

AUGUST 21, 2000

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 George T. Wynne, Vice Chairman Robert L. Swanson, Commissioner Harry L. Foy, Jr., Commissioner James T. Moss, Jr., Commissioner Edward Strickland.

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried the following Consent Agenda items approved:

A. Minutes of meeting held on August 7, 2000

B. Approval of the forwarding of a petition to add Emerald Forest Drive in Emerald Forest Subdivision to the State Board of Transportation.

Ms. Jenny Edwards, Chairman of the Franklin County Democratic Party, appeared before the Board to present the following three resolutions adopted by the Franklin County Democratic Party: Resolution #1 Adoption of the Land Use/Hazard Mitigation Plan, Resolution #2 Impact Fees, Resolution #3 Support of Local Teacher Supplements.

Mr. Tony Cipolat of Carlina, Inc., the Fixed Based Operator at the Franklin County Airport, was in attendance to request the Board's consent for his company to sublease the hangar formerly used as the maintenance facility at the airport to another party pursuant to the requirements of the current lease and operating agreement. Mr. Cipolat stated that the hangar could be used for corporate aircraft which would be additional tax revenue for the County. Mr. Steve Merritt, of Cary, NC, was also in attendance and made comments regarding this proposal.

Upon motion by Commissioner Strickland, seconded by Commissioner Swanson with all present voting "AYE" duly carried consent to the subleasing by Mr. Tony Cipolat of Carlina, Inc., the Fixed Based Operator at the Franklin County Airport, of the hangar formerly used as the maintenance facility at the airport to another party.

Proper notice having been given, this is the time and place set for a public hearing to receive comments on a proposed amendment to the Unified Development Ordinance that would add automobile auction facilities to the permitted uses in the Light Industrial District.

Chairman Wynne declared the public hearing open and recognized Mr. Matt Livingston, Planning Director, who made comments regarding this proposed amendment.

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

Upon motion by Commissioner Foy, seconded by Commissioner Swanson with all present voting "AYE" duly carried upon the recommendation of the Franklin County Planning Board adopt ordinance entitled "AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE, CHAPTER TWO, ZONING ORDINANCE, ARTICLE II, SECTION II-10 LIGHT INDUSTRIAL DISTRICT TO ADD AUTOMOBILE

AUCTION FACILITY AS A PERMITTED USE (TEXT)”; copy of ordinance 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 comments on proposed amendment to the Unified Development Ordinance to permit a minimum side yard setback of six feet in the R-8 District.

Chairman Wynne declared the public hearing open and recognized Mr. Matt Livingston, Planning Director, who made comments regarding the proposed amendment.

MINUTES OF MEETING OF AUGUST 21, 2000---continued

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

Gary Johnson, P. O. Box 485, King, NC

stated that the county water system with fire hydrants would increase fire fighting capability; would establish a maximum distance between fire hydrants of 350 feet; would focus on location of hydrants at the intersections; his investigation revealed that local fire officials were not unduly concerned with reducing the side yard setback requirement in the R-8 District from 10 feet to 6 feet

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

Upon motion by Commissioner Foy, seconded by Commissioner Swanson with all present voting “AYE” duly carried upon the recommendation of the Franklin County Planning Board adopt ordinance entitled “AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE, CHAPTER TWO, ZONING ORDINANCE, ARTICLE II, SECTION II-5 RESIDENTIAL DISTRICT (R-8) REDUCING THE MINIMUM RESIDENTIAL SIDE YARD REQUIREMENT (TEXT); copy of ordinance 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 comments on a petition to rezone 227.79 acres in Youngsville Township - 188.31 acres to be rezoned from Light Industrial to R-8 and 39.48 acres from Light Industrial to Highway Business.

Chairman Wynne declared the public hearing open and recognized Mr. Matt Livingston, Planning Director, who made comments on the proposed rezoning petition.

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

Gary Johnson, P. O. Box 485, King, NC

stated this would be an age-restricted residential development and the demands on the school system and law enforcement would be very limited; county tax base enhanced due to the quality of this particular development which will appreciate, not depreciate, over time; the

infrastructure improvements in this development will enhance other properties in that area; traffic to access four-laned US Highway 1 through the project's road system; residents will be positive citizens in the community; the Highway Business rezoning will generate more tax base and sales tax revenue than a typical Light Industrial; the age restricted residential development cannot be changed except by action of the Board of Commissioners

John Rahenkamp of Creigh Rahenkamp & Associates stated that his company had conducted the Fiscal & Economic Development Assessment on the proposed rezoning request; the proposed development will generate over \$800,000 annually in real estate taxes with minimal service costs; the community has assessed value per gross acre in excess of \$400,000; the community will bring a source of investment capital; there is enough vacant lands in that area to allow both age-restricted residential development and industry

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

MINUTES OF THE MEETING OF AUGUST 21, 2000---continued

Commissioner Moss requested that he be excused from the deliberations and vote on the petition to rezone 227.79 acres in Youngsville Township (188.31 acres to be rezoned from Light Industrial to R-80 and 39.48 acres from Light Industrial to Highway Business due to his personal financial interest in the land.

Upon motion by Commissioner Foy, seconded by Commissioner Strickland, voting "AYE" Commissioner Foy, Commissioner Strickland, Commissioner Swanson, Commissioner Wynne; Commissioner Moss abstaining, Commissioner Moss excused from deliberations and vote on the petition to rezone 227.79 acres in Youngsville Township (188.31 acres to be rezoned from Light Industrial to R-80 and 39.48 acres from Light Industrial to Highway Business.

Upon motion by Commissioner Foy, seconded by Commissioner Strickland, voting "AYE" Commissioner Foy, Commissioner Strickland, Commissioner Swanson, Commissioner Wynne; Commissioner Moss abstaining, upon the recommendation of the Franklin County Planning Board adopt ordinance entitled "AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (MAP) TO REZONE 227.79 ACRES ON STATE ROAD 1147 AND US 1 IN YOUNGSVILLE TOWNSHIP FROM LIGHT INDUSTRIAL TO HIGHWAY BUSINESS (HB) AND RESIDENTIAL DISTRICT (R-80); copy of the ordinance found in the Franklin County Unified Development Ordinance.

Mr. Chuck Murray, Finance Director, was in attendance to request the Board's approval of Budget Ordinance Amendment Number One (1).

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried upon the recommendation of the Finance Director approve

“BUDGET ORDINANCE AMENDMENT NUMBER ONE (1)”; copy of the amendment found in the Budget Ordinance Book.

Upon motion by Commissioner Strickland, seconded by Commissioner Swanson with all present voting “AYE” duly carried the following appointments made to various boards and commissions:

RECREATION ADVISORY BOARD

Jan Alford

Reappointed Three-Year Term, June, 2003

CHILD FATALITY PREVENTION TEAM

Pat Green

Willie Hill

Donald Lancaster

Nicki Griffin

Velvet Newman

Alease Harris

One Year Term, July, 2001

PLANNING BOARD

William M. ”Bill” Wallace

Fill Unexpired Term, September, 2002

WORK FIRST PLANNING COMMITTEE

Vicki Hicks

Denise Richardson

Stacey Robinson

MINUTES OF MEETING OF AUGUST 21, 2000---continued

County Manager Leary stated that at the previous meeting following a public hearing, the Board had deferred consideration of a petition by Brogden & Company to rezone 4.06 acres at the intersection of SR 1113 and SR 1116 in Youngsville Township from Agricultural Residential to Neighborhood Business until this meeting. The proposed use of this property to establish a convenience store and mini-storage facility.

Chairman Wynne stated that the public hearing had already been held but he would allow additional comments.

Steve Sanderson, 201 Glenn Road, Garner, NC 27529

serves as the owner’s engineer for design/build convenience stores; stated that the lights on the property would be no more than 5 foot candles, if property lights are too low it makes it dangerous for customers; will not be a nuisance to the neighbors

Terry Hayes, 2050 Cedar Creek Road, Youngsville, NC

opposed to the rezoning of this property; presented petition containing 75 names & addresses of residents opposed to the rezoning; will have an adverse effect on the community; decreased land value, a hazardous increase in traffic, an increase in crime, loitering, noise and pollution; dangerous intersection; rezoning should be done at major intersection, not minor ones; no guarantee if rezoned that it will be used for stated purposes; considers this to be spot zoning; other properties in that area are zoned agricultural-residential and the rezoning to Neighborhood Business would not be compatible; questions regarding construction of a convenience store and mini-storage facility on a four-acre tract of land; if request can not be denied, please table in order to allow the citizens in the community to obtain more information

During the previous meeting a motion had been offered by Commissioner Foy, seconded by Commissioner Strickland to approve the rezoning. The Board had adopted a subsequent motion to defer consideration of Commissioner Foy's motion until this meeting. Chairman Wynne called for a vote on the motion, and voting "AYE" Commissioner Foy, Commissioner Strickland, voting "NO" Commissioner Swanson, Commissioner Moss, Commissioner Wynne decline the recommendation of the Franklin County Planning Board to adopt "AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (MAP) TO REZONE 4.06 ACRES AT THE INTERSECTION OF STATE ROAD 1116 AND STATE ROAD 1113 IN YOUNGSDALE TOWNSHIP FROM AGRICULTURAL RESIDENTIAL TO NEIGHBORHOOD BUSINESS".

County Manager Leary stated that at the previous meeting Commissioner Strickland had requested that a proposal to create shift differential pay for the County employees who are pre-scheduled to work a shift of twelve hours which begins at 6:00 P. M. or later be placed on the agenda for consideration by the Board at this meeting.

Commissioner Strickland offered a motion, seconded by Commissioner Foy to approve a Shift Premium Package whereby County employees pre-scheduled to work a shift of twelve hours which begins at 6:00 P. M. or later would receive a shift premium of \$0.10 per hour and the funding for the implementation of this proposal would come from the elimination of the \$30,000 Internal Auditor position in the Finance Department.

Commissioner Swanson offered an amendment to the motion, seconded by Commissioner Moss, voting "AYE" Commissioner Swanson, Commissioner Moss, Commissioner Wynne; voting "NO" Commissioner Strickland, Commissioner Foy, amend the motion to retain the funding of \$30,000 for the Internal Auditor position in the Finance Department.

MINUTES OF MEETING ON AUGUST 21, 2000---continued

Commissioner Strickland's motion is now amended to approve a Shift Premium Package whereby County employees pre-scheduled to work a shift of twelve hours which begins at 6:00 P. M. or later would receive a shift premium of \$0.10 per hour with the funding of \$30,000 retained for the Internal Auditor position in the Finance Department.

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried, defer consideration of the motion until the next meeting.

Upon motion by Commissioner Moss, seconded by Commissioner Swanson with all present voting "AYE" duly carried adopt a resolution acknowledging that the Mitchiner's Crossroads Rural Fire Department is applying for a loan in the amount of \$240,000.

County Manager Leary stated that the County had received a grant offer in the amount of \$634,500 from the State to be used for the acquisition of property for the ILS/Approach Zone at the airport.

Upon motion by Commissioner Moss, seconded by Commissioner Swanson, voting "AYE" Commissioner Moss, Commissioner Swanson, Commissioner Strickland, Commissioner Wynne; voting "NO" Commissioner Foy accept the grant offer in the amount of \$634,500 from the State of North Carolina to be used for acquisition of property for the ILS/Approach Zone at the airport and authorize the Chairman to execute on behalf of the County.

Upon motion by Commissioner Moss, seconded by Commissioner Swanson with all present voting "AYE" duly carried approve five-year lease agreements between the County and individual property owners for use of property as a solid waste convenience site at an annual payment of \$350 for the Moulton and Five Points sites and \$950 for the Gupton site.

Upon motion by Commissioner Moss, seconded by Commissioner Swanson, voting "AYE" Commissioner Moss, Commissioner Swanson, Commissioner Strickland, Commissioner Wynne; voting "NO" Commissioner Foy the Board went into Closed Session pursuant to General Statute 143-318.11 (a) (5) in order for the Board to consider real property acquisition and consult its attorney.

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

Chairman Wynne recognized the County Manager who explained that the ground at the site of the parking lot construction at the rear of the Courthouse Annex had been determined by a geotechnical engineer to be unstable. The engineer recommended an additional six inches of stone and the installation of a geo grid to stabilize the lot and prevent future immediate maintenance problems. Estimated cost of the additional work is \$20,200.

Upon motion by Commissioner Moss, seconded by Commissioner Swanson, voting "AYE" Commissioner Moss, Commissioner Swanson, Commissioner Wynne; voting "NO" Commissioner Foy, Commissioner Strickland, upon the recommendation of the engineer and the landscape architect for the construction of the parking lot project located behind the Courthouse Annex authorize the installation of additional stone and the installation of a geo grid in order to stabilize the parking lot at an additional cost of \$20,200.

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

GEORGE T. WYNNE, CHAIRMAN JEAN GORDON, CLERK

