



Vance County Planning & Development
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TO: Vance County Citizens Advisory Committee (CAC)
FROM: Ken Krulik, Assistant Director/Senior Planner
SUBJECT: Minutes of the February 16, 2006 CAC meeting
DATE: February 22, 2006

In Attendance

Committee Members: Connie Kenney, Helen Williams, Thomas Shaw III, Vincent Jefferson, Reverend J.H. Daniels, Rusty McMahan, John Abbott, John Foster, Wallace Cawthorne

County Staff: Jerry Ayscue, Robert Farnum, Ken Krulik (meeting facilitator)

Others Present: Marc Woodlief, Jennifer Williams (Daily Dispatch), members of the public

- ◆ Ken Krulik called the meeting to order, welcoming the Committee members and members of the audience, and thanked the Committee for their time and commitment to this endeavor of Vance County. He moved to the first order of business, electing a Chair and Vice Chair. He reminded the Committee they were to consider review of the draft zoning ordinance and draft map in an objective manner, to which the Committee agreed.
- ◆ Ken Krulik then proceeded with the process of the Committee electing a Chair and Vice Chair, giving the assembled members the option of doing so by nomination or drawing from names submitted Committee members.
- ◆ Rusty McMahan asked, before proceeding further, for Ken Krulik to re-state the “charge” of the Committee’s purpose and its origins, as determined by the County Commissioners.
- ◆ Ken Krulik explained that the County Commissioners convened this Committee to represent a cross section of the County, inclusive of residents, a surveyor, developer, the faith-based community, non-profit community, and the group of concerned citizens.
- ◆ County Manager Jerry Ayscue added that the Commissioners charged the Committee with reviewing the draft ordinance and draft map, and to make recommendations for potential changes as appropriate for Vance County. He continued that it was requested by the Commissioners that a report be made within 30 days to the Board, but if needed they could be informed that more time is needed to complete the Committee’s work.
- ◆ Rusty McMahan then asked if this report would be made directly to the Commissioners, not by way of the Planning Board, and what is the autonomy of the Advisory Committee.
- ◆ Ken Krulik responded that the information of the Advisory Committee would be coordinated with the work of the Planning Board. His role would be to take the recommendations from the Committee to the Planning Board and then present the combined recommendations to the Commissioners.

- ◆ Ken Krulik further added that these recommendations would then be considered in potential revisions to the draft ordinance and draft map.
- ◆ Rusty McMahon asked who would make the presentation to the Commissioners (someone from the Advisory Committee or does the Committee report to Ken Krulik?).
- ◆ Ken Krulik responded that it was his understanding that he, as staff, would present the recommendations to the Commissioners. Jerry Ayscue added that it could be the determination of the Committee that the recommendations are made by the Committee Chair (once elected), with staff providing assistance in preparations.
- ◆ Ken Krulik further stated he works at the discretion of the Commissioners and the Advisory Committee and would work in either capacity, whether to present the recommendations to the Commissioners or assist the Committee Chair in a presentation.
- ◆ Vincent Jefferson stated that it was his understanding the Advisory Committee was to review the draft ordinance and draft map for the purpose of clarity and readability.
- ◆ Ken Krulik replied that is correct and that should potential recommendations for revisions be noted they would be considered in the work of revising the draft ordinance and draft map (both are important in making the draft document more easily read and understood).
- ◆ Wallace Cawthorne asked if Ken Krulik would be at each meeting of the Committee, Ken Krulik responded yes with Robert Farnum as back up in the event of his absence.
- ◆ Wallace Cawthorne further asked that if more than 30 days is needed to complete the work of the Committee that it would not be a problem. Ken Krulik responded that it would not be problem, he would present to the Commissioners that more time is needed and a meeting schedule would be established by the Committee to compete their work.
- ◆ Wallace Cawthorne continued that there is a lot of material to read and understand. He has read through it, but it does include a lot of “legalese,” and added if the Committee is to review the draft document to determine what’s best for the community they will need the time to do so without any limitations on how long it would take.
- ◆ Helen Williams added that the Committee will need the time to get together; she stated that she is a novice to this process and needs the time to read the information. She has been a North Carolina resident for 11 years and needs to learn about the process.
- ◆ Vincent Jefferson stated that charge of the Committee needs to be clearly identified so as to not get off track of their responsibility. He added that while the Committee is to review the draft document and draft map he asked that Ken Krulik clarify the charge of the Committee with the appropriate wording, Ken Krulik agreed.
- ◆ Rusty McMahon asked, this being an Advisory Committee what is their level of independence and do they have the freedom to interview Commissioners, to interview people from other states, as well as experts in the field of planning and zoning. He further asked what the parameters of this Committee are.
- ◆ Ken Krulik responded he would get answers to these questions for the Committee. He added that it is his understanding the Committee is not limited in getting information for themselves; he would clarify their ability to obtain information from outside resources.
- ◆ Wallace Cawthorne said it would be preferable to obtain from the County Commissioners a statement holding the Advisory Committee harmless from any legal issues through their work and in making recommendations.
- ◆ Ken Krulik responded this was a valid concern and he will look into obtaining this statement from the Commissioners.

- ◆ John Foster then asked if the Committee had the ability to get answers to legal questions in the performance of their work. Jerry Ayscue said the County Attorney is available.
- ◆ Thomas Shaw asked if it were possible for Committee members to meet outside of the regular Advisory Committee meetings.
- ◆ J.H. Daniels' responded this would raise questions about public meetings (North Carolina's open meeting law) since a public body can't meet unless the meeting is announced and public notice given.
- ◆ With these procedural questions in mind, Ken Krulik responded he did write draft bylaws for the Committee to review and consider should they be needed. He distributed these to the members for their consideration.
- ◆ Wallace Cawthorne asked who would take the minutes of the meetings; Ken Krulik responded that staff would take the minutes.
- ◆ Rusty McMahon asked the minutes would be taken as transcripts or as highlights of the meetings, and would copies of the tapes be made available.
- ◆ Ken Krulik responded it would be Committee's discretion to determine the process.
- ◆ John Foster asked if the Committee would be able to meet without Ken Krulik present.
- ◆ Ken Krulik said that in his absence Robert Farnum would take minutes (act as Secretary); if Robert were unavailable the Committee could appoint a Secretary for that meeting.
- ◆ J.H. Daniels asked of the assembled members how they wanted to proceed with electing a Chair and Vice-Chair.
- ◆ Connie Kenney asked if it were possible to proceed with a nomination, Ken Krulik responded yes. She nominated Reverend J.H. Daniels as Chairperson who then made the nomination of Vincent Jefferson as Vice Chair. With general discussion on this matter, it was determined by the Committee there were two separate motions to address.
- ◆ Ken Krulik proceeds with the first motion, by Connie Kenney, to nominate Reverend J.H. Daniels as Committee Chair. This was seconded by John Foster.
- ◆ Vincent Jefferson then thanked the Committee for its nomination, but respectfully declined. Reverend J.H. Daniels then nominated Connie Kenney as Vice Chair. After some general discussion Connie Kenney accepted, John Foster seconded the motion.
- ◆ Ken Krulik reviewed the nominations:
 - A. Committee Chair – nomination of Reverend J.H. Daniels was made by Connie Kenney, second was made by John Foster.
 - B. Committee Vice Chair - nomination of Connie Kenney was made by Reverend J.H. Daniels, second was made by John Foster.
 - C. Thomas Shaw requested the nominations be closed, Ken Krulik called for a vote on the nominations and the Committee all voted in favor.
- ◆ Chairman Daniels then asked the Committee to review the draft bylaws noting that a schedule of meetings needed to be established. With general discussion of the members it was determined that Thursday's would be the most appropriate for the Committee.
- ◆ John Foster noted that with the scope of work anticipated by this Committee to review the draft document and drat map, would once a month meetings be sufficient.
- ◆ Committee members discussed one option of meeting every other week (2nd and 4th Thursdays of the month), Wallace Cawthorne added that there is a lot of material to cover and discuss, 30 days would not be enough time.

- ◆ John Foster continued that all material in the draft ordinance is going to generate a lot of discussion and it may be more reasonable to meet weekly.
- ◆ Chairman Daniels asked the Committee if twice a month would be sufficient, but the Committee agreed it would not be and at least several meetings would be required to determine questions needed for discussion. It was further discussed that it would require a great deal of study to understand the implications of the draft document and there are Committee members unfamiliar with zoning and regulations in general.
- ◆ Rusty McMahon commented that the Commissioners should be informed the Committee's work will take longer than expected and they need to be able to work without a time limitation. Ken Krulik responded he would inform the Commissioners.
- ◆ There was additional discussion among the Committee to meet initially for several consecutive weeks and see how they are progressing before determining if it is more appropriate to meet every other week or continue with weekly meetings.
- ◆ Vincent Jefferson added that if the intent is to dissect the document and compare it with other zoned areas then the work and process will be very time consuming. If the Committee's purpose is review if for clarity, readability, corrections, and general recommendations, then the work will not be as time consuming. He said that three Commissioners were responsible for establishing the Committee and its responsibility.
- ◆ Ken Krulik responded that the Committee was initially charged with making recommendations on potential revisions to make the draft document more appropriate for Vance County (includes readability and text recommendations).
- ◆ Chairman Daniels stated that he didn't believe the Committee was supposed to start over in writing the draft ordinance, only to review what was presented as the draft document and draft map. The Committee agreed that they were not re-writing the draft ordinance, but recommendations could be made for possible revisions.
- ◆ Chairman Daniels then noted a revision to be made to the draft bylaws to have the Committee hold weekly meetings on Thursdays, with the time to meet at 5:30 PM.
- ◆ Ken Krulik stated he would make the appropriate change to the bylaws, with the meeting location to remain the 2nd Floor Commissioners meeting room of the old County Courthouse. He requested that the next meeting of the Committee be held on March 2 to allow him time to prepare the minutes as he would be out of the office until February 22.
- ◆ The Committee agreed to Ken Krulik's request as it would also give the member's time to further review the draft document and draft map. The Committee further discussed making the minutes available to the public (and online) the next day after the subsequent meeting upon adoption of the minutes; Ken Krulik agreed and would handle accordingly (he requested the members provide him with Email addresses to distribute electronically).
- ◆ Chairman Daniels asked if there were other questions or concerns with the draft bylaws.
- ◆ The Committee requested a change to include that for special meetings to be called there would be 72 hour notice and not 48. The Committee also agreed that quorum for the Committee would consist of five (5) members. Ken Krulik noted these changes.
- ◆ Chairman Daniels requested that the Committee honor the provision that states: "If several members notify the group of their inability to attend a meeting and a quorum can not be met, the chairperson may dispense with a meeting by giving written or oral notice to all members. The public shall be notified of any such cancellation." In doing so the committee will meet with more than a quorum unless it is absolutely necessary, the Committee agreed to this request.

- ◆ Chairman Daniels noted that one item was missing from the draft bylaws and this pertained to conflict of interest. He requested that the Committee be sensitive to their concerns with regards to conflict of interest and that the members be willing to notify the Committee if a conflict of interest should it occur. He asked if the Committee agreed to be forthright in doing so as they conduct their work, the Committee agreed to Chairman Daniels' request ("to be honest and above-board about any conflict of interest").
- ◆ Jerry Ayscue raised a question about the process for developing and disseminating agendas of future meetings. He stated that the only agenda the Committee is responsible for is to review the draft ordinance and draft map.
- ◆ Chairman Daniels' responded that his understanding is the Committee will review sections of the draft ordinance at a time, and this will be noted on the upcoming agenda for each meeting.
- ◆ Jerry Ayscue agreed and added that the focus of the Committee is review of the draft ordinance and draft map
- ◆ Rusty McMahon stated that was his initial question at the start of the meeting, defining the independence and autonomy of the Advisory Committee and it appeared that the members could not go to outside sources (interview commissioners or planning experts).
- ◆ Jerry Ayscue again stated that their focus was to review of the draft ordinance and draft map only and an agenda, if used, would be to include items only pertinent to that focus.
- ◆ Rusty McMahon responded that the powers and duties of this Committee need to be clear and its charge identifying a statement that says the Committee is allowed to go beyond its scope of powers and duties in its performance or if the Committee is bound by them.
- ◆ Chairman Daniels asked Ken Krulik to research this request for the Committee; he noted this recommendation and added he would clarify this with the Commissioners to get an answer for the Committee.
- ◆ Chairman Daniels then asked if there were other questions reading the bylaws.
- ◆ Helen Williams stated that there are many words that needed clarification in these documents that they were to review and she was not entirely clear in the whole process.
- ◆ Chairman Daniels responded that the Committee would draw on the expertise of Ken Krulik and Robert Farnum to clarify the wording and definitions as appropriate in the review of the draft document. He requested that the bylaws be tabled until the Committee has the necessary clarification and direction from the Commissioners.
- ◆ Chairman Daniels asked if there were any questions the Committee noted in the draft document and draft map, he also requested of Ken Krulik to provide larger maps in sections with more clear detail. Ken Krulik agreed to this request
- ◆ Rusty McMahon recommended that if there were suggestions or questions that these be written down and made available so the Committee can go through them one at a time.
- ◆ Chairman Daniels then asked the Committee members to each tell a little about themselves and so the other members have an idea of each persons background:
 - A. Vincent Jefferson – born in Vance County (Williamsboro Community), enlisted in the Army after high school and retired after 30 years as a Command Sergeant Major. Upon retirement he returned to Vance County five years ago. He currently works with the Department of Corrections in Warrenton.

- B. Thomas Shaw- born and raised in Vance County has his degree in business administration and works as a farmer. He has served on various advisory and state boards as well as with the farm bureau.
 - C. Helen Williams- retiree from the Baltimore City public schools and also worked for the State Department. She moved to Vance County 11 years ago and lives in the Willow Creek area.
 - D. Connie Kenney – moved to Vance County 25 years ago and lives in Willow Creek Run. She worked in public health, and currently does a lot of volunteer work now that she is retired.
 - E. Robert Farnum – works with Ken Krulik as staff in the Vance County Planning and Development Department. Originally from California, he lives in Granville County and has varied duties within the Planning and Development Department as Planning Technician.
 - F. Ken Krulik - moved to North Carolina from the DC area and worked in zoning for a planning organization in Maryland. He has his degree in planning and moved to North Carolina to work with the Kerr-Tar Council of Governments as a planner, then was hired by Vance County as the County Planner.
 - G. Wallace Cawthorne – born and raised in Henderson, retired surveyor with a degree in Forestry from NC State. He has worked in Vance County, as well as other areas, as a surveyor since 1978.
 - H. John Foster – born in Vance County, lived here most of his life and seen many changes. His background is in banking and real estate. He also was involved in the development of the County’s Subdivision Ordinance.
 - I. John Abbott – born and raised in the Bobbitt Community of Vance County and has worked in the telephone industry (since 1971), works specifically at the Sprint telecommunications company based in Franklin County.
 - J. Rusty McMahon – lives in the Kittrell area, has his MBA and PHD in business and has worked in several corporations over the years. He is an entrepreneur with several small businesses (furniture store, restaurant, clothing business, summer camp), and is currently a teacher at Eaton Johnson Middle School.
 - K. Reverend J.H. Daniels – United Methodist Pastor of Union Chapel Church, born and raised in Vance County, has lived in several other locations of North Carolina and moved back to Vance County three years ago.
- ◆ All of Committee members expressed their experiences with growth and development in other areas (in and out of North Carolina), inclusive of experiences with zoning and development regulations. A common theme in the sentiments expressed is that the members want what is done for Vance County to be in the best interest of its residents.
 - ◆ Chairman Daniels stated he hopes that the Committee members approach their responsibility with an open mind and in seeking to do what’s best for Vance County, to make the best recommendations they can with they have to work with.
 - ◆ Vincent Jefferson asked what the Committee is supposed to prepare for in the next meeting, are the members supposed to go through draft document page by page?
 - ◆ After some general discussion, the Committee agreed to go through the draft document page by page, but divided into sections so that at each meeting they would address a few sections at a time. It was determined that the definitions section would not be reviewed and the main focus would be on the remainder of the draft document.

- ◆ Chairman Daniels stated that the Committee should be familiar with the Sections I, II, and III, by the next meeting of the Advisory Committee on Thursday March 2nd. He added they should come prepared with questions and/or comments on these sections.
- ◆ Committee members requested that larger draft maps be available at the next meeting as well, Ken Krulik agreed to provide these for the Committee.
- ◆ With no further business the meeting was adjourned.