

**June 19, 2006**

The Board of Commissioners of Franklin County, North Carolina, met in Regular Session at 7:00 P.M. in the Commissioner's Meeting Room located in the County Administration Building with the following Commissioners present: Chairman Sidney E. Dunston, Vice-Chairman Lynwood D. Buffaloe, Commissioners Harry L. Foy, Jr., Raymond A. Stone, Jimmie R. Gupton, Donald C. Lancaster, and Robert L. Swanson.

## **1. CONSENT AGENDA**

Upon the motion by Commissioner Swanson, seconded by Commissioner Buffaloe, with all present voting "AYE", duly carried approval of the following consent agenda items:

- A. June 5, 2006 minutes
- B. Tax collection report
- C. Request for authorization of fireworks display
- D. Designate Scott Hammerbacher as Map Review Officer

Chairman Dunston asked the Board to consider adding an item to the agenda pertaining to a school construction contract. A motion to approve the addition was made by Commissioner Buffaloe, seconded by Commissioner Swanson. The motion carried unanimously. Chairman Dunston then asked the Board to consider removing Item 7 (Board Appointments) from the agenda for discussion at a future board meeting. Upon the motion by Commissioner Swanson, seconded by Commissioner Stone, with all present voting "AYE", duly carried.

## **2. PUBLIC HEARING**

- A. Zoning Map Amendment: Elmo, Ricky & Stuart May, 6.15 Acres, Harris Township, State Road 1707 (Joe Denton Road), R-1 to R-20.

At 7:05pm, Chairman Dunston opened the public hearing.

### **Don De Jong, 428 Husketh Road, Youngsville, NC**

- Mr. De Jong is an adjacent property owner. He is against the request and said the Board needs to make sure Franklin County doesn't become a "mobile home" county. He said the measure is a step in the wrong direction bringing only more development of trailer parks.

### **Ricky May, 1897 NC Highway 39 South, Louisburg, NC**

- Mr. May is one of the petitioners and stated he had appeared before the Franklin County Planning Board twice and complied with their requests. Plans for the area include the placement of three mobile homes.

The planning director stated the area would not be subject to a "trailer park" unless the petitioners came back with additional requests. Young said allowing mobile homes in the area is consistent with the development pattern already in the area. With no further comments, the public hearing was closed.

Upon a motion by Commissioner Foy, seconded by Commissioner Stone to approve the request, with all present voting "AYE" duly carried.

## B. Adequate Public Schools Ordinance

Planning Director Pat Young presented the ordinance to the Board stating the APSO (Adequate Public Schools Ordinance) is to be used as a form of land use regulation, not a source of revenue. Young said the concept can be applied to a host of other facilities such as schools, jails, transportation, utilities, parks and recreation, etc. However, Franklin County is currently limiting the scope of Ordinance to Public Schools which is one of the highest costs to the county. The ordinance is intended to be a regulatory tool and to help prevent school overcrowding and channel growth. Young stated the APSO is not an impact fee, as assured by the county's legal counsel. He said the ordinance does not stop residential growth but helps to offset costs and control the timing of growth. A copy of the PowerPoint presentation used to outline the ordinance is on file in the clerk's office.

Commissioner Buffaloe stated for the record, the public hearing was advertised in the local paper twice on June 7, 2006 and June 14, 2006.

At approximately 7:53pm, Chairman Dunston declared the public hearing open.

### **Bob Winters, 195 Black Cloud Drive, Louisburg, NC**

- Mr. Winters commented he was tired of hearing that Franklin County is the ninth fastest growing county in North Carolina. He stated our "real" growth is about three percent. Winters addressed the impact of the ordinance on citizens of Lake Royale. He said fees are unfair for people who have purchased lots there with intentions of building a retirement home with no children to impact Franklin County schools.

### **Scott Larue, 1584 Sims Bridge Road, Kittrell, NC**

- Mr. Larue stated Planning staff has done satisfactory work in striking a balance pertaining to the APSO. In his opinion, the ordinance is a good thing if it will take the burden off of Franklin County taxpayers.

At approximately 8:02pm, the public hearing was closed.

Upon a motion by Commissioner Stone, seconded by Commissioner Gupton to approve the APSO, the ordinance was approved 6 to 1, with Commissioner Foy casting the dissenting vote.

## **3. PUBLIC COMMENT**

### **Rosemary Champion, 1168 White Level Road, Louisburg, NC**

- Mrs. Champion is an executive with the Franklin County Homebuilder's Association. She spoke in opposition to the 10 percent inspection fee increase in the proposed budget.

## **4. NCDOT SECONDARY ROADS PROGRAM**

North Carolina Department of Transportation District Engineer Steve Winstead presented the Secondary Roads Program for 2005-2006 and 2006-2007. He highlighted the following roads as priorities for paving: Peg Williams Road, Matthews Road, Tharrington Road, Lynch Evans Road and C.P. Sykes Road.

Commissioner Stone made a motion to approve the report, seconded by Commissioner Buffaloe with all present voting "AYE" duly carried.

## 5. BUDGET ADOPTION

Commissioner Gupton made a motion, seconded by Commissioner Swanson, to adopt the 2006-2007 fiscal budget “as is”.

Commissioner Stone then made a motion to amend the proposed budget, seconded by Commissioner Foy, lowering the tax rate from 79 to 76 cents per \$100 valuation. He stated doing so would reduce the fund balance by \$1 million and offset the \$45 solid waste availability fee. The motion to amend failed 5 to 2, with Commissioners Buffaloe, Dunston, Swanson, Gupton and Lancaster voting “NO” and Commissioners Stone and Foy voting “AYE”.

The original motion to adopt the 2006-2007 budget by Commissioner Gupton, seconded by Commissioner Swanson, carried with a 5 to 2 vote, with Commissioners Foy and Lancaster voting not to approve the budget.

## 6. BUDGET AMENDMENT

County Finance Officer Chuck Murray requested a budget ordinance amendment to the 2005-2006 budget (#12) in the amount of \$561,029.

Upon a motion to approve budget amendment #12 by Commissioner Buffaloe, seconded by Commissioner Swanson, with all present voting “AYE”, the motion duly carried.

## 7. BOARD APPOINTMENTS

This item was stricken from the agenda to be discussed at a future board meeting.

## 7A. SCHOOL CONSTRUCTION CONTRACTS

The Board instead discussed an “add-on” item pertaining to school construction contracts. Pursuant to agreements reached between the Board of Commissioners and the Board of Education earlier this year, the Franklin County Board of Commissioners was asked to formally execute contracts for school construction and renovations. The boards reached these agreements to ensure the county is reimbursed for sales taxes associated with school construction. School boards across the state lost the ability to receive sales tax reimbursements by legislative action. The contract is for additions and renovations at Bunn High School.

A motion was made by Commissioner Stone, seconded by Commissioner Gupton, to approve a construction contract with MBAJ Architecture as the architectural firm and H.G. Reynolds Co., Inc. as the contractor for a sum of \$9,398,600. The motion duly carried with all present voting “AYE”.

## 8. BOARD, MANAGER AND CLERK’S COMMENTS

**Commissioner Foy:** Commissioner Foy made a motion to nominate Ricky May of Louisburg to serve on the Planning Board. The motion was seconded by Commissioner Lancaster and duly carried approval with all present voting “AYE”.

**Commissioner Stone:** Commissioner Stone commented he attended a legislative breakfast

with Five County Mental Health. He said he was pleased to hear both the North Carolina Senate and House budgets have made substantial increases in funding for mental health across the state.

- **Commissioner Buffaloe:** Commissioner Buffaloe commented on an upcoming Airport Commission meeting.

- **Commissioner Swanson:** Commissioner Swanson asked the county manager how soon convenience centers would transition from operating four days per week to six days per week. In response, Mr. Coudriet stated centers would be open as near to July 1, 2006 as possible.

- **Commissioner Gupton:** Commissioner Gupton commented Dianne Cox is leaving KARTS to accept a position with the North Carolina Department of Transportation. He also commented on new KARTS vehicles that have been received.

- **Commissioner Lancaster:** None.

- **Commissioner Dunston:** Commissioner Dunston asked the planning director a hypothetical question pertaining to Community Development Block Grant projects. He wanted to know who would be held accountable should construction adversely affect a persons private property. Mr. Young stated the infrastructure responsible for causing the damage would be held accountable.

**County Manager Chris Coudriet:** Mr. Coudriet mentioned problems caused by last week's Tropical Storm Alberto. Heavy rainfall from the storm caused a spill at the Youngsville and Franklinton lift stations. Since that time staff has met with town administrators about tactics to help correct inflow and infiltration problems so as not to overload the county's systems in the future. Mr. Coudriet also commented on an exposed water line off of John Mitchell road that will need a temporary bypass which is not expected to cause disruptions in water flow. He expects the project will take two to three weeks for completion by the North Carolina Department of Transportation. Mr. Coudriet also commented on a request by the Council of Governments and The Rural Center to have the Board continue to lobby for support of the statewide \$1 billion bond referendum and for Medicaid relief.

**County Clerk Kristen King:** Mrs. King informed the Board of an invitation to a ribbon cutting ceremony for a new hardware store opening in Franklinton.

Mr. Coudriet reminded the Board of its next meeting scheduled for July 17<sup>th</sup>.

Upon a motion to adjourn by Commissioner Stone, seconded by Commissioner Swanson, with all present voting "AYE" duly carried.