

AUGUST 16, 1993

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 James G. Hardy, Vice Chairman George T. Wynne, Commissioner Harry L. Foy, Jr., Commissioner James T. Moss and Commissioner Robert L. Swanson.

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

Chairman Hardy declared public hearing open at 7:35 P. M. and recongnized County Planner Walter Moorman who made comments on the following items:

1. Request by Artis Wilson & Nancy Ramey to rezone 5.29 acres on State Road 1141 in Franklinton Township from R-80 Watershed to Agricultural-Residential.

Chairman Hardy called for public comments and the following person spoke:

Mary Jane Jennings, Route 2, Box 581, Louisburg, NC requested Board to consider conditional use in lieu of straight out rezoning; to consider Cedar Creek

2. Request Quesell Driver to rezone a 3/4 acre parcel on State Road 1737 in Dunn Township from AgriculturalResidential to Rural Business District & A Special Use Permit for an auto repair shop

Chairman Hardy called for public comments and no one spoke.

3. Request by Edward & Annette Goyette to rezone a one acre parcel on NC 39 in Hayesville Township from Agricultural-Residential to Conditional Highway Business

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

Dan Weldon, Route 1, Henderson, NC

he supports the rezoning request and if the Board approves same that his rezoning request that was denied in 1987 again be considered and approved

George Hayes, Newport News, VA

wants permission from petitioners to upgrade road to his property and to install telephone lines

Annette Goyette, Route 1, Henderson, NC

request that rezoning request be approved

Edward Goyette, Route 1, Henderson, NC

request that rezoning request be approved

Elizabeth Goyette, Route 1, Henderson, NC

parents are petitioners, request approval of rezoning request

J. T. Edwards, Route 1, Henderson, NC

request that rezoning request be approved

Diane Goyette

parents are petitioners, request approval of rezoning request

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

**489**

**Minutes of meeting of August 16, 1993 --- Continued**

Upon motion by Commissioner Foy, seconded by Commissioner Swanson upon the recommendation of the Franklin County Planning Board the following ordinance amending the Franklin County Unified Development Ordinance approved: Voting "AYE" Commissioner Foy, Commissioner Swanson, Commissioner Hardy, and Commissioner Wynne. Voting "NO" Commissioner Moss.

**AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (MAP) TO REZONE 5.29 ACRES LOCATED ON STATE ROAD 1141 IN FRANKLINTON TOWNSHIP FROM WATER SUPPLY WATERSHED DISTRICT R-80 TO AGRICULTURAL-RESIDENTIAL (AR)**

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 August 16, 1993 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 5.29 acres of land located in Franklinton Township on the north side of State Road 1141 be rezoned from the Water Supply Watershed District R-80 to the Agricultural Residential District, and more particularly described as follows:

"Wilson" Tract:

Beginning at a point approximately 104 feet east from the centerline intersection of State Road 1143 and 1141 and approximately at the centerline of State Road 1141; thence with the centerline radius of State Road 1141 N 520 521 E, 91.99 feet; thence N 580 271 E, 261.86 feet; thence with the property line S 570 171 E, 541.23 feet; thence N 840 231 W. 793.79 feet to point of beginning, containing approximately 2.29 acres, also described in Deed Book 775, Page 290, Franklin County Registry.

"Ramey" Tract:

Beginning at a point in the centerline of State Road 1141, located approximately 458 feet north of the centerline intersections of State Road 1143 and State Road 1141 and running thence with the centerline of State Road 1141 N 590 301 E, 300.00 feet to a point in the same centerline, thence with the property line S 57° 16' 30" E, 474.67 feet to an iron pipe; thence with the property line S 400 13, W, 270.00 feet to an iron pipe, thence with a common property line with the Wilson Tract (formerly Gordon Moore) N 570 181 W, 574. 54 feet to the beginning, and containing approximately 3.02 acres of land also described in Deed Book 906, Page 403, Franklin County Registry.

SECTION II. That this ordinance shall become effective upon its adoption.

ADOPTED this the 16th day of August, 1993.

Upon motion by Commissioner Foy, seconded by Commissioner Wynne upon the recommendation of the Franklin County Planning Board the following ordinance amending the Franklin County Unified Development Ordinance approved: Voting "AYE" Commissioner Foy, Commissioner Wynne, Commissioner Hardy, Commissioner Swanson. Voting "NO" Commissioner Moss.

**AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (MAP) TO REZONE 3/4 ACRE LOCATED ON STATE ROAD 1737 IN DUNN TOWNSHIP FROM AGRICULTURAL-RESIDENTIAL TO RURAL 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 August 16, 1993 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:**

the approximately 3/4 acres of land located in Dunn Township on State Road 1737 be rezoned from the Agricultural-Residential District to the Rural Business District and more particularly described as follows:

Not less than 30,000 square feet of a parcel of land fronting State Road 1737 for approximately 233 feet with a depth of approximately 316 feet and further described as Franklin County Tax Parcel J13-00-046A, "Qusell M. Driver property".

**SECTION II** That this ordinance shall become effective upon its adoption.

ADOPTED this the 16th day of August, 1993.

Upon motion by Commissioner Foy, seconded by Commissioner Swanson with all present voting "AYE" duly carried upon the recommendation of the Franklin County Planning Board the following ordinance amending the Franklin County Unified Development Ordinance approved:

**AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (MAP) TO REZONE APPROXIMATELY ONE (1) ACRE LOCATED ON NC 39 IN HAYESVILLE TOWNSHIP FROM AGRICULTURAL-RESIDENTIAL TO CONDITIONAL USE HIGHWAY 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,

**490  
Minutes of meeting of August 16, 1993 --- Continued**

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 August 16, 1993 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 one acre of land located in Hayesville Township on the east side of NC 39 approximately 0.25 miles north of the intersection with State Road 1404, be rezoned from the Agricultural Residential District to the Conditional Use Highway District and more particularly described as follows:

Being approximately 250 feet of frontage along NC 39 with a depth of 140 feet to include all of a 0.75 acre parcel described in Deed Book 705, Page 247, Franklin County Registry, "E. J. Goyette, Jr.", Tax Parcel #H02-00-011A and a 0.25 acre tract, a part of a parcel described in O & D 9, Page 381, Page 381,

Tract #2, "Jospehine H. Exum", Tax Parcel #H02-00-016, and depicted on a survey by Carthorne & Associates for Jospehine H. Exum.

SECTION II That the Conditional Highway Business District uses will be limited to the following:

- Catering establishment
- Florist and gift shop

SECTION III That this ordinance shall become effective upon its adoption.

ADOPTED the 16th day of August, 1993.

Neil Mallory, Executive Director, Kerr-Tar Regional Council of Governments, appeared before the Board regarding contract relative to a City/County Bureau of Investigation and to request authorization for the Regional Council of Governments to apply for a grant to fund continuation of the Child Abuse Response Team.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried approve contract between Franklin County and the Kerr-Tar Regional Council of Governments whereby Franklin County engages the Council of Governments to facilitate the implementation of the City-County Bureau of Investigation for Franklin County --- State grant funds from the North Carolina Department of Crime Control and Public Safety, Office of the Governor's Crime Commission.

Upon motion by Commissioner Wynne, seconded by Commissioner Moss with all present voting "AYE" duly carried authorize the Kerr-Tar Regional Council of Governments to apply for grant to fund a continuation of the Child Abuse Response Team on behalf of Franklin County.

Donnie Rudd, Tax Collector, appeared before the Board relative to the Franklin County Tax Collector's Office collecting taxes for the Town of Bunn.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried approve contract between Franklin County and the Town of Bunn whereby the Franklin County Tax Collector's Office will collect taxes owed to the Town of Bunn.

John Faulkner, Solid Waste Manager, reported on the status of solid waste transfer facility and the solid waste hauling bids.

Consideration of award of contract for the hauling and disposal of solid waste after October 8, 1993, will be considered at a later date - bids received and opened on August 16, 1993.

The bids for construction of the Franklin County Solid Waste Transfer Facility will be opened on Wednesday, August 18, 1993 and the Board of Commissioners will meet in Special Session on Thursday, August 19, 1993 at 7:30 P. M. to consider the award of contract to construct a solid waste transfer facility at the Franklin County Landfill.

Upon motion by Commissioner Moss, seconded by Commissioner Swanson authorize Solid Waste Manager John Faulkner to close the Convenience Center on the Moose Loop Road effective at the end of the lease in September, 1993. Chairman Hardy called for roll call vote and the following votes cast: Commissioner Swanson "AYE", Commissioner Hardy "AYE", Commissioner Wynne "AYE", Commissioner Moss "AYE", and Commissioner Foy "AYE".

The Board discussed a site for the new Franklin County Jail Facility.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried direct County Manager Hodgkins to proceed with plans to erect the new Franklin County Jail Facility on property adjacent to the existing Franklin County Jail; negotiations with property owners to include all property not already owned by Franklin County along Market Street and East Nash Street as far as the Franklin County Museum (old jail building).

Upon motion by Commissioner Foy, seconded by Commissioner Moss with all present voting "AYE" duly carried the following proclamation declaring Hunting & Fishing Day in Franklin County approved:

**PROCLAMATION  
HUNTING AND FISHING DAY  
1993**

Conserving our state's natural and wildlife resources is one of the most important responsibilities we have to this and future generations of North Carolinians. Hunters and anglers were among the first to realize this responsibility almost 100 years ago when they saw how expanding civilization and unregulated exploitation had caused disastrous declines in fish and wildlife populations throughout North Carolina.

**491  
Minutes of meeting of August 16, 1993 --- Continued**

North Carolina hunters and anglers took steps to reverse this trend by helping organize the conservation movement, supporting laws to stop uncontrolled exploitation of wildlife, aiding in establishing game and fish laws and enforcement and management practices. They also suggested and supported laws to establish hunting and fishing license fees and special taxes on hunting and fishing equipment to pay for conservation programs.

In 1992, North Carolina hunters and anglers contributed almost \$25 million to the North Carolina Wildlife Resources Commission for fish and wildlife management programs. The conservation programs supported and financed by North Carolina sportsmen have benefited hundreds of wildlife and fish species from quail, rabbits, deer, wood ducks, geese, wild turkeys, largemouth bass, striped bass and brook trout to otters, alligators, American Bald Eagles, peregrine falcons, brown pelicans and songbirds--fish and wildlife that all North Carolinians can enjoy.

NOW, THEREFORE, the Franklin County Board of Commissioners, do hereby proclaim September 25, 1993 as

"HUNTING AND FISHING DAY"

in Franklin County and urge all our citizens to recognize the roles of these men and women in ensuring the

wise and proper management of our natural resources.

ADOPTED August 16, 1993.

Upon motion by Commissioner Foy, seconded by Commissioner Moss with all present voting "AYE" duly carried the following appointment made to the Franklin County Board of Adjustment:

Jerry Strickland (now serving as alternate) appointed to serve a three-year term as a full member, expiring July, 1996

Upon motion by Commissioner Foy, seconded by Commissioner Swanson with all present voting "AYE" duly carried the following appointment made to the Franklin County Board of Adjustment:

Willie G. Creekmore appointed to serve three-year term as alternate, expiring July, 1996

Upon motion by Commissioner Foy, seconded by Commissioner Swanson with all present voting "AYE" duly carried approve road petition for Addition to State System for Mary Avenue in Stallings Crossing Subdivision and forward to the North Carolina Department of Transportation for evaluation and review.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried approve and authorize Chairman Hardy to execute Contract of Sale and Purchase and Bill of Sale for the transfer of water and sewer facilities located in the Community Development Block Grant area of Howard Harris Road and U. S. 1A to the Town of Franklinton.

Pursuant to and in accordance with G. S. 143-318.11 and upon motion by Commissioner Swanson, seconded by Commissioner Wynne the Board went into executive session to discuss land acquisition. Voting "AYE" Commissioner Swanson, Commissioner Wynne, Commissioner Moss, and Commissioner Hardy. Voting "NO" Commissioner Foy.

The Board reconvened into regular session and the following action taken as a result of the executive session.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson that Franklin County purchase the fortyfour (44) acre tract of land adjacent to the Franklin County Airport at \$3,000 per acre. Voting "AYE" Commissioner Wynne, Commissioner Swanson, Commissioner Moss and Commissioner Hardy. Voting "NO" Commissioner Foy.

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

#### **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, 1994.

Section 1. To amend the General Fund, the expenditures are to be changed as follows:

ACCOUNT	LINE	DECREASE	INCREASE
10-631-0740	Capital Outlay		\$ 2,000.00
10-631-0010	Part-time salaries		6,260.00
10-631-0050	FICA Taxes		480.00

This will result in a net increase of \$8,740.00 in the expenditures of the General Fund. To provide the additional revenue for the above, the following revenues will be increased:

ACCOUNT	LINE	AMOUNT
10-346-0020	State Grants-Aging	\$ 8,740.00

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 16th day of August, 1993.

#### **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, 1994.

Section 1. To amend the General Fund, the expenditures are to be changed as follows:

ACCOUNT	LINE	DECREASE	INCREASE
10-606-0160	Equipment		
Maintenance		\$ 423.00	

This will result in a net increase of \$423.00 in the expenditures of the General Fund. To provide the additional revenue for the above, the following revenues will be increased.

ACCOUNT	LINE	AMOUNT
10-398-0004	Appropriation from Soil & Water Reserve	\$ 423.00

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 16th day of August, 1993.

### BUDGET ORDINANCE

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, 1994.

Section 1. To amend the Special Revenue Fund-Child Abuse Response Team Grant Project, the expenditures are to be changed as follows:

ACCOUNT	LINE	DECREASE	INCREASE
45-610-0020	Personnel Services		\$ 35,246
45-610-0140	Travel		757
45-610-0320	Operating Expenses		3,201
45-610-0450	Contractual Services		4,002

This will result in a net decrease of \$43,206 in the expenditures of the Special Revenue Fund-Child Abuse

Response Team Grant Project to provide the additional revenue for the above, the following revenues will be adjusted:

ACCOUNT	LINE	AMOUNT
45-349-0010	Federal Grant	\$ 32,404
45-399-1000	General Fund Contribution	10,802

Section 2. to amend the General Fund, the expenditures are to be changed as follows:

ACCOUNT	LINE	DECREASE	INCREASE
10-510-0730	Grant Matching Funds-	\$ 10,802	

This will result in a net increase of \$10,802 in the expenditures of the General Fund. To provide the additional revenue for the above, the following revenues will be increased.

ACCOUNT	LINE	AMOUNT
10-399-0000	Fund Balance Appropriated	\$ 10,802

Section 3. 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 16th day of August, 1993.

Upon motion by Commissioner Wynne, seconded by Commissioner Moss with all present voting "AYE" duly carried that resolution adopted at the July 6, 1993 Board meeting be amended as follows to correct fire department names:

### RESOLUTION OF THE FRANKLIN COUNTY BOARD OF COMMISSIONERS ESTABLISHING FIRE INSURANCE DISTRICTS

THAT WHEREAS, the Franklin County Board of Commissioners have determined that it is in the best interest of Franklin County to recognize fire insurance districts for fire protection within portions of Franklin County; and,

WHEREAS, pursuant to the North Carolina Department of Insurance and the Insurance Service Office of North Carolina, these fire insurance districts have been approved:

NOW, THEREFORE, BE IT RESOLVED by the Franklin County Board of Commissioners as follows:

SECTION 1. That there be established eleven (11) separate and distinct fire insurance districts within Franklin County, North Carolina, as is shown on the county map which is attached hereto and incorporated by reference; that the fire insurance districts are as follows: Bunn, Centerville, Epsom, Northwest Franklin, Gold Sand, Justice, Central Franklin, Mitchiners' Crossroads, Pilot Community, White Level and Western Franklin.

SECTION 2. That this resolution shall become effective the 6th day of July, 1993.

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly

Carried the following Change Order Number One for King Electric, Franklin County Airport, approved:

The Contract shall be changed to add Re-Mobilization, Cable Trench, Cable, and Duct quantities associated with the access road extension.

Original Contract Amount	\$ 262,788.80
Change Order Number One	634.64
Adjusted Contract Amount	\$ 262,423.44

## **493**

### **Minutes of meeting of August 16, 1993 --- Continued**

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried the following Change Order Number Two for S. T. Wooten Construction Company, Franklin County Airport approved:

The Contract shall be changed to add quantities for access road extension.

Original Contract Amount	\$ 2,613,738.80
Change Order Number One	(23.00)
Change Order Number Two (55.18)	
Adjusted Contract Amount	\$ 2,613,660.62

Upon motion by Commissioner Foy, seconded by Commissioner Moss with all present voting "AYE" duly carried the following appointment made to the Franklin County Planning Board:

David Brantley --- reappointed to three-year term, expiring September, 1996

There being no further business to come before the Board, adjournment recorded at 10:00 P. M.