

MAY 21, 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 Robert L. Swanson. Commissioner John O. Sledge, III was out of town on business.

Upon motion by Commissioner Alford, seconded by Commissioner Swanson with all present voting "AYE" duly carried the following resolution adopted honoring the memory of William T. Dement:

RESOLUTION HONORING THE MEMORY OF WILLIAM T. DEMENT

WHEREAS, William T. Dement served the citizens of Franklin County as the sheriff of Franklin County from December 1, 1966 until November 30, 1986; and,

WHEREAS, Sheriff Dement was instrumental in providing professional law enforcement services to the citizens of Franklin County; and,

WHEREAS, Sheriff Dement was instrumental in providing professional law enforcement services to the citizens of Franklin County; and,

WHEREAS, Sheriff Dement provided a meaningful and sound leadership in protecting the lives, property, and welfare of the citizens of Franklin County; and,

WHEREAS, during his tenure as sheriff, William T. Dement stressed initiative, dedication, and resiliency for all law enforcement employees; and,

WHEREAS, William T. Dement, better known as "SHERIFF", passed away on May 3, 1990,

NOW, THEREFORE, BE IT RESOLVED by the Franklin County Board of Commissioners assembled in regular session in the Superior Courtroom of the Franklin County Courthouse on this the 21st day of May, 1990 at 7:30 P. M. turn from routine business and reflect upon the life and contribution of Sheriff William T. Dement, both the person and the office holder;

BE IT FURTHER RESOLVED, that said Board expresses its sympathy and condolences to the family of William T. Dement;

BE IT ALSO FURTHER RESOLVED that a copy of this resolution be entered into the minutes of this meeting and a copy presented to the family of Sheriff Dement.

ADOPTED this the 21st day of May, 1990.

William McCoy, Director, Urban Institute, UNC-Charlotte, appeared before the Board with a presentation on services provided by the Urban Institute pertaining to districting and redistricting.

Proper notice having been given, this is the time and place set for a public hearing to receive comments on extension of the Franklinton Fire Tax Service District.

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Chairman Wynne declared public hearing open at 7:40 P. M. and recognized County Manager Boutwell who made comments on the proposal.

Chairman Wynne called for public comments and no one spoke.

Upon motion by Commissioner Goswick, seconded by Commissioner Swanson with all present voting "AYE" duly carried the following resolution extending the Franklinton Fire Tax Service District approved:

#### RESOLUTION EXTENDING FRANKLINTON FIRE SERVICE DISTRICT

WHEREAS, the Franklin County Board of Commissioners previously have determined that it is in the best interest of Franklin County to establish fire service districts for fire protection within the county; and,

WHEREAS, pursuant to Article 16 of Chapter 153A of the North Carolina General Statutes, the Board of Commissioners of Franklin County have determined that there is a demonstrable need for providing fire service districts within Franklin County and that it is impractical to provide these services on a countywide basis; that further, it is economically feasible to provide the proposed services without unreasonable or burdensome annual tax levies; and,

WHEREAS, the Franklin County Board of Commissioners established eleven (11) separate and distinct fire service districts within Franklin County, North Carolina (one of which was Franklinton) through the procedures as set forth in Article 16 of Chapter 153A of the North Carolina General Statutes and by resolution adopted on the 21st day of December, 1987; and,

WHEREAS, the Town of Franklinton Board of Commissioners have adopted a resolution pursuant to Article 16 of Chapter 153A of the North Carolina General Statutes to authorize the inclusion of the incorporated Town of Franklinton in the Franklinton Fire Service District,

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

Section 1. That the incorporated Town of Franklinton, having duly elected to join in the fire service district in which it is located, is hereby included in the Franklinton Fire District;

Section 2. That the Franklinton Fire Department of the Franklinton fire service district shall continue to adhere to the provisions of the resolution passed by the Franklin County Board of Commissioners on the 21st day of December, 1987 concerning contracts, budet and tax levy requests, auditing, and liability insurance.

Section 3. That this resolution shall become effective beginning with the 1990-91 fiscal year.

ADOPTED this the 21st day of May, 1990.

Proper notice having been given, this is the time and place set for a public hearing to review and assess the performance of the 1988 Community Development Block Grant Program - Franklin County Developemnt Planning Project.

Chairman Wynne declared public hearing open at 7:46 P. M. and recognized Economic Developer Bob Heuts who made comments.

Chairman Wynne called for public comments and no one spoke.

Chairman Wynne declared public hearing closed at 7:50 P. M.

Proper notice having been given, this is the time and place set for a public hearing to receive public comments on rezoning petitions.

Chairman Wynne declared public hearing open at 7:55 P. M. and recognized County Planner Richard Reid who made comments on the following rezoning petitions:

Request by Atlas C "Pete" Smith to rezone a 2.45 acre tract on SR1412 in Sandy Creek Township from AR to HB.

Chairman Wynne called for public comments and no one spoke.

Request by Agnes S. Johnson Estate to rezone a 3.2 acre tract on the east side of U. S. 1 in Youngsville Township from AR to HB.

Chairman Wynne called for public comments and no one spoke.

Request by Thomas E. Perry to rezone a 2.32 acre tract on SR1211 in Franklinton Township from AR to HB.



Chairman Wynne called for public comments and no one spoke, but County Manager read a written statement received from Ms. Sutton endorsing the recommended denial of this petition by the Franklin County Planning Board.

Chairman Wynne declared public hearing closed at 8:15 P. M.

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Upon motion by Commissioner Swanson, seconded by Commissioner Alford 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 approved:

AN ORDINANCE AMENDING THE FRANKLIN COUNTY ZONING ORDINANCE (MAP) TO REZONE A 2.45 ACRE TRACT OF LAND LOCATED ON THE EAST SIDE OF STATE ROAD 1412, SOUTH OF STATE ROAD 1413 IN SANDY CREEK TOWNSHIP FROM AGRICULTURAL RESIDENTIAL TO HIGHWAY BUSINESS (HB)

WHEREAS, the Franklin County Planning Board has reviewed said petition and favorably recommends 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 May 21, 1990 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 1 That the 2.45 acre tract of land located on the east side of State Road 1412, south of State Road 1413 in Sandy Creek Township, be rezoned from Agricultural Residential to Highway Business, and more particularly described as follows: Beginning at a point approximately 256 feet south of State Road 1413 on the centerline of State Road 1412, then 324.70 feet S-50 121 40" W, then 161.33 feet S 70 221 0" W, then 154.35 feet N 770 10' 00" W, then 159 feet S 770 4' 00" W, then 213.84 feet N 10 8' 0" E, then 160.01 feet N 650 39' 10" E, then 205.92 feet N 300 551 40" E, then 99.55 feet N 790 411 15" E to the point of beginning, containing approximately 2.45 acres.

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

ADOPTED this the 21st day of May, 1990.

Upon motion by Commissioner Alford, seconded by Commissioner Goswick 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 approved:

AN ORDINANCE AMENDING THE FRANKLIN COUNTY ZONING ORDINANCE (MAP) TO REZONE A 3.2 ACRE TRACT OF LAND LOCATED ON THE EAST SIDE OF U.S. 1, NORTH OF N. C. 96, IN YOUNGSVILLE TOWNSHIP FROM AGRICULTURAL RESIDENTIAL TO HIGHWAY BUSINESS (HB)

WHEREAS, the Franklin County Planning Board has reviewed said petition and favorably recommends 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 May 21, 1990 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 1 That the 3.2 acre tract of land located on the east side of U. S. 1, north of N. C. 96 in Youngsville Township, be rezoned from Agricultural Residential to Highway Business, and more particularly described as follows: Beginning at a point in the center of the north bound land of U. S. Highway No. 1, corner of land of B. G. Perry, then 303.96 feet S 82' 43' E, then 46.63 feet N 83° 00' W, then 414.00 feet N 20° 37' 1" E, then 81.93 feet S 83° 04' 3" E, then 43.76 feet S 70° 30' W, then 484.61 feet N 53° 13' 1" W. then 251.50 feet N 36° 47' E to the point of beginning, containing approximately 3.2 acres.

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

ADOPTED this the 21st day of May 1990.

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 request by Thomas E. Perry to rezone a 2.32 acre tract on SR1211 in Franklinton Township from AR to HB denied.

County Planner Richard Reid reported to the Board on a recommendation from the Franklin County Planning Board relative to the citizens from Lynn Oaks and Westwoods Subdivisions and the noise from the Raleigh Aeromasters Flying Club.

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 that the situation with the residents of Lynn Oaks and Westwoods Subdivisions and Raleigh Aeromasters Flying Club be monitored by the Franklin County Planning Board for a period of ninety (90) days; the subcommittee to meet again prior to the next planning board meeting to observe and monitor the situation and that the county attorney meet with the subcommittee to discuss this further.

Erica & Michael Moloney, 149 Sunset Drive, Youngsville, NC, appeared before the board and stated they did not agree with the recommendation from the Franklin County Planning Board relative to their complaints against Raleigh Aeromasters Flying Club. Mrs. Moloney presented the board members with copies of a publication entitled REPORT TO THE PRRSIDENT AND CONGRESS ON NOISE.

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Mr. Bob Davenport, North Carolina Office of Emergency Services, appeared before the Board and presented a study conducted by that office on emergency medical services and needs in Franklin County. Ms. Angie Callihan, Emergency Services Director, reported to the Board on items contained in study that are now under way or soon will be.

Upon motion by Commissioner Goswick, seconded by Commissioner Alford with all present voting "AYE" duly carried approve renewal of Cooperative Agreement No. A-4532-26, Acceleration of Soil Surveys in Franklin County between the Soil Conservation Service and the Board of Commissioners.

Upon motion by Commissioner Alford, seconded by Commissioner Swanson with all present voting "AYE" duly carried the following resolution in opposition to the location of a hazardous waste facility in Granville County adopted:

RESOLUTION IN OPPOSITION TO A HAZARDOUS WASTE FACILITY

BEING LOCATED IN GRANVILLE COUNTY

WHEREAS, Granville County has been designated as one of two possible sites to host the North Carolina Hazardous Waste Treatment facility; and,

WHEREAS, the proposed site in Granville County is in close proximity to a densely populated area and water reservoir; and,

WHEREAS, the proposed site is traversed by a feeder stream to the Tar River which is a water supply source to residents of Franklin County located downstream to the proposed site; and,

WHEREAS, the distance between the proposed facility site and most hazardous waste generators in the state is so great thereby increasing transportation risks and that, further, most traffic carrying hazardous waste from eastern North Carolina would logistically pass through Franklin County,

NOW, THEREFORE, BE IT RESOLVED by the Franklin County Board of Commissioners that said Board is opposed to the siting of the proposed hazardous waste treatment facility in Granville County. ADOPTED this the 21st day of May, 1990.

Upon motion by Commissioner Goswick, seconded by Commissioner Swanson with all present voting "AYE" duly carried the following resolution authorizing the execution of modified grant agreement adopted:

#### RESOLUTION AUTHORIZING THE EXECUTION OF MODIFIED GRANT AGREEMENT

WHEREAS, a grant in the amount of \$109,191 has been approved by the state based on a total estimated cost of \$1,365,500; and,

WHEREAS, an amount equal to or greater than 2% of the total project cost has been appropriated by the sponsor for this project,

NOW, THEREFORE, BE IT RESOLVED that the Franklin County Board of Commissioners hereby authorize and empower the county manager to execute a modified grant agreement with the Department of



Transportation, thereby binding the sponsor to the fulfillment of its obligation incurred under this grant agreement or any mutually agreed upon modification thereof.

ADOPTED this the 21st day of May, 1990.

Upon motion by Commissioner Swanson, seconded by Commissioner Alford with all present voting "AYE" duly carried per Clause #6 of the contract with Waste Industries for trash collection from the Franklin County Convenience Centers, performance surety be reduced from \$93,000 to \$50,000.

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

BUDGET AMENDMENT NO. 15

10-398-0003

(\$ 9,200)

10-596-0740

\$ 9,200

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Upon motion by Commissioner Alford, seconded by Commissioner Goswick with all present voting "AYE" duly carried the following vehicles declared surplus property to be sold at public auction:

1980 Ford LTD, 4-Door, Serial No. IFABP31F9BVI32314

1980 Ford Station Wagon, Serial No. FOA72F124020F

1985 Chevrolet, 4-Door, Serial No. IGIBL69HOFY119004

1982 Oldsmobile, 4-Door, Serial No. 1G3AL69Y7CMI63460

1983 Chevrolet, 4-Door, Serial No. 2GIAL69H2DII83833

1984 Chevrolet, 4-Door, Serial No. 2GAL69HIE9114778

1980 Ford, 4-Door, Serial No. FOA61FI24018f

1985 Chevrolet, 4-Door, Serial No. 1GIBL69H7FY118576

1983 Plymouth, 4-Door, Serial No. IP3BP26C6DF242831

Upon motion by Commissioner Swanson, seconded by Commissioner Goswick with all present voting "AYE" duly carried that the Board of Commissioners supports the filing of a grant application with the state to develop a comprehensive plan for service for the aging population.

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

The Board reconvened into regular session and Chairman Wynne stated no action to be taken as a result of the executive session.

The following citizens appeared before the Board to discuss vehicles being allowed to enter Franklin County Landfill with unsecured loads of trash, thereby causing hazardous and unsightly conditions on the Timberlake Road:

Hardy Smith

Wesley Denton, Jr.

Keith Shearon

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