

Meeting of the Hoke County Board of Commissioners on Monday, June 1, 2009 at 7:00 p.m. in the Commissioners Room of the Pratt Building.

MEMBERS PRESENT:

James A. Leach, Chairman  
Tony Hunt, 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 Leach called the meeting to order and welcomed everyone. John Willis, a Hoke County resident and Boy Scout from Troop 40, led the Pledge of Allegiance and Rev. Joseph Monroe gave the invocation.

Chairman Leach stated that there were additions that needed to be made to the agenda. Garvin Ferguson has an additional budget amendment. Tony Hunt stated that he would like to add Mr. Charles Frock, CEO with First Health, as an item and move him up after the planning matters.

**Motion: Tony Hunt made a motion to approve the agenda additions, seconded by Jean Powell.**

**Action: The motion was unanimously carried.**

Public Hearings – Planning Matters – Rezoning/CU

a. The purpose of the Public Hearing is to consider Application for Conditional Use Permit CU-09-12 submitted by Margarita B. Padilla, to consider a daycare (small) to be located on the property identified by the Hoke County Tax Records as PIN 494560201274(.49 acres). The property is located at 111 Stacy Ln. The Planning Board and staff recommended approval. Ms. Padilla was present and sworn in. She stated that she has been in childcare for 15 years in Cumberland County. She is an early childhood educator. She is also working on a bachelor's degree. There was no public input.

**Motion: Robert Wright made a motion to close the public hearing, seconded by Jean Powell.**

**Action: The motion was unanimously carried.**

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**Motion: Robert Wright made a motion to approve the conditional use for a small daycare, seconded by Ellen McNeill.**

**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;
- 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.

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b. The purpose of the Public Hearing is to consider Application for Conditional Use Permit CU-09-13 submitted by Celebration of Praise Church of God, to consider a daycare facility to be located on the property identified by the Hoke County Tax Records as PIN 494450001433(21.18 acres). The property is located at 4944 Fayetteville Road. The Planning board and staff recommended approval. Pastor Kenneth Edge was present and sworn in for the request. He stated that they built the church about 3 years ago with the purpose of building a daycare. They are now moving forward with the plans. Robert Wright asked how many children would they have? Mr. Edge stated 30 during the day time and 30 after school. There was no public input.

**Motion: Ellen McNeill made a motion to close the public hearing, seconded by Robert Wright.**

**Action: The motion was unanimously carried.**

**Motion: Tony Hunt made a motion to approve the conditional use for a daycare facility, 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;
- 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

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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.

c. The purpose of the Public Hearing is to consider Application for Conditional Use Permit CU-09-17 submitted by Contrain Davis, to consider a daycare (small), to be located on the property identified by the Hoke County Tax Records as PIN 494670301065(.35 acres). The property is located at 710 Mackay Ct. The Planning Board and staff recommended approval. Ms. Davis was present and sworn in. She stated that she lives in the McDougald Downs area. She enjoys working with children. There is a need for more space for children. Robert Wright asked how many children will she have? She stated that the State allowed 6 in addition to her own 2 children. There was no public input.

**Motion: Robert Wright 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 conditional use for a small daycare, seconded by Jean Powell.**

**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;

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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.

d. The purpose of the Public Hearing is to consider Application for Conditional Use Permit CU-09-20 submitted by Grace Baptist Church, to consider a daycare facility to be located on the property identified by the Hoke County Tax Records as PIN 494640001209(5.027 acres). The property is located at 3875 Phillipi Church Road. The Planning Board and staff recommended approval. Pastor Charles Davis was present and sworn in for the request. He stated that they rent the building at Mount Pisgah. They want to start a daycare facility. They hope to start construction soon. Robert Wright asked how many children will they have? Mr. Davis stated 30 to 50 and about 20 afterschool. There was no public input.

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**Motion: Ellen McNeill made a motion to close the public hearing, seconded by Tony Hunt.**

**Action: The motion was unanimously carried.**

**Motion: Robert Wright made a motion to approve the conditional use for a daycare facility, seconded by Ellen McNeill.**

**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;
- 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.

e. Application for Rezoning RZ-09-05 submitted by G & G Land Development, to rezone the property located at 580 Hobson Road, more specifically identified by the Hoke County Tax Records as PIN 494560201352 (5.136 acres), from RMH Residential Manufactured Home District to RMF Residential Multi-Family District. The Planning Board and staff recommended approval. Mr. Greg Caulder and Glen Jernigan, Jr. were present. Chairman Leach asked how many dwellings would they have? Mr. Jernigan stated 28 units containing 4 buildings which will be mostly duplexes. Tony Hunt asked if they would have one road in and one road out? Mr. Caulder stated yes. Bonnie Guerrero stated that they have had several accidents on the road from speeding and she is concerned about safety with the curve on Hobson Road. Mr. Caulder stated that the development will have to meet all DOT requirements. If a turn lane is required, it will basically be a deceleration lane. William Fields stated that this request is an upgrade in zoning. Ms. Guerrero stated that she is also concerned about crime from the existing mobile home park. There was no other public input.

**Motion: Ellen McNeill made a motion to close the public hearing, seconded by Tony Hunt.**

**Action: The motion was unanimously carried.**

**Motion: Robert Wright made a motion to approve the request for rezoning to RMF, seconded by Jean Powell.**

**Action: The motion was unanimously carried.**

Mr. Charles Frock, CEO with First Health, was present regarding a First Health Hoke Hospital Complex project. He showed a proposed design of the building. Since Moore and Hoke County are in the same planning area, they are proposing to relocate existing beds and operating room from Moore County. They have to submit an application for need to the State by June 15, 2009. In the initial phase, the facility will have an emergency department with 8 beds, 8 inpatient beds, 1 operating room, imaging services, critical care transport, and medical office building space. The proposed facility will provide approximately 100 new jobs with an expected investment of \$30-35 million. The certificate of need is a five month process, with a public hearing being held in Hoke County. They are required to identify several sites in their site plan. This project fits the character of the neighborhood. Ellen McNeill stated that this project is important to Hoke County. Cape Fear Valley has also expressed interest in Hoke County. There also may not be enough beds. She has a

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problem in making hasty decisions. Mr. Frock stated that no other facility other than First Health can relocate a facility in Hoke County. If they are not approved by the State, no one will be approved to establish a hospital here. Tony Hunt stated that tonight they were here for our support and needs a resolution approved for their certificate of need to the State. There are two different resolutions. William Fields stated that First Health submitted one and he modified it in removing the language about water and sewer. Tony Hunt stated that he recommended the modified resolution and read it aloud. Mr. Frock stated that he thanked the Board for allowing him to come and make the presentation.

**Motion: Tony Hunt made a motion to approve the modified resolution crafted by the County Attorney, seconded by Jean Powell.**

**Action: The motion was unanimously carried.**

**RESOLUTION IN SUPPORT OF A PLAN BY FIRSTHEALTH OF THE  
CAROLINAS AND HOKE COUNTY TO PROVIDE HOSPITAL SERVICES IN  
HOKE COUNTY**

Hoke County has been informed of a plan by FirstHealth of the Carolinas to construct a general acute care hospital in Hoke County. FirstHealth Hoke Hospital will address the inpatient and outpatient service needs of Hoke County residents. The proposed hospital is designed to accommodate emergency services, inpatient acute care services, surgical services and diagnostic services.

**NOW THEREFORE, BE IT RESOLVED:**

Hoke County supports the efforts of FirstHealth to establish a hospital in Hoke County.

**ADOPTED:**

This 1<sup>st</sup> day of June 2009.

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James A. Leach, Chairman

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Linda Revels, Clerk to the Board

Public Hearing – LRCOG – Close out for FY2006 CDBG Program

Adrian Lowery was present to give a powerpoint program for CDBG program. The grant

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amount was \$400,000.00 which included administration. There were 5 units approved with 4 replaced and 1 renovated. The State came in and conducted the audit and went out and reviewed the homes. Chairman Leach asked if funds for the next cycle had been cut? Mr. Lowery stated no that they would be the same amount of \$400,000.00. There was no public input.

**Motion: Robert Wright made a motion to close the public hearing, seconded by Ellen McNeill.**

**Action: The motion was unanimously carried.**

Subdivisions:

Steeplechase – Tabled from the May 4<sup>th</sup> meeting - Tim Johnson stated that he is requesting that this subdivision be tabled indefinitely. It was submitted as a minor subdivision but is clearly a major.

**Motion: Ellen McNeill made a motion to close the public hearing, seconded by Robert Wright.**

**Action: The motion was unanimously carried.**

Consent Agenda

- a. Resolution to Reduce Speed Limit on Poole Road
- b. Budget Amendments

**Motion: Tony Hunt made a motion to approve the consent agenda, seconded by Robert Wright.**

**Action: The motion was unanimously carried.**

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
REQUEST FOR REDUCTION OF SPEED LIMIT ON POOLE ROAD

NORTH CAROLINA  
COUNTY OF HOKE

ROAD DESCRIPTION: POOLE ROAD, QUEWHIFFLE TOWNSHIP

WHEREAS, the citizens of Poole Road, Quewhiffle Township, have filed a plea with the Board of County Commissioners of the County of Hoke, requesting that the speed limit be lowered on the above described road to a maximum of 35 mph: and

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WHEREAS, the Board of County Commissioners is of the opinion that the above described roads should be lowered due to the general traffic in that area, the loading and unloading of school buses, and the safety of our children in Hoke County; and

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Hoke, that the Division of Highways is hereby requested to review the above described request, and to lower the speed limit in this area.

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Hoke at a meeting on the 1st day of June, 2009.

WITNESS my hand and official seal this the 1st day of June, 2009

SEAL

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Linda Revels, Clerk to the Board

Appointments – Linda Revels

a. Library Board – Recommendation – reappoint Ireni Autry, new appointments: Gwen Southerland and Isabelle McDougald

**Motion: Robert Wright made a motion to approve the library board recommendations, seconded by Jean Powell.**

**Action: The motion was unanimously carried.**

Schedule Public Hearing for Proposed Subdivision Changes

William Fields stated that the Board can schedule the meeting for the meeting in July.

**Motion: Robert Wright made a motion to schedule the public hearing for the first meeting in July which will be July 6, 2009, seconded by Tony Hunt.**

**Action: The motion was unanimously carried.**

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### Manager's Report

Tim Johnson stated that the new animal shelter passed inspection. The Board needs to set a date for a ribbon cutting. Chairman Leach recommended that he get with Jimmy Carthens and set a date and let the Board know. The jail project will be closed out next week. The emergency generators have been finished. The schools sent a letter of appreciation. The site plans for the Ethanol plant should be sent to the State this week. The wastewater treatment plant is moving fast. The environmental assessment has been finished. The preliminary engineering report has also been finished. The Wal-mart sewer extensions have been rebid. The approval for awards will be brought back at the June 15<sup>th</sup> meeting. All the easement maps have been finished. Everything going well with permitting. The State is looking at maybe a shifting the responsibility that the county maybe housing some State prisoners with no pay.

Tim Johnson stated that a closed session is needed for an economic development matter.

Robert Wright stated that the Board has requested a report from environmental health and has not been getting it. Tim Johnson stated that he would make sure this was passed on.

Ellen McNeill stated that a request was also made for all boards to submit copies of their minutes.

Chairman Leach stated that a work session may have to be held after the public hearing on the budget.

Robert Wright stated that a children's play area is also needed in the new park. Mr. Johnson stated that this was being checked on with something being brought back to the Board.

### Public Input

1. Joseph Monroe – He is concerned about HATS not being able to transport patients on holidays. Nancy Thornton has improved the system however; there are not enough funds and the vans are parked. Citizens miss their dialysis appointments. Robert Wright asked if she had an estimate for these funds? Ms. Thornton stated about \$15,750.00 for all holidays for the year. Tim Johnson stated that it would be cheaper for the county to do taxis. He will get the actual numbers and bring this back to the Board. This would be for a limited number of people. Jean Powell asked if dialysis was available on holidays? Mr. Johnson stated yes. There are about 78 patients from Hoke County.

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**Motion: Robert Wright made a motion to go into closed session for an economic development matter, seconded by Tony Hunt.**

**Action: The motion was unanimously carried.**

**Motion: Tony Hunt made a motion to come out of closed session and go back into regular session, seconded by Ellen McNeill.**

**Action: The motion was unanimously carried.**

There was no action taken in closed session.

Chairman Leach stated that the Board will need to recess to go out on tours of the Sports Complex, Burlington and the House of Raeford that Don Porter has set up for Wednesday.

Tony Hunt made a motion to recess to Wednesday, June 3, 2009 at 9:00 a.m. here at the Pratt for tours, seconded by Ellen McNeill, unanimously carried. The meeting was recessed at 8:35 p.m.

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Recessed meeting from Monday, June 1<sup>st</sup> to Wednesday, June 3, 2009 at 9:00 a.m. at the Pratt Building.

MEMBERS PRESENT:

James Leach, Chairman  
Robert Wright  
Jean Powell  
Ellen McNeill

OTHERS PRESENT:

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

MEMBERS ABSENT:

Tony Hunt

Chairman Leach called the meeting to order

The Board of Commissioners went to tour the Sports Complex, Burlington and the House of Raeford.

Sports Complex – Robert Wright recommended moving the storage building to the back of the property on the right corner near the holding area where water runs. Tim Johnson stated that it could even be moved behind the tree line. Both sites were viewed.

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The Board then went and viewed the Burlington Industries plant that makes fabric for military uniforms.

(Jean Powell left the meeting)

The Board then went to the House of Raeford for lunch and a tour of the facilities. These facilities make poultry food service products.

**Motion: Robert Wright made a motion to move the storage building to the rear right side of the property behind the concession stand near the holding area, seconded by Ellen McNeill.**

**Action: The motion was unanimously carried.**

**Motion: Robert Wright made a motion to go into closed session to discuss a real estate acquisition matter, seconded by Ellen McNeill.**

**Action: The motion was unanimously carried.**

**Motion: Robert Wright made a motion to come out of closed session and go back into regular session, seconded by Ellen McNeill.**

**Action: The motion was unanimously carried.**

There was no action taken in closed session.

Robert Wright requested that the Clerk send thank you letters to Don Porter, Burlington Industries and the House of Raeford.

There being no further business to come before the Hoke County Board of Commissioners, Robert Wright made a motion to adjourn, seconded by Ellen McNeill, unanimously carried. The meeting adjourned at 4:30 p.m.

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James A. Leach, Chairman

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Linda Revels, Clerk to the Board