

JANUARY 18, 1994

The Board of Commissioners of Franklin County, North Carolina reconvened meeting recessed from January 17, 1994 at 7:30 P. M. in the Superior Courtroom of the Franklin County Courthouse with the following Commissioners present: Chairman George T. Wynne, Vice Chairman George T. Moss, Jr., Commissioner Harry L. Foy, Jr., Commissioner James G. Hardy and Commissioner Robert L. Swanson.

Chairman Wynne presented service pins to the following county employees:

FIVE (5) YEARS

Sheila Thomas, Tax Assessor
Martha L. Mobley, Cooperative Extension
Tammy D. Kelly, Cooperative Extension
Janet VanJaarsveld, Cooperative Extension
Michael Collins, Maintenance
Dallas McGhee, Sheriff
Alton Leonard, Health
Keith Patton, Health
Eileen Stevens, Health
Dawn Davis, Health
Clara Collie, Department of Social Services

TEN (10) YEARS

Tammy Harris, Health
Frances Hill, Social Services
Janice Southerland, Social Services
Pat Green, Sheriff
Becky Griffin, Tax Assessor

FIFTEEN (15) YEARS

Terri Land, Social Services
Clara House, Health
James Satterwhite, Sheriff
Jeanette Foster, Tax Assessor
James Egerton, Cooperative Extension

TWENTY (20) YEARS

Daniel House, Landfill

THIRTY (30) YEARS

Kay Hunt, Register of Deeds

Chairman Wynne declared public hearing open at 7:45 P. M. to receive comments on recommendations from the Franklin County Planning Board that was continued from meeting on January 17, 1994 and recognized County Planner Walter Moorman who made comments on the following items:

- 1) Request by Thomas R. Ballance to rezone 1 acre on NC 98 in Dunn Township from Heavy Industrial to Agricultural-Residential

Chairman Wynne called for public comments and no one spoke.

- 2) Request by Dallas Wayne Bunn, David P. Brantley, and Christopher Murray to rezone 1.94 acres at lake Royale (Lot 3080) from Agricultural-Residential to Conditional Highway Business

Minutes of meeting of January 18, 1994 --- Continued

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

Arthur D. Alexander, Lake Royale
Chairman of Lake Royale Property Owners Association

requested approval - referenced restaurant need and tax base enhancement

Chris Murray, Clayton, NC
Petitioner - Board Member of Lake Royale Property Owners Association

requested approval - map posted in sales office shows this parcel as commercial

Steve Lee Johnson, 440 Sagamore Road, Lake Royale

requested petition be denied -residential behind and across from property
property use proposed would probably fail

Bill Johnson, Lake Royale

requested petition be denied - all adjacent property owners should have been notified

County Planner Walter Moorman stated that Planning Office has list to verify that all adjacent property owners were notified Chairman Wynne declared public hearing closed at 8:30 P. M.

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 1.94 ACRES LOCATED ON STATE ROAD 1611 AND SACRED FIRE ROAD IN
CYPRESS CREEK TOWNSHIP FROM AGRICULTURAL/RESIDENTIAL TO
CONDITIONAL 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,

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 January 18, 1994 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 1.94 acres of land -located in Cypress Creek Township on the south side of State Road 1611 (Sledge Road), be rezoned from Agricultural -Residential to Conditional Highway Business and more particularly described as follows:

Being all of "Commercial" Lot 3080, "Lake Royale Map 16 of 20, Sheet 2 of 10" as recorded in the Franklin County Registry, Franklin County Courthouse, Louisburg, North Carolina.

SECTION II: That the property is subject to site development requirements as shown on a site plan on file in the Planning & Development Department and limited to the following uses:

- Apparel sales
- Assembly halls, coliseums, gymnasiums and similar structures
- Banks
- Beauty and barber shops
- Blueprinting & photostating establishments
- Building supply sales

- Catering establishments
- Department Stores
- Drugstores
- Dry cleaners and launderies
- Electric appliance sales and services
- Florist and gift shops
- Food and grocery stores
- Furniture stores
- Hardware stores
- Mini-storage facilities
- Jewelry sales and watch repair
- Office for business, professional, and personal services
- Public buildings and uses
- Restaurants
- Shoe sales and repair
- Signs in accordance with Article VI
- Retail plant nurseries/lawn and garden stores

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

ADOPTED this the 18th day of January, 1994.

518

Minutes of meeting of January 18, 1994 --- Continued

Upon motion by Commissioner Swanson, seconded by Commissioner Foy 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 MENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (MAP)
TO REZONE
ONE (1) ACRE LOCATED ON N. C. 98 IN DUNN TOWNSHIP FROM
HEAVY INDUSTRIAL TO AGRICULTURAL-RESIDENTIAL 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 January 17, 1994 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 (1) acre of land located in Dunn Township on the north side of N. C. 39 approximately 716 feet northwest of the intersection with State Road 1611 (Sledge Road), be rezoned from the Heavy Industrial District to the Agricultural-Residential District and more particularly described as follows:

To reach the point of beginning, an existing iron pipe in the northern right-of-way margin of N. C. 98 (a 60 feet right-of-way), traverse 716.87 feet N 74° 13' 55"W of a nail set in the centerline intersection of N. C. 98 and N. C. State Road 1611 (Sledge Road); and thence from the point of beginning 255.97 feet N 0105710011 E along the common property line between the Ann Ballance property and the Shoffner Industries, Inc. property to a new iron pipe; thence 175 feet N 74° 33' 15"W along a new property line

dividing the Shoffner Industries, Inc. property to a new iron pipe; thence 255.97 feet S 01057100" W along a new property line dividing the Shoffner Industries, Inc. property to a new iron pipe in the northern margin of N. C. 98; thence continuing the same line 31.10 feet S 01057100" W to a nail in the centerline 175.11 feet S 74° 23' 50"E to a nail in the centerline; thence 31.59 feet N 01° 57' 00"E to the point of beginning; and being approximately one (1) acre of land subject to all easements and right-of-ways.

SECTION II That the property is subject to access and buffer requirements as shown in the rezoning site plan -on file in the Planning and Development Department.

SECTION III That this ordinance shall become effective upon its adoption.
ADOPTED this the 18th day of January, 1994.

Chairman Wynne declared public hearing open at 8:35 P. M. to receive citizen input on a proposal to utilize an installment-purchase agreement to acquire the former Seaboard Hardware Store on Main Street, Louisburg, NC at a price of \$225,000 for the purpose of renovating said location for court and administrative uses that was continued from meeting on January 17, 1994 and recognized County Manager David Hodgkins who made comments regarding this proposal.

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

Ralph Knott, Franklin County Clerk of Court, reminded the Commissioners that courtrooms are severely overcrowded when court is in session and that court related offices and storage areas were insufficient for current work loads.

Norman Young, Assistant District Attorney, Nineth Judicial District, stated that there had been a tremendous increase in court cases the last few years and that courthouse overcrowding had created a hazardous situation for everyone in the courthouse.

Joanne Finch, Victim-Witness Assistant, District Attorney's Office, Franklin County, stated that current facilities did not allow space for private meetings with victims of crime nor proper physical separation of victim and victim's family from defendant and defendant's family.

Grady Macon of Youngsville, NC, asked questions related to the cost of the proposed building, cost of renovation for the desired use and the interest rate on the installment purchase.

Chairman Wynne declared public hearing closed at 8:50 P. M.

Upon motion by Commissioner Hardy, seconded by Commissioner Swanson, voting "AYE", Commissioner Hardy, Commissioner Swanson, Commissioner Moss and Commissioner Wynne; voting "NO", Commissioner Foy, the following resolution authorizing the filing of an application for approval of an installment-purchase agreement for acquisition of the former Seaboard Hardware Store for renovation for court and administrative uses:

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20

WHEREAS, the County of Franklin, North Carolina desires to purchase and renovate an existing 14,382 square foot building located in downtown Louisburg in order to expand its existing Courtroom facilities and ancillary offices in order to better serve the citizens of Franklin County; and,

WHEREAS, the subject building is adjacent to the existing Courthouse and is structurally sound and well suited for renovation and utilization for a District Courtroom annex and ancillary offices; and,

Minutes of meeting of January 18, 1994 --- Continued

WHEREAS, there are no other buildings for Courtroom facilities available or reasonably suited for renovation and the terms of the sale of this building are under an installment financing arrangement only; and,

WHEREAS, the terms of the financing required of the seller are \$202,500.00 at 5.5% per annum for nine years beginning October 1 , 1994, after payment of \$22,500.00 on April 1, 1994 at closing and with interim interest at 5.5% from April 1 , 1994 through October 1, 1994, said interest being calculated at \$5,645.03; and,

WHEREAS, the County of Franklin desires to finance the purchase of the building (the "Project") by use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20;

and, WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Franklin County, North Carolina, meeting in regular session on the 18th day of January, 1994, make the following findings of fact:

1. That Franklin County is in dire need of expansion of its Court facilities to such an extent that a fire hazard exists and prompt, efficient operation is impaired.
2. The proposed contract is necessary because the seller has required that the purchase of the building occur utilizing an installment contract over the term of 9 years and there are no other existing buildings available or structurally sound enough to meet the current needs of the County.
3. The building is extremely well-suited for renovation, is directly adjacent to the existing Courthouse, and is large enough to meet the County's general expansion needs for its Courtroom and ancillary offices.
4. The proposed contract is preferable to a bond issue for the same purpose because this method of financing is expedient, involves a low principle amount to be financed and is structured at an interest rate comparable to that available through a certificate of participation or other financing alternative.
5. The sums to fall due under the contract are adequate and are not excessive for the proposed purpose because the appraisal for the building falls within reasonable limits of that being paid under the terms of the installment financing agreement.
6. The County of Franklin's debt management procedures and policies are good because other financing experiences carried out by Franklin County have been carried out in strict compliance with the law and the Board of Commissioners provided assurances that the debt management policies will hence forth be so carried out.
7. That there presently are revenue sources available and adequate to meet the debt service requirements being proposed and the proposed undertaking is necessary and expedient and not excessive.
8. The County of Franklin is not in default in any of its debt service obligations.
9. The attorney for the County of Franklin has rendered an opinion that the proposed project is authorized by law and is a purpose for which public funds may be expended pursuant to the constitution and laws of North Carolina.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the County Manager is hereby authorized to act on behalf of the County of Franklin in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with the resolution.

This resolution is effective upon its adoption this 18 day of January, 1994.

The motion to adopt this resolution was made by Commissioner James G. Hardy, seconded by Commissioner Robert L. Swanson and passed by a vote of 4 to 1.

Eddie Dick and Billy Williams, Waste Industries, Inc., appeared before the Board to request that a new contract with Waste Industries for operation of solid waste convenience centers and collection and transportation of solid waste from convenience sites to the Franklin County Landfill be approved for a term of five years.

Upon motion by Commissioner Swanson, seconded by Commissioner Hardy, voting "AYE" Commissioner Swanson, Commissioner Hardy, Commissioner Moss and Commissioner Wynne; ----- approve five-year contract between Franklin County and Waste Industries, Inc. for operation of solid waste convenience centers and collection and transportation of solid waste from convenience sites to the Franklin County Landfill subject to the following contract language recommended by County Attorney Darnell Batton: Commissioner Foy voting "NO"

Paragraph II:

add after last sentence "IN addition, Company will add County as an additional insured under its general liability coverage and furnish County with notice that said coverage has been provided and notice at such times as policies are amended or cancelled or changed that otherwise affect County's insured status."

Paragraph V:

add section 117. Company further agrees to indemnify County and hold County harmless against all liability, including costs and attorney fees, for all actions brought against County which result from acts or omissions by officers, agents or employees of Company; however, no such indemnification shall result where actions are brought against County solely by reason of negligence on the part of the employees of County.

Glenn Osborne, Director of Department of Social Services, and Ella Wilson, Social Services Board, appeared before the Board to discuss and request approval of resolution regarding National Welfare Reform.

Upon motion by Commissioner Moss, seconded by Commissioner Foy with all present voting "AYE" duly carried the following resolution regarding National Welfare Reform adopted:

520

Minutes of meeting of January 18, 1994 --- Continued

**JOINT RESOLUTION
FRANKLIN COUNTY BOARD OF SOCIAL SERVICES
AND
FRANKLIN COUNTY BOARD OF COMMISSIONERS
REGARDING**

NATIONAL WELFARE REFORM

WHEREAS, our current welfare system has reached a crisis point as bureaucratic regulations have become an administrative nightmare at the local level and the system provides little hope for betterment for those who receive services; and,

WHEREAS, our present welfare system does not offer incentives and opportunities for families to genuinely better their standard of living by going to work; and,

WHEREAS, our present welfare system does not promote basic American values such as: 1) it is more beneficial to work than not, 2) that an opportunity for betterment exists for all who want to work, and 3) that families should stay together, if possible, and not be pulled apart by the system; and,

WHEREAS, our current welfare system through the multitude of Federal and State agencies administering the programs, superimposes an elaborate bureaucratic process of steps and procedures on local departments of Social Services that differs from program to program; and,

WHEREAS, the welfare system itself is archaic in the sense that there is no effective automated system in place to make the system more efficient; and,

WHEREAS, the cost of administering the programs as well as the assistance itself has increased tremendously over the past ten years;

NOW, THEREFORE, on behalf of the citizens of Franklin County, the Franklin County Board of Social Services

resolves to:

1. Advocate for the total scrapping of the present welfare system and the development of a new more efficient and streamlined system such as a national family self-sufficiency system.
2. That the new national family self-sufficiency system combine all current programs, Food Stamps, Aid to Families with Dependent Children, Medicaid, Low Income Energy Assistance, housing assistance programs, Social Security Disability and assistance programs for the blind and disabled, into a single comprehensive program with the goal of moving participants toward self-sufficiency and off of assistance.
3. That the new self-sufficiency system offers incentives and opportunities for individuals to better their family's standard of living through going to work by: insuring health care coverage and child care for poor working parents and their children, counting net income in eligibility calculations rather than gross income and raising the eligibility requirements to include the working poor.
4. That the new self-sufficiency system promote basic American values such as: 1) that families should stay together if at all possible, 2) that work does pay and is rewarding, 3) that an opportunity exists for all who want to work, 4) that parents have a fundamental responsibility to nurture and financially support their minor children and 5) that persons should not choose to convey children if they do not have the basic means to support them.
5. That the new self-sufficiency system encourages and assists the private sector to hire the welfare recipient at a wage sufficient to move the family off welfare and out of poverty.
6. That the new self-sufficiency system incorporates new automated processes for eligibility determination and for benefit processing (such as replacing welfare checks and food stamps with a new electronic benefit transfer (EBT) system that utilizes an automated ID card).
7. That the new self-sufficiency system be administered by one single department at both the state and federal levels rather than several different departments (that agencies providing the same type of services to different populations be combined for simplification purposes).
8. That both able bodied persons and disabled persons be evaluated as a contingency for receiving assistance as to their ability to work and that those persons determined able to work be required to work in either the public or private sector for the number of hours equivalent to the amount of assistance they are receiving.

9. That all participants be afforded the opportunity for assistance with education and training that will enhance their employability and that this be provided through an expansion of the Job Opportunities and Basic Skills Program (JOBS).
 10. That improvements be made to the child support program nationally such that absent parents either support their children or suffer the consequences of working in productive "boot camps" that provide services to their local communities.
 11. Require that children, ages 16-18, in households receiving assistance, be involved in school to the degree of maintaining passing grades.
 12. Require that paternity be established, except in cases of good cause, prior to the a program participant receiving assistance if there are minor children in the household.
 13. Require that children in the household receive appropriate immunizations as a contingency for receiving assistance.
 14. Require that participants unable to work because of a substance abuse problem be enrolled and actively participate in a substance abuse treatment program as a contingency for receiving assistance.
- ADOPTED BY UNANIMOUS VOTE THIS 21St DAY OF DECEMBER, 1993.

521

Minutes of meeting of January 18, 1994 --- Continued

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried the Board approved an amended Franklin County Personnel Policy.

Upon motion by Commissioner Hardy, seconded by Commissioner Moss with all present voting "AYE" duly carried approve an additional EMT-I position at Pay Grade 63, Annual Salary Range \$17,594-\$19,306 for the Franklin County Emergency Medical Services Department.

The following bids received for repairs to the Franklin County Emergency Medical Services Building:

STEEL DYNAMICS

\$840.00 - remove & replace front glass entrance door
\$837.00 - install (personnel door)
\$901.00 - provide & install (slide window)

BALL CONSTRUCTION

\$625.00 - install (personnel door)
\$425.00 - remove & replace front glass entrance door
\$385.00 - provide & install (slide window)

Upon motion by Commissioner Foy, seconded by Commissioner Moss with all present voting "AYE" duly carried award contract for repairs to the Franklin County Emergency Medical Services Building to Ball Construction at a total cost of \$1,435.00

Consideration of request for approval for the purchase of two vehicles for the Franklin County Health d Department died for lack of a motion.

Upon motion by Commissioner Hardy, seconded by Commissioner Swanson with all present voting "AYE" duly carried request that the Franklin County Leadership Committee study the issue of county funding/participation in recreation activities and make a recommendation to the Board of Commissioners by April 30, 1994 as to how money set aside for recreation in the county budget should be used.

Upon motion by Commissioner Foy, seconded by Commissioner Hardy with all present voting "AYE" duly carried approve a revised payment schedule for the E-911 installment purchase contract with First Citizens Bank to reflect a negotiated reduction in interest rate from 5.19% to 3.84%.

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried the following appointments made to the Region K Emergency Medical Services Advisory Council:

- Government
 - George T. Wynne
- Pail Provider
 - Angie Calliahn
- Volunteer Provider
 - Randy Likens
- Hospital
 - Helen Gilliam
- Medical
 - Cecila Boone
- Consumer
 - Harold Griffin

Upon motion by Commissioner Foy, seconded by Commissioner Hardy with all present voting "AYE" duly carried approve the following Change Order Number M-1-Terminal Building for Franklin County Airport with Glamor Heat of NC, Inc.:

The original Contract Sum	\$ 17,400.00
The Contract Sum prior to this Change Order	17,400.00
The Contract Sum decreased by Change Order in the amount of	1,315.00)
The new Contract Sum including this Change Order will be	16,085.00

1. Allowance not used in contract Decrease (\$1,500.00)
2. Relocate grilles from roof to soffit Add \$ 185.00

TOTAL CHANGE ORDER DEDUCT (\$1,315.00)

Upon motion by Commissioner Hardy, seconded by Commissioner Moss 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 Statute 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
10-681-0330	Department Materials	\$ 1,600)
10-681-0040	Professional Services	\$ 8,888)

This will result in a net decrease of \$10,488 in the expenditures of the General Fund. The following revenues will be adjusted to account for the change in expenditures:

ACCOUNT	LINE	AMOUNT
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10-348-0900 State-Dept. of Public Instruction \$10,488)
 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 18th day of January, 1994.

522

Minutes of meeting of January 18, 1994 --- 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 b 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	INC
REASE			
40-615-0191	Elderly & Handicap		
Transportation		\$ 1,987	

This will result in a net increase of \$1,987 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
40-348-0000	State E&HTAP Funds	\$ 1,987

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 18th day of January, 1994.

County Manager Hodgkins announced Franklin County Chamber of Commerce Banquet to be held Friday, January 21, 1994 at Louisburg College. Copies of resolution from Franklinton Town Board regarding funding priorities for Franklin Water & Sewer Authority was distributed to the Board.

Upon motion by Commissioner Hardy, seconded by Commissioner Swanson with all present voting "AYE" duly carried the following work sessions/meeting topics set:

January 25, 1994 - 6:00 P. M. - Franklin County Interim School Board - Murphy House Restaurant

February 7, 1994 - Regular meeting Board of Commissioners - make decision on jail site

February 8, 1994 - 7:00 P.M. - 10:00 P. M. - Work session to discuss water & sewer issues - County Office Building

Commissioner Moss announced Franklin County Local Government Association meeting for January 25, 1994 at 7:30 P. M. in the Louisburg Police Training Center.

There being no further business to come before the Board, adjournment recorded at 11:20 P.M.