

CUMBERLAND COUNTY FACILITIES COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
NOVEMBER 6, 2014 - 8:30 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Billy King, Chairman (arrived at 8:35 a.m.)
Commissioner Charles Evans
Commissioner Kenneth Edge

OTHER COMMISSIONERS
PRESENT: Commissioner Jimmy Keefe

OTHERS PRESENT: Amy Cannon, County Manager
James Lawson, Deputy County Manager
Melissa Cardinali, Assistant County Manager for Finance /
Administrative Services
Sally Shutt, Governmental Affairs Officer
Rick Moorefield, County Attorney
Jeffery Brown, Engineering and Infrastructure Director
Vicki Evans, Finance Accounting Manager
Sheriff Earl Butler, Sheriff's Office
Ronnie Mitchell, Sheriff's Office
Jim Lyde, Forestry Service
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Commissioner Kenneth Edge called the meeting to order.

1. APPROVAL OF MINUTES – OCTOBER 2, 2014 REGULAR MEETING

MOTION: Commissioner Evans moved to approve the minutes.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (2-0)

2. CONSIDERATION OF APPROVAL OF GRANT OF FRANCHISE FOR
OPERATION OF COURTHOUSE AND DSS SNACK BARS

BACKGROUND:

Shana B. Yi Lee and Jae Yong Yi Lee have been operating the snack bar in the Courthouse since 2003 and at DSS since 2008 under a franchise granted by the Board of Commissioners. The franchise expired September 30, 2014, but has a continuation provision subject to the approval of the Board of Commissioners. Finance Office reports that the franchisee is current on all financial obligations under the franchise and the

franchise fees received by the County for the combined Courthouse and DSS snack bars for the past two fiscal years and the first two months of the current fiscal year have exceeded the minimum required payments by an average of \$50.37 per month.

Grant of the continuing franchise will require two readings.

RECOMMENDATION/PROPOSED ACTION:

Consider whether to extend the franchise agreement on the same term; to extend the franchise agreement with modified terms; or to discontinue the franchise agreement and solicit proposals from additional vendors.

Rick Moorefield, County Attorney, reviewed the background information and recommendation recorded above and responded to questions. Mr. Moorefield stated the franchise fee that has been paid has consistently been about \$50.00 more than the minimum franchise fee which is about 10% higher. Mr. Moorefield stated the DSS Snack Bar does not do quite as well as the Courthouse Snack Bar. Mr. Moorefield stated Mr. Lee has had a franchise agreement with DSS since 2006 and the Courthouse franchise since 2002.

James Lawson, Deputy County Manager, stated there were some questions about customer convenience and the availability of a machine to process debit/credit card transactions. Mr. Lawson stated Mr. Lee indicated he had not had any complaints or requests or demands for a debit/credit card machine. Mr. Lawson stated once he told Mr. Lee there was some talk about not having a debit/credit card machine he turned right around and coordinated with his bank to have the debit/credit card machine installed at DSS. Mr. Lawson stated Mr. Lee is waiting for a line to be installed downstairs of the Courthouse and the debit/credit card machine should be in place within the next couple of weeks.

Commissioner Edge asked if the \$50 extra that is paid each month is based on revenue. Mr. Moorefield replied in the affirmative and stated the payment is based on gross revenue. Mr. Moorefield indicated the minimum franchise fee is \$500 per month at each location.

Commissioner Keefe stated he feels customers utilize debit/credit cards more often than not and he feels the snack bars should be taking debit/credit cards. Commissioner Keefe further stated working on a cash basis makes it harder to track receipts and if debit/credit cards were taken it would be easier to track sales. Commissioner Keefe stated \$500 a month seems like a very inexpensive rent/commission for a 1,000 square foot space in this area. Commissioner Keefe stated he just wants to make sure this is the best use of that space in the courthouse.

Mr. Lawson stated since he has been here in the mid 1990's he has seen Mr. Lee make some significant changes as far as the products available to the public. Amy Cannon,

County Manager, stated she agrees the rent is low but the hours of operation are limited to Monday through Friday from 7:30 a.m. to 3:00 p.m. because after the lunch time rush there is not much traffic through that area.

Commissioner Edge asked if audited statements are required. Mr. Moorefield stated the County does have the means to require Mr. Lee to provide financial records since this is a franchise agreement not a lease. Ms. Cannon stated Mr. Lee does bring cash register tapes to document his sales but there has not been any follow up or review.

Mr. Moorefield stated according to his knowledge, this space has not been advertised or bid out in the Courthouse since 2002 and further stated there have not been any issues of deficiencies with performance.

Commissioner Evans stated he feels it is only fair to businesses and the people that are served that we make sure we are getting the best out of the space. Commissioner Evans further stated he feels before the County commits to another franchise agreement that we look into possibly considering bidding it out and looking at other options if anyone else is interested in the space.

Commissioner Edge stated he would like to suggest rather than a three-year agreement that the County consider a one year agreement giving Mr. Lee the opportunity to use debit/credit cards and at the end of the one year we bid the space out for anyone else that may be interested. Commissioner Edge further stated if Mr. Lee wanted to be a part of the bidding process that would be fine but it would also give others the opportunity if interested.

Ms. Cannon stated there was a vendor before Mr. Lee, the Dogwood Deli, but due to low sales volume the Dogwood Deli ended the agreement. Ms. Cannon stated Mr. Lee was the only one that submitted a proposal to operate the deli. Ms. Cannon further stated during this time period she has only been approached by one other vendor about the space and stated this vendor sells prepackaged sandwiches in a refrigerator. Ms. Cannon stated Mr. Lee has done a good job in providing nutritional alternatives and healthy options other than sandwiches such as salads and fruits.

Commissioner Evans stated he is not saying the service being provided at this point is not good service but he feels sometimes competition is a good thing and even though we feel Mr. Lee is doing a good service for us it could possibly be better. Ms. Cannon stated if the committee gives Mr. Lee a one year extension the Finance Department could work with Mr. Lee about the documentation of his sales.

MOTION: Commissioner Edge moved to recommend to the full board consideration of approval to extend the franchise agreement for operation of the Courthouse and DSS snack bars until September 30, 2015 and then look into bidding it out.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (3-0)

3. CONSIDERATION OF FUNDING IN THE AMOUNT OF \$75,500 FOR FORENSIC LAB SERVICES

BACKGROUND:

This request addresses a critical need for the safety of the citizens of Cumberland County and the efficiency of the administration of justice here. A careful and detailed study of the factors affecting the administration of justice in Cumberland County which Sheriff Butler directed, commencing nearly two (2) years ago, ultimately involving the Office of the District Attorney, the City of Fayetteville (particularly including the Fayetteville Police Department) and others led to the inexorable conclusion that a primary obstacle to the efficient administration of justice in Cumberland County is the unavailability of forensic laboratory services, particularly those devoted to drug identification and the quantitative and qualitative analysis of narcotics and other drugs and the inability to analyze impairing substances contained in the blood of suspects, including drugs and blood alcohol content from samples drawn from suspects.

Often, cases are dismissed, lost or substantially delayed because of the inability of the District Attorney's Office to receive admissible reports of such analysis. Such results and such circumstances have become particularly burdensome and virtually intolerable.

The State Crime Laboratory has been brought into question with respect to its competence and reliability, but more often, the sheer volume of cases submitted to the laboratory causes delays of many months and often years in order to receive the reports and to obtain a witness to testify as to those findings. As a result of the circumstances, District Attorney Billy West and his assistants, G. Robert Hicks, and B. Worth Paschal have worked closely with the Sheriff's Office and the Police Department in analyzing the problems and potential remedies. We have explored the possibility of opening a local laboratory funded solely by the political units or subdivisions, and maintaining the staff and equipment for such a forensics laboratory. That exploration led ineluctably to the conclusion that while desirable, equipping, staffing and maintaining the equipment and staff for such a venture was cost prohibitive, requiring the investment of millions of dollars and a substantial delay in obtaining the necessary staff, equipment, qualifications, accreditation and credentialing.

Of course, the Cumberland County Sheriff's Office provides and maintains laboratory and identification facilities, providing the services not only for the Cumberland County Sheriff's Office but for local municipalities including the towns of Hope Mills, Spring Lake, Eastover, Stedman, Godwin and Falcon. In addition, the personnel of the identification and crime scene investigation unit provide laboratory services and testimony to and for various counties and prosecutorial units throughout the state.

Currently, among other things, the unit has the ability to examine and identify fingerprints through Automated Fingerprint Identification System (A.F.I.S.) as well as the ability to examine and identify ballistics of firearm evidence through the Integrated

Ballistics Identification System (I.B.I.S.). Several members of the Cumberland County Sheriff's Office have been recognized for their expertise, especially one of our forensic fingerprint examiners, who has had a scholarly article selected for publication this year, and one of the firearms (ballistics expert) examiners, who has been called upon to provide training for others as well as examinations and testimony all across the state.

The Cumberland County Sheriff's Office also maintains a computer forensics laboratory for the purpose of forensic examination of computers, peripherals, and computer operated hardware, firmware, as well as software. The analysis generated from the services has proved to be reliable and beneficial in a number of investigations, including drug activities, gambling, child pornography, molestation, sexual assault, as well as white-collar crime cases.

In addition, the Sheriff's Office maintains an exemplary photographic evidence laboratory with a full time photo lab technician. The services provided to the investigators and prosecutors within the opposite prosecutorial district as well as to other agencies across the State and particularly the municipalities in Cumberland County, include the examination and maintenance of photographic evidence, including still photographs and video graphic evidence.

Recently, N.C. Gen. Statute 8-58.20, governing the admissibility of forensic evidence, has been amended to provide that:

Forensic analysis, to be admissible under this section, shall be performed by a laboratory that is accredited by an accrediting body that requires conformance to forensic specific requirements and which is a signatory to the International Laboratory Accreditation Cooperation (ILAC) Mutual Recognition Arrangement for Testing for the submission, identification, analysis, and storage of forensic analyses. The analyses of DNA samples and typing results of DNA samples shall be performed specific requirements and which is a signatory to the ILAC Mutual Recognition Arrangement for Testing. N.C. Gen. Stat. 8-58.20(b) (emphasis added).

As a result of the requirements under North Carolina evidentiary law as well as constitutional due process concerns, the Cumberland County Sheriff's Office is seeking accreditation for its latent fingerprint analysis and firearms examination laboratories.

More importantly, however, as indicated above, the Prosecutorial District (and the Sheriff's Office) has great need of the capacity to be able to perform testing of forensic drug chemistry, blood alcohol analysis, and blood drug analysis. A profound need for the services exists and demands immediate action in order to facilitate the interest of justice.

Additionally, in light of the significant backlog in the State Crime Laboratory and the difficulty in obtaining chemical analysis of drugs and other controlled substance evidence as well as analysis of controlled substances in blood specimens (including blood alcohol), the Office of the District Attorney has sought and is seeking the assistance of the Cumberland County Sheriff's Office in establishing and maintaining a forensic laboratory for the analysis of controlled substances (identified as a forensic drug laboratory) as well

as a laboratory for the analysis of blood for suspected alcohol intoxication of accused persons as well as the analysis of blood for those persons suspected of being impaired by controlled substances. Cases have been dismissed for the denial of the defendant's speedy trial rights, and a number of cases have been lost because of the inability to provide the requisite forensic analysis. Remedial action must be taken.

Given the circumstances, we have thoroughly investigated other means of acquiring the forensic services. As a result of this investigatory study, Sheriff Butler, Chief Deputy Wright, District Attorney West and his senior assistants, Chief of Police Medlock, and Ronnie Mitchell have concluded that a public-private contractual relationship would achieve the result sought with regard to the establishment of a laboratory at a fraction of the costs associated with establishing our own laboratory.

As a part of that investigation, we have interviewed other officials and other individuals who have been involved in and experienced similar circumstances. In addition, we have investigated the reliability of various companies and their ability to provide the services so greatly needed. We have visited laboratory facilities, both those maintained by law enforcement agencies and those operated under a contractual relationship.

Premised on this and other investigatory and research methodology, we have concluded and strongly recommend the entry of a contractual relationship with Integrated Forensic Laboratories LLC (IFL), a division of NMS Labs. IFL operates labs which are both freestanding and those which are located in law enforcement facilities, particularly in the State of Texas, although NMS Labs operates national laboratory and testing facilities headquarter in Pennsylvania. For more than 40 years these laboratories have been committed to and have provided professional, state-of-the-art laboratory diagnostic services to and have served the criminal and civil justice system. The company has an excellent reputation and an established record of integrity, accuracy, and economy while maintaining the requisite accreditations and credentialing and providing the services needed to meet or exceed the evolving legal and scientific standards.

Essentially, the model which would provide the type of services needed in Cumberland County would need the entry of a contractual relationship with the company under the terms of which the City of Fayetteville and the County of Cumberland together would pay one half of the calculated operating costs which is the sum of \$25,000 per month or \$12,500 per month each except that the County's monthly obligation would be reduced by \$1,750.00 per month, making the County's expenditure \$10,750.00 per month, in light and in consideration of the County agreeing to allow the company to use the existing laboratory space in the former Day Reporting Center located on Russell Street. (The Fayetteville Police Department has explicitly stated that the City will be ready to proceed no later than January with its financial support for the laboratory.)

For this fiscal year, the lab would require an expenditure of \$75,500.00. The Sheriff's Office has applied and is continuing to apply for funding grants through the Governor's Crime Commission. The Commission has expressed initial and tentative approval of the

grant, but we do not have any confirmation, accordingly without grant approval we are requesting county funds in the amount of \$75,500.00.

The addition of this laboratory to the services which are already established would enable the County to provide far better forensic services than those which are currently available and would likely assist in the reduction of the court backlogs and even, potentially, in a reduction of the jail population, reducing the effective costs of operations and of establishing the laboratory. Most importantly, this contractual relationship would provide another much-needed and even essential tool to combat crime.

Ms. Cannon stated at the recent Crime Summit there was discussion about creating a lab here in Cumberland County as opposed to using the State Lab to speed up the process with cases that involve forensic lab services. Ms. Cannon stated there has been a group from the District Attorney's office, Sheriff's Office and the City of Fayetteville's Police Department working on an arrangement.

Ms. Cannon recognized Ronnie Mitchell, Sheriff's Office, to present this item. Mr. Mitchell stated the idea of the forensic lab started about three years ago. Mr. Mitchell stated one of the first things Sheriff Butler asked him to do was to look into various means of getting evidence quicker and more efficiently. Mr. Mitchell stated the primary obstacle was that Cumberland County did not have access to forensic services other than the State Lab. Mr. Mitchell stated the forensic services desperately needed in Cumberland County include: drug identification, blood alcohol analysis and blood drug analysis. Mr. Mitchell stated currently there are many cases that are substantially backlogged. Mr. Mitchell stated there are a number of cases either lost or dismissed by the prosecution because of the inability to have the forensic analysis.

Mr. Mitchell stated he initially started looking into the Sheriff's Office operating its own lab in which the County would staff and provide equipment. Mr. Mitchell stated after visiting many other labs he determined this would be very expensive to establish and maintain. Mr. Mitchell stated he learned of NMS Labs, a company that is willing to begin servicing Cumberland County as a private-public partnership in which the City of Fayetteville and Cumberland County would share the cost of running the lab. Mr. Mitchell stated he is currently requesting to initially establish a six month period with NMS Labs. Mr. Mitchell stated his hope would be to commence in December. Mr. Mitchell stated DA Billy West believes this to be absolutely essential to the quality of justice in Cumberland County. Mr. Mitchell stated there have been cases where the quantity of the sample has been maintained in the lab for up to three years. Mr. Mitchell stated they often hear from citizens that justice has been denied because of the inability to get that analysis.

Mr. Mitchell stated the proposal is to place the lab in the former Day Reporting Laboratory which is about 845 square feet, exactly the amount of space NMS Labs needs in order to perform the work. Mr. Mitchell stated the Sheriff and the Chief of Police have

consulted together on this to provide security to make it an effective and efficient program. Mr. Mitchell stated the private sector would provide the chemical analysts and the equipment which costs about \$500,000 initially. Mr. Mitchell stated NMS Labs is certified and have a similar type contract about to start next month in Forsyth County, North Carolina.

Mr. Mitchell explained the cost for the six-month period would be \$75,500 initially and thereafter it would be about \$12,000 a month minus \$1,750 a month for the use of the lab facility. Mr. Mitchell further stated the \$75,500 would cover services through July and then the cost would be calculated to determine what funding would be needed for the next fiscal year. Mr. Mitchell stated they have applied for some grant funding but have not received the final decision yet.

Mr. Mitchell stated we would still use the State lab for certain things but he feels we can alleviate the problem at the State Lab and give justice back to the citizens of Cumberland County. Commissioner King asked Mr. Mitchell if they looked hard in the Sheriff's Office budget for the \$75,500. Mr. Mitchell stated the Sheriff's Office budget does not have the funds.

Commissioner Edge stated he feels there is no doubt that we need this crime lab. Commissioner Edge stated he hopes that somewhere along the way that we can receive data or statistics to show whether the lab services are really moving court cases along and getting people out of our jail. Commissioner Edge stated he is in favor of moving forward with this item. Mr. Mitchell stated they have specific cases targeted to see if those cases get moved and he will include in the lease if not satisfactory they can terminate the contract within thirty days notice. Mr. Mitchell stated if they can move some cases they could possibly save as much as 30-40% of the cost incurred to not house those detainees.

Commissioner Evans asked what the cost is for the State Lab's service. Mr. Mitchell stated there is no cost to use the State Lab but they are so backlogged that at times it takes over two (2) years to get results back from the State. Mr. Mitchell stated this could also ensure accuracy because NMS Labs has a great track record for being accurate.

Commissioner King stated he feels this is the State's responsibility but understands there is a crisis at the State level if it is taking 2-3 years before a trial can be decided. Commissioner Evans stated anytime you can shorten a stay at the Detention Center you can save money. Commissioner Keefe stated he feels it is completely unacceptable for the State results to take 2-3 years to receive.

Commissioner Keefe stated he feels there should be a cap on what the County is required to spend on the lab services. Mr. Mitchell stated he is going to recommend that the County have a cap on spending. Commissioner Keefe stated if it takes the State lab two years to complete the service how long would it take NMS Labs. Mr. Mitchell stated NMS Labs was able to clear twenty-eight (28) months of cases in sixty-eight (68) days in another state.

Commissioner King asked if Mr. Mitchell had talked to any other companies besides NMS Labs. Mr. Mitchell stated there are not many companies in the United States that provide this type service but they have researched other companies. Commissioner Edge stated we can have all the labs in the world but if we do not get the cooperation from the District Attorney's office, the judges, and the attorneys representing these people we are not going to move things along. Commissioner Edge further stated he feels it is important that they know we want to move these cases along and it is going to take cooperation from everyone involved.

MOTION: Commissioner Edge moved to recommend to the full board consideration of approval of the Sheriff's Office request for \$75,500 in funding secondary to the possibility of grant funding for a seven (7) month period for a forensic lab services contract with NMS Labs.

SECOND: Commissioner King

DISCUSSION:

Commissioner Evans stated he feels this is the first time this topic has been brought to the board. Ms. Cannon stated she has been working with Mr. Mitchell for several months but was hesitant to bring this forward because of the request for additional funding. Ms. Cannon further stated the grant application is currently pending and she believes this will be approved but in the event it is not approved the only way to move forward is for the use of county funding. Mr. Moorefield stated there will be a written contract in place that will detail the costs and expectations. Commissioner King stated he does not want to be the one that held this service up knowing we could have been a month further along.

VOTE: PASSED (2-1) (Commissioner King and Edge voted in favor; Commissioner Evans voted in opposition)

4. CONSIDERATION OF APPROVAL OF RELOCATION OF EMPLOYEE CLINIC/RISK MANAGEMENT

BACKGROUND:

At the Facilities Committee meeting on October 2, 2014, County staff presented the Facilities Committee with a plan to relocate the Employee Clinic from the E. Newton Smith Center as well as Risk Management from the Courthouse into the former CommuniCare Building located at 226 Bradford Avenue. Following the presentation, there was some discussion as to whether it would be more beneficial to relocate the Employee Pharmacy with the Employee Clinic instead of Risk Management. County staff was directed to determine the cost of relocating the Employee Pharmacy and to present this information at the November Facilities Committee meeting.

On the surface, it appears that this conceptual idea has a lot of merit, however due to the costs to renovate this space for an Employee Pharmacy, it becomes less attractive. First and foremost, the facility is not equipped with emergency power and a generator would

have to be installed at the facility. The interior walls within the area that the Pharmacy would be located would have to be removed and several of these have been determined to be load bearing walls. In order to accomplish this, a structural engineer will have to be hired to design structural supports for the roof. This facility is currently not equipped with video surveillance equipment and this would definitely need to be installed. While this building is a brick building, it has wood exterior directly above and below each window. Due to this, the interior area around each window would have to be secured with steel bars from the floor to the ceiling.

Listed below is the projected estimated upfront cost it would take to relocate the Employee Pharmacy to 226 Bradford Avenue.

<u>Item</u>	<u>Projected Cost</u>
Back-up Generator	\$50,000
Engineering Services	\$20,000
Security	\$70,000
Fire Panel Upgrade	\$8,000
Construction – HVAC, Walls, Ceilings	\$100,000
IS Needs	\$4,000
Move	<u>\$6,500</u>
Sub-Total	\$258,500
10% Contingency	\$25,850
Total	\$284,350

Please keep in mind that this does not include the reoccurring operating costs for the security that will be installed. It is also important to note that this cost is solely for the Employee Pharmacy relocation and that the cost of renovating the Employee Clinic space is not included and still projected to be around \$25,000.

Due to the significant cost of relocating the Employee Pharmacy, the initial plan presented to relocate Risk Management in conjunction with the Employee Clinic seems to be the most cost effective move at the present time. Not to mention, this move would allow the overcrowded Information Services (IS) Department to expand into the space vacated by Risk Management.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director along with County Management recommend that the Facilities Committee approve the following recommendations and forward to the Board of Commissioners at their November 17, 2014 meeting.

1. Approve the move of the Employee Clinic along with Risk Management to 226 Bradford Ave.
2. Establish a renovation budget of \$25,000.
3. Allow the IS Department to utilize the space that is being vacated by the relocation of Risk Management.

Jeffery Brown, Engineering and Infrastructure Director, reviewed the background information and recommendation as recorded above.

MOTION: Commissioner Evans moved to recommend to the full board consideration of approval to move the Employee Clinic along with Risk Management to 226 Bradford Ave and establish a renovation budget of \$25,000 and allow the IS Department to utilize the space that is being vacated by the relocation of Risk Management.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (3-0)

5. CONSIDERATION OF APPROVAL OF RADIO TOWER AGREEMENT WITH NC DIVISION OF FOREST RESOURCES

BACKGROUND:

The Emergency Management Department was contacted by the NC Division of Forest Resources to see if Cumberland County had available radio tower space for installation of an antenna. Their existing agreement for the tower on Palestine Road has expired and their goal is to find a more centrally located site within Cumberland County to provide better radio communication coverage. The Emergency Management Department then contacted the Engineering & Infrastructure Department to discuss the possibility of the Forestry Service using available space on the tower located atop of the County facility located at 109 Bradford Avenue, the former Mental Health Building.

There is available space on one of the existing towers located at the facility and there is actually an existing UHF antenna that is currently not in service that the Forestry Division utilized to test the communication coverage. It was determined from the test that this location did indeed meet their needs and it was also determined that their antenna would not have a negative impact on the existing communication antennas as their antenna will be on a different frequency from the existing antennas. The use of the available space on the tower will provide more effective and efficient services to the citizens of Cumberland County without any negative impact to existing operations.

RECOMMENDATION/PROPOSED ACTION:

The Engineering and Infrastructure Director along with County Management recommend that the Facilities Committee approve the use of available space on the radio tower located atop of 109 Bradford Avenue for the purposes of NC Division of Forest Resources to operate a radio antenna and forward it to the Board of Commissioners for its consideration at their November 17, 2014 meeting.

Mr. Brown reviewed the background information and recommendation as recorded above and responded to questions.

Mr. Brown stated he asked the Forestry Service to send him a draft agreement used for another location. Mr. Moorefield read over the draft agreement and suggested changing some identification language. Mr. Brown stated the identification language has been changed and sent back to the Forestry Service for their review. Mr. Brown stated the recommendation is for the Facilities Committee to recommend approval of this space for the Forestry Service with the condition that the language that was provided by the county attorney is approved by the Forestry Service.

MOTION: Commissioner Evans moved to recommend to the full board consideration of approval of the use of available space on the radio tower located atop of 109 Bradford Avenue for the purposes of NC Division of Forest Resources operating a radio antenna with the condition that the language that was provided by the county attorney is approved by the Forestry Service.

SECOND: Commissioner Edge

VOTE: UNANIMOUS (3-0)

6. OTHER ITEMS OF BUSINESS

There were no other items of business.

MEETING ADJOURNED AT 9:40 AM.