

The Hoke County Board of Commissioners convened for a regular meeting at 7:00 pm on Monday, August 2, 2021 in the Commissioners Room in the Pratt Building.

PRESENT:

Chairman Harry Southerland  
Vice Chairman Allen Thomas, Jr.  
Commissioner James Leach  
Commissioner Tony Hunt  
Commissioner Lonnie Baldwin

ALSO PRESENT:

County Manager Letitia Edens  
County Attorney Grady Hunt  
Clerk to the Board Gwen McGougan

ABSENT:

None

**Chairman Southerland opened the meeting with a quorum. Commissioner Tony Hunt led the Pledge of Allegiance and gave the Invocation.**

**1. Adoption of Agenda**

Hoke County  
Board of Commissioners

227 N. Main Street  
Raeford, North Carolina  
28376



August 2, 2021  
7:00 P.M.

Commissioner's Room  
Pratt Building

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**A G E N D A**

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**INVOCATION & PLEDGE: Commissioner Tony Hunt**

**ITEM**

**1. Adoption of Agenda**

**2. Public Comment**

**3. Public Hearings: Planning Matters**

- a. Application for General Use Rezoning RZ-21-8 submitted by J&K General Contractors to rezone an approximately 6.25 acre unaddressed parcel known as Hoke County Parcel Identification Number (PIN) 494550001386. The property is currently zoned Residential Agricultural (RA-20) and the applicant requests to rezone the property to Highway Commercial (HC). **Tabled at the May 3, 2021 regular meeting. The Planning Board unanimously recommended approval.**
- b. Application for General Use Rezoning RZ-21-11 submitted by Moath Dheifallah to rezone an approximately 0.62 acre portion of the parcel located at 151 McQuage Road also known as a portion of Hoke County Parcel Identification Number (PIN) 394030001117. The property is currently zoned Residential Agricultural (RA-20) and the applicant requests to rezone the property to Highway Commercial (HC). **The Planning Board unanimously recommended approval.**
- c. Application for General Use Rezoning RZ-21-6 submitted by Rhetsen Companies INC to rezone an approximately 2.02 acre portion of the 15 acre unaddressed parcel known as Hoke County Parcel Identification Number (PIN) 294310001021. The property is currently zoned Residential Agricultural (RA-20) and the applicant requests to rezone the property Neighborhood Business (NB). **The Planning Board unanimously recommended approval.**

Subdivisions:

- d. Minor Subdivision plat approval request submitted by Lumbee Quality Builders for the one (1) lot minor subdivision at the 16.63 acre unaddressed parcel known as Hoke County Parcel Identification Number (PIN) 494550001431. The property is zoned Residential Agricultural (RA-20). **The Planning Board unanimously recommended approval.**
- e. Preliminary plat approval request submitted by Chicora Engineering and Construction for the 19 lot Phase 4 of the Cheraw Acres Subdivision located on the 9.68 and 3.52 acre unaddressed parcels known as Hoke County Parcel Identification Numbers (PINs) 294220001035 and 294220001296. The properties are zoned Residential Agricultural (RA-20). **The Planning Board unanimously recommended approval.**

- f. Preliminary plat approval request submitted by Double D Engineering for the 64 lot major subdivision named Carolina Crossing located at the 40 acre parcel located at 1685 N Horace Walters Road also known as Hoke County Parcel Identification Number (PIN) 584950001059. The property is zoned Residential Agricultural (RA-20). Tabled at the May 3, 2021 regular meeting. The Planning Board unanimously recommended approval.
- g. Preliminary plat approval request submitted by Double D Engineering for the 67 lot major subdivision named Walters Meadow located at the 44 acre parcel located at 2496 N Horace Walters Road also known as Hoke County Parcel Identification Number (PIN) 584950001044 and 584950001045. The property is zoned Residential Agricultural (RA-20) Tabled at the May 3, 2021 regular meeting. The Planning Board unanimously recommended approval.

Text Amendment to the Hoke County Zoning Ordinance

- h. Text Amendment request TA-21-2 submitted by Hoke County to amend all chapters and sections of the Hoke County Zoning Ordinance to comply with the state mandated changes of N.C.G.S. Chapter 160D as well as incorporate new formatting for clarity and uniformity throughout the ordinance. The Planning Board unanimously recommended approval.

4. Consent Agenda

- a. Minutes from June 14, 2021 Special Meeting for FY 22 Budget Public Hearing
- b. Adopt Conflict of Interest policies:
  - 1. Contract # PB002 DSS/Public Buildings
  - 2. Contract # 534-1 DSS/HATS
  - 3. Contract # IT001 DSS/Information Technology
- c. Adopt Assistance policy and Procurement policy for URP-21
- d. Approval Request for Funds DSS Attorney
- e. Finance: Budget Amendments

5. Reclassification of Health Department Clinical Positions

- a. Public Health Nurse III
- b. Public Health Nursing Supervisor I

6. Reappointment of Roman Jacobs, Sr. to the Jury Commission

7. Grow Hoke Project:

- a. Change Order #1
- b. Notice to Proceed

8. Manager's Report

9. Chairman's Report

10. Adjourn

Chairman Southerland asked if there were any changes to the agenda needed. Chairman Southerland recommended moving items 4-7 to the beginning of the agenda due to there being numerous planning items on the agenda.

**Motion: Upon motion by Commissioner Leach and second by Commissioner Baldwin the Board voted unanimously to move agenda items 4-7 to precede the planning matters and adopt the revised agenda.**

**2. Public Comment**

Clarence William Page  
High Point, NC

Mr. Page is concerned about the possibility of a breach of several area dams, including McLaughlin Lake Dam and Upchurch Lake Dam.

Ellen Bradford  
300 Reservation Road  
Aberdeen, NC

Ms. Bradford is concerned that the Hoke County Land Use Plan isn't being followed as it was originally intended and that development in western Hoke County will have adverse effects on that area.

Robin Bush

Ms. Bush is concerned about the development in western Hoke County and the effect it will have on the area. Infrastructure isn't in place, nor are public safety services, to support this growth. She is also concerned that the Hoke County Land Use Plan is outdated.

Ralph Huff

Mr. Huff said that he has built over 2000 houses in Hoke County. He grew up in Ashley Heights and knows the Five Points area well. His development in western Hoke County includes lots of various sizes. He doesn't expect there to be an issue with septic tanks. He is building streets and extending the water lines to serve the new development. He is not opposed to re-examining the Land Use Plan but amending the Plan after land has been purchased and construction started is not appropriate.

David Frump

Mr. Frump is concerned that the Land Use Plan is 16 years old. The area being developed in western Hoke County is zoned for Residential Agricultural (RA) use. The proposed development will result in a loss of agricultural area. Western Hoke County will not support the proposed growth.

Fred Lisely  
1726 N. Horace Walters Rd.

Mr. Lisely told the Board he owns a horse farm. The reason he moved here is because of the horse farms. The proposed development will create problems with traffic and public safety.

#### **4. Consent Agenda**

- a. Minutes from June 14, 2021 Special Meeting for FY 22 Budget Public Hearing
- b. Adopt Conflict of Interest policies:
  1. Contract # PB002 DSS/Public Buildings
  2. Contract # 534-1 DSS/HATS
  3. Contract # IT001 DSS/Information Technology
- c. Adopt Assistance policy and Procurement policy for URP-21

The URP-21 Assistance Policy and Procurement Policy are hereby incorporated as a part of these minutes by attachment as Exhibit A and Exhibit B, respectively.

- d. Approval Request for Funds DSS Attorney
- e. Finance: Budget Amendments

**AMENDMENT TO THE HOKE COUNTY BUDGET ORDINANCE  
2021/2022  
Amendment**

Section 1 of the Hoke County Budget Ordinance, pertaining to the Multi Year Grant Fund shall be amended as follows:

Increase/(Decrease) Appropriations:

Expenditures	38,500
	<u>\$ 38,500</u>
<b>Total</b>	

Section 2 of the Hoke County Budget Ordinance, pertaining to the Multi Year Grant Fund shall be amended as follows:

Increase/(Decrease) Revenues:

Revenues	38,500
	<u>\$ 38,500</u>
<b>Total</b>	

This amendment:

- To Budget for Emergency Management Grant Funds (EMPG) reflected in the Multi Year Grant Fund.

Funding Source: State Grant Funds

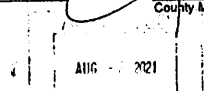
Submitted: 08-02-2021

Respectfully Submitted by:

*Marianne Foy*  
Assistant Finance Director

Approved by:

*John J. Eden*  
County Manager



**AMENDMENT TO THE HOKE COUNTY BUDGET ORDINANCE  
2021/2022  
Amendment**

Section 1 of the Hoke County Budget Ordinance, pertaining to the General Fund operations of the County, shall be amended as follows:

Increase/(Decrease) Appropriations:

Emergency Management	8,000
	<u>\$ 8,000</u>
<b>Total</b>	

Section 2 of the Hoke County Budget Ordinance, pertaining to the General Fund operations of the County, shall be amended as follows:

Increase/(Decrease) Revenues:

Emergency Management	8,000
	<u>\$ 8,000</u>
<b>Total</b>	

This amendment:

- To record Homeland Security Grant Funds (HSGP) of \$8,000

Funding Source: State Funds

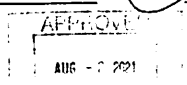
Submitted: 08-02-2021

Respectfully Submitted by:

*Marianne Foy*  
Assistant Finance Officer

Approved by:

*John J. Eden*  
County Manager



**Motion: Upon motion by Commissioner Leach and second by Commissioner Baldwin the Board voted unanimously to approve Consent Items a – e.**

**5. Reclassification of Health Department Clinical Positions**

Health Director Helene Edwards advised the Board that she has been unable to fill vacancies for nurses. The salaries currently offered are not sufficient to attract applicants. Ms. Edwards is requesting that the following positions be reclassified:

Position	Current Grade	Proposed Grade	Salary
Public Health Nurse III (Enhanced Role RN)	74	75	\$59,317.00
Public Health Nursing Supervisor I (Nursing Director)	75	77	\$65,397.00

**Motion: Upon motion by Commissioner Baldwin and second by Commissioner Leach the Board voted unanimously to approve the reclassification of the Public Health Nurse III position from a grade 74 to a grade 75 and Public Health Nursing Supervisor I from a grade of 75 to a grade 77.**

**6. Reappointment of Roman Jacobs, Sr. to Jury Commission**

Hoke County Clerk of Superior Court Evelyn McLeod requests the reappointment of Mr. Roman Jacobs, Sr., Jury Commissioner for Hoke County for a term of two years, beginning August 2, 2021. This is the seat for the Commissioners' appointment.

**Motion: Upon motion by Commissioner Hunt and second by Commissioner Leach the Board voted unanimously to reappoint Mr. Roman Jacobs, Sr. to the Commissioners' seat on the Hoke County Jury Commission.**

**7. Grow Hoke Project**

Project Engineer Jonathan Locklear explained that the Aquatic Center plans were not finished when the project was opened for bids. Water services to the project were not included in the bid price. The project contractor, Jymco, has agreed to install the three water services if the County furnishes the materials. The cost to the County is \$11,779.95.

**Motion: Upon motion by Commissioner Hunt and second by Vice Chairman Thomas the Board voted unanimously to approve Change Order 1, in the amount of \$11,779.95, for water services to the James A. Leach Aquatic & Recreation Center.**

**Motion: Upon motion by Commissioner Hunt and second by Commissioner Baldwin the Board voted unanimously to approve the Notice to Proceed for the James A. Leach Aquatic & Recreation Center project.**

### **8. Manager's Report**

County Manager Letitia Edens told the Board that two long-time employees had retired. Solid Waste Director Don Russell worked for the County for more than 20 years. Tax Assessor Jennie Gibson worked for Hoke County for 34 years. The Board members expressed appreciation for their dedication and service and presented them with certificates.

Mrs. Edens recommended to the Board that Mrs. Mandi Davis be named as Acting Tax Assessor.

**Motion: Upon motion by Vice Chairman Thomas and second by Commissioner Baldwin the Board voted unanimously to appoint Mrs. Mandi Davis as Acting Tax Assessor.**

### **3. Public Hearings: Planning Matters**

- a. Application for General Use Rezoning RZ-21-8 submitted by J&K General Contractors to rezone an approximately 6.25 acre unaddressed parcel known as Hoke County Parcel Identification Number (PIN) 494550001386. The property is currently zoned Residential Agricultural (RA-20) and the applicant requests to rezone the property to Highway Commercial (HC). Tabled at the May 3, 2021 regular meeting. The Planning Board unanimously recommended approval.

This parcel is adjacent to the property where the James A. Leach Aquatic & Recreation Center is located. Applicant Steve Phillips told the Board that the intent is to construct a bowling alley and a children's entertainment center on this parcel.

**Motion: Upon motion by Commissioner Leach and second by Vice Chairman Thomas the Board voted unanimously to close the public hearing.**

**Motion: Upon motion by Commissioner Leach and second by Vice Chairman Thomas the Board voted unanimously to approve Application for General Use Rezoning RZ-21-8.**

- b. Application for General Use Rezoning RZ-21-11 submitted by Moath Dheifallah to rezone an approximately 0.62 acre portion of the parcel located at 151 McQuage Road also known as a portion of Hoke County Parcel Identification Number (PIN) 394030001117. The property is currently zoned Residential Agricultural (RA-20) and the applicant requests to rezone the property to Highway Commercial (HC). The Planning Board unanimously recommended approval.

The Applicant was not present for the public hearing. The Board tabled the matter until the end of the meeting in the event the applicant arrived.

- c. Application for General Use Rezoning RZ-21-6 submitted by Rhetson Companies INC to rezone an approximately 2.02 acre portion of the 15 acre unaddressed parcel known as Hoke County Parcel Identification Number (PIN) 294310001021. The property is currently zoned Residential Agricultural (RA-20) and the applicant requests to rezone

the property Neighborhood Business (NB). The Planning Board unanimously recommended approval.

This parcel is part of a larger parcel located at the corner of North Old Wire Road and Red Springs Road. Mr. Allen Cagle, representing Rhetson Companies, explained that their intent is to construct an approximately 10,000 sq. ft. Dollar General store.

**Motion: Upon motion by Commissioner Leach and second by Vice Chairman Thomas the Board voted unanimously to close the public hearing.**

**Motion: Upon motion by Vice Chairman Thomas and second by Commissioner Leach the Board voted unanimously to approve Application for General Use Rezoning RZ-21-6.**

d. Minor Subdivision plat approval request submitted by Lumbee Quality Builders for the one (1) lot minor subdivision at the 16.63 acre unaddressed parcel known as Hoke County Parcel Identification Number (PIN) 494550001431. The property is zoned Residential Agricultural (RA-20). The Planning Board unanimously recommended approval.

Planner Robert Farrell advised the Board that the developer wishes to subdivide a lot off of the parent track for a one-lot minor subdivision. The same was done in September 2020. In 2013 a preliminary plat was approved for a major subdivision, a 26-acre project called Whispering Winds Phase 2, at this location. This subdivision was never constructed. Approval of the preliminary plat expired after one year. Mr. Farrell added that the property has County sewer available.

Applicant Spencer Locklear told the Board that the parcel he wants to cut out is 2 acres for construction of a home. When asked by Commissioner Hunt what the plans are for the remaining acreage, Mr. Locklear replied that he hopes to proceed with developing the property. When asked by Vice Chairman Thomas if the remaining acreage will be connected to County sewer, Mr. Locklear replied that yes, those lots will be connected to the County sewer system.

Commissioner Leach asked Mr. Farrell to pull the file and review the actions on this parcel and return to the Board with that information.

**Motion: Upon motion by Commissioner Hunt and second by Commissioner Leach the Board voted 4-1 to table this matter until the third Monday night meeting in August, with Vice Chairman Thomas casting the dissenting vote.**

e. Preliminary plat approval request submitted by Chicora Engineering and Construction for the 19 lot Phase 4 of the Cheraw Acres Subdivision located on the 9.68 and 3.52 acre unaddressed parcels known as Hoke County Parcel Identification Numbers (PINs) 294220001035 and 294220001296. The properties are zoned residential Agricultural (RA-20). The Planning Board unanimously recommended approval.

Mr. Farrell told the Board that Phase 4 will complete the Cheraw Acres Subdivision. The development was started in 2007. The subdivision regulations at that time did not require curb and guttering. The older sections of Cheraw Acres have open ditches for draining. For consistency, the developer plans to allow continuation of open ditches for stormwater management.

Mr. David McGirt, Construction Manager with the Lumbee Tribe, told the Board that they're planning 19 three-bedroom, two-bath homes. He hopes to begin construction within the next 60 days.

**Motion: Upon motion by Commissioner Leach and second by Vice Chairman Thomas the Board voted unanimously to close the public hearing.**

**Motion: Upon motion by Commissioner Hunt and second by Commissioner Baldwin the Board voted unanimously to approve the preliminary plat for Cheraw Acres, Phase 4.**

f. Preliminary plat approval request submitted by Double D Engineering for the 64 lot major subdivision named Carolina Crossing located at the 40 acre parcel located at 1685 N Horace Walters Road also known as Hoke County Parcel Identification Number (PIN) 584950001059. The property is zoned Residential Agricultural (RA-20). Tabled at the May 3, 2021 regular meeting. The Planning Board unanimously recommended approval.

Chairman Southerland recommended that the Board hear both Items f and g together, since they were both tabled from the May 3, 2021 meeting.

g. Preliminary plat approval request submitted by Double D Engineering for the 67 lot major subdivision named Walters Meadow located at the 44 acre parcel located at 2496 N Horace Walters Road also known as Hoke County Parcel Identification Number (PIN) 584950001044 and 584950001045. The property is zoned Residential Agricultural (RA-20). Tabled at the May 3, 2021 regular meeting. The Planning Board unanimously recommended approval.

Planner Robert Farrell reviewed the location of both subdivisions with the Board. Both are outside the urban service area, so they will be served by Hoke County for their water and individual septic tanks for their sewer.

Mr. Farrell addressed concerns raised at the May 3, 2021 public hearing:

- The roadways are the purview of the NC Department of Transportation. The developer works with DOT to do the requisite studies, taking into account the number of lots in the development and average daily trips. This information is used in accordance with the engineering standards of the state of North Carolina to determine whether improvements to the roadway are necessary. The Department of Transportation has determined that no improvements are needed to Horace Walters Road or the Five Points intersection.
- Concerns were raised about whether fire service and staffing are adequate in the area. The fire chief says there is no issue about the adequacy of fire protection; in fact, the West Hoke Fire Department was recently recognized by the State for improving their fire rating.
- There is no problem with water pressure in the area. Mr. Farrell consulted Utilities Director Hilton Villines and Mr. Villines said that this area has good water pressure. Because the area is downhill from the water sources in the area, the Utilities Department needed pressure reducing valves in the area. There is also the possibility that there will be individual issues with older homes, rather than a flaw in the Utilities infrastructure.



- The Hoke County School Board is aware of the concerns by some County residents that additional schooling facilities are needed. The Board is also aware of the growth in population in the County.

Mr. Farrell confirmed that both subdivisions meet the County's subdivision regulations.

Developer Ralph Huff was present and available for questions.

Speakers at the public hearings for Items f and g:

- Robin Bush said that she believes the Carolina Crossing and Walters Meadow subdivisions do not meet the requirements set forth in the Land Use Plan for Hoke County. Ms. Bush maintains that the roadways are unsafe in the area of the developments and she still questions the staffing and ability of the fire departments.
- Mary (no last name given) is concerned that a current lack of teachers will only get worse with an influx of new homes.
- David Frump said he'd like to see small horse farms in this area. He is also concerned that this development does not comply with the County's Land Use Plan.
- David Rossi said that he moved to the area to have a horse farm. A large number of houses will change the community. The roadways are not sufficient to serve a large development.

Developer Ralph Huff spoke again to remind the Board and the Public that the property he's developing is already zoned appropriately for residential development. The plans that have been submitted comply with the County's ordinance.

**Motion: Upon motion by Vice Chairman Thomas and second by Commissioner Leach the Board voted unanimously to close the public hearing.**

Vice Chairman Thomas told the Board that a preliminary plat is what they're voting on tonight. The Board is compelled to approve the plat if it meets County guidelines. In order to deny approval, the Board would have to take specific issue with the plans submitted.

Chairman Southerland agreed with Vice Chairman Thomas's comments.

Commissioner Leach said that this issue is administrative. The Board has no basis to require any conditions.

**Motion: Upon motion by Vice Chairman Thomas and second by Commissioner Leach the Board voted unanimously to approve the preliminary plats for Carolina Crossing and Walters Meadow.**

- h. Text Amendment request TA-21-2 submitted by Hoke County to amend all chapters and sections of the Hoke County Zoning Ordinance to comply with the state mandated changes of N.C.G.S. Chapter 160D as well as incorporate new formatting for clarity and uniformity throughout the ordinance. The Planning Board unanimously recommended approval.

Mr. Farrell explained to the Board that the NC Legislature adopted a new chapter of the General Statutes called Chapter 160D. This chapter contains all of the planning, zoning and development requirements for both cities and counties. Previously, regulations for cities were in Chapter 160 and Counties in Chapter 153. This new chapter will codify and streamline the development regulations of the State. In addition to the State changes, Planning Staff made some in-house changes.

Commissioner Hunt said that the changes set forth by the State were mandatory. He'd like to know the changes that Staff made. Mr. Farrell listed the following:

- Corrected spelling and grammatical errors,
- Rearranged chapter orders,
- Added a unified numbering system throughout the ordinance,
- Moved the table of uses to chapter 4,
- Changed "conditional use permit" to "special use permit",
- Eliminated Conditional Use District,
- Recommended a policy for campaign signs: they may be put up 60 days before the election.

The Board had a discussion about the campaign sign policy (Hoke County Zoning Ordinance Chapter 11.5.7). The State, the City and the County have differing policies on placement of campaign signs. The Board is reluctant to set a policy for the County at this time.

**Motion: Upon motion by Commissioner Hunt and second by Vice Chairman Thomas the Board voted unanimously to approve the referenced changes to the Hoke County Zoning Ordinance, excluding Chapter 11.5.7.**

**Motion: Upon motion by Vice Chairman Thomas and second by Commissioner Hunt the Board voted unanimously to table Agenda Item 3b until the first meeting in September.**

#### **Item 8. Manager's Report (continued from earlier in the meeting)**

County Manager Letitia Edens asked the Board to recess this meeting until August 4, 2021 at 11:00 am for a meeting with the Community Forest Stakeholders. The meeting will be held at the Wright Building.

#### **Item 9. Chairman's Report**

Representative Garland Pierce has set up a meeting at the office of Tim Moore, Speaker of the NC House of Representatives, on Wednesday, August 5, 2021 for the Board members to discuss the funding for the new Courthouse.

#### **10. Closed Session**

**Motion: Upon motion by Vice Chairman Thomas and second by Commissioner Hunt the Board voted unanimously to enter into Closed Session for the purposes of consulting with an attorney retained by the Board, in order to preserve the attorney-client privilege between the**

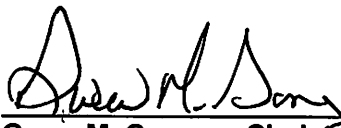
attorney and the Board NCGS 143-318.11(a)(3) and discussing personnel, NCGS 153A-98 & 143-318.11(a)(1)&(6)

**Motion:** Upon motion by Vice Chairman Thomas and second by Commissioner Hunt the Board voted unanimously to return to Open Session.

**11. Adjourn**

**Motion:** Upon motion by Commissioner Leach and second by Commissioner Hunt the Board voted unanimously to adjourn the meeting at 9:15 pm.

  
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Harry Southerland, Chairman

  
\_\_\_\_\_  
Gwen McGougan, Clerk to the Board

