

APRIL 6, 1998

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

Upon motion by Commissioner Wynne, seconded by Commissioner Moss with all present voting "AYE" duly carried the minutes of the meeting of March 16, 1998, approved.

Mr. James Perry, a member of the Maintenance Staff, was in attendance and was presented a certificate and recognized for his selection as Employee of the Quarter for the quarter ending March 31, 1998.

Proper notice having been given this is the time and place set for a public hearing to receive comment on a request for rezoning by J & W Investments for 4.15 acres on NC 39 in Harris Township from Highway Business (HB) to Conditional Light Industrial (CuLI).

Chairman Hardy declared public hearing open and recognized Planning Director Boyce Cheek who made comments regarding the request.

Chairman Hardy called for public comments and hearing none declared public hearing closed.

Upon motion by Commissioner Foy, seconded by Commissioner Swanson with all present voting "AYE" duly carried upon the recommendation of the Planning Board approve ordinance entitled "AN ORDINANCE -AMENDING THE FRANKLIN COUNTY DEVELOPMENT ORDINANCE (MAP) TO REZONE APPROXIMATELY 4.15 ACRES ON NC 39 IN HARRIS TOWNSHIP FROM HIGHWAY BUSINESS TO CONDITIONAL LIGHT INDUSTRIAL"; copy of ordinance found in Unified Development Ordinance Book.

Proper notice having been given this is the time and place set for a public hearing to receive comment on a request for rezoning by Burette Rogers (dba RC Service Center, Inc.) for 2 acres on State Road 1600 in Cypress Creek Township from Agricultural Residential (AR) to Conditional Highway Business (CuHB) District.

Chairman Hardy declared public hearing open and recognized Planning Director Boyce Cheek who made comments regarding the request.

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

Upon motion by Commissioner Foy, seconded by Commissioner Swanson with all present voting "AYE" duly carried upon the recommendation of the Planning Board adopt ordinance entitled "AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (MAP) TO REZONE APPROXIMATELY 2 ACRES ON STATE ROAD 1600 IN CYPRESS CREEK TOWNSHIP FROM AGRICULTURAL-RESIDENTIAL TO CONDITIONAL HIGHWAY BUSINESS"; copy of ordinance found in Unified Development Ordinance Book.

Proper notice having been given this is the time and place set for a public hearing to receive comment on a rezoning request by Bernard Vick for 1.73 acres at the intersection of State Road 1770 & State Road 1738 in Dunn Township from Agricultural-Residential (AR) to Conditional Highway Business (CuHB) District.

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Chairman Hardy declared the public open and recognized Planning Director Boyce Cheek who made comments regarding the request. Mr. Cheek further stated that Mr. Vick had indicated that he would now like to consider using the residence located on the front of the property for a home which would require buffers and an additional petition would need to be filed.

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

Mr. Bernard Vick, 2825 Rosinburg Road, Zebulon, NC 27597
stated that he needed the rezoning for the business and for the residence approved due to the fact that the closing had been scheduled, affirmed that he now desires to occupy the house as his residence

Chairman Hardy called for further comments and hearing none declared the public hearing closed.

Upon motion by Commissioner Wynne, seconded by Commissioner Moss with all present voting "AYE" duly carried that action on request for rezoning by Bernard Vick for 1.73 acres at the intersection of State Road 1770 & State Road 1738 in Dunn Township from Agricultural-Residential to Conditional Highway Business be tabled until the next meeting in order that the proper petitions regarding the existence of a residence on the property could be filed.

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

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried approve BUDGET ORDINANCE AMENDMENT NUMBER TWENTY-SEVEN (27); copy of the amendment found in the Budget Ordinance Book,

Upon motion by Commissioner Swanson, seconded by Commissioner with all present voting "AYE" duly carried approve BUDGET ORDINANCE AMENDMENT NUMBER TWENTY-EIGHT (28); copy of the amendment found in the Budget Ordinance Book.

Upon motion by Commissioner Moss, seconded by Commissioner Wynne with all present voting "AYE" duly carried approve project budget ordinance entitled "FRANKLIN COUNTY PROJECT BUDGET ORDINANCE FRANKLIN COUNTY SATELLITE CAMPUS OF VANCE-GRANVILLE COMMUNITY COLLEGE"; copy of the project budget ordinance found in the Budget Ordinance Book.

At the Board meeting held on March 16, 1998, the Board tabled action on a request for modification of a Special Use Permit which governs the operation of the Five County Go-Kart

Race Track until the meeting scheduled for April 6, 1998, in order that the Board members might have an opportunity to visit the race track.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson, voting "AYE" Commissioner Wynne, Commissioner Swanson, Commissioner Foy, Commissioner Hardy; voting "NO" Commissioner Moss approve the modification to an existing Special Use Permit by Hugh Williams on 19.52 acres on State Road 1742 in Dunn Township based on an affirmative finding for each item on the Special Use Permit Checklist and the following conditions: operate three Sundays per year and if rained out on Sunday be allowed another Sunday (not to operate during church hours); require mufflers on two cycle vehicles; that the Franklin County Planning Board be notified in writing of the Sunday events and all other restricted days of operation.

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County Manager Leary stated that Tax Assessor C. W. Strother had advised that additional days needed to be authorized for the Board of Equalization and Review to meet.

The Board established the following additional dates and times for the Board of Equalization and Review with all meetings to be held in the Conference Room of the County Office Building, 215 East Nash Street, Louisburg, NC:

Tuesday, April 21	7:00 PM - 9:30 PM
Wednesday, April 22	3:00 PM - 7:30 PM
Thursday, April 23	7:00 PM - 9:30 PM
Tuesday, April 28	7:00 PM - 9:30 PM
Wednesday, April 29	3:00 PM - 7:30 PM
Thursday, April 30	7:00 PM - 9:30 PM

County Manager Leary informed the Board that there were \$300,000 in grant funds available through the North Carolina Housing Finance Agency for the rehabilitation of single family housing. The Board would be required to authorize the filing of an application that includes a 5 % match from the County.

Upon motion by Commissioner Moss, seconded by Commissioner Wynne with all present voting "AYE" duly carried adopt resolution entitled "**FRANKLIN COUNTY FY98 NCHFA SINGLE-FAMILY REHABILITATION PROGRAM APPLICATION RESOLUTION OF LOCAL COMMITMENT AND APPLICATION APPROVAL**"; the resolution is attached and made a part of these minutes.

County Manager Leary informed the Board that the Federal Aviation Administration had agreed to install an instrument landing system at the airport. Mr. Leary further stated that as a part of this process it would be necessary to approve a lease agreement for the property upon which this equipment would be located adjacent to the runway.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried approve land lease agreement between Franklin County and The

United States of America for land at the Franklin County Airport for the installation of an instrument landing system.

The Bunn Rural Fire Association, as part of the process for obtaining a tax-exempt loan from First Citizens Bank for the purchase of a fire truck and for the construction of a fire station, must have the Board of Commissioners approve the tax-exempt loan. This action constitutes no financial obligation on the part of the County.

Upon motion by Commissioner Wynne, seconded by Commissioner Moss with all present voting "AYE" duly carried adopt resolution approving a tax-exempt loan from First Citizens Bank to the Bunn Rural Fire Association, Inc. for the purchase of a fire truck and adopt resolution approving a tax-exempt loan from First Citizens Bank to the Bunn Rural Fire Association, Inc. for the construction of a fire station; copy of the resolutions are attached and made a part of these minutes.

County Manager Leary informed the Board that the County had received a grant offer from the Rural Economic Development Center for \$75,000 to assist in the construction of water transmission mains. Mr. Leary further stated that the County must act to formally accept the funds and approve the agreement between the County and the Rural Economic Development Center.

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried approve the agreement for \$75,000 in grant funds from the Rural Economic Development Center, Inc. and authorize the County Manager to execute it on behalf of the County.

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County Manager Leary advised the Board that the agreement between Franklin County and Waste Industries for servicing the waste containers at the convenience centers provides for an increase in the contract amount equal to the change in the consumer price index. He further stated that Waste Industries was requesting that the County approve the increase or extend the agreement for an additional twelve months in lieu of the increase.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried approve the adjustment in the rate for the contract with Waste Industries equal to the change in the consumer price index.

County Manager Leary stated that the County had received a request to amend the existing agreement for the mowing and spraying at the Franklin County Airport. The request would extend the agreement for an additional three years through 2000. It was recommended that the contractor receive payment upon completion of each phase of the work in lieu of the proposed payment terms of 1/2 in April and 1/2 in September.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson voting "AYE" Commissioner Wynne, Commissioner Swanson, Commissioner Moss, Commissioner Hardy; voting "NO" Commissioner Foy approve the amendment to the agreement with Gene Mullen, Jr.

for the mowing and spraying services at the Franklin County Airport; the amendment would extend the agreement an additional three years through 2000.

Upon motion by Commissioner Wynne, seconded by Commissioner Moss with all present voting "AYE" duly carried accept and approve the report of tax collections for the month of March, 1998.

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried accept and approve the list of releases and the list of refunds for the month of March, 1998.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried Dr. James C. Cook appointed to serve a two-year term on the Emergency Medical Services Advisory Committee; term to expire March 31,2000.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried Randy Pearce, Chief, Bunn Rescue Service, appointed to fill the unexpired term on the Emergency Medical Services Advisory Committee replacing Larry Flowers; term to expire March 31, 2000.

Upon motion by Commissioner Moss, seconded by Commissioner Wynne with all present voting "AYE" duly carried Joseph Senter, Chief, Youngsville Rescue Service, appointed to fill the unexpired term on the Emergency Medical Services Advisory Committee replacing Robert Kinton; term to expire March 31, 2001.

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried Commissioner James G. Hardy and Commissioner George T. Wynne reappointed to serve to serve a threeyear term on the Franklin County Airport Commission; terms to expire April, 2001.

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Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried the following people appointed to serve a two-year term on the Strategic Plan Review Committee; terms to expire March 31, 2000:

R. G. Leary	Phillip Stover	Don Lancaster	Fannie Perry
Bobbie Jo May	Scott White	Ronald May	Carl Harris
Elyse Goldman	Roger Moulton	Gary Cunard	Bernard Hall
Marty Brown	Mann Mullen		

Upon motion by Commissioner Moss, seconded by Commissioner Swanson with all present voting "AYE" duly carried Sarah Wester appointed to serve on the Kerr-Tar Private Industry Council/Workforce Development Board; term to expire in April, 2000.

Upon motion by Commissioner Swanson, seconded by Commissioner Moss, voting "AYE" Commissioner Swanson, Commissioner Moss, Commissioner Wynne, Commissioner Hardy;

voting "NO" Commissioner Foy, the Board go into Closed Session pursuant to General Statute 143-318.11 (a) (5) in order that the Board may consider property acquisition.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried the Board reconvened into regular session.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson that the County purchase approximately fifteen (15) acres at \$3,300 per acre adjacent to the wastewater treatment plant to be used for future expansion.

Commissioner Moss requested that he be excused from voting on issues directly relating to this matter due to his personal interest in the property.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried that Commissioner Moss be allowed to abstain from voting on this matter.

Voting "AYE" Commissioner Wynne, Commissioner Swanson, Commissioner Foy, Commissioner Hardy; Commissioner Moss abstaining that the County purchase approximately fifteen (15) acres at \$3,300 per acre adjacent to the wastewater treatment plant to be used for future expansion.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne, voting "AYE" Commissioner Swanson, Commissioner Wynne, Commissioner Foy, Commissioner Hardy; Commissioner Moss abstaining approve BUDGET ORDINANCE AMENDMENT NUMBER TWENTY-NINE (29); copy of amendment found in Budget Ordinance Book.

There being no further business to come before the Board, adjournment recorded at 10:00 P. M.