

Meeting of the Hoke County Board of Commissioners on Tuesday, September 8, 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. Commissioner Powell introduced Jim Wade who led the Pledge of Allegiance and gave the invocation.

Public Hearing – Planning – Conditional Use

a. Application for Conditional Use CU-09-28 submitted by G & G Land Development for apartments located at 580 Hobson Rd., more specifically identified by the Hoke County Tax Records as PIN 494560201352 (5.136 acres), the property is located in the RMF, Residential Multi-Family District which allows apartments as a conditional use – The Planning Board recommended approval. Larry Chavis stated that this property is located on Hobson Road which is located off Highway 401. Greg Caulder and Glen Jernigan were present and sworn in for the request. Mr. Caulder stated that they previously had the rezoning approved. They have a preliminary layout of the property design. The staff will approve the final design for the project. The project will consist of 4 buildings with 32 units. There will also be green space within the project. William Fields asked how far off Highway 401 will they be for sewer? Mr. Caulder stated about 1 mile. William Fields stated that the ordinance allows for 9 units per acre. Mr. Caulder stated that they will not have that many with 4 buildings. The property will not be subdivided. Tony Hunt asked if there was enough repair line for the drainage system? Mr. Caulder stated yes in that they have had the design done. Chairman Leach asked if they would have individual tanks or lines to large tanks. Mr. Caulders stated they will probably be one tank per building in separate drain fields. Ellen McNeill stated that she is not against the conditional use, but is concerned about traffic going on Highway 401 with no traffic signal there. She is concerned about safety. Mr. Caulder stated that they will have to get a driveway permit from NCDOT and they will tell them what they need to do. There was no public input.

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

Action: The motion was unanimously carried.

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William Fields recommended that if the Board is going to recommend approval, that the motion state approval contingent upon more detailed plans to the staff.

Motion: Robert Wright made a motion to approve the request contingent upon a more detailed drawing plan of the project being submitted to staff, 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

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

Subdivision – Re-approval - Cheraw Acres – Preliminary - The Planning Board recommended approval. William Fields stated that the preliminary approval for this subdivision has expired and they are requesting re-approval for an extension of time as per the current subdivision ordinance. The final has not been approved.

Motion: Tony Hunt made a motion to re-approve the preliminary subdivision of Cheraw Acres, seconded by Ellen McNeill.

Action: The motion was unanimously carried.

Consent Agenda:

- a. Minutes from the August 17, 2009 Meeting
- b. Gov Deals Seller Agreement
- c. Budget Amendments
- d. Wastewater Reimbursement Resolution
- e. Resolution for District Attorney's Office

William Fields requested that item #e be pulled to be put on the next agenda.

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

Action: The motion was unanimously carried.

**HOKE COUNTY REIMBURSEMENT RESOLUTION
HOKE COUNTY WASTEWATER TREATMENT PLANT**

BE IT RESOLVED by the Board of Commissioners of Hoke County, North Carolina, as follows:

Section 1. The project is construction of a wastewater treatment plant.

Section 2. The County intends to finance the project. The expected type of financing (which is subject to change) is installment financing under Section 160A-20 of the General Statutes and or Federal and State Grants.

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Section 3. The County intends that funds that have been advanced, or may be advanced, from the general fund, and or any enterprise fund for project costs will be reimbursed from the financing proceeds and or Federal and State Grants if allowable by the grants.

Section 4. The County intends that the adoption of this resolution will be a declaration of this County's official intent to reimburse project expenditures from financing proceeds.

I certify that the foregoing resolution was duly adopted at a meeting of the Board of Commissioners of Hoke County, North Carolina, duly called and held on September 8, 2009, and that a quorum was present and acting throughout such meeting. Such resolution remains in full effect as of today.

Dated this 8th day of September, 2009.

[SEAL] Clerk, Board of Commissioners
Hoke County, North Carolina

Mr. Doug Archer, General Manager, was present regarding the Clean Burn Fuel Incentive Agreement. Mr. Archer stated that an incentive agreement was entered into in August 2007. The plant is under construction, however; it is not complete as per the terms of the agreement. The plan was to begin operation on September 30, 2009. They are currently about 70% complete. They are here asking for an extension. There were some obstacles during construction such as weather, site conditions, soil, and geographical surveys. The project has been pushed back. The plan has been re-engineered to double the plant. They have spent more time and money than anticipated. The extension will benefit the county. They anticipate a January 15, 2010 operation date. The plant will be a 90 million dollar investment. There will be approximately \$650,000.00 of revenues in January. They are only asking to change the commencement date from September 30, 2009 to September 30, 2010. They should be staffed by November. William Fields stated that he has a meeting scheduled with Don Donadio, who was the Attorney that wrote the contract. Clean Burn does not want to be in breach of their contract. All the dates will shift. Mr. Fields stated that this will be put on the next agenda. Tony Hunt stated that there is a lot of work going on with this project, and it is a great investment for Hoke County. The Board needs to work with them.

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Motion: Robert Wright made a motion to table this request until the next meeting of September 21st, seconded by Tony Hunt.

Action: The motion was unanimously carried.

Dr. John Dempsey with Sandhills Community and Dr. Freddie Williamson with the Board of Education were present for discussion. Dr. Dempsey stated that the Sandhills program is working well, in that they work well with the school system. Robert Wright stated that they would like to get the classes reinstated at the high school. Hoke County does not want to lose these 4 classes. Dr. Dempsey stated that the N. C. Legislature decided not to fund the classes to be taught. There are two programs that the State will pay for. This was a state-wide decision. They will not pay for general education classes. He and Dr. Williamson are going to try and pay for some of these classes by looking for some private fund to pay the teachers to get the programs back on tract. The Board needs to talk to their legislators. Currently there are 150 students from Hoke County at Sandhills. The numbers will grow next year. The program started with 52 students. Chairman Leach asked about the new building. Dr. Dempsey stated that all was going well. The county will get some money back from the project which will cost about 2.3 million dollars. They are getting ready to go to bid. Chairman Leach stated that he agreed with getting the classes back. Dr. Dempsey thanked the Board for their support.

Melissa Pittman was present representing the N. C. Turkey Festival. She stated that she appreciated the Board and staff's support. The festival is successful because of the community. It has been going on for 25 years. She presented a token of their appreciation.

Manager's Report

Tim Johnson stated that the playground equipment is up and is a hit. Water fountains are also needed. We received two grants from the Rural Center. The bids for the water main extension at Clean Burn will be going to bid with the tally coming back to the Board. The License Plate Agency contract expired. He and staff went to Raleigh and the county has been re-awarded the contract to start to work on the move. Regarding the Probation Office, the State has cut their funds and the county will have to pay for space. These funds were budgeted. The sewer and Wal-Mart projects are going well. Mr. Johnson stated that he has celebrated his one year anniversary with the county. Robert Wright asked about the status of old grants to be closed out? Mr. Johnson stated that there is a 2002 and 2005 grant that needs to be closed out.

Mrs. Sallie Woods was present regarding the senior games. She won the silver medal from California for bowling. She also won the gold medal in Raleigh.

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She won the silver medal for the senior games on August 10, 2009 in San Francisco, California, coming in second place. She started bowling in 1996 with Parks and Recreation. She is 86 years old. Chairman Leach congratulated Mrs. Woods.

Public Input

1. Renate Dahlin – She stated that she wanted to talk about several items. 1 – Recycling – the county needs a program for this, 2 – Schools for BRAC – county needs to look at private development, 3 – Concerned about pollution with the Transformer Company – county needs to check on this regarding the environment – 4 – the economic developer does not need to remain neutral on the hospital issue. He is the economic developer for Hoke County and needs to stand up and support our county.

Motion: Robert Wright made a motion to go into closed session for a personnel matter with Sheriff Peterkin, seconded by Ellen McNeill.

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 in closed session.

Robert Wright stated that shrubbery is needed for the new Don Steed School. Tim Johnson stated that shrubbery and landscaping is needed. He will work on a plan and bring it back to the Board. Jean Powell stated that the horticulture program may help with this. Robert Wright stated that work also needs to be done on the concession stands. Tennis courts are also needed, maybe 6 of them. Tim Johnson stated that he will get some numbers and a letter of request from the school and bring it back to the Board.

There being no further business to come before the Hoke County Board of Commissioners, Tony Hunt made a motion to adjourn, seconded by Ellen McNeill, unanimously carried. The meeting adjourned at 8:15 p.m.

James A. Leach, Chairman

Linda Revels, Clerk to the Board