

OXFORD, NORTH CAROLINA
April 4, 2016

The Members of the Honorable Board of Commissioners of Granville County, North Carolina met in a regular meeting on Monday, April 4, 2016 at 7:00 p.m. in the Auditorium, Granville Expo and Convention Center, 4185 US Highway 15 South, Oxford.

Present were:

Chairman: Zelodis Jay

Commissioners: Tony W. Cozart R. David Currin, Jr.
 Timothy Karan Ed Mims
 David T. Smith Edgar Smoak

County Manager: Michael S. Felts

County Attorney: James C. Wrenn, Jr.
Assistant County Attorney: Gerald T. Koinis

News Reporters: Elizabeth Coleman – *Butner-Creedmoor News*
 Linda Nicholson – *Oxford Public Ledger*

MEETING CALLED TO ORDER

At 7:00 p.m., Chairman Zelodis Jay called the meeting to order, and recognized Commissioner Tony W. Cozart for the invocation and the Pledge of Allegiance.

BOARD APPROVED CONSENT AGENDA

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board approved the consent agenda as follows:

- (A) Approved the Summary of Contingency and Use of Fund Balance report which showed the following balances:

Environmental Disaster Contingency	\$ 10,000
General Contingency Balance	\$ 13,081
General Fund Appropriated Fund Balance	\$ 2,743,091
- (B) Approved Minutes of the March 21, 2016 meeting as recorded.
- (C) Approved the Tax Releases as Recommended by the Tax Administrator:

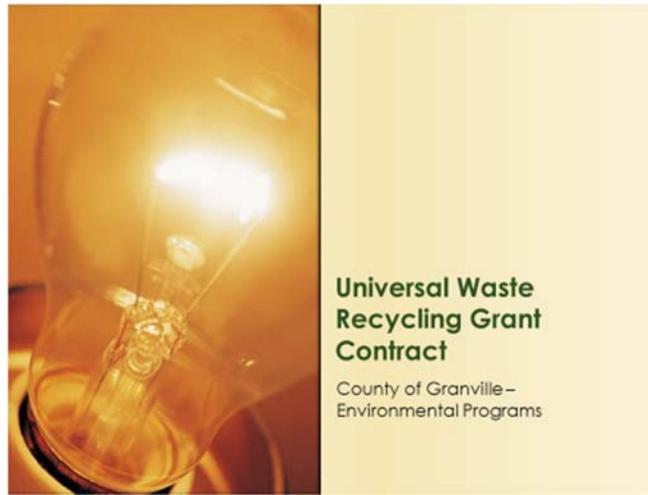
Tax Releases
March 21, 2016

ACCT	NAME	AMOUNT	REASON
76331-201	James Earl Whitt Boyd	123.34	Boat located in Carteret County
76331-201	James Earl Whitt Boyd	2.74	Boat Trailer located in Carteret County
23149-201	Elbert Hunt Jr & Donna Weaver	2.74	Trailer listed to incorrect owner
99211-VAR	Granville County Schools	414.94	Release Interest Payment Misdirected
17761-114	Jo Ann & Lydia Ann Pendleton	235.59	DWMH Sold & Removed FY2014
17761-301	Jo Ann & Lydia Ann Pendleton	235.59	DWMH Sold & Removed FY2015
TOTAL		\$1,014.94	

PRESENTATION ON THE UNIVERSAL WASTE RECYCLING GRANT

Chairman Jay introduced Amanda Freeman, Landfill Manager, who made a presentation on the Universal Waste Recycling Grant.

Ms. Freeman stated that the Universal Waste Recycling is a \$25,000 grant on a three-year cycle. She then spoke from the following PowerPoint presentation:



When asked, Ms. Freeman explained that they are accepting just the mercury thermostats for recycling. She also noted that they can reapply for the grant after the three-year cycle ends.

DURING PUBLIC COMMENTS, ONE SPOKE ABOUT FAILING PUBLIC SCHOOLS

Robert A. Rivers, 415 Ivey Day Road, Oxford, stated that the local public schools have collapsed, noting that it is official that Granville County is about 100th out of 115 systems in the State. He noted that many test scores are lower than Vance County. He said that two-thirds of students in grades 3 – 12 are not on a path to be employable when they graduate from high school and that over ½ of our students are not on grade level across the board. He said at Webb High School, only 1 in 20 African Americans are proficient in math and it is not much better at Granville Central and South Granville where it is 1 in 12. He said at Webb the total proficiency is about 28-30%. He said that roughly 2/3s of our students are not being educated. He said we lose 150 students per year and have lost 1200 students in the past six years as parents have removed their students from our schools because they are so bad. He said we lose 20% of our teachers each year and estimates he has heard that we could lose 35% of our teachers this upcoming year. He noted that there is a statewide teacher shortage and that Granville County started out this school year with 13 classrooms without teachers and it has increased throughout the school year. He said students in classrooms without teachers do not get educated. He said we are condemning an entire generation of our children to a life of poverty and unfulfilled potential. He said the whole County is to blame, but specifically the Board of Commissioners and the Board of Education. He said the childish disagreement with the School Board has allowed the schools to be underfunded for ten years and it has to stop. He said the County will not survive without a School District because we will not be able to get doctors in our hospital or hireable employees for companies such as Revlon. He said that some kids have gym three periods a day. He said he could not tell you how bad the schools are and that we are losing caring parents. He said there are 1500 empty desks in our schools now and that equals three schools that need to be closed. He said tough decisions need to be made and they cannot wait. He said the Board needs to come up with 5 – 7 million dollars a year to turn this problem around, 50 more teachers need to be hired, and teachers need to be paid a living wage. He said a starting teacher in Granville County makes barely above the

poverty level. He said he believes that if you ask citizens to increase taxes to save our schools, he believes that they will.

AFTER HOLDING PUBLIC HEARING, BOARD DENIED GRANVILLE COUNTY LAND DEVELOPMENT CODE TEXT AMENDMENT THAT WOULD REMOVE GROUND-MOUNTED SOLAR POWER ENERGY SYSTEMS “SOLAR FARMS” FROM THE LIST OF PERMITTED USES IN THE AGRICULTURAL SUPPORT ENTERPRISES CONDITIONAL ZONING DISTRICT

Chairman Jay stated that the purpose of the public hearing was to hear public comments on the Granville County Land Development Code Text Amendment that would remove Ground-Mounted Solar Power Energy System “Solar Farm” (NAICS 221119) from the list of permitted uses in the Agricultural Support Enterprises Conditional Zoning District. The amendment would also add the standards for Ground-Mounted Solar Power Energy System “Solar Farm” (NAICS 221119) that are applicable to Solar Farms in the Agricultural Support Enterprises Conditional Zoning District to Solar Farms proposed in the Prime Industrial (I-1) and General Industrial (I-2) Zoning Districts. He then declared the public hearing open and recognized Barry Baker, Planning Director, for a brief overview.

Barry Baker, Planning Director, 122 Williamsboro Street, Oxford, NC, stated that all public notices as required by local and state law had been accomplished. He said that this text amendment that would remove solar farms from the list of permitted uses in the Conditional Zoning District. It would also add the standards applicable to solar farms in the Conditional Zoning District to the I-1 and I-2 zoning districts. He said that solar farms are allowed as conditional use in I-1 and as a permitted use with conditions in I-2. The Planning Board in March recommended unanimous approval of this Land Development Text Amendment. He noted that in their Planned Consistency Statement they found that ground-mounted solar power energy systems “solar farms” are an incompatible land use in low density residential/agricultural areas in Granville County. He said that recently he was at a meeting that the Cooperative Extension Director was at and that he took offense that these are called solar farms, noting he does not like the word “farms” used.

Lonnda Brothers, 3184 Tar River Road, Oxford, NC, said she was present to speak against moving solar farms from the agricultural support district to I-1 and I-2. She expressed that she feels that solar farms are very appropriate in the farm setting. She said she had spoken to Mr. Baker and learned that some of the restrictions and specifically loading and unloading in the roads were due to a wreck. She said when she asked where she could find out about it,

she was told there was no record of the wreck, but that everyone knew about it. Then she heard there had been fatalities that were caused by unloading solar panels in the road and she could not find information about that. She said that it is already illegal to load and unload in the road and asked why it is aimed directly at solar farms and not across the board to other industries. She questioned applying legalities just to one industry in the County such as everyone working at a site having to pass a nine-way drug panel. She also questioned if there are solar farms that are under construction that will fall under the six month period where if they do not product electricity, they have to be decommissioned. She wanted to know if there are some that would have to be dismantled before they even start with that condition. She also questioned the screening condition and noted that logging sites are also eye sores and do not have screening requirements.

James A. Wall, Sr., 2635 Little Mountain Creek Road, Oxford, NC, said he was present to ask the Board to reject this amendment. He said he understood the objective of the amendment is to limit or prevent the development of solar farms in Granville County. He gave the following reasons why he wanted to reject the amendment: will not permit landowners to earn passive income by leasing unused or unproductive land to solar farm developers; will significantly slow or eliminate the development and production of renewable solar energy in Granville County (he noted that citizens have enjoyed lower energy costs in states where there has been major developments of solar energy); and environmental impacts – research shows that noise levels from solar farms are extremely low during daylight hours and nonexistent at night. He said that the construction and installation of solar farm panels do not prevent agricultural land from being used for agriculture production in the future in the event the land is no longer being used for solar farms. He said that probably what we are seeing is that solar farms are in transition throughout our country moving from fossil fuels to renewable energy sources.

Commissioner Smoak asked for clarification on the six month condition.

Mr. Baker explained the standard that was placed in the Conditional Zoning District last month. He said it is proposed to be made applicable to I-1 and I-2 and if there is no power being generated then the requirement would be that they would be decommissioned. The standards that are in effect now that were approved March 21, 2016 also place performance

bonding on that so there is an assurance that if they are not generating power the bond could be used to remove them if the solar company does not or the property owner.

Commissioner Smoak asked if those that applied six months ago would be eliminated.

Mr. Baker stated there are two solar farms that are not being built currently that were approved under the rezoning process that have a vested right to develop. He said the solar farm on Lewis Road was approved in January with a condition that is before you tonight.

Commissioner Smoak asked for further clarification.

Mr. Baker stated that these are the standards that would be made applicable to anything that would come to the Board in the future. He said the solar farm on Lewis Road has a condition in it and other projects have a vested right.

County Attorney Wrenn explained that the ones that are already approved have a vested right to continue as is and the one that was approved on Lewis Road has a condition, not as an ordinance requirement but as a condition. The ones that are building without this requirement can continue and finish.

Commissioner Smoak asked how many adjacent counties, particularly adjacent counties, allow solar farms in AR-40 and how many counties restrict them to I-1 and I-2 zoning.

Mr. Baker said zoning districts and jurisdictions have different classifications for land use and he did not have an analysis. He said it was looked at as how it was developed in Granville County and some of the issues that have arisen in Granville County. He said he could only tell opinions that he had heard from other jurisdictions and that some believe that they should not develop in rural agricultural areas. He said some are being developed where there are limited controls and if you look at zoning jurisdictions across jurisdictions it is sometimes comparing apples to oranges.

Commissioner Smoak asked if the other 99 counties in the State are restricting them to I-1 and I-2 or if they are allowing them in AR-40.

Mr. Baker said he did not have the answer. He said the Planning Board looked at how solar farms have developed here.

Commissioner Mims said it was brought up that this is the sole industry that the restrictions apply to and asked if that is a true statement.

Mr. Baker said that one speaker spoke at the Planning Board hearing on March 21st and said that solar farms is not the only industry where off-street parking or off-street loading are applicable. He said that was an oversight when conditions were crafted. He said most nonresidential uses have off-street parking and off-street loading requirements and screening standards. There are other standards that may not be applicable to other land uses. He said it is not any different than any other land use and how it is regulated by zoning.

Commissioner Mims asked for if there is a time frame or status update for those already approved.

Mr. Baker gave updates on current solar farm projects in the County and their status and noted that as long as you maintain your building permit, you maintain your vested right. He also explained how to keep your building permit once it has been obtained. He said there are five solar farms under construction that have a building permit, so they have a vested right. He said there are two solar farms that have yet to obtain a building permit but have rezoning, so the rezoning provided them a vested right.

Commissioner Cozart asked for clarification on unloading from the road.

Mr. Baker clarified that it is already against the ordinance to unload from the road in AR-40, but not in I-1 and I-2 but would be if the amendment is approved tonight.

Commissioner Cozart asked what would be the process to get a solar farm in AR-40 if this amendment is approved.

Mr. Baker said the applicant would have to seek a rezoning to I-1 or I-2 if this is approved tonight in totality.

Commissioner Smoak said he believed that approximately 90% of the land in Granville County is in AR-40. He also said that he believed that 1-2% of land is zoned industrial.

Mr. Baker agreed that those estimates are probably correct.

Commissioner Smoak said why we as a Board limit 90% of landowners in the County that may be looking for passive income from solar farms. He said someone from the Cornwall or Cannady Mill area applied for rezoning, they would not get it because that would be spot zoning. He said this would make it impossible for these landowners to be able to have this opportunity. He said the Board has done a lot of work and passed text amendments on the safety issues such as loading and unloading and he believed that the Board had done everything they could do to protect the people. He said he recommended that the petition be denied so

citizens are not cut off from gaining passive income because it has already been regulated and he believed it could be controlled. He said he thought it was so it could be controlled through the Inspections Department to not be dangerous and not be seen. He said he thought the Board had done enough and this was too much and he did not like it.

Commissioner Currin said he was very much in favor of this proposal. He noted that the solar farms in question that have been a problem have been in his district. He said that as a Commissioner people complain to Board members about things that they do not want to complain about to the landowner that has the solar farm. He said that the wreck that was mentioned did happen because of unsafe behavior and action on a solar farm. He said neighbors are very concerned about having a solar farm in their area. He said they were told one thing and now they are having problems getting done what was already in our provisions of being done and has not been done. He said that in Commissioner Smoak's district there is very little land that this would ever apply to so it would be of little concern to him. He said those that represent districts that have more land and more people that are already upset. He said that he received three calls last week about a solar farm that is being proposed in District 2 and that land owners are already upset and do not want it there. He said we have had hearings where people spoke against the solar farms and they do not want them around them. He said he was sorry but he was on the other end of the spectrum. He noted if they are in a place that will work in I-1 or I-2 move forward, but they have not been welcomed where they are now.

With no one else wishing to speak, Chairman Jay declared the public hearing closed.

Commissioner R. David Currin, Jr. made a motion to support the Granville County Land Development Code Text Amendment and Planned Consistency Statement that would remove Ground-Mounted Solar Power Energy System "Solar Farm" (NAICS 221119) from the list of permitted uses in the Agricultural Support Enterprises Conditional Zoning District. The amendment would also add the standards for Ground-Mounted Solar Power Energy System "Solar Farm" (NAICS 221119) that are applicable to Solar Farms in the Agricultural Support Enterprises Conditional Zoning District to Solar Farms proposed in the Prime Industrial (I-1) and General Industrial (I-2) Zoning Districts.

Commissioner Currin asked where the other two commissioners that were on the committee that was appointed to meet when this came about and there were two other

commissioners that were in agreement when this item was sent to the Planning Board for consideration.

Commissioner Mims said with 90% of the land in the County being AR-40 and the idea of denying a landowner the opportunity to generate passive revenue weighs heavily on the decision as to whether or not the Board should put more restrictions on residents.

The motion died for the lack of a second.

Commissioner Edgar Smoak made a motion to deny the Granville County Land Development petition before the Board to move solar farms from the Agricultural Support Enterprises Condition Zoning District to Prime Industrial (I-1) and General Industrial (I-2).

County Attorney Wrenn said he did not know if a vote was necessary, but a vote could be taken but he believed that it was a text amendment pending that would die if not approved.

Commissioner Timothy Karan seconded the motion.

When Chairman Jay called for a vote on the matter it was 5-2 as follows:

Ayes: Commissioners Cozart, Karan, Mims, Smith and Smoak

Nays: Commissioner Currin and Jay

County Attorney Wrenn said he believed a Consistency Statement needed to be voted on, but he would check.

Commissioner Edgar Smoak said he would go ahead and make a motion in case it is needed.

Commissioner Smith said he wanted to clear up a matter and noted that he was not at the meeting Commissioner Currin referenced earlier.

Commissioner Currin said there were three commissioners at that meeting and all three voted unanimously for the matter to go to the Planning Board because of the problems that had occurred, the accident that happened, and the drug activity. He said he would testify against this Board because of this action if lawsuits are brought against the Board for the situations that have not been withheld. He said that three commissioners sent this matter to the Planning Board. He said he would be glad to name those at that meeting.

The Board decided to wait until the County Attorney could determine if a Consistency Statement was needed.

Commissioner Currin said that for the record that he would like it noted that the Board of Commissioners were made aware of the safety issues and have taken some issues in a prior text amendment to make those things available. He said that the entire Board is aware of the

circumstances that have gone on with the ones that are there and asked that this be reflected in the minutes.

County Attorney Wrenn said that a Consistency Statement was required by the statute.

Chairman Jay called for a motion on the Consistency Statement.

Commissioner Ed Mims made a motion to adopt a Consistency Statement.

Commissioner Tony W. Cozart seconded the motion. The Board voted 5-2 to adopt a Consistency Statement as follows:

Ayes: Commissioners Cozart, Karan, Mims, Smith and Smoak

Nays: Commissioner Currin and Jay

County Attorney Wrenn said that a statement was needed as to why the action taken by the Board seems to be reasonable and in the public interest.

He said the Board could adopt something to the effect that, *the Board finds that solar farms are compatible with residential and agricultural use in the AR-40 zoning district in Granville County as an alternative to other forms of rural land use and that the location of such farms in such areas is reasonable and in the public interest.*

Commissioner Mims said that in regards to that statement, that he would concur with Commissioner Currin that it should say with the proviso or conditions that we have placed.

Commissioner Smoak said that those are already in place.

County Attorney Wrenn said that this was intended to be read that those provisions would be part of it because they are already law.

Commissioner Currin asked County Attorney Wrenn how much success he had in getting the agreement to be able to get existing solar farms to get a certificate of occupancy.

County Attorney Wrenn said that they found that it is very difficult for the solar farms to meet the standards the Board has imposed in the areas in which they have been located. He said from a staff point of view, they would encourage the Board to make sure that if solar farms are approved in the future going forward in the AR-40 that they would be approved on large enough tracts of land where there is no question that the Board's standards as written can be met. He said they have found that on the tracts that have been selected, that even though the Board has the standards and the applicant says that they can meet them that once actual construction starts and trees get cut down and that sort of thing that it is very marginal as to whether the standards can be met on a relatively small tract of land. He said if they are going

to be located, from staff's perspective and they are going to enforce it, we need to very carefully look at the site plans of the ones that are passed.

Commissioner Currin said that in other words, they have not been issued a certificate of occupancy because they cannot or will not meet the standards that have been passed by this Board.

County Attorney Wrenn said that of the four solar farms that are approved, there are two under construction and neither meets the standards. He said they are working towards bringing them into compliance.

Commissioner Currin asked if they refuse to go into compliance, do we issue the certificate of occupancy or do we tell the people that we told in the public hearings that we cannot do what we said we would do.

County Attorney Wrenn said that unless the Board votes to override its own regulations, the staff is not going to issue a certificate of compliance until they meet the regulations passed by this Board.

Commissioner Currin said to the Board that this does not affect you until it comes into your district and you deal with the problems that occurs among the people in the community. He said it is a real problem.

Chairman Jay asked for a motion on the Planned Consistency Statement.

Commissioner Ed Mims said he would make a motion to adopt the Planned Consistency Statement that was recommended by the County Attorney since it included standards set by the Board.

Commissioner Currin asked if the Board was adopting a Consistency Statement that they currently cannot fill.

Commissioner Smoak asked for clarification.

Commissioner Mims said that these are the standards going forward because they were approved by the Board.

Commissioner Currin said his question remained. He asked if we cannot enforce lesser standards today, how will standards be enforced in these same type districts where people live and call home. He asked how can a Consistency Statement be adopted with regulations that still put them among people's homes.

When Commissioner Mims mentioned that he understood from the County Attorney that in the future tracts of land can be looked at.

Commissioner Currin said that there is nothing in the ordinance that says that.

Discussion continued regarding the issues and difficulties of meeting requirements such as topography and selecting large enough tracts of land that will allow for buffers and screening. County Attorney Wrenn advised the Board to be careful in the selection of sites in order to meet requirements such as screening because of the difficulties with compliance of approved sites.

Commissioner Smoak mentioned that requirements had been approved whenever brought to the Board for consideration and he felt that solar farms had been regulated enough.

When asked, Mr. Baker noted that the Planning Board did recommend the approval of the text amendment by a vote of 6-0 and that he would have recommended it for approval also. He said that there are other requirements that could be considered such as minimum tract size and maximum developable size. He also mentioned that he did not know if they could find standards in adjacent counties or in the state that would meet Granville County's desire for them not to be seen from adjacent properties.

County Attorney Wrenn said that the Consistency Statement needed to be voted on that Commissioner Mims made earlier.

Commissioner Tony W. Cozart seconded the motion.

The Board voted 5-2 to adopt a Consistency Statement as follows:

Ayes: Commissioners Cozart, Karan, Mims, Smith and Smoak

Nays: Commissioner Currin and Jay

Board finds that solar farms are compatible with residential and agricultural use in the AR-40 zoning district in Granville County as an alternative to other forms of rural land use and that the location of such farms in such areas is reasonable and in the public interest.

BOARD APPROVED VEHICLE PURCHASE AND VAN INSERT FOR THE DETENTION CENTER

County Manager Felts stated that the Sheriff's Department was requesting approval to purchase one 2016 Ford E-350 transit van, low roof, in accordance with State Term Contract 070A for an amount not to exceed \$27,860.00 from Capital Ford of Raleigh for the Detention Center. The Sheriff also requested approval to purchase the necessary three-compartment module to outfit the van for inmate transportation from The Jailman Enterprises for an amount

not to exceed \$11,349.00. Funding for the vehicle and insert is included in the Sheriff's FY 2015-2016 budget, but the request is being brought back to the Board for final approval per policy because the expenditure is in excess of \$5,000. This van will replace the current 2012 Ford van Vin# 3885 (last four #s).

Upon a motion by Commissioner Tony W. Cozart, seconded by Commissioner Edgar Smoak, and unanimously carried, the Board approved the Sheriff's recommendation for the purchase of one 2016 Ford E-305 transit van for an amount not to exceed \$27,860.00 from Capital Ford of Raleigh off of State Term Contract 070A and a van insert module from The Jailman Enterprises for an amount not to exceed \$11,349.00 for the Detention Center; and declared the 2012 Ford van with the last four Vin # 3885 and the van insert as surplus and authorized both to be sold through online auction once the new van is put into service.

BOARD APPOINTED VICKY CATES TO THE SOUTH GRANVILLE MEMORIAL GARDENS BOARD OF TRUSTEES

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board appointed Vicky Cates as a regular member of the South Granville Memorial Gardens Board of Trustees. Mrs. Cates was an Alternate, so an Alternate will need to be appointed.

BOARD REAPPOINTED LARRY DOWNEY (DISTRICT 1), WAYNE OVERTON (DISTRICT 2), ROY THOMAS CASH (DISTRICT 4) AND PATRICK TODD AVERETT (DISTRICT 5) TO THE GRANVILLE COUNTY BOARD OF ADJUSTMENT

Upon a motion by Commissioner Zelodis Jay, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board reappointed Larry Downey (District 1) to the Granville County Board of Adjustment.

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Edgar Smoak, and unanimously carried, the Board reappointed Wayne Overton (District 2) to the Granville County Board of Adjustment.

Upon a motion by Commissioner Tony W. Cozart, seconded by Commissioner Edgar Smoak, and unanimously carried, the Board reappointed Roy Thomas Cash (District 4) to the Granville County Board of Adjustment.

Upon a motion by Commissioner Ed Mims, seconded by Commissioner Edgar Smoak, and unanimously carried, the Board reappointed Patrick Todd Averette (District 5) to the Granville County Board of Adjustment.

BOARD APPOINTED VIRGIL DOUGLAS (DISTRICT 5) TO THE GRANVILLE COUNTY VETERANS AFFAIRS COMMITTEE

Commissioner Mims notified the Board that Ricky Atkins had resigned from the Granville County Veterans Affairs Committee.

Upon a motion by Commissioner Ed Mims, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board appointed Virgil Douglas (District 5) to the Granville County Veterans Affairs Committee.

BOARD APPROVED OPERATING THE REQUIRED ONE-STOP SITE IN OXFORD FOR THE JUNE 7TH PRIMARY

County Manager Felts stated that according to the North Carolina State Board of Elections, there will not be any hours-matching requirements for the June 7th primary. This means that Granville County is only required to operate the Oxford One-Stop site for the June 7th primary. The Granville County Elections Director is seeking the Granville County Board of Commissioners comments or requirements related to opening the additional One-Stop site at the South Branch Library. Mr. Felts noted that opening the optional second site would require approximately 389 part-time hours (7 workers @ 55.5 hours each), additional ballots, supplies, training, and equipment testing. Estimated costs to open and operate the optional second site are \$5,000 - \$7,000 depending on actual equipment testing and ballot printing costs.

Commissioner Edgar Smoak made a motion to approve the County Manager's recommendation to operate just the required One-Stop Voting Site in Oxford for the June 7th primary. Commissioner David T. Smith seconded the motion.

Discussion ensued and County Manager Felts stated that regular voting will be held at the precincts throughout the County and this request is for one-stop voting only. He said the June 7th primary is the Congressional race based on the redrawn district lines and he does not have all of the details yet. He said the State has placed the burden on the counties and in an effort to control costs they are not requiring the hours match as in the previous primary. Some Board members expressed that they could not support opening just one site. Others noted that this could be just a one-time situation and there may not be challengers to the current candidate. County Manager Felts said that a decision needs to be made tonight if a second site needs to be open in order to make preparations for staff and ballot testing. He also gave the dates and times that one-stop site/s would be open.

When Chairman Jay called for a vote on the matter, it passed by a vote of 5-2 as follows to approve operating just one One-Stop Voting Site in Oxford as required for the June 7th primary:

Ayes: Commissioners Currin, Jay, Karan, Smith and Smoak
Nays: Commissioner Cozart and Mims

COUNTY MANAGER'S REPORT

County Manager Felts stated that a closed session was not required tonight for the County Manager or the County Attorney.

BOARD APPROVED RESOLUTION REQUESTING THE SURVEY OF THE BOUNDARY LINE BETWEEN FRANKLIN COUNTY AND GRANVILLE COUNTY

County Attorney Wrenn stated that a draft resolution was included in the agenda to request that the North Carolina Geodetic Survey perform a survey of the Granville/Franklin County line. He noted that Franklin County has passed a similar resolution and this was necessitated by action that the North Carolina State Board of Elections previously took.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Ed Mims, and unanimously carried, the Board approved the following resolution:

RESOLUTION REQUESTING THE NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, SECTION OF EMERGENCY MANAGEMENT, GEODETIC SURVEY, STATE AND COUNTY BOUNDARY SURVEYOR, SURVEY THE BOUNDARY LINE BETWEEN FRANKLIN COUNTY AND GRANVILLE COUNTY

THAT WHEREAS in March 2014, Granville County was advised by the Granville County Board of Elections that the North Carolina State Board of Elections ("SBOE") had determined that a number of voters in Granville County and Franklin County were voting in the wrong county and that this error must be corrected before the spring primary; and

WHEREAS, both counties previously utilized the Geographic Information System ("GIS") Maps aerial maps and the North Carolina Department of Transportation ("NCDOT") road side designations for the location of the boundary line between the two counties for all purposes to include voting districts, public safety such as rescue and fire protection, and taxation; and

WHEREAS, NCDOT and the North Carolina Department of Environmental Quality ("DEQ") then known as the North Carolina Department of Environment and Natural Resources ("NCDENR") adopted the North Carolina State Plane Boundary lines in 2013 as the boundary lines between the counties that have not been surveyed (the "2013 NCSP Boundary");

WHEREAS, the 2013 NCSP Boundary was not based on an actual survey or actual ground location of the boundary line between the counties but only an estimate of the location of the boundary;

WHEREAS, that the SBOE originally determined that approximately 46 voters were voting in the wrong county and subsequently determined that an additional 9 voters were voting in the wrong county based solely from its use of the 2013 NCSP Boundary; and

WHEREAS, in addition to voting issues, there are issues with residency which impact school assignments, taxation and public safety which must be resolved in order to comply with applicable law; and

WHEREAS, Franklin County and Granville County are not in agreement with the location of the boundary line as determined by the 2013 NCSP Boundary and both Counties

desire that an actual survey of the boundary line between Franklin County and Granville County be conducted; and

WHEREAS, North Carolina General Statutes § 153A-18(a) provides that if two or more counties are uncertain as to the exact location of the boundary line between them that they may cause the boundary to be surveyed, marked, mapped and otherwise established; and

WHEREAS, Granville County desires that State and County Boundary Surveyor (the "Surveyor") conduct or cause to be conducted a survey of the common boundary line between Granville County and Franklin County, prepare an accurate survey, and erect appropriate monuments at each corner and at all roads in order to accurately establish the location of the common boundary line; and

WHEREAS, Granville County has been advised that Franklin County passed a resolution requesting such a survey on or about March 7th, 2016 and concurs that there is a dispute as to the location of the common boundary line between Granville County and Franklin County and further concurs that the Surveyor should conduct a survey to establish a location of the boundary line between Granville and Franklin Counties.

NOW, THEREFORE, BE IT RESOLVED BY THE GRANVILLE COUNTY BOARD OF COMMISSIONERS:

1. That there is a dispute as to the location of the boundary line between Granville County and Franklin County in that said line is ambiguous and uncertain; and
2. That Granville County desires to precisely establish the common boundary line between Granville County and Franklin County; and
3. Pursuant to NCGS § 153A-18(a), Granville County desires and hereby requests the Surveyor conduct an actual survey of the common boundary line between Granville County and Franklin County and to prepare a plat of said survey to be recorded in the Office of the Register of Deeds in each county and to place appropriate markers along said surveyed line at the beginning and ending points, at each corner on said line and at least every 1,000 linear feet; and
4. That Granville County hereby appoints James C. Wrenn, Jr., County Attorney, as its contact agent at P.O. Box 247 (mail); 111 Gilliam Street (delivery); Oxford, NC 27565; Telephone # 919-693-8161; Fax # 919-693-9938; email – jcw@hopperhickswrenn.com;

Adopted, this the 4th day of April, 2016.

BOARD PRESENTATIONS

Commissioner Mims reported that the Veterans Appreciation Event that was held March 26th was a success and he looked forward to participating in the event each year in the future.

Commissioner Smith announced that the Senior Services Advisory Committee met and has tentatively scheduled their Open House for Sunday, May 15th from 2:00 – 4:00 p.m.

Commissioner Cozart stated that he listened intently to Mr. Rivers during Public Comments. He said he did not believe that this Board is the point of focus in making known to the public the challenges. He said he stands ready to work with the School System, but the comments Mr. Rivers made tonight are not things that he has received from school leadership as issues, so he did not have comments for action from this Board. He said the Board needs to work cooperatively with them to address whatever challenges come from the School System.

Chairman Jay thanked all Veterans present for their service and asked everyone to remember the clean-up days this month so we can get Granville County looking beautiful again.

BOARD ADJOURNED

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board adjourned.

Respectfully submitted,
Debra A. Weary, NCCCC, CMC
Clerk to the Board