

OCTOBER 21, 1994

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

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

Chairman Wynne declared public hearing open at 7:30 P. M. and recognized County Planner Walter Moorman who made comments regarding request by E. Ray Cardwell to rezone 19.06 acres on SR1414 in Louisburg Township.

Chairman Wynne called for public comments and no one spoke.

Chairman Wynne declared public hearing closed at 7:35 P. M.

Upon motion by Commissioner Foy, seconded by Commissioner Hardy with all present voting "AYE" duly carried that the following resolution amending the Franklin County Unified Development Ordinance approved:

**AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE
(MAP)
TO REZONE 19.06 ACRES LOCATED ON STATE ROAD 1414 IN LOUISBURG TOWNSHIP FROM
TO HEAVY INDUSTRIAL CONDITIONAL USE 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 October 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 approx i mate 1 y 19.06 acres of land located in Louisburg Township on State Road 1414 be rezoned

From the Agricultural-Residential District to the Heavy Industrial Conditional Use District and being all the land as described in Franklin County Tax Records (Tax Map 14, Parcels 18A & 49).

SECTION II

That the Heavy Industrial Conditional Use District (HI-CU) uses will be limited to the following:

Signs in compliance with Article

VII Farm

machinery assembly and repair

Heavy equipment manufacturing

Industrial supplies and equipment services

Machine welding shops

Metal fabrication facilities

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

ADOPTED this the 17th day of October, 1994.

The Chairman stated that a Notice of Hearing had been published on October 5, 1994, in THE FRANKLIN TIMES, and that the Board of Commissioners of the County of Franklin, North Carolina (the "Board") would hold a public hearing on the question of the county's proposed installment financing for (i) the construction, renovation, installation and equipping of certain elementary and secondary schools known as Franklin High School, Bunn High School, Louisburg Elementary School and Louisburg High School ("collectively, the "Schools") and (ii) the construction, renovation, installation and equipping of the Courthouse Annex, (the Schools and the Courthouse Annex are sometimes collectively referred to herein as the "Facilities").

At 7:40 P. M., the Chairman declared the public hearing open and announced the Board would hear anyone who wished to be heard on the proposed financing. The names and addresses of the persons who were present, summaries of their oral comments and copies of their written comments are attached as Exhibit "A" hereto.

After the Board had heard all persons who requested to be heard, the public hearing was closed.

The Chairman then asked the Board to consider and take action on a resolution approving the proposed installment financing subject to further action of the Board.

Commissioner Wynne introduced the following resolution which was discussed and its title was read:

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

WHEREAS, the Board has decided to pursue the financing of the construction, renovation, installation and equipping of certain elementary and secondary schools known as Franklinton High School, Bunn High School, Louisburg Elementary School, and Louisburg High School; and the construction, renovation, installation, and equipping of the Courthouse Annex (the "Facilities") pursuant to an installment financing agreement (the "Agreement") which will provide the County up to \$13,100,000 for the Facilities in accordance with North Carolina General Statutes Section 160A-20; and,

WHEREAS, financing pursuant to North Carolina General Statutes Section 160A-20 must be approved by the North Carolina Local Government Commission (the "LGC") and will only be approved if the findings of North Carolina General Statutes Section 159-151(b) are met.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Franklin County, North Carolina, meeting in regular session on the 17th day of October, 1994, make the following findings of fact:

1. The proposed Agreement is necessary and expedient because of serious overcrowding in the existing courthouse and in the schools.
2. The proposed Agreement is preferable to a general obligation bond financing because general obligation bond authorization could not be obtained in a timely manner and would not permit the alternative financing structures and repayment provisions available with the proposed negotiated Agreement. The County's two-thirds capacity is not sufficient to fund the construction, renovation, installation, and equipping of the Facilities. The proposed undertaking greatly exceeds the amount that can be prudently raised from currently available appropriations. The Agreement is therefore the only viable and efficient alternative.
3. The sums to fall due under the Agreement are adequate and not excessive for the stated purposes of constructing, renovating, installing and equipping the Facilities.
4. The County's debt management procedures and policies are good and have been carried out in strict compliance with law and will henceforth be so carried out.
5. The County anticipates that no tax increases will be necessary pursuant to the agreement.
6. The County is not in default in any of its debt service obligations.
7. The attorney for the County has rendered an opinion that the proposed Facilities are authorized by law and are a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

NOW, THEREFORE, BE IT RESOLVED that the County Manager is hereby authorized and directed to make application to the LGC in connection with the construction, renovation, installation, and equipping of the Facilities and the financing therefore and the proposed financing agreement and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 17th day of October, 1994.

Commissioner Hardy moved the passage of the foregoing resolution and Commissioner Moss seconded the motion and the resolution was passed by the following vote:

AYES: Commissioners Hardy, Moss and Wynne

NAYS: Commissioner Foy

NOT VOTING: None

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Commissioner Foy stated that he was in favor of financing the proposed schools project, but was against the financing of the proposed courthouse annex project.

EXHIBIT "A"

Grady Macon
Route 1, Box 150A
Youngsville, NC 27596

- had questions regarding amount of financing to be used for schools, courthouse annex and contingency

Delton Nelms appeared before the Board to report on the Edward Best and Laural Mill recreation programs. He stated that approximately \$2,112 had been spent on programs and that approximately 290 people had participated. He indicated that they had had a very successful program thus far.

Angie Callihan, Director of the Emergency Medical Services and Johnny Hight, President, Franklin County Firemen's Association, appeared before the Board to make presentation regarding the Franklin County Firemen's desire to purchase a Fire Safety House for use by all fire departments in the county to increase the awareness of fire safety in the home. Mr. Hight advised that the Firemen's Association had raised some funds, but were requesting assistance from the county to help with the purchase of this Fire Safety House. The Board instructed the Firemen's Association to pursue all options regarding raising enough funds for this house and report back to the Board in December if additional funds were still needed.

Bob Heuts, Economic Development Director, appeared before the Board regarding contract for additional cleanup and repair for the Franklin County Airport.

The following bids received for the cleanup and repair work at the Franklin County Airport:

Charlie Miller Backhoe & Hauling, Youngsville, NC	\$ 11,700.00
Mr. Landscape, Louisburg, NC	\$ 32,300

Upon motion by Commissioner Moss, seconded by Commissioner Hardy with all present voting "AYE" duly carried that contract for cleanup and repair at the Franklin County Airport be awarded to Charlie Miller Backhoe and Hauling, Youngsville, NC, at a cost of \$ 11,700.00

Mr. Heuts also requested that contact be awarded for construction of sewer system improvements.

The following bids received for construction of sewer system improvements:

Billings & Garrett	\$ 245,294.10
Pipeline Utilities	299,990.00
Central Builders	333,446.00

Upon motion by Commissioner Hardy, seconded by Commissioner Moss with all present voting "AYE" duly carried the following resolution regarding contract for sewer system improvements adopted:

A RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR SEWER SYSTEM IMPROVEMENTS

WHEREAS, Franklin County received bids on October 11, 1994 at 2:00 P. M. for construction of Sewer System Improvements; and,

WHEREAS, a recommendation on contact award has been received from the project design firm of Hayes, Seay, Mattern & Mattern, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Franklin County Board of Commissioners that the contract for construction of the Sewer System Improvements be awarded to Billings & Garrett, Inc. in the amount of \$245,295.10 subject to Farmers Home Administration approval.

ADOPTED this the 17th day of October, 1994.

Upon motion by Commissioner Moss, seconded by Commissioner Hardy with all present voting "AYE" duly carried that the Board of Commissioners endorse and support the Franklin County Economic Development Commission's decision to join the Research Triangle Regional Partnership for promotion and economic development activities for Franklin County.

John Faulkner, Solid Waste Manager, appeared before the Board regarding the proposed Administrative Agreement on Consent for ground water monitoring at the Franklin County Landfill.

Upon motion by Commissioner Hardy, seconded by Commissioner Moss with all present voting "AYE" duly carried that Franklin County enter into an Administrative Agreement on Consent with the North Carolina Department of Environment, Health & Natural Resources, Division of Solid Waste Management, for ground water monitoring at the Franklin County Landfill.

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The following bids received for the Franklin County Chase Vehicle for use by the Emergency Medical Services:

Griffin Ford Mercury, Louisburg, NC	\$ 20,861.32
Bobby Murray Chevrolet, Inc., Raleigh, NC	\$ 24,156.12

Upon motion by Commissioner Hardy, seconded by Commissioner Swanson with all present voting "AYE" duly carried award contract for purchase of a Chase Vehicle for use by the Franklin County Emergency Medical Services to Bobby Murray Chevrolet, Inc., Raleigh, NC at a cost of \$24,156.12.

Upon motion by Commissioner Moss, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following budget amendment approved:

BUDGET ORDINANCE A14ENDMENT

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, 1995. Section 1. To amend the General Fund to provide necessary funding to establish a Criminal Justice Partnership Program with Kerr-Tar Regional Council of Governments. The county's cost will be \$2,000.00 and \$6,000.00 will be received from the Department of Correction.

Expenditures Account #	Description	Appropriation
47-500-0110	Telephone & Postage	\$ 300.00
47-500-0140	Travel	600.00
47-500-0300	Advertising	200.00
47-500-0320	Office Supplies	200.00
47-500-0450	Contracted Services	6,700.00
	Total	\$8,000.00
Revenues Account #	Description	Appropriation
47-348-0000	Dept. Correction Reimb.	\$6,000.00
47-397-0000	General Fund Contribution	2,000.00
	Total	\$8,000.00

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

ADOPTED this 17th day of October, 1994.

Upon motion by Commissioner Swanson, seconded by Commissioner Hardy with all present voting "AYE" duly carried authorize staff to sale all previously surplused real and personal property currently held by the county at an auction planned by the Franklin County School Board on November 5, 1994 at the Franklin County School Bus Garage; personal property to be an absolute sale and real estate to be brought back to the Board of Commissioners for approval.

Upon motion by Commissioner Moss, seconded by Commissioner Hardy with all present voting "AYE." duly carried that the Franklin County Master List for Map Specifications be amended to accept only 18" x 24" maps for recording in the Franklin County Register of Deeds Office effective January 1, 1995.

The Board discussed the traffic hazards at the intersection of U. S. 1A and N. C. 96 in the Town of Youngsville. The Board directed County Manager Hodgkins to contact North Carolina Board of Transportation member Charles

Grady and other Department of Transportation officials regarding the erection of a traffic signal light and/or other measures to eliminate the safety hazards in that area.

There being no further business to come before the Board, adjournment recorded at 9:30 P. M.