

JULY 20, 1992

The Board of Commissioners of Franklin County, North Carolina met in regular session at 7:30 P. M. in the Superior Courtroom of the Franklin County Courthouse with the following Commissioners present: Chairman Robert L. Swanson; Vice Chairman James G. Hardy, Commissioner Harry L. Foy, Jr., Commissioner Ronald W. Goswick and Commissioner George T. Wynne.

Upon motion by Commissioner Goswick, seconded by Commissioner Wynne with all present voting "AYE" duly carried the minutes of meeting held on June 30, 1992 be corrected to include the following motion:

"Authorize Franklin County Sheriff to add position of medical officer to the jail staff at a salary to be negotiated by the sheriff and approved by the Board; this medical officer shall carry own medical professional liability insurance. The medical officer will be covered by the county's professional liability insurance other than medical.

Billy Craft, Franklin County Tax Supervisor, appeared before the Board to demonstrate the Accu-Vote voting machine. A decision on purchase of these machines will be made at a later date.

Proper notice having been given, this is the time and place set for a public hearing to receive public comments on recommendations of the Franklin County Planning Board.

Chairman Swanson declared public hearing open at 7:50 P. M. and recognized County Planner Richard Reid who made comments on the following rezoning petition:

Request for rezoning by Zettie Thompson to rezone approximately 3 acres on U. S. 401 in Harris Township from R-40 to Conditional Use Neighborhood Business.

Chairman Swanson called for public comments and the following people spoke:

Chris Thompson  
606 Meadow Brook Lane  
Wilson, NC 27893

requested approval of rezoning petition

Phillip McHale  
Route 1, Box 192A  
Youngsville, NC 27596

requested approval of rezoning petition

Chairman Swanson declared public hearing closed at 8:00 P. M.

Upon motion by Commissioner Foy, seconded by Commissioner Wynne with all present voting "AYE" duly carried the following ordinance amending the Franklin County Unified Development Ordinance adopted:

**AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE  
(MAP) TO REZONE  
3 ACRES LOCATED ON U. S 401 IN HARRIS TOWNSHIP FROM R-40 RESIDENTIAL TO**

## CONDITIONAL NEIGHBORHOOD BUSINESS DISTRICT

WHEREAS, the Franklin County Planning Board has reviewed said petition and favorably recommends amendment per the requirements of the Franklin County Unified Development Ordinance; and,

WHEREAS, a public hearing of the Board of County Commissioners has been scheduled, duly advertised per the requirements of G. S. 153A and conducted on July 20, 1992 at 7:30 P. M.

NOW, THEREFORE, BE IT ORDAINED, that the Board of Commissioners has acted favorably on the petition and provides for the following ordinance:

### SECTION I:

That the approximately 3 acres of land located in Harris Township on the east side of U. S. 401 and north of the intersection of U. S. 401 and N. C. 98, be rezoned from the R-40 Residential District to the Conditional Neighborhood Business District and more particularly described as follows:

Beginning at a point approximately 50 feet from the centerline of U. S. 401 and at the southern boundary of parcel 50, and northern boundary of parcel 49B, Frances Brown property; thence N 40°-00'48"E, 80.63 feet; thence N 43°-55'-30"E, 254.33 feet; thence N 46°-24'-58"W, 426 feet; thence S 43°55'-30"E, 254.33 feet; thence S 420-001-48" E; thence N 580-271-38" W, 426 feet to point of beginning, containing approximately 3 acres.

SECTION II That this ordinance shall become effective upon its adoption.  
ADOPTED this 20th day of July, 1992.

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### **Minutes of meeting of July 20, 1992 --- Continued**

Glenn Osborne, Director of Social Services, and Angela Harris, JOBS Program Supervisor, appeared before the Board with an update on the JOBS Program since its implementation in January, 1992. They reported the program was working and they were already reaping the benefits. Ms. Patricia Mayes, a participant in the program was present and stated that the JOBS Program had made a big difference in her life and attitude.

Upon motion by Commissioner Goswick, seconded by Commissioner Hardy with all present voting "AYE" duly carried approve and forward to the North Carolina Department of Transportation a petition to abandon a portion of Secondary Road 1640 from the State Maintained System for their evaluation and review.

Upon motion by Commissioner Hardy, seconded by Commissioner Wynne with all present voting "AYE" duly carried that Lake Royale Lot #2414 be declared surplus property and authorize the county tax collector to offer it for sale through the negotiated offer, advertisement and upset bid process - minimum price is recommended to be \$750.00.

Upon motion by Commissioner Goswick, seconded by Commissioner Wynne award contract for construction of a Farmers' Market Shelter at the Shannon Village Shopping Center, Louisburg, NC, to Northstate Construction Company at a cost of \$13,900.00.

Upon motion by Commissioner Hardy that motion be amended to request that construction project be readvertised and bids accepted from all interested bidders for construction of Farmers' Market Shelter. Motion died for lack of a second.

Chairman Swanson then called for vote on original motion and the following votes were cast: Voting "AYE" Commissioner Goswick and Commissioner Wynne. Voting "NO" Commissioner Hardy and Commissioner Foy. Chairman Swanson tabled this matter until the next meeting.

Upon motion by Commissioner Goswick, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following people appointed to serve on the Americans With Disabilities Act Compliance Committee:

Michael Sumner - ADA Coordinator  
Richard Reid - Director of Planning & Development  
Angie Callihan - Emergency Services Director  
Michael Collins - Public Buildings Supervisor  
Billy Parrish - Representing Americans With Disabilities  
Steve Vandiford - Representing American With Disabilities

and further approve the following Franklin County Transitional Schedule for compliance with the Americans With Disabilities Act:

**FRANKLIN COUNTY TRANSITIONAL SCHEDULE  
FOR COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT**

July 20, 1992 - Adopt transitional schedule  
- Appoint ADA Compliance Committee  
August, 1992 through October, 1992 - ADA Compliance Committee review of facilities, services and employment practices for completion of self evaluation/action plan  
November 1, 1992 - Review of Job Descriptions completed by county department  
- Self evaluation of facilities and services completed  
November, 1992 through December, 1992 -Review of employment and job descriptions by ADA Compliance Committee  
- Implement non-structural changes  
- Finalize action plan for structural and service changes  
January 1, 1993 - Action plan for structural and service changes ready for adoption  
January 26, 1993 - Non-structural changes completed  
February, 1993 - Service changes implemented  
July 26, 1993 - Telecommunication changes implemented  
January 26, 1995 - Structural changes completed

Upon motion by Commissioner Goswick, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following appointment made to the Industrial Facilities & Pollution Control Financing Authority:

Charles Davis

reappointed to serve six-year term, expiring July, 1998

Upon motion by Commissioner Hardy, seconded by Commissioner Goswick with all present voting "AYE" duly carried the following appointments made to the Franklin County Library Board:

Martha Davis

reappointed to three-year term, expiring July, 1995

Harold Green

reappointed to three-year term, expiring July, 1995

Upon motion by Commissioner Goswick, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following appointments made to the Domiciliary Home Community Advisory Committee:

Barbara Tetterton - reappointed to three-year term, expiring July, 1995  
Celia P. Hall -reappointed to three-year term, expiring July, 1995  
Peggy Pinnell -reappointed to three-year term, expiring July, 1995  
L. S. Ward, Sr. - reappointed to three-year term, expiring July, 1995

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#### Minutes of meeting of July 20, 1992 --- Continued

Upon motion Commissioner Wynne, seconded by Commissioner Goswick with all present voting "AYE" duly carried the following appointments made to the Nursing Home Community Advisory Committee:

Pinina Duke - one-year term, expiring July, 1993

Eldora Perry - one-year term, expiring July, 1993

Upon motion by Commissioner Hardy, seconded by Commissioner Wynne with all present voting "AYE" duly carried Commissioner Goswick appointed to serve on the Franklin County Social Services Board until his term as county commissioner ends in December, 1992.

Upon motion by Commissioner Goswick, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following Special Revenue Budget Ordinance approved:

#### FRANKLIN COUNTY SPECIAL REVENUE BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of the County of Franklin, North Carolina, that, pursuant to Section of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted for the fiscal year ending June 30, 1993:

Section 1. The grant project authorized herein is a City-County Bureau of Investigation Grant (#35-192-CI-DI30), financed in part by a federal grant.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents and the budget contained herein. Section 3. The following amounts are appropriated for the project:

Personnel	\$ 27,426
Contractual Services	6,250
Travel	4,980
Supplies & Other Expenses	23,000
Equipment	34,300
Total Expenditures	<u>\$ 95,956</u>

Section 4. The following revenues are anticipated to be available to complete this project:

Federal Grant	\$ 71,967
Transfer from General Fund	<u>23,989</u>
Total Anticipated Revenues	\$ 95,956

Section 5. The Finance Officer is hereby directed to maintain within the Special Revenue Fund sufficient detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements. Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Any

funds advanced from the General Fund will be reimbursed within 60 days.

Section 7. Copies of this capital project ordinance shall be furnished to the Clerk to the Board of Commissioners, and to the Budget Officer and to the Finance Director for their direction in carrying out this project.

ADOPTED this 20th day of July, 1992.

Upon motion by Commissioner Goswick, seconded by Commissioner Wynne with all present voting "AYE" duly carried the following budget ordinance approved:

**FRANKLIN COUNTY BUDGET ORDINANCE AMENDMENT**

BE IT ORDAINED by the Board of Commissioners of the County of Franklin, North Carolina that pursuant to North Carolina General Statutes 159-15, the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 1993: Section 1. To amend the General Fund the expenditures are to be changed as follows:

ACCOUNT INCREASE	LINE	DECREASE
10-506-0590	Contingency	\$ 10,000
10-590-0340	Medical	
Supplies	\$ 10,000	
10-594-0320	Office	
Supplies	292	
10-580-0550	Compost Demo	
Project	6,901	
	TOTALS	\$
10,000	\$ 17,193	

This will result in a net increase of \$7,193.00 in the expenditures of the General Fund. to provide the additional revenue for the above, the following revenues will be increased:

ACCOUNT	LINE	AMOUNT
10-348-0040	Federal Funds-WIC	\$ 292
10-3919-0000	Fund Balance Appropriated	\$ 6,901
	TOTAL	\$ 7,193

Section 2. Copies of this amendment shall be furnished to the Clerk to the Board of Commissioners, the Budget Officer and the Finance Officer for their direction.

ADOPTED this the 20th day of July, 1992.

Upon motion by Commissioner Hardy, seconded by Commissioner Goswick with all present voting "AYE" duly carried award contract for architectural services for the Franklinton Branch Library to Harold Annis, H. S. Annis Architect, Garner, NC and authorize Chairman Swanson to execute any and all documents pertaining to this project.

**Minutes of meeting of July 20, 1992 --- Continued**

Upon motion by Commissioner Goswick, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following resolution of intent regarding the financing of a new jail facility adopted:

**RESOLUTION OF INTENT TO INCUR DEBT IN AN AMOUNT NOT TO EXCEED \$10,000,000 FOR THE  
PURPOSE OF  
FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A NEW JAIL FACILITY**

WHEREAS, the Board of Commissioners of Franklin County (the Board) has decided to pursue the financing of the acquisition, construction and equipping of a new jail facility (the Facility) in an installment sale transaction (Installment Debt) through a non-profit corporation organized and controlled by the County as permitted under Section NCGS Section 160A-20; and,

WHEREAS, it is anticipated that the cost of the Facility will not exceed \$10,000,000; and,

WHEREAS, the County intends to make certain capital expenditures relating to the acquisition, construction and equipping of the Facility prior to the issuance of the Installment Debt, and to reimburse the County for such expenditures out of the proceeds of the Installment Debt;

NOW, THEREFORE, the Board of Commissioners of Franklin County, meeting in regular session at Louisburg, North Carolina, on July 20, 1992, do the following:

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY:**

1. The County hereby declares that it reasonably expects to make certain capital expenditures for the acquisition, construction, and equipping of a new jail facility, and to reimburse such expenditures out of the proceeds of the Installment debt, up to a maximum amount of \$10,000,000. This resolution is intended to be a declaration of official intent under Treas. Reg. 1.103-18(f)(1).
2. This resolution shall take effect immediately.

Upon motion by Commissioner Wynne, seconded by Commissioner Goswick with all present voting "AYE" duly carried that the following list of rescue squads be included as part of the Ordinance Regulating Emergency Medical Service and Granting of Franchises that was adopted by the Franklin County Board of Commissioners on March 16, 1992 as automatically franchised to operate in Franklin County:

Bunn Rescue & EMS, Inc.  
Centerville Fire & Rescue, Inc.  
Franklin County EMS  
Franklinton Rescue & EMS, Inc.  
Louisburg Rescue & EMS  
White Level Rescue, Inc.  
Youngsville Rescue & EMS, Inc.

Upon motion by Commissioner Goswick, seconded by Commissioner Hardy with all present voting "AYE" duly carried approve the following description (and map on file in county manager's office) of the Castalia

Fire Insurance District:

**CASTALIA FIRE INSURANCE DISTRICT  
SERVED BY CASTALIA FIRE DEPARTMENT  
NASH COUNTY AND FRANKLIN COUNTY  
ONE MAIN STATION  
ONE SUB-STATION**

**FIVE MILE  
DISTRICT**

**2/5/92**

Beginning at point (1) on Road 1004, 0.8 mile northwest of its intersection with Road 1401; thence easterly to point (2) on Road 1401, 0.8 mile northeast of its intersection with Road 1004; thence easterly to point (3) on Road 1403, 0.7 mile northwest of its intersection with Road 1404; thence southeasterly to point (4) at the intersection of Road 1403 and 1310; thence southerly to point (5) on Road 1422, 0.2 mile northeast of its intersection with Road 1417; thence southerly to point (6) on Road 1417, 0.2 mile east of its intersection with Road 1422; thence southerly to point (7) on Road 1414, 0.2 mile east of its intersection with Road 1415; thence southerly to point (8) on Road 1414, 0.1 mile east of its intersection with Road 1004, excluding all property on Road 1414 between this and the preceding point; thence southerly to point (9) at the intersection of Road 1425 and 1004; thence southwesterly to point (10) on Road 1426, 0.9 mile south of its intersection with Road 1425; thence southerly to point (11) on Road 1427, 0.4 mile north of its intersection with NC 58; thence southerly to point (12) on NC 58, 0.2 mile east of its intersection with Road 1326; thence southwesterly to point (13) on Road 1326, 0.4 mile south of its intersection with NC 58; thence westerly to point (14) on Road 1310, 0.9 mile south of its intersection with Road 1324; thence southwesterly to point (15) on Road 1321, 2.1 mile south of its intersection with Road 1322; thence northwesterly to point (16) on Road 1323 and 1624 at the Nash County/Franklin County Line; thence north westerly to point (17) on Road 1618, 0.2 mile east of its intersection with Road 1617; thence northerly to point (18) at the intersection of Road 1621 and NC 56; thence northeasterly to point (19) on NC 58, 0.4 mile northwest of its intersection with Franklin County/Nash County Line; thence northerly to point (20) on Road 1401, 0.8 mile west of its intersection with Road 1004; thence northerly to point (1), the beginning.

NOTE: This description describes an area of Nash County and Franklin County pursuant to General Statutes

153A-233 for Insurance Grading Purposes Only.

NOTE: All of the area within the town limits of Castalia is included in the district.

NOTE: Points 5, 6, 7, 8 and 9 are an adjoining points with Red Oak Insurance District.

NOTE: Point 16 is an adjoining point with Justice Insurance District in Franklin County.

NOTE: Points 17, 18 and 19 are adjoining points with White Level Insurance District in Franklin County.

Upon motion by Commissioner Wynne, seconded by Commissioner Goswick with all present voting "AYE" duly carried approve lease of county-owned property, near Novo Nordisk Biochemical on Highway 56 for \$1.00 per year, to Carolina Telephone to allow them to install a 14 by 10-foot switching station.

Upon motion by Commissioner Goswick, seconded by Commissioner Wynne with all present voting "AYE" duly carried approve Franklin County's participation in water and sewer extension for expansion at the Novo Nrodisk Biochemical plant at a cost of \$54,000.00; Doninger Metal on Highway 96 west of Youngsville at a cost of \$36,300.00 and the Town of Louisburg in its sewer plant expansion at a cost of \$2,737.00.

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**Minutes of meeting of July 20, 1992 --- Continued**

Upon motion by Commissioner Wynne, seconded by Commissioner Hardy with all present voting "AYE" duly carried that a public hearing be held during the meeting of the Board of Commissioners, which

begins at 7:30 P. M., on August 17, 1992, to receive public comments on amendments to the Franklin County Unified Development Ordinance.

Upon motion by Commissioner Goswick, seconded by Commissioner Hardy with all present voting "AYE" duly carried award contract to Surapon Sujjavanich, Surapon Sujjavanich, Architects, for the design services of the proposed Franklin County Law Enforcement & Detention Facility; a base cost of \$6 Million for the detention facility and a 5.5% design fee to be used to derive at a cost of \$115,500.00.

Upon motion by Commissioner Goswick, seconded by Commissioner Hardy with all present voting "AYE" duly carried authorize Surapon Sujjavanich to prepare a bid document for the roof repair of the Franklin County Office Building.

Upon motion by Commissioner Wynne, seconded by Commissioner Goswick with all present voting "AYE" duly carried that the current insurance plan with Blue Cross/Blue Shield for health insurance coverage for the Franklin County employees be renewed for FY 1992-1993, and that prior to budget preparations for the next fiscal year that the insurance program for health insurance for the county employees be reviewed.

Upon motion by Commissioner Goswick, seconded by Commissioner Wynne with all present voting "AYE" duly carried rescind action taken by the Board of Commissioners on June 1, 1992, whereby the Board voted for the Preferred Provider Option with Blue Cross/Blue Shield for health insurance coverage for the Franklin County employees for FY 1992-1993.

Pursuant to and in accordance with G. S. 143-318.11 and upon motion by Commissioner Goswick, seconded by Commissioner Hardy with all present voting "AYE" duly carried the Board went into executive session to discuss personnel.

The Board reconvened into regular session and Chairman Swanson stated no action needed as a result of the executive session.

Upon motion by Commissioner Wynne, seconded by Commissioner Hardy with all present voting "AYE" duly carried that Franklin County agrees to convey to the Town of Louisburg that certain strip of land situated to the north of Dennis Mustian property whereon the fire department metal building is situated; said tract will run from the eastern line from Mustian Tract 3 to the northeastern corner of Mustian Tract #1 and will be bound on the north by the new Johnson Street Right-of-Way.

Upon motion by Commissioner Goswick, seconded by Commissioner Wynne with all present voting "AYE" duly carried meeting recessed until 5:30 P. M. on July 23, 1992 in the Superior Courtroom of the Franklin County Courthouse.

Recess recorded at 1 :00 P. M.