

**DECEMBER 6, 1993**

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

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried the minutes of meetings held on November 1 and 16, 1993 approved.

Upon motion by Commissioner Moss, seconded by Commissioner Swanson with all present voting "AYE" duly carried Commissioner Wynne elected to serve as chairman for the ensuing year.

Chairman Wynne then assumed the chairmanship of the meeting.

Upon motion by Commissioner Swanson, seconded by Commissioner Hardy with all present voting "AYE" duly carried Commissioner Moss elected to serve as-vice chairman for the ensuing year.

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 Wynne declared public hearing open at 7:45 P. M. and recognized County Planner Walter Moorman who made comments regarding the following proposed amendments to the Franklin County Unified Development Ordinance:

(1) Amendments to the Franklin County Unified Development Ordinance integrating the watershed protection ordinance standards into the existing standards of the Unified Development Ordinance. Proposed changes will include amendments to the subdivision and zoning standards.

Chairman Wynne called for public comments and no one spoke.

County Planner Moorman then made comments regarding the following request for a Special Use Permit:

(1) Special Use Permit by David F. Cooper for a private airstrip on 64.61 acres on NC 39 in Dunn Township

Chairman Wynne called for public comments and no one spoke.

Chairman Wynne declared public hearing closed at 8:15 P. M.

Upon motion by Commissioner Hardy, seconded by Commissioner Swanson with all present voting "AYE" duly carried upon the recommendation of the Franklin County Planning Board an ordinance entitled "AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (TEXT) IN REFERENCE TO INCLUDING A WATERSHED PROTECTION OVERLAY DISTRICT AND WATERSHED PROTECTION RULES TO THE UNIFIED DEVELOPMENT ORDINANCE" approved.

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 and the following conditions, approve Special Use Permit request by David F. Cooper for a private airstrip on 64.61 acres on NC 39 in Dunn Township:

1) limited to light general aviation (private - no public)

- 2) two (2) private aircraft based at airfield
- 3) no storage of fuels or tanks

Ralph Brown, Chairman, Criminal Justice Needs Committee, appeared before the Board to report on the Committee's recommendations regarding the size and costs of the proposed new jail and court system facilities and a request that the Board of Commissioners reorganize the Criminal Justice Needs Committee to meet the requirements of the County Criminal Justice Partnership Advisory Board as stated in House Bill 281 Section 143B-272.10

The Board of Commissioners stated that these recommendations would be taken under advisement.

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### **Minutes of meeting December 6, 1993 --- Continued**

Glenn Osborne, Director, Department of Social Services, and Angela Harris, Supervisor, JOBS Program, appeared before the Board to request approval of the employment of an additional position, Social Worker II, to work in the JOBS Program.

Upon motion by Commissioner Moss, seconded by Commissioner Swanson with all present voting "AYE" duly carried approve a Social Worker II position at the Department of Social Services to work in the JOBS Program.

Donnie Rudd, Tax Collector, appeared before the Board to request approval of tax releases.

Upon motion by Commissioner Swanson, seconded by Commissioner Hardy with all present voting "AYE" duly carried approve tax releases; list of releases on file in County Manager's Office.

Thomas McBride, Area Mental Health Director, appeared before the Board regarding adoption of resolution authorizing Area Mental Health to hold title to real property.

Upon motion by Commissioner Hardy, seconded by Commissioner Foy with all present voting "AYE" duly carried the following resolution adopted:

### **RESOLUTION**

WHEREAS, North Carolina General Statute 122C-147(c) provides that the authority to hold title to real property and the authority to acquire it may be held by an area mental health authority with the consent of the boards of commissioners of all the counties which comprise the authority and in order to facilitate the effective and efficient delivery of services by the Area Program;

NOW, THEREFORE, BE IT RESOLVED by the Franklin County Board of Commissioners that it does hereby consent to and authorize the acquisition and purchase of real property by the Area Mental Health, Development Disabilities and Substance Abuse Program of Vance, Warren, Granville and Franklin Counties;

BE IT FURTHER RESOLVED by the Franklin County Board of Commissioners that it does hereby consent to and authorize the above-said Area Program to hold title to real property to the full extent authorized by law.

Upon motion by Commissioner Moss, seconded by Commissioner Hardy with all present voting "AYE" duly carried approve the following resolution approving a tax exempt loan to the Youngsville Area Volunteer Fire Department from First Citizens Bank & Trust Company:

"NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Commissioners of Franklin County, North Carolina does hereby approve a tax-exempt loan to the Youngsville Voluntee Fire Department, Inc. from First Citizens Bank & Trust Company in the principal amount of \$316,000.00, which loan is for the following purpose:

1. For the construction of a fire station for the VFD, including the purchase of the underlying real property.

which fire station will be owned and operated by the VFD at the following address:

U. S. Highway 1-A, Youngsville, NC

Upon motion by Commissioner Moss, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following resolution concerning the Albemarle-Pamlico Estuarine Study adopted:

**A RESOLUTION SUPPORTING THE GOALS OF THE  
ALBEMARLE-PAMLICO ESTUARINE STUDY**

WHEREAS, the development of the coastal areas of North Carolina is linked to the quality of the coastal environment; and,

WHEREAS, environmental programs and regulations affect the processes of development in the coastal area;

NOW, THEREFORE, BE IT RESOLVED that the Franklin County Board of Commissioners wishes to encourage the State of North Carolina to work demonstrably toward the goals of the Albemarle-Pamlico Estuarine Study in a manner that respects reasonably and much-needed economic development efforts in our region. These goals are:

Goal 1. Restore, maintain or enhance water quality in the Albermarle-Pamlico region so that it can be fit for fish, wildlife and recreation.

Goal 2. Conserve and protect vital fish and wildlife habitats and maintain the natural heritage of the Albemarle-Pamlico region.

Goal 3. Restore or maintain fisheries and provide for their long-term sustainable use, both commercial and recreational.

Goal 4. Promote responsible stewardship of the natural resources of the Albermarle-Pamlico region at the local and individual level.

Goal 5. Implement the Comprehensive Conservation and Management Plan in a way that generates the greatest level of environmental quality while using the most cost-effective and equitable strategies.

ADOPTED this the 6th day of December, 1993.

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**Minutes of the meeting of December 6 1993 --- Continued**

Consideration of a plan for distribution of county funds to support recreation activities tabled until after Commissioners' retreat in Janaury, 1994.

Upon motion by Commissioner Moss, seconded by Commissioner Hardy with all present voting "AYE" duly carried proceed with renovations at the old Agricultural Building, 307 East Nash Street, Louisburg, NC, to provide additional office space to establish a Judicial District office and allow expansion of

probation and parole services and authorize County Manager Hodgkins to negotiate a lease agreement with the State of North Carolina for this office space.

Upon motion by Commissioner Swanson, seconded by Commissioner Hardy with all present voting "AYE" duly carried execute a new Human Services Building lease purchase contract with First Citizens Bank to reflect a negotiated reduction in interest rate from 6.94% to 4.5%.

Upon motion by Commissioner Hardy, seconded by Commissioner Swanson with all present voting "AYE" duly carried Commissioner Moss to remain on the Kerr Area Transportation Authority Board of Directors as the Board of Commissioners' representative.

Upon motion by Commissioner Swanson, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following appointments made to the various boards and commissions:

ECONOMIC DEVELOPMENT COMMISSION

B. B. Pruitt  
Robert Luddy

Reappointments - Three-Year Terms November, 1993 - November, 1996

DEPARTMENT OF AGING ADVISORY BOARD

Hazel Collier  
Eldora Perry

Reappointments - Three-Year Terms November, 1993 - November, 1996

Lissie Williams  
David Crumpler

Appointments - Three-Year Terms - November, 1993 - November, 1996

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Jackie Stallings

Reappointment - Three-Year Term - December, 1993 - December, 1996

DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEE

Shelby Laughter  
Mary Louise Hill

Reappointments - Three-Year Terms - December, 1993 - December, 1996

Upon motion by Commissioner Hardy, 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 Public Assistance Fund, the expenditures are to be changed as follows:

ACCOUNT	LINE	DECREASE	INCREASE
40-615-0191	Elderly & Handicap Transportation		\$ 892
40-660-3191	Chore Services		926
40-660-5190	Crisis Services		8,431

This will result in a net increase of \$10,249 in the expenditures of the Public Assistance Fund. To provide the additional revenue for the above, the following revenues will be increased:

ACCOUNT	LINE	AMOUNT
40-335-0000	CP&L Project Share Funds	\$ 2,641
40-348-0000	State Funds	1,818
40-349-0000	Federal Funds	5,790

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 6th day of December, 1993.

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### Minutes of the meeting of December 6, 1993 --- Continued

#### 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	INCRE
ASE			
10-506-0596	CBA Funds-County Match		\$ 442
10-506-0121	Interim Jail Project		110,000
10-506-0652	Farmer's Market Improvements		1,500
10-506-0691	Cadastral Mapping Project		160,000
10-506-0692	Water System Improvements		20,000
10-506-0973	Land Purchases		1,000

This will result in a net increase of \$292,942 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	\$ 292,942

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 6th day of December, 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	IN
CREASE			
Health Department:			

10-595-0020	Salaries		\$ 15,750
10-595-0050	FICA		
Taxes		1,189	
10-595-0060	Hospitalization		1,076
10-595-0070	Retirement		786
Social Services			
10-610-0020	Salaries		43,045
10-610-0050	FICA		
Taxes		3,255	
10-610-0060	Hospitalization		2,307
10-610-0070	Retirement		1,551
10-610-0330	Department		
Materials		37,182	

This will result in a net increase of \$106,141 in the expenditures of the General Fund. To provide the additional revenue for the above, the following revenues will be increased:

ACCOUNT	LINE	AMOUNT
10-348-0000	State-Social Services	\$ 39,288
10-349-0000	Federal-Social Services	48,052
10-348-0035	State-Child Health	7,500
10-335-0082	Maternal Health Fees	11,301

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 6th day of December, 1993.

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

The Board reconvened into regular session and chairman Wynne stated no action necessary as a result of the executive session.

Upon motion by Commissioner Hardy, seconded by Commissioner Moss with all present voting "AYE" duly carried the following resolution adopted:

**RESOLUTION OF INTENT TO INCUR DEBT IN AN AMOUNT NOT TO EXCEED \$10,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION, RENOVATION AND EQUIPPING OF NEW AND EXISTING SCHOOL FACILITIES**

WHEREAS, the Board of Commissioners of Franklin County (the Board), together with the Franklin County Board of Education and the Franklinton City Board of Education, has decided to pursue the financing of the acquisition, construction, renovation, and equipping of a new and existing school facilities (the Facilities) 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 Facilities will not exceed \$10,000,000 and

WHEREAS, the County intends to make certain capital expenditures relating to the acquisition, construction, renovation and equipping of the Facilities 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 December 6, 1993, do the following:

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### **Minutes of meeting of December 6, 1993 --- Continued**

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

2. The County hereby declares that it reasonably expects to make certain capital expenditures for the acquisition, construction, renovation and equipping of new and existing school facilities, 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. 1.10318 (f) (1).
2. This resolution shall take effect immediately.

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried the following resolution adopted:

### **RESOLUTION OF INTENT TO INCUR DEBT IN AN AMOUNT NOT TO EXCEED \$2,000,000 FOR THE PURPOSE OF FINANCING THE RENOVATION OF AN EXISTING FACILITY FOR COURTROOM AND ANCILLARY PURPOSES**

WHEREAS, the Board of Commissioners of Franklin County (the Board) has decided to pursue the financing of the renovation and equipping of an existing building to be used for courtroom and ancillary purposes (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 \$2,000,000; and,

WHEREAS, the county intends to make certain capital expenditures relating to the renovation 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 December 6, 1993, 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 expenditures for the renovation and equipping of an existing building for courtroom and other purposes, and to reimburse such expenditures out of the proceeds of the Installment Debt, up to a maximum amount of \$2,000,000. 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 Moss, seconded by Commissioner Hardy with all present voting "AYE" duly carried approve the extension of contract between Franklin County and Holden, Moss, Knott, Clark & Taylor to audit accounts until January 31, 1994.

Upon motion by Commissioner Hardy, seconded by Commissioner Moss with all present voting "AYE" duly carried that the Board of Commissioners' meeting scheduled for December 20, 1993 be cancelled.

Upon motion by Commissioner Moss, seconded by Commissioner Hardy with all present voting "AYE" duly carried that the Long-Range Utility Committee be reactivated to continue study of the water needs in Franklin County and that a member of the Franklin County Economic Development Commission be added as a member of the committee contingent upon approval of that member by the Board of Commissioners.

Chairman Wynne recessed meeting until December 15, 1993 at 3:30 P. M. at the Institute of Government in Chapel Hill.