

MARCH 18, 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 Foy with all present voting "AYE" duly carried the following Consent Agenda Items approved:

- A. Minutes of meeting held on March 4, 2002
- B. Road petition for Louisburg Farms Road

Proper notice having been given this is the time and place set for a public hearing to receive comments on a rezoning petition request by Earthworks Development LLC ("Ballymore") for 71 acres on State Road 1134 in Youngsville Township from Heavy Industrial (HI) to Agricultural Residential (AR).

Chairman Ball declared the public hearing open and recognized Planning Director, Matt Livingston who made comments. Mr. Livingston stated that the Planning Board recommended approval based on residential character of the corridor and is a down grading. Mr. Livingston stated that the Franklin County Economic Development Director had indicated that this parcel was unlikely to be commercially developed and industrial development may not be appropriate given the current residential growth patterns along the Long Mill Road corridor.

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

- 1) R. L. Denson, 933 Pocomoke Road, Franklinton, NC
Questioned the number of homes to be built; stated there was significant water problems in the area; his parents have five dry wells as well as other in that area; roads were not designed to handle that growth; had petitioned Department Transportation to place stop light at Pocomoke Road & US 1 and could not get it done; there will be serious accidents due to the heavy traffic; serves as a member of the Franklinton Fire Department and has real concerns about safety issues
- 2) Renee McCormick, Applicant
Presented a handout containing current zoning map, future land use plan; petitions containing signatures of 84 residents along Bert Winston and Long Mill Road in support of the rezoning; letters of support from Eclipse Properties and Martin Marietta; the acreage not suitable for heavy industrial and a correction should be made to the land use plan; the County UDO allows uses not compatible with the area; need to protect residents along Long Mill Road; plans to build a single family residence as soon as possible

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 Swanson, Commissioner Wynne, Commissioner Ball duly denied upon the recommendation of the Franklin County Planning Board approve rezoning request by Earthworks Development to rezone 71 acres on State Road 1134 in Youngsville Township from Heavy Industrial (HI) to Agricultural Residential (AR).

Proper notice having been given this is the time and place set to receive comment on rezoning petition by Evelyn Horton for 9.03 acres on State Road 1737 in Dunn Township from Light Industrial (LI) to Agricultural Residential (AR).

Chairman Ball declared the public hearing open and recognized Planning Director Matt Livingston who made comments. Mr. Livingston stated that the Planning Board
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recommended approval based on the close proximity to US 64 which is a four-lane high volume thoroughfare and is located at a commercial node. He stated that there is concern over the loss of commercial or industrial zoned property within the county. He further stated that the Planning Board felt Highway Business zoning was appropriate and would allow residential development on the property.

Chairman Ball called for public comments and the following individual spoke:

1. Herby Horton, 4707 Old US 64 Highway, Zebulon, NC
Two acres were previously rezoned to agricultural residential; no water, sewer or three phase power available and will not be in my lifetime; feels there is no need for additional convenience stores; request be rezoned to be compatible with area

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

Upon motion by Commissioner Foy, seconded by Commissioner Swanson, voting "AYE" Commissioner Foy, Commissioner Swanson, Commissioner Strickland, Commissioner Wynne, voting "NO" Commissioner Ball duly carried approve ordinance entitled "AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (MAP) TO REZONE APPROXIMATELY 9.03 ACRES ON STATE ROAD 1737 IN DUNN TOWNSHIP FROM LIGHT INDUSTRIAL TO AGRICULTURAL RESIDENTIAL"; copy of amending ordinance found in Unified Development Ordinance Book.

Proper notice having been given this is the time and place set for a public hearing to receive comment on a Special Use Permit request by Willie J. Wright for three acres on State Road 1242 (Julie McKnight Road) in Hayesville Township in the Agricultural Residential (AR) for an automobile salvage yard and body shop.

Chairman Ball declared the public hearing open and recognized Planning Director Matt Livingston who made comments. Mr. Livingston stated that the Planning Board did not find that the issuance of a special use permit would be in the best interest of the County. The petitioner has been in non-compliance with the zoning ordinance for a number of years. Mr. Livingston further stated that Section 6.2 of the Unified Development Ordinance states that salvage or junkyards may not be established in any residential area. Mr. Livingston advised that Mr. Willie Wright, Petitioner, had called the Planning Department at 5:20 P. M. and stated that he was sick and would not be in attendance for the meeting.

Chairman Ball called for public comments and the following individuals were sworn in and spoke:

2. Tammy Creech, 529 Julie McKnight Road, Kittrell, NC
Her home is little ways down road from the property; there are junk cars on the side of the road; highway patrol has to come out to clear traffic; has brought in junk mobile homes; has environmental concerns; there are 200 junk cars on three acres of land concerned about ground water; causing low property values; has tried to sale her home and cannot because of this junk
3. Grover Hobbs, 742 Julie McKnight Road, Kittrell, NC
Lives next door; this is a nuisance and a real problem; looks out window and all can see is junk cars and mobile homes; cars parked beside road and moving some down into the woods; trying to make the community look good; property value dropping couldn't sale

home if he wanted to; brought property in 1979 and the junk has continued to grow; works at night and burns old tires and that smoke comes into home and can't work in yard; tried to talk to them but won't listen and get mad and make threats; please deny the special use permit request

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

Upon motion by Commissioner Wynne, seconded by Commissioner Swanson with all present voting "AYE" duly carried deny Special Use Permit request by Willie J. Wright for three acres on State Road 1242 (Julie McKnight Road) in Hayesville Township in the Agricultural Residential (AR) for an Automobile Salvage Yard and Body Shop.

Mr. Garry Daeke, Resource Development Coordinator, Franklin-Granville-Vance Partnership for Children, was in attendance to update the Board on the services offered by the Partnership to Franklin County children and their families. Mr. Daeke reviewed the eleven activities that are available through the Smart Start Services. He stated that he was requesting \$5,000 from the County for the upcoming fiscal year to help with Reaching Out which is operated through the Franklin County Schools. This program provides a one semester parenting and early childhood education, family support, tutoring and parent-child relations for families. This request will be included in the budgetary process for consideration by the Board at a later date.

The Board reviewed the requirements of establishing the meeting dates for the Board of Equalization and Review to hear taxpayer's appeals of property values. The time for the meetings is set by the General Statutes, and the first meeting is to be held not earlier than the first Monday in April and not later than the first Monday in May. The Board set Tuesday, April 16 and Tuesday, April 30, 2002, from 7:00 P. M. to 9:00 P. M. as the dates to meet as the Board of Equalization and Review. The meetings will be held in the Commissioners' Meeting Room, County Administration Building.

County Manager Self updated the Board regarding the request by the Adequate Public Facilities Task Force that the Board authorize the expenditure of funds to prepare a twenty (20) year water and waste water study which would encompass the entire county at an estimated cost of \$95,000.00. Mr. Self advised that as instructed by the Board, staff had compiled studies previously done and was of the opinion that the studies do not contain sufficient information needed for a countywide water and waste water plan. Mr. Self stated that he had included a copy of a request for proposals for engineering services for a twenty-year countywide water and sewer study. The Board discussed authorizing the County Manager to request proposals for this study in an effort to ascertain the cost of such a study and to consider approval of the project ordinance with the estimated \$95,000 for the study removed.

Upon motion by Commissioner Swanson, seconded by Commissioner Strickland, voting "AYE" Commissioner Swanson, Commissioner Strickland, Commissioner Wynne, Commissioner Ball, voting "NO" Commissioner Foy duly carried authorize the County Manager to advertise for Request for Proposals for Engineering Services For 20-Year County Wide Water and Sewer Study; the Waste Water Expansion Project Ordinance will be considered at a later date.

Commissioner Strickland reported that he had attended a KARTS finance meeting and that they would be requesting less funds in this fiscal year due working more efficiently in other areas.

Commissioner Ball reported that he along with the County Manager had recently attended meetings regarding Mental Health. One meeting had thirty county managers in attendance. He stated that the State

officials assured everyone that their activities had nothing to do with the shortfall. DID HE SAY THAT?

Commissioner Swanson reported on his meeting with the Franklin County Chamber of Commerce. He stated they had a lot of activities going on and of course needed more funds.

County Manager Self reported to the Board on the following issues:

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1. A new utility procedure in effect regarding delinquent payment problem; to address the problem with the least financial impact, place property in the name of the property owner instead of the tenant. Property owner signing a contract guaranteeing the account would also be acceptable.
2. Discussions at Adequate Public Facilities Task Force will include affordable housing.
3. Request from Godwin's Auction Gallery to continue Gerald Wrenn until May 11 when he has scheduled the auction.
4. New channels added Time Warner News 14 and MBC
5. Updated project development time schedule from Hobbs, Upchurch & Associates
6. County has been awarded a Supplemental Grant in the amount of \$400,000
7. Holland Consulting Planners report bids will be opened March 26 for 5 houses for rehabilitation
8. Transfer of ½ cent sales and use tax from the State to the County; must conduct a public hearing and adopt a resolution

Upon motion by Commissioner Swanson, seconded by Commissioner Wynne, voting "AYE" Commissioner Swanson, Commissioner Wynne, Commissioner Strickland, Commissioner Ball, voting "NO" Commissioner Foy duly carried the Board went into Closed Session pursuant to General Statute 143-318.11 (a) (5) in order to discuss land acquisition.