Diagram, engineering drawing

Description automatically generated with medium confidence

*You Are Why We Are Here*

|  |  |
| --- | --- |
| ***FRANKLIN COUNTY***  ***BOARD OF COMMISSIONERS***  **SPECIAL CALLED MEETING MINUTES**  **July 28, 2022** | |
| **6:00 P.M.** |  |
| Present: | Chairman Jason K. Macomson |
|  | District 1 Commissioner Robert L. Franklin |
|  | District 2 Commissioner Kyle Foster |
|  | District 4 Commissioner Eddie Wester |
| Media: | Shane Scoggins, Franklin County Citizen  M. J. Kneiser, WLHR |
|  |  |
| Staff: | County Manager, Derrick Turner |
|  | Planning & Zoning Director, Matthew Hailey |

**Item 1. Call to Order** Chairman Macomson called the meeting to order and welcomed everyone. The chairman announced that former Commissioner Ryan Swails, District 3, resigned his seat as of Friday, July 15, 2022, and is no longer serving on the Board of Commissioners.

**Item 2. Invocation and Pledge of Allegiance to the American Flag** The chairman gave an invocation, followed by the Pledge to the American Flag.

**Item 3. Approval of Agenda** Commissioner Foster moved to approve the meeting agenda as presented. Commissioner Franklin seconded the motion. There was no discussion. The motion carried, 3-0, with all commissioners voting in favor. The meeting agenda was approved as presented.

**Item 4. Approval of Minutes** The following prior meeting minutes were considered for approval: Public Hearing June 6, 2022; Regular Meeting June 6, 2022; Public Hearing July 11, 2022; Regular Meeting July 11, 2022. Commissioner Wester moved to approve the prior meeting minutes as presented. Commissioner Foster seconded the motion. There was no discussion. The motion carried, 3-0, with all commissioners voting in favor. The prior meeting minutes were approved as presented.

**Item 5. Public Comment** The chairman opened the meeting for public comment.

1. Jason Boyce spoke and offered his assistance to the county on technical issues. He said that he would be glad to help the county update its website.
2. Alan Martin spoke and asked the board to approve the Uniform Development Code.
3. Terry Robertson spoke and asked the board the approve the Uniform Development Code. He also requested assistance with crime in the Gumlog area. He said there had been several attempted break-ins recently in his neighborhood, and the Sheriff’s Department was investigating. He said that someone was living in an RV near his neighborhood. The chairman asked Mr. Robertson to speak with the assistant county manager and provide him with details so that this could be investigated.
4. Steve Fortson spoke and asked the board to provide assistance to the county marshal to help with code enforcement in the Gumlog area.
5. Ray Hanley spoke and asked the board to fight current litigation and oppose any settlement proposal.
6. David Strickland spoke about a land dispute with the airport authority. He advised the board that since he last requested assistance from the county, no resolution of the dispute has occurred.

**Item 6. Items for Discussion** The chairman introduced the following items for discussion:

**Item 6A. Executive Session - Personnel** Commissioner Foster moved to close the regular session and enter into executive session for the purpose of discussing personnel. Commissioner Wester seconded the motion. There was no discussion. The motion carried, 3-0, with all commissioners voting in favor. The regular session was closed, and the board retired to a meeting room outside the courtroom at approximately 6:16 pm to conduct an executive session for the purpose of discussing personnel.

The board returned to the courtroom at approximately 6:26 pm. Commissioner Wester moved to close executive session, re-enter regular session, approve the minutes of executive session, and authorize the chair to sign an affidavit that the board held an executive session and only discussed personnel. Commissioner Foster seconded the motion. There was no discussion. The motion carried, 3-0, with all commissioners voting in favor. The board closed executive session, re-entered regular session, approved the minutes of executive session, and authorized the chair to sign an affidavit that the board held an executive session and only discussed personnel.

**Item 6B. Clerk Appointment** The chair without objection moved agenda Item 6B: Clerk Appointment to the end of the agenda as **Item 6F**.

**Item 6C. Unified Development Code (UDC)** The chairman introduced the Unified Development Code final version dated July 26, 2022. He announced that the UDC has been considered at several public hearings before the Planning and Zoning Commission and two public hearings before the Board of Commissioners, and the original draft has been revised multiple times based on feedback received from the public and from the Planning and Zoning Commission. The final version has incorporated many aspects of the feedback received. Commissioner Wester moved to adopt the Uniform Development code final version dated July 26, 2022. Commissioner Foster seconded the motion. Commissioner Wester advised that if approved, the UDC could be amended in the future as needed by proposing changes through Planning and Zoning. There was no further discussion. The motion carried, 3-0, with all commissioners voting in favor. The Uniform Development Code final version dated July 26, 2022, was adopted. The chairman announced that a copy of the UDC would be attached to the official minutes of tonight’s meeting by reference, and a copy is also available to the public to download from the official county website, and a copy is available to view at the county office. A bound copy was also made available for public inspection after the meeting.

**Item 6D. Board Appointments** The chairman advised that the board needed to make two board appointments. The first board appointment is to the AVITA Community Partners Board of Directors. Angela Whidby is the current appointee for Franklin County. Her term expired June 30, 2022, and AVITA has recommended by letter that the board reappoint Angela Whidby. If reappointed, her new term would retroactively begin July 1, 2022 and end June 30, 2025. Commissioner Foster moved to adopt the resolution reappointing Angela Whidby to the AVITA Community Partners Board of Directors, term to begin July 1, 2022 and end June 30, 2025. Commissioner Franklin seconded the motion. There was no discussion. The motion carried, 3-0, with all commissioners voting in favor. The resolution to reappoint Angela Whidby to the AVITA Community Partners Board of Directors was adopted. Her appointment begins retroactively July 1, 2022 and extends to June 30, 2025.

The chairman advised the board that the second appointment is to the Franklin County Board of Commissioners. Former Commissioner Ryan Swails of District 3 notified the board of his resignation, effective July 15, 2022, due to a change in residency such that he is no longer a resident of District 3 or of Franklin County. Earlier this year, Elizabeth Busby was elected as the Republican Nominee for the Board of Commissioners District 3 seat. Mrs. Busby will be unopposed in the November 2022 General Election, with her elected term to begin January 1, 2023. In view of the vacancy in the seat she has been elected as nominee for, the chairman called for a motion to appoint her to fill Commissioner Swails’ unexpired term. Commissioner Wester moved to appoint Elizabeth Busby to fill the unexpired term of former Commissioner Ryan Swails on the Franklin County Board of Commissioners, appointed term to begin September 1, 2022 and end December 31, 2022. Commissioner Franklin seconded the motion. There was no discussion. The motion carried, 3-0, with all commissioners voting in favor. Elizabeth Busby was appointed to fill the unexpired term of former Commissioner Ryan Swails on the Franklin County Board of Commissioners, appointed term to begin September 1, 2022, and end December 31, 2022. The chairman advised the board that Elizabeth Busby has agreed to accept the appointment. An affidavit affirming the appointment will be forwarded to Probate Judge Ken Eavenson so that a commission for the appointment can be requested from the Governor. Once received, Mrs. Busby will be sworn in and take her seat at the first board meeting in September 2022.

**Item 6E. Millage Rate** The chairman advised the board that millage rates must be set for the unincorporated and incorporated areas of the county, the Industrial Building Authority, and the Board of Education. The county has advertised to set the millage rates for the unincorporated and incorporated areas of the county at the rollback rates, at which there is no effective tax increase.

Commissioner Wester moved to set the unincorporated millage rate at 9.785 mills. Commissioner Foster seconded the motion. There was no discussion. The motion carried, 3-0, with all commissioners voting in favor. The unincorporated millage rate was set at 9.785 mills.

Commissioner Foster moved to set the incorporated millage rate at 10.840 mills. Commissioner Franklin seconded the motion. There was no discussion. The motion carried, 3-0, with all commissioners voting in favor. The incorporated millage rate was set at 10.840 mills.

The chairman noted that the unincorporated tax millage rate is usually slightly lower than that of the incorporated tax millage rate due to the use of an insurance premium tax to offset the tax millage rates for the unincorporated areas of the county. This use is required by state law.

The chairman advised the board that the Industrial Building Authority has recommended a millage rate of 0.250 mills, which has been unchanged for at least the last 5 years. Commissioner Foster moved to set the millage rate for the Industrial Building Authority at 0.250 mills. Commissioner Wester seconded the motion. There was no discussion. The motion carried, 3-0, with all commissioners voting in favor. The millage rate for the Industrial Building Authority was set at 0.250 mills.

The chairman advised the board that the Board of Education, meeting earlier in the afternoon, voted to request that the Board of Commissioners set the millage rate for the Board of Education at 15.765 mills. The Board of Education cannot levy their own tax, but the Board of Commissioners is required by law to ratify the Board of Education’s recommendation.

Commissioner Wester moved to set the millage rate for the Board of Education at 15.765 mills. Commissioner Foster seconded the motion. There was no discussion. The motion carried, 3-0, with all commissioners voting in favor. The millage rate for the Board of Education was set at 15.765 mills.

Commissioner Wester moved to adopt a resolution establishing the millage rates for Franklin County for tax year 2022, including the unincorporated millage rate of 9.785 mills, the incorporated millage rate of 10.840 mills, the Industrial Building Authority millage rate of 0.250 mills, and the Board of Education millage rate of 15.765 mills. Commissioner Franklin seconded the motion. There was no discussion. The motion carried, 3-0, with all commissions voting in favor. The resolution establishing the millage rates for Franklin County for tax year 2022 was adopted. A copy of the resolution will be attached to the official minutes of tonight’s meeting and made available for public inspection.

**Item 6F. Clerk Appointment** Commissioner Foster moved to appoint Jane Brown as Franklin County Clerk. Commissioner Wester seconded the motion. There was no discussion. The motion carried, 3-0, with all commissioners voting in favor. Jane Brown was appointed as the clerk of Franklin County. The chairman advised the board that Mrs. Brown planned to be in attendance tonight for an introduction, but she was inadvertently delayed. The chairman welcomed Mrs. Brown and noted she is from North Carolina and has years of experience as a paralegal. She is highly qualified and tentatively plans to begin as clerk on August 15, 2022. She will be introduced at a later meeting.

**Item 7. Announcements** The county manager thanked county staff for their work on the Unified Development Code. In particular, he thanked former planning director/assistant county manager Scott DeLozier and consultant Jerry Weitz. He noted the list of upcoming board meetings printed on tonight’s meeting agenda.

The chairman advised that the board will meet next for a public hearing and a regular board meeting on Monday, August 1, 2022, starting at 5:30 pm at the Justice Center.

The chairman advised that tonight’s meeting was his last official meeting as chairman of the board of commissioners, and he thanked fellow board members and staff for working with him. Qualifying for the special election to fill the unexpired term of the chairman will be held next week from August 1, 2022 through August 3, 2022.

Commissioner Foster thanked county staff and Mr. Weitz for their work on the Unified Development Code.

Commissioner Wester thanked everyone for their work on the Unified Development Code. He thanked the chairman for his service.

**Item 9. Adjourn** Commissioner Foster moved to adjourn the meeting. Commissioner Wester seconded the motion. The motion carried, 3-0, with all commissioners voting in favor. The meeting was adjourned.

**Attachments:**

**Prior Meeting Minutes**

**Unified Development Code Final Version dated July 26, 2022 (by reference)**

**Resolution reappointing Angela Whidby to AVITA Community Partners BOD**

**Resolution establishing Millage Rates for Franklin County Tax Year 2022**

*Signed on the \_\_\_\_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2022*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Chairman (Vacant)*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Robert L. Franklin, District 1 Commissioner*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Kyle Foster, Vice Chairman, District 2 Commissioner*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*District 3 Commissioner (Vacant)*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Eddie Wester, District 4 Commissioner*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

County Clerk