

STATE OF NORTH CAROLINA

COUNTY OF STOKES

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OFFICE OF THE COMMISSIONERS
STOKES COUNTY GOVERNMENT
DANBURY, NORTH CAROLINA
FEBRUARY 3, 2004

The Board of Commissioners of the County of Stokes, State of North Carolina, met in regular session (planning) in the Council Chambers of the Administrative Building, located in Danbury, North Carolina, on Tuesday, February 3, 2004, at 7:00 pm with the following members present:

Chairman Sandy McHugh
Vice-Chairman John Turpin
Commissioner Howard Mabe
Commissioner Leon Inman
Commissioner Joe Turpin

County Manager Richard Morris
Darlene Bullins, Clerk to the Board

Chairman McHugh called the meeting to order.

Planning Director David Sudderth delivered the invocation.

GENERAL GOVERNMENT-GOVERNING BODY-PLEDGE OF ALLEGIANCE

Chairman McHugh opened the meeting by inviting the citizens in attendance to join the Board with the Pledge of Allegiance.

GENERAL GOVERNMENT-GOVERNING BODY-PUBLIC HEARING

Chairman McHugh called the Public Hearing for New Communication Tower and the Conditional Use Permit-Nauvoo Ridge to order.

There were no public comments.

Chairman McHugh adjourned the Public Hearing.

GENERAL GOVERNMENT-PLANNING & COMMUNITY DEVELOPMENT SPECIAL USE PERMIT-NEW TELECOMMUNICATION TOWER

Planning Director David Sudderth presented the following information concerning the Special Use Permit Request -for a new Telecommunication Tower on the property of John A Hamby:

Special Use Permit

AAT Communication Corporation & Alltel # 153
(199 ft. Telecommunication Tower)

REQUEST: ATT Communications Corporation & Alltel is requesting a Special Use permit for the construction of a 199 ft. telecommunication tower.

SITE OWNER: John A. Hamby

APPLICANT: ATT Communications Corporation & Alltel

INITIAL SERVICE PROVIDER: Alltel

SITE LOCATION: The property is located at 1030 Hilltop Farm Rd. off of U.S. Hwy 311 between Pine Hall and Walnut Cove.

Map: 694803

Parcel: 0870

PIN #: 6948-03-10-0870

Deed Book: 432

Page: 1648

Township: Beaver Island

SITE INFORMATION:

PARCEL SIZE: Total tract 67.890 acres

PROPOSED LEASE LOT: .23 acres, 10,000 sq. ft. (100 ft. x 100 ft.)

PROPOSED TOWER HEIGHT: 199 FT. (195 ft. tower, 4 ft. lightning rod)

PROPOSED TOWER TYPE: Self-support tower located within a 70 ft. x 70 ft. fenced equipment compound.

CAPACITY: (6) Antennae arrays

ZONING DISTRICT: RA (Residential Agricultural)

FLOOD HAZARD AREA: Not located in flood hazard area.

FIRM MAP #: 370362 0100 B

FIRM MAP ZONE: Zone X - Area outside 500-year floodplain.

WATERSHED DISTRICT: WS-IV, Dan River -Madison intake

EMERGENCY SERVICES: Stokes Rockingham VFD, EMS - Station # 2 Walnut Cove.

ACCESS: Access for the site will be from a 20 ft. access easement beginning at U.S. 311 and terminating at the leased area.

Mr. William G. Howard, ATT Communication Corporation & Alltel, presented a detailed presentation concerning all aspects of the proposed telecommunication tower.

Mr. Robert Copeland, Trigon Engineering, was also present for the zoning request which presented a letter of recommendation for the proposed telecommunication tower.

Trigon Engineering is the consultant for the County's telecommunication tower issues.

STAFF COMMENTS: The proposed site meets the requirements for telecommunication facilities as set forth in Appendix B of the zoning ordinance. Trigon Engineering has given us a letter of approval stating that the applicants have fulfilled the technical requirements of the ordinance. A staff review of the application and site concur with Trigon's recommendation. The zoning requirements for issuing a special use permit are:

136.1 Intent of Special Use District

The development and execution of this Ordinance is based upon the division of the County's jurisdiction into districts where the use of the land and buildings and structures in relation to the land are substantially uniform. It is understood that certain uses which because of their unique characteristics, are not easily classified into any particular zoning district or districts. In this situation, individual consideration for each case must be taken to determine the impact of those uses upon surrounding land and the public need for that particular use in that specific location. In these situations, a special use permit must be obtained.

136.8 Action by the Responsible Body

The responsible body shall approve, modify, or deny the application for special use following the public hearing. In granting a special use, the responsible body shall insure:

- (a) The requested use is listed among the special uses in the district for which application is made.
- (b) The requested use is essential or desirable to the public convenience or welfare.
- (c) The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare.
- (d) Due consideration has been given to the suitability of the property for the use applied for with respect to trends of growth or change; the effect of the proposed use upon the community; requirements for transportation, schools, parks, playgrounds, recreational area, conservation of natural resources, preservation of floodplains, and encouraging the most appropriate use of the land.
- (e) Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.
- (f) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

136.9 Conditions and Guarantees

Prior to the granting of any special use, the Planning Board may recommend, and the responsible body may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as it deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in Subsection 136.5 above. In all cases in which special uses are granted, the responsible body shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated are being met. Conditions may include, but not limited to, the following:

- (a) Conditions may be imposed to abate or restrict noise, smoke, dust, or other elements that may affect surrounding properties.
- (b) Establish setback, side, front, and rear yard requirements necessary for orderly expansion and to prevent traffic congestion.
- (c) Provide adjoining property with a buffer or shield from view of the proposed use if necessary.
- (d) Establish a time limit at expiration of which the permit or approval shall no longer be valid, or shall require renewal.

All parties involved have agreed to the conditions and guarantees.

PLANNING BOARD RECOMMENDATION: The Planning Board by a vote of 8 to 0 to give a favorable recommendation for the issuance of a Special Use permit for a 199 ft. telecommunication tower for ATT Communications and Alltel. The Board stipulated no additional requirements for the request.

Mr. Sudderth noted there was only one (1) call concerning the proposed telecommunication tower, which requested information about the wattage of the proposed tower.

Mr. Sudderth requested the Board's approval for conditional uses:

CONDITIONAL USES

The responsible body shall approve, modify, or deny the application for conditional use following the public hearing. In granting a conditional use, the responsible body shall insure the following:

1. The requested use is listed among the conditional uses in the district for which application is made. (yes-unanimously)
2. The requested use is essential or desirable to the public convenience or welfare. (yes-unanimously)
3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. (yes-unanimously)

4. Due consideration has been given to the suitability of the property for the use applied for with respect to trends of growth or change; the effect of the proposed use upon the community; requirements for transportation, schools, parks, playgrounds, recreational area, conservation of natural resources, preservation of floodplains, and encouraging the most appropriate use of the land.(yes-unanimously)
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.(yes-unanimously)
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. (yes-unanimously)

Chairman McHugh moved to approve the Special Use Permit, waive any landscaping requirements, and agree that all requirements with insurance will be finished.

Commissioner Mabe seconded and the motion carried unanimously

GENERAL GOVERNMENT-PLANNING & COMMUNITY DEVELOPMENT CHANGE OF CONDITIONAL USE REQUEST- NAUVOO RIDGE, L.L.C.

Planning Director David Sudderth presented following information concerning the request for change of conditional use permit for one (1) lot (#14) addition for Nauvoo Ridge, L.L.C.:

Nauvoo Ridge L.L.C. -Request to change Conditional Use Permit #154

REQUEST: Nauvoo Ridge L.L.C. is requesting to amend a Conditional Use permit for a 20-lot residential subdivision zoned RE-CU that was approved by the Stokes County Board of Commissioners on April 1, 2003. The applicant is requesting the addition of one (1) lot.

SITE OWNER: Nauvoo Ridge L.L.C.

APPLICANT: Nauvoo Ridge L.L.C.

SITE LOCATION: The property is located on Trinity Ch. Rd. (SR# 1102) approximately .2 mile west of Keiger Farm Rd. (SR# 1142).

Map: 598201 & 597204

Parcel: 4332 & 7118

PIN #: 5982-01-05-4332 &

5972-04-94-7118

Deed Book: 486

Page: 1646 & 1650

Township: Yadkin

SITE INFORMATION:

PARCEL SIZE: Total tract 73.924 acres

NEW LOT: 1.278 acres identified as lot # 14 on revised plat.

ZONING DISTRICT: RE-CU (Residential Exclusive Conditional Use) for a 20-lot subdivision

FLOOD HAZARD AREA: Not located in flood hazard area.

FIRM MAP #: 370362 0125 B

FIRM MAP ZONE: Zone X - Area outside 500-year floodplain.

WATERSHED DISTRICT: WS-IV, Yadkin River -King intake (Proposed lot exceeds minimum requirements for the WS-IV watershed).

SEPTIC/WATER APPROVAL: Richard Farris, RS Licensed Soil Scientist has evaluated the additional lot identified as Lot # 14 for septic disposal. An individual septic permit will have to be issued by the Stokes County Health Dept. (Environmental Health Section).

SCHOOL DISTRICTS: King Elementary, Chestnut Grove Middle, West Stokes High

EMERGENCY SERVICES: Pinnacle VFD, EMS - Station # 3 & 4 - Pinnacle.

ACCESS: Access for all lots will be on newly created public road. NCDOT will have to approve all driveway access. The road has already been paved.

STAFF COMMENTS: The Board may discuss the proposed expansion plan in detail. The addition of one lot does not appear to pose a problem. The property will be served by a paved road constructed to state standards and will be dedicated to the state for inclusion into the state road system once construction begins on homes. The new lot will be created from changes in lots # 14, 15, and 16 will require other lot lines to be redrawn as shown on the revised plat. This will change the acreage and numbering scheme on some of the lots as the total number is increased to 21. Lots in the approved subdivision will range from 1.032 acres (Lot # 4) to 13.955 acres (Lot # 13). All lots conform to the minimum lot standards for the RE (Residential Exclusive) zoning district.

PLANNING BOARD RECOMMENDATION: The Planning Board voted 8 to 0 to amend the Conditional Use permit for Nauvoo Ridge L.L.C. to allow one (1) additional lot in the subdivision. No additional conditions were added.

Mr. Sudderth noted there were two (2) calls concerning the proposed additional one (1) lot for Nauvoo Ridge L.L.C. concerning where the site of the location.

Mr. Sudderth requested the Board's approval for conditional uses:

CONDITIONAL USES

The responsible body shall approve, modify, or deny the application for conditional use following the public hearing. In granting a conditional use, the responsible body shall insure the following:

1. The requested use is listed among the conditional uses in the district for which application is made. (yes-unanimously)
2. The requested use is essential or desirable to the public convenience or welfare. (yes-unanimously)
3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. (yes-unanimously)
4. Due consideration has been given to the suitability of the property for the use applied for with respect to trends of growth or change; the effect of the proposed use upon the community; requirements for transportation, schools, parks, playgrounds,

recreational area, conservation of natural resources, preservation of floodplains, and encouraging the most appropriate use of the land.(yes-unanimously)

5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.(yes-unanimously)
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. (yes-unanimously)

Chairman McHugh entertained a motion to amend the Conditional Use Permit for Nauvoo Ridge L.L.C. to allow one (1) additional lot in the subdivision.

Vice Chairman John Turpin moved to approve the motion to amend the Conditional Use Permit for Nauvoo Ridge L.L.C. for a twenty (20) lot subdivision (RE-CU) that was approved by the Stokes County Board of Commissioners on April 1, 2003, to allow one (1) additional lot in the subdivision. Commissioner Joe Turpin seconded and the motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

GENERAL GOVERNMENT-PUBLIC BUILDING-GOVERNMENT BUILDING REPAIRS FOR HVAC

Public Works Director Jay Kinney presented the following additional information for further discussion concerning the replacement of compressor units for the Jail and the Government Center Building:

The Jail Compressor

Frye Heating and Air Conditioning	\$6,584.90
AC Corporation	\$7,495.00
Mechanical Systems and Services	\$8,277.00
Hoffman Building Technologies	\$8,396.00

One (1) Year Parts and Warranty

The Board discussed the urgent need for replacement at the Jail and the submitted bid information.

Chairman McHugh entertained a motion to accept a bid for replacement of the Jail Compressor.

Commissioner Inman moved to approve the motion to contract with Frye Heating and Air Conditioning to replace the jail compressor at the bid price of \$6584.90.

Vice Chairman John Turpin seconded and the motion carried unanimously.

GOVERNMENT CENTER

Single 40 Ton Unit/Government Center

AC Corporation (1 yr. Parts Warranty/labor allowance of \$1,000 for 2 yrs.)	\$7,795.00
Hoffman Building Technologies (1 yr. Warranty)	\$8,898.00
Frye Heating and Air Conditioning (1 yr Warranty on Compressor, 1 yr parts/labor)	\$11,019.73
Mechanical Systems and Service (1 yr. Warranty)	\$12,650.00

Replacement Costs for Entire 80 Ton Chiller Unit/Government Center

Mechanical Systems and Services	\$55,143.00
Hoffman Building Technologies*	\$56,751.00
Frye Heating and Air Conditioning	\$61,532.00
AC Corporation	\$61,995.00

(1 yr. Of Labor and Parts Warranty)
(5 yrs. Compressor Warranty)

* 1 yr warranty/4 yr warranty additional cost/McQuay Dealer

The Board discussed the replacement of the single 40 ton unit that was out versus replacement of the entire unit, the cost, bid information, Trane vs. McQuay, warranties, necessity of the investment, and the cost of an consultant for analysis of replacing the single unit versus the complete unit.

Chairman McHugh moved to have the County Manager and Public Works Director Jay Kinney find a consultant and bring back information to Monday's meeting the costs of hiring a consultant to analysis the replacement of the 40 ton compressor versus the entire 80 ton unit for the government center and look at the current system in the Administrative Building.

Commissioner Joe Turpin seconded and the motion carried unanimously.

GENERAL GOVERNMENT-PUBLIC BUILDING- PROPOSED PURCHASE OF SEATING FOR NEW COURTROOM

Public Works Director Jay Kinney requested the Board's approval to purchase used church pews from Gospel Light Baptist Church for the lower Courtroom "C" and the seating in the upstairs lobby (outside of Courtrooms "A" and "B"). The pews range from 13 to 26 ft in length and at a cost of \$100 each.

Director Kinney stated that Sheriff Mike Joyce had offered \$1800 from fines and forfeitures if there were no other available funds.

The Board discussed the need for seating for Courtroom "C" and the upstairs lobby.

Chairman McHugh entertained a motion to purchase used pews for the Courtroom "C" and the upper lobby.

Commissioner Joe Turpin moved to approve the purchase of used pews for Courtroom "C" and the upper lobby at \$100 per pew not to exceed \$2500.

Commissioner Inman seconded and the motion carried unanimously.

GENERAL GOVERNMENT-ADMINISTRATION- VEHICLE REPAIR

County Manager Rick Morris requested the Board's approval to repair the used 1985 Suburban that is used on a limited basis by Communications in order to have another 4-wheel drive for inclement weather. Vehicle Maintenance Supervisor Elwood Mabe had reported to the Manager that the Suburban is in very good running condition, estimated another five years service, and only needs painting to eliminate the colors used by EMS (orange). Maintenance Supervisor Mabe estimated \$1000 for repairs. The vehicle can be used by all departments.

Chairman McHugh entertained a motion to proceed with the County Manager's request for repairs to the 1985 Suburban.

Commissioner Inman moved to approve the motion for the County Manager to proceed with the estimated repairs (\$1000) to the 1985 Suburban.

Commissioner Mabe seconded and the motion carried (4-1) with Commissioner Joe Turpin voting against the motion.

There being no further business to come before the Board, Vice Chairman John Turpin moved to adjourn meeting.

Commissioner Mabe seconded and the motion carried unanimously.

Darlene Bullins
Clerk to the Board

Sandy McHugh
Chairman