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**AUGUST 7, 1989**

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

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried the minutes of the Commissioners' meeting held on July 3, 1989 approved.

Proper notice having been given, this, is the time and place set for a public hearing to receive public comments on amendments to the Franklin County Zoning Ordinance.

Chairman Alford declared public hearing open at 7:35 P. M. and recognized County Planner Bob Heuts.

Mr. Heuts stated that a request to rezone 21 acres of land in Dunn Township from R-40 to HI was incorrectly advertised in the public hearing notice and would be readvertised.

Mr. Heuts then discussed petition by Kenneth Whitman to rezone 5 acres east of U.S. 401 and 4,000 feet south of State Road 1103 in Harris Township from R-40 to HB.

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

Esther Bell, Route 1, Box 190, Youngsville, NC requested rezoning petition be denied

Johnny Clark, Route 1, Box 191, Youngsville, NC requested rezoning petition be denied

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Minutes of the meeting held on August 7, 1989---Continued

Mr. Heuts then discussed petition by Carolina Refrigerated Trailer Sales, Inc. to rezone 3 acres on N. C. 98 800 feet east of SR1103 and N. C. 98 in Harris Township from AR to HB.

Chairman Alford called for public comments and the following people spoke:

Chris Leverett, Bunn, NC requested rezoning petition be denied

John Oatfield, Route 1, Box 51, Louisburg, NC requested rezoning petition be denied

Diane Driver, Route ;1, Box 70F, Louisburg, NC requested rezoning petition be denied Ms. Driver also read a letter written by Dr. William Ginn, Raleigh, NC, requesting that rezoning petition be denied

Ricky Wiggs, Route 1, Box 70F, Louisburg, NC requested rezoning petition be denied

Mary Stone, Route 1, Box 74, Louisburg, NC requested rezoning petition be denied

County Planner Heuts discussed rezoning petition by Bob Bostrom to rezone 2 acres, north of N. C. 96, west of U. S. 1 in Youngsville Township from LI to HB.

Chairman Alford called for public comments and no one spoke.

County Planner Heuts discussed rezoning petition by Don Massey to rezone 1.3 acres on SR1770 112 mile west of N. C. 39 in Dunn Township from R-40 to HB.

Chairman Alford called for public comments and the following people spoke:

Chris Leverett, Bunn, NC - requested rezoning petition be denied

Peggy Mincey, Route 5, Box 384, Zebulon, NC - requested rezoning petition be approved

County Planner Heuts discussed recommendation by the Franklin County Planning Board to add refurbishing of semi-trailers to the HB permitted uses.

Chairman Alford called for public comments and the following people spoke:

Ricky Wiggs requested recommendation be denied

John Oatfield requested recommendation be denied

County Planner Heuts discussed recommendation from the Franklin County Planning Board to add bed and breakfast as conditional use to the residential districts.

Chairman Alford called for public comments and no one spoke.

County Planner Heuts discussed recommendation by the Franklin County Planning Board to allow special use for W. G. Hockaday to establish a junkyard on N.C. 39 in Louisburg Township.

The Board of Commissioners questioned Mr. Hockaday as to the size of the lot, would he meet the fence and screening requirement of minimum of 6 feet to hide junk, what are feeling of adjoining property owners, and what are future plans.

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

William G. Hockaday, Route 1, Box 527, Louisburg, NC requested approval of junkyard

Felix H. Allen, 111, 306 N. Church St., Louisburg, NC requested approval of junkyard be denied

Chairman Alford declared public hearing closed at 8:45 P. M.

Upon motion by Commissioner Swanson, seconded by Commissioner Sledge with all present voting "AYE" duly carried that upon the recommendation of the Franklin County Planning Board deny rezoning request by Kenneth Whitman to rezone 5 acres east of U.S. 401 on SR1103 from Residential R-40 to Highway Business.

Upon motion by Commissioner Sledge, seconded by Commissioner Swanson with all present voting "AYE" duly carried table until first meeting in September, 1989, rezoning petition by Carolina Refrigerated Trailer Sales, Inc., to rezone 3 acres on N.C. 98 east of SR1103 from Agricultural-Residential to Highway Business.

Minutes of meeting held on August 7, 1989---Continued

Upon motion by Commissioner Wynne, seconded by Commissioner Sledge with all present voting "AYE" duly carried upon the recommendation of the Franklin County Planning Board the following ordinance amending the Franklin County Zoning Ordinance adopted:

**AN ORDINANCE AMENDING THE FRANKLIN COUNTY ZONING ORDINANCE (MAP) TO REZONE A TRACT OF LAND (2.25 ACRES) LOCATED ON U.S. 1 AND N.C- 96 IN YOUNGSDALE TOWNSHIP FROM LIGHT INDUSTRIAL TO HIGHWAY BUSINESS**

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 7, 1989 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 2.25 acre tract of land located in Youngsville Township on U.S. 1 and N.C 96 be rezoned from Light Industrial to Highway Business and more particularly described as follows: Beginning at a point, N. C. Grid Coordinate N=834,473.535, E= 2,148,448.982, then N 560 10' 18" W, W 22.99 feet to a corner, then S 720 02' 46" W 45.12 feet to a corner, then N 52' 40' 36" W 292.25 feet to a corner, then N 420 48" 48" E 307.94 feet to a corner, then S 580 18' 05" E 277.28 feet to a corner, then S 30'26'33" W 270.000 feet, then S 30' 421 36" W 27.34 feet to point of beginning.

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

ADOPTED this the 7th day of August, 1989.

Upon motion by Commissioner Goswick, seconded by Commissioner Wynne with all present voting "AYE" duly carried upon the recommendation of the Franklin County Planning Board the following ordinance adopted amending the Franklin County Zoning Ordinance:

**AN ORDINANCE AMENDING THE FRANKLIN COUNTY ZONING ORDINANCE (MAP) TO REZONE 1.3 ACRE TRACT OF LAND LOCATED ON STATE ROAD-1770 NEAR PILOT IN DUNN TOWNSHIP FROM RESIDENTIAL 40 TO HIGHWAY BUSINESS**

WHEREAS, the Franklin County Planning Board has reviewed said petition and favorably recommended amendment per 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 7, 1989 at 7:30 P. M.

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

SECTION 1 That the 1.3 acre tract of land located in Dunn Township on State Road 1770, west of Pilot, e rezoned from Residential 40 to Highway Business and more particularly described as follows: Beginning at a point 2000 feet southwest of intersecting roads N.C. 39 and State Road 1770, on the south side of State Road 1770; south and east 202.59 feet to a corner, then east 73.27 feet to a corner, then parallel to

State Road 1770 southwest 217.16 feet to a corner, then northwest 288.65 feet to a corner, then along right of way of State Road 1770 210 feet to the point of beginning.

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

ADOPTED this 7th day of August, 1989.

Upon motion by Commissioner Sledge, seconded by Commissioner Wynne with all present voting "AYE" duly carried table until the first meeting in September, 1989, proposed ordinance amending the Franklin County Zoning Ordinance for the addition of a permitted used refurbishing of semi-trailers in the Highway Business and a conditional use bed and breakfast in the Residential District.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried deny petition for a special use permit to located a junkyard on N. C. 39.

Upon motion by Commissioner Goswick, seconded by Commissioner Sledge with all present voting "AYE" duly carried table until the first meeting in September a rezoning request to rezone 21 acres north of N.S. 64 and east of N. C. 39 from R-40 to HI.

Upon motion by Commissioner Sledge, seconded by Commissioner Goswick with all present voting "AYE" duly carried appropriate \$500.00 to be used by the Franklin County Literacy Council; authorize council to use the old library building located on Justice Street; County Manager Boutwell and Commissioner Sledge to meet with Literacy Council and other groups now using old library building to establish a schedule whereby old library building will be available for all groups.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried table until the first meeting in September, 1989 action on resolution amending the Articles of Incorporation of the Franklin Water & Sewer Authority.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried authorize chairman to execute encroachment agreement with Carolina Power & Light Company pertaining to property owned by Franklin County locted in Youngsville Township.

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Upon motion by Commissioner Goswick, seconded by Commissioner Wynne with all present voting "AYE" duly carried authorize chairman to execute renewal of Bunn Health Clinic lease agreement; this agreement will expire July 31, 1990.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried approve road petition for Oakwood Court, located in Youngsville Township and forward to the North Carolina Department of Transportation officials for evaluation and review.

Upon motion by Commissioner Sledge, seconded by Commissioner Goswick with all present voting "AYE" duly carried Dennis Tabron reappointed to serve a three-year term, July 1, 1989 - June 30, 1992, on the Franklin County Board of Adjustment.

Upon motion by Commissioner Goswick, seconded by Commissioner Wynne with all present voting "AYE" duly carried the following people appointed to serve on the Franklin County Nursing Home Community Advisory Committee:

Linda Payne  
Route 2, Box 242  
Franklinton, NC 27525

Three-year term, August 1, 1989 - July 31, 1992

Jackie G. Stallings  
Route 5, Box 432  
Zebulon, NC 27597

Fill unexpired term - expiring December, 1990

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried William Wood and Henry Nelms reappointed to serve a three-year term, September 1, 1989 - August 31, 1992, on the Franklin County Planning Board.

Upon motion by Commissioner Sledge, seconded by Commissioner Goswick with all present voting "AYE" duly carried Charles McNeil appointed to serve a two-year term, July 1, 1989 - June 30, 1991, on the Private Industry Council.

Upon motion by Commissioner Swanson, seconded by Commissioner Sledge with all present voting "AYE" duly carried Commissioner Ronald W. Goswick reappointed to serve a three-year term, July 1, 1989 - June 30, 1992, on the Franklin County Social Services Board.

Upon motion by Commissioner Swanson, seconded by Commissioner Sledge with all present voting "AYE" duly carried establish a Home Health Technician position at the the Franklin County Home Health Agency.

Upon motion by Commissioner Goswick, seconded by Commissioner Swanson with all present voting "AYE" duly carried the following ordinance amending the Franklin County Zoning Ordinance adopted:

**AN ORDINANCE AMENDING THE FRANKLIN COUNTY ZONING ORDINANCE (TEXT) REGULATING  
OUTDOOR  
STORAGE FOR PERMITTED USES IN THE COMMERCIAL AND INDUSTRIAL DISTRICTS**

WHEREAS, the Franklin County Board of Commissioners duly adopted the Franklin County Zoning Ordinance on January 5, 1987; and,

WHEREAS, the Franklin County Planning Board has provided a recommendation 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 May 1, 1989; and,

NOW, THEREFORE, BE IT ORDAINED that the Board of Commissioners has acted favorably on the Planning Board recommendation and provides the following amending ordinance.

SECTION I That the preamble to Article II District Regulations, Section 11-4 Highway Business District (HB), be amended to read as follows: The purpose of this district shall be to provide for and encourage the proper grouping and development of roadside uses which will best accommodate the needs of the motoring public, the reduction of highway congestion and hazard, and the minimization of blight. The

following standards are established for this district and designed to promote sound permanent commercial development, and to protect nearby areas from undesirable aspects of commercial development: (1) outside storage must be screened from public view by opaque fencing, screening, or landscaping, (2) outside storage shall be limited to the rear and side of the principal building, (3) storage of unsafe (corrosive, flammable, or explosive materials) or hazardous material shall comply with any local, state, or federal requirements, and (4) outside storage must be on the premises of the business.

**SECTION II** That the preamble to Article II District Regulations, Section 11-5 Neighborhood Business (NB), be amended to read as follows: This district is established for business development serving the business needs of the rural community. The following standards are established for this district and designed to promote sound permanent commercial development, and to protect nearby areas from undesirable aspects of commercial development: (1) outside storage must be screened from public view by opaque fencing, screening, or landscaping, (2) outside storage shall be limited to the rear and side of the principal building, (3) storage of unsafe (corrosive, flammable, or explosive materials) or hazardous material shall comply with any local, state, or federal requirements, and (4) outside storage must be on the premises of the business.

**SECTION III** That the preamble to Section II-6 Light Industrial District (LI), be amended to read as follows: The purpose of this district is to establish and protect industrial areas for the use of light manufacturing operations and for the distribution of products at wholesale. The following standards are established for this district and designed to promote sound permanent light industrial development, and to protect nearby areas from undesirable aspects of industrial development: (1) all assembly and/or

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manufacturing be confined within the building, (2) all outdoor storage be screened from public view by opaque fencing, screening, or landscaping, limited to rear and side of the principal building, if hazardous and/or unsafe, shall meet all local, state, and federal environmental requirements, and must be on the premises of the business, and (3) anyone applying for a LI permit must demonstrate that no adverse impacts such as noise, groundwater, air, pollution, and vibrations are created by the proposed use, beyond the lot boundaries of the use. This district shall be located adjacent to and/or with direct access to thoroughfare roads or streets.

**SECTION IV** That the preamble to Section 11-7 Heavy Industrial District (HI), be amended to read as follows: The purpose of this district is to establish and preserve areas for heavy industrial and related uses and is designed to accommodate all but the most objectionable industries; however, industries permitted by right are required to minimize their emission of smoke, fumes, glare, noise, and vibrations. The following standards are established for this district and designed to promote sound permanent heavy industrial development, and to protect nearby areas from undesirable aspects of industrial development: (1) outside storage must be screened from public view by opaque fencing, screening, or landscaping, (2) outside storage shall be limited to the rear and side of the principal building, (3) storage of unsafe (corrosive, flammable, or explosive materials) or hazardous material shall comply with any local, state, or federal requirements, and (4) outside storage must be on the premises of the business. This district should be separated from residential areas whenever possible by natural or structural features such as sharp breaks in topography, strips of vegetation, or traffic arteries. This district shall be located adjacent to and/or with direct access to thoroughfare roads or streets.

**SECTION V** That this ordinance shall become effective upon its adoption.  
ADOPTED this the 7th day of August, 1989.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting "AYE" duly carried the following policy regulating use of county vehicles adopted; county manager to enforce same:

## **FRANKLIN COUNTY VEHICLE USE POLICY**

### I. Purpose

The purpose of this policy is to establish provisions for authorized use of county vehicles by county employees for the purpose of conducting county business.

### II. Applicability

All employees and officials of the county are subject to this policy unless otherwise stated herein or unless the Franklin County Board of Commissioners approves otherwise in an employment agreement with the county manager.

### III. General

- A. The policy of Franklin County is to provide county vehicles for the express purpose of conducting county business.
- B. County vehicles are available for employees' use contingent upon the availability of vehicles and funds.
- C. Any exceptions other than those specified herein to this policy must be approved by the county manager.
- D. This policy shall be effective upon its adoption by the Franklin County Board of Commissioners this the 7th day of August, 1989. This policy recinds any previous policy in effect prior to this adoption.

### IV. Use of County Vehicles

- A. County employees are encouraged to use county-owned vehicles for county business when available.
- B. County vehicles may be used for any authorized travel. The employee must obey all laws of the jurisdiction in which the vehicle is being operated. The vehicle will be used for the purpose of conducting county business only. A minimal amount of personal use, such as driving the vehicles to and from meals while out of town, will be allowed. Non-county employee may not accompany county employees in county vehicles unless the non-county employees are with the county employee on official county business.

### V. Driving Licensing Program

A. The following minimum standards must be met by a prospective or current employee who will or does operate any motor vehicle in the course of county business.

1. No employee may drive a motor vehicle on county business except in accordance with these regulation.
2. Every employee who drives on county business must inform his/her department head or their designee of every conviction for a moving traffic violation no later than the next working day after such conviction. Conviction a that term is used in this policy also includes "infractions" of motor vehicle laws. Failure to disclosure in accordance with these regulations may be grounds for suspension or dismissal.

3. If an employee is taking any prescription or nonprescription drug or medication that contains alcohol, causes drowsiness or impairs his/her ability to drive, he/she must notify his/her immediate supervisor before driving any vehicle on county business.

4. Random or routine driver's license and driving record checks will be performed to ensure compliance with these guidelines.

5. Failure to comply with these regulations and procedures will be grounds for disciplinary employment action.

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B. To be eligible to operate a county vehicle, a county employee must:

1. Have a valid, current North Carolina operator's license, not under suspension or restricted other than for corrective lenses.

2. Be at least 18 years of age.

3. Demonstrate the mental and physical capacity to drive in a safe manner. In disputed cases, the department head's determination of physical or mental condition will be final.

4. Have no prior violations of county rules concerning use and possession of intoxicating beverages or

5. purpose of this policy, anyone who reports to work conducts county business or drives a county vehicle under the influence of intoxicating beverages or non-prescription drugs, or possesses such drugs of alcohol in a county vehicle or while on county business will be ineligible to drive on county business.

### VI No Personal Use

The "no personal use" policy prohibits personal use of county owned vehicles by employees of Franklin County in accordance with North Carolina General Statute 14-247 and directs that the use of the vehicle meet the following conditions:

1. The vehicle is owned or leased by the county is provided to one or more employees for use in connection with official county business.

2. When the vehicle is not used for official county business, it is kept on county premises, unless it is temporarily located elsewhere, for example, for maintenance or because of a mechanical failure.

3. Under a written policy of the county, neither an employee, nor any individual whose use would be taxable to the employee, may use the vehicle for personal purposes, except for minimal personal use.

4. Certified law enforcement employees of the sheriff's department are authorized to drive county vehicles home where the vehicle may be kept while the employee is off duty. the sheriff's department employee must be in uniform or other official dress while driving the county vehicle unless he/she is responding to an emergency call. All other regulations of this policy concerning personal use and noncounty employees are enforceable in the sheriff's department.

5. No other employee may use county owned vehicles for commuting unless authorized by the board of commissioners.

VII. Effective Date

This policy will become binding upon all county employees, department heads, and supervisors effective August 7, 1989.

Upon motion by Commissioner Goswick, seconded by Commissioner Sledge with all present voting "AYE" duly carried the following budget amendments approved:

**BUDGET AMENDMENT NO. 2**

**ACCOUNT AMOUNT**

10-420-0540 850)  
10-440-0540 250)  
10-460-0540 750)  
10-465-0540 84)  
10-480-0540 50)  
10-490-0540 (1,888)  
10-500-0540 (12,000)  
10-510-0540 (13,146)  
10-511-0540 2,000)  
10-532-0540 700)  
10-580-0540 750)  
10-590-0540 (4,382)  
10-596-0540 346)  
                                  9-629-540 (2,630)  
10-506-0540 39,480

These amendments are necessary to consolidate accounting of all insurance to a non-departmental account.

**BUDGET AMENDMENT NO. 3**

**ACCOUNT AMOUNT**

10-348-0061 (\$4,179)  
10-630-0740 4,179

These amendments are necessary to account for receipt of an LSCA Enrichment Grant to be used to purchase capital equipment.

10-349-0032 (\$13,398)  
10-596-0020 10,085  
10-596-0060 1,606  
10-596-0050 766  
10-596-0070 941

These amendments are for authorized new Home Health Technician position.

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**BUDGET AMENDMENT NO. 4**

**ACCOUNT AMOUNT**

10-355-0040 \$ 1,410)

10-630-0730 500

10-630-1001 910

This amendment reflects changes for gifts received as memorials to Michele James of Franklinton

10-397-0000 \$ 100,000)

10-681-2075 100,000

70-399-0000 100,000)

70-682-0980 100,000

Appropriation for architectural/planning fees for middle school.

Upon motion by Commissioner Sledge, seconded by Commissioner Wynne with all present voting "AYE" duly carried approve request by the Wake County Veterans Council, the Administrator for the State Capital and Capital Area Visitor Center to furnish an American flag for use during official functions on the south lawn of the North Carolina State Capitol Grounds.

Upon motion by Commissioner Sledge, seconded by Commissioner Goswick with all present voting "AYE" duly carried the following resolution authorizing application for land records management grant approved:

**RESOLUTION OF THE FRANKLIN COUNTY BOARD OF COMMISSIONERS**

BE IT RESOLVED, that the Board of Commissioners hereby authorize Franklin County's application for matching funds and technical assistance under the North Carolina Land Records Management Program (LRMP), under the provisions of North Carolina General Statute 102-15 through 17; and BE IT FURTHER RESOLVED, that:

1. The application for grant assistance for FY 89-90 be in the amount of \$105,000.00.
2. Franklin County has the necessary funds in its General Fund for FY 89-90 to match the grant amount under LRMP and will assign said funds to this project upon notice of the award.
3. Franklin County Government shares a willingness to participate in the LRMP and will comply with all applicable laws and regulations.

ADOPTED this the 7th day of August, 1989.

Upon motion by Commissioner Goswick, seconded by Commissioner Swanson with all present voting "AYE" duly carried when scales become operational at the Franklin County Landfill that a tire tipping fee of \$50.00 per ton or 500 per tire if under 250 pounds be implemented and that this fee be reassessed in January, 1990.

The following bids received for sale of the following two garbage trucks:

Trucks: 1973 Ford C8000 - ID# Q80CVR27477  
1975 Ford C8000 - ID# Q80DVW27293

Vendor Bid

Thomas Vick \$ 4,000  
Route 1, Box 282  
Spring Hope, NC

William Coston \$1,777.76  
P. O. Box 451  
Apex, NC 27502

W. L. Davis 922

Upon motion by Commissioner Sledge, seconded by Commissioner Goswick with all present voting "AYE" duly carried accept bid of \$4,000 from Thomas Vick for two garbage trucks.

Upon motion by Commissioner Goswick, seconded by Commissioner Sledge with all present voting "AYE" duly carried approve request from Franklin County Board of Education for expenditure of \$70,000 for the purchase of a site for a playground at the Youngsville Elementary School.

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Upon motion by Commissioner Wynne, seconded by Commissioner Goswick with all present voting "AYE" duly carried that the Commissioners' meeting scheduled for September 4, 1989 be changed to September 11, 1989 due to the Labor Day Holiday.

Upon motion by Commissioner Sledge, seconded by Commissioner Wynne with all present voting "AYE" duly carried that a public hearing be held during the meeting of the Franklin County Board of Commissioners, which begins at 7:30 P. M., on Monday, September 11, 1989 to receive public comments on amendments to the Franklin County Zoning Ordinance.

Upon motion by Commissioner Wynne, seconded by Commissioner Sledge with all present voting "AYE" duly carried that a public hearing be held during the meeting of the Franklin County Board of Commissioners, which begins at 7:30 P. M., on Monday, September 11, 1989, to receive public comments on amending the Articles of Incorporation of the Franklin Water & Sewer Authority.

Upon motion by Commissioner Goswick, seconded by Commissioner Wynne with all present voting "AYE" duly carried authorize architectural services for planning expansion at Franklin County Jail.

There being no further business to come before the Board, adjournment recorded at 10:30 P. M.