

NOVEMBER 4, 1996

The Board of Commissioners of Franklin County, North Carolina, met in regular session at 7:30 P. M. in the Judge Hamilton H. Hobgood Courthouse Annex with the following Commissioners present: Chairman Robert L. Swanson, Vice Chairman James G. Hardy, Commissioner Harry L. Foy, Jr., Commissioner James T. Moss, Jr., Commissioner George T. Wynne.

Upon motion by Commissioner Hardy, seconded by Commissioner Wynne with all present voting "AYE" duly carried the minutes of the meetings held on October 18 and October 21, 1996, approved.

Upon motion by Commissioner Wynne, seconded by Commissioner Hardy with all present voting "AYE" duly carried a proclamation entitled "**AMERICAN EDUCATION WEEK**" adopted by the Board.

Proper notice having been given this is the time and place set for a public hearing to receive comments on a rezoning request by Donald Driver for approximately 3/4 acre on State Road 1701 in Louisburg and Harris Townships from Agricultural -Residential to Rural Business and a request for a Special Use Permit by Donald Driver for Automobile Repair in the Rural Business District on approximately 3/4 acre on State Road 1701 in Louisburg and Harris Townships.

Chairman Swanson declared public hearing open and recognized Mr. Jeff Coutu, Planning Director, who made comments on the rezoning and special use permit requests and presented the Planning Board's recommendations.

Chairman Swanson then called for public comments and hearing none declared public hearing closed.

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 approve an amendment to the Franklin County Unified Development Ordinance entitled "**AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (MAP) TO REZONE APPROXIMATELY 3/4 OF AN ACRE ON STATE ROAD 1701 IN LOUISBURG & HARRIS TOWNSHIPS FROM AGRICULTURAL RESIDENTIAL TO RURAL BUSINESS**"; copy of amending ordinance found in Ordinance Book; and further approve the request by Donald Driver for a Special Use Permit for Automobile Repair in the Rural Business District on approximately 3/4 of an acre on State Road 1701 in Louisburg & Harris Townships based on the following requirements: 1) all applicable specific conditions pertaining to the proposed use have or will be satisfied, 2) entrance and exit drives will be sufficient in size and properly located to ensure automotive 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, 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 impacts, and 6) the type, size, and intensity of the proposed use, including such considerations as the hours of operation and

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

Mr. Chuck Murray, Finance Director, appeared before the Board to request approval of budget amendments.

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Upon motion by Commissioner Wynne, seconded by Commissioner Hardy with all present voting "AYE" duly carried approve Budget Amendment Number Eight (8) ; copy of amendment found in Budget Ordinance Book.

Upon motion by Commissioner Wynne, seconded by Commissioner Moss with all present voting "AYE" duly carried approve Budget Amendment Number Nine (9); copy of amendment found in Budget Ordinance Book.

Upon motion by Commissioner Moss, seconded by Commissioner Hardy with all present voting "AYE" duly carried approve Budget Amendment Number Ten (10); copy of amendment found in Budget Ordinance Book.

Upon motion by Commissioner Hardy, seconded by Commissioner Wynne with all present voting "AYE" duly carried approve Budget Amendment Number Eleven (11); copy of amendment found in Budget Ordinance Book.

Upon motion by Commissioner Moss, seconded by Commissioner Hardy with all present voting "AYE" duly carried adopt amendment, effective immediately, to the ordinance regarding the addressing of property in the County entitled "**AMENDMENT TO AN ORDINANCE TO ESTABLISH POLICIES AND PROCEDURES ADDRESSING PROPERTIES AND BUILDINGS IN FRANKLIN COUNTY**"; amendment found in Ordinance Book.

Upon motion by Commissioner Hardy, seconded by Commissioner Wynne with all present voting "AYE" duly carried per recommendations from the Division of Environmental Management, approve the inclusion of amendments to the Sewer Use Ordinance contingent upon final review and acceptance by agency; amendments included in the recompiled ordinance found in Ordinance Book.

Upon motion by Commissioner Wynne, seconded by Commissioner Moss with all present voting "AYE" duly carried the Board adopted a Resolution of Intent to consider the adoption of a Flood Damage Prevention Ordinance; resolution is attached and made a part of these minutes.

Upon motion by Commissioner Hardy, seconded by Commissioner Moss with all present voting "AYE" duly carried award contract for the construction of an addition to the Cedar Creek Treatment Plant Lab Facility to Cade, Inc. in the amount of \$78,691 and the ancillary cost of \$3,250 for architectural drawings and \$21,380 for laboratory furniture.

Upon motion by Commissioner Moss, seconded by Commissioner Hardy with all present voting "AYE" duly carried approve two Change Orders for the construction of the Cedar Creek Treatment Plant, 1) \$3,545 for replacement of cables and clamps and 2) \$1,000 for additional

electrical work; work for the two Change Orders is to be performed by Haren Construction Company.

Upon motion by Commissioner Hardy, seconded by Commissioner Wynne voting "AYE" Commissioner Hardy, Commissioner Wynne, Commissioner Moss, Commissioner Swanson; voting "NO" Commissioner Foy, the Board went into Closed Session pursuant to General Statute 143318. 11 (a) (3) to allow the Board to consult with its attorney concerning Nipper v. Franklin County.

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

Mr. Carson Turnage, Franklin County citizen, appeared before the Board to complain about signs that were up on US #401 that he felt were illegal. Chairman Swanson requested the County Manager and the Planning Director to review this matter.

There being no further business to come before the Board, adjournment recorded at 8:15 P. M.