

July 13, 2009

The Board of Commissioners of Franklin County, North Carolina, met for its Regular Meeting at 7:00 P.M. in the Commissioner's Conference 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, Donald C. Lancaster, E. Shane Mitchell and Harry L. Foy, Jr.

Commissioner Swanson called the meeting to order and asked the Board to consider adding an item to the agenda. The Franklin County Board of Education requested time to present its recommendation for the award of a contract for the construction of the new Franklinton High School.

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

Chairman Swanson announced the schools request would be discussed first.

School Board Chair Paige Sayles stated the School Board's recommendation is to award the bid to Branch & Associates, Inc.

Tommy Piper, Franklin County Schools Assistant Superintendant for Auxiliary Services, stated bids were received and opened on June 3, 2009 for the new Franklinton High School project. Mr. Piper stated from June 3-25, 2009, MBAJ Architecture staff and school staff performed due diligence to ensure the best recommendation was made to the Board of Education.

Jon Long, MBAJ Architecture, provided an outline of the action taken so far to reach a recommendation to award the bid to Branch Construction, which was not the lowest bidder. He stated the construction budget for the new high school was approximately \$34.6 million. Fifteen general contractors submitted bids and the lowest base bid received was between 36 and 37% below budget. He stated the cost averaged approximately \$114 per square foot then referenced Long Mill School Elementary at \$134 per square foot. Long Mill was \$10 per square foot less than the state average at the time it bid. He reminded the Board there are differences when comparing construction costs of high schools against elementary schools. He stated he and school staff had worked to design a project that would include a quality, long-term building that was also cost effective. Taking that into account along with the present market, he said he felt good results were received.

Mr. Long provided a bid tabulation sheet and stated there were 12 alternates included in the project. After reviewing the alternates, MBAJ and school staff recommended alternates 1-7 and alternates 10 and 12.

Referencing General Statute 143-128, Mr. Long stated public entities are charged to select the lowest responsible, responsive bidder, taking into consideration quality and performance. The statute also allows a public entity to bid a project via single or multi prime method taking into consideration the cost of construction oversight, time of completion and other factors it deems appropriate. He said included in the project manual was a section addressing the award or rejection of bids that states the contract, if awarded, will be awarded to the lowest responsible, responsive bidder single prime, subject to the owner's right to reject any or all bids and to waive any informality in the bids. He said failure to complete all information required on the bid form and bid supplements may result in rejection of the bid. He said bids may be rejected if they

show any unexplained errors, omissions, alteration of form, additions not called for and restrictions or qualifying conditions or other irregularities of any kind. He said bids would be considered for single prime if there are at least three bidders. The owner may make such investigations they deem necessary to determine the ability of the bidders to perform the work. He said the owner also reserves the right to reject any bid if the evidence submitted by or the investigation of such bidder fails to satisfy the owner, that such bidder is properly qualified to carry out the obligations of the contract and complete the work contemplated therein within the contract time.

Mr. Long stated a pre-bid conference was held May 19, 2009. He stated all 15 contractors that submitted bids were present. During that meeting he said explicit instructions were given to make sure the bids were clear and complete. He said contractors were given additional days to submit bids due to the Memorial Day holiday and the due date was extended from May 28, 2009 to June 3, 2009. As a public entity, Mr. Long said the Board of Education is charged with awarding the contract to the lowest responsive, responsible bidder. To help determine this, Mr. Long stated included in the bid documents was a contractor's statement of qualifications to be turned in with the bid and to be considered as part of the bid. He said original intentions were to prequalify but given all the discussions about the money, a different approach was taken and a qualifications package was issued in the bid that allowed contractors to submit it as part of their bid for evaluation. Mr. Long said the qualifications package, along with the project manual, establishes the criteria in which bids are investigated. He said the process takes more time compared to not taking the qualifications information when bids are received.

Over the weeks subsequent, Mr. Long said all of the information in the packages was received and due diligence was completed in trying to work through the bids to immediately identify the lowest bidders. He said packages were then examined sequentially. He and school staff examined the forms and worked through all of the presented information in such a way that was fair to all bidders. Included in the bid environment, he said, is a responsibility to all 15 bidders and said at any point the final evaluation must be fair and hold up under scrutiny. Mr. Long commented that recommendations were based solely on the evaluation of the information submitted. He said contractors were not allowed to change or alter their bids subsequent to the fact. Despite any questions he and staff may have had, he stated that if there were substantive issues, no changes were allowed. He said in no case was any additional information allowed to supersede that which was submitted and said he and staff attempted to follow the qualification forms strictly. He said the information was laid out in advance so that if "Mr. Doug Moore, Mr. Tommy Piper or myself are not here tomorrow, the decision would stand."

Next, Mr. Long reviewed the qualifications evaluation criteria from the Project Manual and went over the bid tabulation sheet shown below. He noted the reason Branch & Associates, Inc. was recommended over contractors with lower bids was due to the submittal of incomplete bids. For example, he and School Board Attorney Boyd Sturges, stated John S. Clark Company did not fully fill out the forms and the unmarked "Add" or "Deduct" box for alternate number five left no way to determine the amount and how it impacted the overall price of the project. While he stated there were errors on all 15 bids, he also advised the general statutes do not expect the bids to be perfect. The evaluation moved through the bids until you were able to determine one with no substantive issues. After reviewing the bids, Mr. Sturges stated he felt awarding the bid to Branch & Associates was legal and defensible.



PROJECT: New Franklin High School
 COMM NO: 0517
 BID DATE: Wed. June 3, 2009
 BID LOCATION: Franklin County Schools - Riverside Campus, Building B, Room B-108
 53 West River Road, Louisburg, NC

FILE NO: B - 8.1
 BID DUE: 3:00

NBAJ Architecture

BID TABULATION SHEET - SINGLE PRIME CONTRACTOR - COMBINED BID

CONTRACTOR	LIC #	BID BOND	Addenda							MSE APT/D	QUAL PRG	BASE BID	ALT 1	ALT 2	ALT 3	ALT 4	ALT 5	ALT 6	ALT 7	ALT 8	ALT 9	ALT 10	ALT 11	ALT 12	MAJOR SUBCONTRACTORS
			1	2	3	4	5	6	7																
Barrill Contracting Co.	3194	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$25,775,000	\$4,999	\$1,700	\$0	\$0	\$324,000	\$79,000	\$100,000	(\$140,000)	(\$219,000)	(\$13,000)	(\$89,000)	\$20,000		P: ABL, M: Watson, E: KAD
Bordeaux Construction Co., Inc.	6698	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$26,012,000	\$4,999	\$0	\$0	\$0	\$26,696	\$110,000	\$400,000	(\$292,167)	(\$370,800)	(\$15,400)	(\$97,800)	\$48,000		P: Southern Piping, M: Watson, E: KAD
Branch and Associates, Inc.	22657	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$24,706,000	\$4,900	\$1,000	\$1,000	\$1,000	\$215,000	\$32,000	\$72,000	(\$185,000)	(\$259,000)	(\$14,000)	(\$94,000)	\$25,000		P: Southern Piping, M: Southern Mechanical, E: KAD
D. A. Thomas Construction Co., Inc.	34322	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$24,000,000	\$0	\$0	\$0	\$0	\$56,000	\$115,000	\$27,645	(\$192,000)	(\$300,000)	(\$15,000)	(\$94,000)	(\$20,000)		P: Southern Piping, M: Marley Mechanical, E: Ferguson Electric
D. H. Giffin Construction Co. LLC	28279	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$26,186,000	\$4,200	\$0	\$0	\$0	\$490,000	\$65,000	\$66,000	(\$156,000)	(\$241,000)	(\$13,000)	(\$26,000)	\$24,000		P: ABL, M: Watson, E: Wayne J. Gustin
DeVere Construction Co.	48987	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$24,688,000	\$3,000	\$0	\$0	\$0	\$59,000	\$110,000	\$60,000	(\$130,000)	(\$245,000)	(\$14,000)	(\$90,000)	\$39,000		P: ABL, M: ABL, E: KAD
EdRice General Contractors	10514	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$25,282,000	\$4,000	\$0	\$0	\$0	\$510,000	\$86,000	\$13,000	(\$221,000)	(\$230,000)	(\$13,000)	(\$24,000)	\$42,000		P: ABL, M: Southern Mechanical, E: KAD
H. G. Reynolds Co., Inc.	14149	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$24,900,000	\$0	\$0	\$0	\$0	\$390,000	\$77,200	\$28,000	(\$140,000)	(\$240,000)	(\$15,000)	(\$84,000)	\$21,000		P: ABL, M: Southern Mechanical, E: Thomas Electric
John S. Clark Company, LLC	20556	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$24,926,000	\$4,200	\$0	\$0	\$0	\$466,000	\$66,000	\$27,000	(\$157,000)	(\$240,000)	(\$13,000)	(\$84,000)	\$48,000		P: Southern Piping, M: Watson, E: KAD
LaChase Construction Services	48537	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$24,780,000	\$5,000	\$26,000	\$0	\$0	\$450,000	\$114,000	\$75,000	(\$290,000)	(\$320,000)	(\$20,000)	(\$80,000)	\$40,000		P: Southern Piping, M: Southern Mechanical, E: KAD
New Atlantic Contracting, Inc.	60661	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$25,066,000	\$4,200	\$0	\$0	\$0	\$515,000	\$73,000	\$145,000	(\$220,000)	(\$250,000)	(\$13,000)	(\$84,000)	\$48,000		P: ABL, M: Southern Mechanical, E: KAD
R. L. Casey, Inc.	10137	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$25,065,000	\$4,600	\$0	\$0	\$0	\$542,200	\$69,000	\$62,617	(\$179,772)	(\$220,566)	(\$14,740)	(\$84,000)	\$26,170		P: Southern Piping, M: Southern Piping, E: CUS
The Bespoke Building Company	14397	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$26,494,200	\$4,247	\$0	\$0	\$0	(\$828,927)	\$24,111	\$87,217	(\$167,178)	(\$258,000)	(\$13,197)	(\$84,000)	\$38,167		P: ABL, M: Southern Piping, E: KAD
Shelton, Inc.	6535	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$25,148,000	\$7,200	\$0	\$0	\$0	\$610,800	\$124,173	\$88,580	(\$200,000)	(\$218,000)	(\$13,467)	(\$84,000)	\$24,000		P: Southern Piping, M: Southern Mechanical, E: KAD
WMCO Corp.	3479	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$25,779,000	\$4,000	\$20,000	\$0	\$0	\$364,000	\$76,000	\$45,000	(\$222,000)	(\$248,000)	(\$5,000)	(\$25,000)	\$0		P: Southern Piping, M: Marley Mechanical, E: KAD

Alternate 1: Provide Owner's preferred alarm system
 Alternate 2: Provide Owner's preferred electronic flush valve equipment
 Alternate 3: Provide Owner's preferred hardware package
 Alternate 4: Provide Owner's preferred mechanical equipment
 Alternate 5: Provide certain athletic lighting and amenities
 Alternate 6: Provide standing seam metal roofing in lieu of asphalt shingle roofing

Alternate 7: Provide polished concrete floor finish in lieu of base bid floor finish in certain areas
 Alternate 8: Delete the purchase and installation of certain kitchen equipment
 Alternate 9: Delete the purchase and installation of the wood laboratory casework
 Alternate 10: Delete the purchase and installation of certain signage
 Alternate 11: Delete the purchase and installation of the library furniture
 Alternate 12: Provide the Owner's preferred mechanical control system

Confirmation Bid Tabulation Sheet

NBAJ Architecture

BY:

Jon D. Long, AIA

According to Mr. Long the four lowest bidders were John S. Clark Company, LLC, DeVere Construction Company, D.A. Thomas Construction Company, Inc. and Branch & Associates, Inc. consecutively. He discussed the reasons why the three lowest bidders could not be considered the "lowest responsible, responsive bidders." He also stated that Branch & Associates, Inc. has completed several successful projects in North Carolina and said the company met the requirements of the project manual. As a result Branch has been identified and approved by the School Board as the lowest responsible, responsive bidder in the amount of \$25,445,100.

County Attorney Darnell Batton said the School Board generally awards these contracts, however, he said approximately \$900,000 to \$1 million can be saved in sales tax reimbursements if the project is managed by the Board of Commissioners. Mr. Batton and Mr. Sturges both agreed the selection of Branch & Associates is likely defensible if the decision is challenged.

Commissioner Winters then made the motion to reject all bids and have the project bid again. The motion was seconded by Commissioner Foy.

Mr. Long then stated the timeline would be "tight" if the project was bid out again. He said currently the project is online for completion by July 3, 2011.

Commissioner Winter's earlier motion failed with a 5 to 2 vote, with Commissioners Winters and Foy voting in favor of the motion.

Commissioner Mitchell then made the motion to award the contract (to construct the new Franklin High School) to Branch & Associates, Inc. as the lowest responsible, responsive bidder. The motion was seconded by Commissioner Young and carried with a 5 to 2 vote, with Commissioners Winters and Foy voting "NO."

At 8:14 P.M. Chairman Swanson asked the Board to take a five-minute recess.

Chairman Swanson then recognized Dr. Chris Szwagiel as the County's new Health Director. Dr. Szwagiel thanked the Board for the opportunity to serve.

Chairman Swanson then asked the Board to consider approval of the consent agenda.

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

1. CONSENT AGENDA

- A. June 4, 2009 Minutes
- B. Releases, Adjustments, Refunds and Tax Collection Report
- C. 2008-2009 Tax Settlement

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.

Frank Smith, 452 East Creekview Drive, Hampstead, NC

- Mr. Smith stated he is Vice President for John S. Clark Company, LLC, one of the companies that submitted a bid for the new Franklinton High School project. Mr. Smith stated discrepancies were never mentioned when the bids were opened. He said the company exceeded the bid goals. He also stated that if a bid was rejected it should have been announced up front rather than dragging the company along with requests for additional information then rejecting the bid. He stated John S. Clark is the sixth largest contractor in North Carolina with five locations throughout the state. He stated for the past five years they've averaged \$281 million in revenue with no long term debt and said the company is one of the most financially stable contractors in the state. He said John S. Clark has bonding capacity in excess of \$200 million and could have saved the taxpayers in Franklin County \$261,000.

3. PUBLIC HEARING

A. Rural Operating Assistance Program

Franklin County is eligible to receive \$192,088 in funding for Fiscal Year 2009-2010. This funding includes the Elderly and Disabled Transportation Assistance funding, Employment Transportation Assistance funding, and Rural General Public Program funds. In order to fully comply with the requirements of the funding, a public hearing must be held on the proposed application. The application was available for public review and comment both in Spanish and in English at the Office of the County Manager from July 6, 2009 through July 13, 2009. A notice of the public hearing was posted in the Franklin Times both in English and in Spanish in the July 4, 2009 edition. The application is to be submitted by August 7, 2009.

At 8:31 P.M., Chairman Swanson opened and closed the public hearing with no comments offered.

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

B. Holmes Way Program Amendment (06-C-1616)

The Holmes Way Program requires an amendment to address changing the budget for the project area. All houses will still be treated and public water will

be provided. John Dilley with The Wooten Company provided a summary of the budget changes and gave an account of work completed to date. He stated that a citizen decided not to participate in the program, therefore the budget had to be altered and a public hearing held. Considering the proposed amendment, the budget would remain at \$700,000.

At 8:38 P.M., Chairman Swanson opened and closed the public hearing with no comments submitted. Commissioner Dunston then made the motion to approve the budget/program amendment, seconded by Commissioner Winters. The motion duly carried with all present voting "AYE."

4. NORTH CAROLINA DEPARTMENT OF TRANSPORTATION – IMPLEMENTING TRANSPORTATION OF REFORM IN NORTH CAROLINA

As a follow up from the May 18, 2009 Commissioner’s meeting presentation by Wally Bowman from the North Carolina Department of Transportation (NCDOT), an in depth review of the new strategic planning and prioritization process was presented. Joey Hopkins, Deputy Division Engineer for the Fifth Division of Highways, provided an overview of the new process for determination and prioritization of transportation projects in North Carolina. His presentation included background on the concept and development of the new program, timeline for implementation and clarification on how this program impacts existing and planned transportation projects. A PowerPoint presentation was given and is provided below.



Strategic Prioritization Process

Strategic Planning Office of Transportation (SPOT)
 Strategic Direction – Mission and Goals (every 4 years)
 Strategic Prioritization Process (every 2 years)

Output is Input → 10-year Transportation Resource Plan
 AND
 Draft STIP

Guiding Principles of Overall Prioritization Process
Highway Prioritization Model Overview
Non-Highway Projects
Schedule

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Guiding Principles of Prioritization Process

The prioritization process will be input to a reformed Statewide Transportation Improvement Program (STIP) and a Transportation Work Program (5 & 10 Yrs).

The prioritization process will emphasize alignment with the Department’s Mission and Goals.

The prioritization process will be clear and understandable.

The prioritization process is a combination of quantitative and qualitative data.

The process will include a weighted ranking system based on goal, tier, and Metropolitan Planning Organization (MPO)/Rural Planning Organization (RPO) rankings.

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Guiding Principles of Prioritization Process

The process will focus on ranking projects in the existing STIP because needs far outweigh expected revenues.

New projects will be evaluated if the project "showcases" an exceptional benefit to a serious transportation system deficiency.

Project priorities will be captured through a web-based template and a supporting database.

The Secretary of NCDOT will have the ability to move a project up or down in the final rankings. When this occurs, NCDOT will explain the importance of the project.

The final rankings and process to determine those rankings will be visible.

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Highway Prioritization Model Overview

Working Group Assisted SPOT

- Representation from:
 - o Two MPOs
 - o Two RPOs
 - o Two Transportation Planning Branch staff
 - o Four Division Engineers

6 Presentations to MPO/RPO groups since November 08
 - June 17 Workshop (85 participants)

Needs-Based Approach – data driven, systematic, and multimodal

All project information captured in Web based Template

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Highway Prioritization Model Overview

Years 1-5 of STIP are Committed Delivery Projects

- No need to rank

Years 6-10 of STIP are Planning Projects, i.e. projects in the developmental phase, moving towards the committed schedule.

- These are the SPOT prioritization process projects to be ranked.

SPOT Highway Prioritization Model will rank:

- Current Highway (I, R, U type) Projects in STIP (years 6, 7, and unfunded for initial prioritization).
- New candidate highway projects

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Highway Prioritization Model Overview

Total Score per Highway Project = Quantitative Score + Qualitative Score

Quantitative score derived from current roadway condition data

- Safety Score (Critical Crash Rate, Crash Severity, Crash Density)
- Mobility/Congestion Score (Volume/Capacity + Average Daily Traffic)
- Infrastructure Health (Pavement Condition Rating)

Qualitative score driven by Division rank and local (MPO/RPO) rank

- MPO/RPO Rank – use local methodology to rank order priorities
- Division Rank – use knowledge of local area to rank order priorities

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Highway Prioritization Model – Matrix for Scoring Projects

GOAL	TIER	Quantitative		Qualitative	
		Weighted Condition Data Percentage	Weighted Division Rank Percentage (Top 25 Projects)	Weighted Division Rank Percentage (Top 25 Projects)	Weighted Local Rank Percentage (Top 25 Projects)
MOBILITY	Statewide	70%	20%	20%	10%
	Regional	50%	25%	25%	25%
	Subregional	0%	50%	50%	50%
SAFETY	Statewide	70%	20%	20%	10%
	Regional	70%	15%	15%	15%
	Subregional	0%	50%	50%	50%
INFRASTRUCTURE HEALTH	Statewide	70%	20%	20%	10%
	Regional	70%	15%	15%	15%
	Subregional	0%	50%	50%	50%

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Highway Prioritization Model – Matrix for Scoring Projects

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MOBILITY	Statewide	70%	20%	20%	10%
	Regional	50%	25%	25%	25%
	Subregional	0%	50%	50%	50%
SAFETY	Statewide	70%	20%	20%	10%
	Regional	70%	15%	15%	15%
	Subregional	0%	50%	50%	50%
INFRASTRUCTURE HEALTH	Statewide	70%	20%	20%	10%
	Regional	70%	15%	15%	15%
	Subregional	0%	50%	50%	50%

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Quantitative Score

ALL Condition Data is derived from NCDOT Sources

Rule of Thumb: HIGHER the Score the WORSE the condition

TOTAL QUANTITATIVE SCORE = 100+ points

Congestion Score (0 to 100+)

- Score = Volume/Capacity Ratio (60%) + AADT (40%)
 - o VC = (AADT/Capacity)* 100
 - o AADT = AADT/1000

Safety Score (0 to 100)

- Score = mathematical combination of Density (33%) + Severity(33%) + Critical Crash Rate(33%)
 - o **Crash Density** – The crash density of the study area versus the average crash density of similar facilities
 - o **Severity Index** – measure of the mix of accident severity in a group of accidents at a location
 - o **Critical Crash Rate** – The actual crash rate versus the critical crash rate for the study area

Pavement Condition Score (0 to 100)

- Score = 100 - Pavement Condition Rating

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Examples of Quantitative Scoring

Apply Highway Matrix Weights and Percentages

For Statewide Tier Mobility Project (major widening):

- (0.8 x Congestion Score) + (0.1 x Pavement Score) + (0.1 x Safety Score)
- Multiply result X weight by Tier (i.e., 70 %)

For Regional Tier Infrastructure Health Project (rehabilitation):

- (0.1 x Congestion Score) + (0.8 x Pavement Score) + (0.1 x Safety Score)
- Multiply result X weight by Tier (i.e., 70 %)

Total Quantitative Score is always weighted by tier and goal (i.e., 70 or 50 percent) to obtain total quantitative points/per project

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Highway Prioritization Model - Qualitative Point System

Division Rank	Points	Local (MPO/RPO) Rank	Points
TOP 25		TOP 25	
1	100	1	100
2	96	2	96
3	92	3	92
4	88	4	88
5	84	5	84
6	80	6	80
7	76	7	76
--	--	--	--
--	--	--	--
25	4	25	4

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Examples of Qualitative Scoring

Qualitative Scoring Summary:

For Statewide Tier Mobility Project (major widening):

- (0.2 x Division Rank Points) + (0.1 x Local Rank Points)

For Regional Tier Infrastructure Health Project (rehabilitation):

- (0.15 x Division Rank Points) + (0.15 x Local Rank Points)

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Strategic Prioritization Process

Multi-Modal – Definition

“Projects which encourage the use of 2 or more

modes (highway, bicycling, walking, rail, ferry,

aviation, transit) to achieve enhanced mobility in a

travel corridor.”

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Strategic Prioritization Process

Multi-Modal – Scoring System For Highway Projects

Multimodal Corridors:
 Managed lanes (such as HOV/bus lanes or HOT/bus lanes) OR
 fixed transit guideway within the highway right-of-way (such as light rail
 or bus rapid transit) → (8 points)

Dedicated / striped bike lanes or bus pullouts → (4 points)

Sidewalks or wide outside shoulders → (2 points)

Multimodal Connections:
 Direct connection to a transportation terminal (airport, seaport, rail
 depot, etc.) → (5 points)

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Non-Highway Mode Prioritization

Transit, Rail, Bike/Ped, Aviation, Ferry projects

CMAQ & Enhancement (No call for 2009) projects

Process promotes “one-stop shopping”

NCDOT Units responsible for ranking or determining eligibility:

- **Non-highway** → Public Transportation, Rail, Bike/Ped, Aviation, & Ferry
- **CMAQ** → Transportation Planning Branch
- **Enhancement** → Program Development & Enhancement Office

Goal: *Non-hwy modes create data driven method by summer 2010*

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Strategic Prioritization Process

Next Steps

Now to Oct → MPOs/RPOs Rank Top 25 Highway (I, R, U type) Projects

Nov / Dec → Division's Rank Top 25 Highway (I, R, U type) Projects

Dec / Jan 2010 → SPOT provides rankings of projects by Goal, Tier, and Mode

Feb 2010 → Management determines where to focus resources

Mar / April 2010 → Constraints Applied

May → Draft TIP and Input to Draft Work Program

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Strategic Prioritization Process

Questions? / Comments

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No action was taken.

5. RESOLUTION RESCHEDULING THE EFFECTIVE REVALUATION DATE TO 2011

Due to the economic uncertainty of real estate market values in Franklin County, Tax Administrator Jimmy Tanner requested revaluation be rescheduled effective for year 2011. Since Franklin County had previously adopted a six year revaluation cycle, there was an opportunity to extend the revaluation effective date according to North Carolina General Statutes. Pending approval of the effective date change, Mr. Tanner hopes market conditions will have time to stabilize and give taxpayers and homeowners confidence that Franklin County is using due diligence to assure values are a proper reflection of market value, and that values do not further decline after the effective date is set. This means once the valuations are effective for that date (January 1), any market conditions that decrease real estate values after the effective date cannot be considered when discussing valuations, only market conditions that were present for the effective date. A PowerPoint presentation was given and is provided below.

REVALUATION

REQUEST CHANGE IN EFFECTIVE DATE
2010 VERSUS 2011

NORTH CAROLINA GENERAL STATUTES

- ▶ N. C. GENERAL STATUTE 105-286—EACH COUNTY SHALL REAPPRAISE ALL REAL PROPERTY ONCE EVERY EIGHT YEARS UNLESS THE DATE SHALL BE ADVANCED
- ▶ ANY COUNTY DESIRING TO CONDUCT A REAPPRAISAL ON AN ADVANCED OR CHANGED SCHEDULE SHALL DO SO UPON ADOPTION BY THE BOARD OF COUNTY COMMISSIONERS OF A RESOLUTION SO PROVIDING.

FACTORS FOR REQUESTING CHANGE (POSITIVES)

- ▶ ECONOMIC CONDITIONS—REAL ESTATE MARKETS STILL UNSTABLE. DELAY WOULD ALLOW ADDITIONAL TIME FOR MARKETS TO STABILIZE
- ▶ DELAY WOULD RESULT IN TAXPAYER VALUES NOT LOCKING IN AND RISKING FURTHER LOSSES IN VALUE, RESULTING IN TAX VALUES EXCEEDING MARKET VALUE WITHOUT ANY RECOURSE FOR CHANGE. NC STATUTES DO NOT RECOGNIZE ECONOMIC CONDITIONS AS A VALID REASON FOR APPEAL.

FACTORS FOR REQUESTING CHANGE (POSITIVES)

- ▶ DELAY WOULD RESULT IN VALUES FOR TAXPAYERS THAT ARE MORE ACCURATE AND FAIR DUE TO EXTENDING THE TIME FOR COLLECTING MARKET DATA AND TRENDS.
- ▶ PERCEPTION—NEWS MEDIA REPORTS MOSTLY ON MARKET DATA SINCE ECONOMIC DOWNTURN FROM LAST TWO YEARS. TAXPAYERS DO NOT REALIZE THE INCREASE FROM THE PRIOR FOUR YEARS SINCE LAST REVALUATION. OVERALL, STATISTICS STILL INDICATE AN OVERALL INCREASE IN VALUATION IF EFFECTIVE FOR 2010 FROM LAST SIX YEAR PERIOD.

FACTORS FOR REQUESTING CHANGE (POSITIVES)

- ▶ UTILITY EQUALIZATION—DELAY WOULD NOT RESULT IN EQUALIZATION FOR UTILITY COMPANIES DUE TO 4TH YEAR RATIO ASSESSMENT LEVEL EXCEEDING THE 90% THRESHOLD. IF DELAYED UNTIL YEAR 2012, EQUALIZATION COULD COME INTO AFFECT.
- ▶ NEW CAMA SYSTEM—FRANKLIN COUNTY AND TAXPAYERS WOULD BENEFIT BY ALLOWING ADDITIONAL TIME FOR SYSTEM AND WEBSITE ENHANCEMENTS FOR NEW CAMA SYSTEM TO BE IMPLEMENTED WITH REVALUATION.

FACTORS FOR REQUESTING CHANGE (POSITIVES)

- ▶ ACTUAL COST SAVINGS
 - APPROXIMATELY \$40,000 IN POSTAGE AND PRINTING THAT WILL SHIFT FROM THIS FISCAL YEAR UNTIL NEXT FISCAL YEAR.
 - EVEN WITH AN EXPECTED COST INCREASE FROM CONTRACTOR FOR EXTENDING THE CONTRACT, SIGNIFICANT SAVINGS WILL RESULT DUE TO MANDATORY FUNDS HELD FOR FUTURE REVALUATIONS IN THE AMOUNT OF \$150,000 PER YEAR. THIS WILL RESULT IN ACTUAL SAVINGS OF APPROXIMATELY \$125,000.

FACTORS FOR REQUESTING CHANGE (POSITIVES)

- ▶ TAXPAYER CONCERN--FROM NUMEROUS DISCUSSIONS WITH TAXPAYERS OVER THE LAST YEAR SINCE THE REVALUATION CONTRACTOR HAS BEEN VISITING PROPERTIES AROUND THE COUNTY, THERE IS CONCERN ABOUT THE IMPACT OF IMPLEMENTING A REVALUATION DURING POOR ECONOMIC TIMES.

FACTORS FOR REQUESTING CHANGE (NEGATIVES)

- ▶ THERE ARE BASICALLY NO NEGATIVES FOR DELAYING THE REVALUATION FROM BEING EFFECTIVE YEAR 2010 TO BEING EFFECTIVE YEAR 2011.
- ▶ WILL CAUSE ADDITIONAL STAFF WORK FROM DOUBLE ENTRY DURING THIS ADDITIONAL YEAR.
- ▶ REVALUATION CONTRACTOR WILL ALTER THE CONTRACT SCHEDULE TO ALLOW FOR AN ADDITIONAL YEAR OF MARKET DATA COLLECTION TO ADJUST SCHEDULE OF VALUES.

**ACROSS THE STATE
SCHEDULED YEAR 2010 REVALUATIONS**

- ▶ COUNTIES THAT HAVE ALREADY DELAYED REVALUATION BY RESOLUTION
 - BUNCOMBE 2010 CHANGED TO 2014
 - FRANKLIN 2010 PROPOSE TO 2011
 - HAYWOOD 2010 CHANGED TO 2011
 - PERSON 2010 CHANGED TO 2011
 - WATAUGU 2010 CHANGED TO 2012
- DARE 2010 MAY CHANGE TO 2013
- ONSLOW 2010 STILL SCHEDULED FOR 2010
- ROBESON 2010 STILL SCHEDULED FOR 2010

• 6 COUNTIES SCHEDULED 2010, 8 YR CYCLE, NO CHOICE

**ACROSS THE STATE
OTHER COUNTIES DELAYED**

- ▶ COUNTIES WITH EFFECTIVE YEARS DIFFERENT THAN 2010 THAT HAVE ALREADY DELAYED REVALUATION BY RESOLUTION
 - ALEXANDER 2011 CHANGED TO 2013
 - *CALDWELL 2009 CHANGED TO 2011
 - LEE 2011 CHANGED TO 2013
 - MECKLENBURG 2009 CHANGED TO 2011
 - *ROCKINGHAM 2009 CHANGED TO 2011
 - *STANLEY 2009 CHANGED TO 2011
 - *SWAIN 2009 CHANGED TO 2013
- DAVIDSON MAY CHANGE FROM 2011 TO 2013

• *SPECIAL BILL PASSED THIS YEAR ALLOWING 4 COUNTIES TO UNDO THEIR SCHEDULED REVALUATION

**FRANKLIN COUNTY
TAX OFFICE REQUEST**

- ▶ WHEN CONSIDERING INFORMATION SUBMITTED, I REQUEST THAT THE EFFECTIVE DATE OF REVALUATION FOR FRANKLIN COUNTY BE CHANGED BY RESOLUTION FROM JANUARY 1ST 2010, UNTIL JANUARY 1ST 2011.

Commissioner Lancaster made the motion to approve a resolution that would implement Franklin County’s Revaluation effective January 1, 2011 as opposed to the current schedule of January 1, 2010. The motion was seconded by Commissioner Winters and duly carried with all present voting “AYE.”

**A RESOLUTION DELAYING THE COUNTY-WIDE REVALUATION FROM JANUARY 1, 2010 UNTIL
JANUARY 1, 2011**

The County of Franklin Board of Commissioners does hereby resolve and declare as follows:

That the Franklin County Board of Commissioners had previously scheduled a revaluation for January 1, 2010, following a six-year revaluation cycle. However, the Board in recognizing that the present unstable and somewhat unpredictable economic climate lends itself to difficulties in establishing accurate and fair property values, finds that delaying the revaluation until January 1, 2011, would be in the best interests of the citizens of Franklin County.

NOW THEREFORE, the County-Wide Revaluation is rescheduled from January 1, 2010 and shall be undertaken to be effective January 1, 2011.

6. ALLOCATION REQUEST OF FOREST CITY SUBDIVISION

Forest City Development has formally submitted to staff a request for water and sewer allocation. The development is located on Cedar Creek Road adjacent to the future Franklinton High School site. This matter was brought before the Utility Advisory Committee on June 18, 2009 and was recommended for allocation.

Included in the agenda packet was a letter detailing the take down rate for approximately 250 lots within the development. The take down rate spans from 2011 thru 2018. The requested allocation is for 62,500 gpd (gallons per day) of water and sewer needs.

Tom Spaulding, Project Engineer for Spaulding and Norris, was present. He stated currently there are no builders signed up.

Commissioner Lancaster made the motion to award water/sewer allocation to Forest City Subdivision. The motion was seconded by Commissioner Mitchell and duly carried with all present voting "AYE."

7. SOLID WASTE MANAGEMENT PLAN UPDATE

John Faulkner, Solid Waste Director, provided an update on the Solid Waste Management Plan. Following the presentation, he asked that the Board consider approval of a resolution of support.

Commissioner Dunston made the motion to approve a resolution of support of the Franklin County Solid Waste Management Plan, seconded by Commissioner Young. The motion duly carried with all present voting "AYE."

**RESOLUTION TO APPROVE THE
FRANKLIN COUNTY SOLID WASTE PLAN UPDATE**

WHEREAS, better planning for solid waste will help protect public health and the environment, provide for an improved solid waste management system, better utilize our natural resources, control the cost of solid waste management; and,

WHEREAS, North Carolina General Statute 130A-309.09A(b) requires each unit of local government, either individually or in cooperation with other units of local government, to develop a ten year comprehensive solid waste management plan and update it every three years; and,

WHEREAS, Franklin County was adequately represented on the Franklin County Solid Waste Task Force, and has been actively involved in the planning process;

NOW, THEREFORE, BE IT RESOLVED that the County Commissioners of Franklin County hereby approve the Franklin County Comprehensive Solid Waste Management Plan Update.

8. RESOLUTION EXEMPTING THE FRANKLIN COUNTY JAIL EXPANSION FROM G.S. 143-64.31

The Board was asked to consider a resolution that would exempt the Franklin County Jail expansion from G.S. 143-64.31.

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

RESOLUTION EXEMPTING THE FRANKLIN COUNTY JAIL EXPANSION 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; and

WHEREAS, the County proposes to enter into one or more contracts for such services for work on the Franklin County Jail; and

WHEREAS, Surapon Sujavanich, Architects, P.A. had served as the original Architect for the Franklin County Jail and the County is of the opinion that expanding upon the original jail design may be a cost effective and prudent means of enhancing the jail facilities; and

WHEREAS, Surapon Sujavanich, Architects, P.A. has the expertise, background and familiarity with the Franklin County Jail project such that proceeding with his firm is justified;

NOW, THEREFORE the Franklin County Board of Commissioners resolves as follows:

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.

9. APPOINTMENTS

Franklin County Agriculture Board

Upon recommendation by the Franklin County Agriculture Board, the Board of Commissioners was asked to consider approval of the following members:

3 year term: 7/1/2009 – 6/30/2012

Ingrid Volk

Ricky Bell

Luci Ginsberg

Mark Speed

Commissioner Young made the motion to approve the appointments to the Agriculture Board, seconded by Commissioner Dunston. The motion duly carried with all present voting "AYE."

10. 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: No report.

Commissioner Foy: Commissioner Foy invited the Board and the public to attend the 19th Annual Senior Fun Day in the Park on July 21, 2009 from 9:00 A.M. to 2:00 P.M.

Commissioner Winters: No report.

Commissioner Young: No report.

Commissioner Lancaster: No report.

Commissioner Mitchell: Commissioner Mitchell commented on a letter he received from Jack Blackmer of Novozymes. The letter provided outstanding comments regarding Franklin County's Economic Development Commission and its efforts to retain businesses in Franklin during tough economic conditions.

Commissioner Dunston: Commissioner Dunston stated he plans to participate in a meeting with Senator Doug Berger, Vance Granville Community College President Randy Parker, Franklin County School staff and representatives of the Early College program. The topic of discussion is the Early College program proposal from Franklin County that was recently denied. He asked fellow Board members to use any influence they may have to help bring this project to fruition. He said there is funding available from the State for this program.

Commissioner Winters then made a motion to send Commissioner Dunston forward with full support of the Board of Commissioners to speak on its behalf in support of the Early College program. The motion was seconded by Commissioner Swanson and duly carried with all present voting "AYE."

Commissioner Swanson: No report.

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

- Mrs. Harris mentioned the death of C.W. Strother, a former tax collector in Franklin County.
- She also mentioned the new/current Tax Administrator Jimmy Tanner was recognized in the county employee newsletter.
- Mrs. Harris informed the Board that citizens have inquired about selling or leasing the old Franklin County Jail located on East Nash Street in Louisburg. The Board directed Mrs. Harris to notify the Franklin County Arts Council before moving forward as the group has also expressed interest in the historic building.

Commissioner Swanson adjourned the meeting at 9:48 P.M.

Robert L. Swanson, Chairman

Kristen G. King, Clerk to the Board