

**OXFORD, NORTH CAROLINA**  
**April 6, 2015**

The Members of the Honorable Board of Commissioners of Granville County, North Carolina met in a regular meeting on Monday, April 6, 2015 at 7:00 p.m. in the Auditorium, Granville Expo and Convention Center, 4185 US Highway 15 South, Oxford.

***Present were:***

***Chairman:*** Tony W. Cozart

***Commissioners:*** R. David Currin, Jr. Zelodis Jay  
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 Tony W. Cozart called the meeting to order and recognized Commissioner Timothy Karan for the invocation and Pledge of Allegiance.

**APPROVED CONSENT AGENDA**

Upon a motion by Commissioner Ed Mims, seconded by Commissioner David T. Smith, 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:

General Contingency Balance	\$ 16,000
Environmental Disaster Contingency	\$ 10,000
General Fund Appropriated Fund Balance	\$ 4,461,080

- (B) Approved Budget Amendment #10 as recommended by the Finance Director:

**Budget Amendment #10**

**Be it ordained,** the FY 2014-2015 Annual Budget Ordinance is hereby amended as follows:

**GENERAL FUND**

Expenditures: Increase / (Decrease)

General Government

Board of Election \$ 7,500  
Tax Administration \$ 24,000

Public Safety

Detention Center \$ 11,180  
Emergency Management \$ (136,283)  
911 Operations \$ 49,108  
Animal Control \$ 5,150

Community Services

County Library System \$ 14,000  
Inspections \$ 27,663

Human Services

Social Services \$ 114,016  
Oxford Senior Center \$ 8,000  
Senior Center - South \$ 550

Education

Vance Granville CC \$ 25,702

Area Projects and Other Appropriations

Non-Departmental \$ (206,835)  
Pass Thru Funds and Transfers \$ 145,059

*Total Expenditures* \$ 88,810

Revenues: Increase / (Decrease)

Licenses, Fees & Other Revenue \$ 497  
Restricted & Intergovernmental \$ 1,076  
Appropriated Fund Balance \$ 87,237

*Total Revenues* \$ 88,810

**E911 COMMUNICATIONS FUND**

Prior Period Adjustment \$ (35,608)

*Total Expenditures* \$ (35,608)

Appropriated Fund Balance

*Total Revenues* \$ (35,608)

**CONVENIENCE SITE FUND**

Site Construction and Remodeling \$ 120,000

*Total Expenditures* \$ 120,000

Appropriated Fund Balance

*Total Revenues* \$ 120,000

**CONSTRUCTION & DEMOLITION LANDFILL FUND**

Operations \$ 13,710

*Total Expenditures* \$ 13,710

Appropriated Fund Balance

<i>Total Revenues</i>	\$ 13,710	\$ 13,710
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(For Reference Only)

Total

General Fund/Various Departments

*Expenditures: Increase/(Decrease)*

10-4170-122	Overtime	\$ 7,500	\$ 8,000
10-4320-122	Overtime	\$ 11,180	\$ 64,680
10-4330-121	Salaries	\$ 8,000	\$ 163,406
10-4330-181	FICA	\$ 405	\$ 12,500
10-4330-182	Retirement	\$ 371	\$ 11,755
10-4380-199	Professional Services	\$ 5,150	\$ 15,000
10-4390-126	Part Time Salaries	\$ 12,000	\$ 19,000
10-4390-260	Supplies & Materials	\$ 1,500	\$ 4,500
10-5300-121	Salaries	\$ 98,490	\$ 3,028,206
10-5300-181	FICA	\$ 7,550	\$ 285,498
10-5300-182	Retirement	\$ 6,900	\$ 220,546
10-5860-127	Part Time Salaries	\$ 8,000	\$ 25,000
10-5870-182	Retirement	\$ 550	\$ 2,547
10-6110-126	Part Time Salaries	\$ 14,000	\$ 101,000
10-8540-113	Performance Based Adjustment	\$ (181,596)	\$ 199,503

*Description:* To adjust salaries, benefits, and other labor related expenditures to actual based on performance based salary adjustments and actual operating expenditures for fiscal year 2014-2015.

General Fund/Inspections

*Expenditures: Increase/(Decrease)*

10-4350-121	Salaries	\$ 22,018	\$ 345,151
10-4350-181	FICA	\$ 1,685	\$ 26,404
10-4350-182	Retirement	\$ 1,540	\$ 24,805
10-4350-183	Health Insurance (4 months)	\$ 2,420	\$ 38,720
10-8540-111	Performance Based Adjustment	\$ (27,663)	\$ 171,840

*Description:* To fund the Inspector 1 position effective January 1, 2015 as approved in the November 17, 2014 Board of Commissioners meeting.

General Fund/Licenses, Fees and Other Revenue

*Revenues: Increase/ (Decrease)*

10-3990-991	Appropriated Fund Balance	\$ (497)	\$ 4,311,719
10-3582-840	Veteran Affairs Donation	\$ 497	\$ 497

*Description:* To bring forward Veteran Affairs donations that were accumulated but not spent in FY 2014.

General Fund/Pass Thru Funds

*Revenues: Increase/ (Decrease)*

10-3990-991	Appropriated Fund Balance	\$ 2,424	\$ 4,375,770
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*Expenditures: Increase/(Decrease)*

10-8580-108	Community Connections	\$ 64,051	\$ 64,051
10-8580-107	Initial JCPC Allocation	\$ (61,627)	\$ 0

*Description:* To adjust budget to reflect current funding for the JCPC Community Connections.

General Fund/Social Services

*Revenues: Increase/ (Decrease)*

10-3538-332	Public Assistance	\$ 1,076	\$ 454,727
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*Expenditures: Increase/(Decrease)*

10-5300-623	Energy Neighbor	\$ 658	\$ 8,047
10-5300-623	Energy Neighbor	\$ 418	\$ 8,465

*Description:* To adjust the budget to current estimated funding for the various programs per DSS budget amendments #10 & #11.

General Fund/Community College

*Revenues: Increase/ (Decrease)*

10-3990-991	Appropriated Fund Balance	\$ 25,702	\$ 4,401,472
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*Expenditures: Increase/(Decrease)*

10-5921-699	South Campus Expenses	\$ 25,702	\$ 35,608
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*Description:* To reflect additional funding for VGCC's South Campus for recurring current operating expenses for FY 2015 as approved by the Granville County BOC during the November 17, 2014 meeting.

General Fund/Tax Administrator

*Revenues: Increase/ (Decrease)*

10-3990-991	Appropriated Fund Balance	\$ 24,000	\$ 4,425,472
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*Expenditures: Increase/(Decrease)*

10-4145-199	Professional Services	\$ 24,000	\$ 72,704
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*Description:* To fund additional expenditures for temporary employees in the Tax department.

General Fund/Pass Through Funds

*Expenditures: Increase/(Decrease)*

10-8580-231	Homeland Security Grant	\$ 145,059	\$ 147,415
10-4330-601	Grant 2010-SS-To-0075	\$ (145,059)	\$ 0

*Description:* To correct budget amendment #8. This particular HSG has no match (100% reimbursable).

General Fund/911 Operations

*Revenues: Increase/ (Decrease)*

10-3990-991	Appropriated Fund Balance	\$ 35,608	\$ 4,461,080
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*Expenditures: Increase/(Decrease)*

10-4390-995	Prior Period Adjustment	\$ 35,608	\$ 35,608
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*Description:* To reflect the correction in FY 2013-14 reporting of reimbursable PSAP expenditures. The County was notified of the necessary corrections by the E-911 Board after FY 2013-14 financial statements were closed.

E911 Communications Fund

*Revenues: Increase/ (Decrease)*

27-3991-992	Use of Fund Balance	\$ (35,608)	\$ (337)
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*Expenditures: Increase/(Decrease)*

27-4505-995	Prior Period Adjustment	\$ (35,608)	\$ (35,608)
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*Description:* To reflect the correction in FY 2013-14 reporting of reimbursable PSAP expenditures. The County was notified of the necessary corrections by the E-911 Board after FY 2013-14 financial statements were closed.

Convenience Site Fund

*Revenues: Increase/ (Decrease)*

59-3990-991	Appropriated Fund Balance	\$120,000	\$ 120,000
<i>Expenditures: Increase/(Decrease)</i>			
59-4710-511	Site Remodeling	\$ 40,000	\$ 64,000
59-4710-512	Site Construction	\$ 80,000	\$ 80,000

Description: To fund convenience site renovations and construction of the Bullock convenience site.

Solid Waste Fund-(Don't have to put in Ordinance)

*Expenditures: Increase/(Decrease)*

60-4720-121	Salaries	\$ ( 50,584)	\$ 50,584
60-4720-126	Part Time Salaries	\$ ( 10,000)	\$ 10,000
60-4720-181	FICA	\$ (4,635)	\$ 4,635
60-4720-182	Retirement	\$ (3,328)	\$ 3,328
60-4720-183	Health Insurance	\$ (7,260)	\$ 7,260
60-4720-189	Life Insurance	\$ (29)	\$ 29
60-4725-121	Salaries	\$ 50,584	\$ 50,584
60-4725-126	Part Time Salaries	\$ 10,000	\$ 10,000
60-4725-181	FICA	\$ 4,635	\$ 4,635
60-4725-182	Retirement	\$ 3,328	\$ 3,328
60-4725-183	Health Insurance	\$ 7,260	\$ 7,260
60-4725-189	Life Insurance	\$ 29	\$ 29

Description: To fund the MSW landfill with half of budgeted payroll related expenditures from the C&D landfill. Fifty percent of these related expenses will be allocated from C&D landfill to the MSW landfill.

Solid Waste Fund

*Revenues: Increase/ (Decrease)*

60-3990-991	Appropriated Fund Balance	\$ 13,710	\$ 13,710
<i>Expenditures: Increase/(Decrease)</i>			
60-4720-121	Salaries	\$ 4,916	\$ 55,500
60-4720-181	FICA	\$ 380	\$ 5,015
60-4720-182	Retirement	\$ 344	\$ 3,672
60-4730-121	Salaries	\$ 2,000	\$ 33,820
60-4730-181	FICA	\$ 150	\$ 3,502
60-4730-182	Retirement	\$ 140	\$ 2,431
60-4725-121	Salaries	\$ 4,916	\$ 55,500
60-4725-181	FICA	\$ 380	\$ 5,015
60-4725-182	Retirement	\$ 484	\$ 3,672

Description: To adjust salaries, benefits, and other labor related expenditures to actual based on performance based salary adjustments and actual operating expenditures for fiscal year 2014-2015.

(C) Approved the Minutes of the March 16, 2015 Meeting as recorded and the February 12 and 13, 2015 Retreat.

(D) Approved the following Tax Releases as recommended by the Tax Administrator:

**Tax Releases  
April 6, 2015**

<b>ACCT</b>	<b>NAME</b>	<b>AMOUNT</b>	<b>REASON</b>
8289-303	Connie Beck Elliott	201.00	Correct Waste Fee for Dumpster
44076-303	James & Gina Green	1,228.56	DW MH Listed Twice
77370-301	Mary A Palmer FY2014	80.82	Correct Owner's Name - SW MH
77370-301	Mary A Palmer FY2013	85.39	Correct Owner's Name - SW MH
78373-102	Siemens Healthcare Diagnostics	1,991.52	Equip Leased to Exempt Gran Med FY2013
78373-102	Siemens Healthcare Diagnostics	1,770.24	Equip Leased to Exempt Gran Med FY2014
876-101	Delage Laden Operational Ser LLC	1,767.62	Equip Leased to Exempt Gran Med FY2013
876-101	Delage Laden Operational Ser LLC	1,881.20	Equip Leased to Exempt Gran Med FY2012
25774-101	General Electric Capital Corp	197.60	Equip Leased to Exempt Gran Med FY2014
7524-101	Beckman Coulter Inc	318.66	Equip Leased to Exempt Gran Med FY2012
75430-101	Winthrop Resources Corp	243.05	Equip Leased to Exempt Gran Med FY2014
876-101	Delage Laden Operational Ser LLC	1,549.39	Equip Leased to Exempt Gran Med FY2014
78371-101	Siemens Healthcare Diagnostics	393.84	Equip Leased to Exempt Gran Med FY2014
72469-101	Meridian Leasing	3,195.08	Equip Leased to Exempt Gran Med FY2014
<b>TOTAL</b>		<b>\$14,903.97</b>	

- (E) Approved Resolution Requesting Restoration of Lottery Funds Designated to Granville County for School Capital needs as follows:

**RESOLUTION REQUESTING RESTORATION OF LOTTERY FUNDS  
DESIGNATED TO GRANVILLE COUNTY FOR SCHOOL CAPITAL NEEDS**

**WHEREAS**, counties in North Carolina are statutorily responsible for providing public school facilities in North Carolina; and

**WHEREAS**, counties spend more than \$1 billion annually to support public school capital needs; and

**WHEREAS**, counties also spend nearly \$2.5 billion annually to support public school operating expenses traditionally borne by the State, such as supplemental pay for teachers and administrators and additional classroom instructional personnel; and

**WHEREAS**, when the General Assembly established the North Carolina Education Lottery in 2005, it pledged to devote 40 percent of the net revenue from the lottery to counties each year to help meet school capital needs; and

**WHEREAS**, in reliance on that pledge, Granville County has incurred debt service in the amount of \$23,200,000, since 2005, for school capital outlay projects for Granville County Schools; and

**WHEREAS**, since 2010, the State of North Carolina has reduced the amount of lottery funds received by or expected to be received by Granville County to support the capital needs of the Granville County Schools by as much as \$2,365,999; and

**WHEREAS**, as a result of the State's actions, Granville County now faces critical budgetary constraints as it attempts to balance the payment of school debt service with funding school capital needs; and

**WHEREAS**, Granville County needs the lottery funds designated to Granville County to pay the debt service now due and to avoid the need for a potential property tax increase to make up for the lost lottery revenues; and

**WHEREAS**, the decisions of the State to withhold the funds from Granville County will have a negative impact on Granville County youth, Granville County Schools, and all the citizens of Granville County;

**NOW, THEREFORE, BE IT RESOLVED**, that the Granville County Board of Commissioners and the Granville County Board of Education adopt this resolution asking the North Carolina General Assembly to restore the statutory requirement that 40 percent of the net lottery revenue be allocated to counties for school capital needs and to increase the annual appropriation of lottery funds accordingly.

**FURTHER, BE IT RESOLVED** that copies of this resolution be transmitted to the members of the General Assembly representing Granville County to let them know of our support for restoring the 40 percent allocation and appropriation of lottery revenues to counties for school capital needs.

**PRESENTATION REGARDING POSTCARDS ON HISTORICAL COUNTY BUILDINGS FOR OXFORD'S 200<sup>TH</sup> ANNIVERSARY PROGRAM**

Chairman Cozart recognized Royster Washington, Co-Chairman of Oxford NC Bicentennial Committee.

Mr. Washington stated that in 2016 Oxford will celebrate its 200<sup>th</sup> anniversary. The Bicentennial Committee is locating old photographs or post cards of downtown buildings and having them reproduced by the owners of buildings at cost to be posted at the buildings for the 200<sup>th</sup> Anniversary. He asked the Board to consider having pictures or post cards mounted on foam core board and placed in County-owned buildings. He noted that it would be

approximately \$360 plus tax for the eight buildings and the County will be able to keep them at the buildings after the event.

The consensus of the Board was for the County Manager to work with Mr. Royster Washington on getting the old photographs or post cards reproduced on foam core board for County-owned buildings for Oxford's 200<sup>th</sup> Anniversary.

**PRESENTATION ON SECOND CHANCE PROGRAM OF GRANVILLE COUNTY**

Chairman Cozart stated that Rev. Gloretta McNeil was present to do a presentation on the Second Chance Program of Granville County.

Rev. McNeil thanked the Board for allowing her to speak and for funding the program. She stated that she is the Coordinator of the Second Chance Program of Granville County. She explained that the program is very valuable in providing the necessary tools and community resources to the re-entry population. She said that as people come out of prison they have various needs. Since the program began in 2007, it has assisted over 150 former offenders. The program offers a nine week jobs for life training course that provides life skills to promote positive self-concept and skills to recognize and overcome their road blocks. It also provides human resource development (HRD) training which provides students with employability skills for job readiness. She also said that each student is assigned a mentor that encourages them to complete the program and they meet with community resources for job opportunities. The course consists of 10 hours of life skills and 20 hours of HRD training. Those that complete the program receive a certificate of completion during the graduation ceremony. Rev. McNeil stated that the skills they acquire help them to connect back to their families, become productive citizens and reduces the repeat crime rate in the county. She then introduced Jacqueline Harris that completed the program in 2014. Mrs. Harris gave her



testimony and told how she has benefited from the Second Chance Program and is now employed.

When asked, Rev. McNeil said that the program identifies needs of participants, such as transportation and childcare, when they are interviewed. She said they would like to expand the program and offer it twice a year, but more funding is needed to do this. She noted that at this time the program is offered once a year and can handle 10-15 participants at a time to be effective. She said that funding is received from public and private entities. She invited the Board to the Second Chance Program graduation ceremony on Friday, May 1, 2015 at 7:00 p.m. at Cornerstone Christian Community Church.

Board members thanked Rev. McNeil for having and carrying out the vision for the program.

**DURING PUBLIC COMMENTS, JACKIE SERGENT SPOKE ABOUT ADDRESSING THE BOARD OF HEALTH AMENDED TOBACCO RULE**

**Jackie Sergent, 114 High Street, Oxford, NC, (speaking on behalf of the Granville-Vance District Health Department)**, stated that she noticed there was not an item on the agenda addressing the Board of Health Amended Tobacco Rule which is scheduled to go into effect April 15, 2015. She said that tonight is the last Board meeting before the rule goes into effect and she wanted to check in. She noted that the Board of Health is the appointed board that has the authority to make policy to benefit the public's health. She said that in 2008 the Board of Health approved the Smoking Rule that was implemented in January of 2009, amended the rule as it applied to the Health Department in 2011 and amended the rule again in June of 2014 to address e-cigarettes in parks and government grounds. She said that when e-cigarettes were addressed in 2014 a public hearing was advertised and posted the proposed rule online and in Granville and Vance Counties. She said that no one came to speak on the

issue when the public hearing was held and the Board of Health did pass the rule. She added that the Vance County Board of Commissioners voted in September 2014 to approve the rule and she was hoping that the Granville County Board of Commissioners would do the same.

**AFTER PUBLIC COMMENTS, MOTION FAILED TO APPROVE THE BOARD OF HEALTH AMENDED TOBACCO RULE**

Commissioner Ed Mims made a motion to adopt the Board of Health rule as Vance County did to support the Granville-Vance District Health Department's Board of Health Rule amendment that includes a ban on the use of electronic cigarettes in County-owned buildings and public vehicles.

The motion died for a lack of a second. (The matter came up again during Board presentations and a vote was taken.)

Commissioner Jay asked for clarification on "in County-owned buildings and public vehicles" and if this applied to private vehicles.

Mrs. Sergent explained that it did not apply to private vehicles, but would apply to County-owned or public vehicles such as staff vehicles or if there was a public transportation system. She said it applies to County buildings, grounds and parks. She noted that Granville County Schools, Vance County Schools and Vance-Granville Community College have tobacco-free campuses that includes the buildings and grounds and include e-cigarettes as well. She added that Maria Parham Hospital and Granville Health System also have tobacco-free buildings and grounds, but that she did not know if e-cigarettes are included but she suspected that they are. She gave other examples of entities that are tobacco-free and noted that this would be only for government-owned buildings, grounds and vehicles. She noted that 76% of survey respondents believe that tobacco-free parks are good for the health of their children.

She mentioned concerns with the toxicity of concentrated nicotine in vials used with e-cigarettes if they were disposed of in parks and picked up by children.

Commissioner Mims said that the Board of Health would be meeting tomorrow and asked for guidance about the matter.

Chairman Cozart asked if there was different wording for the motion. A motion was not made so Chairman Cozart said the matter could be taken up during Board presentations if there was a desire to address the matter.

**AFTER HOLDING PUBLIC HEARING, BOARD APPROVED THE GRANVILLE COUNTY LAND DEVELOPMENT CODE TEXT AMENDMENT PETITION REGARDING WHEN A NONCONFORMING (GRANDFATHERED) STRUCTURE CAN START RECONSTRUCTION AFTER A CALAMITY**

Chairman Cozart stated that a public hearing would be held to hear public comments on a Granville County Land Development Code Text Amendment petition regarding a proposed amendment to the Land Development Code (LDC) that would change the timeframe for when a nonconforming (grand-fathered) structure may start reconstruction after being damaged or destroyed by calamity without complying with the standard(s) that are the basis of the nonconformity from 90 days to one year. The amendment would also make technical changes to the section on nonconforming structures (section 32-452).

Chairman Cozart 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. The proposed text amendment would change the timeframe for when a nonconforming (grand-fathered) structure may start reconstruction after being damaged or destroyed by calamity without complying with the standard(s) that are the basis of the nonconformity from 90 days to one year. He noted that

the agenda included: (1) Copy of proposed text amendment petition and language; (2) Planning Board Written Consistency Statement regarding proposed amendment; (3) Unapproved minute excerpts for agenda item from the March 19, 2015 Planning Board meeting. He stated that the Planning Board recommended approval of the Land Development Code text amendment by a 6-0 vote. He said a survey was done of the Kerr-Tar adjacent counties and this proposed amendment is consistent with the adjacent counties. It would allow more flexibility to rebuild for those instances when someone loses a structure to a calamity. He said that sometimes it is difficult for insurance claims to be completed in 90 days.

When asked, Mr. Baker clarified that it will allow someone to rebuild on the same footprint that existed if it were grandfathered.

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

Upon a motion by Commissioner Timothy Karan, seconded by Commissioner Edgar Smoak, and unanimously carried the Board adopted the Plan Consistency Statement and Amendment to the Granville County Land Development Code as follows:

**AMENDMENT REGARDING LENGTHENING TIME FOR RE-CONSTRUCTING NONCONFORMING BUILDINGS**

*Whereas*, the Granville County Board of Commissioners found it necessary to adopt the Granville County Land Development Code on July 12, 1999, to provide for the orderly, planned, and efficient growth of Granville County; and,

*Whereas*, the need to amend and/or change this same code from time to time exist to provide for its efficient administration and enforcement or to address changing conditions of the growth and development of the County; and,

*Whereas*, the Granville County Planning Board held a public hearing on the proposed amendment on March 19, 2015 and after a study of evidence presented, made a favorable recommendation on the adoption of the proposed amendment; and,

*Whereas*, a notice of public hearing has been given as provided in North Carolina General Statute 153A-323 and the Granville County Land Development Code for a Text Amendment and a public hearing was held by the Board of Commissioners on April 6, 2015, at which, evidence was presented at the public hearing.

*Whereas*, the Granville County Board of Commissioners hereby adopts the following Plan Consistency Statement:

**GRANVILLE COUNTY BOARD OF COMMISSIONERS' PLAN CONSISTENCY STATEMENT:**

The Granville County Comprehensive Land Use Plan (the Plan) on page V-13 states the following: Consider improving non-conforming situation provisions for appropriate application.

**NOW THEREFORE, BE IT ORDAINED BY THE GRANVILLE COUNTY BOARD OF COMMISSIONERS THAT:**

**SECTION 1.** Amend Section 32-452 of the Granville County Land Development Code (LDC) by amending the following language (**bold** denotes added language and ~~strike through~~ denotes deleted language):

Sec. 32-452. Nonconforming structures.

Nonconforming structures consist of structures ~~existing on July 12, 1999, or upon amendment of this chapter,~~ whose size or location does not conform with the yard, height, lot area, lot coverage or other dimensional provisions of this chapter or any amendment to this chapter. Such structures may remain and their nonconforming use may continue, provided that any enlargement to such structures must conform to all applicable requirements of this ~~section~~ **chapter**. If a nonconforming structure is moved from its location, it can only be replaced with a structure which conforms ~~with~~ **to** the district regulations. If such structures are damaged or destroyed by fire, explosion or other calamity except self-destruction, they may be reconstructed provided that when reconstructed they comply with all applicable requirements of this chapter ~~that are not the basis of the nonconformity~~ and the following:

- (1) It shall not contain more square feet of space than the destroyed or damaged structure;
- (2) It shall meet all applicable ~~county and~~ state building codes; and
- (3) Reconstruction shall commence ~~within 90 days~~ **one year** after it has been damaged or destroyed and construction shall be completed within 12 months after reconstruction has begun.

**SECTION 2.** Should any provision of this Ordinance amendment be decided by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall have no effect to the validity of the Granville County, North Carolina Land Development Code as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 3.** This Ordinance shall take effect and be in force upon the date and time of adoption.

**SECTION 4.** This Ordinance duly adopted by the Board of Commissioners of the County of Granville, North Carolina, this the 6<sup>th</sup> day of April, 2015.

**BOARD APPOINTED WILLIAM WHEELER, JR. TO THE GRANVILLE COUNTY VETERANS' AFFAIRS COMMITTEE**

Upon a motion by Commissioner Zelodis Jay, seconded by Commissioner Ed Mims, and unanimously carried, the Board appointed William Wheeler, Jr. to the Granville County Veterans' Affairs Committee.

**BOARD APPOINTED DIANNE KAPHERR, RPH (DISTRICT 6) TO THE GRANVILLE-VANCE DISTRICT BOARD OF HEALTH IN THE PHARMACIST POSITION**

Upon a motion by Commissioner Timothy Karan, seconded by Commissioner Ed Mims, and unanimously carried, the Board appointed Dianne Kapherr, RPH, (District 6) to the Granville-Vance District Board of Health in the Pharmacist position.

**BOARD APPOINTED VERNESTINE BANNERMAN (DISTRICT 6 APPOINTED BY DISTRICT 1) TO THE ADULT HOME COMMUNITY ADVISORY COMMITTEE**

Upon a motion by Commissioner Zelodis Jay, seconded by Commissioner Timothy Karan, and unanimously carried, the Board appointed Vernestine Bannerman (District 6 appointed by District 1) to the Adult Home Community Advisory Committee.

**BOARD APPOINTED DORINE ALLEN (DISTRICT 5) TO THE NURSING HOME COMMUNITY ADVISORY COMMITTEE**

Upon a motion by Commissioner Ed Mims, seconded by Commissioner Edgar Smoak, and unanimously carried, the Board appointed Dorine Allen (District 5), to the Nursing Home Community Advisory Committee.

**BOARD APPOINTED MICHAEL SMITH (DISTRICT 1) TO THE GRANVILLE COUNTY ABC BOARD**

Upon a motion by Commissioner Zelodis Jay, seconded by Commissioner Edgar Smoak, and unanimously carried, the Board appointed Michael Smith (District 1) to the Granville County ABC Board.

**BOARD APPOINTED ROBERT T. “ROB” WILLIFORD AS CHAIRMAN OF THE GRANVILLE COUNTY ABC BOARD**

Chairman Cozart stated that NC General Statute 18B-700(a) reads, “the appointing authority shall designate one member of the local board as chairman” and noted that the Granville County Board of Commissioners is the appointing authority for the County ABC Board. He stated that historically the ABC Board has been chaired by its most senior member and that the most senior member of the ABC Board is now Mr. Robert T. “Rob” Williford.

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Zelodis Jay, and unanimously carried, the Board appointed Robert T. “Rob” Williford as Chairman of the Granville County ABC Board.

**BOARD APPOINTED STEVE WILSON (DISTRICT 2 APPOINTED BY DISTRICT 3) AND REAPPOINTED JOHN WIMBUSH (DISTRICT 7) AND JUANITA ROGERS – ALTERNATE (DISTRICT 4) TO THE GRANVILLE COUNTY BOARD OF ADJUSTMENT**

Commissioner Currin stated that Steve Wilson has served as an Alternate on the Board of Adjustment for many years and he would like to appoint him as the District 2 representative.

Upon a motion by Commissioner R. David Currin, Jr., seconded by Commissioner Edgar Smoak, and unanimously carried, the Board appointed Steve Wilson (District 2 appointed by District 3) as a regular member of the Granville County Board of Adjustment.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Zelodis Jay, and unanimously carried, the Board reappointed John Wimbush (District 7) to the Granville County Board of Adjustment.

Upon a motion by Commissioner Tony W. Cozart, seconded by Commissioner Ed Mims, and unanimously carried, the Board reappointed Juanita Rogers (District 4) to the Granville County Board of Adjustment.

**BOARD APPROVED REQUEST FOR ACCESS TO INSTALL SHALLOW GROUNDWATER MONITORING WELL**

County Manager Felts stated that on behalf of Mrs. Vann Rhew, Property owner, Bensinger & Garrison Environmental, Inc. (B & G) is investigating a release of petroleum from the fuel system located at 315 Central Avenue in Butner. B & G wishes to install one monitoring well on the 313 Central Avenue property in order to meet the regulatory requirements of the North Carolina Department of Environment and Natural Resources (NCDENR). The parcel at 313 Central Avenue in Butner next to Jack's is owned by the County and occupied by Granville Health System or its tenant. He noted that in addition to the attached letter from B & G, the monitoring well application, typical monitoring well schematics for a shallow well, and property map (showing proposed monitoring well location) were included in the agenda packet.

County Manager Felts explained that Granville Health System (GHS) has been contacted about this request and Jason Brand has been identified as the contact person with Granville Health System for this matter. He said that we have also requested that B & G forward all groundwater sample test reports to the County so we can determine the impact on the County-owned property.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Zelodis Jay, and unanimously carried, the Board approved allowing a monitoring well at 313 Central Avenue, Butner and requesting B & G work with Granville Health System on the actual placement of the well; and directed the County Manager to sign on behalf of Granville County, as owner of the property, the Application for Permit to Construct a Monitoring Well System.



**BOARD APPROVED THE OPTION AGREEMENT FOR SOLAR ENERGY SITE LEASE**

County Attorney Wrenn stated that HelioSage had an option to develop a solar farm on the landfill property. He explained that revisions to the lease agreement were made at the February 2, 2015 Board meeting and that since then HelioSage has done further due diligence and is concerned that the original option on the property expired. HelioSage would like to enter the option in the name of Cornwall Solar Center (a wholly owned single member LLC) and they would like to exercise the option before the Special Use Permit runs out.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Ed Mims, and unanimously carried, the Board approved the revised Option Agreement for the Solar Energy Site Lease Agreement with HelioSage's assignee, Cornwall Solar Center.

**DURING BOARD PRESENTATIONS, BOARD APPROVED NOTIFYING THE DEPARTMENT OF TRANSPORTATION CONCERNS ABOUT HENRY WILSON AND REDDING ROAD**

Commissioner Jay stated that he attended the North Carolina Senior Games Kick-off last week and noted that 65,000 participate in these games in the 100 counties in North Carolina. He mentioned concerns with pot holes on Henry Wilson Road and ruts on Redding Road that need gravel. He also asked the County Manager to check on the status of the cell towers on Henry Huff Road and Alvis Brooks Road.

Upon a motion by Commissioner Zelodis Jay, seconded by Commissioner Timothy Karan, and unanimously carried, the Board approved notifying the Department of Transportation of repairs needed at Henry Wilson Road and Redding Road.

Commissioner Smith stated that the Senior Games did have representation from all five counties in the area and had good participation and representation.

Commissioner Mims mentioned House Bill 83 regarding suicide prevention that allows the Legislative Research Committee to examine ways to prevent suicide among minors and veterans in North Carolina. He noted that on April 14<sup>th</sup>, the North Carolina Association of County Commissioners' (NCACC) Steering Committee on Health and Human Services is having a mental health meeting in Winston Salem, North Carolina that he will be attending. He said that he will attend the next Board of Education meeting on April 13<sup>th</sup> regarding the *Resolution Requesting the Restoration of Lottery Funds Designated to Granville County for School Capital Needs* that emanated from a NCACC Public Education Steering Committee meeting that he recently attended. He then gave a shout-out to the Board and particularly the South Granville Water and Sewer Authority (SGWASA) liaisons on behalf of the residents of District 5. He noted that citizens are delighted that Creedmoor joined SGWASA and that they are looking forward to getting water, protecting the environment, getting the new rates and the region moving forward. He also mentioned the \$17M savings incurred by joining SGWASA instead of building a new wastewater treatment plant.

Chairman Cozart reported that a check in the amount of \$3,550 has been cut for Granville County as a one-time dividend payment from the NCACC for surplus funds from their fund balance.

**BOARD APPROVED SUPPORTING GRANVILLE-VANCE DISTRICT HEALTH DEPARTMENT'S BOARD OF HEALTH RULE AMENDMENT THAT INCLUDES A BAN ON THE USE OF ELECTRONIC CIGARETTES IN COUNTY-OWNED BUILDING AND PUBLIC VEHICLES**

Chairman Cozart asked if there was further consideration to the matter concerning the presentation by Mrs. Sergent and the Board of Health Rule Amendment and what would no action taken would mean regarding this issue.

Commissioner Mims said that Vance County approved the amendment and if the Board took no action, then the Board of Health has the authority to issue this information and indicate that they will follow the guidelines laid out.

Mrs. Sergent explained that the Board of Health has moved forward by writing the legal authorized public health rule and in order for the rule to be enforced in Granville County it needs to be approved by the Board of Commissioners. She said that when the rule was approved to be implemented in January of 2009, infractions were punishable as a misdemeanor, but they do not want to write tickets. The rule adds e-cigarettes to the already existing rules and will allow the parks to be tobacco free. She urged the Board of Commissioners to support the Board of Health on this amendment.

Commissioner Mims asked if there was a punishment associated with the rule.

Mrs. Sergent stated that the way it is currently written it is considered an infraction punishable up to \$50. She noted that it has to be approved by ordinance for the fine to be applied. She said that if passed, a letter can be sent to municipalities in Granville County.

Commissioner Ed Mims made a motion to adopt the Board of Health rule as Vance County did supporting the Granville-Vance District Health Department's Board of Health Rule amendment that includes a ban on the use of electronic cigarettes in County-owned buildings and public vehicles, not including private vehicles.

After clarification that the motion is the same one that Vance County adopted other than adding private vehicles, Commissioner David T. Smith seconded the motion.

Commissioner Smoak asked for information from the state or federal government showing that e-cigarettes are bad. He noted that he has not seen the information or proof that says they are bad for you and he would like to see facts.

Mrs. Sergent said that the language came straight from the State of North Carolina concerning the toxicity from the vials and the number of poisonings of children, not adults, as the use of e-cigarettes has increased.

Discussion continued about the matter.

Commissioner Jay noted concerns with losing good employees by passing so many rules and added that people who smoke pay taxes also.

When Chairman Cozart called for a vote on the motion, it passed by a vote of 4-3 as follows to approve supporting the Granville-Vance District Health Department's Board of Health Rule amendment that includes a ban on the use of electronic cigarettes in County-owned building and public vehicles, which does not apply to private vehicles:

Ayes: Commissioners Cozart, Karan, Mims and Smith

Nays: Commissioners Currin, Jay and Smoak

**CLERK ADMINISTERED OATH TO THE BOARD OF EQUALIZATION AND REVIEW**

Debra Weary, Clerk to the Board, administered the following oath of office to Commissioners Tony W. Cozart, R. David Currin, Jr., Zelodis Jay, Timothy Karan, Ed Mims, David T. Smith and Edgar Smoak for their duties as members of the Board of Equalization and Review:

I do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as a member of the Board of Equalization and Review of Granville County, North Carolina, and that I will not allow my actions as a member of the Board of Equalization and Review to be influenced by personal or political friendships or obligations, so help me, God.

**ANY OTHER MATTERS**

County Attorney Wrenn stated that he had two attorney-client matters for closed session.

**BOARD WENT INTO CLOSED SESSION**

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Edgar Smoak, and unanimously carried, the Board went into closed session as allowed by G.S. 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Ed Mims, and unanimously carried, the Board returned to regular session.

**BOARD ADJOURNED**

Upon a motion by Commissioner Ed Mims, seconded by Commissioner David T. Smith, and unanimously carried, the Board adjourned.

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