

November 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 Conference Room located in the County Administration Building with the following Commissioners present: Chairman Robert L. Swanson, Vice-Chairman Penny McGhee-Young, Donald C. Lancaster, Sidney E. Dunston, E. Shane Mitchell, Bob Winters and Harry L. Foy, Jr.

Chairman Swanson called the meeting to order and asked the Board to consider an addition to the agenda (Item 1-H).

Commissioner Dunston made the motion to add the item (Item 1-H) to the agenda, seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE."

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

Commissioner Foy asked to remove Item 1-G from the consent agenda. Commissioner Young asked to remove Item 1-A from the consent agenda.

Commissioner Dunston then made the motion to remove Item 1-G and 1-A from the consent agenda for discussion. The motion was seconded by Commissioner Mitchell and duly carried with all present voting "AYE."

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

1. CONSENT AGENDA

- ~~A. November 2, 2009 Minutes~~
- B. Resolution to adopt NC Deferred Compensation 457 Plan as Plan Administrator
- C. Releases, Adjustments, Refunds, and Tax Collection Report
- D. Resolution Amending the Franklin County Animal Advisory Board Bylaws
- E. School construction change orders for Long Mill Elementary (\$18,568.65) and Franklinton High School (\$9,152.17)
- F. Request for addition of Canter Gable Place, Holstein Lane, Holden Court and Madinah Court (Aberdeen Subdivision) to the State Maintained Secondary Road System.
- ~~G. Ordinance adopting and enacting a new code for the County of Franklin~~
- H. North Carolina Department of Transportation – Division of Aviation 2009 Vision 100 Grant

Item 1-B

<p>RESOLUTION TO ADOPT NC DEFERRED COMPENSATION 457 PLAN AS PLAN ADMINISTRATOR</p> <p>WHEREAS, the Franklin County Board of Commissioners wishes to provide a qualified defined contribution plan to the employees of Franklin County.</p> <p>AND WHEREAS, the State of North Carolina has established the North Carolina Public Employee Deferred Compensation Plan, a qualified governmental Deferred Compensation Plan under Internal Revenue Code 457 (b) for public employees of North Carolina.</p> <p>THEREFORE, be it resolved that Franklin County has adopted the North Carolina Public Employee Deferred Compensation Plan also known as "NC Deferred Comp" under the terms of the Plan Document and the Third-Party Administrator Agreement. All employees shall become eligible to defer compensation immediately.</p>

Item 1-D

**A RESOLUTION AMENDING THE FRANKLIN COUNTY ANIMAL
ADVISORY BOARD BYLAWS**

WHEREAS, Article 3, Section 2 of the Franklin County Animal Advisory Board Bylaws provides that “Members nominated by commissioners shall serve co-terminus to the commissioners’ terms of office” and such terms of office, if they terminate, end on December 31 of any applicable year, and

WHEREAS, Article 7, Section 1 states that the July meeting of the Board shall be for the purpose of electing officers, thereby creating a potential conflict in that a Board officer’s term on the Board may end on December 31, leaving that officer position vacant until the following July,

NOW, THEREFORE, BE IT RESOLVED by the Franklin County Board of Commissioners that Article 7, Section 1 of the Bylaws of the Franklin County Animal Advisory Board is amended as set forth below:

Section 1. The Board shall meet at least quarterly including a meeting in January of each year for the purpose of electing officers.

Regarding Item 1-A, Commissioner Young mentioned a citizen concern that comments made by the citizen were not included in the minutes of the November 2, 2009 meeting.

Regarding Item 1-G, Commissioner Foy asked questions regarding an ordinance that would enact a new code for the County of Franklin. Following recent codification of the County’s ordinances, Commissioner Foy was informed that an ordinance must be adopted in order to finalize the codification process.

Commissioner Mitchell then made the motion to approve Item 1-A and Item 1-G, seconded by Commissioner Dunston. The motion duly carried with all present voting “AYE.”

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.

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

- Mrs. Hanna mentioned her concern that North Carolina House Representative Lucy T. Allen was invited into the Board of Commissioners’ closed session on November 2, 2009. She stated she was in objection of Ms. Allen being included in the session as she is not a member of the Board.

3. PUBLIC HEARINGS

A. Request for Rezoning – Wake/Franklin County Line

The Board was asked to consider adoption of a zoning map amendment to rezone approximately 117 properties along the 25-mile-long Wake/Franklin county line based on a survey recently conducted by the North Carolina Geodetic Survey. The properties will be rezoned to R-40 Residential, R-30 Residential, and Highway Business (HB).

Scott Hammerbacher, Planning & Inspections Director, stated notice of the rezoning request was given to all affected property owners as well as adjacent property owners.

Darnell Batton, County Attorney, mentioned that two information sessions regarding the rezoning had been held. He said many citizens attended the first meeting and took advantage of the opportunity to ask questions about the proposed action. By the time the second meeting was held in October (2009), Mr. Batton stated approximately five citizens were in attendance.

Chairman Swanson opened and closed the hearing at approximately 7:22 P.M. with no comments offered by the public.

Commissioner Lancaster then made a motion to adopt the zoning map amendment, seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE."

B. One North Carolina Fund Match Request for Palziv North America

The Franklin County Economic Development Commission proposed to participate in the cost of an economic development project, which consists of providing cash incentives to Palziv North America. The Board was asked to offer \$250,000 as a required match the One North Carolina Fund grant. The funding would only take place if the One North Carolina Fund grant is awarded.

Ronnie Goswick, Economic Development Director, said he hoped the Board's action would help to entice Palziv North America to come to Franklin County and locate in the HON building on Highway 56 West, which will be vacant by December, 2009 or January, 2010. Franklin is in competition with Atlanta, Georgia and Oxford, North Carolina. Palziv is headquartered in Israel and its foam is used for packaging, insulation, toys, prosthetics and other customer applications. The company plans to create 72 jobs and make a \$7.8 million investment. It was explained that if the Board chose to award the \$250,000 cash match it would be paid from the General Fund over a three-year period of time. Payments are contingent upon job creation and investment. Mr. Goswick also explained that Palziv has the opportunity to take advantage of certain tax credits for each job created because the proposed location lies within an Agrarian Zone.

Greg Brooker is President and CEO of Palziv North America. Mr. Brooker was in attendance and gave some background information regarding the company. He also stated he's been searching for a location for 2 ½ years and feels the best environment is Franklin County. He plans to renovate the HON facility and says 40 acres of land will be purchased with the hopes of future expansion. Mr. Brooker stated the funds will help Palziv to help get citizens back to work.

At approximately 7:44 P.M., Chairman Swanson opened and closed the public hearing with no comments offered.

Commissioner Dunston then made the motion to approve the \$250,000 cash match for the One North Carolina Fund Grant for Palziv North America subject to execution of incentive agreement as prepared by County Attorney/Economic Development Office. The motion was seconded by Commissioner Mitchell and carried with a 6 to 1 vote, with Commissioner Foy voting "NO."

Mr. Goswick's PowerPoint presentation follows.

**APPROVAL OF MATCH FOR
ONE NORTH CAROLINA
FUND FOR
PALZIV NORTH AMERICA**

November 16, 2009

**FRANKLIN COUNTY ECONOMIC
DEVELOPMENT COMMISSION
RECOMMENDATION**

- ▶ Match One North Carolina Fund
- ▶ If match approved, Franklin County location will be:

**North American Headquarters for
Palziv North America and First
US Manufacturing Facility**

PROPOSED LOCATION



Location: Hwy. 56, Loupsburg, NC Agrarian Zone

WHO IS PALZIV?

- ▶ Palziv North America is wholly owned by Palziv LTD, headquartered in Israel. The company has manufacturing and distribution locations in Israel, Romania, Ohio and Canada. Palziv foam is used for packaging, insulation, toys, prosthetics and other customer applications.

**FRANKLIN COUNTY
OPPORTUNITIES**

- ▶ 72 jobs
- ▶ Purchase and renovation of existing manufacturing facility
- ▶ \$7.8 million investment

TEAM APPROACH

- ▶ Governor Perdue
- ▶ N.C. Department of Commerce
- ▶ Vance-Granville Community College
- ▶ Employment Security Commission in Loupsburg
- ▶ Franklin County

COMPETITION

- ▶ Atlanta, Georgia
- ▶ Oxford, North Carolina

**STATE OF NC VIA THE NC DEPT.
OF COMMERCE**

- ▶ One North Carolina Fund - \$250,000
- ▶ Contingent upon County Match

FINANCIAL REQUIREMENT

- ▶ \$250,000 cash match from the General Fund
- ▶ Paid over a three (3) year time period
- ▶ Amount and timing of payments must match One North Carolina Fund timing/amount
- ▶ Payments contingent upon job creation and investment

QUESTIONS?

4. UPDATE: BOARD OF ELECTIONS OFFICE SPACE

Architect Harold Annis, M.S. Consultants, Inc., provided an update on the renovation of space for Board of Elections at the Health and Human Services Building. Mr. Annis presented the Board with his plans and stated renovation was minimized as much as possible. He said altogether approximately six thousand square feet would be renovated at an estimated cost of \$120,000. He also commented that the Employee Wellness Center would be slightly larger than it is currently and said it would have a new entrance.

Commissioner Winters made a motion to proceed with the renovation project, seconded by Commissioner Young.

County Attorney Darnell Batton stated the County is required by law to have the change of location for Board of Election pre-cleared by the Justice Department which is an approximate 60-day process.

Commissioner Winters retracted his earlier motion and made another motion to proceed with the renovation project subject to pre-clearance. The motion was seconded by Commissioner Young and duly carried with all present voting "AYE."

5. REQUEST FOR ADDITIONAL FUNDS TO SUPPORT DRUG ENFORCEMENT OPERATIONS

The Sheriff requested \$20,000 in additional County funds to support drug enforcement operations in Franklin County. Since July 1, 2009, the Sheriff's Office has expended \$42,500 for this activity. The Sheriff anticipates the \$20,000 request will be adequate for the remainder of the fiscal year.

Commissioner Lancaster made the motion to appropriate an additional \$20,000 for drug enforcement funds, seconded by Commissioner Winters. The motion duly carried with all present voting "AYE."

6. APPOINTMENTS

Tourism Development Authority (TDA)

The Board was asked to consider the appointment of Kamlesh Patel as a representative of the hospitality industry to serve on the Tourism Development Authority.

Commissioner Lancaster made the motion to appoint Kamlesh Patel to the TDA, seconded by Commissioner Young. The motion duly carried with all present voting "AYE."

Mr. Patel will serve as Commissioner Lancaster's representative on the TDA.

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 mentioned the Adult Day Program's 5th Annual Fall Dinner Celebration to be held at the Louisburg Senior Center. The event is scheduled for November 21, 2009.

Commissioner Foy: No report.

Commissioner Winters: Commissioner Winters commented on Veteran's Day ceremonies he attended.

Commissioner Young: Commissioner Young also attended Veteran's Day ceremonies and complimented the Louisburg High School band for its performance.

Commissioner Lancaster: Commissioner Lancaster stated he attended the Veteran's Day service held in Louisburg. He also commented on the performance of the Louisburg High School Band and the need to appreciate the few living World War II veterans.

Commissioner Mitchell: Commissioner Mitchell stated he was unable to attend Veteran's Day services as he was involved in fighting a house fire in his community.

Commissioner Dunston: No report.

Commissioner Swanson: No report.

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

- Mrs. Harris stated she received positive feedback regarding the recent Veteran's Day Ceremony at Louisburg High School.
- In response to a question (at an earlier meeting) regarding furlough time, Mrs. Harris reported that approximately 33% of furlough hours have been taken by county employees at this time.
- Mrs. Harris thanked Emergency Medical Services Director Randy Likens for weather updates he provided recently.
- Mrs. Harris mentioned that she attended a budget seminar and said she would supply a summary from the training to the Board to assist with preparing with upcoming budget meetings and planning.
- She also suggested the Board schedule a planning retreat in January, 2010.

8. CLOSED SESSION

The Board was asked to enter into closed session pursuant to NCGS 143-318.11 (a) (3) to consult with an attorney employed or retained by the public body in order to preserve

the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

Commissioner Dunston made a motion to enter into closed session, seconded by Commissioner Mitchell. The motion passed with a 6 to 1 vote, with Commissioner Foy voting "NO."

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

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

The meeting adjourned at 10:17 P.M.

Robert L. Swanson, Chairman

Kristen G. King, Clerk to the Board

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