

STATE OF NORTH CAROLINA)
COUNTY OF STOKES)

OFFICE OF THE COMMISSIONERS
STOKES COUNTY GOVERNMENT
DANBURY, NORTH CAROLINA
OCTOBER 6, 2015

The Board of Commissioners of the County of Stokes, State of North Carolina, met for regular session (Planning) in the Commissioners' Chambers of the Ronald Wilson Reagan Memorial Building (Administration Building) located in Danbury, North Carolina on Tuesday, October 6, 2015 at 7:00 pm with the following members present:

Chairman Ronda Jones
Vice Chairman Jimmy Walker
Commissioner J. Leon Inman
Commissioner James D. Booth

Commissioner Ernest Lankford - absent

County Personnel in Attendance:
County Manager Richard D. Morris
Clerk to the Board Darlene Bullins
Planning Director David Sudderth

Chairman Ronda Jones called the meeting to order and welcomed those in attendance.

Chairman Jones delivered the invocation.

Chairman Jones noted that Commissioner Lankford was absent from tonight's meeting due to recent surgery.

GENERAL GOVERNMENT-GOVERNING BODY-PLEDGE OF ALLEGIANCE

Chairman Jones opened the meeting by inviting everyone in attendance to join the Board in the Pledge of Allegiance.

GENERAL GOVERNMENT – GOVERNING BODY – APPROVAL OF AGENDA

Chairman Jones entertained a motion to approve or amend the October 6, 2015 Agenda.
October 6, 2015 – Planning

Commissioner Booth moved to approve the October 6th Agenda as presented.

Vice Chairman Walker seconded and the motion carried (4-0) with Commissioner Lankford absent.

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING/PRESENTATION/DISCUSSION/ACTION AGENDAS **Rezoning Request – Conditional Zoning -Rezoning – Venture Properties LLC - RA** **(Residential Agricultural) to H-B-CZ (Highway Business Conditional Zoning #15-573**

Chairman Jones noted the Rezoning Request is from Venture Proprieties, LLC to rezone approximately 1.43 acres currently zoned RA (Residential Agricultural) to H-B-CZ (Highway Business Conditional Zoning).

Public Hearing

Chairman Jones opened the Public Hearing for the Rezoning Request for Venture Properties, LLC – RA (Residential Agricultural) to H-B-CZ (Highway Business Conditional Zoning).

Chairman Jones noted that each speaker had a three-minute time limit.

The following spoke during the Public Hearing:

Marty Koon

Wilkesboro, NC

- I am with the petitioner and would like to defer comments until the presentation

Justin Church

Wilkesboro, NC

- I am also with the petitioner and would like to defer comments until the presentation

Donald Bush

7840 Red Bank Road
Germanton, NC

Mr. Bush presented the following comments:

- I am a property owner in Pinnacle
- I am in favor of this rezoning

- Thoroughly believe we should not discourage businesses away from Pinnacle

Melissa Willard
1035 Timber Trails Road
Pinnacle, NC

Ms. Willard presented the following comments:

- Would like to say that my husband and I do own the property
- I think it is a great thing
- It would be awesome to have a Dollar General in Pinnacle
- Have to go now to Pilot Mountain or King to the Dollar General there
- Great thing to have more options in Pinnacle
- Would love to see it there

Arnold Nelson
1602 Pinnacle Hotel Road
Pinnacle, NC

Mr. Nelson presented the following comments:

- Think it is a good thing for Pinnacle
- Seems to be a good corporate citizen
- They keep their stores clean
- Think they would be willing to work with the church to keep their sign
- Keep from having to drive to other Dollar Generals in Pilot Mountain and King or to the Walmart in Mount Airy
- Good thing for the community

Russell Millner III
1020 Miller Street
Pinnacle, NC

Mr. Milner presented the following comments:

- I am for the Dollar General coming to Pinnacle
- Pinnacle needs growth
- Would keep citizens from having to go to King or Pilot Mountain
- Good thing for the community
- Need well-known businesses in town

Tony Willard
1035 Timber Trails Road
Pinnacle, NC

Mr. Willard presented the following comments:

- I am the property owner along with my wife
- Been in Pinnacle for 47 years
- Never had nothing but a few gas stations and a grocery store

- Think it is time that Pinnacle had a little bit more variety
- The growth will be good for the community
- A few extra jobs for the community
- My honest opinion is that it could only be good for the community

Billy Rawlings

101 Pine Villa Campground
Pinnacle, NC

Mr. Rawlings presented the following comments:

- I live in the campground
- The people where I live are very poor and do shop a lot at other Dollar General Stores
- Can't see why there would be any objection to a Dollar General in Pinnacle
- Will be a benefit to everyone
- 100% for the rezoning and the Dollar General coming to Pinnacle
- See no downside in no way
- I see a lot of poorness from where I am at
- They don't have the gas to go to King or Pilot Mountain, but would have the gas to go there
- Would really benefit those people

LeeAnn Gallimore

1290 Perch Road
Pinnacle, NC

Ms. Gallimore presented the following comments:

- The fun is over now because I don't agree
- Live pretty close to the site in question
- I also think Dollar General coming to Pinnacle would be great but don't think that site is the right place for it
- I think a Dollar General at the intersection of Old Phillips and Perch Road is an absolutely terrible idea
- Putting the citizens in danger as they go to church and children in danger as they try to get to school and we are adding another obstacle to the commute of those trying to get to and from Highway #52
- The old churches that have weathered storms of many types will have new commercial neighbors; neighbors selling alcohol
- The farmland will have a new environmental influence
- Building here allows a Dollar General to be stuck in the middle of houses, farms and in the front door of the two churches
- What do we really value this day and time and is it worth it to just have a Dollar General so it is close?
- Pinnacle is pretty close to King and Pilot Mountain
- I grew up in the day when there wasn't even a grocery store in King, so we traveled a good distance

Ron Gallimore
1290 Perch Road
Pinnacle, NC

Mr. Gallimore presented the following comments:

- I am against the building of the Dollar General at that location because of the traffic safety
- This is a dangerous intersection anyway and this will only make things worse
- I think this property should remain residential
- Please make the right decision and vote ‘no’

Kay Collins
2238 Old Highway 52 North
Pinnacle, NC

Ms. Collins presented the following comments:

- I have been with the Pinnacle Church for 62 years
- My parents are buried at the church
- My father was an ordained deacon and trustee there
- My mother sang in the choir
- I played piano and helped with the Christmas plays and Bible school
- I don't feel like this is the place for the Dollar General
- This site joins the church property
- We don't have a house for a minister
- If we wanted to put a double wide for a minister on the church property, we could not put it beside a Dollar General, it would be out of place
- Our Deacon, Randal Hall, (I did not ask him anything) has three ordained ministers in his family – Danny Hall, Kyle Hall, and his wife Nancy who all preach against cigarettes and alcohol
- They don't believe in it
- That is Randal's son, grandson, and daughter-in-law
- I have not heard Randal say he was for it
- I saw him Sunday and I did not ask him
- There is another church right down below us
- The traffic that comes around this curve is terrible
- There is a woman that lives down there that could not come tonight
- Marilyn Petree has six acres of land that joins this property
- She is so depressed about this that she could not come tonight, she has given up
- The soil conservation man told her it was a done deal
- I told her the commissioners are over him
- She went to church tonight
- I am not for that site, it is too close to our church
- There are three other places that it could be placed
- Don't think it is good to put a place that sells wine and beer next to a church
- Don't know what we could use the lot next to the site if a Dollar General comes
- Hope you will vote “no”

- It is not for our church
- Have four places that sell beer in Pinnacle, don't need anymore

Brenda Nelson

2388 Old 52 Road
Pinnacle, NC

Ms. Nelson presented the following comments:

- Think the Dollar General is a good idea
- As for finding the perfect spot, I doubt you would get everyone to agree where the perfect spot is
- As far as cigarettes and the alcohol, I don't do that, I don't believe in that, but it is not up to me, people are going to do it anyway
- If that is the only hindrance, I don't think it should be considered on that because every store you go in has cigarettes, there is alcohol
- I never even knew they sold alcohol until this
- When I go to a Dollar General, I go for what I need and it is not that
- Think this would be a good thing for the community
- Know it will not set well with everyone
- That church has never had a home for the pastor, so why now?
- Good thing for Pinnacle to have this coming

Chairman Jones closed the Public Hearing.

Commissioner Inman - Request to be Recused from the Vote

Commissioner Inman requested to address the Board.

Commissioner Inman noted the following:

- Lot of people in this room know me
- Would like to disclose that I am a real estate broker and an auctioneer licensed in the State of North Carolina
- As I was reviewing this request and property, I realized that the property had been sold at public auction and I was the auctioneer that sold this piece of property
- In speaking with the county attorney, he advised that this information needed to be disclosed at this meeting and his advisement was to recuse myself from this vote because I did benefit from that sale; I made a commission when it was sold
- On the recommendation of the county attorney, would request this Board recuse me from this vote tonight
- Can get the county attorney by phone if anyone has any questions or concerns

Chairman Jones opened the floor for discussion regarding Commissioner Inman's request to be recuse from the vote.

Chairman Jones entertained a motion.

Commissioner Booth moved to recuse Commissioner Inman from the Venture Properties Rezoning Request #15-573. Vice Chairman Walker seconded the motion.

Vice Chairman Walker commented:

- Sounds like your commission was historical, it happened at the sale of the property to the current owners

Commissioner Inman responded:

- Yes, that is correct

Vice Chairman Walker continued:

- I am not sure that would affect the transaction or the issue that we are looking at tonight

Commissioner Inman responded:

- I agree, I have no financial interest in this property
- Did benefit financially when it was sold; therefore, I contacted the county attorney and his advisement was to ask to be recused from the vote

The motion carried (4-0) with Commissioner Lankford absent.

Commissioner Inman exited the meeting.

Presentation and Discussion by Planning Director David Sudderth

Planning Director David Sudderth presented the following information regarding the Rezoning Request from Venture Properties VII, LLC – RA (Residential Agricultural) to H-B-CZ Highway Business Conditional Zoning):

REQUEST: Rezone approximately 1.43 +/- acres from RA (Residential Agricultural) to H-B (Highway Business Conditional Zoning) for “Retail Establishment” for the development of a Commercial Retail Store.

SITE OWNER: Tony Willard

APPLICANT: Venture Properties VII LLC

SITE LOCATION: The property is located on the corner of Perch Rd. (SR#1147) and East Old Phillips Rd. (SR#1143)

Map: 597308 **Parcel:** 0810 **PIN #:** 5973-08-89-0810

Deed Book: 659 **Pages:** 1337 **Township:** Yadkin

SITE INFORMATION:

PARCEL SIZE: Total tract 1.43 +/- acres (1.43 by deed, 1.56 by survey)

CURRENT USE: The property is currently vacant. At one time there was a mobile home located on the property.

CURRENT ZONING DISTRICT: RA (Residential Agricultural)

PROPOSED DISTRICT: H-B (Highway Business Conditional Zone)
Minimum lot size is 20,000 sq. ft. (.459 acre)

FLOOD HAZARD AREA: Not located in flood hazard area.

FIRM MAP #: 3710596200 J

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

WATERSHED DISTRICT: The proposed site is located in the WS-IV (Yadkin River) watershed. Properties located within a WS-IV Drinking Supply Watershed are subject to a thirty-six percent (36%) impervious surface requirement for built upon area for any proposed project. The proposed site plan (revision) shows an impervious surface calculation of 46.5% which exceeds the WS-IV watershed standard by 10.5%. In the Stokes County Drinking Supply Watershed regulations there is a provision which allows up to ten percent (10 %) of the watershed, (2,514) acres to be developed up to seventy percent (70%) of impervious surface coverage for commercial development. The decision to use the 10/70 development provision is determined on a case by case basis and will be a decision made as part of the conditional rezoning process.

Director Sudderth noted the following comments regarding the Watershed District:

- Years ago, the County gave the City of King 500 acres to help with commercial development in their area
- Both Boards agreed that there were plenty of provisions there to create densities necessary for commercial development
- In the County, we started out with 25,695 acres less the 500 acres leaving 25,195 acres land in the watershed – 10% of that can be developed (2,514 acres) can be developed up to 705 of impervious surface
- If this is an approved project, would recommend to use the 10/70 provision to allow the development to take place
- Would need to include the 10/70 provision to take place in the motion if approved

SEPTIC/WATER APPROVAL: The proposed use for the property is for a “Retail Establishment” Commercial Retail Store. The proposed site has received an Improvements Permit (IP) for the installation of a subsurface sewage disposal system (septic system). The Construction Authorization (CA) for the septic system is pending on final approval of the project. Public water from the City of King will be available to the site.

SCHOOL DISTRICTS: N/A

EMERGENCY SERVICES: Pinnacle VFD, EMS - Pinnacle # 103/104

EROSION CONTROL: N/A until construction begins.

ACCESS: The site has an approved commercial driveway access off of East Old Phillips Rd. (SR# 1143) from NCDOT.

TRAFFIC DATA: The NCDOT Average Annual Daily Traffic (AADT) count for Perch Rd. (SR# 1147) is **4800** vehicles per day. The (AADT) for East Old Phillips Rd. (SR# 1143) is **470** vehicles per day. **Annual average daily traffic**, abbreviated **AADT**, is a measure used primarily in transportation planning and transportation engineering. Traditionally, it is the total volume of vehicle **traffic** of a highway or road for a year divided by 365 days.

Director Sudderth noted the following comments:

- Dollar General statistics show that there are approximately 6 to 10 cars per hour entering Dollar General parking lot
- Residential subdivisions generate more traffic than most commercial business, even shopping center because of the daily traffic flow

TRAFFIC ACCIDENTS: NCDOT shows the following data concerning traffic accidents at the corner of Perch Rd. (SR# 1147) and East Old Phillips Rd. (SR# 1143) in the last twelve (12) years

12 year data – 2003-2015 –current date

8- Total reported accidents

3 -with possible injury

5 -with property damage

SURROUNDING LAND USE: The adjacent surrounding properties are zoned RA (Residential Agricultural), two (2) of the lots have single family residences located on them and the other two (2) lots are vacant. The lot located directly behind the proposed site is a vacant lot owned by Pinnacle Baptist Church. The closest commercial district is located approximately .2 mile from the proposed site, (Adams Garage). There are fifteen (15) parcels zoned for commercial use located within one (1) mile of the proposed site. There are seven (7) general use Highway Business (H-B) districts and seven (7) Light Manufacturing (M-1) districts and one (1) Light Manufacturing Conditional Use district. All of these commercial districts are located on Perch Rd. (SR# 1147) or Old US 52 (SR# 1152).

Director Sudderth noted the following comments:

- Surrounding businesses:
 - Pilot Recycling
 - Beroth Oil (gas station and convenient store)
 - Marathon Station across #52
 - Trails End Restaurant
 - E.J.'s Restaurant
 - Timber Company

- Mini Store Warehouses
- Industrial property located behind the Mini Store Warehouse
- Sheer Country Hair Salon
- Harold Boles Hardware
- Other:
 - Pinnacle Methodist Church
 - Pinnacle Post Office
 - Pinnacle Elementary School
- Mixed development in the area

STAFF COMMENTS: This rezoning request comes to the Board as a conditional rezoning request for H-B-CZ (Highway Business Conditional Zoning) for use as a “Retail Establishment for a Commercial Retail Store“. The use and the site plan may be discussed in detail. There is public water available but sewage disposal is provided by a septic system. Pinnacle Baptist Church owns three (3) parcels directly behind the proposed site. The church is located on one of these parcels. There is another church, Faith Baptist Church which is located approximately .4 mile down East Old Phillips Rd. The remaining parcels located on East Old Phillips Rd. and the secondary roads off of East Old Phillips Rd., (Maeola Ln., Jack St., Robert C. Kellam Rd., Ginger Dr., Ginger Creek Dr. and a private road, Covington Ridge Ln.) are zoned residential, either RA (Residential Agricultural), R-20 (Residential Low Density), or RE-(Residential Exclusive). These residential districts allow a variety of housing types on varying size parcels. There are seven (7) parcels located between the proposed site and the closest H-B (Highway Business) district located on Perch Rd. to the west of the site. Five (5) of the parcels are currently vacant. The parcels that are developed are occupied by Mt. Moriah Missionary Baptist Church. The Pinnacle area along Perch Rd. and Old US 52 are areas of mixed commercial and residential development. The proposed location is in area where there may be the beginning of a transition zone between residential properties and commercial properties on this particular section of Perch Rd. (SR# 1147). The Board must make a decision on the proposal whether it is or is not consistent with the Stokes County Land Development Guide and whether it is a reasonable request.

ISSUES TO CONSIDER: As with all conditional rezoning petitions, the Board should consider all the impacts both positive and negative that a commercial development brings with it.

- Impact on surrounding development
- Consistency with the Stokes County Land Development Guide
- Impact on community infrastructure, roads, public services etc.
- Services and goods provided to the community
- Increase in commercial tax base.
- Employment opportunities
- Community acceptance
- Best use of the land
- Traffic considerations
- Area in community where a transition of land use may be taking place

Parcel ID# 5973-08-89-0810

Location: 1014 East Old Phillips Rd. Corner of Perch Rd (SR# 1147) and East Old Phillips Rd. (SR# 1143).

Proposed Amendment: **Rezone approximately 1.43 +/- acres from RA (Residential Agricultural) to H-B-CZ (Highway Business Conditional Zone) for a “Retail Establishment for the development of a Commercial Retail Store”.**

The Stokes County Land Development Guide designates the proposed site as being located in the Southwest Area and shown as Community class. The Land Development Guide Goals for the Southwest area identifies the area having potential for enhancing non-residential potential outside watershed protection designated areas.

Community Class: Definition:

The purpose of the Community class is to provide for clustered, mixed land uses at low densities to help meet the housing, shopping and employment needs of rural areas. Areas meeting the intent of the Community classification are presently developed at low densities that are suitable for private septic use. Municipal type services should be anticipated only to correct existing or projected public health hazards.

Goals for the Southwest area include the following:

- Enhance non-residential potential in areas outside watershed protection designation.
- Encourage residential growth in areas presently served by municipal services, within close proximity to US Hwy 52/I-74.

This proposed Conditional Zoning request #15-573 **appears to be consistent** with the Stokes County Land Development Guide and other adopted plans in that: The Land Development Guide designates this area as Community class which would provide clustered mixed land uses at low densities to help meet the housing, shopping and employment needs of rural areas. These uses would be suitable in areas where private septic tanks are utilized. This request is consistent with this definition and the change of use to commercial development in this area seems appropriate.

This proposed amendment **appears to be reasonable** and in the public interest in that: This property is an area that has a mix of commercial and residential development and the addition of a retail establishment in the area would provide needed services and employment opportunities for the community.

Chairman, Planning Board: _____
Date: _____

Chairman, County Commissioners: _____
Date: _____

Discussion

Chairman Jones opened the floor for discussion regarding Director Sudderth's presentation.

Commissioner Booth confirmed that some of the existing vegetation would be removed from the site.

Director Sudderth commented:

- Building code requires an erosion control plan

Mr. Marty Koon, Venture Properties VII LLC, presented the following information regarding the rezoning request:

- Represent Tony Willard, site owner and applicant
- Venture Properties, LLC is the developer
- Reference was made earlier to the community meeting
 - In my judgment, about 75% of the commentary that we heard was opposing alcohol, 15% of the commentary was about safety and about 10% of the commentary was about placing the store on the other side of Highway 52
- When we addressed the Planning Board, we tried to address those concerns
- Mr. Willard presented a power point presentation regarding the Dollar General that is proposed for the Pinnacle location
- There will be one cooler with cold products and then one shelf section of beer and wine – that is the extent of the alcohol that Dollar General Stores carry
- 0.03% of our total floor space is devoted to alcohol sales
- Tried to get an entry point from Perch Road and was turned down by NCDOT
- NCDOT preferred the entry point to be off of Old East Phillips Road
- Permit has already been obtained from NCDOT
- We are a convenience based store, we are not a destination retail store, not a grocery store, not a Walmart, not a home store, etc.
- A big box store such as Walmart could possibly place a store across HWY#52
- Selected the site because of it is convenient oriented and because that intersection has some connectivity to some other neighborhoods
- Will have a brick face on the front
- Want to fit into the community
- Want to have the nicest facility in the community
- Discussed the buffer which came from talking to a member of the Pinnacle Baptist Church – Randal Hall
- Trying to be a good neighbor
- Very little of the vegetation will stay because they want to have a good, clean look for the store site
- Property value for a Dollar General Store is assessed at \$1,200,000
- Discussed the possibility of increased sales tax from people outside of the county

- Discussed the economic value to the community and to the county
- Heard only three people speak tonight in opposition
- Heard about ten people speak in opposition at the Planning Board meeting
- Will be happy to answer any questions the Board may have
- Justin Church, Blue Ridge Environmental, is here to answer any engineering questions

Vice Chairman Walker commented:

- Noted information in the Public Information minutes regarding the conversation between Derek Goddard and Randal Hall
- Confirmed with Mr. Koon that Randal Hall and Gregory Goddard came to a reasonable agreement to create a buffer of trees between the Dollar General and the church property

Mr. Koon discussed the buffer in detail with the Board and presented diagrams of what the buffer would look like and the location of the buffer in reference to the Dollar General Store and the church.

Commissioner Booth confirmed with Mr. Koon that the trees for the buffer would be between 6 – 8 ft.in height and 2.5 inch caliper (Green Giants) and the bushes would be three gallons.

Vice Chairman Walker commented:

- It is always a challenge when there is a community that is divided on a particular issue
- Takes more consideration and thought to make a decision
- Many communities welcome a Dollar General
- Dollar General Stores are conveniently located, have cheaper prices, etc.
- Have tried to come up with what is the best as far as possible for all involved
- Encouraged with the information from the conversation between Mr. Goddard and Mr. Hall
- Is there any other thing that you, Mr. Koon, are aware that has been done by Dollar General Stores to raise the comfort level of the community for those who are opposed to the store coming to Pinnacle?

Mr. Koon responded:

- Two things come to mind – architectural upgrades and additional landscaping
- We have already brought both of those things to the table
- There will be a brick front on the store
- Have agreed to place more buffer than required
- Have also agreed that the church sign can remain where it is currently
- Have offer to grant the church an easement if desired

Vice Chairman Walker continued:

- Get the feeling that Dollar General tries to be a good corporate neighbor
- Confirmed with Mr. Koon that Dollar General would be willing to listen with a positive ear if there were issues in the future

Mr. Koon responded:

- Our goal is to be a good, community citizen
- We want to be good to our customers
- Have done approximately 50 Dollar General Stores during the past four years with good results
- Have not had one negative comment from a Dollar General being placed in a community

Chairman Jones commented:

- Have had several Dollar Generals popping up around the county
- Confirmed with Mr. Koon that Dollar General has contract maintenance for all its stores
- Can look at any Dollar General to see how well maintenance is maintained
- Once the store is built, Venture Properties is out of the picture
- Personally know that they look after their buildings and parking lots
- They have no reason to let their stores go down and possibly lose business

Vice Chairman Walker confirmed with Director Sudderth that the County is good to go with the 10/70 provision.

Director Sudderth discussed the positive aspects with the building of a Dollar General in a community – convenience for patrons, sales tax revenue, property tax revenue, new jobs, etc.

Director Sudderth noted that Pinnacle would look a lot different if sewer was available.

Action

Chairman Jones entertained a motion regarding

Vice Chairman Walker moved to approve the Rezoning Request #15-573 for Venture Properties VII- LLC approximately 1.43 acres from RA (Residential Agricultural) to H-B-CZ (Highway Business Conditional Zoning) with the request being consistent with the Stokes County Land Use Development Guide and is a reasonable request and to include the buffer on the enhanced site plan presented at tonight's meeting along with the 10/70 development provision.

Commissioner Booth seconded the motion.

Chairman Jones opened the floor for any further comments:

Vice Chairman Walker commented:

- There is no way to ever please everyone with a rezoning request such as the one presented tonight
- These requests have mixed views
- My job is to try to do what is hopefully , in the long term, will be in the best benefit, as much as possible, for all involved
- Hope as time goes along, we can look back and see how things have progressed
- Basing my motion on this rezoning will, long term, be an asset to the community

Commissioner Booth commented:

- Concur with what Vice Chairman Walker stated
- Have about 6 more in the county that are working well
- Feel it will be an asset to the community
- Buffer will benefit the adjoining property quickly

Chairman Jones commented:

- Struggled with this rezoning
- County needs more economic development, but then you have these issues with churches being close to the property
- Have to look at reality
- Pinnacle is an untapped resource for the County with Highway #52 passing right by Pinnacle
- It is just a matter of time before development will start in Pinnacle
- Growth is coming to this area
- Will be an asset to the community
- Convenient for the community

The motion carried (3-0) with Commissioner Inman being recused and Commissioner Lankford absent.

Commissioner Inman re-entered the October 6th Planning meeting.

Departmental Updates

Director Sudderth provided the following updates:

- Comprehensive Land Use Guide has been reviewed by the Planning Board
- Will be trying to schedule a Public Hearing for the Commissioners' December 1st Planning meeting along with a presentation to the Board of Commissioners at that meeting
- City of King is in the process of adopting the guide

- Town of Walnut Cove and Town of Danbury have already adopted the plan
- It is a guide, it is not a perfect product, but will help you make land development decisions
- Can always make changes to the guide
- Can be used to apply for grants
- Have been working with the Planning Board regarding conditional rezoning
- Public Information Meeting proved to be very helpful tonight regarding the rezoning request
- The Public Information Meeting is one of the best tools for the citizens to find out what is being proposed for their neighborhood
- It gives the applicant information regarding how the community feels about the request
- It is very helpful to me to let me know what I need to provide to the Board of Commissioners for their review
- Working on another site for a Dollar General in Lawsonville
- Would like to do more in Pinnacle
- Things are looking up
- Hope to have the text amendment for conditional zoning for all commercial projects ready for the December Planning Meeting
- Agree that you can't always make everyone happy in a rezoning request

Vice Chairman Walker commented:

- Requested Director Sudderth to respond to the article in the Winston Salem Journal regarding the changes in Raleigh as it relates to our moratorium

Director Sudderth responded:

- Read the article in the Winston Salem Journal
- Feel with the price of fuel going down, at least for the immediate future, there will not be anyone applying for a permit anywhere in the state
- Think it was good timing when you approved the moratorium
- Lee County is going on with their Public Hearing
- A Professor from Duke has stated that he thinks the State has violated their own rules of how they do things
- Feel positive about it, but also feel negative regarding how the state has stacked the deck against everyone
- Maybe there could be a group effort in the future to go to the state
- I think at some point we have to make a determination, regardless of what the state says, in what direction this Board would like to move forward as far as how to deal with this regarding a land use planning issue
- Rockingham County is also looking at options

Vice Chairman Walker noted that the article in the Winston Salem Journal was more than just about the fracking issue, it was a position more towards this is just another intrusion by Raleigh toward taking the autonomy away from the counties and the power to make decisions for

our citizens.

Vice Chairman Walker questioned Director Sudderth if there was any other part of The Zoning Ordinance that needed to be looked at?

Director Sudderth responded:

- Doing a few things
- Do not know exactly what to do because of the way the law is written
- Moratorium is a three- year period that the county needs to accomplish something regarding the fracking
- Legislature is taking a lot of rights away from local governments to make decision that impact their communities and their citizens
- There is currently an injunction that does not allow anyone to get a permit to frack
- Need to see how the lawsuits play out
- Need some strategy sessions to determine what is the best way to proceed

Commissioner Inman commented:

- As Vice Chairman Walker pointed out, the real scary thing is the state having a total disregard for the safety and welfare and for the county's ability to look after the safety and welfare of their citizens
- Consensus at the NCACC Board of Directors meeting this past weekend was if the state legislature can do this regarding fracking, is there anything they won't do it for
- What is next?
- Representatives had two minutes to read a 40 page document

Commissioner Inman noted that he wanted to thank the Board for allowing him to be recused from the vote at the recommendation of the county attorney.

Adjournment

There being no further business to come before the Board, Chairman Jones entertained a motion to adjourn the meeting.

Commissioner Booth moved to adjourn the meeting. Vice Chairman Walker seconded and the motion carried unanimously.

Darlene M. Bullins
Clerk to the Board

Ronda Jones
Chairman