

Meeting of the Hoke County Board of Commissioners on Monday, July 6, 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. Vice Chairman Hunt requested that Donald Porter lead the Pledge of Allegiance and Mr. Hunt gave the invocation.

Public Hearing – LRCOG – Scattered Site Funding

Felicia Locklear with LRCOG was present representing Adrian Lowery. This is the first of two required public hearings for the CDBG funds. The second public hearing is scheduled for July 20th. The application is due on July 31st. These funds are geared toward low income families for repair and replacement of substandard homes. The total is \$400,000.00. Chairman Leach stated that he serves on this board and it is a good program. The committee actually goes out and visits the homes. Applications are available at the county office building. There was no public input.

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

Action: The motion was unanimously carried.

Public Hearing – Planning – Conditional Use

a. The purpose of the Public Hearing is to consider Application for Conditional Use Permit CU-09-25 submitted by Lillian Bolick, to consider a daycare (small) to be located on the property identified by the Hoke County Tax Records as PIN 494750401149 (.334 acres). The property is located at 112 Stonestrow Ln. – The Planning Board recommended approval. Ms. Bolick was present and sworn in for the request. She stated that she will have 6 children in her home. She taught high school for 8 years. There were no comments.

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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 request, seconded by Ellen McNeill.

Action: The motion was unanimously carried.

Public Hearing – Proposed Subdivision Ordinance Changes

Attorney Jonathan Charleston was present and spoke representing at least 6 people in the audience in respect of time. He gave a handout to the Board regarding some recommendations on proposed changes. William Fields stated that some of the changes are wording only and some are policy changes that the Board has to approve. 1 – Street Cross Sections (b) -1 – on both sides was deleted, 2 – Section 3.11 – Phasing – A written warranty against defects for not less than one year of the date of recording of the plat and 10% bond was included and the DOT request for approval and the 50% guarantee was deleted. Jean Powell asked if this was basically taking out the DOT approval and adding the 10% bond for that particular phase? Mr. Charleston stated yes. Tony Hunt stated that the problems in the past have been mostly with the paving of roads. 3 – Section 4.15 – Open Space – Appraised was substituted with tax value, including January 1st of the year prior to recording of the final plat. William Fields stated that this is policy. The rate is set on July 1st and the value is set on January 1st. The Board may need to clarify in the ordinance which value they want to go with, either tax or appraised. Mr. Charleston stated that this only applies to open space. 4 – Section 5.5 – Warranty Against Defects – Delete – “Such financial guarantee shall be in the form of financial guarantee as provided for in Section 5.1 of this Ordinance. Upon successful performance of the improvements, as determined by the Board of Commissioners, for the one-year period, the financial guarantee shall be returned to the subdivider”. 5 - Section 6.3 – Effect Upon Outstanding Preliminary Plats – Mr. Charleston stated that the sketch is the same as the preliminary. Jim Kizer stated that the problem has been that the preliminary is the same as final engineering plans. William Fields stated that lot of money can be put in the preliminary plat in other things than a general outline. The preliminary plat is important. The sketch plan provision is needed prior to preliminary. Discussion with staff is needed on this item. Jean Powell asked if the terminology was the concern? Mr. Kizer stated yes. William Fields recommended leaving the preliminary plat requirement in along with the sketch plans being reviewed by staff. Jean Powell stated that she agreed with the concept of the two phases. William Fields stated that this section needed to be sent back to staff for review. Chairman Leach stated that the language needed to be cleaned up.

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Mr. Kizer stated that this section only deals with outstanding plats for grandfathering. Fields stated that he would like to schedule a work session with staff on this section, maybe next Wednesday. The changes will come back to the Board. Chairman Leach asked that all the changes, including those proposed by Mr. Charleston, be brought back to the Board for review. Jim Wade stated that when developers come before the Board, they come to build houses and ask for these things, they ignore open space. Open space needs to be set aside. They are buying out farmers and building houses. Renate Dahlin stated that she wants the Board to have good planning including green space. She is happy that the Board is working on the ordinances. She is also concerned about annexation. There were no other speakers. Chairman Leach stated that another public hearing will be set.

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

Action: The motion was unanimously carried.

Consent Agenda:

- a. Minutes from the June 15, 2009 meeting
- b. Finance – Request to Dispose of Records and Equipment
- c. DOT Petition – Indian Lane
- d. Bid Approval – Rockfish Road Sewer Pump Station
- e. Resolution – Senate Health Bill 202
- f. State Holiday Schedule
- g. Resolution for Benny Lee Graham
- h. Farm Service Agency Contract
- i. HATS Contracts - Multiples
- j. Resolution for Sandhills Community College

**RESOLUTION OPPOSING THE "PUBLIC HEALTH
IMPROVEMENT PLAN" AS
CONTAINED IN SENATE BILL 202**

Whereas, Section 10.26 of Senate Bill 202 contains a provision entitled "Public Health Improvement Plan", and

Whereas, the Public Health Improvement Plan was proposed with no input from local government officials or local and State public health professionals, and

'Whereas, the North Carolina Association of Local Health Directors has gone on record voicing opposition to this bill, and

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Whereas, the plan sets out an unreasonable timeline for such reform of the current public health system, and

Whereas, the plan calls for no additional public health funding, rather a redistribution of the existin^g, insufficient funds with no defined distribution formulas, and

Whereas, the plan calls for the creation of a Public Health Improvement Plan Task Force which is a duplication of the existing Public Health Task Force, and

Whereas, many North Carolina counties are in the process of re-building the Mental Health infrastructure requiring greater contributions of local funds, and

Whereas, the same North Carolina counties can ill afford alteration of the public health infrastructure requiring greater local funding to provide core and essential public health services,

Now therefore be it resolved: that Hoke County is opposed to Section 10.26 of Senate Bill 202 or any other bud^get provision entitled Public Health Improvement Plan and stands opposed to any efforts to reform public health absent appropriate planning and significant input from local government officials and local public health professionals.

ADOPTED this the 6th day of July, 2009.

James A. Leach, Chairman

Linda Revels, Clerk to the Board

Resolution in Memory and Honor of
Mr. Benny Lee Graham

WHEREAS, the Hoke County Board of Commissioners wish to extend our sincere condolences over the passing of Mr. Benny Lee Graham; and

WHEREAS, Mr. Grahams' death leaves a deep feeling of sorrow for the loss of such a cherished and respected citizen of Hoke County; and

WHEREAS, Bennie Lee Graham was born on Wednesday, February 1, 1928 at 5:30 a.m. in Hoke County to the loving parents of Lacy and Parthenia Graham; and

WHEREAS, Mr. Graham was a faithful member and supporter of Friendship Grove Freewill Baptist Church in Hoke County; and

WHEREAS, Mr. Graham was an honorable man, serving his family, church, and community well, providing leadership and compassion throughout Hoke County;

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WHEREAS, the Hoke County Board of Commissioners proclaim this day, hour and minute, 1:30 p.m., June 27, 2009, the Benny Lee Graham Day and reverence it with a moment of silence;

NOW, THEREFORE, BE IT RESOLVED that the Hoke County Board of Commissioners express to the family of Benny Lee Graham, our deepest and most heartfelt sympathy upon his passing and present this resolution this 27th day of June 2009.

This signature was tested and found to be innocent.

James A. Leach, Chairman

Linda Revels, Clerk to the Board

County of Hoke
Resolution Authorizing Transfer of the Sandhills Campus to the Hoke
County School Board Resolution No #:

WHEREAS, the Hoke County School Board desires to use ADM Funds for Capital Outlay for the construction of the new SandHoke building on the Sandhills Community College Hoke Campus; and

WHEREAS, the County Commissioners desire that the Hoke County School Board be able to access these funds; and

WHEREAS, it is necessary that the ADM money be used for construction of a capital project on real property owned by the Hoke County School Board;

NOW, THEREFORE BE IT RESOLVED the Board of Commissioner authorizes the transfer of ownership of the Sandhills Community College Campus to the Hoke County School Board.

This the 6th day of July, 2009.

James A. Leach, Chairman

Linda Revels, Clerk to the Board

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William Fields stated that regarding the minutes of the last meeting, the term for the Tax Assessor is for two years.

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

Action: The motion was unanimously carried.

Jean Powell asked about the resolution and the language on the deed restrictions of transfer for Sandhills Community College? William Fields stated that there is a reversionary clause in the original deed from the Upchurchs to the County of Hoke. This will not violate the language of the grant. The grantors are also willing to change the language to make sure that we do not violate the clause. He has the consent of the School Board and the grantors for the change. He may also need to check with Sandhills College. He will check on this and keep the Board informed.

Appointments – Linda Revels

LRCOG – Workforce Development

Recommendation – Private Sector Representative – reappoint Lawanna Hayes and replace Mary McCollum with Evan Davenport from Unilever or Tim D’Annunzio from Paraclete. Tony Hunt for the reason of replacing Ms. McCollum? Don Porter also serves on this board and stated that Ms. McCollum was ready to step down. She has been active on the board.

Motion: Tony Hunt made a motion to approve the reappointment of Lawanna Hayes and the appointment of Evan Davenport, however; if Mr. Davenport can not or will not serve; Mr. D’Annunzio will fill the position, seconded by Robert Wright.

Action: The motion was unanimously carried.

Manager’s Report

1. Water – Phase V should be ready for advertising by the end of the month.
2. Clean Burn Fuels Tank – The appraisal should be done by mid-month. We did not receive the Rural Center grant of ½ million dollars. They will now be county dollars. Of

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the CDBG grant we are close to being spent the \$100,000.00 match.

3. Waste Water Treatment Plant – The environmental assessment has been submitted. We are waiting from comments from the State.

4. Wal-Mart – Extension - #1 & #2 contracts have been awarded and number three should be done shortly.

5. Regarding the Stag grant for the Ethanol fire suppression system, we have hoped to finish up by the end of the month.

He would also like to add an economic development matter to the closed session. William Fields stated that he would also like to add an attorney/client matter.

Public Input

1. Renate Dahlin – She stated that the Paraclete business is wonderful for Hoke County. She went and had a great time. She asked if developers were charged for houses finished, but not yet sold? Chairman Leach stated yes. There is a bill being considered for deferred taxes that is not good for counties.

2. Jonathan Charleston – already spoke

3. Leah Leach – She was here regarding the Carolina Horse Park. On October 24th, they are planning a fall festival and want to call it the Hoke County Fall Festival. This will be geared toward Hoke County. There will be food and bazaars. They hope that this will be a big event for Hoke County. They are inviting everyone to attend. It is free to the public.

Motion: Tony Hunt made a motion to go into closed session to discuss land acquisition, economic development and attorney/client matters, seconded by Robert Wright.

Action: The motion was unanimously carried.

Motion: Robert Wright made a motion to come out of closed session to go back into regular session, seconded by Tony Hunt.

Action: The motion was unanimously carried.

There was no action taken in closed session.

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There being no further business to come before the Hoke County Board of Commissioners, Robert Wright made a motion to adjourn, seconded by Tony Hunt, unanimously carried. The meeting was adjourned at 8:45 p.m.

James A. Leach, Chairman

Linda Revels, Clerk to the Board