

August 15, 1988

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 John O. Sledge, III, Vice Chairman James B. Alford, Commissioner Ronald W. Goswick, Commissioner Robert L. Swanson and Commissioner Tommy Wynne.

Proper notice having been given, this is the time and place set for a public hearing to receive public comments on a proposed amendment to Franklin County's Small Cities Community Development Block Grant-Economic Development to extend water and sewer lines on US Highway I-A to serve a manufacturing facility to be constructed by Captive-Aire System, Inc.

Chairman Sledge opened public hearing at 7:35 P. M. and recognized Mr. James B. Whitley, Executive Director of the Franklin County Economic Development who made the following comments:

Mr. Whitley urged approval of this amendment stating that moving the sewer lift station; increasing the size of the water lines and construction of additional gravity and force main lines using non-Community Development Block Grant funds would enable industrial growth in a larger area.

Chairman Sledge then called for public comments and no one spoke.

Upon motion by Commissioner Goswick, seconded by Commissioner Alford with all present voting "AYE" duly carried the following amendment approved:

AMENDMENT TO FRANKLIN COUNTY' SMALL CITIES COMMUNITY

DEVELOPMENT BLOCK GRANT/ECONOMIC DEVELOPMENT TO EXTEND

WATER AND SEWER LINES ON US HIGHWAY I-A TO SERVE A

MANUFACTURING FACILITY TO CONSTRUCTED BY CAPTIVE-AIRE SYSTEMS

The proposed amendment is to move the sewer lift station to be constructed to a point on US I-A northeast of that shown in the approved application. Additional gravity and force main lines will be

constructed using nonCDBG funds along US I-A to connect the sewer lines contained in the approved application to the lift station at the new site. Franklin County also proposes to increase the size of the water lines to be installed to 10" and 12". The primary beneficiary of the project remains Captive-Aire System's new facility. The additional sewer line extension and water line size increases will enable industrial growth in a larger area.

Mr. Lee McCollum, Chairman of the Franklin County Economic Development Commission appeared before the Board to report on economic development activities in Franklin County.

Ms. Angie Callihan, speaking on behalf of the Franklin County Rescue Squads Association, requested that a rescue squads tax district be established in Franklin County. Mr. Ned Smith, Chief of the White Level Rescue Squad also spoke in support of this request.

Upon motion by Commissioner Goswick, seconded by Commissioner Wynne with all present voting "AYE" duly carried the county manager directed to meet with chiefs of the White Level and Centerville Rescue Squads to discuss boundary lines and to proceed with the necessary steps to establish a rescue squads tax district by January 1, 1989.

Upon motion by Commissioner Alford, seconded by Commissioner Goswick with all present voting "AYE" duly carried approve petition for abandonment of a portion of Secondary Road Number 1484 and forward to the North Carolina Department of Transportation for evaluation and review.

The presentation pertaining to drug problems/drug solutions in Franklin County tabled until the next meeting.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried the following resolution to comply with Community Development Block Grant and EDA project "conflict of interest" requirements approved:

RESOLUTION OF THE FRANKLIN COUNTY BOARD OF COMMISSIONERS TO COMPLY WITH

THE REQUIREMENTS OF OMB CIRCULAR NO. A-102, REVISED, A-110, A-87, AND

A-122 CONCERNING 'CONFLICT OF INTEREST' FOR THE COUNTY'S

CDBG AND EDA PROJECTS

WHEREAS, Franklin County has received federal grants from the Small Cities Community Development Block Grant Program administered by the North Carolina Department of Natural Resources and Community Development (CDGB) and the United States Department of Commerce's Economic Development Administration (EDA); and,

WHEREAS, these programs require that the county have a written "conflict of interest" provision toward the project receiving grant assistance; and,

WHEREAS, 24 CFR Ch. V (4-1-85 Edition) contains the specific language desired by the CDBG and EDA programs.

NOW, THEREFORE, BE IT RESOLVED by the Franklin County Board of Commissioners that:

1. The county adopt the following taken from Section 570-611 "Conflict of Interest" from 24 CFR Ch. V (4-1-85 Edition) as its policy toward federal funds used wholly or in part toward the CDBG and EDA projects as defined in approved applications. To wit:

(a) Applicability.

(1) In the procurement of supplies, equipment, construction, and services by recipients, and by subrecipients, the conflict of interest provisions in Attachment 0 of OMB Circulars A-102, and A-110, respectively, shall apply.

(2) In all cases not governed by Attachment 0 of OMB Circulars, the provisions of this section shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance by the recipient, by its subrecipients, or to individuals, businesses and other private entities under

eligible activities which authorize such assistance.

(b) Conflicts Prohibited

Except for approved eligible administrative or personnel cost, the general rule is that no persons described in paragraph (c) of this section who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

(c) Persons covered

The conflict of interest provisions of paragraph (b) of this section apply to

any person who is an employee, agent, consultant, officer, or elected official

or appointed official of the recipient, or of any designated public agencies.

ADOPTED this the 15th day of August, 1988.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting
"AYE" duly carried that upon the recommendation of the Franklin County Planning Board the following
ordinance redefining the extraterritorial jurisdiction of the Town of Louisburg approved:

AN ORDINANCE AMENDING THE FRANKLIN COUNTY ZONING ORDINANCE (MAP)

REDEFINING THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF

LOUISBURG, AS REQUESTED IN THE TOWN OF LOUISBURG

RESOLUTION NUMBER 5-88 AND 6-88

WHEREAS, the Franklin County Planning Board has reviewed said proposal and favorably recommended amendment per the requirements of the Franklin County Zoning Ordinance; and,

WHEREAS, the Town of Louisburg and Franklin County recognizes that there are at present circumstances which cause confusion as to whether a property is under the jurisdiction of the Town of Louisburg or Franklin County; and,

WHEREAS, a public hearing of the Board of County Commissioners has been scheduled, duly advertised per the requirements of G. S. 153A, and conducted on August 1, 1988 at 7:30 P. M.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners has acted favorably on the petition and provides for the following ordinance.

SECTION I To redefine the boundaries of the Louisburg Town Extraterritorial Jurisdiction, and further described by attachment (Description on file in county manager's office)

SECTION 11 That this ordinance shall become effective upon its adoption.

Adopted this the 15th day of gust 1988.

Upon motion by Commissioner Goswick, seconded by Commissioner Swanson with all present voting "AYE" duly carried upon the recommendation of the Franklin County Planning Board, accept the proposed extraterritorial jurisdiction boundary of the Town of Franklinton per request of the Town of Franklinton resolution dated April 19, 1988; this boundary would not be in effect until the Town of Franklinton duly advertises and adopts the new zoning ordinance amending the current zoning ordinance and extraterritorial jurisdiction boundary.

Upon motion by Commissioner Alford, seconded by Commissioner Wynne with all present voting "AYE" duly carried upon the recommendation of the Franklin County Planning Board, the following ordinance extending the Conservation CON-D & R-40 District approved:

AN ORDINANCE AMENDING THE FRANKLIN COUNTY ZONING ORDINANCE (MAP)

EXTENDING THE CONSERVATION CON-D & R-40 DISTRICT WEST AND SOUTH

OF THE TAR RIVER FROM THE VANCE COUNTY TO THE GRANVILLE COUNTY LINE

WHEREAS, the Franklin County Planning Board has reviewed said proposal and favorably recommended amendment per the requirements of the Franklin County Zoning 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 August 1, 1988 at 7:30 P. M.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners has acted favorably on the petition and provides for the following ordinance.

SECTION I That the Conservation District (CON-D) be extended west along the Tar River to the Granville County line, including the 100 year flood plain of the Tar River.

SECTION II That the R-40 District be extended west along the 100 year flood plain to the Granville County line, and that the R-40 District be 1,000 feet wide to provide further protection of the Tar River.

SECTION III That this ordinance shall become effective upon its adoption.

Adopted this the 15th day of August, 19

Upon motion by Commissioner Swanson, seconded by Commissioner Goswick with all present voting "AYE" duly carried that upon the recommendation of the Franklin County Planning Board the following ordinance redefining heavy industrial district approved:

AN ORDINANCE AMENDING THE FRANKLIN COUNTY ZONING ORDINANCE (MAP) REDEFINING

THE HEAVY INDUSTRIAL DISTRICTS LOCATED IN LOUISBURG, FRANKLINTON, AND

YOUNGSVILLE TOWNSHIPS ALONG HIGHWAYS N. C. 56 & U.S. 1

WHEREAS, the Franklin County Planning Board has reviewed said proposal and favorably recommended amendment per the requirements of the Franklin County Zoning Ordinance; and,

WHEREAS, a public hearing of the Board of County Commissioners has been scheduled, duly advertised per the requirements of G. S. 153A, and conducted on August 1, 1988 at 7:30 P. M.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners has acted favorably on the petition and provides for the following ordinance.

SECTION I to rezone lands and redefine the boundaries of lands located in the Light Industrial and Heavy Industrial zoning districts described on the tax maps included with this petition (Tax Maps G6, F6, F5, B6, C7, E4)

SECTION 11 That this ordinance shall become effective upon its adoption.

Adopted this the 15th day of August 1988.

Minutes of the meeting of August 15, 1988 --- Continued

Upon motion by Commissioner Alford, seconded by Commissioner Wynne with all present voting "AYE" duly carried the following Franklin County 1988 Economic Development Administration and North Carolina Department of Commerce Project Ordinance approved:

FRANKLIN COUNTY 1988 ECONOMIC DEVELOPMENT ADMINISTRATION AND NORTH

CAROLINA DEPARTMENT OF COMMERCE PROJECT ORDINANCE

Be it ordained by Franklin County Board of Commissioners, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1. The project authorized is the extension of water and sewer lines on US I and US 1A as described in the work statement contained in the grant agreement #04-01-03547 between this unit and the U. S. Department of Commerce's Economic Development Administration (EDA).

Section 2. Included in the Economic Development Administration's work statement is the extension of a water line on US I to serve Post Software. Franklin County has received a grant from the North Carolina Department of Commerce to assist in the construction of the waterline on US I to serve Post Software. This project is described in the work statement contained in the grant agreement between this unit and the North Carolina Department of Commerce.

Section 3. Included in the Economic Development Administration's work statement is the extension of water and sewer lines on US IA to serve Captive Aire Systems. Franklin County has received a Small Cities Community Development Block (CDBG) grant from the North Carolina Department of Natural Resources and Community Development, Division of Community Assistance to extend these water and sewer lines. Franklin County has adopted a Project Ordinance for these water/sewer lines extensions as defined in CDBG agreement #87-C-7508.

Section 4. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the U. S. Department of Commerce, Economic Development Administration and the North Carolina Department of Commerce and the budget contained herein.

Section 5. The following revenues and those contained in the Project Ordinance adopted for the CDBGED funded portion of this project are anticipated to be available to complete this project:

Economic Development Administration	\$455,270
NC Department of Commerce	\$115,925
Post Software \$ 60,000	
Franklin County	\$ 45,000
Captive-Aire Systems	\$ 68,007
TOTAL	\$744,540

Section 6. The following line items are created for-this project and appropriations:

	Water/Sewer Extensions
Administration	\$\$ 12,000
Preliminary expense	\$ 2,000
Land, Structures, Right-of-ways	\$ 7,500
A/E Basic Fees	\$ 40,716
Other A/E Fees	\$ 1,000
Inspection Fees	\$ 25,021
Construction	\$ 595,823*
Contingencies	\$ 60,480

TOTAL

\$ 744,540

*The North Carolina DOC Grant must be used for water line extension on U. S. 1 to serve Post Software. Post Software's contribution must also be used for the extension of the water line on U. S. 1 to serve its facility.

Section 7. The finance officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement(s) and federal and state regulations.

Section 8. Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 9. The finance officer is directed to report monthly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 10. The budget officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this board.

Section 11. Copies of this grant ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this the 15th day of August, 1988.

Minutes of the meeting of August 15, 1988--- Continued

Pursuant to and in accordance with G. S. 153-318.11 and upon motion by Commissioner Goswick, seconded by Commissioner Wynne with all present voting "AYE" duly carried the Board went into executive session to discuss land acquisition.

The Board reconvened into regular session and as a result of the executive session, upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried direct the county attorney to negotiate with Mr. Joseph Jacobs to acquire an easement across his property for sewer line to Captive-Aire Systems and if negotiations fail, authorize county attorney to proceed with condemnation.

There being no further business to come before the Board, adjournment recorded at 9:30 P.M.

