

June 17, 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, and Commissioner George T. Wynne.

**1. Consent Agenda**

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

- A. Approval of minutes of meeting held on June 3, 2002
- B. Cancellation of July 15, 2002 Board meeting

**1. FY 2002 – 2003 Budget**

Upon motion by Vice Chairman Swanson, seconded by Commissioner Strickland with all present voting "AYE" duly carried the FY 2002 – 2003 Franklin County Budget adopted with the provisions that there be a ninety-day phase in period for the Solid Waste residential tipping fee increase, and the hiring of one Telecommunicator contingent to receiving funds from the State.

**BUDGET ORDINANCE  
FISCAL YEAR 2002 - 2003**

**BE IT ORDAINED** by the Board of County Commissioners of Franklin County, North Carolina:

**SECTION 1. BUDGET ADOPTION:** There is hereby adopted the following Operating Budget for the County of Franklin for the Fiscal Year beginning July 1, 2002 and ending June 30, 2003; the same being adopted by fund and activity within each fund as listed.

<b>AMOUNT</b>	
	<b><u>(Dollars)</u></b>
<b><u>GENERAL FUND</u></b>	
General Government.....	\$4,360,670
Public Safety.....	8,886,346
Economic and Physical Development .....	6,059,079
Human Services.....	15,825,926
Cultural and Leisure.....	1,172,206
Education.....	<u>12,383,494</u>
Total General Fund Appropriation.....	\$48,687,721

**REVENUES:** It is estimated that the following revenue will be available in the General Fund for the fiscal year beginning July 1, 2002 and ending June 30, 2003:

<b>AMOUNT</b>	
	<b><u>(Dollars)</u></b>
<b><u>REVENUES</u></b>	

Property Tax Revenue Current Year.....	\$22,261,284
Prior Year Tax Revenue.....	755,000
Miscellaneous Tax Revenue .....	239,450
Property Tax Discounts and Refunds.....	(93,000)
Fees and Charges .....	11,836,149
Solid Waste Fees .....	1,215,148
Sales Tax Revenue.....	4,450,000
Interest Income .....	364,845
State and Federal Grants.....	5,158,205

MINUTES OF MEETING OF JUNE 17, 2002---cont.

Fund Balance Appropriation.....	<u>2,500,640</u>
---------------------------------	------------------

Total General Fund Revenues .....	\$48,687,721
-----------------------------------	--------------

Thirty percent (30%) of the proceeds from the local half-cent sales and use tax authorized in 1984, and sixty percent (60%) of the local sales and use tax authorized in 1986, are hereby declared to be included in the appropriations or school capital outlay/capital projects.

**SECTION 2. FIRE DISTRICTS**

**EXPENDITURES:** There is appropriated to the fifteen Fire Service Districts in the amounts listed below, proceeds of the service district tax, and general fund contributions for use by the Fire Service Districts in such a manner and for such expenditures as are permitted by law from the proceeds of these taxes. In the event the actual proceeds from the tax levies fall short of the appropriated amounts, the actual net proceeds from the taxes shall constitute the appropriation from the tax levy.

**APPROPRIATION**

<b><u>Fire Services Districts</u></b>	<b>(Dollars)</b>
Bunn.....	\$251,750
Castalia.....	1,200
Kittrell.....	380
Central/Franklin.....	152,000
Centerville.....	45,500
Epsom.....	60,000
Gold Sand.....	40,000
Mitchiners.....	92,900
Pilot.....	105,000
Franklinton.....	157,200
Youngsville.....	443,700
White Level.....	55,000
Justice.....	50,000
Brassfield.....	6,200
Hopkins.....	<u>5,700</u>

TOTAL.....\$1,466,530

**REVENUES:** There is hereby levied a tax at the rate shown below, per one hundred dollars (\$100.00) valuation of property listed for taxes as of January 1, 2002 located within the listed special fire districts or generating revenue for said special districts. These rates of tax are based on a ninety-five and one-tenth percent (95.1%) collections rate. Estimated totals of value of property for each special fire district of rate purpose of taxation are as follows:

**FIRE DISTRICT**

	<b><u>Assessed Value Rate</u></b>	
Brassfield .....	14,577,000.....	.0582
Bunn.....	435,354,000.....	.0582
Centerville.....	59,879,000.....	.0600
Hopkins.....	16,062,000.....	.0375
Central Fire.....	207,035,000.....	.0773
Epsom.....	82,575,000.....	.0750
Franklinton.....	206,696,000.....	.0750
Gold Sand.....	51,171,000.....	.0750
Justice.....	80,828,000.....	.0623
Mitchiners.....	153,900,000.....	.0635

MINUTES OF MEETING OF JUNE 17, 2002---cont.

Pilot.....	154,362,000.....	.0700
White Level.....	78,719,000.....	.0623
Youngsville.....	594,311,000.....	.0707

**REVENUES:** It is estimated that the following revenues will be available in the Fire Service District Special Revenue Fund for the fiscal year beginning July 1, 2002, and ending June 30, 2003.

Current Year's Taxes.....	\$1,426,450
Transfer from General Fund.....	<u>40,080</u>
TOTAL.....	\$1,466,530

**SECTION 3. SOLID WASTE ENTERPRISE FUND**

**EXPENDITURES:** This is appropriated to the Solid Waste Enterprise Fund:

Transfer to General Fund .....	<u>\$604,511</u>
TOTAL.....	\$604,511

**REVENUES:** It is estimated that the following revenues will be available in the Solid Waste Enterprise Fund for the Fiscal year beginning July 1, 2002, and ending June 30, 2003:

Appropriated Fund Balance.....	<u>\$604,511</u>
TOTAL .....	\$ 604,511

**SECTION 4. CAPITAL RESERVE FUND**

**EXPENDITURES:** The following is hereby appropriated in the Capital Reserve Fund for the fiscal year beginning July 1, 2002, and ending June 30, 2003:

Transfer to General Fund: School Construction Debt Service.....	<u>\$2,540,000</u>
TOTAL.....	\$2,540,000

**REVENUES:** It is estimated that the following revenue will be available in the Capital Reserve Fund for the fiscal year beginning July 1, 2002, and ending June 30, 2003:

Sales Tax Revenue.....	\$1,940,000
Fund Balance Appropriated.....	<u>600,000</u>
TOTAL.....	\$2,540,000

**SECTION 5. DEA SPECIAL REVENUE FUND (DRUG ENFORCEMENT ACCOUNT)**

**EXPENDITURES:** The following is hereby appropriated in the DEA Special Revenue Fund for the fiscal year beginning July 1, 2002, and ending June 30, 2003:

Law Enforcement Equipment Federal Funds.....	\$5,000
Law Enforcement Equipment State Funds.....	<u>2,500</u>
TOTAL.....	\$7,500

**REVENUES:** It is estimated that the following revenues will be available in the DEA Special Revenue Fund for the fiscal year beginning July 1, 2002, and ending June 30, 2003:

MINUTES OF MEETING OF JUNE 17, 2002---cont.

Federal Forfeitures.....	\$5,000
State Controlled Substances.....	<u>2,500</u>
TOTAL.....	\$7,500

**SECTION 6. EMERGENCY TELECOMMUNICATION FUND**

**EXPENDITURES:** The following is hereby appropriated in the Emergency Telecommunications (E-911) Special Revenue Fund for the fiscal year beginning July 1, 2002, and ending June 30, 2003:

Operational Expenditures.....	<u>\$683,810</u>
TOTAL.....	\$683,810

**REVENUES:** It is estimated that the following revenues will be available in the Emergency Telecommunications (E-911) Special Revenue Fund for the fiscal year beginning July 1, 2002, and ending June 30, 2003:

E-911 Phone Surcharge Fees.....	\$308,000
Interest.....	3,500
Fund Balance Appropriated.....	<u>372,310</u>
TOTAL.....	\$683,810

**SECTION 7. WATER AND SEWER ENTERPRISE FUND**

**EXPENDITURES:** The following is hereby appropriated in the Water and Sewer Enterprise Fund for the fiscal year beginning July 1, 2002, and ending June 30, 2003:

Operating Expenditures.....	\$2,953,025
Debt Service.....	<u>1,732,374</u>
TOTAL.....	\$4,685,399

**REVENUES:** It is estimated that the following revenues will be available in the Water and Sewer Enterprise Fund for fiscal year beginning July 1, 2002, and ending June 30, 2003:

Interest Earnings.....	\$10,500
Sewer Fees.....	684,264
Water Fees .....	2,028,000
Surcharge.....	1,300
Impact Fees, Tap Fees, Miscellaneous Revenues .....	113,000
Transfer from General Fund .....	1,000,000
Transfer from Water Project Fund 48 .....	348,335
Appropriated Fund Balance .....	<u>500,000</u>
TOTAL.....	\$4,685,399

**SECTION 7A.**

There is hereby established the following rate schedule for water and sewer charges for the period of July 1, 2002, to June 30, 2003:

	<u>WATER</u>	<u>SEWER</u>
Municipal	\$6.00 per 1,000 gal.	\$4.40 per 1,000 gal.
High Volume	\$4.00 per 1,000 gal.	\$5.80 per 1,000 gal
Low Volume	\$19.50 first 2,000 gal.	\$19.50 first 2,000gal.
	\$4.00 next 1,000 gal.	\$6.00 next 1,000 gal.
Multi-user	\$8.00 per service connect	\$19.50 first 2,000 gal.
	\$4.00 per 1,000 gal.	\$6.00 next 1,000 gal.

MINUTES OF MEETING OF JUNE 17, 2002---cont.

**SECTION 8.** There is hereby levied a tax at the rate of ninety-nine and ninety-five hundred cents (\$.9995) per one hundred dollars (\$100.00) valuation of

property listed for taxes as of January 1, 2002, for the purpose of generating the revenue listed as "Current Taxes" in the General Fund in Section 1 of this Ordinance. The rate of tax is based on an estimated total valuation of property, for the purpose of taxation, or \$2,342,000,000 and a ninety-five and one-tenth percent (95.1%) collection rate.

**SECTION 9.** All fees and charges are continued as per schedule in the Clerk's Office. Library, Health, Inspections, Recreation and Solid Waste fees are adopted as amended by this ordinance and are on file with the clerks office. Schedule B Licenses shall be levied in accordance with the North Carolina Revenue Act.

**SECTION 10.** **Salaries.** The following shall govern salary and wage compensation for Fiscal Year 2002-2003.

**A. Pay Plan**

There is hereby adopted a pay plan which includes an increase in 401(k) from 2.5% to 4.0% effective July 1, 2002.

There is hereby adopted a pay plan which includes an across the board market adjustment in the amount of 1.5% from the FY 2001-2002 Pay Plan and is applicable to all County Employees, and the addition of one Telecommunicator contingent upon the County receiving reimbursables, additional sales tax or reduction in expenditures equivalent to the reimbursables from the State. A pay and classification study is authorized and shall be coordinated by the County Manager for all County employees.

**B. Salary Adjustments**

Each employee's salary shall be examined and adjusted to ensure that the pay grade reflects the years of service, proficiency and quality of work. Each classification is to be continuously reviewed and adjustments instituted by the County Manager to make the pay plan fair to all classes of employees.

**SECTION 11.** The County Manager is hereby authorized to transfer appropriations within funds as contained herein under the following conditions:

He may transfer amounts between objects of expenditures between Appropriations in the same fund without limitation and without a report to the Board of Commissioners.

He may transfer amounts up to \$10,000 between appropriations within the same fund and reported as part of the monthly financial statements.

He may not transfer any amounts between funds nor from the General Fund contingency without prior Board action.

**SECTION 12.** **Restricted Revenues:** The Finance Director is hereby directed to fund appropriations, which have specified revenues prior to funding with General Fund monies. This is to include but not limited to Fines and Forfeitures, ABC profits, Sales Tax, and State and Federal grants. That a non-profit corporation be continued to issue obligations to finance the purchase and/or construction of fixed assets to include but not limited to

utility lines and buildings.

MINUTES OF MEETING OF JUNE 17, 2002---cont.

**SECTION 13.** Encumbrances: All outstanding encumbrances from prior fiscal years are to be carried forward to Fiscal Year 2002-2003. All Project Ordinance appropriations are continued.

**SECTION 14.** Budget Control: The Board of Commissioners in approving the Budget has utilized to the fullest extent possible its revenue sources. Over collections of revenue or unanticipated revenues sources cannot be expected to materialize during the year. It is therefore of utmost importance, and the County Manager is hereby directed, to initiate steps to insure that the budget as fixed herein is complied with. The County Manager is further directed where it appears that costs may possibly exceed budget appropriations, to first take steps to contain costs by any necessary methods including reductions in services, prior to requesting budget amendment action by the Board of Commissioners.

**SECTION 15.** The County manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for: (1) purchase of apparatus, supplies and materials, or equipment which is within budgeted department appropriations, (2) leases or personal property for a duration of one year or less and within budgeted departmental appropriations and (3) services which are within department appropriations.
- c. He may execute grant agreements to or from public and nonprofit organizations that are within budgeted appropriations, unless grantor organization requires execution by the Board of Commissioners.
- d. He may execute contracts, as the lessor/lessee of real property, which are of one-year duration or less, if funds are within budgeted appropriations.
- e. He may execute contracts for design consultant's services, which consultant fees are estimated to be less than \$10,000 and if funds are within budgeted appropriations.

**SECTION 16.** The Board of Commissioners hereby authorizes the Franklin County Tax Administrator to collect taxes for the Towns of Louisburg and Franklinton. A charge of 1.5% of all taxes collected for the governmental units will be payable to Franklin County for said billing and collection services.

**SECTION 17.** Copies of this Budget Ordinance shall be furnished to the County Manager, the Finance Director, the Tax Assessor, and the Tax Collector for direction carrying out their duties.

**FRANKLIN COUNTY BOARD OF COMMISSIONERS UNANIMOUSLY ADOPTED THIS,  
THE 17th DAY OF JUNE, 2002 (Signed)**

## **6. Special Use Permit and Rezoning Petition**

Proper notice having been given this is the time and place set for a public hearing to receive comments on the application for a Special Use Permit: Rufus Edgar Minor, 11.7 acres off State Road 1101 (Darius Pearce Road) in Harris Township in the AR District for an Open-Air Paint Ball Operation. The Planning Board recommended approval.

Chairman Ball declared the public hearing opened.

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

MINUTES OF MEETING OF JUNE 17, 2002---cont.

Upon motion by Commissioner Foy, seconded by Commissioner Strickland with all present voting "AYE" duly carried the petition for the Special Use Permit approved.

Proper notice having been given this is the time and place set for a public hearing to receive comments on the application for Rezoning Petition: Renee McCormick, 71 acres on State Road 1134 (Long Mill Road) in Youngsville Township from Heavy Industrial (HI) to Residential District (R-1). The Planning Board recommended approval.

Chairman Ball declared the public hearing opened.

The following individuals made public comments:

Carrie MacPhail, 133 Deer Run Drive, Franklinton, NC

Ms. MacPhail spoke regarding not wanting industry in a residential area; hampers growth; no one wants to look out their window and see an industrial building; industry produces heavy equipment on the roads, smell and pollution; would like to see more homes in the area which would mean more tax payers for the County.

Karen Edwards, Long Mill Road, Youngsville, NC

Ms. Edwards spoke on behalf of some of the property owners on Long Mill Road; property has always been peaceful and quiet, no traffic; tried to keep Martin Marietta out; have to deal with stack noise from Wooten; residents will continue to fight rezoning issue.

Jim Moss, 217 N. College Street, Youngsville, NC

Mr. Moss requested the Board's approval of the rezoning; stated this was a situation where all sides can win; neighbors can win by not having heavy equipment on their road; heavy industrial uses around 11 acres in the area and this is not consistent with the Land Use Plan.

Renee McCormick (Applicant), 15 Riders Court, Franklinton, NC

Ms. McCormick made a presentation on why the Planning Board has moved twice to approve the rezonings. Ms. McCormick pointed out that the only access to this site is Long Mill Road past many existing subdivisions with 948 future homes approved. Ms. McCormick stated this property has only roughly 25 usable acres because of the extreme drop off in topography; many maps were presented



showing what Ms. McCormick states is “unsuitable” topography for heavy industrial or commercial users. Ms. McCormick presented handouts to the Board from Kevin Martin, Soil & Environmental Consultants (S&EC) and Hobbs, Upchurch & Associates as to their opinion of the subject tract. S&EC stated from an industrial standpoint the tract would be limited due to limitations of piping and filling of several streams and the limited access of roads. Both would be costly to a developer. Hobbs, Upchurch & Associates also indicated the impact of roads and bridges on this tract would be costly and many environmental guidelines would have to be met. Petitions containing signatures of 84 residents in support of the rezoning was presented, and also a letter from Martin Marietta stating they have no problem with the R-1 zoning.

Matt Livingston, Director, Franklin County Planning Department

Mr. Livingston stated that it was recommended by the Planning Board that the zoning classification be changed due to the heavy residential growth in the area which is zoned HI.

#### MINUTES OF MEETING OF JUNE 17, 2002---cont.

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, voting “NO” Commissioner Wynne, Commissioner Swanson, Chairman Ball duly denied the rezoning request by Renee McCormick to rezone 71 acres on State Road 1134 (Long Mill Road) in Youngsville Township from Heavy Industrial (HI) to Residential District (R-1).

#### **7. Public Comments**

No public comments were presented.

#### **8. Bunn and Justice Fire District Boundaries**

The Fire Chief and Chairman of the Volunteer Fire Department of Bunn and Justice, together, requested the Board of Commissioners amend the boundary lines in the area of Lake Royale for the ISO and the Tax Service district. Section Ten of Lake Royale is being requested to be shifted from Bunn to Justice which will result in all of the Lake Royale area being included in an appropriate ISO rated fire district. The change would be effective beginning with the Fiscal Year 2002 – 2003.

Angie Callihan, Director of Franklin County Emergency Services, presented the signed agreement between Justice Fire Department and Bunn Fire Department along with the map of the boundary lines.

County Manager Richard Self commended Ms. Callihan and the others who worked very hard on this project.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne with all

present voting "AYE" duly carried the approval of the new fire district taxing jurisdictions.

**9. Resolution on Scrap Tire Advance Disposal Fee**

The Scrap Tire advance Disposal Fee is scheduled to be reduced from 2% to 1% on June 30, 2002. This fee is instrumental in safely disposing of scrap tires in Franklin County. At 1%, the County would not be able to maintain the existing program, which could result in orphan dumps reappearing in the County. The fee covers the cost of the disposal and does not require county property tax.

County Manager Richard Self stated that the resolution had been introduced to the House and Senate and that 1% is not enough to cover the disposal fee and encouraged the Board to adopt the resolution.

Commissioner Strickland commented that if the 2% fee is not adopted then the responsibility of scrap tire disposal falls on the county landfill and this could cost \$42,000 plus a year.

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried the adoption of the following resolution:

**RESOLUTION TO SUPPORT CONTINUATION OF EXISTING SCRAP TIRE ADVANCE DISPOSAL FEE AND TO REMOVE THE SUNSET PROVISION THAT WILL REDUCE THE FEE FROM 2% TO 1% EFFECTIVE JUNE 30, 2002**

WHEREAS, the 2% Advance Disposal Fee is the central component of the North Carolina State Scrap Tire Program;

MINUTES OF MEETING OF JUNE 17, 2002---cont.

WHEREAS, this is one of the few areas in recycling and in promotion of solid waste reduction where the state of North Carolina has actively demonstrated leadership and vision; and

WHEREAS, the program has been highly effective here in Franklin County and throughout the state;

WHEREAS, the fee has previously been 1% and was found to be inadequate to fund the essential programs related to managing scrap tires;

WHEREAS, the fee supports abatement of nuisance tire collection sites and has been utilized here in Franklin County for that very purpose;

WHEREAS, the fee supports and encourages scrap tire recycling activities; and

WHEREAS, the fee directly contributes to the significant reduction in illegal dumping of scrap tires across the state by providing and fully funding a program that efficiently and effectively manages this waste material.

NOW THEREFORE BE IT RESOLVED by the Board of Franklin County Commissioners that the Board fully supports the continuation of the 2% advance disposal fee and urges the legislature to make the existing Scrap Tire Disposal Program permanent.

Adopted this, the 17<sup>th</sup> day of June, 2002. (Signed)

#### **10. Fireworks Display**

An additional item was added to the agenda during the meeting. The Fourth of July Fireworks Display for Franklin County, by North Carolina State Law, has to be approved by the Board of Commissioners.

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne, with all present voting "AYE" duly carried the approval of Franklin County Fourth of July Fireworks Display.

#### **8. Committee Reports**

Commissioner Foy reported that he had no meetings scheduled. He announced that the Health Board meeting is scheduled for Thursday, June 20, 2002 at 7:30 p.m. and the issue of euthanasia of animals in Franklin County will be discussed.

Commissioner Swanson reported that he attended the North Carolina Association of County Commissioners District Directors meeting and the Senate had passed the resolution for the ½ cent sales tax but the House had not yet approved. The House wants to keep all of the revenue, which is suppose to replace the County reimbursables from the State. A Public Hearing for another resolution is needed prior to July 15, 2002 and the resolution needs to go into effect August 1, 2002.

Commissioner Foy questioned the resolution. He thought the sales tax was already 6½% and this will put it at 7%.

Chairman Ball stated that the request for a resolution for the ½ cent sales tax would be considered for the July 1, 2002 meeting agenda.

Commissioner Strickland attended the K.A.R.T.S. meeting. They are very thankful for the funding request even though it is 25% less than last year. Most of their funds come from the Department of Transportation and Highway funds so

MINUTES OF MEETING OF JUNE 17, 2002---cont.

they were not affected by the state budget. The K.A.R.T.S. vans are taking more trips and are trying to get more riders. Having more riders reduces the cost to the County.

Commissioner Wynne reported that he did not attend any committee meetings.

Chairman Ball reported on the counties unemployment figures, 5.7% at this time. He also reported on the Vance-Granville-Warren Mental Health Authority.

Chairman Ball took this time to thank the Board for carrying out the goals and objectives they established during their workshop retreat. He stated that the Board had maintained the county tax rate, cut programs as needed, and conducted the Board meetings in an appropriate manner.

**9. Manager's Report**

County Manager Self thanked the Board for their adoption of the 2002 – 2003 Budget and he also thanked all the department heads for their hard work.

There being no further business to come before the Board, adjournment recorded at 8:45 P.M.

---

JOHN R. BALL, CHAIRMAN

---

RICHARD B. SELF, CLERK