

Meeting of the Hoke County Board of Commissioners on Monday, January 4, 2010 at 7:00 p.m. in the Commissioners Room of the Pratt Building.

MEMBERS PRESENT:

Tony Hunt, Chairman
James Leach, Vice Chairman
Robert Wright
Jean Powell
Ellen McNeill

OTHERS PRESENT:

Tim Johnson, County Manager
William Fields, County Attorney
Linda Revels, Clerk to the Board

Chairman Hunt called the meeting to order and welcomed everyone. Larry Chavis led the Pledge of Allegiance and Commissioner McNeill gave the invocation.

Planning Matters – Public Hearings – Rezoning/CU

a. The purpose of the Public Hearing is to consider Application for Conditional Use Permit CU-09-43 submitted by Veronica Morris, for a daycare, (small) to be located at 260 Deaton Rd. The property is identified by the Hoke County Tax Records as PIN 694150001221(3.55 acres). – The Planning Board recommended approval. Conrad Garrison showed a map of the property. Ms. Morris was present for the request, stating that she wanted to open a small home day care. There was no public comment.

Motion: Jean Powell made a motion to close the public hearing, seconded by Ellen McNeill.

Action: The motion was unanimously carried.

Motion: James Leach made a motion to approve the conditional use for a small daycare, seconded by Robert Wright.

Action: The motion was unanimously carried.

Conditional Use Criteria

A. The use requested is listed among the conditional uses in the district for which application is made; or is similar in character to those listed in that district;

(minutes continued from the January 4, 2010 meeting) 2913

B. The requested use will not impair the integrity or character of the surrounding or adjoining districts; not adversely affect the safety, health, morals or welfare of the community or of the immediate neighbors of the property;

C. The requested use is essential or desirable to the public convenience or welfare and will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish and impair property values within the neighborhood;

D. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

E. The exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district as to cause a substantial depreciation in the property values within the neighborhood;

F. The requested use will be in conformity with a land use plan;

G. Adequate utilities, access roads, drainage, sanitation or other necessary facilities have been or are being provided;

H. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize the traffic congestion in the public streets; and

I. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

b. Application for Rezoning RZ-09-14 submitted by Charles Morris, to rezone a tract of property located on Fayetteville Rd. near Club Pond Rd. more specifically identified by the Hoke County Tax Records as a portion of PIN 494560301008 (145 acres), from RA-20 Residential-Agricultural District to R-8 Residential District. – The Planning Board recommended approval. Mr. Morris was present for the request. Conrad Garrison showed a map of the property. William Fields asked what was the surrounding property zoned? Mr. Garrison stated RA-20. James Leach asked Mr. Morris if he understand that with the rezoning to R-8, sewer was mandatory? Mr. Morris stated yes. He stated that presently the county was doing the sewer at the Wal-Mart construction and they want to utilize that infrastructure. They want to construct single family residential homes with

(minutes continued from the January 4, 2010 meeting) 2914

possible townhouses and apartment complexes. With the increased traffic flow, they talk with DOT, also utilizing the right-in, right-out traffic pattern on Highway 401. The requested conditional use will be for the front portion of the property. With the time line for this residential construction and the new sewer plant, the flow will go into the new plant. There was no public comment.

Motion: Ellen McNeill made a motion to close the public hearing, seconded by Jean Powell.

Action: The motion was unanimously carried.

Motion: Robert Wright made a motion to approve the rezoning from RA-20 to R-8, seconded by Jean Powell.

Action: The motion was unanimously carried.

c. The purpose of the Public Hearing is to consider Application for Conditional Use Permit CU-09-44 submitted by Charles Morris, for apartments to be located on Fayetteville Rd. near Club Pond Rd. The property is identified by the Hoke County Tax Records as a portion of PIN 494560301008 (42.04 acres). – The Planning Board recommended approval. James Leach stated that he would like to table this request and re-advertise it to come back before the Board. The property was just approved to be rezoned, therefore; the conditional use should come later. In the future he would like to see property rezoned first, and then come back at a later date for the conditional use. Jean Powell stated that in times past when they were both done together, time was an issue. Mr. Morris stated that he had no objection. Chairman Hunt stated that the county should absorb this cost.

Motion: James Leach made a motion to table this request and re-advertise it to come back before the Board at the earliest convenience, seconded by Robert Wright.

Action: The motion was unanimously carried.

d. The purpose of the Public Hearing is to consider Application for Rezoning RZ- 09-09 submitted by Township Developers, to rezone the property located at 216 Pittman Grove Ch. Rd., 245 Pittman Grove Ch. Rd. and 190 Morgan Dr. more specifically identified by the Hoke County Tax Records as PIN 494660001245 (.437 acres), PIN 494660001041 (8.13 acres), 494660001543 (.565 acres), and 494660001042 (19.51 acres) from RA-20 Residential-Agricultural District to Highway Commercial District. The Planning Board recommended approval (Tabled from the December 7, 2009 meeting). Conrad Garrison showed a map of the property. The surrounding property is zoned Highway Commercial,

(minutes continued from the January 4, 2010 meeting) 2915

Industrial, Neighborhood Business and R-15. This property is located in the commercial node of the urban service area of the Land Use Plan. RLUAC has no objection to this request. The request contains 4 parcels. There was no one here present for the request. There was no public comment. Chairman Hunt stated that the owners had called him and they would be unable to attend the meeting due to an emergency. James Leach stated that he had a call about the parcel next to the church. He would like to table pin numbers 494660001041 (8.13 acres) and 494660001543 (.565 acres). Jean Powell stated that if part of it is to be tabled, the whole thing should be tabled. This is all the road frontage. Chairman Hunt stated that it already adjoins highway commercial property.

Motion: James Leach made a motion to close the public hearing, seconded by Robert Wright.

Action: The motion was unanimously carried.

Motion: James Leach made a motion to table parcel numbers 494660001041 (8.13 acres) and 494660001543 (.565 acres) bringing them back at the earliest convenience, seconded by Ellen McNeill.

Action: The motion was unanimously carried.

Motion: James Leach made a motion to approve the rezoning of parcel numbers 49460001245 (.437 acres) and 494660001042 (19.51 acres) to Highway Commercial, seconded by Robert Wright.

Action: The motion was unanimously carried.

Subdivisions

1a1. WR of Raeford, LLC – Mr. Garrison stated that this is the Wal-Mart property. They have been working with Wal-Mart on the roads and parcels. This property is located off Highway 401 across from Club Pond Road. William Fields stated that the parcels empty into the easement and not onto Highway 401. The easement is currently private, but will be built to state standards. We need to keep up with who owns it. DOT will review this for any future development. Tim Johnson stated that the property behind this is owned by Ed Cameron and the sewer line is located at the rear of his property.

Motion: James Leach made a motion to approve the subdivision request, seconded by Robert Wright.

Action: The motion was unanimously carried.

(minutes continued from the January 4, 2010 meeting) 2916

Consent Agenda:

- a. Minutes from the December 21, 2009 meeting
- b. CIP – Water & Sewer
- c. Budget Amendments

Chairman Hunt stated that regarding the budget amendments, a revised budget amendment shows the Work-First Transportation, Senior Citizens Medical and the Foster Care Special Appropriation has been removed, leaving the Crisis Intervention portion only. All the others remain the same. Robert Wright stated that he would like to see their budget amendments signed by all parties. Jean Powell asked about the signature for the CIP, Capital Improvement Plan, in who needs to sign it? Tim Johnson stated that once the Board approves it, the Chairman will need to sign it. Mr. Eric Wagner with Hobbs, Upchurch stated that this Plan was a requirement by the State or the new sewer system. This is a plan for the next 20 years. It will help determine management cost. The plan actually has to be reviewed annually. The 20 year plan also corresponds with the financing.

Motion: Robert Wright made a motion to approve the consent agenda of items a, b and c of the revised budget amendments, seconded by Robert Wright.

Action: The motion was unanimously carried.

County Manager's Report

He and David Jackson have talked with the Smartstart Board regarding the request for additional playground equipment. The contracts will also be finishing up by the end of next month. The sewer for the Wal-Mart is finished. The fire suppression tank for the Ethanol Plant is going well.

Public Input

There was no one signed up to speak.

Chairman Hunt stated that they were going to recess until Thursday, January 7th at 12:00 noon to meet with Congressman Kissell regarding projects.

Robert Wright made a motion to recess to January 7, 2010 at 12:00 noon, here in the Pratt Building, seconded by James Leach, unanimously carried. The meeting recessed at 7:45 p.m.

Recessed meeting from Monday, January 4, 2010 to Thursday, January 7, 2010 at 12:00 noon in the Pratt Building.

MEMBERS PRESENT:

Tony Hunt, Chairman
James Leach, Vice Chairman
Robert Wright
Jean Powell
Ellen McNeill

OTHERS PRESENT:

Tim Johnson, County Manager
William Fields, County Manager
Linda Revels, Clerk to the Board

Chairman Hunt called the meeting to order and welcomed everyone.

Freddie McPhaul, Veteran Service Officer, led the Pledge of Allegiance and Vice Chairman Leach gave the invocation.

Chairman Hunt welcomed Congressman Larry Kissell and Senator Michael Walters. He stated that the Board was working with engineers on growth and looking at the needs for our citizens. He turned the meeting over to Tom McNeill, our Consultant. Mr. McNeill stated that the Board of Commissioners have been pro-active regarding the needs of county. He introduced Fred Hobbs, with Hobbs, Upchurch and Associates.

Mr. Hobbs stated that Hoke County is the 6th fastest growing county in the state. It is located near Ft. Bragg, and will be greatly affected by BRAC. The commissioners want to manage growth and provide a good quality of life providing water and sewer. They also want to protect against urban sprawl. The sewer project is beneficial to the citizens and it's a green project. Construction on the plant should start around mid year and be completed by 2011. With the large number of subdivisions on septic tanks, developers are supportive of the sewer system. We are seeking funding and help. The county has received some grant funds and will apply for others. Funding needed is approximately 2 to 3 million dollars. Funds will also come from property taxes and be borrowed. A partnership has also been created with BRAC. He introduced Paul Dordal, Executive Director BRAC. Mr. Dordal stated that the BRAC growth is occurring as planned. The heaviest growth areas will Harnett, Cumberland and East Hoke County. Infrastructure needs to occur near growth. Protection for the county and areas around Ft. Bragg are also needed. Mr. Dordal introduced Don Belk, an engineer with BRAC. Mr. Belk stated that Hoke County will receive the greatest impact from BRAC. Growth also provides opportunities. We want to maintain the economy and the geographic region. This wastewater project will help implement the Land Use Plan. Hoke County's Land Use

(recessed meeting from January 4th to January 7, 2010) 2918

Plan is a good plan. There is also a lot of land in conversation in Hoke County. There is also a need for job creation. Mr. Hobbs asked if there were any questions.

Congressman Kissell stated that there is a great military population in Hoke County. The Board of Commissioners and the engineers have done a great job. The commissioners have visited Washington to discuss these projects for Hoke County. His office is working very hard to find money. Hoke County has a smart plan for growth. He will continue to work with the commissioners. Senator Walters commended the commissioners for the hard work and good job they were doing. They are moving forward in a positive fashion. He stated that he will help with DENHR. Chairman Hunt again thanked Congressman Kissell and Senator Walters for coming and listening to the needs of Hoke County.

Lunch

The meeting came back in session. Chairman Hunt stated that a commissioner retreat has been set for Tuesday, January 26th and Wednesday, January 27th at Camp Rockfish. Robert Wright stated that he would like for all the departments to come. James Leach stated that the Board of Education needs to be present also. Chairman Hunt asked Linda Revels to make the necessary arrangements.

William Fields stated that he had two contracts from Parks and Recreation. They are from Diamond Tours. One is for the Rocky Mountains in the amount of \$30,564.00 and the other is Atlantic City in the amount of \$14,760.00. James Leach stated that the seniors enjoyed these trips.

Motion: Robert Wright made a motion to approve both contracts with Diamond Tours, seconded by James Leach.

Action: The motion was unanimously carried.

William Fields stated that they also use Tyler Tours as Tour buses. They have provided good service and they want to continue to use them.

Motion: James Leach made a motion approve the use of Tyler Tours and tour buses, seconded by Robert Wright.

Action: The motion was unanimously carried.

Chairman Hunt stated that the Board of Education has given them a packet of information. The Board reviewed the information. (Attorney Fields requested to be

(recessed meeting from January 4th to January 7, 2010) 2919

excused.) James Leach stated that they now pay for school projects through invoices. This seems to work well. Robert Wright stated that they need to discuss school requests during budget. After discussion the Board approved the following:

Motion: Robert Wright made a motion to approve \$34,851.03 for Sandy Grove Elementary School, seconded by James Leach.

Action: The motion was unanimously carried.

Chairman Hunt asked the County Manager to send the School Board a letter to this effect.

There being no further business to come before the Hoke County Board of Commissioners, Ellen McNeill made a motion to adjourn, seconded by Robert Wright. The meeting adjourned at 1:05 p.m.

Tony Hunt, Chairman

Linda Revels, Clerk to the Board