

MARCH 5, 1990

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

Upon motion by Commissioner Swanson, seconded by Commissioner Sledge with all present voting "AYE" duly carried the minutes of the Commissioners' meetings held on February 6 and February 19, 1990 approved.

Chairman Wynne recognized County Manager Boutwell and requested him to make comments pertaining to the proposed location of a senior citizens center in the Shannon Plaza Shopping Center, Louisburg, NC. Mr. Boutwell discussed the purchase versus lease of a building to be used for the senior citizens' center.

Mr. Jim Carnes was present and made comments concerning the proposed senior citizens' center.

The following citizens were present with comments on proposed senior citizens, center:

Reverend Tom Feamster, Route 5, Louisburg, NC

anita Flayer, Route 2, Box 67N, Youngsville, NC

Ed Perry, Box 777, Louisburg, NC

Billie Frady, Route 4, Box 168, Louisburg, NC

Harry Foy, Route 1, Spring Hope, NC -

Upon motion by Commissioner Sledge, seconded by Commissioner Goswick with all present voting "AYE" duly carried that the \$16,000 raised by senior citizens' fund raisings be used for furnishings and/or equipment for the senior citizens center.

Upon motion by Commissioner Alford, seconded by Commissioner Sledge with all present voting "AYE" duly carried the following resolution declaring "Happy Whistlers' Week" adopted:

RESOLUTION

WHEREAS, the Franklin County Arts Council has formed the National Whistlers Convention and the National Whistlers Museum with headquarters in Louisburg in the County of Franklin, North Carolina; and,

WHEREAS, these projects of the Arts Council has brought favorable national and international recognition to the county's government, community, and people; and,

WHEREAS, this recognition has produced pride and honor to the county's citizens with an opportunity to participate and to observe others participating in these worthwhile projects; and,

WHEREAS, the ancient art of whistling is being preserved with public displays of talent and artifacts in the nation's only museum of its kind; and,

WHEREAS, the art of whistling is both a performing art and a healthy expression of happiness for the community;

NOW, THEREFORE, BE IT RESOLVED that the Franklin County Board of Commissioners, in appreciation for the Arts Council's efforts to provide an educational and artistic service to the county's citizens, declare the week of April 16-22, 1990 as

“ HAPPY WHISTLERS WEEK”

and commend its observance to all of the citizens of Franklin County.

ADOPTED this the 5th day of March, 1990.

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Mr. Dain Riley, representing the LPA Group, consulting engineers for the Franklin County Airport was present to request approval for additional professional services at the airport.

Upon motion by Commissioner Swanson, seconded by Commissioner Sledge with all present voting "AYE" duly carried authorize chairman to sign Work Authorization For Professional Services Number C-2 with the LPA Group.

Upon motion by Commissioner Sledge, seconded by Commissioner Goswick with all present voting "AYE" duly carried approve the installation and monthly service charge for telephone in the office to be used by the Franklin County Literacy Council.

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

AN ORDINANCE AMENDING THE FRANKLIN COUNTY ZONING ORDINANCE (TEXT) FOR THE ADDITION

OF SINGLE, LOW-IMPACT OFFICES TO THE NEIGHBORHOOD BUSINESS (NB) DISTRICT

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 February 6, 1990; 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 1 That the text of the Franklin County Zoning Ordinance be amended to include in Article II, Section II-5 Neighborhood Business District, the following as a permitted use: "Single, small, low impact offices".

SECTION 11 That the Franklin County Zoning Ordinance text be amended to include the following definitions in Article VII Interpretations of Terms and Definitions, Section VII-2 Definitions:

Office, means any room, studio, clinic, suite or building wherein the primary use is the conduct of a business such as accounting, correspondence, research, editing, administration or analysis; or the conduct of a business by professionals such as engineers, architects, land surveyors, artists, musicians, lawyers, accountants, real estate brokers, insurance agents, dentists or physicians, urban planners and landscape architects. For the purpose of this ordinance, an office shall not involve manufacturing, fabrication, production processing, assembling, cleaning, testing, repair or storage of materials, goods and products; or the sale and/or delivery of any materials, goods or products which are physically located on the premises.

Low-Impact Office, means an office building which is no greater in height than 35 feet, and a floor area ratio no greater than .25.

Floor Area Ratio (FAR), determined by dividing the gross floor area of all buildings on a lot by the area of that lot.

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

ADOPTED this the 5th day of March, 1990.

Upon by Commissioner Sledge, seconded by Commissioner Goswick with all present voting "AYE" duly carried approve the following revision to the Franklin County 1988 Economic Development Administration And North Carolina Department of Commerce Project Ordinance and the following revision to the Franklin County 1987 Small Cities Community Development Block Grant Economic Development Project Ordinance:

FRANKLIN COUNTY 1988 ECONOMIC DEVELOPMENT ADMINISTRATION AND NORTH CAROLINA

DEPARTMENT OF COMMERCE PROJECT ORDINANCE REVISION

WHEREAS, the Franklin County Board of Commissioners adopted a revised 1988 Economic Development Administration and North Carolina Department of Commerce Project Ordinance for Grant Agreement #04-01-03547 on October 3, 1988; original ordinance dated August 15, 1988; and,

WHEREAS, the project needs to be revised to reflect amended activities and funding as related to the final completion of the project and the related 87-C-7508 CDBG-ED; and,

WHEREAS, Sections 5 and 6 of the 1988 Economic Development Administration and North Carolina Department of Commerce Project Ordinance contain details of revenues and expenditures;

NOW, THEREFORE, BE IT ORDAINED by the Franklin County Board of Commissioners that Sections 5 and 6 of the 1988 Economic Development Administration and North Carolina Department of Commerce Project Ordinance for Grant Agreement #04-01-03547 hereby be revised to wit:

Section 5. The following revenues and those contained in the Project Ordinance Amendment adopted for the 1987 CDBG-ED Grant #87-C-7508 this same date were available to complete this project:

Economic Development Administration	\$ 455,270.00
N. C. Department of Commerce	115,925.00
Post Software International	60,000.00

Total Revenues \$ 631,195.00

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

WATER/SEWER EXTENSIONS

Administration \$ 12,000.00

Preliminary Expense

Land, Structures, Right Of Way(s) 26,942.00

A/E Basic Fees 39,030.00

Other A/E Fees 1,246.00

Inspection Fees 25,710.00

Construction	512,946.99
Contingencies	13,320.01
Total	\$ 631,195.00

ADOPTED this 5th day of March, 1990.

FRANKLIN COUNTY 1987 SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT ECONOMIC
DEVELOPMENT PROJECT ORDINANCE AMENDMENT

WHEREAS, the Franklin County Board of Commissioners adopted an amended 1987 Small Cities
Community Development Block Grant Economic Development Project Ordinance for Grant #87-C-7508
on October 3, 1988; original dated November 2, 1987; and,

WHEREAS, the project needs to be amended to reflect final completion of all program activities revenues and expenditures; and,

WHEREAS, Sections 3 and 4 of the 1987 CDBG-ED Project Ordinance give details of revenues and expenditures;

NOW, THEREFORE, BE IT ORDAINED by the Franklin County Board of Commissioners that Sections 3 and 4 of the 1987 CDBG-ED Grant #87-C-7508 Project Ordinance hereby be amended to wit:

Section 3. The following public revenues were available to complete this project:

Community Development Block Grant	\$ 161,000.00
Captive-Aire Systems	109,050.76
Franklin County	110,732.80
Total-Revenues thru General Fund	\$ 380,783.56

Section 4. The following line items were created for this project and appropriations:

Acquisition	\$ 8,825.00
Water/Sewer Construction	359,270.40
Administration	12,688.16
Total CDBG-ED Related Activities	\$ 380,783.56

ADOPTED this the 5th day of March, 1990.

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

BUDGET AMENDMENT NO. 12

10-596-0740	Capital Outlay	\$675
10-596-0040	Professional Services	165
10-349-0035	DHS Funds	(840)

These are for funds received from the state for the home health program. Computer equipment will be purchased and data processing services shall be required.

10-590-0040	Professional Services	\$ 250)
10-348-0010	DHS Funds	(250)

These are for funds received from the state for the general health department's budget to be used for data processing services.

40-660-5190	Crisis Intervention	3,261
40-335-0000	CP&L Revenue	(3,261)

Franklin County DSS has received an additional allocation of funds from the North Carolina Department of Human Resources (CP&L's project share) for the Emergency Energy Assistance Program.

10-500-0160	Equipment Repairs - Courthouse	15,000
10-506-0590	Contingency	(15,000)

The 20-ton chiller at the courthouse needs replacing. This is an unexpected cost. Total cost is \$21,463. We need to appropriate \$15,000 from contingency.

Upon motion by Commissioner Sledge, seconded by Commissioner Goswick with all present voting "AYE" duly carried that a letter be written to Mr. Franklin Freeman, Director of the Administrative Office Of The Courts expressing the Board of Commissioners' concerns over the mounting costs of providing facilities for the court system in Franklin County.

Upon motion by Commissioner Alford, seconded by Commissioner Sledge with all present voting "AYE" duly carried authorize Westinghouse Environmental & Geotechnical Services, Inc. to perform a preliminary environmental evaluation for the Louisburg Sportswear Building.

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Upon motion by Commissioner Goswick, seconded by Commissioner Sledge with all present voting "AYE" duly carried that a public hearing be held during the meeting of the Board of Commissioners, which begins at 7:30 P. M., on Monday, April 2, 1990 to receive public comments pertaining to Community Development Block Grant needs.

Upon motion by Commissioner Alford, seconded by Commissioner Sledge with all present voting "AYE" duly carried upon the recommendation of the Pilot Volunteer Fire & Rescue, Ms. Treasure Lewis appointed to serve a two-year term, January 1, 1990 -December 31, 1991 and Mr. Waddell Horton appointed to serve a one-year term, January, 1990 - December 31, 1991 on the Pilot Volunteer Fire & Rescue Board of Trustees.

Upon motion by Commissioner Sledge, seconded by Commissioner Goswick with all present voting "AYE" duly carried the Commissioners' meeting scheduled for Monday, March 19, 1990 be cancelled.

Upon motion by Commissioner Sledge, seconded by Commissioner Goswick with all present voting "AYE" duly carried the following resolution authorizing the execution of an installment purchase contract approved:

RESOLUTION AUTHORIZING THE EXECUTION OF AN INSTALLMENT PURCHASE CONTRACT

WHEREAS, Franklin County desires to enter into an installment purchase contract between the county and First Citizens Bank & Trust Company and execute a note and a deed of trust; and,

WHEREAS, the contract provides for the bank to advance certain funds to enable the county to purchase and renovate the old Louisburg Sportswear Building for human service agencies; and,

WHEREAS, the county has determined that the use of the facility is essential to its proper, efficient, and economic operation of public functions; and,

WHEREAS, the county has further determined that the installment payments under the contract and deed of trust are not excessive for their stated purpose,

NOW, THEREFORE, BE IT RESOLVED by the Franklin County Board of Commissioners that the installment financing package offered by First Citizens Bank & Trust Company for a fifteen-year term at a fixed interest of 6.94% be hereby approved, and that the chairman of the Franklin County Board of Commissioners is hereby authorized to sign all necessary documents of said financing agreement;

BE IT FURTHER RESOLVED that this authorization is contingent upon the approval of said financing by the Local Government Commission and upon the successful rezoning of said property;

BE IT ALSO FURTHER RESOLVED that this financing arrangement is in accordance with North Carolina General Statute 160A-20.

ADOPTED this the 5th day of March, 1990.

Pursuant to and in accordance with General Statute 143-318.11 and upon motion by Commissioner Goswick, seconded by Commissioner Sledge with all present voting "AYE" duly carried the Board went into executive session to discuss land acquisition.

The Board reconvened into regular session and the following action taken a result of the executive session.

Upon motion by Commissioner Alford, seconded by Commissioner Sledge with all present voting "AYE" duly carried authorize the county attorney to proceed with condemnation of property contained in Tract #2, owned by Charles A. Thomas and Lena Anne Gordon, and property contained in Tract #8, owned by Sylvia Watkins, in order to proceed with proposed construction of the Franklin County Airport.

There was a general discussion concerning the need for the adoption of a resolution establishing township boundaries in Franklin County.

Upon motion by Commissioner Goswick, seconded by Commissioner Sledge with all present voting "AYE" duly carried Commissioner Wynne be excused from voting on the issue of the establishment of township boundaries in Franklin County.

Upon motion by Commissioner Goswick, seconded by Commissioner Swanson the following resolution establishing township boundaries adopted. Voting "AYE", Commissioner Alford, Commissioner Goswick, Commissioner Sledge and Commissioner Swanson; Commissioner Wynne abstained.

RESOLUTION OF THE BOARD OF COMMISSIONERS FOR FRANKLIN COUNTY, NORTH CAROLINA

ESTABLISHING TOWNSHIP BOUNDARIES

THAT WHEREAS, North Carolina General Statutes Section 153A-19 authorize a county by resolution to establish the boundaries for townships within the county; and,

WHEREAS, North Carolina General Statutes Section 153A-20 provide that if a county is divided into electoral districts for the purpose of nominating or electing persons to the Board of Commissioners that the boundaries of the electoral districts shall be set out and available for public inspection; and,

WHEREAS, Franklin County has been divided into townships and electoral districts for many years; however, there are no current records of any resolutions defining the townships within the County of Franklin; and,

WHEREAS, the last known survey of the townships was conducted in 1869 by W. N. Fuller, a copy of his survey is on record in the North Carolina Department of Archives and History; that the actual location on the land of the boundaries of the townships as shown on said map are not known; and,

WHEREAS, the County has established the various townships based on the boundary lines of the various tracts of land and/or physical characteristics of the land and has caused the Franklin County Tax Appraiser

to place these boundaries on copies of aerial photographs based on the historical location of the township boundaries; that these boundaries have been accepted by all departments of county government, the Board of Elections, Board of Education, surveyors and the citizens in general; and,

WHEREAS, it is the desire of the Board of County Commissioners to adopt the township designation for each tract or parcel of land as have been established and used by the Franklin County Tax Department and as are shown on the copies of the aerial photographs as prepared by the Tax Appraisers' Office; and,

WHEREAS, the electoral districts are determined by townships and are as follows:

District 1 - Dunn and Harris Townships

District 2 - Franklinton and Youngsville Townships

District 3 - Hayesville and Sandy Creek Townships

District 4 - Gold Mine and Cedar Rock Townships

District 5 - Louisburg and Cypress Creek Township

NOW, THEREFORE, BE IT RESOLVED by the Franklin County Board of Commissioners in compliance with North Carolina General Statutes 153A-19 and 20 as follows:

(1) That there shall be ten (10) townships within Franklin County, namely: Dunn, Harris, Youngsville, Franklinton, Hayesville, Sandy Creek, Gold Mine, Cedar Rock, Cypress Creek and Louisburg;

(2) That the boundaries for said townships shall be the same as are shown on the copies of the aerial photographs of Franklin County prepared by the Franklin County Tax Appraisers Office which delineate and designate which tracts or parcels of land are in each township; that said designations have been in effect in Franklin County for many years and have been established by precedent and are hereby adopted as the townships; that the actual lines for the townships shall follow the boundary lines for the individual tracts as they are shown on said photographs.

(3) That there are five (5) electoral districts in Franklin County and they shall be comprised of the following townships as shown on the copies of the aerial photographs prepared by the Franklin County Tax Appraisers Office, to-wit: District 1 - Dunn and Harris Townships; District 2 - Franklinton and Youngsville Townships; District 3 Hayesville and Sandy Creek Townships; District 4 - Gold Mine and Cedar Rock Townships and District 5 Louisburg and Cypress Creek Townships.

(4) That a copy of the arial photographs prepared by the Franklin County Tax Appraisers Office shall be available for public inspection in the office of the Clerk to the Board of Commissioners of Franklin County.

ADOPTED this the 5th day of March, 1990.

There being no further business to come before the Board, adjournment recorded at 9:45 P. M.