

FEBRUARY 4, 2002

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 John R. Ball, Vice Chairman Robert L. Swanson, Commissioner Harry L. Foy, Jr., Commissioner Edward G. Strickland, Commissioner George T. Wynne.

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

- A. Minutes of Meeting held on January 22, 2002
- B. Tax Collector's report for month of January, 2002
- C. Tax Releases & Refunds for month of January, 2002
- D. Mi. Ronnie Goswick, Economic Development Director, designated voting delegate to cast vote of Franklin County Water & Sewer as a member of the Wake Electric Membership Corporation at annual meeting of members.
- E. Concur with the Tax Collector in the publishing of delinquent real property taxes at the earliest possible date after March 1.
- F. Adopt Fixed Asset & Property Management Policy
- G. Approval of Budget Ordinance Amendment Number Nine (9)

Proper notice having been given this is the time and place set for a public hearing to receive comments regarding the update of the existing 1990 Franklin County Thoroughfare Plan and the revised Franklin County Thoroughfare Plan Map.

Chairman Ball declared the public hearing open and recognized Ms. Earlene Thomas, Transportation Engineer, Statewide Planning Branch of the North Carolina Department of Transportation. Ms. Thomas stated that she and staff from the Franklin County Planning & Development Department had conducted community meetings in an effort to receive input from, throughout the County . The Plan & Map was reviewed by the Franklin County Planning Board and they recommended adoption.

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

Upon motion by Commissioner Swanson, seconded by Commissioner Foy with all present voting " AYE" duly carried adopt resolution approving the Franklin County Thoroughfare Plan and Thoroughfare Map upon the recommendation of the Franklin County Planning Board; resolution is attached and made a part of these minutes.

Proper notice having been given this is the time and place for a public hearing to receive comment on rezoning request by Mr. Gerald Wrenn for 18 acres north of the intersection of State Road 1606 & NC 39 (3136 NC 39) in Harris Township from Agricultural Residential (AR) to Highway Business (HB).

Chairman Ball declared public hearing open and recognized Mr. Matt Livingston, Planning Director, who made comments. Mr. Livingston stated that the Future Land Use Plan designated the property as low-density residential zoning with adjacent tracts designated office-institutional. He further stated that Mr. Wrenn would be allowed to conduct one or two auctions in an effort to do away with junk cars/farm equipment at the site. The Franklin County Planning Board recommended that the request be denied.

Chairman Ball then called for public comments and the following individuals spoke:

Gerald C. Wrenn, Box 682, Louisburg, NC

did not petition for an auction house, wanted to have one auction to get rid of farm equipment on land that was moved from another location; there is 6,200 square foot house on the property and wants to covert into a retirement home for both parents and others; will be a private pay retirement home; wants to build homes nationwide and would have corporate headquarters in county; would not be an eyesore; would help tax base in the county

MINUTES OF MEETING OF FEBRUARY 4, 2002---continued

William J. Perry, 1811 Old US Highway 64, Spring Hope, NC

Stated that Mr. Wrenn's request regarding auction was a one time thing only to get rid of junk in order to get retirement home started; retired building inspector with the state and the state will require that he put in a nice facility that meets code; Franklin County has a high tax rate and this would add to the tax base; request that the rezoning request be approved

Steve Wrenn, 3068NC 39 South, Louisburg, NC

Would welcome a one-time auction to get rid of junk; would welcome retirement home; once this property is rezoned to Highway Business anything could be put there; should be rezoned Office & Institutional so nothing else could be put there

Richard Taylor, 1900 Traywick Road, Raleigh, NC

Owns property across road; supports a one-time auction; opposed to the rezoning to Highway Business because if the retirement home falls through anything could be put there

Claudia Joyner, 3~89 NC 39 South, Louisburg, NC

Have lived beside junk yard for twenty years and wants it cleaned up; did not see any farm equipment that he could farm with - just junk; time for Franklin County to clean up the mess; no objection to the retirement home; if it's rezoned the junk will be brought back

Shelly Wrenn, 6 Wrenn's Way, Louisburg, NC

Would love to see him bring his parents back to a retirement home; opposed to the rezoning to Highway Business just opens it up for anything to come

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

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all present voting " AYE" duly carried that the request by Gerald Wrenn to rezone 18 acres north of the intersection of State Road 1606 & NC 39 in Harris Township from Agricultural-Residential to Highway Business be tabled in order to give Mr. Wrenn the opportunity to move the farm equipment and to allow the Board of Commissioners time to obtain additional information regarding the request.

Proper notice having been given this is the time and place set for a public hearing to receive comment on rezoning petition by Joseph Todd Buchanan for 1.97 acres at the intersection of State Road 1243 & State Road 1242 in Hayesville Township from Agricultural-Residential to Rural Business.

Chairman Ball declared the public hearing open and recognized Mr. Matt Livingston, Planning Director, who made comments. The petitioner had started the auto repair at this location without it being properly zoned and had not obtained the appropriate building permits. Mr. Livingston stated that the Planning Board had recommended approval of this request for rezoning.

Chairman Ball then called for public comments and the following individuals spoke:

Paul Butler, 541 Julie McKnight Road, Kittrell, NC

Presented pictures of homes in neighborhood near auto repair shop; a single wide mobile home was brought in and after power turned on construction was started on the building with no permits; old house trailers and junk cars are at the shop; not a personal matter; an eye sore for the neighborhood

Beverly Sneed, 677 Julie McKnight Road, Kittrell, NC

Concerned about that type of business being at the entrance to home; to operate an auto repair business in that location would lower property values; what if rezoned and that

business failed, what would come in; Mr. Buchanan not a resident of Franklin County, lives in Vance County; requested individuals opposed to the rezoning to stand

Bobbie Gantt, 1379 Julie McKnight Road, Kittrell, NC

Is a resident homeowner; believes county should protect environment, historic areas, open space; has a concern that the nature of an auto repair shop could be bad for ground water

Joseph Todd Buchanan, 1987 Walter Grissom Road, Kittrell, NC

Stated there were signatures of other citizens in the community who were not opposed to his auto repair shop; has done work for Mr. Butler who is opposed to his shop; stated that there were abandoned houses and cars up on blocks in that neighborhood; Mr. Livingston had told him to clean up and he had complied; works for average people; just trying to make a living

Paul Butler stated that he had not had work done there but a man planting trees had a tire to blowout and he had taken him to Mr. Buchanan's shop

Hilma Smith, 1956 Walter Grissom Road, Kittrell, NC

Property adjoins Mr. Buchanan's and she nor her husband are opposed to the rezoning for the auto repair shop; Mr. Smith gave land for the Julie McKnight road; supports Mr. Buchanan auto shop, as long as he complies with state and county laws; he's a God fearing man who wants to do what's right; is seeking the American dream for his family; Ms. Buchanan is quiet and ready to help; uses mobile home to home school her two children; church services are conducted on Sunday morning; before the business was started there were cars parked there with loud music and partying; car lights and drug activities; trash; how can it adversely affect people on Julie McKnight Road; no complaints from customers; request Board approve rezoning

Tammie Creech, 529 Julie McKnight Road, Kittrell, NC

Also a church going person; has to go by the business every morning & afternoon and does not like to see all junk cars; once he filed the petition for rezoning he tried to clean up; when construction on the garage was started Mr. Livingston was called and he has tried to help; realizes there are issues in her neighborhood that need to be addressed; please deny the request for rezoning

David Mullis, 1292 Abbott Road, Henderson, NC 27537

A friend of Mr. Buchanan; when he found out what the requirements were and the concerns of his neighbors he complied; put up fence; any cars worked on are behind fence; it is a personal matter when a man has a wife and children to support; good mechanic; trust worthy; will keep the area clean

Mary Malone, 7 Malone Way, Kittrell, NC

First house on the road; how long does a special use permit last; he might sale because he does not live there and who knows what might come

Bobbie Gantt, 1379 Julie McKnight Road, Kittrell, NC

Not beneficial to Franklin County, did not obey the laws until he got caught

Sandra Holden) 499 Julie McKnight Road, Kittrell, NC

Lived there 13 years; husband born in the area; this is residential area does not need an auto repair shop; why doesn't he put it in his own neighborhood

Carolyn Paylor, 26 Maione Way, Kittrell, NC

Does not know what went on earlier but the residents are hard working and contribute to Franklin County's economy; and are Christians; works for Head Start through Franklin-Vance-Warren Opportunity

Seven (1) individual petitions from neighbors to Mr. Buchanan ' s auto repair shop requesting that he be allowed to continue his services were also presented to the Board.

Commissioner Foy questioned if vegetation could be used as a border; what would be necessary to see that he complied with the County and State regulations; must have rest homes and auto repair shops

Commissioner Wynne questioned the number of abandoned vehicles necessary for it to be called a junk yard

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

Upon motion ~ Commissioner Foy, seconded by Commissioner Strickland, voting "AYE" Commissioner Foy, Commissioner Strickland, voting "NO" Commissioner Swanson, Commissioner Wynne, Commissioner Ball, duly denied approve the Rezoning Petition by Joseph T odd Buchanan for 1.97 acres at the intersection of State Road 1243 & State Road 1242, 987 :Walter Grissom Road in Hayesville Township from Agricultural Residential to Rural Business.

Proper notice having been given this is the time and place set for a public hearing to receive comment on a rezoning petition request by Roger House for 5.1 acres on NC 96 in Youngsville Township from R-40 to Neighborhood Business.

Chairman Ball declared the public hearing open and recognized Mr. Matt Livingston, Planning Director, who made comments on this request. He stated that the property is located along a major thoroughfare and Neighborhood Business land uses would serve the proposed 850 home Ballymore Subdivision. The Planning Board recommended approval of the request.

Chairman Ball then called for public comments and the following individuals spoke:

Buzzy Gardner, Louisburg, NC

Stated he was Mr. Roger House's attorney; 2 1/2 miles from US 1, NC 96 very fast growing; neighborhood changing and there is a need for a general store and mini storage; will be a large mini storage to take care of boats, travel trailers; will not damage the neighborhood; request that the rezoning petition be approved

Amanda M. Thorpe, 121 Mary Lou Lane, Youngsville, NC

A member of the Mitchell Crossroad Association; wants to have time to study laws; three mini storage facilities already in the area; should have bought property already zoned; is it fair to buy and have rezoned; traffic is really bad; safety issue with school buses

Roger House, P. O. Box 913, Youngsville, NC

Wants to rezone because he is already running a business there - Roger's Roofing - other mini storage owners don't want any other storage units to open; other units are 2-4 miles away and are not set up to store boats and travel trailers; lives on the property

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

Upon motion by Commissioner Foy, seconded by Commissioner Strickland, voting "AYE" Commissioner Foy, Commissioner Strickland, Commissioner Swanson, Commissioner Wynne, voting "NO" Commissioner Ball duly carried approve the rezoning petition request by Roger House for 5.1 acres on NC 96 in Youngsville Township from R40 to Neighborhood Business.

Mr. Richard Gill, 1479 Mays Crossroads Road, Franklinton, NC

Stated that he had paid \$450 for early sign up for the County's water system and had recently become aware that when services are requested there will be a \$125 charge per bedroom. He felt that the County should not charge based on the number of bedrooms, rather some other basis should be used.

Mr. Pat Young, Project Manager, Holland Consulting Planners, was in attendance to request the Board to adopt a resolution awarding contract for one house in the Hurricane Floyd State Crisis Housing Assistance Program. Mr. Young stated that price quotations had been sent out and three firms submitted a proposal. Dudley Construction of Tarboro submitted the lowest quotation, met all requirements and could start work within the month. Mr. Young requested the Board to adopt resolution awarding the contract to Dudley Construction of Tarboro.

Upon motion by Commissioner Swanson, seconded by Commissioner Foy with all present voting "AYE" duly carried upon the recommendation of Holland Consulting Planners adopt resolution approving the award of housing rehabilitation contact for one house in the Hurricane Floyd State Crisis Housing Assistance Program to Dudley Construction of Tarboro.

Ms. Tracy Tayloe, Holland Consulting Planners, Inc., was in attendance to request the Board to adopt a resolution approving application amendment for the NC Housing Finance Agency Single-Family Rehabilitation Program to revise the service area to include the incorporated areas of the County. Ms. Tayloe stated that she had been unable to identify eligible households within the service area who were willing to accept the terms of the loans available. To utilize the funds the County can provide housing rehabilitation assistance outside the approved service area and it is necessary to revise the service area identified on the application to include the incorporated areas of the County.

Upon motion by Commissioner Foy, seconded by Commissioner Swanson with all present voting "AYE" duly carried adopt resolution approving application amendment for the NC Housing Finance Agency Single-Family Rehabilitation Program to revise the service area to include the incorporated areas of the County.

Mr. Charles McGougan, Hobbs, Upchurch & Associates, was in attendance to review with the Board bids received and opened on January 15, 2002, for the South Central School Gravity Sewer, Force Main and Pump Stations. A total of eleven bids were received and are attached and made a part of these minutes. The bid included two options for construction - Option 1 included a combination of 6" and 8" force main and Option 2 made the entire force main 8". An additive alternate was included for both options that increased the amount of cover over top of the force main from 3' to 4' where excavation does not encounter rock. Mr. McGougan stated that Hobbs, Upchurch & Associates, recommends award of the project based upon Option 2 with the Additive Alternate to Ralph Hodge Construction in the amount of \$803,425.50.

Upon motion by Commissioner Swanson, seconded by Commissioner Strickland with all present voting "AYE" duly carried upon the recommendation of the County's consulting engineers, Hobbs, Upchurch & Associates, award bid for the construction of the South Central School Gravity Sewer, Force Main and Pump Stations based upon Option 2 with the Additive Alternate to Ralph Hodge Construction in the amount of \$803,425.50.

Mr. Bernie Garrett, Withers & Ravenel, was in attendance to review with the Board bids received and opened on January 16, 2002, for the Franklin County Landfill Closure Cap Repair Project. A total of four bids were received and are attached and made a part of these minutes. The project was bid with a base bid and three alternate bid items 19) excavation for sediment pond 20) mobilization for installation of additional gas vents 21) furnish and install gas vents-additional. Withers & Ravenel recommend the County award the project to Rifenburg Construction Company in the amount of \$340,935.00 for the base bid items and alternate bid items 20 and 21. It is also necessary that the Board adopt Budget Ordinance Amendment Number Seven for this project.

Upon motion by Commissioner Swanson, seconded by Commissioner Strickland with all present voting "AYE" duly carried upon the recommendation of County Engineers Withers & Ravenel award contract for the Landfill Closure Cap Repair Project to Rifenburg Construction Company in the amount of \$340,935.00 for the base bid items and alternate bid items 20 and 21; adopt Budget Ordinance Amendment Number Seven

(7) as prepared by the Finance Director; Budget Ordinance Amendment is found in Budget Ordinance Book.

Mr. Dave Munden, Parks & Recreation Director, was in attendance to request approval of a Grant-In-Aid in the amount of \$3,500 for the Youngsville Economic & Community Association. These funds will be used for a basketball court to be constructed at the Luddy Park in, Youngsville. Mr. Munden stated that the Association will provide an overmatch of \$4,000 for the project and the Town of Youngsville will provide the land and ongoing maintenance of the facility once the project is completed. The Parks & Recreation Advisory Board unanimously recommend approval of the project.

Upon motion by Commissioner Foy, seconded by Commissioner Swanson with all present voting "AYE" duly carried approve the Grant-in-Aid Service Application for the Youngsville Economic & Community Association in the amount of \$3,500 as recommended by the Franklin County Parks & Recreation Advisory Board.

Mr. Ronnie Goswick, Economic Development Director, was in attendance to present a request from Mr. Sandro Cipolat, President of Carlina, Inc, requesting a fifteen (15) month extension the Fixed Based Operation Lease and Operating Agreement. This amendment will allow Carlina, Inc. until August I, 2003 to cause to be constructed, installed or erected two (2) t-hangars with dimensions no less than 50 feet by 210 feet each with the capacity to house nine (9) airplanes; additionally, Lessee shall construct, install or erect by August I, 2004 two (2) corporate hangars with a minimum of 7,800 square feet each, for the storage of corporate and private aircraft. It was the sentiment of the Board that time be of the essence in the performance of this contract amendment without consideration of additional extensions.

Upon motion by Commissioner Foy, seconded by Commissioner Swanson with all present voting "AYE" duly carried approve the amendment to the Fixed Based Operation Lease and Operating Agreement dated August 20, 2001, thereby granting a fifteen (15) month extension for said project.

Mr. Ronnie Goswick, Economic Development Director, was in attendance to review with the Board a State grant award in the amount of \$270,000 for the Franklin County Airport under the Aviation Element of the FY 02 Transportation Improvement Program. The funds will be used to install an approach lightning system on Runway 4. Matching County funds in the amount of \$30,000 were appropriated earlier for this project.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne, voting " A YE" Commissioner Swanson, Commissioner Wynne, Commissioner Strickland, Commissioner Ball; voting "NO" Commissioner Foy, accept the grant award of \$270,000 under the Aviation Element of the FY 02 Transportation Improvement Program for the installation ,of an approach lighting system on Runway 4 at the Franklin County Airport and authorize the Chairman to execute necessary documents associated with this grant.

Mr. Ronnie Goswick, Economic Development Director, reviewed with the Board a bid received from S. T. Wooten Corporation for the paving of the taxiway at the Franklin County Airport in the amount of \$84,160. The LPA Group, the County's Airport Engineers, reviewed and negotiated the bid proposal and recommend award to S. T. Wooten. It is necessary that a budget amendment be adopted for this project.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried award bid proposal for the paving of the Franklin County Airport Taxiway to S. T. Wooten Corporation in the amount of \$84,160 upon the recommendation of The LP A Group and approved Budget Ordinance Amendment Number Eight (8) as prepared by the Finance Director; copy of Budget Ordinance Amendment found in Budget Ordinance Book.

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

ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE

Betty Ayscue

Fill unexpired term - July, 2003

AGING COUNCIL COUNCIL OF GOVERNMENTS

James W. Payne, Sr.

Reappointed three-year term expiring January, 2005

JUVENILE CRIME PREVENTION COUNCIL

Lenora Allen

Quinton Cooper

Buzzy Gardner

Nancy Hall

Ralphel Hollomon

Cedric Jones

Becky Leonard

Dave Munden

Velvet Newman

Marla Peoples

Terry Satterwhite

Robert L. Swanson

Jim Barbee

Bill Palich

Glarey M. Balance

Alex Fonville

Pat Green

Jim Harris

Alice Faye Hunter

Cindy Jones

Matthew Little

Chuck Murray

Bill Pearce

Ronnie Ray-Parrott

Mitch Styers

Sherman Wilson

Cathy Busam

Lisa Smith

One year term expiring January, 2003

UPPER NEUSE RIVER BASIN ASSOCIATION

Matthew Livingston

Kevin Martin

Commissioners Ball & Strickland reported that they had attended the Kerr-Tar Regional Council of Governments Board of Directors and had had the opportunity to speak with some representatives of the municipalities within the County regarding their participation with the Adequate Public Facilities Task Force.

Commissioner Ball stated that he had attended retreats recently dealing with the Mental Health program and on ways to meet the expectations of the Human Resources Director. He further stated that the newly appointed North Carolina Director of the Division of Mental Health, Dr. Richard Visingardi, was a resident of Franklin County.

There being no further business to come before the Board, adjournment recorded at 10:00 P. M.

JOHN R. BALL, CHAIRMAN

JEAN GORDON, CLERK

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