

**April 18, 2011**

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

Chairman Dunston asked the Board to consider adding a closed session to the agenda. Commissioner Swanson made the motion to add the item to the agenda, seconded by Commissioner McGhee. The motion duly carried with all present voting "AYE." The item will be considered as Item 8 on the agenda.

Chairman Dunston then asked the Board to consider approval of the consent agenda. Commissioner McGhee made the motion to approve the agenda, seconded by Commissioner Swanson. The motion duly carried with all present voting "AYE." The items approved are as follows:

**1. CONSENT AGENDA**

- A. March 30, 2011 Minutes
- B. April 4, 2011 Minutes
- C. 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.

**Donnie Eatmon, 161 Rossie Jones Road, Middlesex, NC**

- Mr. Eaton stated he was a member of the Pilot Fire Department Board of Directors as well as Chaplain for the Franklin County Firefighter's Association. Mr. Eatmon thanked the Board for recently approving the County's emergency communications system. He stated Pilot Fire Department is beginning the process of remodeling the department and said he hopes to get by with a cost of \$750,000 to the community. He asked the Board to consider waiving permitting fees to assist the department with cutting costs.

**3. RECOGNITION OF EMPLOYEE OF THE QUARTER**

Tommy Harris, Building Inspector, Franklin County Planning and Inspections, was recognize on his selection as the Employee of the Quarter ending March, 2011. Mr. Harris has been employed with the county since November, 2004 and selected for this recognition by a committee of his peers. Mr. Harris received a vacation day and a savings bond.

**4. PUBLIC HEARINGS**

A. Text Amendment: Franklin County Unified Development Ordinance

The Board was asked to consider adoption of a text amendment to the Franklin County Unified Development Ordinance (UDO) to amend Article 2, and Article 6 to allow Temporary Uses as a permitted use within the AR, R-1, R-8, R-15, R-30, R-40, R-80, NB, RB, HB, GB, TND, O/I, MU, LI, HI, CON-D, and PUD zoning districts.

Planning and Inspections Director Scott Hammerbacher provided a summary of the request.

At approximately 7:22 P.M., Chairman Swanson opened and closed the public hearing with no comments from the public.

Commissioner Lancaster made a motion to approve the text amendment to the Franklin County Unified Development Ordinance, seconded by Commissioner Mitchell. The motion carried 6 to 1, with Commissioner Swanson voting "NO."

**B. Text Amendment: Franklin County Unified Development Ordinance**

The Board was asked to consider adoption of a text amendment to the Franklin County Unified Development Ordinance (UDO) to amend Article 16, Off-Street Parking and Loading Requirements.

Planning and Inspections Director Scott Hammerbacher provided a summary of the request.

At approximately 7:30 P.M., Chairman Dunston opened and closed the public hearing with no comments offered from the public.

Commissioner Lancaster made a motion to approve the text amendment to the Franklin County Unified Development Ordinance, seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE."

**C. Request for Rezoning – Pocomoke Cowboy Church**

The Board was asked to consider adoption of a zoning map amendment to rezone approximately 1.33 acres from Special Use Rural Business (SURB)/Agricultural Residential (AR) to Conditional Use Agricultural Residential (CUAR) with the following allowed uses: churches, emergency shelter, and outdoor fruit and vegetable market at 3516 W. River Road (State Road 1210) in Franklinton Township. *Following the public hearing, it was recommended the Board of Commissioners utilize the rezoning checklist to assist in its decision.*

Planning and Inspections Director Scott Hammerbacher provided a summary of the request.

At approximately 7:37 P.M., Chairman Dunston opened the public hearing.

**Alisha Shearin, 3501 West River Road, Louisburg, NC**

- Ms. Shearin stated she lives across the road from the Pocomoke Cowboy Church. She stated she had no problems with the church if a church is the only thing that will be located on the property. She stated the location is dangerous and stated she did not want anyone to get injured. She also stated she did not prefer to have a "honkey tonk" located in front of her home. She stated she had no problem with emergency shelters or fruit stands being set up on the property.

**Spencer Strickland, Franklinton, NC**

- Mr. Strickland stated he is the Pastor of Pocomoke Cowboy Church and commented there are plans to purchase the property from its current owner in order to construct a church.

At approximately 7:39 P.M., Chairman Dunston closed the public hearing.

*Following the public hearing, the Board of Commissioners utilized the rezoning checklist to assist in its decision. Each question was answered positively.*

Commissioner Foy made a motion to approve the zoning map amendment, seconded by Commissioner McGhee. The motion duly carried with all present voting "AYE."

**D. Request for Rezoning – Henry Bunn**

The Board was asked to consider the adopting of a zoning map amendment to rezone approximately 1.47 acres from R-40 Residential to Rural Business (RB) at the intersection of Old Halifax Road (State Road 1720) and Pilot Riley Road (State Road 1103) in Dunn Township. *Following the public hearing, it was recommended the Board of Commissioners utilize the rezoning checklist to assist in its decision.*

At 7:46 P.M., Chairman Dunston opened and closed the public hearing with no comments offered by the public.

Commissioner Bunn then asked to be recused from the voting as Mr. Henry Bunn is his father.

Commissioner Lancaster made the motion to recuse Commissioner Bunn, seconded by Commissioner McGhee. The motion duly carried with all present voting "AYE."

*Following the public hearing, the Board of Commissioners utilized the rezoning checklist to assist in its decision. Each question was answered positively.*

Commissioner Swanson then made a motion to approve the zoning map amendment, seconded by Commissioner Foy. The motion duly carried with all present voting "AYE."

**5. COMPREHENSIVE TRANSPORTATION PLAN UPDATE**

The North Carolina Department of Transportation presented draft Comprehensive Transportation maps for the County. Transportation maps identify needed transportation improvements based upon existing capacity for roadways and projected future demands. The draft maps also identify improvements for bicycle and pedestrian modes of transportation in addition to improvements for public transportation. Recommended improvements are based upon growth projections for the next 25 years.

Project Engineers Julie Bollinger and Rupal Desai presented draft maps to the Board and stated the maps had already been endorsed by the towns of Louisburg, Bunn and Youngsville. It was stated that after all municipalities (Franklinton and Centerville) had endorsed the plan, the drafts will be forwarded to CAMPO and the Kerr Tar Council of

Governments for adoption before being forwarded to the North Carolina D.O.T. (Department of Transportation) Board of Transportation for potential adoption in June, 2011.

Commissioner McGhee stated she was uncomfortable agreeing to the maps until all municipalities had the opportunity to consider them.

Commissioner Mitchell made the motion to table action on this item until the Board's May 2, 2011 meeting. The motion was seconded by Commissioner McGhee and duly carried approval with all present voting "AYE."

## **6. OTHER BUSINESS**

## **7. BOARD, MANAGER, 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 reminded the Board of its joint meeting with the Town of Franklinton scheduled for Wednesday, April 20, 2011 at 7:00 P.M. at Franklinton High School. She also reminded the Board that it will convene as the Board of Equalization and Review on Tuesday, April 26, 2011 at 6:00 P.M. at the Franklin County Administration Building.

**Commissioner Foy:** Commissioner Foy stated he attended the recent grand opening of the Louisburg High School Carpentry Center. He also stated his hope that the Board can soon move forward with an appointment for Sheriff and expressed his desire to soon receive results of the SBI (State Bureau of Investigation) investigation into former Sheriff Pat Green.

**Commissioner Bunn:** No report offered.

**Commissioner Mitchell:** Commissioner Mitchell stated he was thankful for the minimal damage experienced in Franklin County as a result of several tornadoes that occurred on April 16, 2011. Minimal damages were reported at the Triangle North Executive Airport.

**Commissioner Lancaster:** Commissioner Lancaster noted North Carolina Representative Glen Bradley will hold a Town Hall meeting on May 13, 2011 at the Hamilton Hobgood Courthouse Annex in Louisburg.

**Commissioner McGhee:** Commissioner McGhee commented on her attendance at a recent Health Board meeting where rabies issues were discussed. She stated the Animal Advisory Board is expected to make recommendations regarding rabies in the near future. Commissioner McGhee also commented on a special meeting called for the Mental Health Board and mentioned that a stop light is being installed on Bert Winston Road.

**Commissioner Swanson:** No report offered.

**Commissioner Dunston:** Commissioner Dunston noted he had recently attended several events and said he was excited about progress at the HUB site. He also commented on the progress of widening Highway 401 that had already been completed in Wake County. He said it would be exciting if the same could be accomplished by widening Highway 401 from the Royal Community to Louisburg. He suggested the Board should be supportive of any efforts to assist in four-laning the highway.

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

- Mrs. Harris stated that damages were incurred at Triangle North Airport as a result of recent tornadoes that occurred on April 16, 2011. She said hangars received damage and that a local contractor was on site the following day utilizing a crane to secure doors to the hangar.
- She mentioned former Congressman Bob Etheridge visited Franklin County on April 5, 2011 to tour the Agriculture/Carpentry Center at Louisburg High School. An open house was held on that same day.
- Mrs. Harris also spoke at the annual conference of the North Carolina Clerks' Association in which Franklin County Clerk to the Board Kristen King co-hosted.
- Additionally she commented on the Easter Egg Hunt sponsored by Franklin County Parks and Recreation. She shared photographs from the event as well as photographs of the new bookmobile utilized by Franklin County Library. She also commented on National Library Week.
- She provided an update on Louisburg College.
- Mrs. Harris commented on the one-year collaboration of the County's public health department and Franklin County Volunteer's in Medicine. Brad Wilson, CEO of Blue Cross Blue Shield of North Carolina was a special guest.
- She commented on the Historic Homes Tour scheduled for May 14 and 15, 2011.
- She also commented on the annual report of Mental Health.

## **8. CLOSED SESSION**

The Board was asked to consider entering 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 the motion to enter into closed session, seconded by Commissioner Mitchell. The motion carried 6 to 1, with Commissioner Foy voting "NO."

At approximately 8:50 P.M., Commissioner Swanson made the motion to enter back into open session, seconded by Commissioner Mitchell. The motion duly carried approval with all present voting "AYE."

Chairman Dunston announced no action was taken.

At approximately 8:51 P.M., Commissioner Mitchell made a motion to adjourn, seconded by Commissioner Bunn. The motion duly carried with all present voting "AYE."

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Sidney E. Dunston, Chair

Kristen G. King, Clerk to the Board

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