

NOVEMBER 6, 1995

The Board of Commissioners of Franklin County, North Carolina reconvened meeting recessed from November 3, 1995 in the Conference Room of the Franklin County Office Building 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 Swanson, seconded by Commissioner Wynne, voting "AYE" Commissioner Swanson, Commissioner Wynne, Commissioner Hardy, Commissioner Moss; voting "NO" Commissioner Foy the Board went into Closed Session pursuant to General Statutes 143-318.11(3) to consider the qualifications of applicants for the position of Franklin County Manager.

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

There being no further business to come before the Board, adjournment recorded at 7:00 P. M.

NOVEMBER 6, 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 Swanson, seconded by Commissioner Hardy with all present voting "AYE" duly carried the minutes of meetings held on October 2, 9, 16, 23, 24, 30, 1995, approved as presented.

Kurt Southerland, representing Franklin County veterans, appeared before the Board to request that the Veteran's Services Office be allowed to remain at its present location at 207 Court Street and not be relocated to the Courthouse Annex at 113 South Main Street.

Chairman Moss requested that Kurt Southerland, Bob Heuts, Michael Collins with with him to discuss the most appropriate location for the Veteran's Services Office.

Upon motion by Commissioner Hardy, seconded by Commissioner Wynne with all present voting "AYE" duly carried that upon the request of Etta Alston, the following proclamation proclaiming American Education Week adopted:

**PROCLAMATION
AMERICAN EDUCATION WEEK
NOVEMBER 12-18, 1995**

WHEREAS, throughout American history, public schools have helped democratize our nation, strengthen our communities, and widen opportunities for our people; and,

WHEREAS, by integrating different groups into a common educational setting, public schools prepare this nation's diverse population to live harmoniously in a free, democratic society; and,

WHEREAS, the future of America in the next century depends on the students who are in our schools today; and,

WHEREAS, all citizens have an important mutual interest in educating future citizens; and,

WHEREAS, strong, effective public schools are a springboard to a better tomorrow,

NOW, THEREFORE, BE IT RESOLVED that the Franklin County Board of Commissioners do hereby proclaim November 12-18, 1995 as

AMERICAN EDUCATION WEEK

ADOPTED this 6th day of November, 1995.

Upon motion by Commissioner Swanson, seconded by Commissioner Hardy with all present voting "AYE" duly carried that upon request from Cedric Jones, the following proclamation proclaiming Farm-City Week adopted:

PROCLAMATION
FARM-CITY WEEK
NOVEMBER 17-23, 1995

WHEREAS, the growth and development of the county and the well-being of all of its citizens are dependent upon cooperation and exchange between the two essential environments of our society: farmers and city people; and,

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WHEREAS, the complexities of their individual problems and the divergence of their activities may lead to a widening gap of misunderstanding and,

WHEREAS, any gap of misunderstanding must be eliminated and each group must understand the other if our American way of life is to endure; and,

WHEREAS, Farm-City Week provides an unparalleled experience for farm and city people to become better acquainted;

NOW, THEREFORE, BE IT RESOLVED that the Franklin County Board of Commissioners do hereby proclaim the period of November 17 through November 23, 1995 to be

FARM-CITY WEEK

in Franklin County and further call upon all citizens to participate in the joint visits, seminars, pageants, fairs, civic and social events associated with a successful Farm-City week.

ADOPTED this the 6th day of November, 1995.

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 the following requests:

1) Request for rezoning by Bonnie & Daylor Inscoe for 5 acres on NC 56 in Louisburg Township from Agricultural Residential to Highway Business.

Chairman Moss called for public comments and no one spoke.

2) Request for rezoning by Hugh C. Williams for 12 acres on State Road 1742 in Dunn Township from R-40 to Agricultural-Residential.

Chairman Moss called for public comments and no one spoke.

3) Request for a Special Use Permit by Hugh C. Williams for a Go-Kart Track (Grounds and Facilities For Open Air Games & Sporting Events) on approximately 10 acres on State Road 1742 in Dunn Township.

Chairman Moss called for public comments and no one spoke.

Chairman Moss declared public hearing closed at 7:50 P. M.

Upon motion by Commissioner Foy, seconded by Commissioner Swanson 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 5 ACRES ON NC 56 AT THE INTERSECTION WITH STATE ROAD 1421 IN
LOUISBURG TOWNSHIP FROM AGRICULTURAL-RESIDENTIAL TO HIGHWAY BUSINESS (HB)

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 Commissioners has been scheduled, duly advertised, per the requirements of G.S. 153A and conducted on November 6, 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 5 acres located on NC 56 at the intersection with State Road 1421 in Louisburg Township be rezoned from Agricultural-Residential to Highway Business and being the portion of Franklin County Tax Records (Map J6, Parcel 38), more particularly described as follows: Beginning at a point located in the southern right of way line of NC 56 (said right of way width being 1200) at the intersection of NC 56 and State Road 1421 (Strickland-Hickory Rock Road); thence South 63 degrees 03 minutes East for a distance of 376 feet along said southern right of way line of NC 56 to a point marking the northwest corner of the property of Jeffrey T. Murray, et ux land; thence South 51 degrees 02 minutes west for a distance of 424 feet to a point marking the southwest corner of the property of said Jeffrey T. Murray, et ux land; thence South 34 degrees 49 minutes West for a distance of 455 feet along a new line for Bonnie Ann P. Inscoe, et als to a point in the line of Q. S. Leonard, et ux land; thence North 47 degrees 09 minutes West for a distance of 220 feet along the Q. S. Leonard, et ux land to a point in the line of Mrs. C. B. Woodlief land; thence North 32 degrees 06 minutes East for a distance of 780 feet along Mrs. C. B. Woolief land to the point and place of beginning, said property contains 5 acres.

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

ADOPTED This the 6th day of November, 1995.

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

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AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE
(MAP) TO REZONE
APPROXIMATELY 12 ACRES ON STATE ROAD 1742 IN DUNN TOWNSHIP FROM R-40 TO
AGRICULTURAL-RESIDENTIAL

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 Commissioners has been scheduled, duly advertised, per the requirements of G. S. 153A and conducted on November 6, 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 12 acres located in Dunn Township on State Road 1742 and being all of the land described by Franklin County Tax Records (Map 113, Parcel 103A), be rezoned from Water Supply Watershed District I (R-40) to Highway Business.

SECTION II That this ordinance shall become effective upon its adoption.
ADOPTED this the 6th day of November, 1995.

Upon motion by Commissioner Foy, seconded by Commissioner Hardy with all present voting "AYE" duly carried, the following conditions having been met, approve Special Use Permit for the location of a Go-Kart Tract on 10 acres on State Road 1742 in Dunn Township:

June, July, August & September - Thursday & Friday (4:00 PM to 10:00 PM) - Saturday (4:00 PM to 11:00 PM) - Sunday (12:00 PM to 7:00 PM)

During the other months of the year

- Thursday & Friday (4:00 PM to 10:00 PM)
- Saturday (10:00 AM to 7:00 PM)
- Sunday (12:00 PM to 7:00 PM)

Ten (10) acres will allow sufficient area for off-street parking and buffering

Proper notice having been given, this is the time and place set for a public hearing to receive comments on the naming of certain roads (private drives and private streets) in Franklin County as part of the Enhanced 911 Project.

Chairman Moss declared public hearing open at 7:53 P. M. and recongnized Angie Callihan, Emergency Medical Services Director, who made comments on the road naming project as it related to the Enhanced 911 Project.

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

Tommy Perry, Route 6, Louisburg, NC
- requested that Mt. Olive School Road be renamed William Perry Road

Chairman Moss declared public hearing closed at 8:20 P. M.

Upon motion by Commissioner Swanson, seconded by Commissioner Hardy with all present voting "AYE" duly carried contingent upon names changes as indicated below, approve Names of Certain Road (Private Drives & Private Streets) in Franklin County as part of the Enhanced 911 Project; list of names and map on file in County Manager's Office, Emergency Medical Services Office and Land Services Office:

SR1731 - Bunn - should be Cheves Road
SR1002 - Stalling Store-Duke Valentine Road changed to Wynne Road
Change Bonnesville Road to Bonnie Harris Road
SR1130 - South Cross Street - from inside Town of Youngsville to Wake County Line
Change Cannady Drive to Cannady Way
Change Mr. Olive School Road to William Perry Road

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne, voting "AYE" Commissioner Swanson, Commissioner Wynne, Commissioner Hardy, Commissioner Moss; voting "NO" Commissioner Foy, the following Final Assessment Resolution: North Raleigh Farms Project adopted:

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

FINAL ASSESSMENT RESOLUTION:
North Raleigh Farms Project

WHEREAS, Article 9 of Chapter 153A, General Statutes of North Carolina authorizes counties to make special assessments against benefited property for all or part of the costs of paving or otherwise improving streets;

WHEREAS, the Franklin County Commissioners desire to assist in the improvement of certain substandard streets in the North Raleigh Farms Subdivision in Franklin County, namely North Raleigh Farms Road, Jason Way, Beech Cove, Ridgewood Road and White Oak Drive.

WHEREAS, a special assessment against the benefited property is necessary to recoup the costs of said improvements to be financed by the county.

WHEREAS, the improvements shall consist of the necessary grading and construction for the paving of said streets to such a standard so as to permit acceptance of said streets by the Department of Transportation for perpetual road maintenance.

WHEREAS, it appears that more than seventy-five percent (75%) of the owners of property to be assessed, who represent more than seventy-five percent (75%) of the lineal feet of frontage of lands abutting the street to be improved have signed a petition agreeing to special assessments for the street improvements.

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WHEREAS, Notices were provided by First Class Mail and Publication to each owner setting forth the time and place for a public hearing on all matters covered by the Preliminary Assessment Resolution.

WHEREAS, a certificate was filed with the Clerk of the Board stating that the Resolutions were mailed by first class mail on August 15, 1995.

WHEREAS, a public hearing was held on the 11th day of September, 1995, in which various members of the public were heard.

Therefore, Be It Resolved That:

1. The County of Franklin does hereby elect to assist the property owners of the North Raleigh Farms Subdivision with the paving of the roads as set forth above and direct that the project be undertaken.
2. The total cost of desired improvements shall be assessed a rate equal to one hundred percent (100%) of the cost of said improvements and the basis for said assessment shall be on a per lot basis for all property abutting the roads to be improved.
3. That the County Manager or other appropriate party shall cause the project to be commenced and property owners be primarily responsible for all costs as set forth in the Petition signed by the requisite percentage of property owners and that the terms of said petition be incorporated herein by reference.
4. The property owners being assessed shall not be subject to any finance charge if said assessment is paid in full within sixty (60) days of the confirmation of the assessment roll by the Board. However, if said assessment is not paid in full by this date, the property owner shall be assessed a finance charge equal to 8% of the outstanding balance from said date with the total assessment being amortized over a term of ten (10) year with annual payments being due and collected by the Tax Collector along with ad valorem taxes. All remedies available to the tax collector may be utilized in the collection of said assessments and each assessment shall be a lien on the property assessed of the same nature and to the same extent as the lien for county property taxes.
5. Upon final completion of the project with determination of the final costs, the preliminary assessment roll shall be prepared.

DULY ADOPTED this 6th day of November, 1995.

Upon motion by Commissioner Swanson, seconded by Commissioner Hardy with all present voting "AYE" duly carried that a public hearing be held during the meeting of the Board, which begins at 7:30 P. M., on November 20, 1995, in the Superior Courtroom of the Franklin County Courthouse, Louisburg, NC. The hearing will address a certain installment financing agreement proposed for adoption by the Board, providing for the financing, pursuant to North Carolina General Statute 160A-20, of a paving project within North Raleigh Farms Subdivision, namely North Raleigh Farms Road, Beech Cove, White Oak Drive, Ridgewood Drive and Jason Way. The Agreement will also provide for the financing of the grading and paving of these roads, being prepared for the ultimate takeover for maintenance by the State of North Carolina Department of Transportation. The cost of this project is estimated to be approximately \$347,000.00 including provisions for the cost of issuance. Drafts of the proposed Agreement, Deed of Trust, and Indenture of Trust are available for inspection at the office of the County Manager.

C. L. Gobble, Administrator, Town of Louisburg, appeared before the Board to request financial assistance from the County for needed improvements, that include steps and handicap ramp, to exit Johnson Street at Market Street at the Franklin County Sheriff's Department; cost of project approximately \$39,000.00. The Town of Louisburg also asking assistance from the North Carolina Department of Transportation.

Chairman Moss advised that this matter would be taken under advisement and decision made at a later date.

Roxanne Bragg-Cash, Director of the Franklin County Department of Aging, appeared before the Board to discuss the Adult Care Program operated at the Department of Aging. She requested authorization to make a change in the two part-time aid positions working with this program.

Upon motion by Commissioner Swanson, seconded by Commissioner Hardy with all present voting "AYE" duly carried that the Department of Aging be authorized to make one of the part-time aide positions a full-time position with no increase in the budget due to this change.

Upon motion by Commissioner Wynne, seconded by Commissioner Hardy with all present voting "AYE" duly carried authorize Chairman Moss to execute amendment to the Transportation and Disposal Service Agreement between Franklin County and Waste Management of Carolinas, Inc. to provide solid waste transportation and disposal for Franklin County (copy of amendment attached to original contract dated September 28, 1993).

Michael Collins, Public Buildings Maintenance Director, appeared before the Board to discuss proposed renovations to the Franklin County Office Building.

Upon motion by Commissioner Hardy, seconded by Commissioner Swanson with all present voting "AYE" duly carried approve funds in the amount of \$13,395 for proposed renovations at the Franklin County Office Building subject to best efforts to minimize the use of these funds.

Angela Harris, Social Services Director, will appear at the next meeting of the Board regarding receipt of State Grant Funds and United Way Grant Funds for Safe Space.

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Interim County Manager Heuts advised that he was still in the process of obtaining ownership of property on which the Hon Water Tank sits and due to the coming of winter weather that this item be considered in the spring.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson, all present voting "AYE" duly with the exception of Budget Amendment for the Airport Capital Project Fund in the amount of \$55,556, Commissioner Foy voting "NO" 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, 1996.

Section 1. To amend the General Fund to transfer \$12,000 from the Jail Salary line item to the Sheriff Department Salary line item to fund additional overtime pay needed by the Sheriff Department.

<u>Account Code</u>	<u>Description</u>	<u>Amount</u>
10-510-0020	Salary	\$ 12,000
10-510-0050	FICA	918
10-510-0070	Retirement	600
10-512-0020	Salary	(12,000)
10-512-0050	FICA	(918)
10-512-0070	Retirement	(600)
	Net Change	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 6th day of November, 1995.

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 COPS Capital Project Fund to provide necessary funding for water and sewer lines to the Franklin County Detention Facility Project in the amount of \$387,335.50. The contract was awarded to E.

C. Pace Company.

<u>Expenditures</u>	<u>Account Number</u>	<u>Amount of Increase</u>
Water and Sewer - Jail	64-505-0714	\$387,336
Contingency Jail Project	64-505-0590	(\$387,336)
	TOTAL	0

Section 2. Copies of this amendment shall be furnished to the Clerk of the Board of Commissioners, the Budget Officer, and the Finance Office for their direction.
 Adopted this 6th day of November, 1995.

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 Airport Capital Project Fund and the General Fund to provide the county share to receive \$55,556 in State funding for extending runway/taxiway at the Franklin County Airport.

	<u>GENERAL FUND</u>	
<u>Expenditures</u>	<u>Account Number</u>	<u>Amount of Increase</u>
To Airport Fund	10-506-0680	\$55,556
Appropriate Fund Balance	10-399-0000	55,556
	<u>AIRPORT FUND</u>	
<u>Revenues</u>		
From General Fund	62-397-0000	\$55,556
Construction	62-650-0730	55,556

Section 2. Copies of this amendment shall be furnished to the Clerk of the Board of Commissioners, the Budget Officer, and the Finance Office for their direction.
 Adopted this 6th day of November, 1995.

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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 replace a sheriff patrol vehicle that was totaled on August 27, 1995. The amount needed from contingency is \$2,500.

<u>Expenditures</u>	<u>Account Number</u>	<u>Amounts</u>
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Capital Outlay - Vehicles	10-510-0744		\$ 17,400
Contingency	10-506-0590		(2,500)
		TOTAL	\$ 14,900
<u>Revenues</u>	<u>Account Number</u>		<u>Amounts</u>
Proceed-s from Insurance Claims	10-367-0040		\$ 14,900
		TOTAL	\$ 14,900

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

Adopted 6th day of November, 1995.

Upon motion by Commissioer Swanson, seconded by Commissioner Hardy with all present voting "AYE" duly carried the Board supports the United Way and its mission in Franklin County and encourages local businesses to do the same; the Board encourages employees to participate in the United Way drive and encourages employees to volunteer for projects such as the Celebration of Giving held in the fall and the Day of Caring held in the spring; the Board will allow payroll deduction for United Way contributions for all Franklin County employees.

The Board discussed proposal to declare county office building located at corner of Court and Market Streets surplus property. This item was tabled until a later date.

Upon motion by Commissioner Hardy, seconded by Commissioner Swanson with all present voting "AYE" duly carried that an error in value for building site coded incorrectly in the last revaluation for Timothy Wayne Holmes be corrected and that funds in the amount of \$1,123.69 be refunded to Mr. Holmes.

A request received from Franklinton Commerce Center, owners of the former Franklinton Cotton Mill for a reassessment of the value of that property based on current market conditions and use was tabled until County Attorney Batton could review the request.

The Board discussed leasing the entire County Office Building, 307 East Nash Street (old Agricultural Building) to the State of North Carolina to be used for Probation/Parole. Officials of Probation/Parole have indicated that they could use community service workers for most of the renovations.

Chairman Moss recessed meeting until 1:00 P. M. on November 10, 1995 in the County Manager's Office for continued discussion on the selection of a county manager.

Chairman Moss declared meeting recessed at 9:30 P. M.