

Meeting of the Hoke County Board of Commissioners on Monday, November 2, 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. Mr. Lewis led the Pledge of Allegiance and Rev. Gates gave the invocation.

Public Hearing - Planning Matters – Conditional Use

Application for Conditional Use Permit CU-09-36 submitted by Barbara Maynor-Croom, to consider a daycare facility to be located at 570 Hobson Road, on the property identified by the Hoke County Tax Records as PIN 494560201353 (5.1 acres). The Planning Board recommended approval. Ms. Maynor was present and affirmed for the request. She stated that she wanted to construct a 3,000 square foot building for about 100 children. She also wants to expand in the future. The hours will be from 5:30 a.m. to 6:15 p.m. Monday through Friday. She may have extended care at night. There was no opposition.

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

**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.

Subdivision:

Eagles Ridge Subdivision – Water Supply – This item as tabled from the October 19<sup>th</sup> meeting. Tim Johnson stated that the cost for county water was going to be about

(minutes continued from the November 2, 2009 meeting) 2888

\$160,000.00 based on estimates from the engineer. It is for about a mile or a little more. Harold Kidd, Developer, was present. He stated that he had been working with Northwest Water System for about 2 years to get approval from the State. They were approved, but found out that there was not enough water flow to substantiate fire hydrants. He then contacted Planning and the Fire Marshal. The Fire Marshal stated that due to closeness of North Raeford Fire Department, they would be able to handle the coverage for fire protection. He was not aware that the county may provide water to this area. He also talked to the City of Raeford. He has also dug a well and put in a pump and done an erosion control plan. He has done a lot of work out there. Tony Hunt stated that the Board's concern is that they are trying to be consistent with the placement of fire hydrants. Some developers were not putting in the adequate number of fire hydrants as per the fire departments. He asked Mr. Kidd if he would be willing to share in the cost? Mr. Kidd stated yes, that he would rather have fire hydrants. Robert Wright stated that the county funds are short. He stated that the county could come up with 70% of the cost. Mr. Kidd stated that he could come up with 30%. Robert Wright stated that he wanted to be fair to the taxpayers and make sure that Mr. Kidd was able to develop his subdivision. Chairman Leach stated that they wanted a good investment for him and the county. Mr. Kidd stated that he would participate with the 30% because time is of the essence. Chairman Leach stated that this project can be prioritized. Tim Johnson stated that they will still have to get State approval.

**Motion: Robert Wright made a motion to approve Eagles Ridge Subdivision subject to the agreement of 70% county and 30% developer and making sure that the County Manager and County Attorney get the proper paperwork, and also making this a priority, seconded by Tony Hunt.**

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

William Fields stated that he would like to schedule a public hearing for December 21, 2009 for a zoning text change. The proposed text will allow for public utilities in all zones of the county for the possible sewer plant, outfalls and pump stations.

**Motion: Tony Hunt made a motion to schedule a public hearing for December 21<sup>st</sup> for a zoning text change for public utilities, seconded by Robert Wright.**

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

Consent Agenda

- a. Approval of minutes from the October 19, 2009 meeting
- b. Resolution Declaring Surplus Property

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- c. Approve Planner Position
- d. Re-instate Sewer Collection Technician Position
- e. Approve Inspector Position

**RESOLUTION OF THE HOKE COUNTY BOARD OF COMMISSIONERS  
DECLARING CERTAIN PROPERTY TO BE SURPLUS AND AUTHORIZING  
THE DISPOSITION OF SAID PROPERTY**

**WHEREAS**, the Board of Commissioners of the County of Hoke, North Carolina desires to dispose of certain surplus property as attached that has been determined as no longer needed of the county;

**NOW, THEREFORE, BE IT RESOLVED** by the Hoke County Board of Commissioners that the attached described property is hereby declared to be surplus to the needs of the County and authorizes the disposition of the property in the best interest of the County of Hoke.

**ADOPTED this 2nd day of November, 2009.**

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James A. Leach, Chairman

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Linda Revels, Clerk to the Board (Attest)

(The surplus property includes monitors, CPU's, printers, battery backups, 5 exam tables, infant exam table, plasma monitors, and Xerox plotter.)

Appointments:

Parks & Recreation – The Advisory Board recommended James Frank Baker to replace outgoing member Reggie Pickler.

**Motion: Ellen McNeill made a motion to approve the recommendation of the appointment of the Parks & Recreation Advisory Board, seconded by Tony Hunt.**

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

### Manager's Report

The new sign is going to be constructed for the new park. The water fountains will also be installed in the next couple of weeks. Contract #1 of the Wal-Mart Sewer extension project is 50% complete and the water mains are in. Contract #2 will start this week. Contract #3 is about 50%. The project is moving along. Regarding the fire suppression tank for Clean Burn, contract #1 was awarded to Palmetto Grading; contract #2 for the water storage tank was awarded to Shultz. Both hope to start this week. David Jackson is working with Smart Start regarding additional playground equipment.

### Public Input

1. Carol Bunce – She has lived here for over 25 years. She wants to talk about two (2) things. 1 – Her pond can be used to put out fires for existing residents and not a new subdivision, such as the proposed Eagles Ridge – 2- The county needs to plant for water. Our wells are currently served by an aquifer which is served by other areas. This supply is being depleted. We will have to eventually have to look at surface water. Eagles Ridge will have a lot of septic tanks. She is concerned about erosion control. The county needs to be pro-active and not re-active.

There being no further business to come before the Hoke County Board of Commissioner, Ellen McNeill made a motion to adjourn, seconded by Robert Wright. The meeting adjourned at 7:25 p.m.

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James A. Leach, Chairman

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Linda Revels, Clerk to the Board