

**AUGUST 21, 1995**

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

Upon motion by Commissioner Foy, seconded by Commissioner Hardy with all present voting "AYE" duly carried the minutes of meetings held on July 17 and July 31, 1995 approved.

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 Moss declared public hearing open at 7:40 P. M. and recognized Donna Wood, Land Services Department, who made comments on request by Joe & Ann Faison to rezone 3.12 acres on NC 98 in Harris Township from Highway Business to Light Industrial.

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

1. Larry Tetterton, Route 1, Box 105, Louisburg, NC requested that Board send request back to Planning Board to modify the Highway Business District for specific use
2. Mary Stone, Route 1, Box 74, Louisburg, NC Requested that rezoning request be denied; she presented a letter in opposition signed by Mary & Romas Stone, Dee Lanier, Dorothy Lanier, Samuel A. Prince, Jr., Darlene S. Alston, Joel Alston, Ruby Spivey
3. Letter requesting that rezoning request be denied was received from Dera A. Gray, P. O. Box 452982, Garland, TX 75045
4. Letter requesting that rezoning request be denied was received from Shelia D. Gray, 13625 South 48th Street, #2118, Phoenix, AZ 85044
5. Ann Faison, 100 Lake Royale, requested that Board approve the request for rezoning and stated that a fence could be erected if necessary
6. Letter requesting rezoning request be denied received from Denise & John Burbank

Chairman Moss declared public hearing closed at 7:50 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  
APPROXIMATELY 3.12 ACRES ON NC 98 IN HARRIS TOWNSHIP FROM  
HIGHWAY BUSINESS TO CONDITIONAL LIGHT INDUSTRIAL (CuLI)**

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,

## 670

### Minutes of meeting of August 21, 1995 --- Continued

WHEREAS, a public hearing of the Board of Commissioners has been scheduled, duly advertised per the requirements of G. S. 153A and conducted on August 21, 1995, and;

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

SECTION I That the approximately 3.12 acres located on the north side of NC 98 in Harris Township, and begin all the land described by Franklin County Tax Records (Map G10, Parcel 23A), be rezoned from Highway Business to Conditional Light Industrial.

SECTION II That the Conditional Light Industrial (CuLI) uses will be limited to the following:  
Sign painting and fabrication shop

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

ADOPTED this the 21st day of August, 1995.

Ben Currin , President, Vance-Granville Community College and Ralph Knott, Clerk of Court, appeared before the Board to present an update on new funding for the Vance-Granville Community College Satellite. They stated that funds in the amount of \$1.5 million received from the state bond referendum to be used for construction of a satellite must be matched and spent within a certain time frame and Dr. Currin urged the Board to begin the process as soon as possible so that these funds would not have to be returned to the state. Mr. Knott indicated that contributions were already being made for this purpose and that there was a need for a fund raising committee.

Upon motion by Commissioner Hardy, seconded by Commissioner Swanson with all present voting "AYE" duly carried that the Site Selection Committee for the Vance-Granville Community College Satellite be revised and this committee to serve as a fund raising committee to raise the needed matching funds.

Presentations to be presented by Timothy Baldwin, McKim & Creed Engineers, on the update of water and sewer improvements and the consideration of award of EDA water and sewer contracts were tabled until a later date due to the illness of Mr. Baldwin.

Tax Collector Donnie Rudd appeared before the Board to report on the sale of the Epsom School property in the amount of \$30,000.00.

Upon motion by Commissioner Swanson, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following agreement between Franklin County and Clarence Howard Rudd approved:

NORTH CAROLINA

COUNTY OF FRANKLIN

AGREEMENT

THIS AGREEMENT, made and entered into this the 22nd day of August, 1995 by and between the County of Franklin, a North Carolina Body Politic, hereinafter called the "Seller" and Clarence Howard Rudd, hereinafter called the "Purchaser".

WHEREAS, the County of Franklin owns certain property former utilized and known as Epsom School;

WHEREAS, Clarence Howard Rudd has agreed to purchase the property from the County of Franklin for the total sum of \$30,000.00 with the agreement that the County of Franklin would sell the property "as is"

with the purchaser assuming any and all risk associated with the property with regard to certain environmental concerns relating to asbestos and potential oil spills.

WHEREAS, neither party recognizes the level of danger or hazard, if any, by virtue of these concerns, however both parties recognize that the purchaser, Clarence Howard Rudd, has agreed to assume whatever risks are incurred, if any, relating to ownership of the property.

NOW THEREFORE in consideration of the above, the purchaser hereby accepts full ownership of the premises being conveyed contemporaneously with the execution of the deed by the County and the purchaser further agrees to hold the County of Franklin harmless against any and all claims arising from its ownership of the premises being conveyed.

IN WITNESS WHEREOF, the Seller has caused this instrument to be signed in its name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Commissioners, and the Purchaser has hereunto set his hand and seal, the day and year first above written.

Ruth Murphy, Director, Franklin County Area Mental Health, and William H. Cheatham, Director, Substance Abuse Services, Area Mental Health, appeared before the Board to discuss proposed contracts between Franklin County and the Area Mental Health to operate a drug and alcohol abuse treatment program in Franklin County.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson, voting "AYE" Commissioner Wynne, Commissioner Swanson, Commissioner Hardy and Commissioner Moss, voting "NO" Commissioner Foy, approve Contract For Professional Services Between Franklin County and The Area Mental Health, Development Disabilities, and Substance Abuse Program Of Vance, Warren, Granville, and Franklin County Counties giving authorization to operate a drug and alcohol abuse treatment program utilizing grant funds received through the North Carolina Criminal Justice Partnership Program of the North Carolina Department of Corrections.

**671**

**Minutes of meeting of August 21, 1995 --- Continued**

Upon motion by Commissioner Swanson, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following resolution authorizing Franklin County to join the Health Insurance Trust Group Self Insurance Fund for health insurance coverage for county employees:

**RESOLUTION TO ADOPT THE INTERLOCAL AGREEMENT AND TO JOIN THE HEALTH INSURANCE TRUST GROUP SELF INSURANCE FUND FOR HEALTH, DENTAL, LIFE, AND DISABILITY RISK SHARING**

WHEREAS, Franklin County desires to provide to its employees insurance and other health benefits; and,

WHEREAS, the North Carolina Association of County Commissioners Health Insurance Trust, hereafter referred to as "NCACCHIT", has been established by counties pursuant to General Statutes 153A-445(a)(1) and General Statutes 160A-460 through 160A-464; and,

WHEREAS, it is desirable for Franklin County to join NCACCHIT and participate in its insurance and health benefits fund in order to provide a method of risk sharing for health-related claims of its employees;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Franklin County hereby adopts the interlocal agreement entitled "Interlocal Agreement for a Group Self-Insurance Fund for Health, Dental, Life, and Disability Risk Sharing" and thereby joins and agrees to participate in

NCACCHIT which has been formed to create a group fund to pay and service the health-related claims of the employees of the counties and other local agencies joining the Trust.

BE IT FURTHER RESOLVED that James T. Moss, Jr., Chairman, is authorized to execute the application to join NCACCHIT.

ADOPTED this the 21st day of August, 1995.

Upon motion by Commissioner Foy, seconded by Commissioner Hardy with all present voting "AYE" duly carried

the following Economic Development Administration Project Budget Ordinance approved:

**FRANKLIN COUNTY  
UNITED STATES DEPARTMENT OF COMMERCE  
ECONOMIC DEVELOPMENT ADMINISTRATION  
PROJECT BUDGET ORDINANCE**

BE IT ORDAINED by the Franklin County Board of Commissioners that pursuant to North Carolina General Statutes 159-8 and 159-13.2, the following grant project ordinance is hereby adopted:

Section 1: The project authorized is for water and sewer improvements as contained in Franklin County's Economic Development Administration (EDA) Public Works Application and grant agreement/funding approval between this unit and the Economic Development Administration, United States Department of Commerce and is known as EDA Project Number 04-01-04048.

Section 2: The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents, the rules and regulations of the United States Department of Commerce and the budget contained herein.

Section 3: The following revenues are anticipated to be available to complete the project:

<u>Public Works Grant</u>	<u>\$ 975,000</u>
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<u>TOTAL</u>	<u>\$ 975,000</u>
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The 650,000 Recipient's share of the EDA Grant is a combination of Small City Community Development Block

Grant and Franklin County funds committed to the Primewood, Inc., Water improvement Project, CDBG Grant NO:

ED-34 project that is also a part of EDA Project Number 04-01-04048. The Franklin County Board of Commis

sioners passed a Project Budget Ordinance on October 3, 1994 for the Primewood Inc. Water Improvement Project,

CDBG Grant No. Ed-34 project that anticipates the following revenues:

Community Development Block Grant	\$ 300,000
<u>Franklin County</u>	<u>350,000</u>
<u>TOTAL</u>	<u>\$ 650,000</u>

Section 4: The following line items are created for this project and appropriations:

<u>Activity</u>	<u>PROJECT BUDGET</u>	<u>Budget</u>
Administrative and legal expense		\$ 40,000
Land, structures, and rights-of-way appraisals, etc.		51,000
Costs incidental to transfer of titles		1,000
Architectural and engineering fees		85,000
Other architectural and engineering fees		12,493

Project inspection fees and audit	42,957
Construction 1,314,428	
Equipment	5,000
<u>Contingencies</u>	<u>73,122</u>
TOTAL PROJECT COST \$1,625,000	

Section 5: The County's Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement and federal, state and local regulations.

Section 6: Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7: The finance officer is directed to report monthly on the financial status of each project element and on the total grant revenues received or claimed.

Section 8: The budget officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission to the Board of Commissioners.

Section 9: Copies of this ordinance shall be made available to the budget officer and/or the finance officer for direction in carrying out this project.

672

**Minutes of meeting of August 21, 1995 --- Continued**

ADOPTED this the 21st day of August, 1995.

Upon motion by Commissioner Foy, seconded by Commissioner Hardy with all present voting "AYE" duly carried approve road petition for Addition to State System for Kerigon Lane, Bristol Subdivision, Youngsville Township, and forward to officials at the North Carolina Department of Transportation for evaluation and review.

Upon motion by Commissioner Hardy, seconded by Commissioner Wynne with all present voting "AYE" duly carried the following budget amendment 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, 1996.

Section 1. To amend the General Fund to provide necessary funding for additional costs to install a water filter on the water line adjacent to NOVO to remove sand and grit from the line.

Expenditures

<u>Account #</u>	<u>Description</u>	<u>Appropriation</u>
10-506-0692	Water Improvements	\$ 5,070
10-506-0590	Contingency	<u>(\$ 5,070)</u>
		\$0

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 21st da of August, 1995.

Upon motion by Commissioner Wynne, seconded by Commissioner Hardy with all present voting "AYE" duly carried Donnie Rudd appointed to fill an unexpired term on the Franklin Water & Sewer Authority as Franklin County's representative; term to expire in January, 1996.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson, voting "AYE" Commissioner Wynne, Commissioner Swanson, Commissioner Hardy and Commissioner Moss; voting "NO" Commissioner Foy, the Board went into Closed Session pursuant to North Carolina General Statutes 143-318.11(a)(3) to consult with the county attorney in order to preserve the attorney-client privilege between the attorney and this body, which privileg is hereby acknowledged.

The Board reconvened into regular session and Chairman Moss 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 authorize up to \$7,000 for extending a water line from US #1 to Larry Boan Property (Incept Properties) located near the Wake County Line.

There being no further business to come before the Board, adjournment recorded at 10:30 P. M.