

## February 16, 2004

The Board of Commissioners of Franklin County, North Carolina, met in regular session at 7:00 P.M. in the County Administration Building with the following Commissioners present: Chairman Raymond A. Stone, Vice- Chairman Harry L. Foy Jr., Commissioners Robert L. Swanson, John R. Ball, and Jimmy R. Gupton.

Upon motion by Commissioner Swanson, seconded by Vice-Chairman Foy, with all present voting "AYE", Tammy Davis was named temporary Clerk to the Board in the absence of the Board's Clerk, Kathy Moore.

### 1. Consent Agenda

Upon motion by Commissioner Swanson, seconded by Vice-Chairman Foy, with all present voting "AYE", duly carried approval of the following consent agenda items with the exception of Item A:

A. Approval of minutes of regular meetings held on December 15, 2003 and January 20, 2004.

B. Approval of the Tax Collectors Report for the period January 1 – January 31, 2004.

C. Approval of Tax Releases and Refunds for the period January 1 – January 31, 2004.

D. Advertisement of Tax Liens.

Upon motion by Commissioner Ball, seconded by Vice-Chairman Foy, with all present voting "AYE", duly carried deferring the approval of the December, 2003 and January, 2004 meeting minutes until the upcoming March meeting.

### 2. Public Hearings

#### A. Rezoning

Proper notice having been given and the Board having received the information, a public hearing was held to receive comments on a rezoning petition: Evelyne Horton, 50.26 acres, Tant Road and US Hwy 64, Dunn Township, R-30 to Highway Business (HB).

The Planning Board unanimously recommended approval of the rezoning petition. Donna Wood, Senior Planner, was present to answer questions from the Board.

Commissioner Ball stated the proposed use listed on the petition would be for highway business and residential homes. He questioned if homes could be built without having to request any further rezonings. Mrs. Wood stated construction of residential homes is allowed in the Highway Business zoning district. She stated this was a change that was made during the Countywide Rezoning.

Chairman Stone declared the public hearing open.

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

Upon motion by Vice-Chairman Foy, seconded by Commissioner Swanson, with all present voting "AYE", duly carried approval of the rezoning.

#### B. Rezoning

Proper notice having been given and the Board having received the information, a public hearing was held to receive comments on a rezoning petition: W.J. Renn, .69 acres, NC Hwy 39, Hayesville Township, Agricultural-Residential (AR) to Rural Business (RB).

#### MINUTES OF MEETING OF FEBRUARY 16, 2004---cont.

The Planning Board unanimously recommended approval of the rezoning petition. Donna Wood, Senior Planner, was present to answer questions from the Board.

Commissioner Swanson stated he had spoken with many people in this area and they were well pleased to see this business in their area.

Chairman Stone declared the public hearing open.

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

Upon motion by Chairman Stone, seconded by Vice-Chairman Foy, with all present voting "AYE", duly carried approval of the rezoning.

#### C. Text Amendment

Proper notice having been given and the Board having received the information, a public hearing was held to receive comments on a proposed text amendment to the Franklin County Unified Development Ordinance (UDO) to change the minimum lot size and yard regulations for pet cremations.

The Planning Board unanimously recommended approval of the proposed text amendment. The County's current requirement for pet cremation includes a minimum of 20 acres and a 75-yard setback requirement from any property line. The UDO has a 5-acre requirement for a kennel. The proposed amendment will change the minimum acreage requirement to 5 acres and allow the setbacks to be determined by the existing zoning district.

Donna Wood, Senior Planner, was present to answer questions from the Board.

Commissioner Ball questioned if a property is eligible for a kennel, would that make the property automatically eligible to operate a pet crematory. Mrs. Wood stated kennels are not automatically eligible to operate a pet crematory without going through the proper procedures.

Mrs. Wood stated staff feels if 5 acres is enough for kennels, then 5 acres is a sufficient amount of land to operate a pet crematory instead of the current required 20 acres.

Upon motion by Vice-Chairman Foy, seconded by Commissioner Swanson, with all present voting "AYE", duly carried approval of the text amendment.

### **3. Changes to Procedures for Meetings of the Franklin County Board of Commissioners Proposed at the February 9, 2004 Work Session.**

#### **A. Consider Amending Section I-C of Procedures for Meetings:**

"All items to be placed on the agenda for Workshops, Work Sessions and Committee Meetings shall be submitted by the Board Chairman five (5) **(change to three (3))** calendar days prior to the next scheduled meeting."

Upon motion by Commissioner Ball, seconded by Chairman Stone, will all present voting "AYE", duly carried approval of the proposed amendment.

#### **B. Consider Amending Section II-A-4 of Procedures for Meetings: Public Comments**

The proposed amendment will change the public comment time to follow public hearings, if any.

Upon motion by Vice-Chairman Foy, seconded by Commissioner Swanson, with all present voting "AYE", duly carried approval of the proposed amendment.

MINUTES OF MEETING OF FEBRUARY 16, 2004---cont.

### **4. Comments from the Public**

Gilbert Silva, 78 Walter Grissom Road, Kittrell, NC

- Requested Commissioners create a plan that completely integrates all the elements of Franklin County.

### **5. Presentation of Proclamation**

Representative Lucy Allen presented a Proclamation to the Board signed by Governor Michael Easley proclaiming January 29, 2004 as the "225<sup>th</sup> Anniversary of Franklin County, Warren County and the Town of Louisburg".

## **6. Resolution – Justice Volunteer Fire and Rescue**

Justice Fire and Rescue Department requested the Board to approve a resolution for a tax-exempt loan in the principal amount of \$135,000 to purchase a new fire truck.

Upon motion by Commissioner Gupton, seconded by Commissioner Swanson, with all present voting "AYE", duly carried approval of the resolution.

## **7. VWGF Resource Center**

The VWGF Resource Center is funded under the Criminal Justice Program in the amount of \$218,045. Funding is currently being administered through the Vance County Manager's Office and is functioning well. Resolution to continue that program was requested.

Upon motion by Commissioner Gupton, seconded by Chairman Stone, will all present voting "AYE", duly carried approval of the resolution.

## **8. Budget Ordinance Amendment #5**

The purpose of the Budget Ordinance Amendment is to reflect grants, revenues and donations received by the following departments: Tax foreclosure fees - \$75,000; Aging Donations - \$7,420; ROAD Grant for KARTS - \$9,373; DSS Donations - \$5,000; DOT Grant - \$330,000; Fund Balance for redistricting legal services - \$35,000.

Vice-Chairman Foy questioned if the \$35,000 for legal services went to County Attorney Darnell Batton. Mr. Batton stated a little more than half would come to him. County Finance Director Charles Murray pointed out that the \$35,000 includes fee for the redistricting.

Upon motion by Commissioner Ball, seconded by Commissioner Swanson, with all present voting "AYE", duly carried approval of the amendment.

## **9. Board Committee Reports and Comments**

Commissioner Gupton:

- attended the KARTS meeting in January. KARTS will have its audit at the next meeting.

Commissioner Ball:

- attended a special COG (Council of Government) meeting to look at mental health issues.

Commissioner Swanson:

- attended the Board of Directors meeting for the Franklin County Chamber and reported no director has been selected yet. He stated they have numerous items on their 2004 agenda to enhance economic development.

MINUTES OF MEETING OF FEBRUARY 16, 2004---cont.

Vice-Chairman Foy:

- reminded the Board that the Health Board will meet on Thursday, February 19th.
- Reminded everyone in attendance that the newly constructed Food Lion in Bunn will hold its grand opening on Wednesday, February 18th at 7:45 A.M.

Chairman Stone officially reappointed everyone to continue to serve on their current committees with the exception of Commissioner Gupton who was named to the Workforce Development Committee and Chairman Stone was named to the HUB Exploratory Committee. This change was made due to scheduling conflicts with Commissioner Gupton.

## **10. Manager's Report**

County Manager Self reported the following to the Board:

- had a productive meeting with the Town of Louisburg.

Upon motion by Commissioner Swanson, seconded by Commissioner Ball, with all present voting "AYE" with the exception of Vice-Chairman Foy, duly carried approval for the Board to go into closed session at 8:00 P.M. to discuss the acquisition of property.

Upon motion by Chairman Stone, seconded by Commissioner Swanson, the Board voted to return to open session with all voting "AYE".

Chairman Stone announced that no decision was made nor action taken in the closed session.

There being no further business to come before the Board, motion was made by Commissioner Swanson, seconded by Vice-Chairman Foy, with all voting "AYE", duly carried to adjourn the meeting. Adjournment recorded at 8:40 P.M.

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Raymond A. Stone, Chairman Tammy W. Davis, Temporary Clerk