

**October 4, 2010**

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: Chair Penny McGhee, Vice-Chairman Sidney E. Dunston, Robert L. Swanson, Donald C. Lancaster, E. Shane Mitchell, Harry L. Foy, Jr. and David T. Bunn.

Chair McGhee asked the Board to consider two additions to the agenda regarding a grant award by the North Carolina Department of Crime Control and Public Safety as well as a closed session topic. Commissioner Lancaster made the motion to add the items to the agenda, seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE." The items will be considered as Item 1-E and Item 12-B on the agenda.

Chair McGhee recognized Franklin County Manager Angela L. Harris and Commissioner Sidney Dunston. Mrs. Harris was recently named Outstanding County Manager at a recent annual banquet of the Kerr Tar Council of Governments. Commissioner Dunston was named Council of Governments Board member of the year.

Chair McGhee asked the Board to consider approval of the consent agenda.

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

**1. CONSENT AGENDA**

- A. September 20, 2010 Minutes
- B. 2011 Board of Commissioners Meeting Schedule
- C. CPT Rates
- D. Consider TDA (Tourism Development Authority) request to fund a \$7,500 grant for the Allen de Hart Concert Series at Louisburg College
- E. North Carolina Department of Crime Control & Public Safety Grant Award

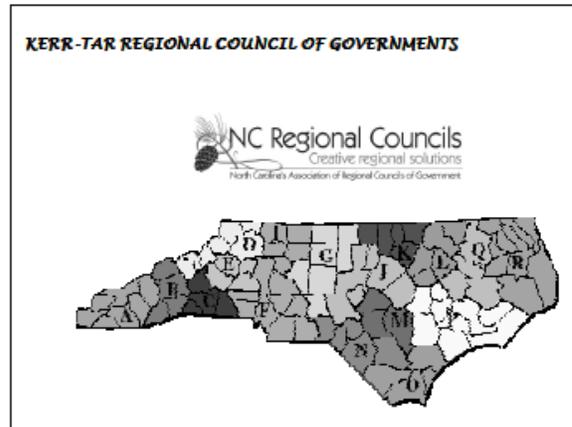
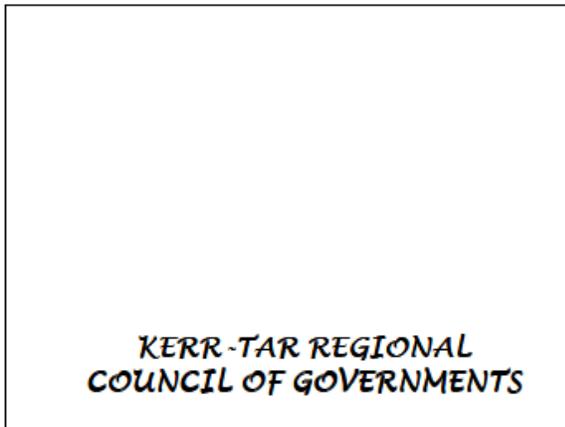
**2. COMMENTS FROM THE PUBLIC**

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.

**3. PRESENTATION: KERR TAR REGIONAL COUNCIL OF GOVERNMENTS**

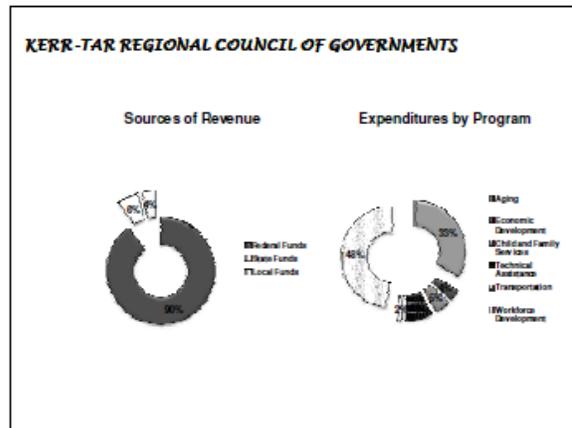
Timmy Baynes, Executive Director, Kerr Tar Regional Council of Governments (COG), provided a brief presentation highlighting the programs and services offered by the COG office.



- KERR-TAR REGIONAL COUNCIL OF GOVERNMENTS**
- Franklin County
    - Bunn
    - Franklinton
    - Louisburg
    - Youngsville
  - Granville County
    - Butler
    - Creedmoor
    - Oxford
    - Stern
    - Stovall
  - Person County
    - Roxboro
  - Vance County
    - Henderson
    - Kittrell
    - Middleburg
  - Warren County
    - Macon
    - Norlina
    - Warrenton
- Caswell County for Workforce Development and Halifax County for System of Care

- KERR-TAR REGIONAL COUNCIL OF GOVERNMENTS**
- PROGRAMS OF WORK**
- Area Agency on Aging
    - Assistance to Counties to operate effective and efficient programs for Senior Citizens and their caregivers
  - Child & Family Services
    - Partnership with Five County Mental Health to work in programs such as:
      - System of Care
      - JCPC programs
      - SPF-SIG – Project RIDE
      - Gang Assessments
  - Community & Economic Development
    - EDD
    - Regional CEDS
    - Grant research and application assistance
    - CDBG administration
    - Small Business Loans
  - Triangle North
    - Administrative and financial support for KTREDC – non-profit

- KERR-TAR REGIONAL COUNCIL OF GOVERNMENTS**
- PROGRAMS OF WORK**
- Planning Department
    - RPO
    - Planning Assistance:
      - Regulation / Ordinance Updates and development
      - Hazard Mitigation Plans
      - Landscape Designs and ordinances
      - GIS
  - Administration
    - Financial and Administration Assistance
    - HR Assistance
  - Workforce Development
    - JobLink Career Centers
    - Adults
    - Dislocated Workers
    - Youth ages 14-21
    - Business Services:
      - Incumbent Workers
      - Job Fairs
      - OJT – Work Experience
      - Job Placement assistance
    - Career Readiness Certificates
    - Job Profiling



Kerr-Tar Regional Council of Governments  
 Timothy Baynes, Executive Director  
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 Phone: (252)436-2040 Fax: (252)436-2055

**4. COMMUNITY TRADE ADJUSTMENT ASSISTANCE AWARD FROM THE DEPARTMENT OF COMMERCE’S ECONOMIC DEVELOPMENT ADMINISTRATION/GRANT ADMINISTRATIVE CONTRACT WITH KERR-TAR COUNCIL OF GOVERNMENTS**

The Department of Commerce’s Economic Development Administration (EDA) approved Franklin County’s and Kerr-Tar Economic Development Corporation’s application for a \$1,742,300 EDA investment to construct a two-lane access road from US Highway 401 to the Triangle North Franklin business park. Agreement to the award acknowledges acceptance of all the respective terms and conditions outlined in the agreement. Since Franklin County is a co-applicant with the Kerr-Tar Economic Development Corporation (KTREDC), their respective Board must meet and officially

acknowledge acceptance of the award as well. There is no commitment of funds from Franklin County required for receipt of this award. However, the \$900,000 North Carolina Department of Transportation award to Triangle North Franklin will be used as part of the funding for the project. The agreement must be signed and returned within 30 days of receipt to avoid risk of the award becoming null and void. To administer the grant, Franklin County and KTREDC are requesting approval to enter into an administrative contract with the Kerr-Tar Regional Council of Governments. The grant requires extensive reporting and monitoring. The cost of the administrative contract is budgeted as part of the Trade Adjustment Assistance award.

Ronnie Goswick, Economic Development Director, was present and stated the project is expected to be completed by Fall, 2011. Mr. Goswick offered the following presentation.

**TRIANGLE NORTH FRANKLIN**  
**FUNDING UPDATE**  
**October 4, 2010**

**FUNDING OPPORTUNITY**

- ▶ With the closure of Flextronics and the loss of some of those jobs to overseas, Franklin County became eligible to apply for funds via the Community Trade Adjustment Assistance (CTAA) program from the Department of Commerce's Economic Development Administration (EDA).
- ▶ Franklin County partnered with the Kerr-Tar Regional Economic Development Corporation (KTREDC) to submit as co-applicants a funding request for an access road to the Triangle North Franklin business park.

**GRANT AWARD DETAILS**

- ▶ Notification received on Sept. 13, 2010 that Franklin County's and the KTREDC's application was successful.
- ▶ The specific investment for the funds: Construction of a two-lane access road from US Hwy. 401 to the Triangle North Franklin business park.
- ▶ In cooperation with the NC Dept. of Transportation, the \$900,000.00 that had been set aside for road construction at Triangle North Franklin was submitted as the required local match.

**PROJECT FUNDING SOURCES**

|                                |                     |
|--------------------------------|---------------------|
| <b>Project Funding Sources</b> |                     |
| NCDOT Funds TNF                | \$ 900,000          |
| TAA Grant Award                | <u>1,742,300</u>    |
| <b>TOTAL PROJECT FUNDING</b>   | <b>\$ 2,642,300</b> |

### REQUIREMENTS

- ▶ To receive all payments from the EDA and the NCDOT, rigorous reporting, terms and conditions must be met. To comply with all the necessary requirements, we are recommending entering into an Administrative Agreement with the Kerr-Tar Regional Council of Governments for administration of the funding and oversight of the Financial Assistance Award.

### ACTIONS REQUESTED

1. Approve acceptance of the Financial Assistance Award from the EDA
2. Authorize the Chair to sign on behalf of the Board
3. Approve acceptance of the Administrative Agreement with the Kerr-Tar Regional Council of Governments
4. Authorize the Chair to sign the Administrative Agreement

### QUESTIONS

Commissioner Lancaster made a motion to accept the financial assistance award with the Economic Development Administration; authorize the Chair to sign on behalf of the Board; accept the Administrative Agreement with Kerr Tar Regional Council of Governments; and to authorize the Chair to sign the agreement on behalf of the Board. The motion was seconded by Commissioner Dunston and duly carried with all present voting "AYE."

County Manager Angela Harris made a comment in reference to contracting with the Council of Governments. She stated that by virtue of the contract, the County is not removed from the responsibilities of carrying out contractual obligations. She stated that communication is of extreme importance and asked that Finance Director Chuck Murray and County Attorney Darnell Batton be included in communications.

## 5. US1 CORRIDOR STUDY EXPANSION

Scott Hammerbacher, Planning & Inspections Director stated in the fall of 2005, the Capital Area Metropolitan Planning Organization (CAMPO) in conjunction with the North Carolina Department of Transportation, the City of Raleigh and the Town of Wake Forest initiated a comprehensive transportation corridor study of the US 1 Corridor from I-540 in Raleigh to US 1A in Youngsville. Since the adoption of the plan, the US 1 Council of Planning has identified the need to expand the study area from US 1A in Youngsville to the northern boundary of the Town of Franklinton's ETJ and is seeking the County's endorsement.

Commissioner Dunston made the motion to endorse the US 1 Council of Planning recommendation for expansion of the Corridor Plan, including a resolution of support. The motion was seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE."

**RESOLUTION TO SUPPORT THE EXTENSION OF THE US 1 CORRIDOR STUDY**

**WHEREAS**, Franklin County adopted the existing corridor study in 2005 and subsequently amended its Unified Development Ordinance (UDO) to implement said study; and

**WHEREAS**, the US 1 Council of Planning has unanimously supported the request to extend the study area; and

**WHEREAS**, average daily trips along the corridor are projected to double in volume over the next 20 years; and

**NOW, THEREFORE, BE IT RESOLVED**, the Franklin County Board of Commissioners is requesting the Capital Area Metropolitan Planning Organization include the extension of the US 1 Corridor Plan from Park Avenue in Youngsville, North Carolina to the northern boundary of the Town of Franklinton's Extra Territorial Jurisdiction (ETJ) within their upcoming Unified Planning Work Program (UPWP).

**6. USE OF COUNTY PROPERTY FOR MITIGATION PURPOSES**

On June 21, 2010, the Board unanimously approved a motion for staff to investigate the feasibility of utilizing an approximate 75 acre parcel located on NC 56, east of Franklinton, to be used to mitigate wetlands, stream preservation and buffers for development projects throughout Franklin County. According to Scott Hammerbacher, Planning & Inspections Director, staff and their consultant S & EC have identified a potential cost savings for the Triangle North Franklin County business park. Specifically, by placing a deed restriction on a portion of the mitigation site the County can save \$152,109 in mitigation payments to the NC Ecosystem Enhancement Program. Further, the remainder of the mitigation site has the potential to save the County anywhere from approximately \$300,000 to \$485,000 for future County projects.

Commissioner Lancaster made the motion to allow staff to move forward with placing a deed restriction based upon the attached map for (PIN 1865-52-9270), subject to legal review. The motion was seconded by Commissioner Mitchell and duly carried approval with all present voting "AYE."

**7. CONTRACT TO DEVELOP NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PLAN AT TRIANGLE NORTH EXECUTIVE AIRPORT**

The Triangle North Executive Airport is required by USEPA to have a valid NPDES plan in effect. This study will determine all of the pollutants on the airport and how to mitigate the potential damage created by these pollutants. The study will also meet the requirements of a Spill Prevention Control and Countermeasures Plan (SPCC), effectively obtaining both studies for the price of one. The SPCC plan is intended to mitigate risks of a petroleum spill from fuel tanks and trucks. LPA Group has submitted a contract for approval. The contract is at their hourly rate, not to exceed \$10,000. Funding for the project will come from the FAA Non-Primary Entitlement Fund (Vision 100). This plan will be paid for with 90% Federal share and 10% local share. The contract was approved by the Airport Commission at their regular meeting on September 14, 2010. Triangle North Executive Airport Manager Steve Merritt and Terry Bumpass, LPA Group project manager were in attendance.

Commissioner Lancaster made the motion to approve the contract with the LPA Group to perform the NPDES study at a cost not to exceed \$10,000. The motion was seconded by Commissioner Dunston and duly carried approval with all present voting "AYE."

## 8. RESOLUTION PROVIDING FOR THE ISSUANCE OF \$24,000,000 GENERAL OBLIGATION SCHOOL BONDS, SERIES 2010B

Chuck Murray, Finance Director, stated this is the last resolution regarding the \$53 million school bond issuance approved in 2008. He stated the bonds are anticipated to see on October 19, 2010 and offered the following information.

| Last of the School Bonds to fund all current projects |              |  |
|---|--------------|--|
| 1. Issued \$14,000,000 in August 2009                 | 3.664%       |  |
| 2. Issued \$3,600,000 in December 2009                | 2.17%        |  |
| 3. Issuing \$24,000,000 in October 2010               | 3.35% ???    |  |
| 4. Total Amount Issued                                | \$41,600,000 |  |

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

## 9. OTHER BUSINESS

- Old Franklin County Jail: No new information was provided.
- EMS Incentive Distribution Program: County Manager Angela L. Harris stated there was an attempt to schedule a meeting to discuss the program on September 28, 2010, but due to conflicts a meeting has not yet been held. She said the meeting is currently being rescheduled.

## 10. APPOINTMENTS

### A. Firemen's Relief Fund

Randy Likens, Emergency Services Director, asked that the Board consider appointments to the respective individual Local Firemen's Relief Fund Board of Trustees to include the following:

Bunn Fire District  
Tim Edwards (2 year term)

Centerville Fire District  
Shad Leonard (2 year term)

Epsom Fire District  
Charles Hilliard, Jr. (2 year term)

Franklinton (Northwest Franklin Fire District)  
David E. Robbins (2 year term)

Gold Sand Fire District  
Anthony Davis (2 year term)

Justice Fire District  
Greg Lloyd (2 year term)

Mitchiners Crossroads Fire District  
Joe Jenkins (2 year term)

Pilot Fire District  
Walter Lynn Lewis (2 year term)  
Phillip Brown (1 year term)

White Level Fire District  
Billy Brewer (2 year term)

Youngsville (Western Franklin Fire District)  
Scott White (2 year term)

Commissioner Lancaster made the motion to approve the appointments to the Local Firemen's Relief Fund Board of Trustees, seconded by Commissioner Bunn. The motion duly carried with all present voting "AYE."

B. Emergency Medical Services Advisory Committee (EMSAC)

Randy Likens, Emergency Services Director, asked the Board to consider the appointment of Josh Bennett, Chief of Franklinton Rescue & EMS to replace Bradley Grissom as the representative for Franklinton Rescue & EMS, and EMS System franchise holder. This EMSAC position is that of a franchise holder.

Commissioner Mitchell made the motion to approve the appointment of Josh Bennett to the EMSAC, seconded by Commissioner Swanson. The motion duly carried with all present voting "AYE."

## 11. 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 G. King:** Mrs. King provided information about the Local Foods Roast scheduled for Friday, October 8, 2010 at the Farmer's Market in Louisburg.

**Commissioner Foy:** Commissioner Foy mentioned that he attended a recent event (fish fry) sponsored by the American Legion. He also invited the public to attend a fundraiser for a local cancer patient scheduled for October 23, 2010 in the White Level Community.

**Commissioner Bunn:** Commissioner Bunn stated one of his appointed representatives (on the Animal Advisory Board) had resigned. He stated will be coming back to the Board with an appointment soon. He also mentioned that he attended a recent fundraiser in the Pilot Community.

**Commissioner Dunston:** Commissioner Dunston thanked the Board for the opportunity to serve on the Council of Governments Board during the past year. He

served as Chairman of that Board and stated he was excited about its accomplishments.

**Commissioner Lancaster:** No comments.

**Commissioner Mitchell:** Commissioner Mitchell said he attended the annual banquet of the Franklin County Committee of 100. He said educational leaders in the County provided an informative presentation.

**Commissioner Swanson:** Commissioner Swanson commented on the grant awarded from the Economic Development Administration. He thanked everyone involved in obtaining the grant for Franklin.

**Commissioner McGhee:** Commissioner McGhee said she attended a recent meeting of the Franklin County Medical Society. She mentioned an open house event that will be held at the local cancer treatment center on October 12, 2010. She also mentioned her attendance at the annual banquet of the Council of Governments as well as that of the Committee of 100.

**County Manager Angela L. Harris:**

- Mrs. Harris commented an event scheduled for October 12, 2010 at 10:00 A.M. at Triangle North Franklin to celebrate the U.S. Department of Commerce financial assistance award to complete a two-lane access road from U.S. Highway 401 to Triangle North Franklin and Triangle North Executive Airport.
- Mrs. Harris mentioned she was informed September 30, 2010 that a contract position through the Health Department that provides mid level physician assistance or physician extender services, has resigned and accepted a full time opportunity with another county. She said the Health Director requested in the current budget to modify the position to full-time, but said she did not recommend the request to the Board based on costs during a challenging economic time. She said the Health Director is examining if there are other physicians in the area that may be willing to contract with the County in order to avoid adding another position at this time. Staff was directed to continue to explore contractual opportunities in order to provide a continuum of care.
- Mrs. Harris provided an update on the Pilot Park project. The Board directed the Manager to move forward working with architects (at a cost not to exceed \$15,000) in order to design a proper restroom facility. Mrs. Harris said the project continues to be within budget and said the project remains on schedule. Mrs. Harris also address safety concerns with bleachers already located on the property. The Board followed the Mrs. Harris' recommendation to dismantle the bleachers for safety purposes.
- Mrs. Harris shared a photograph of a group of volunteers from Glaxo who recently volunteered at the Franklin County Animal Shelter. The group also submitted donations to the shelter.

## **12. CLOSED SESSION**

The Board was asked to consider entering into closed session pursuant to NCGS 143-318.11 (a) (4) to discuss matters relating to the location and/or expansion of industries or other businesses in the area served by the County, including agreements on a tentative list of economic development incentives that may be offered by the public body in negotiations.

The Board was also 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 Swanson made a motion to enter into closed session, seconded by Commissioner Dunston. The motion carried 6 to 1, with Commissioner Foy voting "NO."

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

It was announced that no action was taken.

Commissioner Lancaster made a motion to adjourn, seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE" and the meeting adjourned at approximately 9:30 P.M.

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Penny McGhee, Chair

Kristen G. King, Clerk to the Board

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