### 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.

#### **Robert Church, 135 Briarwood Place, Wake Forest, NC**

- Mr. Church is an attorney who practices in Franklin County. He asked the Board to consider hiring a full time County Attorney and mentioned his own experience and availability. He provided a list of professional accomplishments he felt would be beneficial to the Board. Mr. Church also asked the Board to consider the creation of a growth management plan.

#### **Michael Capps, 118 C.P. Sykes Road, Louisburg, NC**

- Mr. Capps asked the Board to consider laws pertaining to hunting deer with dogs. Mr. Capps spoke at a previous Board meeting (January 26, 2009) in reference to the same topic. He has spoken again with an officer of the North Carolina Wildlife Commission and said he was informed that local laws must be put in place before they can be considered by the Legislature. Mr. Capps stated his desire is not to put an end to hunting deer with dogs, but suggested that hunters should be required to obtain written permission from landowners in order to hunt on private property. He would also like to see this type of hunting unlawful from the right-of-way. Mr. Capps submitted a petition with approximately 400 signatures of people who share his concerns. County Manager Angela Harris informed those present that a report on the issue would be provided by County Attorney Darnell Batton at the March 2, 2009 meeting. Mr. Batton was unable to provide the update this evening due to illness. It was noted that March 18, 2009 is the deadline for counties to file local bills for consideration by the North Carolina General Assembly.

## **Sheila Hanna, NC Highway 39 North, Louisburg, NC**

- Ms. Hanna asked the Board to consider conducting town hall meetings. She also requested that bylaws and policies be placed online as well as a list of citizens who serve on various Franklin County Boards and Commissions. She also asked that the County's website be updated.

### **3. PRESENTATION: WATER CONSERVATION PROJECT**

Bunn Middle School students along with their science teacher Michael Sheldon, presented preliminary findings and a brief PowerPoint presentation to demonstrate how they have encouraged the community to conserve water. Public Utilities Director Bryce Mendenhall has worked with the students to provide insight and direction on this project.

Following the presentation, Chairman Swanson presented certificates of appreciation to the group for their successful conservation efforts.

### **4. PUBLIC HEARING**

- A. Text Amendment to the Franklin County Unified Development Ordinance, Chapter Two – Zoning Ordinance, Article 7A. Special Use Districts – Special Use Permits, and Article 9. Special Uses to clarify the special use permit procedure.

According to Planning Director Scott Hammerbacher, the Planning Board received a request from a citizen to clarify the UDO in relation to the issuance of Special Use Permits. He said currently the UDO has separate procedures for the issuance of a Special Use Permit within a Special Use Zoning District versus procedures for a Special Use Permit within a standard zoning district. He said the Planning Board is proposing several amendments that would require a Special Use Permit to follow the same procedure whether the proposed use is located within a Special Use District or a standard zoning district. On January 5, 2009, the Board of Commissioners requested that a revision to the table of permitted uses be tabled until the completion of the comprehensive plan.

Commissioner Foy asked Economic Development Director Ronnie Goswick if he had any concerns with the proposed text amendment. Mr. Goswick said his concern was in reference to limited uses with the AR district, a topic that would be brought before the Board at a later date. Mr. Goswick stated he sees no problem with the amendment proposed tonight.

Commissioner Winters asked if the amendment was primarily procedural. Mr. Hammerbacher confirmed and said the amendment would remove duplication.

At 7:37 P.M., Commissioner Swanson opened and closed the public hearing with no comments made.

Commissioner Lancaster then made the motion to approve the text amendment, seconded by Commissioner Winters. The motion duly carried with all present voting "AYE."

### **5. HUNTER PLACE II PUMP STATION**

On January 13, 2009, separate sealed bids were received by Franklin County for the construction of the Southern Youngsville (Hunter Place Phase II) Sewer Station. Nine companies presented bids for consideration that ranged in price from \$1.478 million to \$2.165 million respectively. The apparent low bidder is JF Wilkerson who is currently finalizing the Hunter Place Phase I upgrades.

Bryce Mendenhall, Public Utilities Director, said the purpose of this project was to relocate the Hunter Place station further down Richland Creek. He stated the economic downturn has killed the housing market. He said one reason the County was building the station in conjunction with the Town of Youngsville was to promote residential growth along the corridor south of Holden Road. He said the station would ultimately be built to capacity at about one million gallons per day, with one-half a million going toward residential growth. Mr. Mendenhall said what he doesn't see is any current movement toward residential growth in the corridor.

Based on current economic conditions, Mr. Mendenhall recommended this project be delayed. He said he could not ask the Board to award this contract when the project will not provide a payback to the County in any certain period of time. He said this project must take place in the future to promote economic and industrial growth north of Holden Road, but at this time he asked the Board to delay the project until a time when payback is more certain.

Commissioner Dunston asked what happens to allocation if the project is delayed. In response, Mr. Mendenhall stated the allocation will remain. He said the project is fully permitted and said the permits have no "shelf life." However, he said when the project goes out for bid again the County can decide to take another look at it with engineers to see if any changes are needed. Again he stated the allocation remains with Franklin County. Plans as designed and submitted will retain their approved status and easements for this project have already been secured.

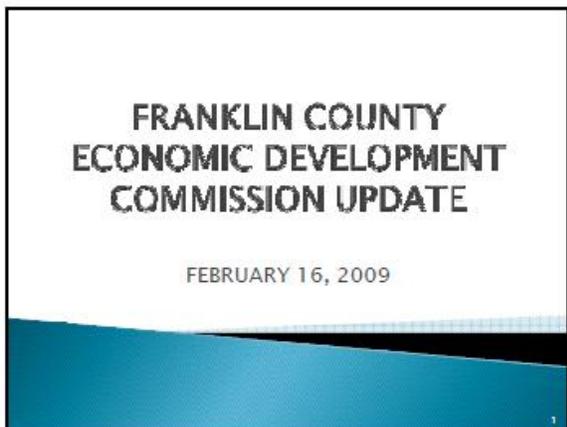
Commissioner Dunston then asked if Mr. Mendenhall had any discussions with developers relative to his request to delay. Mr. Mendenhall stated he didn't feel it was appropriate until the matter was brought before the Board. However, he doesn't foresee any infrastructure development at this time.

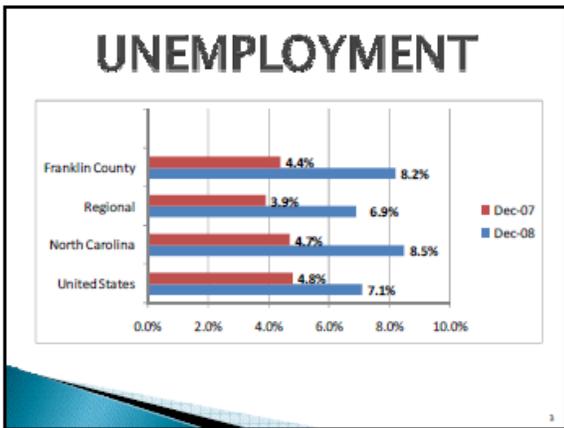
Commissioner Winters then stated he had previously recused himself from voting on this issue because he had a fiduciary interest in one of the parcels in question. He no longer has an interest and asked if he would now be eligible to vote. Attorney David Guin stated Commissioner Winters would now in fact be able to vote.

Commissioner Lancaster then made the motion to delay the Hunter Place Phase II Pump Station project and reject all bids as received, seconded by Commissioner Foy. The motion duly carried with all present voting "AYE."

**6. ECONOMIC DEVELOPMENT COMMISSION (EDC) UPDATE**

Ronnie Goswick, EDC Director, and Richie Duncan, Existing Industry Coordinator, provided an update on the activities of the EDC. The following PowerPoint presentation was provided.





### KERR-TAR REGION

Counties	Dec. 2008	Dec. 2007
Franklin	8.2	4.4
Granville	8.2	5.2
Person	9.4	5.9
Vance	11.5	6.7
Warren	11.2	6.4
Kerr-Tar Region	9.5	5.6
North Carolina	8.5	4.7

### NEW CORPORATIONS

	Oct-Dec 2008	Oct-Dec 2007
<b>Franklin</b>	<b>44</b>	<b>59</b>
Granville	38	46
Person	24	24
Vance	17	42
Warren	12	5

Source: NC Dept. of the Secretary of State

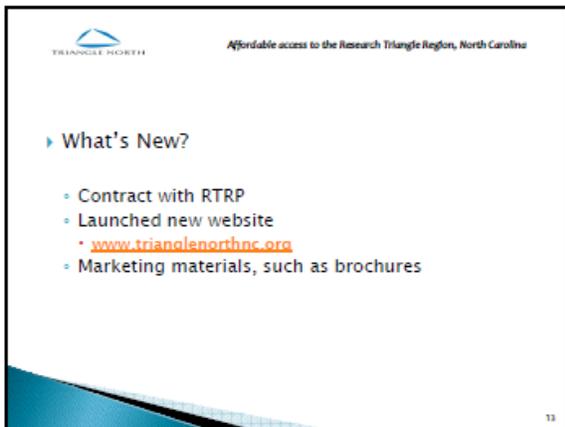
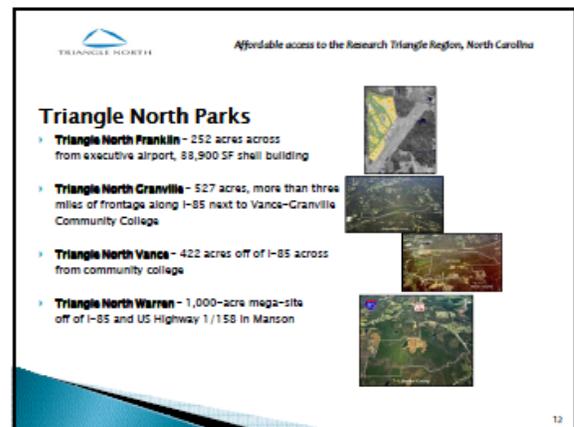
- ### UPDATES
- ▶ Realty Check
  - ▶ Medical Device & Manufacturing Show
  - ▶ Carolantic Annual Meeting
  - ▶ 401 Citizens Action Committee
  - ▶ Tier 2 Status
    - Up to \$5,000 for any jobs created after meeting a 10 job threshold, and 5% business property tax credit with a threshold of \$1,000,000

- ### STATUS OF PROJECTS
- ▶ **Louisburg Industrial Park**
    - Is now recognized as a "certified site" with the State of NC.
  - ▶ **New Projects (4<sup>th</sup> Qtr. 2008)**
    - Six (6) total
    - Two (2) closed
    - Four (4) pending

- ### STATUS OF PROJECTS
- ▶ **Existing Industry Potential Expansions:**
    - Four (4) potential expansions
  - ▶ **Commercial/Retail:**
    - Locations either under construction or approved for construction (4<sup>th</sup> qtr. 2008) – nine (9)
    - Total investment estimate: \$6,362,876.00
    - Total job potential estimate: 58-80

- ### BUSINESS UPDATES
- ▶ Eaton Corporation – increased product lines & employees
  - ▶ TTI Wireless – opened second location on US Hwy. 1 and increased workforce
  - ▶ Fujitsu Transaction Solutions – increased workforce to full capacity
  - ▶ VFC, Inc. – increasing workforce
  - ▶ Xerium – Local headquarters
  - ▶ Universal Forest Products – Local facility closed
    - 44 employees impacted
    - Employment Security Commission

- ### UPDATES
- ▶ Broker's Reception
  - ▶ Emerging Issues Forum
  - ▶ NCSEA (N.C. Sustainable Energy Association)
  - ▶ ICSC (International Council of Shopping Centers)
  - ▶ Triangle Chef's Association
    - Farm, Foods & Crafts Festival – May 16-17, 2009
    - [www.franklincountyfarmfresh.com](http://www.franklincountyfarmfresh.com)
  - ▶ Redesign of Airport Website
    - [www.flytriangelnorth.com](http://www.flytriangelnorth.com)



During the presentation, Commissioner Lancaster stated the County must focus on making processes easier to locate a business in Franklin. He said rather than placing emphasis on financial incentives, he'd like to see the county reduce the hassle involved in the permitting process.

Commissioner Dunston then requested that Economic Development coordinate another tour highlighting current projects in the County. Mrs. Duncan suggested the tour be held in the spring and said she felt the tour would provide an opportunity to showcase the great work going on in the County, even during difficult financial times.

During the presentation, Mr. Goswick introduced Bud Cohoon, the new Executive Director of the Triangle North Project. Mr. Cohoon commented that the Franklin site was the only site of the four counties involved that already has a shell building located on the property. He also mentioned that an "Open for Business Event" is being planned and said that details would be forthcoming.

Commissioner Dunston asked Mr. Cohoon if he had heard what Triangle North might receive from the stimulus package. Mr. Cohoon stated he was uncertain at this time, but hoped that funding would be available to assist with the construction of the road from Highway 401 to the Triangle North site.

No action was needed following the presentation.

## 7. 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 scheduling a joint meeting with the Franklin County Board of Education at 6:00 P.M. on Monday, March 2, 2009 with an alternate date of March 23, 2009. The purpose of the joint meeting is to consider whether or not to delay school bond projects. The Board asked to move forward in scheduling a meeting on March 2, 2009.

**Commissioner Foy:** No report.

**Commissioner Winters:** Commissioner Winters stated he had received a request from the Franklin County Rescue Association to add a position to the 911 Advisory Board, preferably the President of the Rescue Association. Commissioner Mitchell then stated he would like to see that a Commissioner is represented on the 911 Advisory Board as well. The issue will be discussed at the March 2, 2009 meeting. Commissioner Winters then commented on a story that was written in the local paper about Dr. Elyse Goldman who serves on the Animal Advisory Board. He said the article was not favorable and wanted to point out that even though he was not originally in favor of Dr. Goldman serving on the Animal Advisory Board, he now has had the opportunity to work with her and says she demonstrates a team approach especially in working with the spay/neuter program. He said he stands corrected of his original opposition. He said the Board must bring attention to what our volunteers “do right” if it wants people to continue to serve.

**Commissioner Lancaster:** No report.

**Commissioner Mitchell:** Commissioner Mitchell stated his concern that an increasing amount of staff time was spent researching minutes for citizens/groups. He asked the Manager to devise a plan that would allow minutes from various boards more available.

**Commissioner Dunston:** Commissioner Dunston mentioned that funeral services for Warren County Commission Clinton Alston would be held on Saturday at 2pm in Warren County.

**Commissioner Swanson:** Commissioner Swanson commented on an article in the Franklin Times pertaining to his appointment to the Animal Advisory Board. He stated he chose to appoint Mark Speed to the Board because he felt he would make a contribution, not that his former appointee did not make a contribution.

**Commissioner Young:** Commissioner Young was absent.

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

- Mrs. Harris recognized Franklin County employees for their financial contribution to United Way. She said the recent campaign was the most successful to date raising approximately \$8,076. The effort was led by Eric Ireland, Health Director, who has recently accepted a position in New Hanover County.
- She referenced a monthly report distributed by the Finance Director.
- Mrs. Harris commented on a meeting held Friday with Representative Lucy Allen and Commissioners Swanson and Lancaster. She said the meeting followed the same format as a recent conversation with Congressman Bob Etheridge about the stimulus request. She said the group spoke specifically about Triangle North relative to the need to sewer and the construction of a road to Highway 401.
- She mentioned that UNC-TV would like to conduct a follow-up interview highlighting various projects underway in the County.
- Mrs. Harris mentioned that a report on foreclosure activities would soon be distributed to the Board. The information was prepared by Acting Tax Administrator Jimmy Tanner following a request from Commissioner Lancaster.
- Mr. Harris mentioned that she had not requested that the School Board take the same approach as county department heads in cutting their budgets 10%. She stated much hinges on whether or not the Board of Commissioners decides to move forward with projects approved by the school bond.

## 8. CLOSED SESSION

Commissioner Dunston made the motion to enter into Closed Session pursuant to NCGS143-318.11 (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 regarding litigation in the matter of Franklin County vs. Raleigh Alexander Cleghorn and Elizabeth Joyce Cleghorn. The motion was seconded by Commissioner Mitchell and carried 5 to 1 with Commissioner Foy voting “NO.”

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

Commissioner Winters made the motion to approve the settlement for the taking of land from the Cleghorn property that was recommended by the attorney and the Public Utilities. The motion was seconded by Commissioner Dunston and duly carried with all present voting "AYE."

It was then mentioned that grand opening of the new Franklinton Town Hall would be held Tuesday at 6:00pm.

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

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Robert L. Swanson, Chairman

Kristen G. King, Clerk to the Board

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