

AUGUST 2, 1999

The Board of Commissioners of Franklin County, North Carolina, met in regular session at 7:30 P. M. in the Commissioners' Meeting Room located in 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 Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried the following Consent Agenda items approved:

- A. Approval of minutes of meetings held on July 1 and July 6, 1999.
- B. Acceptance of Tax Collector's Report for the month of July, 1999.
- C. Approval of releases and refunds for July, 1999.

Mr. Charles McGougan, Consulting Engineer with Hobbs, Upchurch & Associates, was in attendance and presented a monthly report on the progress of the water system expansion project.

Mr. Harold Annis, Architect, was in attendance to request approval of proposed change orders for the courthouse renovation project.

Upon motion by Commissioner Moss, seconded by Commissioner Strickland with all present voting "AYE" duly carried upon the recommendation of Mr. Harold Annis, the following Change Orders approved for the courthouse renovation project:

- CHANGE ORDER #6 - \$2,147.00, plasterwork in rooms 220, 230, 232, 239
- CHANGE ORDER #7 - \$6,035.00 replacing 42 foot of chill water main
- CHANGE ORDER #8 - \$2,489.00 installation of mop sink on second floor
- CHANGE ORDER #10 - \$2,539.00 installation of floor drain in rooms 116, 117

Proper notice having been given, this is the time and place set for a public hearing to receive comment on a request for rezoning approximately 97 acres in Youngsville Township from R-40 to Light Industrial.

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

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

John McDaniel, Developer of Woodcroft, Youngsville, NC
opposed to the rezoning because of possible damage to his development of Woodcroft; only residential in that area and feels its unfair to rezone LI in area with so many homes; stated that he was speaking for Charlie Gaddy who stated that his property was not zoned LI

James Kornegay, Youngsville, NC
opposed to the rezoning; plenty of LI zoned already on US 1; not fair to

rezone LI where high priced homes have already been constructed and are to be constructed

Nathaniel Lambert, Youngsville, NC

lives one mile from where the proposed rezoning is and is opposed; more suitable for residential than for LI

Sandra Bright, Sid Mitchell Road, Youngsville, NC

opposed to all development - but houses are better than industry; 300 buffer would be a good idea if rezoning approved

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Paul Olson, resident of Woodcroft, Youngsville, NC

opposed to the rezoning, plenty of property on Capital Blvd. for industry

Dennis Morgan, resident of Woodcroft, Youngsville, NC

opposed to the rezoning; that area not the place for industry because of all the homes in Woodcroft

Joe Blando, Building Contractor

builder in Woodcroft; rezoning to LI would have a negative impact on that area

Robert Carlson, Youngsville, NC

opposed to the proposed rezoning - wants it to stay as it is

Shelia Coato, resident of Woodcroft

child is handicapped and their house was constructed to accommodate him; if industry were to locate nearby it could cause more breathing problems for the child; don't rezone

Jack Green, Petitioner, Charlotte, NC

industrial development is coming and he wants to make sure it is a good industry and will help lower the tax rate for county citizens; he would work with Ronnie Goswick, Economic Developer, to get a good industry

Chris Kornegay, Youngsville, NC

opposed to the rezoning; moved there to get away from industry

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

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried that due to the many concerns expressed during the public hearing, request that the petitioner, Jack Green and the residents speaking in opposition to the proposed rezoning of 96.88 acres at the intersection of State Road 1139 and State Road 1138 in

Youngsville Township from R-40 to Light Industrial, return to the Planning Board and attempt to work out a compromise for reconsideration by the Board.

Proper notice having been given, this is the time and place set for a public hearing to receive comment on a request by S. T. Wooten for an extension of a Special Use Permit for a Bituminous Products Mixing Plant (Asphalt Plant) on US 1 in Youngsville Township.

Chairman Moss declared the public hearing open and recognized Ms. Donna Wood, Planning Technician, who made comments regarding the extension of the Special Use Permit request.

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

Ronnie L. Sutton, S. T. Wooten representative
requested that the Special Use Permit be extended until August, 2000;
all permits are in place just not ready to move forward yet.

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

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Upon motion by Commissioner Foy, seconded by Commissioner Swanson with all present voting "AYE" duly carried approve request by S. T. Wooten for the renewal of the Special Use Permit until August, 2000, for a Bituminous Products Mixing Plant off of US 1 in Youngsville Township; copy of the Renewal of the Special Use Permit is 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 proposed amendments to the Unified Development Ordinance.

Chairman Moss declared the public hearing open and recognized Mr. Ralph Willoughby, Planning Director, who made comments on the following proposed amendment:

Amendment to the Franklin County Unified Development Ordinance, Chapter 2, Article II, Section II-2 Agricultural-Residential District, To Add Setbacks for Lake Royale Camper lots.

Chairman Moss then called for public 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 adopt ordinance entitled "AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (TEXT), CHAPTER TWO, ZONING ORDINANCE, ARTICLE II, SECTION II-2 AGRICULTURAL-RESIDENTIAL DISTRICT, ADDING MINIMUM DIMENSIONAL REQUIREMENTS (SETBACKS) FOR EXISTING CAMPING LOTS LOCATED AT LAKE ROYALE; copy of the ordinance is found in the Unified Development Ordinance Book.

Chairman Moss declared the public hearing open and recognized Mr. Ralph Willoughby, Planning Director, who made comments on the following proposed amendment:

Amendment to the Franklin County Unified Development Ordinance, Chapter 3, Article II, Section II-4, 4.4, C. Release of Guarantee Security.

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

Upon motion by Commissioner Swanson, seconded by Commissioner Foy with all present voting "AYE" duly carried adopt an ordinance entitled "AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE, CHAPTER THREE, SUBDIVISION ORDINANCE, ARTICLE II, SECTION II-4, C. RELEASE OF GUARANTEE SECURITY, AND DESIGNATE THE COUNTY MANAGER TO FUNCTION AS THE BOARD'S DESIGNEE; copy of the ordinance found in the Unified Development Ordinance Book.

Chairman Moss declared the public hearing open and recognized Mr. Ralph Willoughby, Planning Director, who made comments on the following proposed amendment:

Amendment to the Franklin County Unified Development Ordinance, Chapter 2, Article II, Section II-A Agricultural-Residential District, D. Conditional Uses, Adding Pet Cremation Service.

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

Mary Jane Jennings, 566 Jones Chapel Road, Louisburg, NC

request that the amendment be approved because it is a much needed service in the county; has known the petitioners for many years and they will do a great job

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

Upon motion by Commissioner Foy, seconded by Commissioner Strickland with all present voting "AYE" duly carried adopt an ordinance entitled "AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (TEXT), CHAPTER TWO, ZONING ORDINANCE, ARTICLE II, SECTION II-2 AGRICULTURAL-RESIDENTIAL DISTRICT, ADDING PET CREMATION AS A CONDITIONAL USE IN THE AR DISTRICT; a copy of the ordinance is found in the Unified Development Ordinance Book.

Mr. Ronnie Goswick, Economic Development Director, was in attendance and reported that the Community Development Block Grant-Economic Development grant application that was previously filed for funds for construction of infrastructure to serve Jenkins Wholesale, Inc. had been approved. He reported that the grant amount was \$116,250 and must be matched by \$38,750 in local funds and that the Board was required to take certain actions in order to receive the grant funds.

Upon motion by Commissioner Wynne, seconded by Commissioner Moss with all present voting "AYE" duly carried the following actions approved:

A. RESOLUTION OF THE FRANKLIN COUNTY BOARD OF COMMISSIONERS ACCEPTANCE AND EXECUTION OF GRANT AGREEMENT AND FUNDING APPROVAL FOR COMMUNITY DEVELOPMENT BLOCK GRANT ECONOMIC DEVELOPMENT PROGRAM; copy of the resolution is attached and made a part of these minutes

B. RESOLUTION OF THE FRANKLIN COUNTY BOARD OF COMMISSIONERS AUTHORIZATION TO SIGN COMMUNITY DEVELOPMENT BLOCK GRANT REQUISITIONS FORMS; copy the resolution is attached and made a part of these minutes

C. CONTRACT FOR CDBG COMMUNITY DEVELOPMENT ADMINISTRATIVE SERVICES BY AND BETWEEN THE COUNTY OF FRANKLIN, NORTH CAROLINA AND KERR-TAR REGIONAL COUNCIL OF GOVERNMENTS AT A COST OF \$ 15,516

D. PROJECT ORDINANCE IN THE AMOUNT OF \$155,000; copy of the Project Ordinance is found in the Budget Ordinance Book

E. ENGAGEMENT OF HOBBS, UPCHURCH & ASSOCIATES TO PROVIDE THE ENGINEERING DESIGN AND INSPECTION OF WATER AND SEWER INFRASTRUCTURE TO BE CONSTRUCTED WITH GRANT FUNDS AT A COST OF \$19,000

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried the following appointment made to the Emergency Medical Services Advisory Council:

Dale Byrns

Three-Year Term, March, 1999 - March, 2002

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During the meeting held on July 6, 1999, the Board tabled a discussion of the relocation of the Board's meeting place to the Courthouse Annex until this meeting. Commissioner Swanson stated that he did not see the need to change due to the fact that if there was a large number of people present the Board could move to the Courthouse Annex and that the County had expended funds for the construction of a meeting room for the Board.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne, voting "AYE" Commissioner Swanson, Commissioner Wynne, Commissioner Strickland, Commissioner Moss; voting "NO" Commissioner Foy, that the Board of Commissioners continue to meet in the Commissioners' Meeting Room located in the County Administration Building.

Ms. Angela Denton, resident of the Gold Sand Community, requested and was allowed to make comments and ask questions regarding the regional landfill issue in Franklin County.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried approve a lease agreement for a convenience center site located in Franklinton Township between Estate of Jones M. Cannady, Jr. and Franklin County with the annual rental in the amount of \$1,000 and authorize the Chairman to execute on behalf of the County.

Upon motion by Commissioner Foy, seconded by Commissioner Strickland with all present voting "AYE" duly carried adopt a resolution acknowledging that the Pilot Volunteer Fire Department is securing a ten-year loan from First Citizens Bank and Trust Company in the amount of \$225,000 for the purchase of a fire truck.

Upon motion by Commissioner Strickland, seconded by Commissioner Moss with all present voting "AYE" duly carried that Franklin County take the initiative to explore options Franklin County has in disposal of solid waste.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne, voting "AYE" Commissioner Swanson, Commissioner Wynne, Commissioner Strickland, Commissioner Moss; voting "NO" Commissioner Foy the Board went into Closed Session pursuant to General Statute 143-318.11 (a) (6) to discuss the performance of a public employee.

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

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

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

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