

The Sampson County Board of Commissioners convened for their regular scheduled meeting at 7:00 p.m. on Monday, October 5, 2015 in the County Auditorium, 435 Rowan Road in Clinton, North Carolina. Members present: Vice Chairperson Sue Lee, and Commissioners Albert D. Kirby Jr., and Harry Parker and Clark Wooten. Absent: Chairman Billy C. Lockamy.

Vice Chairperson Sue Lee convened the meeting and called upon Commissioner Parker for the invocation. Commissioner Wooten then led the Pledge Allegiance.

### **Approval of Agenda**

Upon a motion made by Commissioner Wooten and seconded by Commissioner Parker, the Board voted unanimously to approve the agenda as presented.

### **Roads**

NC DOT Assistant District Engineer Keith Eason was not present, and there were no questions or comments from the floor.

### **Item 1: Reports and Presentations**

Recognition of Retiree Vice Chairperson Lee presented Paramedic Kyle Cashwell with a plaque recognizing his years of service to the County. Mr. Cashwell was lauded for his example of spirit and motivation, given his recovery from a tragic accident.

### **Item 2: Planning and Zoning Items**

RZ-9-15-1 Vice Chairperson Lee called the hearing to order and recognized Planning Director Mary Rose who reviewed a request to rezone approximately 10.34 acres located at 1205 Old Warsaw Road from R-Residential to RA-Residential Agriculture. Ms. Rose explained that the request was made as the applicant wished to upgrade a mobile home located on the property. Commissioner Kirby asked if this action would create the situation where if there was a desire to install a mobile home park that it could be done legally. Ms. Rose stated that the Manufactured Home Park Ordinance requires that a road be developed in any new manufactured home park, built to NCDOT specifications. Prior to the current manufactured home ordinance, she explained, land could be subdivided and a dirt road put in for a manufactured home park; the addition of the road requirement has slowed the development of such parks. Ms. Rose stated that the applicant could develop a manufactured home park, but with only 10 acres she doubted it would be financially prudent given the requirements. Ms. Rose did point out that the applicant could use the road frontage to further subdivide

the property into a minor subdivision, which allows for four road-front lots; there is a provision in the ordinance for a five-lot minor subdivision, but in no case could they subdivide the property into more than five lots without a road built to NCDOT standards. She noted the manufactured home park would be a special use request, and all adjoining property owners would be notified of such proposal. There were no comments presented from the floor, so the hearing was closed. Upon a motion made by Commissioner Kirby and seconded by Commissioner Parker, the Board voted unanimously to approve rezoning request RZ-9-15-1, accepting the presented findings of fact and making the following zoning consistency statement: *Whereas, in accordance with the provisions of North Carolina General Statute 153A-341, the Sampson County Board of Commissioners does hereby find and determine that the recommendation of the ordinance amendment RZ-9-15-1 is consistent with the goals and objectives of the Sampson County Land Use Plan for residential growth due to the fact this area is located within a portion of the County designated as appropriate for rural single family residential growth in Section 2 of the Sampson County Land Use Plan (Future Land Use Map).*

ZA-9-15-1 Vice Chairperson Lee called the hearing to order and recognized Planning Director Mary Rose who reviewed a request to amend the Sampson County Zoning Ordinance Section 3.3.5 E (I-Industrial District) Use Table regarding dimensional requirements. Ms. Rose provided exhibits showing how the County's dimensional requirements compared to other surrounding counties. As other counties had smaller setback requirements, it was the Planning Board's recommendation to reduce the setbacks to allow Sampson County to be more competitive for economic development. She noted the additional buffering requirements. There were no comments from the floor, so the hearing was closed. Upon a motion made by Commissioner Wooten and seconded by Vice Chairperson Lee, the Board voted 3-1 (Commissioner Kirby voting nay) to approve ZA-9-15-1 as recommended by the Planning Board.

ZA-9-15-2 Vice Chairperson Lee called the hearing to order and recognized Planning Director Mary Rose who reviewed a request to amend the Sampson County Zoning Ordinance Section 3.3.10 C (I1-Light Industrial District) Use Table regarding dimensional requirements. As with the previous zoning amendment, Ms. Rose reviewed the dimensional requirement comparisons and additional buffering requirements. There were no comments from the floor, so the hearing was closed. Upon a motion made by Commissioner Wooten and seconded by Commissioner Parker, the Board voted 3-1 (Commissioner Kirby voting nay) to approve ZA-9-15-2 as recommended by the Planning Board.

ZA-9-15-3 Vice Chairperson Lee called the hearing to order and recognized Planning Director Mary Rose who reviewed a request to amend the Sampson County Zoning Ordinance Section 7 (Special Use Permits) regarding notice of public hearings. Ms. Rose noted that this text amendment and the following would bring the ordinance in line with changes by the General Assembly to the zoning statutes. She explained that a legal advertisement was no longer required for a special use request. All adjoining

property owner still must be notified, and the property must be posted. In the interest of saving money, the text amendments were recommended by the Planning Board. The following comments were offered:

Billie Jo King: When the adjoining property are notified by mail, what about the other properties in the neighborhood. The signs that are posted are about "this big." I think if there is a problem with cost, why not put it onto the person who is requiring the permit.

Ms. Rose explained that the cost is passed along to the applicant and that all adjoining property owners with 100 feet are notified; the signs have the details of the application attached with a zip-tie to the sign. Commissioner Kirby asked if the cost savings would then be to the individual, not the County, and Ms. Rose clarified that the costs were included in the fees, and the fee schedule would have to be amended. Commissioner Kirby voiced his concern if a property did not get notice and if they did not have the opportunity to present their view on something that would impact their property. Vice Chairperson Lee asked what the advertising fees were, and Ms. Rose explained that they can vary depending on their content but she had coded invoices that ranged from \$180-\$200, and the applicant fee was only \$200. There being no further comments, the hearing was closed. Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Parker, the Board voted 3-1 (Commissioner Kirby voting nay) to approve ZA-9-15-3 as recommended by the Planning Board.

ZA-9-15-4 Vice Chairperson Lee called the hearing to order and recognized Planning Director Mary Rose who reviewed a request to amend the Sampson County Zoning Ordinance Section 11.2 D (Public Hearing Notices for Changes) regarding notice of notice procedures for text amendments or changes. Ms. Rose explained that the amendment would make our ordinance compliant with notice requirements for text amendments and rezonings. She noted that staff were already advertising, but the ordinance did not reflect what was already being done. There were no comments from the floor, so the hearing was closed. Upon a motion made by Commissioner Kirby and seconded by Commissioner Parker, the Board voted unanimously to approve ZA-9-15-4 as recommended by the Planning Board.

Planning Board Appointments Upon a motion made by Commissioner Wooten and seconded by Vice Chairperson Lee, the Board voted unanimously to allow Commissioner Wooten to abstain from voting on the Planning Board appointments. Upon a motion made by Commissioner Parker and seconded by Vice Chairperson Lee, the Board voted unanimously (with Commissioner Wooten abstaining) to reappoint Deborah Bass and Sherri Smith and to appoint Nancy Blackman to the Sampson County Planning Board.

### **Item 3: Action Items**

FY 2015-2016 Rural Operating Assistance Program (ROAP) Funding Application  
Vice Chairperson Lee recognized Transportation Supervisor Earle McNeill who reviewed the proposed uses for the grant funding, totaling \$165,307. Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Kirby, the Board voted unanimously to authorize the submission of the grant application for FY 2015-2016 and the execution of all associated documents, including the certification statement. (Copies filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)

Renewal of the Scrap Tire Contract Assistant County Manager Susan Holder reported that subsequent to the September meeting, Environmental Health staff had contacted other scrap tire recycling vendors who serve North Carolina and have determined that the proposed contract rate (which has remained the same for a number of years) was the lowest available and that renewal of the contract was recommended. The County Attorney had reviewed the proposed contract and recommended that Section 7 (b) be amended to read, "This contract may be terminated of the parties hereto with 30-days written notice." Commissioner Kirby questioned if there had been any inquiry as to whether or not any major corporation would actually purchase the tires. Ms. Holder nor the County Attorney knew if this were permissible, given that the County received monies from the state for scrap tire recycling. County Manager Ed Causey noted that this was a program that did not cost the County at this particular time, given the funds received from the state scrap tire tax. Upon a motion made by Commissioner Kirby and seconded by Commissioner Parker, the Board voted unanimously to table the item.

Amendment to the Electronic Waste Contract Ms. Holder noted that at the Board's last meeting, staff requested Board approval of a contract amendment with the County's current electronic waste vendor (ERI) to preserve its electronic waste services until staff could determine if a lower cost was available. She reported that an informal request for proposal was circulated to electronic waste vendors identified by the State as interested in providing such service in North Carolina. One additional proposal was received on October 2, 2015 but the current vendor, Electronic Recyclers International, Inc. (ERI) remained the lowest price given the historical/anticipated amount of received waste. Staff therefore recommended that the contract amendment with ERI be maintained. Commissioner Kirby questioned why only seven vendors were contacted for quotes, and staff explained that these were the e-steward vendors identified by the State as operating in North Carolina and interested in providing such services in the state. It was noted that the approved contract amendment was for the period ending March 1, 2016, the County and vendor both have the right to terminate the contract without cause at any time with 30 days' notice, so the Board took no action.

Public Hearing- Naming of Private Roads The Vice Chairperson opened the hearing and called upon Assistant County Manager Susan Holder. Ms. Holder

presented the Board with recommendations of the Road Naming Committee. The floor was opened for public comments, and no comments were received. Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Kirby, the Board voted unanimously to name the roads as recommended:

PVT 1818 876	Case Farm Lane
PVT 1203 1384	Fat Cat Lane

Appointments - Adult Care Home Community Action Committee Upon a motion made by Vice Chairperson Lee and seconded by Kirby, the Board voted unanimously to appoint Larry Sutton to the Adult Care Home Community Action Committee.

**Item 4: Consent Agenda**

With regard to item d (surplus and disposal of a parcel of land), the Board set a minimum bid of \$4,700. Upon a motion made by Commissioner Kirby and seconded by Commissioner Wooten, the Board voted unanimously to approve the Consent Agenda items as follows:

- a. Approved the minutes of the September 8, 2015 meeting
- b. Adopted a resolution proclaiming October as Breast Cancer Awareness Month (Copy filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)
- c. Approved a request from Sampson-Clinton Public Library System to dispose of certain withdrawn materials pursuant to Library's Material Section Policy (List maintained in the Finance Office.)
- d. Declared parcel number 18098508001 (Ernest Tann Lane, Turkey) acquired through foreclosure as surplus and authorized its sale pursuant to the upset bid procedures of GS 16A-269, with a minimum bid of \$4,700.
- e. Approved a late disabled veteran tax exclusion application for William C. Dickey
- f. Approved the following tax refunds:

#7094	Sinclair, David Lynn	\$ 164.58
#7102	Player, James Richard	\$ 171.49
#7093	Strickland, Donald Ray	\$ 175.59
#7106	Shoemaker, Boyce Keith	\$ 214.10
#7104	Price, Eddis Clayton and Azilene	\$ 494.83
#7100	Brinson, Rupert	\$ 554.88

- g. Approved the following budget amendments:

<b><u>EXPENDITURE</u></b>		<u>Department of Aging</u>		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
02549580	512600	Part Time Salaries	831.00	
02549580	518100	FICA	13.00	
02549580	518120	Medicare FICA	52.00	
02549580	526200	Departmental Supplies	250.00	
02549580	526201	Dept Supplies Equipment	1,100.00	
02549580	529900	Miscellaneous Expenses	400.00	
02549580	531100	Travel	600.00	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
02034958	404088	Rural Health - SR	3,246.00	

<b><u>EXPENDITURE</u></b>		<u>Social Services</u>		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
13553100	519903	Service Fees	3,500.00	
13553100	526201	Department Supplies - Equipment		1,190.00

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
13535310	403382	IV-D Administration	2,310.00	

<b><u>EXPENDITURE</u></b>		<u>Cooperation Extension - EDF/AG INPUTS MGMT</u>		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
04434955	404012	Revenue Account		14,870.00
04434955	409900	Fund Balance Appropriated	14,870.00	

<b><u>EXPENDITURE</u></b>		<u>Cooperation Extension - EDF/AG INPUTS MGMT</u>		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
04549550	554000	Capital Outlay		23,800.00

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
04434955	409900	Fund Balance Appropriated		23,800.00

<b><u>EXPENDITURE</u></b>		<u>Recreation</u>		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11761201	526215	Sports Program	3,750.00	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
11036120	408401	Uniform/Equipment	3,750.00	

**Item 5: Board Information**

The following items were provided to the Board for information only:

- a. Sampson Soil and Water Conservation District Annual Report
- b. Atlantic Coast Pipeline Project Update, September 2015

### **County Manager Reports**

There was no County Manager report.

### **Public Comments**

The floor was opened for comments, and none were received.

### **Closed Session**

Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Parker, the Board voted to go into Closed Session pursuant to GS 1434-318.11(a)(4) for discussions with the Economic Developer. In Closed Session, the Economic Developer John Swope briefed the Board on potential projects. No action was taken in Closed Session, and the Board returned to the Auditorium. Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Parker, the Board voted unanimously to come out of Closed Session.

### **Adjournment**

Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Kirby, the Board voted unanimously to adjourn.