

Meeting of the Hoke County Board of Commissioners on Monday, August 1, 2016 at 7:00 pm in the Commissioners Room of the Pratt Building.

MEMBERS PRESENT:

James Leach, Chairman
Harry Southerland, Vice Chairman
Tony Hunt
Robert Wright

OTHERS PRESENT:

Letitia Edens, County Manager
Gwen McGougan, Clerk to the Board

MEMBERS ABSENT:

Allen Thomas, Jr.

Chairman Leach called the meeting to order with a quorum present and welcomed everyone.

Commissioner Wright gave the invocation and Commissioner Hunt led the Pledge of Allegiance.

ITEM 1. ADOPTION OF AGENDA

Motion: Commissioner Hunt made a motion to approve the agenda, seconded by Vice Chairman Southerland.

Action: The motion passed unanimously.

Sheriff Hubert Peterkin asked that Item 5, Presentation of service weapon to retiring officer, Sgt. Michael Murphy, be moved to the beginning of the meeting so that the deputies in attendance could resume their duties.

Motion: Commissioner Wright made a motion to move Item 5 on the agenda to the beginning of the meeting, seconded by Vice Chairman Southerland.

Action: The motion passed unanimously.

ITEM 5. PRESENTATION OF SERVICE WEAPON TO RETIRING OFFICER SGT. MICHAEL MURPHY

Sheriff Hubert Peterkin introduced Sgt. Michael Murphy to the Board. Sgt. Murphy is retiring after ten years with the Sheriff's Department. Sheriff Peterkin thanked Sgt. Murphy for his service and leadership within the department then presented him with his duty weapon.

ITEM 2. PUBLIC HEARINGS: PLANNING MATTERS

- a. Application for Conditional Use Permit CU-16-1 for the use of "Family Cemetery" submitted by Woodrow Locklear. The property is located at 2400 Army Road and is identified as Parcel Identification Number (PIN) 584870001284. The property is currently zoned Residential Agricultural (RA-20). **The Planning Board unanimously recommended approval.**

Ms. Bobbie Locklear appeared before the Board on behalf of her father, Mr. Woodrow Locklear. The family owns 18 acres and would like this area to be their family cemetery. Ms. Locklear said that they already have one family member buried there.

Commissioner Southerland asked Ms. Locklear who authorized the family to bury someone there. Ms. Locklear indicated that she received permission from the Planning Board after their meeting. The Planner, Mr. Robert Farrell, said that by the Planning Board recommending approval of the Conditional Use permit, it is likely that Ms. Locklear thought that gave them permission to proceed with burying someone there.

Mr. Delmer Ray Coffman, Jr. appeared before the Board. Mr. Coffman is concerned about the effect a cemetery would have on property values. Mr. Delmer Ray Coffman, Sr. addressed the Board. He is considering developing his property in the future and is concerned that the presence of a cemetery would make his property less desirable for potential buyers.

Ms. Locklear stated that her father had spoken with several of their neighbors and there were no objections. She continued by saying that the proposed cemetery is in a wooded area and is not visible to others in the community. Commissioner Hunt asked Ms. Locklear how many people they expect to be buried there. Ms. Locklear replied that it will be immediate family.

Chairman Leach stated that a few years back a study was done projecting the growth of cemeteries. This study was used to draft the County's policy regarding cemeteries, in particular how they are maintained.

Vice Chairman Southerland said that he is concerned with the effect of cemeteries on property values.

Commissioner Hunt asked Mr. Farrell what the Planning Department's policy is concerning notification of nearby property owners. Mr. Farrell said that all property owners within 500 feet are notified by mail.

Motion: Vice Chairman Southerland made a motion to close the public hearing, seconded by Commissioner Wright.

Action: The motion passed unanimously.

Chairman Leach asked Mr. Farrell to locate the cemetery study and send the information to Mr. Woodrow Locklear and to the Coffmans.

Commissioner Hunt said it sounds like there's a natural buffer around the cemetery. He asked Mr. Coffman if he would agree that there's a natural buffer. Mr. Coffman, Sr. said yes. Commissioner Hunt said the cemetery could be approved with the condition that the natural buffer remain in place.

Motion: Commissioner Hunt made a motion to table this matter until the September 6, 2016 meeting, seconded by Commissioner Wright.

Action: The motion passed unanimously.

- b. Application for General Use Rezoning RZ-16-5 submitted by G & G Land Development, Inc. The 25.68 acre property is located on the south side of Rockfish Road near the intersection of Posey Farm Road and is identified as PIN # 494550001052. Currently zoned as Residential Agricultural (RA-20), the applicant has requested rezoning to Residential (R-8). **The Planning Board unanimously recommended approval.**

Mr. Chris Pusey of 4D Site Solutions announced that he and the property owners were in attendance if there were any questions.

Motion: Vice Chairman Southerland made a motion to close the public hearing, seconded by Commissioner Hunt.

Action: The motion passed unanimously.

Motion: Vice Chairman Southerland made a motion to approve the request to rezone the property identified as PIN #494550001052 from Residential Agricultural (R-20) to Residential (R-8), seconded by Commissioner Wright.

Action: The motion passed unanimously.

- c. Request to renew Conditional Use Permit CU-15-2 approved by the Board of Commissioners on May 4, 2015 for the use of public utility (solar farm) submitted by Sunlight Partners. Approximately 49 acres, the property is identified by the Hoke County Tax Records as 2307 Turnpike Road, also known as PIN #694240501026. The lease area for the solar farm is 25 acres. **The Planning Board unanimously recommended approval.**

Mr. Mike Fox, attorney for the applicant, addressed the Board. This permit was issued in 2015 but the project was delayed. The power

company has received so many Interconnection Agreement requests to review and approve and they have fallen behind.

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

Action: The motion passed unanimously.

Motion: Commissioner Wright made a motion to approve renewal of Conditional Use Permit CU-15-2, seconded by Vice Chairman Southerland.

Action: The motion passed unanimously.

- d. Subdivision Ordinance Text Amendment request TA-16-2 submitted by the Charleston Group. The applicant has requested amendments to Article 3 Design Standards, Article 4 Required Improvements and Article 5 Guarantee of Required Improvements; Warranty Against Defects. **The Planning Board unanimously recommended approval.**

County Planner Robert Farrell addressed the Board. He has been approached by developers who say that some changes to the Subdivision Ordinance would make development in Hoke County more attractive. The changes, as shown below, gives developers density options where county water and sewer are available.

Vice Chairman Southerland said it is important to maintain a partnership between the Board of Commissioners and the developers. We need to keep housing in Hoke County affordable.

Chairman Leach added that smart growth and smart planning remain important to Hoke County's success.

Proposed Changes to the Zoning Ordinance

- Any text that is ~~highlighted in grey~~ is new. It is what is being proposed to be added or changed.
- Any text that is has a ~~strike through~~ is what is being proposed to be removed and replaced with the highlighted words.

Article III Design Standards

(12) Street Cross Sections

a. **General Standards**

1. These standards apply to both public and private streets.
2. All streets classified as local ~~public and private~~ streets shall have a minimum fifty (50) foot right-of-way.
3. All streets classified as collector or major commercial/industrial streets shall have a minimum sixty (60) foot right-of-way.
4. Curb and gutter is a requirement for all major subdivisions. ~~For any subdivision located within the R-10 zoning district or below (higher density), a two-foot six-inch (2'-6") vertical concrete curb and gutter or a two-foot (2') horizontal (valley) concrete curb and gutter shall be provided. For any subdivision located within the R-15 zoning district or above, Asphalt wedge curb shall be the minimum required curb structure permitted in addition to standard or vertical curbing.~~ Regardless of street cross section, no open ditches are permitted in any newly created subdivision.
5. Sidewalks are required on one side of the street for all subdivisions and the Board of Commissioners may require sidewalks on both sides of the road where the Board determines the pedestrian activity may warrant it. Exceptions for subdivisions consisting of ten (10) lots or less in all residential zoning districts, sidewalks are not required if no future phases or future road connections are planned or constructed for the subdivision and if the subdivision is served by only one road that is no longer than 1,000 feet in any length. Where sidewalks are required a concrete five-foot (5) sidewalk on the outer edge of the right-of-way meeting the Americans with Disabilities Act standards shall be provided. In approving a preliminary plan the Board of Commissioners may reduce the sidewalk requirement by up to fifty (50%) percent when in the Board's opinion other pedestrian amenities such as trails or greenways provide equal or better performance.

b. **Required Cross Sections**

- ~~1. All residential subdivisions in areas classified as Urban Service Area in the Land Use Plan that are served by both public water and sewer~~

~~systems shall be developed with curb and gutter and with sidewalks on both sides of all streets.~~

2. All commercial/industrial subdivisions including minor subdivisions in areas classified as Urban Service Area or Economic Development Zone and all commercial/industrial subdivisions served by both public water and sewer systems shall be developed with curb and gutter and the Board of Commissioners may require sidewalks where the Board determines that pedestrian activity may warrant sidewalks.
3. Curb and gutter shall not be permitted in areas classified as Conservation Areas in the Land Use Plan (Lumber River Conservancy, Nature Conservancy, Red Wing, Calloway and N.C. Department of Agriculture).
4. Subdivisions in which all lots are a minimum of two (2) acres and are located outside of areas designated as Urban Service Area or Economic Development Zone are not required to provide curb and gutter but the Board of Commissioners may require sidewalks where the Board determines that pedestrian activity may warrant sidewalks. All other subdivisions shall be subject to the requirements of either b.1. or b.2. as applicable.

Section 3.12 High Density Option

- a) The High Density Option is intended to add flexibility for the county and developers to allow for higher density residential development where both county water and sewer infrastructure is available. Due to the higher density the development would mirror urban growth patterns and therefore be required to provide additional amenities beyond conventional subdivision requirements already applied to new development listed elsewhere in this ordinance. 3.12 B and C below contain additional requirements for High Density Option Developments.
- b) High Density Option Developments are only permitted within the Urban Service Area. Such developments are required to be serviced by both county water and county sewer. Sidewalks are required on both sides of each street and shall encircle the bulb of any cul-de-sac.
A two-foot six-inch (2'-6") vertical concrete curb and gutter or a two-foot (2') horizontal (valley) concrete curb and gutter shall be provided.
- c) High Density Option Developments may establish their own setbacks for the development up to the following minimum required setbacks and dimensions:
 1. Side: Five (5) feet
 2. Front: Twenty (20) feet
 3. Rear: twenty (20) feet
 4. Minimum Lot Width: Sixty (60) Feet

5. ~~The minimum lot size of the underlying zoning district may be reduced by a maximum of fifteen (15) percent.~~

Article IV Required Improvements

Section 4.15 Open Space

The purpose of this Section is for the preservation of existing environmental resources and open space. These elements are of economic value to the County and make it a desirable place to live. All subdivisions consisting of more than fifteen (15) acres or creating more than thirty (30) lots will be required to set aside a minimum of ten percent (10%) of the total development area in open space. No more than twenty-five (25%) of said open space may be located within a floodplain or wetlands area. Developments in which all lots are five (5) acres or more (per lot) are exempt from this provision. Land designated as open space on the approved final plat shall be maintained as open space and may not be sold separately, subdivided, or developed.

Article V Guarantee of Required Improvements: Warranty Against Defects

Section 5.5 Warranty Against Defects

Prior to the approval of the final plat or acceptance by the County of any improvements in any subdivision that are dedicated to the County, ~~the Board of Commissioners may require~~ the subdivider shall ~~to~~ furnish to the County a written warranty against defects which shall guarantee the material and workmanship for a period of not less than one year from the date of such acceptance. Such warranty shall be accompanied by a financial guarantee payable to the County equal to at least ten percent (10%) of the cost of the installation of such improvements as determined by the Board of Commissioners. Such financial guarantee shall be in the form of financial guarantee as provided for in Section 5.1 of this Ordinance.

Melissa Pittman addressed the Board. She is concerned about the number of vacant homes and homes listed for sale in the County. All the home construction has led to an increase in flooding and has placed a strain on the County's public safety services and school system. Realtors could obtain welcome packets from the Chamber of Commerce that would encourage new residents to spend in Hoke County instead of crossing the County line. We also need commercial growth.

Jimmy Kizer of Moorman, Kizer & Reitzel spoke to the Board. He appreciates the collaborative effort between the County and developers that will improve and increase flexibility for developers. The changes to the ordinance will put Hoke County in a better position to compete with neighboring counties.

Motion: Vice Chairman Southerland made a motion to close the public hearing, seconded by Commissioner Hunt.

Action: The motion passed unanimously.

Commissioner Hunt reminded the Board that there was a lot of work and man-hours invested into creating the ordinance. Problems in the past, such as road problems and drainage, guided the Board when setting the standards in the ordinance. He is pleased that the State is overseeing the implementation of storm water systems. Commissioner Hunt continued by telling the Board that he would like to have more time for the Board to review these changes and involve the citizens in any changes made to the ordinance.

Motion: Commissioner Hunt made a motion to table the changes to the Subdivision Ordinance to give the Board more time to review.

The motion died for lack of a second.

Commissioner Wright said that he thinks the changes are a good compromise between the County and the developers.

Motion: Commissioner Wright made a motion to approve the changes to the Subdivision Ordinance, seconded by Vice Chairman Southerland.

Action: The motion passed 4-0.

ITEM 3. CONSENT AGENDA

- a. Minutes from the July 5, 2016 meeting
- b. Closed session minutes from July 5, 2016
- c. NC Vehicle Tax System report
- d. Reappointment of Commissioner Southerland to Sandhills Center Board of Directors
- e. Appointments to Lumber River Council of Governments Regional Aging Advisory Council:
 1. Linda Revels
 2. Stella Edens
 3. Agree Jackson
- f. Lease purchase contract for Hoke County Board of Education to procure "One to One" iPad devices
- g. Emergency Communications
 1. Lease agreement renewal with Crown Castle Towers for antenna tower space
 2. Maintenance contract with Century Link for the telephone systems in the main and backup 911 Centers
- h. Hoke Area Transit Service
 1. Approval of HATS Success Plan mandated by NCDOT/PTD
 2. 2016-2017 Community Transportation Program contract agreement
- i. Hoke County Juvenile Crime Prevention Council:
 1. Program Agreement for Flying Changes program
 2. Updated Annual County Plan 2016-2017
- j. NC Turkey Festival Lease Agreement

Motion: Commissioner Hunt made a motion to approve items a-j on the Consent Agenda, seconded by Vice Chairman Southerland.

Action: The motion passed unanimously.

ITEM 4. TAX COLLECTOR

a. Reappointment of Tax Collector. Tax Collector Daphne Dudley addressed the Board. It is time to reappoint her as Hoke County Tax Collector.

Motion: Vice Chairman Southerland made a motion to reappoint Daphne Dudley as Tax Collector, seconded by Commissioner Wright.

Action: The motion passed unanimously.

b. Resolutions Accepting Offer of Bids for Surplus Property:

1. Parcel #584860001118, Otis Lane, Quewhiffle Township

Motion: Commissioner Wright made a motion to accept the offer of \$1,000 for Surplus Property on Otis Lane, Parcel #584860001118, seconded by Commissioner Hunt.

Action: The motion passed unanimously.

2. Parcel #294310001199, S. Highland Road, Antioch Township

Motion: Vice Chairman Southerland made a motion to accept the offer of \$1,000 for Surplus Property on S. Highland Road, Parcel #294310001199, seconded by Commissioner Wright.

Action: The motion passed unanimously.

ITEM 6. HOKE COUNTY JUVENILE JUSTICE CRIME PREVENTION COUNCIL

Mrs. Edens received an email from Ms. Dahlin requesting that Gwen McGougan be appointed as the County Manager's designee to the Hoke County Juvenile Crime Prevention Council.

Motion: Commissioner Hunt made a motion to appoint Gwen McGougan as the County Manager's designee to the Hoke County Juvenile Crime Prevention Council, seconded by Commissioner Wright.

Action: The motion passed unanimously.

ITEM 7. JAMES TEDDER, DIRECTOR OF PUBLIC BUILDINGS

James Tedder appeared before the Board to update them on the progress of the splash pad. Requests for Proposals were mailed to six contractors. Two responded: Metro GreenScape, Inc. and Christopher Moseley, Inc. The estimate on both proposals that were received was \$215,000. Both contractors provided recommendations from previous clients.

Mr. Tedder recommends using Metro GreenScape because, for the price, they offer more features than CMI and their price includes rubber surfacing that provides cushion from falls and will remain cooler than concrete. Metro GreenScape can begin construction later in August and could be complete in October.

Motion: Commissioner Wright made a motion to accept the proposal from Metro GreenScape, Inc., seconded by Commissioner Hunt.

Action: The motion passed unanimously.

Chairman Leach asked Mr. Tedder about the basketball court progress. Mr. Tedder replied that he is in the process of obtaining quotes.

ITEM 8. MANAGER'S REPORT

County Manager Letitia Edens informed the Board that the Hwy 211 park will be closed on Saturday, August 6, 2016 so that the Sheriff Department can set up for National Night Out.

Chairman Leach told the Board that he attended a community meeting the week before that provided information on the planned widening of Hwy 211 between Raeford and Aberdeen. The Chairman said that this sounds like it will benefit Hoke County and encouraged the other Board members to support the project.

Commissioner Hunt told the Board that he had met with Gwen McGougan and James Tedder about the unveiling of the sign at the James Albert Hunt Community Building. August 20, 2016 at 9:00 am we will have a light breakfast and then a brief program.

ITEM 9. PUBLIC INPUT

Renata Dahlin addressed the Board. She is concerned about the article in the previous week's News-Journal that quoted a local developer as saying that he told Hoke County leaders five years ago that if they enacted tougher and more expensive development regulations the developers would build elsewhere. Sidewalks and green space requirements were added that resulted in

more development costs. She would like to know more about the text changes to the Subdivision Ordinance. Ordinances should not be changed for the benefit of the developers. It appeared to her that the developer quoted in the News-Journal article was blackmailing the County by telling them that, if the ordinance doesn't change, he won't build here. This developer has made a lot of money in Hoke County building low-cost houses for families with children. The benefit to the tax base is minimal but these residential developments have placed a strain on county services and the school system. Ms. Dahlin would like to see Hoke County pursue industry and retirees. She would also like for any ordinance changes to be advertised in the newspaper before they are enacted to give the citizens an opportunity to express their opinion.

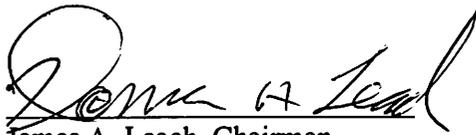
Jim Davis addressed the Board. He agrees with the statements made by Ms. Dahlin. He also agrees with the Board that partnering with the developers is the best way to move the county forward. But the developers need to give back and reinvest in Hoke County. Mr. Davis continued by reminding the Board that the Blue Springs Community building, being renamed to the James Albert Hunt Community Building, is actually in Antioch. There is no community building in the Blue Springs and Bowmore area and he would like for the Board to consider building one there.

ITEM 10. CLOSED SESSION – ECONOMIC DEVELOPMENT OR PERSONNEL

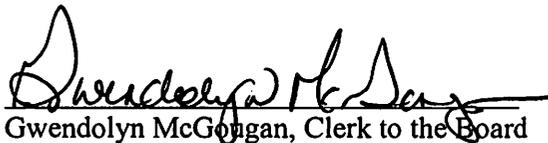
No Closed Session was held.

ITEM 11. ADJOURN

There being no further business to come before the Hoke County Board of Commissioners, Commissioner Wright made a motion to adjourn, with Commissioner Hunt seconding. The meeting was adjourned at 8:15 pm.



James A. Leach, Chairman



Gwendolyn McGougan, Clerk to the Board

