

AUGUST 16, 1999

The Board of Commissioners of Franklin County, North Carolina, met in regular session at 7:30 P. M. in the Commissioners' Meeting Room of the County Administration Building with the following Commissioners present: Chairman James T. Moss, Jr., Vice Chairman Robert L. Swanson, Commissioner Harry L. Foy, Jr., Commissioner Edward Strickland, Commissioner George T. Wynne.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried the following Consent Agenda items approved:

- A. Minutes of the meeting held on August 2, 1999.
- B. Adoption of proclamation declaring August 27, 1999, as Extension Heritage Day.

Ms. Angela Denton, Ms. Evelyn Bumgarner, Ms. Shirley Allison, Ms. Deborah Ferruccio, along with Reverend Albert J. Alston were in attendance and all expressed their concerns and thoughts concerning the disposition of solid waste in Franklin County. Ms. Denton also advocated for time to be set aside on the agenda for public comment. All documentation presented by Ms. Denton in support of her presentation is on file in the County Manager's Office.

Proper notice having been given, this is the time and place set for a public hearing to receive comment on a request by Timothy Lockamy & Marshall Oil Company to rezone 4.64 acres on State Road 1611 in Cypress Creek Township from Agricultural-Residential to Highway Business.

Chairman Moss declared the public hearing open and recognized Ms. Donna Wood, Planning Technician, who made comments regarding the request for the rezoning.

Chairman Moss then called for public comment and hearing none, declared the public hearing closed.

Upon motion by Commissioner Foy, seconded by Commissioner Swanson with all present voting "AYE" duly carried adopt amending ordinance entitled "AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (MAP) TO REZONE APPROXIMATELY 4.64 ACRES ON STATE ROAD 1611 IN CYPRESS CREEK TOWNSHIP FROM AGRICULTURAL RESIDENTIAL TO HIGHWAY BUSINESS (HB); a copy of the ordinance found in the Unified Development Ordinance Book.

Proper notice having been given, this is the time and place set for a public hearing to receive comment on request by Woodlief Grading, Inc. to rezone 45 acres on State Road 1100 in Youngsville Township from R-40 to Conditional Heavy Industrial (CuHI).

Chairman Moss declared the public hearing open and recognized Ms. Donna Wood, Planning Technician, who made comments on the rezoning request.

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

Ned Winn, 2671 Tarboro Road, Youngsville, NC

presented a petition signed by 67 property owners and/or residents in the vicinity of the property for which Woodlief Grading has requested the rezoning; requested that the Board deny the request for the rezoning due to the negative impacts on the community; such use of property not compatible with the residential/agricultural use of other property in the area; noise from operating equipment and air pollution from the grinding operation will be disruptive; will have a negative impact on property values in the area; truck traffic will increase creating hazards for community children, bicyclists, pedestrians; accelerate pavement failures; stored materials such as fuel, oil, anti-freeze will likely pose fire and health hazards; feels this is spot zoning and not be in the

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best interest of the community or the county to approve the request for rezoning; copy of petition on file in the County Manager's Office.

Todd Murphy, 168 Baron Circle, Youngsville, NC

read a letter from a co-property owner, Ms. Elaine M. Bennett, who was unable to attend the public hearing, stating her opposition to the proposed rezoning request; copy of the letter on file in the County Manager's Office; also stated his opposition to the rezoning due to noise, traffic and the possible storage of gas, oil, anti-freeze; property is in the Little River Watershed.

John T. Christine, 480 Marion's Way, Youngsville, NC

opposed to the rezoning; concerns regarding the truck traffic and noise from grinding machine; does the noise level exceed that allowed in the county Noise Ordinance.

Ann Marie Dellamorte, 80 Fiddlers Drive, Youngsville, NC

opposed to the rezoning; concerns regarding the safety of residents due to increased truck traffic; concerns regarding the air pollution because of the dust created by the grinding machine; industry should be in the industrial areas and not in a residential area.

Joe Tabor, 627 Sid Eaves Road, Youngsville, NC

opposed to the rezoning; this proposed rezoning not appropriate for residential area; did not learn of public hearing until Sunday and feels adjoining property owners should be notified in a timely manner; has a well and has concerns regarding run off from the materials on the site; streams on his property that flow from the proposed site into the Little River Watershed; had built pond to water plants and trees and wants to keep it clean; can hear the noise from the grinder for miles; there is dust from the grinder; lots of truck traffic; the area needs to stay residential

Terri Rogers, 2273 Tarboro Road, Youngsville, NC

truck traffic is very loud, starts at 7:00 A. M.; will affect the property values if industrial site is allowed in the residential area

Terry W. Carter, 323 S. Allen Road, Wake Forest, NC
is opposed to the rezoning; the Carter property is located across the road from the proposed rezoning; considers it to be spot zoning

Linda Kaid, 2310 Tarboro Road, Youngsville, NC
opposed to the rezoning; concerned about the truck traffic, has two children who must cross road for school bus and elderly who must cross the road for mail boxes; concerned about air pollution from the dust created by the grinder; concerned about the smell after mulch being piled for a long period of time

Howard Glascock, 1068 Moores Pond Road, Youngsville, NC
opposed to the rezoning; increase in truck traffic; dust and noise from the grinder; lies within the Little River Watershed; Nipper request for rezoning in the same general area was denied several years ago

Grady Macon, 1825 Tarboro Road, Youngsville, NC
opposed to the rezoning; if rezoned Conditional Heavy Industrial leaves its open for other industries to come; mulch machine creates dust and noise; heavy truck traffic; industrial zoning should not be in a residential area; will affect the entire neighborhood

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James O. Murphy, 2472 Tarboro Road, Youngsville, NC
opposed to the rezoning; there are other areas already zoned for heavy industrial uses and considers this to be spot zoning if approved; being in the R-40 District is every reason not to rezone; noise from truck traffic and noise and dust from grinder; no way that the noise can be buffered; no justification for rezoning; presented pictures showing debris being burned and buried

Charles Woodlief, 2862 Cedar Creek Road, Youngsville, NC
this is the way I make a living; didn't know it was bothering so many people; had talked with people adjoining his property and they had not indicated that there was a problem; there will always be truck and car traffic; trying to get away from burying debris; it's a recyclable product and making contacts to people who can use the product; the county is going to grow and if don't want to put up with it will have to leave; my right to make a living and will keep pushing because the business will not hurt development or property values

Stancil Woodlief, 2862 Cedar Creek Road, Youngsville, NC
stated there was a grinder, not as big, that operates on Durant Road in Raleigh and invites people to go and check the noise level

William Timberlake, Youngsville, NC
the noise level is not that bad, has to really listen to hear it from his home

Latif Kaid, 2310 Tarboro Road, Youngsville, NC
opposed to rezoning; concerns with noise and dust; can hear bulldozers

Jean Winn, 2788 Tarboro Road, Youngsville, NC
opposed to rezoning; truck traffic and dust; trash everywhere; such a beautiful
community; please give all consideration and deny the rezoning request

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

Upon motion by Commissioner Moss, seconded by Commissioner Swanson with all present voting "AYE" duly carried action on the request by Woodlief Grading, Inc. to rezone 45 acres on SR 1100 in Youngsville Township from R-40 to Conditional Heavy Industrial (CuHI) tabled until the next meeting.

Proper notice having been given this is the time and place set for a public hearing to receive comment on the appointment of a representative from the extraterritorial jurisdiction of the Town of Bunn to the Town's Zoning Board.

Chairman Moss declared the public hearing open and called for comments and hearing none declared the public hearing closed.

Upon motion by Commissioner Foy, seconded by Commissioner Wynne with all present voting "AYE" duly carried the following person appointed to serve a two-year term on the Bunn Zoning Board as a representative of the extraterritorial jurisdiction:

Phillip Jeffreys - September, 1999 - September, 2001

Mr. Chuck Murray, Finance Director, was in attendance to request approval of budget amendments.

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Upon motion by Commissioner Swanson, seconded by Commissioner Strickland with all present voting "AYE" duly carried approve "BUDGET ORDINANCE AMENDMENT NUMBER ONE (1) and BUDGET ORDINANCE AMENDMENT NUMBER TWO (2)"; copies of the budget ordinance amendments are found in the Franklin County Budget Ordinance Book.

Upon motion by Commissioner Moss, seconded by Commissioner Wynne, voting "AYE" Commissioner Moss, Commissioner Wynne, Commissioner Foy, Commissioner Swanson; voting "NO" Commissioner Strickland, the following appointment made to the Franklin County Board of Adjustment:

Ms. Sally Beth Shore
Alternate - Three-Year Term, July, 1999 - July, 2002

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" additional appointments to the Franklin County Board of Adjustment be tabled until a later date.

The Board of Commissioners and representatives of the volunteer fire department will conduct a joint meeting on Wednesday, September 15, 1999, at the Emergency Management Services Building.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne, voting "AYE" Commissioner Swanson, Commissioner Wynne, Commissioner Moss, Commissioner Strickland; voting "NO" Commissioner Foy, the Board went into Closed Session pursuant to General Statute 143-318.11 (a) (5) to consider matters relating to real property acquisition.

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

Chairman Moss stated no action necessary as a result of the Closed Session.

The Board agreed to study a request from Bunn High School Athletic Boosters for funds in the amount of \$1,000 to complete a fence around the ball field.

There being no further business to come before the Board, adjournment recorded at 11:00 P. M.

JAMES T. MOSS, JR., CHAIRMAN JEAN GORDON, CLERK

CLOSED SESSION

AUGUST 16, 1999

PURSUANT TO GENERAL STATUTE 143-318.11 (a) (5) TO CONSIDER MATTERS RELATING TO REAL PROPERTY ACQUISITION

Present: Chairman James T. Moss, Jr.; Vice Chairman Robert L. Swanson, Commissioner Harry L. Foy, Jr., Commissioner Edward Strickland, Commissioner George T. Wynne; County Manager R. G. Leary; County Attorney Darnell Batton, Clerk to the Board Jean Gordon.

County Manger Leary discussed the on-going negotiations with Bill Bartholomew for the purchase of a small part of the parking lot behind the Probation/Parole Office. Mr. Leary stated that Mr. Bartholomew continues his offer to sell the 2,500 square foot area in the lot for \$10,000. Mr. Bartholomew also inquired if the County might be interested in purchasing the adjacent store building. The Board instructed Mr. Leary to continue the negotiations with Mr. Bartholomew.

County Manger Leary discussed the possible purchase of property behind the Courthouse Annex to be used for parking. The Board instructed Mr. Leary to contact the property owner regarding the purchase of the property extending from the rear of the annex to Church Street.

County Attorney Batton advised the Board that he was continuing negotiations with property owners for properties needed in conjunction with the water system expansion project to install the booster pumps.

Jean Gordon, Clerk