

JANUARY 17, 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.

Chairman Moss presented Service Award Pins to the following county employees:

FIVE (5) YEARS

Johnny Gilliam EMS	Michelle Wilder - Social Services
Ned Lloyd - EMS	Susan Boyd - Health
David Sebastian EMS	Scarlett Cottrell - Health
Bobby McCray - Landfill	Mary Johnson - Health
Sharon McCowan - Jail	Brenda Lloyd - Health
Joseph Williams, Jr. - Jail	Sonja Shearin - Health
Angela Harris - Social Services	Peggy Spivey - Health
Jean Maske Social Services	Betty Wood - Health
Faye Wester Social Services	

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TEN (10) YEARS

Swain Stallings - PIN
Trudy Semaske - Social Services
Ann Wiggins - Social Services
Cynthia Tharrington - Social Services
Frances Freeman - Social Services
Margaret Harris - Library
Pamela Watkins - Library

FIFTEEN (15) YEARS

Cedric Jones Cooperative Extension
Frances Moody Planning & Development

TWENTY (20) YEARS

Joe Elmore - Tax Assessor
Jean Gordon - County Manager
Terri Land - Social Services
Faylene Murphy - Social Services
Jo Ann Oakes - Social Services

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 7:35 P. M. and recognized Donna Wood, Planning Technician, who made comments on the following items:

1) Request by T. E. Perkins, Jr. to rezone 28.8 acres on US 1 in Youngsville Township from AgriculturalResidential to Heavy Industrial

Chairman Moss called for public comments and no one spoke; County Manager Hodgkins read comments received from T.E. Perkins,Jr. requesting that the rezoning request be approved.

2) Amendment to the Unified Development Ordinance regarding utility structures.

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

- Mary Jane Jennings, Route 6, Box 581, Louisburg, NC
- good idea to keep telephone exchange cabinets as conditional use
 - urged Commissioners to consider beauty of county
 - once something up, hard to remove

3) Amendment to the Special Use Permit for the Franklin County Airport

Chairman Moss called for public comments and no one spoke.

Chairman Moss declared public hearing closed at 7:55 P. M.

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

**AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE
(MAP) TO REZONE 28.8 ACRES LOCATED ON U. S. 1 IN YOUNGSVILLE TOWNSHIP FROM
AGRICULTURAL/RESIDENTIAL
TO HEAVY INDUSTRIAL 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, 1995 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 28.8 acres of land located in Youngsville Township on U. S. 1 and being the portion of Franklin County Tax Map C6, Parcel 17, on the east side of U. S. 1 between U. S. 1 and the railroad, be rezoned from the Agricultural/Residential District to the Heavy Industrial District.

SECTION II

That this ordinance shall become effective upon its adoption.
ADOPTED this the 17th day of January, 1995.

Upon motion by Commissioner Hardy, seconded by Commissioner Swanson with all present voting "AYE" duly carried the following ordinance amending text of the Franklin County Unified Development Ordinance regarding utility structures be approved:

**AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE
(MAP)
REGARDING UTILITY STRUCTURES**

WHEREAS, the Franklin County Board of Commissioners duly adopted the Franklin County Zoning Ordinance on January 5, 1987; the Subdivision Ordinance on August 1, 1985, the Mobile Home & Travel Trailer Park Ordinance on October 21, 1985; and,

WHEREAS, the Franklin County Board of Commissioners duly adopted the Franklin County Unified Development Ordinance on September 16, 1991; and,

WHEREAS, the Franklin County Planning Board has provided a recommendation per the requirements of the Franklin County Unified Development Ordinance; and,

WHEREAS, a public hearing of the Board of Commissioners has been scheduled, duly advertised, per the requirements of G.S. 153A and conducted on January 17, 1995; and,

NOW, THEREFORE, BE IT ORDAINED that the Board of Commissioners has acted and provides the following amending ordinance:

SECTION I That Chapter 2, Article II, Sections 11-2 Agricultural-Residential District (AR), 11-3 Residential District (R-1), 11-4 Residential District (R-15), 11-5 Residential District (R-8), 11-6 Neighborhood Business District (NB), 11-7 Rural Business District (RB), 11-8 Highway Business District (HB), 11-9 Office/Institutional District (O/I), 11-10 Light Industrial District (LI), 11-11 Heavy Industrial District (HI), 11-12 Water Supply Watershed District (R-40), and 11-13 Water Supply Watershed District (R-80), be amended to add the following to the permitted uses of each district: - Telephone Exchange Cabinets

SECTION: That Chapter 2, Article II, Sections 11-2 Agricultural-Residential District (AR), 11-3 Residential District (R-1), 11-4 Residential District (R-15), 11-5 Residential District (R-8), 11-6 Neighborhood Business District (NB), 11-7 Rural Business District (RB), 11-8 Highway Business District (HB), 11-9 Office/Institutional District (O/I) 11-12 Water Supply Watershed District I (R-40), 11-13 Water Supply Watershed District II (R-80), be amended to add the following to the conditional uses of each district:

Public utilities other than distribution lines, to include but not limited to electric substations, telephone exchange

buildings, and water tanks and towers, are not required to meet minimum lot standards of the underlying zoning

district; however, all applications for site development for utility structures shall include an accurate site specific plan

using the following conditions as development guidelines:

1. The easement or lease shall include sufficient area for the foundation of the structure, any underground improvements such as electrical ground fields, vehicular maneuvering and parking. The vehicular area requirements may overlay the underground improvements as needed.
2. Location shall be designed to minimize traffic hazards.
3. Standard residential, commercial, or industrial building setbacks of the zoning district are not required for utility structures; however, all utility structures and required areas for utility structures shall not be located closer than 20 feet from any dwelling or building. Where the height of the utility structure exceeds 35 feet, the setback from the easement line shall be increased one foot for every two feet of height in excess of 35 feet of the structure in addition to other area requirements. For the purpose of this Ordinance, the lease or easement line shall be considered to be the property line.
4. Utility structures or required utility areas shall not infringe on area required by County Health Department, nor any open space or yard requirements for building lots as required by Section 1-5 "Required Open Space" of this Ordinance.
5. Other conditions may be required by the Board of Adjustment on an individual site review basis in order to protect the visual quality of the County, protect the adjoining properties from unnecessary intrusion, to consider traffic safety, and to protect the public health and general welfare.

SECTION III That Chapter 2, Article II, Section 11-2 Agricultural-Residential District, D. Conditional Uses, be amended to delete the following item:

16. Public utilities other than distribution lines, to include but not limited to, electrical substations, water tanks and towers, and telephone exchanges.

SECTION IV That Chapter 2, Article II, Section 11-3 Residential District (R-1), D. Conditional Uses, be amended to delete the following item:

4. Public utilities, other than distribution lines, to include but not limited to, electrical substations, water tanks and towers, and telephone exchanges.

SECTION V That this ordinance shall become effective upon its adoption.
ADOPTED this the 17th day of January, 1995. 7

Upon motion by Commissioner Swanson, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following ordinance amending the Special Use Permit for the Franklin County Airport approved:

**AN ORDINANCE TO AMEND THE EXISTING SPECIAL USE PERMIT
FOR THE FRANKLIN COUNTY AIRPORT**

WHEREAS, a public hearing of the Board of Commissioners has been scheduled, duly advertised, per the requirements of the G. S. 153A and conducted on January 17, 1995; and,

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

SECTION I An ordinance to amend the existing special use permit for Franklin County Airport to add the Airport Business Park, an area containing 47.78 acres (Franklin County Tax Map G8, Parcel 69), adjacent to Franklin County Airport.

The Special Use Permit issued on March 4, 1991, to be amended to include all the following:

1. All applicable specific conditions pertaining to the proposed use have been or will be satisfied.
2. Access roads or entrance and exit drives are or will be sufficient in size and properly located to ensure automobile and pedestrian safety and convenience, traffic flow, and control and access in case of fire or other emergency.
3. Off-street parking, loading, refuse, and other service areas are located so as to be safe, convenient, allow for access in case of emergency and to minimize economic, glare, odor, and other impacts on adjoining properties in the general neighborhood.

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4. Utilities, schools, fire, police, and other necessary public and private facilities and services will be adequate to handle the proposed use.

5. The location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian

ways harmonize with adjoining properties and the general area and minimize adverse impact.

6. The type, size, and intensity of the proposed use, including such considerations as hours of operation

and number of people who are likely to utilize or be attracted to the use, will not have significant adverse impact on adjoining properties or the neighborhood.

7. The Airport Commission and County Planning Board may draft and adopt restrictive covenants pertaining

to conditions 1-6 listed above, and all development of property shall comply with restrictive covenants in spirit and intent.

8. Uses of property shall be determined by the Airport Commission and the County Planning Board, and shall be according to approval of specific site plans submitted by the applicant.

9. Site plans for proposed development shall be jointly reviewed and approved by the Airport Commission and the County Planning Board according to the restrictive covenants.

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

ADOPTED this the 17th day of January, 1995.

John Cory and D. C. Rouse, Quandell Group, Construction Management Consultants for the Franklin County Detention Center.

Bob Taylor, Holden, Moss, Knott, Clark & Taylor, Certified Public Accountants, appeared before the Board and presented the audit for Fiscal Year 1993-1994.

Donnie Rudd, Tax Collector, appeared before the Board to request that certain properties be declared surplus.

Upon motion by Commissioner Wynne, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following properties declared surplus and tax collector authorized to offer them for sale through the negotiated offer, advertisement and upset bid process:

	Minimum Price	\$
Lake Royale Lot 2957		1,100.00
Lake Royale Lot 1036		1,600.00
Lake Royale Lot C-473		1,300.00
Lake Royale Lot 1245		1,350.00
Lake Royale Lot 1626		1,825.00
Lake Royale Lot 1286		1,600.00
Lake Royale Lot 1509		1,200.00
Lots 8, 10-Block 6, New Weldon, Franklinton Township		1,300.00
.9 Acre - Alston - Sandy Creek Township		1,200.00
Lot S. Main Street - Louisburg		1,750.00
Lot Pig Trot - Louisburg		1,100.00
NSDCO Lot 61 - Block H - Bunn		1,600.00
Lot Young - .5 acre, more or less - Youngsville		1,425.00
Lot Pine Street - Youngsville		1,450.00
NSDCO Lot 90 Block G - Bunn		1,325.00
Washington Estates Lot 2 Block A - Franklinton Township		1,800.00
/53 Acre -Leonard - Gold Mine Township		1,600.00
Lake Royale Lot 2893		500.00
Lake Royale Lot 1955		500.00

The Board discussed proposals received from the Town of Louisburg and from Carolina Power & Light Company to provide electrical service to the Franklin County Detention Center to be constructed on the T Kemp Road.

After discussion, a decision was made to recess meeting until Friday, January 20, 1995 at 1:30 P. M. to receive additional information in order to make a decision.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried approve a short-term lease with the North Carolina Department of Corrections for office space in the Old Agricultural Building, 306 East Nash Street, Louisburg, NC, not to exceed six (6) months, at \$8.00 per square foot.

County Manager Hodgkins reported that at a meeting held on January 16, 1995, the Franklin Water & Sewer Authority voted to accept proposal submitted by First Citizens Bank to provide the necessary funding for expansion of the Cedar Creek Wastewater Treatment Plant.

Upon motion by Commissioner Wynne, seconded by Commissioner Hardy with all present voting "AYE" duly carried the following appointments made to the Franklin County Board of Health:

Cecila Boone - reappointed to three-year term expiring December, 1997
Elyse Goldman -reappointed to three-year term expiring December, 1997
Mamie Jones - reappointed to threeyear term - expiring December, 1997

L. S. Ward, Sr. - appointed to three-year term - expiring December, 1997
Al Sayles -appointed to three-year term - expiring December, 1997
Kevin Martin - appointed to threeyear term - expiring December, 1997

Harvey Hartsfield - appointed to fill unexpired term - expiring December, 1995

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

Willie F. Bartholomew - appointed to fill unexpired term - expiring September, 1995

Upon motion Commissioner Hardy, seconded by Commissioner Wynne with all present voting "AYE" duly carried that a public hearing be held on February 6, 1995 to receive comments on the 1995 Community Development Block Grant-Scattered Sites Application.

Upon motion Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried the following Change Order #2, Pipeline Utilities, Inc., water system improvements approved:

Change location of 12" water line on Nassau Street and Persimmon Street from West and North to East and South sides

	\$ 15,187.00
Total	\$ 15,187.00
Net Change in Contract	\$ 15,187.00

Change required due to conflict with existing force main.

Upon motion by Commissioner Swanson, seconded by Commissioner Hardy with all present voting "AYE" duly carried authorize Hayes, Seay, Mattern & Mattern, Inc. to complete revisions to the site utility service to the Harborlite Site, including survey, design, drafting, negotiation of change orders with contractors and construction observation for \$4,360.00.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried authorize Geoffrey McLean & Company to conduct engineering services in connection with extension of 8" sanitary sewer main lying in right-of-way of Jeffrey Drive, currently ending approximately 760 feet from the intersection of Jeffrey Drive and NC Highway 96 for spec building.

Upon motion by Commissioner Wynne, seconded by Commissioner Hardy 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, 1995.

Section 1. To amend the General Fund to reflect the purchase of an additional vehicle for the Sheriff's Department as requested by the Franklin County Sheriff's Department due to a vehicle being destroyed in an automobile crash in June of 1994.

<u>Expenditures</u>	<u>Account</u>	<u>Amount of Increase</u>
Capital Outlay	10-495-0750	\$ 16,006.00
Revenues		
Miscellaneous Revenue	10-335-0000	\$ 12,346.00
Drug Enforcement Activity Funds	41-510-1355	<u>\$ 3,654.00</u>
	Total	\$ 16,000.00

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

ADOPTED this 17th d o January, 1995.

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, 1995.

Section 1. To amend the General Fund to reflect the approval of contracts previously approved by the Board. The projects include water and sewer lines for Nomaco, Haborlite, and Spec. Building on NC 96.

<u>Expenditures</u>	<u>Account #</u>	<u>Amount of Increase</u>
Construction Projects	10-495-0750	\$ 48,600.00
Construction Projects	10-495-0750	21,297.00
Construction Projects	10-495-0750	\$ 200,000.00
	Total	\$ -269,297.00
<u>Revenues</u>		\$ 269,297.00
Fund Balance Appropriated	10-399-0000	

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 17th day of January, 1995.

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Upon motion by Commissioner Hardy, seconded by Commissioner Swanson, voting "AYE" Commissioner Hardy, Commissioner Swanson, Commissioner Wynne and Commissioner Moss, voting "NO" Commissioner Foy, 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, 1995.

Section 1. To amend the Capital Reserve Fund to approve a request from the Franklin County Schools to purchase the Rustic Building Supply property. This was approved in FY 1993-94.

<u>Expenditures</u>	<u>Account #</u>	<u>Amount of Increase</u>
Capital Reserve Fund	70-682-0980	\$ 200,000.00
	Total Requested by Schools	\$ 200,000.00

Revenues

Capital Reserve Fund Balance Appropriated	\$ 200,000.00
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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 17th day of January, 1995.

Upon motion by Commissioner Swanson, seconded by Commissioner Hardy 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, 1995.

Section 1 . To amend the General Fund to approve accepting a \$2,000.00 grant from the Department of Environment, Health and Natural Resources to purchase equipment and furnishings for the Franklin County soil and Water Conseration Department.

<u>Expenditures</u>	<u>Account #</u>	<u>Amount of Increase</u>
Capital outlay	10-608-0740	\$ 2,000.00

Revenues

State Grants - Soil & Water	10-348-0700	\$ 2,000.00
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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 January 1995.

The Board set Monday, January 30, 1995 as date for a Fiscal Year 1995-1996 Budget Work Session to be held in the Conference Room of the Franklin County Office Building.

Upon motion by Commissioner Wynne, seconded by Commissioner Hardy, voting "AYE" Commissioner Wynne, Commissioner Hardy, Commissioner Swanson and Commissioner Moss, voting "NO" Commissioner Foy, the Board went into Closed Session pursuant to North Carolina General 143-318.11(a)(3) to consult with county attorney in order to preserve the attorney-client privilege and to give county attorney instructions concerning a pending legal matter.

The Board reconvened into regular session and Chairman Moss stated that no action necessary as a result of the Closed Session.

Chairman Moss recessed meeting at 10:30 P. M. until Friday, January 20, 1995 at 1:30 P. M. in the Conference Room of the Franklin County Office Building.

