

June 15, 2009

The Board of Commissioners of Franklin County, North Carolina, met for the purpose of interviewing a candidate for Tax Administrator at 4:30 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. Commissioner Harry L. Foy, Jr. arrived at 5:08 P.M.

A candidate was interviewed, but no official action was taken.

Following the interview, the Board discussed both candidates for Tax Administrator. Additional discussions and a final decision will be made in a public meeting.

The Board of Commissioners of Franklin County, North Carolina, met for a Budget Work Session at 5:30 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, Donald C. Lancaster, E. Shane Mitchell and Harry L. Foy, Jr.

Chairman Swanson called the meeting to order.

As requested by the Board, the meeting began with a brief update on the *Early College Program* by Dr. Randy Parker (Vance Granville Community College) and Dr. Bert L'Homme (Franklin County Schools).

Dr. L'Homme stated work on the project had been ongoing for some time. He described the Early College Program by saying it was targeted at first-time college attendees and minority students with a notion to assist those who are not necessarily motivated to attend college. The program would allow students to be in a college setting and work toward achieving their high school diploma along with two years of college credit or an associate's degree. He also stated the goal of the program was to waive tuition for students. Dr. L'Homme stated it is essential for the program to occur on a college campus in order to provide an opportunity for maturity. He stated Franklin County Schools has worked with Vance Granville Community College (VGCC) to examine the availability for space. However, according to Dr. Parker, enrollment at VGCC is growing and space was limited. Temporary units were considered, but at a cost of \$30,000 to \$40,000 per unit, Dr. L'Homme stated funds could not be committed at this time. He said approximately 12 units would be needed. After going back to the "drawing board," Dr. L'Homme stated one classroom was isolated for the upcoming year, with two classrooms the year after. He said a shuttle service was prepared to transport students to campus from all three high schools. An outline of the program was then submitted to the *New Schools Project*. Unfortunately, he said the available space did not meet the program's criteria. Dr. L'Homme stated a location was needed that could grow into 12 classrooms within two to three years. He then stated that he learned today that the *Early College Program* is still currently included in the North Carolina House of Representatives budget.

Dr. Parker reiterated growth at VGCC won't allow adequate space for the program and stated out of the four counties served by VGCC, Franklin is the only county that doesn't participate in this program. He explained that participating students are integrated with the regular college population in the hope they would become engrossed in the college experience. He stated they would continue to take "core" high school classes to

graduate along with some college courses. Regarding funding, Dr. Parker said the state previously funded the program, but stated there are new laws concerning tuition. Ideally, he stated tuition would be free for students enrolled in the *Early College Program* with the exception of college transfer.

Dr. L'Homme stated research on the program has been positive, however there are no funds available in the Franklin County Schools budget. After being turned down by the *New Schools Project*, Dr. L'Homme said there was no more room for remediation. When asked how the Board of Commissioners might assist, he suggested the Board draft a resolution describing the county's current financial situation and encouraging the group to rethink its decision and reconsider the proposal offered by Franklin County Schools and VGCC. Dr. L'Homme stated he would encourage the School Board to join the Board of Commissioners in support of the resolution. Commissioner Dunston then encouraged fellow commissioners to contact local legislators and Congress about the importance of the program.

Commissioner Dunston made a motion to draft a resolution in support of the *Early College Program*, seconded by Commissioner Winters. The motion duly carried with all present voting "AYE." The resolution will be sent to the *New Schools Project* and to representatives of the General Assembly.

The resolution is as follows:

RESOLUTION IN SUPPORT OF THE EARLY COLLEGE PROGRAM IN FRANKLIN COUNTY

WHEREAS, the North Carolina New Schools Project (NCNSP) works to accelerate systemic, sustainable innovation in secondary schools across the state so that, in time, every high school in North Carolina graduates every student ready for college, careers and life in the society and economy of the 21st century; and

WHEREAS, early college high schools offer the appeal of high school on a college campus along with the opportunity to earn a two-year degree or two years of college credit; and

WHEREAS, early college high school programs are effective and fruitful for students in counties surrounding Franklin; and

WHEREAS, the NCNSP has rejected an application to open a modified early college high school in Franklin County because the plan does not provide for the development of a separate and distinct early college high school site based on current unfortunate economic patterns; and

WHEREAS, the county will consider funding for planning an appropriate building to be constructed at Vance-Granville Community College when the economic picture improves; and

WHEREAS, the Franklin County Board of Commissioners would like to express its concerns and a desire to bring this innovative education opportunity to the students of Franklin County;

NOW, THEREFORE BE IT RESOLVED that the Franklin County Board of Commissioners respectfully requests that the NCNSP reconsider the proposal offered by Franklin County Schools and Vance-Granville Community College.

The Board then continued its discussion discussed the proposed 2009-2010 budget.

After rejection from the Local Government Commission (LGC) regarding jail expansion, County Manager Angela Harris said the LGC recommended a "scaled back" model with a 224 bed expansion as opposed to the original proposal. She asked that the Board give direction as to whether or not it would like staff to provide figures and whether or

not any of that expense should be included in the budget proposal. Chairman Swanson stated he would like to know what Mrs. Harris has learned since the meeting with the LGC. In response, Mrs. Harris stated since the LGC meeting, she had the opportunity to meet with the jail's original architect and to go back and revisit the master plan that was originally designed in the early 1990's. She said it may serve the Board well to go back and revisit those plans before a final decision is made. She said Brennan & Associates has been working with the County for the purpose of the study and said their work is nearly completed unless the Board decides to give additional direction. After hearing from the LGC, Chairman Swanson said he felt the County didn't have a chance in moving forward with the expansion as recommended by Brennan & Associates. She again stated the Board may want to revisit the master plans prior to budget approval and have more extensive dialogue with Surapon Sujjavanich, the original architect for the jail and perhaps form a contract with him. When asked by Chairman Swanson about her conversations with Mr. Sujjavanich, she stated she felt there were potentially some opportunities for cost saving by revisiting the original plans. She said if the Board would like for staff to secure the services of Mr. Sujjavanich, she would need further direction as her previous conversations were informal. She said it was pointed out that updates were needed in order to bring the jail up to current code, however she understood those updates may not be as cost prohibitive as determined in the recent study.

Chairman Swanson stated he asked the LGC about the possibility of a 224 bed expansion. He stated the LGC would look into the option and stated it the request was more feasible than the original 381 bed proposal. When Chairman Swanson asked for the Manager's recommendation, Mrs. Harris suggested a more extensive dialogue with the jail's original architect as well as informing Brennan & Associates of the County's plans to pursue other options before making a final decision. She said it was made clear at the LGC meeting that financing for the proposed expansion would not be tax exempt. At this time, work with the LGC has been concluded unless there is additional direction given by the Board. She asked the Board to inform staff whether or not jail expansion should be included in the 2009-2010 budget.

Commissioner Dunston said the Board would be foolish not to meet with Mr. Sujjavanich. He recalled the jail was designed to be expanded in a different manner than currently proposed.

Chuck Murray, Finance Director, suggested the Board not include jail expansion in the budget since there are 15 days remaining until the June 30th deadline. He recommended the Board come back with a budget amendment once all estimates are submitted and a decision made.

Commissioner Dunston asked Sheriff Pat Green if he was open to discussions with Mr. Sujjavanich regarding jail expansion. Sheriff Green responded positively.

Commissioner Foy then questioned health insurance coverage and wanted to know what changes are proposed. Mr. Murray stated there are two plans including a basic plan and an enhanced plan with more benefits. The enhanced plan would come at a cost to employees. Mrs. Harris commented that presently, most employees are choosing the enhanced plan.

Commissioner Foy also asked about funding for the *Meals on Wheels* program. He understood there was a waiting list for inclusion in the program. Mrs. Harris stated after examining the prior budget, there is additional county money available. She stated outside funding sources are being closely monitored.

Mrs. Harris said cuts have been made that are not desirable but necessary including \$8.2 million in program cuts last year and additional cuts for 2009-2010. She said there are some layoffs and positions that have been eliminated along with many unknown factors regarding the 2010-2011 budget.

No action was taken regarding the budget proposal.

The meeting was adjourned at 6:30 P.M.

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, Donald C. Lancaster, E. Shane Mitchell and Harry L. Foy, Jr.

Chairman Swanson called the meeting to order and asked the Board to consider approval of the consent agenda. Commissioner Lancaster made the motion to approve the consent agenda, seconded by Commissioner Winters. The motion duly carried with all present voting "AYE."

The items approved on the consent agenda are as follows:

1. CONSENT AGENDA

- A. May 12, 2009 Minutes
- B. May 18, 2009 Minutes
- C. May 26, 2009 Minutes
- D. June 1, 2009 Minutes
- E. 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 offered.

Sheila Hanna, 2905 NC Highway 39 North, Louisburg, NC

- Mrs. Hanna stated she had concerns about the budget. She distributed a list of those issues which she stated would bring about a cost savings of \$700,000.

3. PUBLIC HEARING

The Planning Board proposed to amend the UDO to allow for a (Group Care Facility A, B) as a Special Use within the Office Institutional (O/I), and Planned Unit Development (PUD) zoning districts. The Planning Board would like to remove Group Care Facility as a Special Use from the R-8 Residential, R-15 Residential), Neighborhood Business (NB), and Mixed Use (MU) zoning districts. According to Scott Hammerbacher, Planning Director, the proposed amendment would provide Planning Staff with criteria to regulate the size and location of Group Care Facilities. The proposed amendment would be in conformance with criteria established within the Comprehensive Land Use Plan in addition to regulations for the OI, and PUD zoning districts as established within the UDO. Mr. Hammerbacher stated the amendment would only affect the UDO. He said it would not approve or deny any specific requests.

County Attorney Darnell Batton interjected and said any requests relative to the proposed amendment would be required to apply for a special use permit which would include the need for a quasi judicial hearing. He stated even though the amendment request was brought about by a certain project that is on the horizon, he recommended the Board should not discuss any specific projects tonight. When a quasi judicial hearing is necessary, the Board can only consider matters under sworn testimony. He said comments and concerns relative to a specific project should be delayed until the time of the hearing.

Commissioner Swanson opened the public hearing at 7:27 P.M.

Peter Andrews, 1405 Laurel Mill Road, Louisburg, NC

- Mr. Andrews stated the importance of getting the amendment “right the first time” and understanding the amendment would affect the entire county. He stated his objections and encouraged the Board to table the request for further investigation.

Sheila Hanna, 2905 NC Highway 39 North, Louisburg, NC

- Mrs. Hanna commented on her concerns with the amendment and said she felt that no amendments to the UDO should be approved until a complete revision of the UDO has been completed.

Tommy Perry, 100 William Perry Road, Louisburg, NC

- Mr. Perry commented on the proposal and said he is in support of the proposed amendment.

With no further comments, Commissioner Swanson closed the public hearing at 7:43 P.M.

Commissioner Mitchell said there seemed to be issues that could not be immediately resolved. Commissioner Mitchell then made a motion to table the text amendment and refer the matter to the Comprehensive Development Plan Advisory Committee, seconded by Commissioner Foy. The motion duly carried with all present voting “AYE.”

4. WAKE HEALTH SERVICES UPDATE

Wake Health Services provided a brief update on the status of the move of Franklin Community Health Services practice to Louisburg. The new practice opened on June 1, 2009 at 111 South Church Street. David Engel, Practice Manager for Franklin Community Health Services and Dr. Doris Batts-Murray provided the presentation. The office is now open Monday through Friday from 8:00-5:30 P.M. it was also noted that Franklin Community Health Services now contracts with KARTS (Kerr Area Rural Transportation System) for citizens who have limited access to obtaining primary medical services.

No action was taken.

5. 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 Lancaster: No report.

Commissioner Mitchell: No report.

Commissioner Dunston: Commissioner Dunston stated he had an opportunity to attend a ribbon cutting ceremony today for the new Louisburg Operations Center on Industrial Drive. He also commented that he attended the meeting with the Local Government Commission regarding jail expansion. He felt that valuable information was obtained that provides a new perspective on the project.

Commissioner Foy: No report.

Commissioner Winters: Commissioner Winters stated he spoke at a chartering ceremony for the Cypress Creek Civitan Group and welcomed the group to Franklin County.

Commissioner Young: No report.

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

- Mrs. Harris commented on the sewer rate study recently completed by Hobbs, Upchurch and Associates. The Board received a copy of the study and was asked to schedule a meeting in conjunction with the next budget meeting to discuss sewer rates. The meeting was scheduled for Thursday, June 25, 2009 at 7:00 P.M.
- She reminded the Board that staff will be working with Harold Annis Architects on cost estimates for work necessary at the Health and Human Services Building to provide space for the Board of Elections. She said the work is necessary to be in compliance with election laws and disability rights issues. She said preliminary meetings have proven fruitful and said she feels cost estimates will be well within what's been budgeted for next year. She stated she would likely make contact with
- Mrs. Harris mentioned the American Recovery and Reinvestment Act of 2009 did have some funding for the Workforce Investment Act. The Summer Youth Program will provide 10 young students to work throughout county government for 28 hours per week and class hours to help them prepare for the workforce. They will earn a rate of \$7.50 per hour and will begin work tomorrow.
- Mrs. Harris mentioned a recent request by Mr. Don Horton requesting the Board consider a resolution relative to the Merchant Marine legislation being considered at the federal level. After reviewing the concerns of Franklin County Veteran's Services Director Victor Alston, correspondence was sent to U.S. Representative Bob Etheridge and U.S. Senator Richard Burr. Mrs. Harris said she hasn't received a response yet, but said would prefer to communicate with both prior to asking the Board of Commissioners to consider the resolution. Commissioner Young stated she had spoken with Mr. Horton and had been asked to make the Board aware that the request was not asking for \$1,000 per merchant marine. She said some of the information was misleading.
- Mrs. Harris stated she had been given a resolution by DSS Director Nicki Griffin in opposition to the transfer of child support responsibilities from the state to the county level. Commissioner Lancaster made the motion to approve the resolution in opposition of transferring child support responsibilities from the state to the county, seconded by Commissioner Young. The motion carried unanimously with all present voting "AYE."

The resolution follows:

**RESOLUTION
TO OPPOSE THE TRANSFER OF
CHILD SUPPORT ENFORCEMENT RESPONSIBILITIES
FROM THE STATE TO COUNTY LEVEL**

Whereas, it has been brought to the attention of the Franklin County Board of Commissioners that legislation has been introduced in which the State of North Carolina would transfer the administrative and financial responsibilities pertaining to Child Support Enforcement in twenty-eight counties onto such counties that are currently being administered by the state, and

Whereas, the state of North Carolina is attempting to eliminate their financial deficit through the transfer of responsibilities from the State to the County level; and

Whereas, the County level, as being a political subunit of the State, is experiencing their own share of financial difficulties: and

Whereas, the County level stands opposed to unfunded mandates from the State level: and

Whereas, this change will place an undue and unanticipated financial strain on the County level

We, The Board of Commissioners of Franklin County, on this the 15th day of June 2009, do hereby announce our opposition to this proposed legislation. Additionally, we request that our State representatives strongly oppose this additional financial burden to local government.

6. CLOSED SESSION

The Board was asked to go into Closed Session pursuant to NCGS 143-318.11 (a)(5) to establish or instruct the staff of the County concerning the position to be taken on behalf of the County in negotiating the price or other material terms of the acquisition of real property for a sewer easement from Simon Rogers and Claude Lee Wrenn, Jr. The properties are located off of Cedar Creek Road, Youngsville, NC.

The Board was also asked to consider going 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 and pursuant to NCGS143-318.11 (a) (6) to discuss a personnel matter.

At 8:28 P.M., Commissioner Dunston made the motion to enter into closed session, seconded by Commissioner Young. The motion carried 6 to 1, with Commissioner Foy casting the dissenting vote.

At 10:22 P.M., Commissioner Winters made the motion to enter back into open session, seconded by Commissioner Young. The motion duly carried with all present voting "AYE."

No action was taken.

Chairman Swanson recessed the meeting to June 25, 2009 at 7:00 P.M. for the purpose of a discussion on the proposed budget and the sewer rate study.