

NOVEMBER 6, 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 meetings held on October 16 & October 24, 2000
- B. Tax Collector's Report for the month of October, 2000
- C. Releases and refunds for the month of October, 2000
- D. Forward road petition to Board of Transportation for roads in the Clifton Woods Subdivision to be added the state highway system

Proper notice having been given this is the time and place set for a public hearing to receive comment on the proposed Land Use Plan Update.

Chairman Wynne recognized Mr. Dale Holland, Holland Consulting Planners, who made comments. Mr. Holland stated that the members of the Land Use Plan Update Advisory Committee had worked diligently on the update of the plan and he felt that it was a very good plan for the County.

Chairman Wynne also recognized Dr. John Ball, Chairman of the Land Use Plan Update Committee, who thanked each member of the Committee for their efforts and urged the Board to adopt the plan as presented.

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

Danny Pearce, Chairman, Legislative Committee, Homeowners Association Board of Directors, Homeowners Association commend the Committee for the work and approve most of the items contained in the plan but request that all references to impact fees be stricken from the plan

Ralph S. Knott, Member of Committee, Louisburg, NC requested that the Board not remove the references to impact fees from the plan; may need to review at a later date but leaving it in leaves the option to use it if necessary; the plan is what the County needs and must have; urged the Board to approve the plan and move forward

Lucy T. Allen, Mayor, Town of Louisburg, Member of Committee thanks for appointing her to serve as a member of the Committee; states the plan will manage growth - smart growth; necessary to protect the quality of life in the County - there must be orderly development; impact fees on new development must come because the citizens already here

must pay taxes at a higher level; request that the County and the cities meet on a regular basis to discuss issues vital to both; also meet regionally; urged the Board to adopt the plan as presented by the Committee

Mary Jane Jennings, 566 Jones Chapel Road, Louisburg, NC surprised that such a diverse group could be so together on a vision for the County; read a report from the State and Nation dealing with sprawl and strict action is being taken; the County is going in the right direction; very good plan; urged Board to adopt; the Board will go down in history for adopting the plan

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

MINUTES OF MEETING OF NOVEMBER 6, 2000---continued

Chairman Wynne stated that the Board would conduct a final workshop on the proposed Land Use Plan Update and would consider adoption of the plan at the next regular meeting scheduled for November 20, 2000.

Ms. Evon J. Smith, President, Gateway Community Development Corporation, Inc., was in attendance to request support from the Board in efforts to bring affordable housing to the County. She stated that Gateway was a non-profit 501 (c) (3) developer that had created over 35 homes in Vance County. Ms. Smith stated that she was working in conjunction with Mr. Ed Shearin and Mr. Ron Johnson, citizens of Franklin County, in an effort to develop lots in the Magnolia Ridge Subdivision. Gateway would bring opportunities to low-income citizens. Ms. Smith further stated that the relationship Gateway wishes to establish with the County includes (1) written support for our development efforts; (2) partnering on grant proposals for infrastructure and other needs; (3) committing in the future to aid in down payment assistance for homebuyers; (4) financial contributions to the CDC; (5) distributing CDC marketing materials with county mailings.

Chairman Wynne advised that the Board would take all information regarding Gateway Community Development Corporation, Inc. under advisement and would contact her at a later date.

Mr. Chuck Murray, Finance Director, was in attendance to request approval of Budget Ordinance Amendment Number Four.

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried approve BUDGE ORDINANCE AMENDMENT NUMBER FOUR (4); copy found in the Budget Ordinance Book.

County Manager Leary advised the Board that General Statute 47-30.2 requires the Board of Commissioners in each county, by resolution, to appoint a person to serve as Review Officer to review each plat before it is recorded and certify that it meets the statutory requirements for recording. Mr. Leary further stated that the Board may wish to adopt the resolution which

appoints Mr. Matthew Livingston, Planning Director, as an additional review officer for the plat review.

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried adopt resolution entitled "RESOLUTION APPOINTING REVIEW OFFICERS"; copy of the resolution is attached and made a part of these minutes.

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

TAR-PAMLICO RIVER BASIN REGIONAL COUNCIL

Matthew Livingston

REGIONAL PARTNERSHIP OF LOCAL GOVERNMENTS

Matthew Livingston

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Clarence Williams

Unexpired Term - to expire July, 2002

DEPARTMENT OF AGING ADVISORY COMMITTEE

Nathaniel Jones

Robert Perry

Three-Year Term expiring July, 2003

MINUTES OF MEETING OF NOVEMBER 6, 2000---continued

FRANKLIN COUNTY ECONOMIC DEVELOPMENT COMMISSION

Leelan A. Woodlief

Three-Year Term expiring November, 2003

County Manager Leary advised the Board that at a meeting on August 21, 2000, the Board had consented to the sale of leasehold rights to the former maintenance hangar at the airport by Carlina, Inc. to a third party. Mr. Leary further stated that a request has been received for the Board to consent to the outright sale of said hangar which would then require the County to execute a lease agreement with the new owner, Captive Aire Systems. The proposed lease to be executed between the County and Captive Aire Systems would continue the revenue to the County in the same amount as the current agreement with Carlina. Mr. Leary stated that he and the County Attorney recommend that the Board consent to the proposed sale.

Upon motion by Commissioner Strickland, seconded by Commissioner Swanson with all present voting "AYE" duly carried consent to the sale of the former maintenance hangar by Carlina, Inc. to Captive Aire Systems and authorize the Chairman to execute a lease between the County and Captive Aire Systems upon finalization of the transaction between Carlina, Inc. and Captive Aire Systems.

County Manager Leary advised that it was necessary for the Board to adopt a resolution authorizing the release of the County's share of State funds which are designated to help lead

regional organizations assist local governments. These funds enable the Kerr-Tar Regional Council of Governments to assist local government members in the preparation of grant applications and technical support of other programs and projects. The resolution authorizes the release of \$10,669.23 to the Council of Governments.

Upon motion by Commissioner Moss, seconded by Commissioner Swanson with all present voting "AYE" duly carried adopt the resolution releasing funds to the Kerr-Tar Regional Council of Governments to provide technical assistance to member local governments; copy of the resolution attached and made a part of these minutes.

County Manager Leary advised the Board that the Department of Transportation would be accepting public comment on projects to be included in the 2002-2008 Transportation Improvement Program on Wednesday, December 6, 2000. The Board had discussed presenting a unified request from interested parties in the County to the Department of Transportation.

It was the consensus of the Board to meet on Tuesday, November 14, 2000, at 7:00 P. M. in the Louisburg Training Center with other interested parties to develop recommendations for presentation to the Department of Transportation for inclusion in the Transportation Improvement Program for 2002-2008.

County Manager Leary discussed with the Board the request from the Town of Louisburg for financial assistance under the County's Economic Development Policy for a contribution to aid the Town in providing infrastructure to the Laurel Hills Assisted Living Center on Highway 39. This is a \$1.2 million project to expand the facility by 12,000 square feet. The County's Economic Development Policy provides for financial assistance up to the amount of property taxes which may be received over a seven year period provided that the funds are available. The Tax Office has estimated revenue which may be received through property taxes to be \$42,750. The Town of Louisburg is requesting assistance up to that amount to defray the local cost of infrastructure in the form of water and sewer utility service.

Upon motion by Commissioner Swanson, seconded by Commissioner Moss with all present voting "AYE" duly carried pursuant to the Franklin County Economic Development Policy appropriate \$42,750 to the Town of Louisburg to defray the cost of infrastructure construction in the form of water and sewer utility service to an expanding business, Laurel Hills Assisted Living Center on Highway 39.

MINUTES OF MEETING OF NOVEMBER 6, 2000---continued

County Manager Leary reviewed with the Board the recommendations from the consulting engineering firm of Withers & Ravenel regarding steps which the County should consider undertaking to address erosion problems at the old landfill site on Timberlake Road. Discussed were the repairs to the landfill cap, the installation of vents for methane gas, storm water management improvements to prevent future erosion damage to the cap and property acquisition to permit the County to undertake the stormwater management improvements. Mr. Leary stated that money was available in the fund balance of the Solid Waste Fund to enable the County to undertake this project.

Upon motion by Commissioner Moss, seconded by Commissioner Swanson with all present voting "AYE" duly carried authorize the following components of a project to repair and improve the cap at the former landfill site on Timberlake Road:

A. Install three gas vents at specified locations with the bids to provide for a per foot price for the installation of an additional 4-12 wells at appropriate locations based on the volume of gas which may be exhausted from the initial three wells.

B. Authorize the consulting engineers to develop specifications and solicit bids for repairs to the existing landfill cap in the estimated amount of \$134,000.

C. Authorize the consulting engineers to develop specifications and solicit bids for stormwater management improvements to prevent erosion to the landfill cap in the future at an estimated cost of \$174,000.

D. Authorize the engagement of an appraiser to appraise approximately 43.6 acres of property to be acquired to enable the storm water management improvements to be undertaken.

Upon motion by Commissioner Moss, seconded by Commissioner Swanson with all present voting "AYE" duly carried that in the process of appraising the approximately 43.6 acres of property needed to enable the storm water management improvements that the entire tract that joins the former landfill site be appraised as well.

County Manager Leary advised the Board that the contracts from Hobbs, Upchurch & Associates for engineering services in the undertaking of an environmental assessment and 201 facilities plan update and to provide design services for work related to the relocation of the Hunter Place Pump Station were included in the agenda for approval. The contract for the environmental assessment is for a sum not to exceed \$180,000 and the contract for design and construction administration of matters related to the pump station is \$91,700. The contracts are for work that the Board authorized during the Special Meeting held on October 24, 2000.

Upon motion by Commissioner Swanson, seconded by Commissioner Strickland with all present voting "AYE" duly carried approve Hobbs, Upchurch & Associates contract for the environmental assessment for a sum not to exceed \$180,000 and contract for design and construction administration of matters related to the pump station for a sum of \$91,700.

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) (3) in order for the Board to consult with the County Attorney.

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

Chairman Wynne stated that no action necessary as a result of the Closed Session.

MINUTES OF MEETING OF NOVEMBER 6, 2000---continued

The Board scheduled a Special Meeting on Tuesday, November 14, 2000, at 5:30 P. M. in the Conference Room of the County Administration Building, at which time the Board will conduct a final review of the Land Use Plan Update before adoption on November 20, 2000. The Board agreed that the County Manager should contact the consultant to request that alternative language be developed for portions of Section V that would provide some increased flexibility for the Board when discussing implementation strategies in the future.

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

GEORGE T. WYNNE, CHAIRMAN JEAN GORDON, CLERK

CLOSED SESSION

NOVEMBER 6, 2000

**PURSUANT TO GENERAL STATUTE 143-318.11 (a) (3)
TO CONSULT WITH THE COUNTY ATTORNEY**

Present: Chairman George T. Wynne, Vice Chairman Robert L. Swanson, Commissioner Harry L. Foy, Jr., Commissioner James T. Moss, Jr., Commissioner Edward Strickland; County Manager Rick Leary; County Attorney Darnell Batton; Clerk to the Board Jean Gordon.

County Attorney Batton advised the Board that after careful consideration he was of the opinion that it would be in the best interest of the County to make another attempt to resolve the matter of delinquent water accounts with the Town of Youngsville before any litigation is considered. He further advised that he and County Manager Leary had put together a proposal for the Town of Youngsville and wanted authorization from the Board to present it to Town officials.

The proposal consisted of the following components: (1) amend the "clause" in the contract (2) payment of all amounts currently considered to be delinquent - \$8,389.09 (3) allow the town to direct bill for water customers in Hampton Village - county to bill town at bulk rate - \$6.00/1,000 (4) Hampton Village lines on other side of customers' meters shall be property of county (5) county be permitted to direct bill all town residents for sewer service (Hampton Village and Youngsville proper) at county rate of \$19.50/first 2,000 and \$6.00/1,000 thereafter. County would also be willing to assume maintenance of sewer lines if Town thinks that is desirable.

It was the consensus of the Board that the County Manager and the County Attorney be authorized to make proposal to the Town of Youngsville.

No action to be taken in open session at this time.

Jean Gordon, Clerk