

June 18, 2018

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 Cedric K. Jones, Vice-Chairman Sidney E. Dunston, Commissioners Michael S. Schriver, David T. Bunn, Mark Speed, Shelley L. Dickerson and Harry L. Foy, Jr.

Chairman Jones called the meeting to order and recognized 4-H County Council President Nathaniel Potter. Mr. Potter will represent Franklin County at the 4-H Youth Voice event of the 111th Annual Conference of the North Carolina Association of County Commissioners scheduled for August, 2018.

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

Commissioner Foy asked the Board to consider removing Items 1-C and 1-E from the consent agenda for discussion.

Commissioner Bunn then made a motion to remove Items 1-C and 1-E from the consent agenda, seconded by Commissioner Schriver. The motion duly carried approval with all present voting "AYE."

Chairman Jones then asked the Board to consider approval of the remaining consent agenda items.

Commissioner Bunn made a motion to approve the remainder of the consent agenda, seconded by Commissioner Foy. The motion duly carried approval with all present voting "AYE." The items approved follow.

1. CONSENT AGENDA

- A. June 4, 2018 Minutes
- B. Releases, Adjustments, Refunds and Tax Collection Report
- ~~C. Budget Ordinance Amendment #8 (Pursuant to North Carolina General Statute 159-15, the County Finance Officer is requesting a budget ordinance amendment in the amount of \$3,429,044 for the fiscal year ending June 30, 2018 to amend the General Fund to appropriate additional funding where required as previously approved by the Board of Commissioners.)~~
- D. Home Care Community Block Grant funding plan
- ~~E. First Amendment to Lease Agreement with DLP Maria Parham Medical Center~~

Following clarification, Commissioner Bunn made a motion to approve Items 1-C and 1-E. The motion was seconded by Commissioner Foy and duly carried approval with all present voting "AYE." The approved items follow.

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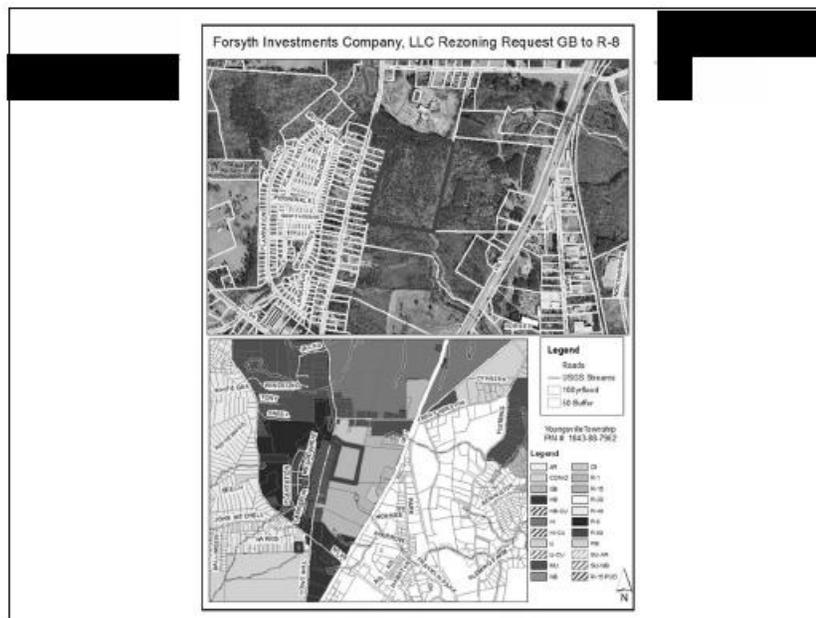
2. COMMENTS FROM THE PUBLIC

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. REZONING REQUEST – FORSYTH INVESTMENTS COMPANY, LLC (18-REZ-03)

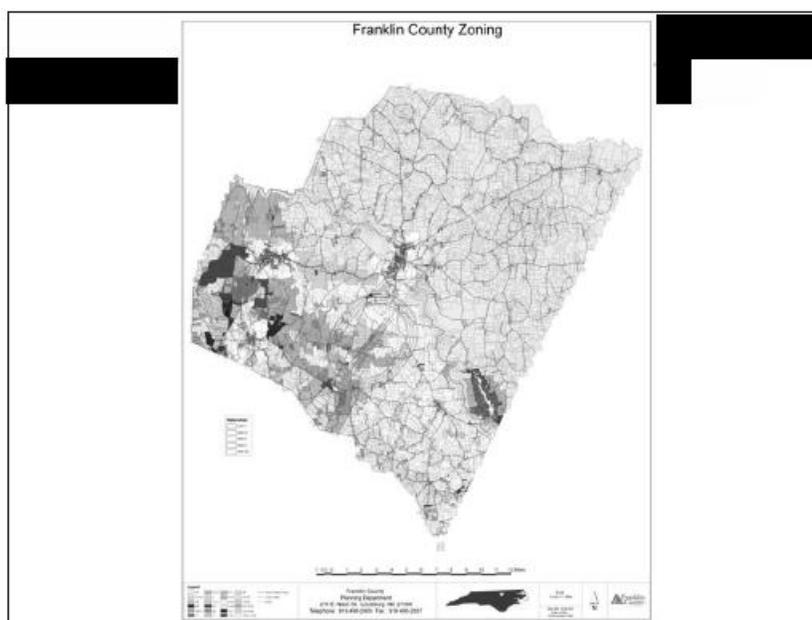
The Board was asked to consider a rezoning request by Forsyth Investments Company, LLC to rezone 45.8 acres located off Long Mill Road in Youngsville Township from General Business (GB) to Residential (R-8). Following the public hearing, the Board was asked to use the rezoning guide/checklist provided to assist its decision. The Planning Board, by a 7-1 vote, recommended denial of the request.

Planning & Inspections Director Scott Hammerbacher offered the following presentation.





Zoning Consistency Statement: The requested zoning map amendment is inconsistent with the land use plan. The Future Land Use plan indicates that this property is intended for industrial uses. There is a limited amount of property located along the US 1 corridor zoned for General Business (GB). The purpose of the General Business (GB) district is to provide a commercial zone along major highways in Franklin County that provides for a range of commercial, service centers and limited industrial uses that are accessible to the general public and surrounding neighborhoods. Businesses in this district are intended to serve the daily convenience and personal needs of an immediate area, and/or with direct access to a thoroughfare road or street. Uses in this district include but are not limited to Department Stores, Hospitals, and Schools. Public water and sewer is adjacent to this site. However, there is limited allocation available for residential development. The requested rezoning to Residential (R-8) is not in the best interest of the public.



Chairman Jones opened the hearing at 7:14 P.M.

Jon Frazier, Raleigh, NC

- Mr. Frazier, FLM Engineering Principal Engineer, stated the property is best suited for residential development and offered the following presentation.



What is the Highest and Best Use for this Parcel?

- Planning staff is executing the plan
- Some parcels are better suited for particular uses than others – What is the highest and best use for this parcel?

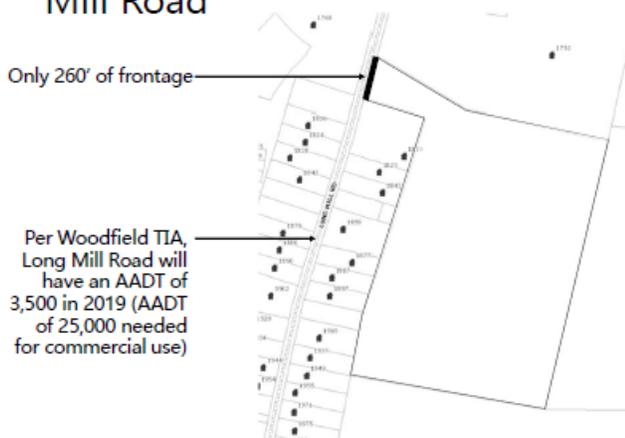
What is Needed for Successful Commercial Development?

- High traffic counts (at least 25,000 AADT)
- Access
- Visibility
- Residential in close proximity

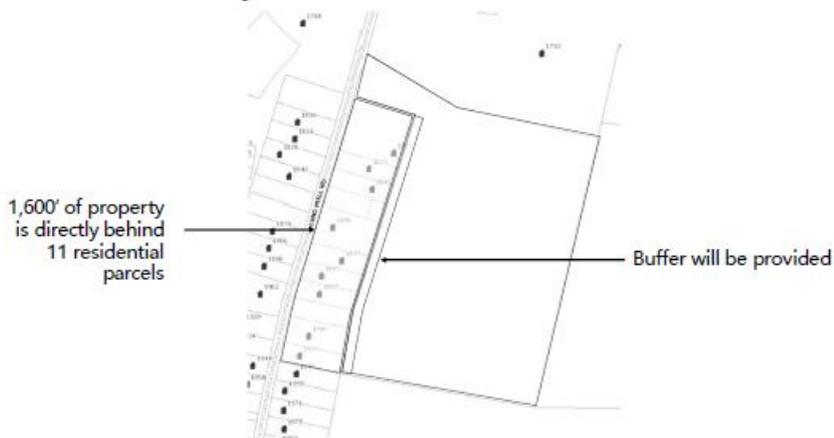
Why this Property is Best-suited for Residential Zoning

- Low traffic counts and limited access on Long Mill Road
- Low Visibility
- Long Mill Elementary is directly adjacent
- Success of residential development in this area
- Water and sewer are available at the site
- Traffic will be addressed as part of traffic study
- Adjacent property provides more than enough depth for commercial/industrial development on US-1

Low Traffic Counts and Limited Access on Long Mill Road



Low Visibility



Long Mill Elementary is Directly Adjacent



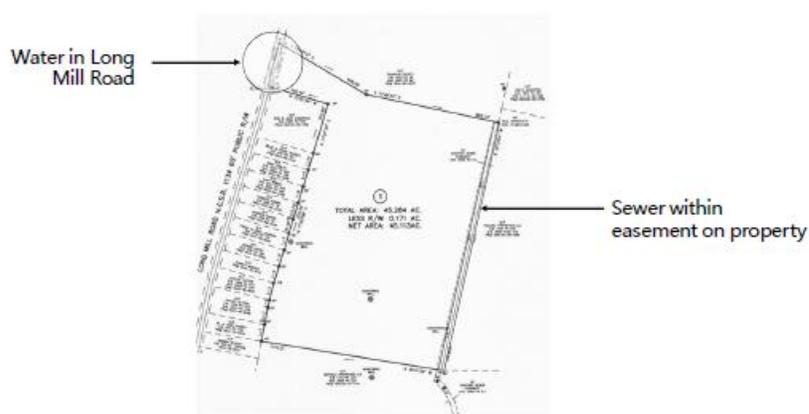
Long Mill Elementary

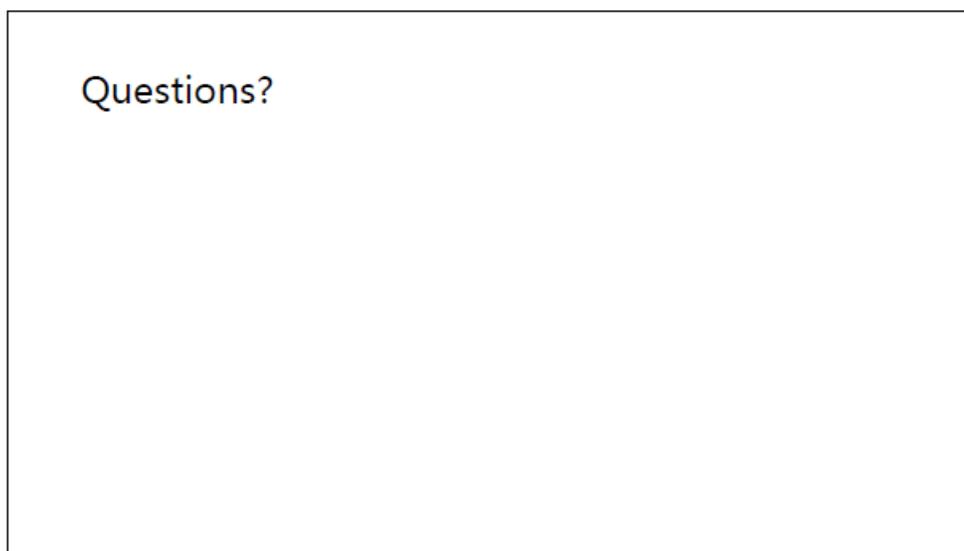
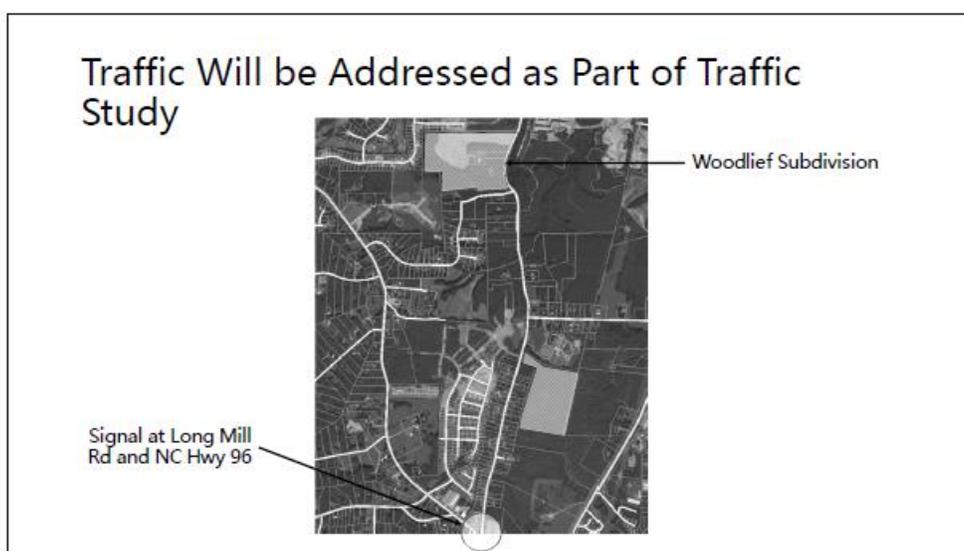
- School is walkable from the neighborhood – access for students will be provided
- Walkers will eliminate bussing needs
- Residential neighborhood adjacent to school is an efficient use of county resources and a safer use than commercial/industrial

Success of Residential Development in this Area



Water and Sewer Available at the Site





John Mitchell, 6909 North Ridge Drive, Raleigh, NC

- Mr. Mitchell stated he is the trustee for the Violet Winston trust. He feels residential development will be the best use of the property for the foreseeable future benefitting the community, a nearby school and the environment. He also feels rezoning is beneficial for the grantor and its beneficiaries. He asked the Board to consider favorable approval of the rezoning request.

Georgia Alston, 1919 Long Mill Road, Youngsville, NC

- Ms. Alston stated she has lived at her current address for 20 years. She addressed her concerns about rezoning for residential use.

Frank Johnson, 1877 Long Mill Road, Youngsville, NC

- Mr. Johnson asked questions relative to the rezoning request such as why the area had to be rezoned.

Casey Brunk, 75 Remington Court, Youngsville, NC

- Mr. Brunk asked the Board to consider responsible development. He feels roads in the area cannot handle the growth of such residential development and stated neighbors are in opposition to the rezoning request.

Chairman Jones closed the public hearing at 8:01 P.M.

Mr. Hammerbacher asked the Board to review the zoning consistency statement prior to voting on the request and commented the request does not conform to the existing land use plan. He said the area is one of the last remaining large areas that have potential for non-residential development.

Commissioner Bunn made a motion to approve the rezoning request, seconded by Commissioner Foy. The motion failed with a 4-3 vote, with Commissioners Jones, Dunston, Dickerson and Speed voting in opposition.

4. FLEMING FOREST SUBDIVISION STREET SPECIAL ASSESSMENT

The Board was asked to conduct a public hearing to hear comments regarding a preliminary resolution to finance street improvements within Fleming Forest Subdivision. The preliminary resolution was adopted by the Board on May 21, 2018.

Chairman Jones opened the public hearing at 8:19 P.M.

Heather Anderson, 155 Remington Court, Youngsville, NC

- Mrs. Anderson stated she was a 15-year Franklin County resident who moved to Fleming Forest because it had no homeowner's association. She said she was unaware planning for an assessment was underway. She said she had no problem turning the roads over to be maintained by the state but asked that the assessment be extended to five years if approved.

Nancy LaPonzina, 20 Remington Court, Youngsville, NC

- Mrs. LaPonzina stated she moved to Fleming Forest in 1999 and was attracted to the rural setting. She said she is happy to support the neighbors in the special assessment in order to maintain roads within the subdivision.

David Fortlage, 130 Fleming Forest Drive, Youngsville, NC

- Mr. Fortlage is considered the project manager and offered background on the request. He stated the subdivision did not have a homeowner's association and commented on the difficulty of achieving full participation from an 81-home subdivision. The request is based upon deteriorating roads within the subdivision that were left unmanaged by developer Denmark Construction after undergoing bankruptcy. He asked the Board to favorably consider the assessment.

Richard Riggleman, 15 Winchester Court, Youngsville, NC

- Mr. Riggleman commented that homeowner's in Fleming Forest had been harassed and pressured to agree to the assessment. He said he is against the present plan and asked the Board to table action on the matter.

Thom LaPonzina, 20 Remington Court, Youngsville, NC

- Mr. LaPonzina stated the roads within Fleming Forest are not in horrid condition but said he is concerned about further deterioration.

Steven Hawkins, 35 Fleming Forest Drive, Youngsville, NC

- Mr. Hawkins commented on the current condition of roadways within Fleming Forest and stated his feeling that rain and snow will make conditions worse as time goes on.

Todd Anderson, 155 Remington Court, Youngsville, NC

- Mr. Anderson commented on poor health experienced by both himself and his wife and expressed financial concerns in paying the assessment.

Jane Mosher, 50 Chesterfield Court, Youngsville, NC

- Ms. Mosher asked if an extension had been granted.

Lori Haight, 150 Remington Court, Youngsville, NC

- Ms. Haight asked questions relative to the assessment.

Chairman Jones closed the public hearing at 9:15 P.M.

No action was taken. The Board is expected to consider a final assessment resolution at its next regularly scheduled board meeting on July 9, 2018.

5. UPDATE: 401 PROJECT

Gary Faulkner, representative of the 401 Action Committee, provided an update on plans to commemorate the ground breaking on the Franklin County portion of US 401.

Mr. Faulkner stated on July 17, 2018, the North Carolina Department of Transportation (NCDOT) will award a construction contract to a private construction firm to reconstruct US 401 into a multi-lane median divided facility from NC 96 in Wake County, north to the Flat Rock Church Road/MC Wilder Road intersection (Royal) in Franklin County. The project, better known as R-2814C to NCDOT, is expected to break ground in late September or early October, 2018. The project is expected to take 2-3 years to complete and open to traffic.

Mr. Faulkner asked the Board to support plans for a groundbreaking event in the fall to commemorate the project.

Mr. Faulkner stated additional discussions with NCDOT have confirmed the following:

- R-2814 D (US 401 from Royal, north to Louisburg) is scheduled for R/W in 2022, with construction scheduled for 2024 or possibly sooner.
- Bickett Boulevard improvements (U-6024) conversion of Bickett to a four-lane median divided section from NC 39 south of Louisburg, north to NC 56/581 is also scheduled for R/W in 2021, with construction expected in 2023.
- Project R-3608 will widen the existing US 401 to a multi-lane median divided roadway from NC 56/581 intersection north to the US 401 Main Street intersection, with R/W scheduled in 2021, and construction expected to begin in 2023 as well.

R/W (Right of Way unit)

No formal action was requested of the Board.

6. APPOINTMENTS

A. Agricultural Advisory Board

The Board was asked to consider the appointment of Ed Wheeler (Youngsville Township) and Greg Foster (Sandy Creek Township) and the reappointment of Bob Gardner (Cedar Rock Township) and Tony Horton (Dunn Township) to the Agricultural Advisory Board for a three-year term (2018-2021).

Commissioner Speed made a motion to approve the appointments to the Agricultural Advisory Board. The motion was seconded by Commissioner Bunn and duly carried approval with all present voting "AYE."

B. NCACC Voting Delegate

The Board was asked to designate a voting delegate to represent the County at the 111th Annual Conference of the North Carolina Association of County Commissioners to be held in Catawba County August 23-25, 2018. Commissioners Jones, Dunston and Speed are registered to attend.

Commissioner Bunn nominated Commissioner Jones to serve as the NCACC voting delegate. The motion was seconded by Commissioner Schriver and duly carried approval with all present voting “AYE.”

C. COG Board

The Board was asked to consider appointing Wanda Henderson to the COG Board.

Commissioner Dunston made the motion to appoint Wanda Henderson to the COG Board, seconded by Commissioner Speed. The motion duly carried approval with all present voting “AYE.”

7. OTHER BUSINESS

No new business was discussed.

8. 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: No comments were offered.

Commissioner Foy: No comments were offered.

Commissioner Bunn: No comments were offered.

Commissioner Jones: No comments were offered.

Commissioner Dunston: No comments were offered.

Commissioner Schriver: Commissioner Schriver asked staff to follow up on future planning sessions discussed during the Board’s planning retreat in March, 2018.

Commissioner Dickerson: No comments were offered.

Commissioner Speed: No comments were offered.

County Manager Angela L. Harris: Mrs. Harris

- Mrs. Harris provided a brief update to the Board on a proposed road diet on NC56 from Tucker Drive in Louisburg out to the area where four lanes return to two-lane. The proposal from NCDOT calls for the four-lane road to be converted to a two-lane road with a center turn lane and 4-foot shoulders on each side.
- Mrs. Harris also informed the Board of a visit from North Carolina Insurance Commissioner and State Fire Marshal Mike Causey. Commissioner Causey is expected to spend the day visiting fire departments, insurance agencies and other businesses in Franklin County. The event is set for June 28, 2018 at 10:00 A.M. at the Louisburg Police Training Center.
- Mrs. Harris provided a brief update on the Owens Park at Bull Creek project. She said original bids came in over budget and a second bid opening date was scheduled for June 26, 2018 at 10:00 A.M.

9. RECESS

At approximately 9:41 P.M., Commissioner Dunston made a motion to recess until June 29, 2018 at 9:00 A.M., seconded by Commissioner Speed. The motion duly carried approval with all present voting "AYE."

Cedric Jones, Chair

Kristen G. King, Clerk to the Board

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