

OXFORD, NORTH CAROLINA
January 5, 2015

The Members of the Honorable Board of Commissioners of Granville County, North Carolina met in a regular meeting on Monday, January 5, 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 Zelodis Jay for the invocation and Pledge of Allegiance.

APPROVED CONSENT AGENDA

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Edgar Smoak, 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	\$ 86,000
Environmental Disaster Contingency	\$ 10,000
General Fund Appropriated Fund Balance	\$ 2,693,772

(B) Approved the Minutes of the December 1, 2014 Meeting as recorded.

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

Tax Releases
January 5, 2015

ACCT	NAME	AMOUNT	REASON
81395-301	Boys & Girls Clubs of NC FY2014	4222.71	Owner is Exempt
81395-305	Boys & Girls Clubs of NC FY2014	24.24	Owner is Exempt
81395-304	Boys & Girls Clubs of NC FY2014	119.57	Owner is Exempt
81395-303	Boys & Girls Clubs of NC FY2014	144.87	Owner is Exempt

81395-302	Boys & Girls Clubs of NC FY2014	5037.40	Owner is Exempt
TOTAL		\$9548.79	

RECOGNITION OF SERVICE – MELINDA BROOKS

Chairman Cozart recognized Melinda Brooks for her 25 years of service with the Granville County Library System and presented her with a plaque that read as follows:

Melinda Brooks
 Granville County Library System
 July 18, 1989 – December 15, 2014
 In Recognition of Outstanding Service
 to
 The Citizens of Granville County
 Presented by
 The Granville County Board of Commissioners
 January 5, 2015

**PRESENTATION ON GRANVILLE-VANCE DISTRICT BOARD OF HEALTH
 RULE PROHIBITING SMOKING AND THE USE OF TOBACCO PRODUCTS
 INCLUDING E-CIGARETTES IN COUNTY/MUNICIPAL BUILDINGS,
 GROUNDS AND GOVERNMENT PUBLIC TRANSPORTATION VEHICLES**

Chairman Cozart stated that Jackie Sergent, Health Promotion Coordinator with Granville-Vance District Health Department, would do a presentation.

Mrs. Sergent stated that she was present to speak about the recent amendment to the existing Granville-Vance Board of Health (GVDBOH) rule prohibiting smoking in government buildings and vehicles. She then gave the following presentation:

- History – Boards of Health have the authority to establish health policy that is enforceable as law for their jurisdictions.
 - September 2008 Board of Health passed a Rule prohibiting smoking in government buildings and vehicles. 50 feet rule for Health Department and DSS – as extensive as allowed was effective January 2009. October 2011 – GVDHD building and grounds became Tobacco Free
- February 2014 - request to Health Director from another entity and Board about e-cigarettes
- Investigation into e-cigarettes and their health effects yielded the following:
 - They are a nicotine delivery device – as such they are classified as a tobacco product
 - E-cigarette use among middle and high schoolers doubled from 2011 to 2012
 - Nicotine is addictive and can interfere with adolescent brain development
 - E-cigarettes are prohibited to be sold or distributed to minors in North Carolina
 - February 2014 - E-cigarettes are included in the definition of tobacco in the Tobacco-Free Schools/Campus rule. VGCC adopted the same inclusion this past year
 - E-cigarette ingredients are being evaluated for effects on individual as well as population health. Of the 65 components in the aerosol, 26 are listed on the FDA list of harmful and potentially harmful substances
 - E-cigarettes have been used to deliver cannabis (marijuana)
 - They are not regulated - not possible for the user to be sure of labeling for nicotine content and thereby to control (or try to reduce) the amount of nicotine s/he is being exposed to (to actually reduce the addiction)
 - They have not been clinically proven as a smoking cessation aid. Not approved by the FDA as a quit smoking device.
 - The nicotine concentrate is deadly – can harm if absorbed through skin – not just ingested. Poisonings involving e-cigarette liquid rose from 1 per month in Sept 2010 to 215 per month in February 2014.
 - 1/3 of the litter in a NC coastal clean-up project was tobacco related

- The majority of Henderson-Vance Parks are Tobacco Free to align the Joint Use Agreement for facilities between the schools and Parks and Recreation
- Oxford Parks became Tobacco Free in Oxford 2013; the Butner Athlete Park is smoke-free
- Murdoch (and likely all state facilities) became Tobacco Free (campus) effective July 2014
- Regional Survey (Granville Vance included) revealed 67% would support Tobacco Free Parks; 76% believe that smoke free parks would enhance the health of their children
- In the first year of tobacco free restaurants and bars, visits to Emergency Departments for heart attacks decreased by 21%. Particulate matter in the air decreased by 89%.

With this information in hand, in June 2014 GVDHD BOH voted to amend the existing smoke-free rule after an advertised public hearing:

Changed smoke-free to tobacco-free in order include e-cigarettes so there is no confusion about what "smoking" constitutes

Included government grounds so employees and guests need not walk through tobacco smoke to enter or leave buildings

Included parks to assure that only positive behaviors are modeled to the youth that frequent them and to minimize the likelihood that an innocent toddler might be poisoned by littered e-cigarette vials.

The BOH is the health policy making Board for the Health District

A review of the state of smoking in the 50 years since the first surgeon general's report shows ~21.5 million deaths have occurred in the US since then.

If you divide that by 50 to get an average # of deaths per year

And divide that by 50 to get an average number of deaths per state per year

And divide that by 100 to get an average number of deaths per COUNTY in NC,

We get an average of 84 deaths per county for our district.

An average of 10 per county are to people that have never used tobacco products

The 2008-12 death rate from car accidents was 19/100,000, 32% higher than the NC rate. The comparable number for 60,000 would be 11.4/year.

Estimate Granville County deaths from Tobacco Products to be more than 7x as high as those that die from car accidents each year.

Mrs. Sergent concluded by asking the Board to consider endorsing the Granville-Vance District Board of Health's amended Tobacco Rule based on the above facts to include e-cigarettes to protect children in our parks and to model healthy behavior. She noted that the new rules will be in effect April 2015. When asked, she stated that Vance County voted at their September 2014 meeting to support and implement the rule as amended by the Granville-Vance District Board of Health.

DURING PUBLIC COMMENTS, ONE SPOKE ABOUT A RECOMMENDATION FOR A GRANVILLE COUNTY FACILITIES UTILITY AUDIT

Mike Turner, 3126 Horseshoe Road, Creedmoor, NC, made the following comments to the Board and presented copies to the Board and the Clerk regarding a recommendation for a Granville County facilities utility audit:

I come before you this evening to ask the Board to consider pursuing a "Utility Audit" on all Electrical, Water/Sewer and Natural & Propane Gas bills and services at all county facilities and locations.

I understand from speaking with county staff members that some energy conservation and reduction efforts have been undertaken over the past several years:

In 2010 several retro fit projects took place in 7 county building (Admin, Admin. Annex, Cooperative Ext., Courthouse, Courthouse Annex, DSS and the Detention Center). These projects consisted of the physical installation of new energy efficient lighting fixtures, office occupancy sensors, etc. And according to the county manager and finance director these projects resulted in an annual energy reduction of approximately 4,800 KWs equal to \$16K

according to a comparison of the 2011-2013 annual utility budgets, which dropped from \$397K in 2011 to \$381K in 2013.

Another project was the telecommunications audit with SpyGlass Group authorized by the Board at your November 4, 2013 meeting, to perform an independent audit and analysis of its voice, data and internet services for all county locations. Three months later, the final Audit Summary dated February 20, 2014 recommended that if fully implemented could result in an annual savings to Granville County of up to \$79,877.76.

However, to date, it is my understanding that other than the telephone audit, NO other utility audits have been conducted on the Electrical, Water/Sewer and Natural & Propane Gas bills and services for county facilities.

My first-hand experience with utility audits include 33 years of service with a neighboring county who contracted with an independent auditor to perform these biennial audits on every utility account on record, and have to date saved in excess of \$1.4 million dollars from billing errors and electrical service rate adjustments.

For example, our first utility audit in 1991 resulted in a \$27,195 annual savings simply by asking the power company to change us to the most economical rate schedule. Another audit revealed an incorrect meter multiplier calculation that saved the county \$22,342. Then yet another savings was an over billing error on a City water bill in the amount of \$23,491.

In Granville County most citizens are probably unaware that energy providers have multiple electrical rates schedules for residential, commercial and governmental uses? Power companies are in the "for profit" business and will not volunteer to reduce your electrical rate unless requested.

For example Duke Energy has 76 different rate schedules, Piedmont Electric, has 25 different electrical rates, Wake Electric has 18 different electrical rates and PSNC (natural gas) has 13 different rates and charges. There are also 4 propane service providers (McCracken, Southern States, AAA and Creedmoor Fuel) and 4 water/sewer services (Cities of Oxford, Stovall, Creedmoor and SGWASA) serving Granville County.

My request this evening is for the Board to pursue an independent utility auditing firm that will over a period of 1 year review and evaluate hundreds of utility invoices for billing errors, meter multipliers and evaluate your current electrical services rates which has great potential to save Granville County thousands of dollars in utility fee.

Furthermore, I think the cost of this utility audit will surprise you. The auditing company will review all utility accounts for county buildings and facilities, parking lot security lighting, the GAP, convenience centers, landfill, and your current electrical service rates. In conclusion the auditor will provide you with an executive summary of their findings and recommendations.

And here's the unbelievable part, if the auditor finds no savings over those 12 months of review, there is no charge to Granville County for the audit.

If savings are discovered, and I am confident they will, the savings found will be shared on a 50/50 ratio between the county and the selected auditor for only 12 months. Thereafter, all savings identified in the audit belong to Granville County.

For your further reference, I have enclosed copies of the current electrical rate schedules identified above, and a sample correspondence from the independent utility auditor used.

So, what do you have to lose? Nothing but the savings you are currently missing.

Thank you for your consideration of this recommendation.

AFTER HOLDING PUBLIC HEARING, BOARD APPROVED ZONING MAP AMENDMENT FOR THE CORNER OF NC 56 HIGHWAY AND NC 96 HIGHWAY FROM AGRICULTURAL RESIDENTIAL 40 (AR-40) TO NEIGHBORHOOD BUSINESS (NB)

Chairman Cozart stated that the next item on the agenda was a public hearing for a Zoning Map Amendment (Rezoning) petition - Mary Gallogly Irrevocable Trust, near the corner of NC 56 Highway and NC 96 Highway. He then recognized Barry Baker, Planning Director, for a brief overview of the zoning map amendment.

Barry Baker, Planning Director, 122 Williamsboro Street, Oxford, NC, stated that this was a rezoning request for 1.81 acres of a larger tract near the corner of NC 56 Highway and NC 96 Highway from Agricultural Residential 40 (AR-40) to Neighborhood Business (NB). He referred to information in the agenda regarding plan consistency and small-scale rezoning analysis. He noted that attachments in the agenda packet included: (1) Copy of rezoning application and survey; (2) Written and signed Planning Board Plan Consistency Statement and Small-Scale Rezoning Analysis; (3) Approved minute excerpts for agenda item from the October 16, 2014 Planning Board meeting; (4) Approved minute excerpts for agenda item from the November 20, 2014 Planning Board meeting; (5) Copy of the Table of Uses from the Granville County Land Development Ordinance (LDO); (6) Copy of the Use Definitions from the LDO; (7) Planning Board requested information regarding traffic and taxes shared with Planning Board at November 20, 2014 meeting; and, (8) Copy of zoning district vicinity map prepared by zoning staff. He added that the Planning Board (4-1) recommended approval of the zoning map amendment (rezoning).

Chairman Cozart declared the public hearing open and asked anyone wishing to speak to come to the podium and state their name and address for the record.

Ralph Bridges, 1605 Lawrence Road, Creedmoor, NC, stated that he was in favor of the proposed business because of three reasons: a tax increase for the County, employment opportunities, and convenience.

Steve Tart, 2522 Grove Hill Road, Franklinton, NC, stated he had lived in the Wilton area for 25 plus years and was against the rezoning. He said the intersection needs to be considered before the rezoning because it is one of the worse in the southern end of the County. He noted there were stop signs there and now stoplights, but there are no turning lane signals just turning lanes. He said in 2007 he was the victim of an accident at that intersection. He said he had surgery again in 2014 because of the accident he had at the intersection and has to schedule a fourth surgery this month. He said it is a very dangerous intersection and instead of causing another problem, the problem at the intersection needs to be fixed before any others lose their lives. He noted concerns with traffic and school traffic.

Gail Gooch Bullock, 3658 Highway 56, Franklinton, NC, stated that she had been a resident of the Wilton community for almost 50 years and was against the rezoning of the property. She noted she has three teenage sons and does not want to create more traffic as her

sons are driving in the area. She noted that information about wrecks was presented at the Planning Board meeting based on the Granville County Sheriff's Department and that she felt it was less than complete because most accidents there are responded to by the State Highway Patrol office. She said that the area has been a rural residential community and she was not interested in creating big businesses in the area. She also mentioned land retaining its residential value and people not wanting to build a new home next to a commercial property. She said her grandfather started a business in the community which was later run by her father and now her brother and provides for people that do not always have the ability to pay. She said that it has been said a new business will generate new income, but she said you need to look at where it will take income from. She said that it may increase property taxes, but is that one tract sufficient enough to pay for a deputy to be at the intersection to deal with traffic and possible increase in crime. She asked that the Board to vote against commercializing the property.

Al Gulvin, 2140 Cedar Creek Road, Creedmoor, NC, stated that he lives about 4 miles from the proposed chance. He said he was in favor of the change and that he believed that a Dollar General at the intersection would offer the community a place to purchase household and grocery items not available in the community now. He said that it will provide some employment, real estate tax and sales tax. He said he did not believe it would increase traffic in the area because people have to go through the intersection to go somewhere anyway.

Eddie Gooch, 3654 Highway 56, Franklinton, NC, stated that he is the owner of Gooch's Grocery in Wilton which is less than ¼ mile from the proposed site. He said his business is his one and only source of income for his family and the business was started in 1940 by his grandfather and passed to his father in 1975. In 1998 the business was passed to him and he feels that the rezoning will be detrimental or fatal to his business. He also noted his concerns with the rezoning having a negative impact on traffic. There are 2 elementary schools within a mile of the intersection and with regular traffic and school traffic it is a very chaotic intersection. He did some research and determined that there are 6 Dollar Generals within a 9 mile radius of the site, 10 Family Dollar Stores within a 15 mile radius and 20 Dollar Trees within a 25 mile radius. He said he did not think they need one in Wilton and asked the Board to consider each issue and concern and that he and his family would appreciate a "no"

vote on the proposed rezoning. He asked if those against the rezoning would stand up at this time. Approximately 13 people stood.

Theresa Cooper, 3120 Hester Road, Creedmoor, NC, stated that she was opposed to the rezoning. She rented a home two years ago directly across the street from the proposed site on Highway 96. She mentioned concerns getting in and out of her driveway because congestion was very hectic so she moved 2 miles down the road. She travels through the intersection daily to and from work and works part-time at Gooch's Grocery. She said there is a Citgo across the street and there is already congestion and school traffic as well as a bus stop at the intersection. She said with the expansion that is already in the neighborhood it will cause even more problems with traffic, congestion and accidents and she asked that the Board oppose the rezoning.

Mary Hockaday, 3586 Horseshoe Road, Creedmoor, NC, said she would like to see a Dollar General come to Wilton and it will create some jobs. She said the intersection is bad, but there is also another bad intersection at Brassfield Church. She said she loves Gooch's Store but you cannot live in the past and need to look to the future. She said people have to drive to Butner to get to a Dollar General or Dollar Store and she felt like one is needed in the community.

Darnelle Averree, 3588 Highway 56, Creedmoor, NC, said she has lived in Wilton for 61 years and has been an active part of the community. She said she is very much against a store business being put there for the traffic reasons because she has to take a chance to get out of her driveway sometimes because of the traffic. She said people do not slow down at the yield sign especially in the morning. She said the other reason she is opposed because of widowed and single ladies living near the intersection. She said she is concerned about what may happen after hours with people gathering because it has happened before in Wilton and caused safety issues.

Beth Parrott, 2527 Highway 96, Franklinton, NC, said she lives in Wilton behind the Wilton Grill. She said she hears at the grill that people want a Dollar General in the area so they would not have to travel to Franklinton or Butner. She said there has been only one death at the intersection in 60 years. She said the accidents are because people are in a hurry and do not obey the rules. She said she has to wait at her driveway 10 or 15 minutes in the morning to get out, but that it is part of life. She said she thought the land was a future

commercial site anyway. She said she is for growth and we need anything we can get to help the County grow. She said the Citgo is wonderful and she feels safe and leaves her blinds open. She said with more people around, less people will bother you. She said as far as traffic it will not make a difference. She said if anything, there needs a deputy there more to be sure people obey the rules. She stated she owns a lot of land in Wilton and is for this.

Billy Preddy, 3023 Preddy Road, Franklinton, NC, said he lives in Wilton and does not refer to it as a town or city, but a place. He said there are not many places like Wilton left and he would like to keep it that way. He said traffic is an issue and a safety issue and that he was in a wreck nearby the area. He said as a child he went to Gooch's Grocery and now brings his kids to Gooch's Grocery. He said the small businesses will be hurt and that there are many places such as Dollar General and Dollar Trees down the road 7 miles one way and 11 miles another way. He said Granville County is growing and that people come to the area because of the easy access to Oxford, Franklinton and Wake Forest. He said he would like it to remain like it is as long as possible.

Dawn Gooch, 3654 NC Highway 56, Franklinton, NC, stated that she is the wife of Eddie Gooch and is opposed to the land being rezoned to a commercial use site for many reasons that people have spoken about tonight. She said growth is great, but that many are coming to Granville County because they work in Durham, Raleigh or Wake Forest and they like Granville County to get away from the hustle and bustle of city life. She said they do not have deputy presence at Gooch's Grocery on a daily basis when they open and close. She said she does not see that there will be deputy presence unless more are hired or it is a part of their job requirement. She said they have been subject to crime at their establishment and they do not want to see more crime. She said that they think the economic impact to their business will be high and they do not want this to happen. She said that if this passes, it will open the door for other commercial businesses coming and will drive away from the community atmosphere that Wilton already has and would like to maintain. She asked the Board to consider these points in opposition to the rezoning.

George Barnes, 3900 Merton Drive, Raleigh, NC, said they researched the area thoroughly and thoughtfully and were led to the specific site because it was designated for commercial zoning in the County's Comprehensive Plan. He said that there are thoughts about intended uses and while this is not a site plan approval meeting, a lot of the comments have

been around the concerns of competition. He said he believes staff supports the rezoning, the Planning Board supported it and his hope is that the greater benefit of the community is considered in rezoning request.

Jason Horay, 4128 Geneva Drive, Franklinton, NC, stated that he lives in the area because of the simple life. He said he is opposed to the rezoning from residential to commercial. He said he drives through the intersection daily taking his kids to school and there is a lot of traffic and congestion in the area. He said that bringing in a commercial business will make it worse and the rezoning will impact the overall small town community that they enjoy in Wilton now. He said there are Dollar Generals, Dollar Trees and similar stores within a few miles of the site. He said he does not see this as an overall benefit to the community outside of the tax issue. He said they want to preserve their hometown appeal and family businesses such as Gooch's Store. He said the rezoning would be the start of the beginning of the decay of this area.

Lee Humphries, 5126 Tabbs Creek Lane, Oxford, NC, stated that he formerly lived at 2173 Highway 96 Creedmoor which is part of Wilton. He currently has horses nearby the intersection and occasionally he gets a call because the horses get out so he is aware of the traffic implications there. He said that the Dollar General is needed in the community. He said a lot of thought was given to the long-term plan and things are going to happen in Granville County. He said he moved here from Raleigh 17 or 18 years ago and things are going to change. He said he is for the rezoning and it will benefit the community.

Dorothy Gooch Pruitt, 105 Pine Cone Drive, Oxford, NC, stated that Wilton has grown by leaps and bounds. She said she did not think that people came to Wilton for any reason other than a slower pace, a safe environment and people who held on to traditional ties that made Wilton what it is. She said that for 3 generations, Gooch's Store has been a mainstay of the community and that she knew from a personal experience that no one in need had ever been refused a product or a service. The schools, churches and other charitable organizations have been supported. She said that her dad made a ball field at his expense for Wilton School. Her dad also bought uniforms for young men and women of the community. She said she did not believe a commercial establishment would have this kind of feel for the community. In 1958 when she went to Oxford, the town was filled with local businesses and now look at what has happened. A big store has come into Oxford and taken away many of the stores that were

in Oxford. She mentioned that in the newspaper last week there was a story about a store closing after 40 years which leaves only 3 or 4. She said that a store like Family Dollar is accessible to everyone in the Wilton community because they can go to Franklinton, Creedmoor or Oxford. She asked the question do you want Wilton controlled by an out-of-state business that will take dollars from the community. She asked if the zoning is changed, how is it going to affect what comes next and how will it affect the community. She stated she is proud to tell that she is from Wilton and that is where her parents and brother rest in peace. She asked the Board to keep Wilton a rural community where crime is at its lowest, there is a healthy environment, you know your fellow man or woman, it has a good school, and wonderful churches that meet the needs of the community. She asked that it be kept in that vain.

There was no one else wishing to speak so Chairman Cozart asked the Board if there were any questions.

Commissioner Mims stated that listening to feedback from residents that traffic is a major concern and that with growth comes increased traffic. He said the traffic information in the agenda does not match what he is hearing. He referred to the information on traffic counts and collisions at NC Highway 56 and NC Highway 96 provided by the North Carolina Department of Transportation's (NCDOT) Traffic Engineering Accident Analysis Systems showing a total of 9 accidents between 2012 and 2014, no fatalities and 3 injuries and 5 of the 9 accidents were rear end collisions. He asked if the Planning Board considered traffic patterns and if this was approved would the design of the intersection be part of the next phase.

Mr. Baker, Planning Director, stated that any business that would have a connection to a highway or State secondary road would have to get a NCDOT driveway permit approved prior to zoning approval. He said that an analysis would be done by NCDOT. When asked, Mr. Baker also stated that the data such as accidents, fatalities and site distance would be considered.

Commissioner Smoak asked if when the site plan is done would another traffic study be done and possibly a turn lane be put in. He mentioned that a speed limit reduction could possibly be put in.

Mr. Baker answered by saying that as part of a driveway permit, conditions are placed on the permit and it may require a turn lane. He noted that it would be determined by NCDOT

based on site distance, traffic volume and speed. He said that a speed limit reduction would come back to this Board for a recommendation.

Commissioner Smoak noted that if 5 of the 9 accidents were rear end collisions, the speed limit needs to be reduced.

Chairman Cozart declared the public hearing closed.

Commissioner Ed Mims made a motion to approve the written Plan Consistency Statement and Small-Scale Zoning Analysis as recommended by the Planning Board. Commissioner Edgar Smoak seconded the motion.

When Chairman Cozart called for a vote on the motion, it passed by a vote of 6-1 as follows:

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

Commissioner Ed Mims commented that this is a difficult decision and noted that it was said that growth is inevitable. He noted that the intersection does need some work, but he would make a motion to approve the rezoning since the Planning Board made a recommendation of approval. Commissioner Edgar Smoak seconded the motion.

Commissioner R. David Currin, Jr. made a substitute motion to deny the rezoning request based on the preponderance of evidence produced in the public hearing and that a majority of those present are against the rezoning. Commissioner David T. Smith seconded the motion.

When Chairman Cozart called for a vote on the motion, it failed by a vote of 2-5 as follows:

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

Commissioner Currin mentioned the rezoning in Berea that was denied several years ago. He questioned why this rezoning was approved and the previous one denied.

Chairman Cozart called for the vote on the original motion to approve 1.81 acres of a larger tract near the corner of NC 56 Highway and NC 96 Highway from Agricultural Residential 40 (AR-40) to Neighborhood Business (NB) on property identified as Tax Map #182600693663 and it passed by a vote of 5-2 as follows:

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

AN ORDINANCE THAT AMENDS THE GRANVILLE COUNTY ZONING MAP FOR A PORTION OF A PROPERTY (1.81 ACRES) IDENTIFIED AS MARY GALLOGLY IRREV. TRUST PROPERTY NEAR THE CORNER OF NC 56 HWY AND NC 96 HWY (PORTION OF TAX MAP #182600693663) FROM AGRICULTURAL RESIDENTIAL 40 (AR-40) TO NEIGHBORHOOD BUSINESS (NB) AND SERVES AS THE BOARD OF COUNTY COMMISSIONERS' WRITTEN PLAN CONSISTENCY STATEMENT AND SMALL-SCALE REZONING ANALYSIS

Whereas, a zoning map amendment petition has been filed for a change to the Granville County Zoning Map by Mary Gallogly Irrevocable Trust for property as follows:

Z-3-2014 Mary Gallogly Irrev. Trust, Near Corner of NC 56 HWY and NC 96 HWY

The Mary Gallogly Irrevocable Trust is requesting to rezone 1.81 acres of a larger tract near the corner of NC 56 HWY and NC 96 HWY from Agricultural Residential 40 (AR-40) to Neighborhood Business (NB). The property is identified as Tax Map #182600693663.

Whereas, the Granville County Planning Board held a public hearing on October 16, 2014, and made a positive recommendation concerning the petition to the Board of County Commissioners on November 20, 2014.

Whereas, a notice of public hearing has been given as provided in North Carolina General Statute 153A-323 and the Granville County Land Development Ordinance for a Zoning Map Amendment and a public hearing was held by the Board of Commissioners on January 5, 2015, at which, evidence was presented at the public hearing.

Whereas, the Granville County Board of Commissioners hereby adopts the following Plan Consistency Statement and Small-Scale Rezoning Analysis:

GRANVILLE COUNTY BOARD OF COMMISSIONERS' PLAN CONSISTENCY STATEMENT:

The Granville County Future Land Development Map (Map 22) contained within the Granville County Comprehensive Land Use Plan classifies the future land use of the property as Commercial. The Comprehensive Plan states on page V-4 "commercial development should be encouraged at the intersections of major roads (i.e., in a nodal fashion) consistent with the county's future land development map." The subject area is in proximity to the intersection of NC Highway 96 and NC Highway 56.

GRANVILLE COUNTY BOARD OF COMMISSIONERS' SMALL-SCALE REZONING ANALYSIS:

The proposed rezoning is approximately 1.81 acre, and is located near an intersection of major roads. Zoning of properties in the vicinity are a mixture of agricultural-residential and commercial. The Comprehensive Plan states on page V-4 "commercial development should be encouraged at the intersections of major roads (i.e., in a nodal fashion) consistent with the county's future land development map." The subject area is in proximity to the intersection of NC Highway 96 and NC Highway 56. The future land use map recommends the subject area to be zoned commercial.

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

The zoning district for a 1.81 acre portion of a larger tract identified as Mary Gallogly Irrev. Trust property near corner of NC Highway 56 and NC Highway 96 (Portion of Tax Map #182600693663) is hereby changed and amended from Agricultural Residential 40 (AR-40) to Neighborhood Business (NB) on the Granville County Zoning Map.

IN WITNESS WHEREOF, the Board of Commissioners of Granville County, North Carolina has caused this Plan Consistency Statement and Small-Scale Rezoning Analysis and zoning map amendment petition to be approved and adopted.

This ordinance duly adopted by the Board of Commissioners of the County of Granville, North Carolina, this the 5th day of January, 2015.

BOARD APPROVED AMENDMENTS TO THE COMPREHENSIVE LAND USE PLAN REGARDING CONDITIONAL ZONING DISTRICT

Chairman Cozart stated that the Comprehensive Land Use Plan needs to be amended to include language regarding Conditional Zoning Districts. He then recognized Barry Baker, Planning Director.

Mr. Baker stated that at the November 20, 2014 meeting, the Planning Board (5-0) recommended amending the Comprehensive Land Use Plan to include the amendments in the agenda packet. He noted that the approved minute excerpts were also included in the agenda packet.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Ed Mims, and unanimously carried, the Board approved the amendments to the Comprehensive Land Use Plan regarding Conditional Zoning Districts as follows:

Amended language (**bold** denotes new language) to the Granville County, North Carolina Comprehensive Plan:

Pages V-3 to V-5: Land Use Goals, Objectives, and Implementation Policies

Goal 1: Provide a Comprehensive Land Use Plan that optimizes resources by allocating land for its most suitable use, reflects the vision of the county's residents, is unified, avoids conflicting land uses, preserves the county's character, and is pleasing: providing open space, vistas, and agricultural areas.

Objective 4: Preserve and enhance Granville County's land use form (issue discussed in Section III).

Implementation Strategies:

- i. **Conditional use zoning districts are encouraged to balance neighboring residential and non-residential land uses in agricultural-residential areas. Conditional zoning provides residents an option for developing their property for non-residential land uses in agricultural-residential areas, and provides decision-makers with a legislative process when considering proposed development plans.**

Pages V-13 to V-15: Implementation/Administration Goal, Objectives, and Implementing Actions

Goal 1: Accomplish effective implementation of the Comprehensive Plan.

Objective 3: Improve Granville County's review process for deliberation of rezoning requests.

Implementing Actions:

Granville County's Planning Board and Board of Commissioners should consider the following in deliberation of all rezoning petitions:

- All uses which are allowed in a general use zoning district must be considered. A decision to re-zone or not to re-zone a parcel or parcels of property cannot be based on consideration of only one use or a partial list of uses allowed within a general use zoning district. **Conditional zoning districts allow decision-makers to consider one or more uses within a conditional zoning district application. Conditional zoning districts allow for the submittal of a site plan, and agreed-upon conditions of development in a legislative process.**

AFTER HOLDING PUBLIC HEARING, BOARD APPROVED GRANVILLE COUNTY LAND DEVELOPMENT CODE TEXT AMENDMENT REGARDING AGRICULTURAL SUPPORT ENTERPRISES CONDITIONAL ZONING

Chairman Cozart stated that the next item was a public hearing to hear comments on the Granville County Land Development Code Text Amendment Petition Regarding

Agricultural Support Enterprises Conditional Zoning. He 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 noted that a list of permitted uses and a table with standards for those uses in addition to the following were included in the agenda packet: (1) Copy of petition of proposed text amendment; (2) Planning Board Written Consistency Statement regarding proposed amendment; and, (3) Approved minute excerpts for agenda item from the November 20, 2014 Planning Board meeting. He stated that the Planning Board (5-0) recommended approval of the land development ordinance text amendment as written with one change regarding the proposed setbacks for solar farms (recommend 100 foot setback on the front and 50 foot setback on the sides and rear instead of 250 feet). The proposed text amendment does note that the solar farm setback would be 250 feet.

Commissioner Karan asked for clarification about the 250 foot setback from residential and if it would be 25 feet in non-residential.

Mr. Baker stated there would not be a setback adjacent to non-residential and noted that there is a flexible process and allows for negotiated conditions.

Commissioner Currin stated that this exclusion was not mentioned to him that there would not be setbacks if it were non-residential.

Discussion continued about setbacks. It was noted that the buffer would still apply to a solar farm in any zoning district, but in addition in a residential area there would be a 250 feet setback from any residential property. Non-residential areas would include the 25 feet natural or vegetative buffer. It was noted that an agricultural product could be grown within the 250 feet setback. Mr. Baker noted that the conditional zoning process is a legislative function and not a quasijudicial function.

Allan Baker, 1000 Roxboro Road, Oxford, NC, stated that the Planning Board recommended 100 foot setback from the back and a 50 foot setback from the rest of the dimensions. He said he did not understand why a 250 setback on the back of his land was needed. He presented the following comments to the Board and the Clerk and spoke from them:

My name is Allan Baker, Jr., also known by my nickname of "Buddy Baker." My wife of 54 years and I have lived in this Baker home place since February 6, 1967, 48 years next

month. We pay Granville County property tax on a little over 100 acres of real estate. Our address is 1000 Roxboro Road, and we are located on the north side (right) of U.S. 158, one mile west of Morton and Sherman on the Roxboro Road.

We believe solar farms producing electricity is definitely a part of this country's future. A company building solar farms for Duke Energy has contact us concerning building a solar farm on our land.

After working for the U.S.A. Environmental Protection Agency for 29 years at the national base for air pollution control in the Research Triangle Park, it is obvious to me that there is absolutely nothing pollutant about a solar farm. Solar farms are fenced in, neatly constructed, and constantly monitored and well maintained. It is good management and good planning for Duke Energy to pursue solar farms.

Solar farms can be hidden from view from public roadways with new and existing botanical growth. Most of our land is distantly located and is not visible from the public roadway.

According to the Oxford Public Ledger dated December 22, 2014, one of the purposes of this meeting tonight is for this board to hear public comments concerning an amendment to the Land Development Code (LDC). The proposed amendment would add a new conditional zoning district call "Agricultural Support Enterprises." Among the list of uses in this conditional zone district is "ground-mounted solar power energy systems," solar farms. My wife and I want a solar farm to be built on our land.

In 2014, our farm land income exceed our Granville County property tax paid by \$160.00. Farm land should produce more income, and a solar farm would do that. We earnestly urge this board to amend the LDC Code by adding a new conditional zoning district called "Agricultural Support Enterprises." This would enable us to apply for a permit to have a solar farm built on our land.

Thank you for your attention and this opportunity to speak.

He added that the United States of America is the land of the free because of the brave and he asked for the freedom to use his land for an honest fruitful and lawful endeavor.

Jon Davis, 9 Butterwick Lane, Durham, NC, stated that at the Planning Board meeting they came up with setbacks not as stringent as 250 feet around a solar facility. He said 500 feet of lost land is very extreme in his opinion. He said it was really talking about a berm being put up so you would not see the solar farm and if you cannot see it, why does it have to be setback so far. He said that this is a lot of land wasted, each site is unique and if you have a conditional use permit you can put stringencies on these certain developments. He said he had 3 sites he is working on that are 80 plus acres and he will use 30-35 acres for a solar farm. He said when you have odd shapes of land it makes it difficult. He said these are the most extreme setbacks in North Carolina that he has seen and he would like to build some sites. He said he wants to work with the County and they are trying to produce a product that is pleasant. They do not want people in their facility because of high voltage but they can only find sites in certain areas. He said that the tax credits will run out the end of this year and in 2 months no one will be taking projects in because of due dates. He noted that 250 feet around a site is a lot and wished the Board would work with them on each site. He said there are not residential properties around his sites other than old farm houses. He asked the Board to work with him to be more lenient on the setbacks and come to a median so that solar projects can be brought to the area.

Brett Hanna, Smith Moore Leatherwood LLP, 434 Fayetteville Street, Raleigh, NC, said that he lives in north Raleigh but grew up in Johnston County so he understands the struggles of encouraging development, but wanting to retain the rural character of the area. He said that a lot of the issues the board deals with address solar power such as the utility audit mentioned. He said he represents entities that are prepared to make a significant investment in Granville County, but the investment is contingent upon what restrictions will be placed on their ability to bring the facilities to the County. The facilities provide a way for Granville County to move forward, to encourage investment, to increase tax base while simultaneously retaining the rural character of the community. The facilities are located on large parcels of land, increase the tax base, and do not require facilities and costs that go along with some facilities. They do not generate traffic, do not use water, do not use sewer and have a limited construction period. They are located behind a fence and hire locals to maintain the project. He noted that if the County moves to conditional zoning, the Board will have the discretion to approve the projects, you can work with the entities bringing the facilities, and there will be no need for the 250 feet setback. He encouraged the Board to create limits and conditions that allow for facilities to be built where they are practical and can blend in to the natural surroundings. He said this is a way for the country to move forward in a reliable clean way to produce energy, lower energy bills and bring investment to Granville County. He said the facilities are quiet and there is limited impact to surrounding property values where they are located 80-100 feet from property lines reported by appraisers they work with. He said they have seen nothing that would require a 250 feet setback and this would have chilling effect on entities. He said they will go to other counties where there are not such rigorous, and in his opinion, arbitrary numbers put down as setbacks in the zoning ordinance.

Commissioner Currin asked if he had any property tax background and about the incentives and why solar farms are so contingent on tax breaks.

Attorney Hanna stated that this leaves more money for the people who are taking the time and putting the energy into bringing the facilities to the county. He said that economically right now that those wanting the United States to remain fossil fuel dependent want to keep us that way.

There was no one else wishing to speak. Chairman Cozart asked if there were any questions.

Commissioner Smoak said that the Board has been trying to work out a solution because people do not want to look at solar farms. He referred to the table on page 72 of the agenda packet that said *“a 25’ existing natural vegetative buffer shall be required around the entire solar farm, and/or a berm may be installed that does not allow any visibility of the solar farm. In addition, the setbacks from all residential zones shall be 250 feet. The maximum height of the structures shall be 25.”* He said if you obscure the visibility of something it does not make a difference how far the setback is if you cannot see it. He said this language needs to be fixed to address the visibility issue.

Discussion ensued at this point. It was noted that there would not be flexibility with the setback as written and proposed.

Chairman Cozart closed the public hearing.

Commissioner Edgar Smoak made a motion to adopt the Plan Consistency Statement as recommended by the Planning Board. Commissioner Ed Mims seconded the motion and it passed unanimously.

Commissioner Edgar Smoak made a motion to approve the Land Development Ordinance text amendment as recommended by the Planning Board with the following change regarding setbacks as follows: *25’ existing natural vegetative buffer and/or a berm shall be required around the entire solar farm. Either the buffer or berm shall be installed in such a manner that the solar farm shall not be visible from any adjacent property. In addition, the setback from all residential zones shall be 100 feet inclusive of the buffer. The maximum height of the structures shall be 25.’* Commissioner Ed Mims seconded the motion and it passed unanimously.

AMENDMENT REGARDING NEW CONDITIONAL ZONING DISTRICT CALLED AGRICULTURAL SUPPORT ENTERPRISES

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 November 20, 2014 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 January 5, 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:

There is proposed Comprehensive Plan language under consideration that states "conditional use zoning districts are encouraged to balance neighboring residential and non-residential land uses in agricultural-residential areas. Conditional zoning provides residents an option for developing their property for non-residential land uses in agricultural-residential areas, and provides decision-makers with a legislative process when considering proposed development plans."

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

SECTION 1. Amend Section 32-42, Table 02.010 of the Granville County Land Development Code by amending the following language (**bold** denotes added language):

District	Map Code	Purpose Section
Agricultural residential-80	AR-80	32-61
Agricultural residential-40	AR-40	32-62
Residential	R-25	32-63
Manufactured home park	MHPD	32-64
Highway business	HB	32-65
Neighborhood business	NB	32-66
Prime industrial	I-1	32-67
General industrial	I-2	32-68
Office/institutional	O/I	32-69
Agricultural support enterprises conditional zoning	ASE-CZ	32-70

SECTION 2. Amend by adding new Section 32-70 to the Granville County Land Development Code by adding the following new language (**bold** denotes added language):

Sec. 32-70. Agricultural support enterprises conditional zoning district (ASE-CZ)

The ASE-CZ district is established as floating zoning district allowing for the development of specific land uses in accordance with established standards. This zoning district requires the approval of a zoning map amendment (rezoning) by the Board of County Commissioners, approval of a site plan (if applicable), and may include agreed-upon conditions of development. Land uses permitted within the district can be found in Sec. 32-144 of this code of ordinances. Any applicable site plan must meet the standards of Appendix 7 of the land development code. Any permitted land use in this district must comply at minimum with the bulk standards in Table 04.100B for non-residential uses in the AR-40 zoning district; and, Articles V, VII (signs allowed in AR-40 zoning district per Table 07.105 of this chapter), VIII, IX, X, XI, XII, XV, XVI, XVII, and XIX of this chapter.

SECTION 3. Amend by adding new Section 32-144 to the Granville County Land Development Code by adding the following new language (**bold** denotes added language):

**TABLE 03.110D
TABLE OF PERMITTED LAND USES – AGRICULTURAL SUPPORT ENTERPRISES CONDITIONAL ZONING DISTRICT (ASE-CZ)**

Use	ASE-CZ	Other Standards
Agricultural Processing Facility	Y	Setbacks are 75 feet (street, side and rear).
Agricultural Processing Facility, Community	Y	Setbacks are 75 feet (street, side and rear). Building cannot exceed 10,000 square feet.
Agricultural Support Services	Y	
Cattle Merchant Wholesalers	Y	Comply with Section 32-236 (3), (4) & (5).
Cold Storage Facility	Y	Setbacks are 75 feet (street, side and rear).
Community Farmers' Market	Y	Setbacks are 75 feet (street, side and rear) for buildings and vendor areas.
Garden Center with On Premises Sales	Y	

Guest Ranch	Y	Minimum lot size is 20 acres.
Ground-mounted Solar Power Energy System "Solar Farm" (NAICS 221119)	Y	A 25' existing natural vegetative buffer and/or a berm shall be required around the entire solar farm. Either the buffer or berm shall be installed in such a manner that the solar farm shall not be visible from any adjacent property. In addition, the setback from all residential zones shall be 100 feet inclusive of the buffer. The maximum height of the structures shall be 25'.
Horse Shows	Y	Comply with Section 32-235 (3) & (4).
Kennels	Y	
Single-family detached	Y	Dwelling may exist on the same lot as another permitted use or be located on a separate lot. A dwelling located on a separate lot shall comply with the bulk standards for residential uses found in Table 04.100B for the AR-40 zoning district. A dwelling on the same lot as another permitted use shall meet the residential use setbacks found in Table 04.100B for the AR-40 zoning district.
Stockyard/Livestock Market	Y	Comply with Section 32-236 (3), (4) & (5). Minimum of 10 acres.

SECTION 4. Amend Section 32-1302 of the Granville County Land Development Code by adding the following language (**bold** denotes added language):

- (d) *Agricultural processing facility* means a facility utilized for the processing and packaging of produce and/or other commodities for transport to off-site wholesale or retail establishments. Facilities may be utilized by farm-based producers, restaurateurs, caterers, food entrepreneurs, and the like. Activities shall include, but may not be limited to, canning, dehydrations, washing, cutting or basic preparation of raw produce prior to shipment but does not include processing of live animals. May include accessory retail sales of products processed on-site.
- (e) *Agricultural processing facility, Community* means a facility utilized for the processing of produce and/or other commodities produced by no more than 5 cooperative farm partners for the consumption of others (e.g. small canning operation). Activities shall include, but may not be limited to, canning, dehydrations, washing, cutting or basic preparation of raw produce but does not include processing of live animals. May include accessory retail sales of products processed on-site.
- (f) *Cold storage facility* means a facility used to warehouse perishable foods and products prior to transport.
- (g) *Community farmers' market* means an enclosed or open-air facility for the retail sale of locally produced vegetables, flowers, meats, commodities, plants, crafts, etc. For the purpose of this definition, "local" means Granville County and counties that share a border with Granville County.
- (h) *Stockyard/Livestock market* means a facility where livestock are kept temporarily awaiting purchase and/or transport; such facilities may include enclosed pavilions, grandstands, paddocks, and stalls.

SECTION 5. Amend Section 32-1307 of the Granville County Land Development Code by adding the following language (**bold** denotes added language):

- (h) *Guest ranch* means a rural lodge providing overnight accommodations for transient guests seeking a vacation experience characteristic to that of a rural ranch; onsite facilities may include lodge or cabin accommodations, dining facilities, barns, dance hall and recreational facilities, including but not limited to riding rings, trails, fishing holes and swimming facilities.

SECTION 6. 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 7. This Ordinance shall take effect and be in force upon the date and time of adoption.

SECTION 8. This Ordinance duly adopted by the Board of Commissioners of the County of Granville, North Carolina, this the 5th day of January, 2015.

BOARD APPROVED GRANVILLE COUNTY LAND DEVELOPMENT CODE TEXT AMENDMENT PETITION REGARDING THE REMOVAL OF THE GROUND-MOUNTED SOLAR POWER ENERGY SYSTEMS ("SOLAR FARMS") LAND USE AS A SPECIAL USE IN THE AGRICULTURAL RESIDENTIAL 40 (AR-40) ZONING DISTRICT (PUBLIC HEARING HELD ON 9/18/14)

Chairman Cozart stated that the next agenda item was the Granville County Land Development Code Text Amendment Petition regarding the removal of the Ground-Mounted Solar Power Energy Systems ("Solar Farms") Land Use as a Special Use in the Agricultural Residential 40 (Ar-40) Zoning District (*Public Hearing Held on 9/18/14*)

Commissioner Smoak stated that the solar farm issue had been discussed in the previous two agenda items and he was ready to make a motion.

Commissioner Edgar Smoak made a motion to adopt the Plan Consistency Statement as recommended by the Planning Board. Commissioner R. David Currin, Jr, seconded the motion and it passed unanimously.

Commissioner Edgar Smoak made a motion to approve the Amendment to the Land Development Code ("LDC") as recommended by the Planning Board that amends the table of uses by removing the ground-mounted solar power energy systems ("solar farms") land use as a special use in the Agricultural Residential 40 (AR-40) zoning district. Commissioner Timothy Karan seconded the motion and it passed unanimously as follows:

AMENDMENT TO THE GRANVILLE COUNTY LAND DEVELOPMENT CODE (LDC) THAT REMOVES GROUND-MOUNTED SOLAR POWER ENERGY SYSTEM "SOLAR FARM" FROM THE AR-40 ZONING DISTRICT AS A SPECIAL USE

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 joint public hearing with the Board of County Commissioners on the proposed amendment on September 18, 2014 and after a study of evidence presented, made a favorable recommendation on the adoption of the proposed amendment on November 20, 2014; and,

Whereas, a notice of public hearing was given as provided in North Carolina General Statute 153A-323 and the Granville County Land Development Code for a Text Amendment and a joint public hearing was held by the Board of Commissioners with the Planning Board on September 18, 2014, 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) is silent in regard to the proposed text amendment.

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

SECTION 1. Amend Section 32-142 (Use Table) with the following language (strike-through denotes deleted language and bold denotes added language):

Sec. 32-142 – Table 03.110A

Industrial Uses	A	AR-	R-	R-	MHPD	HB	NB	I-	I-	O/I	Parking	Loading	Other
	0	8	R-40	25									
Ground-Mounted Solar Power Energy System "Solar Farm"	N	3-N	N	N	N	N	N	C	L	N			See Sec. 32-233

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 5th day of January, 2015.

BREAK

At this point, Chairman Cozart declared a break.

BOARD APPOINTED MICHAEL MAGNANTI TO THE KERR-TAR REGIONAL COUNCIL OF GOVERNMENTS' ADVISORY COUNCIL ON AGING

Upon a motion by Commissioner R. David Curtin, Jr., seconded by Commissioner Ed Wims, and unanimously carried, the Board appointed Michael Magnanti to the Kerr-Tar Regional Council of Governments' Advisory Council on Aging.

BOARD REAPPOINTED WILBERT MORTON (DISTRICT 2) AND VICKIE SMOAK (DISTRICT 7) TO THE ADULT HOME COMMUNITY ADVISORY COMMITTEE

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Ed Wims, and unanimously carried, the Board reappointed Wilbert Morton (District 2) to the Adult Home Community Advisory Committee.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner R. David Curtin, Jr., and unanimously carried, the Board reappointed Vickie Smoak (District 7) to the Adult Home Community Advisory Committee.

BOARD REAPPOINTED DR. PAUL REEDER (DISTRICT 2), DR. DAVID HINTON (DISTRICT 2 - EX-OFFICIO), JOE OSTBY (DISTRICT 3), MARSHALL B. FLOYD, JR. (DISTRICT 4), TONY SANTANGELO (DISTRICT 6), AND TERRY TURNER (DISTRICT 7) TO THE GRANVILLE COUNTY CITIZENS ADVISORY COMMITTEE FOR ENVIRONMENTAL AFFAIRS

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Timothy Karan, and unanimously carried, the Board reappointed Dr. Paul Reeder (District 2) to the Granville County Citizens Advisory Committee for Environmental Affairs.

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Zelodis Jay, and unanimously carried, the Board reappointed Dr. David Hinton (District 2 – Ex-Officio) to the Granville County Citizens Advisory Committee for Environmental Affairs.

Upon a motion by Commissioner R. David Currin, Jr., seconded by Commissioner Ed Mims, and unanimously carried, the Board reappointed Joe Ostby (District 3) to the Granville County Citizens Advisory Committee for Environmental Affairs.

Upon a motion by Commissioner Tony W. Cozart, seconded by Commissioner David T. Smith, and unanimously carried, the Board reappointed Marshall B. Floyd, Jr. (District 4) to the Granville County Citizens Advisory Committee for Environmental Affairs.

Upon a motion by Commissioner Timothy Karan, seconded by Commissioner Zelodis Jay, and unanimously carried, the Board reappointed Tony Santangelo (District 6) to the Granville County Citizens Advisory Committee for Environmental Affairs.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Ed Mims, and unanimously carried, the Board reappointed Terry Turner (District 7) to the Granville County Citizens Advisory Committee for Environmental Affairs.

BOARD REAPPOINTED HATTIE JEAN OVERTON (DISTRICT 2), MARY SATTERWHITE (DISTRICT 4), REBECCA W. TILLEY (DISTRICT 5) AND DEUARD BOWDEN (DISTRICT 6) AND APPOINTED NANCY N. BROOKS (DISTRICT 3) TO THE SENIOR SERVICES ADVISORY COMMITTEE

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Zelodis Jay, and unanimously carried, the Board reappointed Hattie Jean Overton (District 2) to the Senior Services Advisory Committee.

Upon a motion by Commissioner R. David Currin, Jr., seconded by Commissioner Edgar Smoak, and unanimously carried, the Board appointed Nancy N. Brooks (District 3) to the Senior Services Advisory Committee.

Upon a motion by Commissioner Tony W. Cozart, seconded by Commissioner Ed Mims, and unanimously carried, the Board reappointed Mary Satterwhite (District 4) to the Senior Services Advisory Committee.

Upon a motion by Commissioner Ed Mims, seconded by Commissioner Edgar Smoak, and unanimously carried, the Board reappointed Rebecca W. Tilley (District 5) to the Senior Services Advisory Committee.

Upon a motion by Commissioner Timothy Karan, seconded by Commissioner David T. Smith, and unanimously carried, the Board reappointed Deuard Bowden (District 6) to the Senior Services Advisory Committee.

BOARD APPOINTED DR. JAMES GOOCH (DISTRICT 5) AND ALICE OVERTON (DISTRICT 2) AND REAPPOINTED DOROTHY J. SPURLING (DISTRICT 7) TO THE GRANVILLE-VANCE DISTRICT BOARD OF HEALTH

Upon a motion by Commissioner Ed Mims, seconded by Commissioner Edgar Smoak, and unanimously carried, the Board appointed Dr. James Gooch (District 5) to the Granville-Vance District Board of Health.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Ed Mims, and unanimously carried, the Board reappointed Dorothy J. Spurling (District 7) to the Granville-Vance District Board of Health.

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Ed Mims, and unanimously carried, the Board appointed Alice Overton (District 2) to the Granville-Vance District Board of Health.

BOARD APPOINTED GEORGE BULLOCK (DISTRICT 2) TO THE NURSING HOME ADVISORY COMMITTEE

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Zelodis Jay, and unanimously carried, the Board appointed George Bullock to the Nursing Home Advisory Committee.

BOARD REAPPOINTED HELEN MITCHELL (DISTRICT 2) AND DAWN OMOKUNDE (DISTRICT 4) TO THE GRANVILLE COUNTY LIBRARY SYSTEM BOARD OF TRUSTEES

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Edgar Smoak, and unanimously carried, the Board reappointed Helen Mitchell (District 2) to the Granville County Library System Board of Trustees.

Upon a motion by Commissioner Tony W. Cozart, seconded by Commissioner Ed Mims, and unanimously carried, the Board reappointed Dawn Omokunde (District 4) to the Granville County Library System Board of Trustees.

BOARD APPROVED DISCONTINUING THE USE OF CARBON MONOXIDE FOR THE EUTHANASIA OF DOGS AND CATS, APPROVED DECLARING CHAMBER AS SURPLUS AND ASKED FOR A RECOMMENDATION FROM ANIMAL CONTROL ADVISORY BOARD FOR WHAT TO DO WITH EQUIPMENT

County Manager Felts stated that during their regular meeting held on December 11, 2014, the Animal Control Advisory Board reviewed the letter dated December 4, 2014 from the North Carolina Department of Agriculture and Consumer Services, Veterinary Division regarding the Policy Statement on Euthanasia by Carbon Monoxide (CO). The Animal Control Advisory Board recommended the discontinued use of CO for the euthanasia of dogs and cats and the removal of the chamber from the Animal Shelter. He referred to a copy of the letter in the agenda packet. He stated that the letter notes that the rules contained in Title 02 North Carolina Administrative Code Section 52j .0400 adopts by reference the recommendations issued by the American Veterinary Medical Association (AVMA), the Humane Society of the United States (HSUS), and the American Humane Association (AHA). The Animal Welfare Section of the Department of Agriculture and Consumer Services has reviewed the most current guidelines of all three organizations and finds that none of the three organizations approve of the use of CO for the routine euthanasia of dogs and cats. County Manager Felts stated that while the use of Carbon Monoxide (CO) for euthanasia may still be considered in unusual or rare circumstances, such as nature disasters and large-scale disease outbreaks, the cost to maintain the equipment and training for animal management staff does not appear to support maintaining the chamber with the given limitations, therefore the County Manager's recommendation was for approval of the Animal Control Advisory Board's recommendation.

Upon a motion by Commissioner Timothy Karan, seconded by Commissioner Zelodis Jay, and unanimously carried, the Board approved discontinuing the use of Carbon Monoxide (CO) for the euthanasia of dogs and cats, approved declaring the equipment as surplus, and asked for a recommendation from the Animal Advisory Board for what to do with the equipment.

BOARD AUTHORIZED STAFF TO WORK WITH THE GRANVILLE COUNTY CHAMBER OF COMMERCE TO IDENTIFY A DATE FOR THE SMALL BUSINESS AND INDUSTRY APPRECIATION DAY

County Manager Felts stated that for the past several years, Granville County has hosted a Small Business and Industry Appreciation Day event in conjunction with the Chamber's Business After Hours at the Expo and Convention Center. This event has typically taken place on the last Thursday of February. In 2015, the date would be February 26th which is the week of the NACo Legislative Conference. He stated that if the Board wishes to continue to sponsor this event, County staff will work with the Chamber of Commerce to identify another possible date.

Upon a motion by Commissioner Ed Mims, seconded by Commissioner David T. Smith, and unanimously carried, the Board approved authorizing staff to work with the Chamber of Commerce to identify another date for the event.

COUNTY ATTORNEY'S REPORT

County Attorney Wrenn stated that he had attorney-client matters and a property acquisition matter for closed session.

DURING BOARD PRESENTATIONS BOARD APPROVED SENDING LETTER REGARDING SERVICE AREAS TO TOWN OF BUTNER, CITY OF CREEDMOOR AND TOWN OF STEM AND APPROVED APPOINTMENT OF WILLIE "BO BO" MARROW TO THE ORANGE STREET COMMUNITY CENTER BOARD OF TRUSTEES AS EX-OFFICIO MEMBER UNTIL VACANCY OCCURS

Commissioner Smith stated that he attended the Christmas events at the Senior Center in Stovall and Oxford and they were well attended. He noted that the sign has been placed at the Bullock convenience site stating "Coming Spring of 2015."

Commissioner Currin asked Commissioner Karan and the Animal Control Advisory Committee to consider another kind of enclosure for the animal drop-off cages at the Animal Shelter. He noted that many of the animals escape and end up in the area.

Commissioner Karan noted that this was discussed at the last Animal Control Advisory Committee meeting and the Board will have some recommendations in the near future.

Commissioner Mims asked the Board to save the date of January 24th at 2:00 p.m. at the Granville Expo and Convention Center for the second annual Veterans' Affairs Committee Meet and Greet. He noted that Major General Cornell A. Wilson, Jr. will be the keynote speaker and that a special tribute will be paid to World War II and Korean veterans. He also mentioned the utility audit presentation that was made during public comments and asked the

County Manger to look into the matter to see if there are potential audits that the County should take a look at.

Commissioner Smoak said that a letter was received from the Town of Butner and City of Creedmoor and that the issue regarding service area and ETJ continues to be brought up. He asked that a letter be sent by the Board asking that the Town of Butner, City of Creedmoor and Town of Stem mutually agree on what their request is and send back their specific request to the County. He said that he would make that motion. Commissioner Smith seconded the motion.

Commissioner Mims mentioned all five municipalities get together and talk about this issue and come back with a recommendation to consider.

Commissioner Smoak noted that there are two different water systems and that water allocations are driving the issue.

Commissioner Ed Mims made a substitute motion to expand the conversation regarding ETJ and service areas to all five municipalities. The motion died for a lack of a second.

Chairman Cozart asked for a vote on the motion on the floor.

Commissioner Currin asked for clarification on the motion.

After discussion, County Wrenn noted that a service area would be a SGWASA issue. When asked, he noted there is no statutory definition of a service area so a definition would have to be created by the parties involved and noted that the Board does not control where SGWASA provides services. Discussion continued at this point.

Commissioner Smoak withdrew the motion and made a new motion.

Commissioner Edgar Smoak made a motion for the County Manager to respond to the letter from the Town of Butner and City of Creedmoor and inform the Town of Butner, City of Creedmoor and the Town of Stem that they need to get with the South Granville Water and Sewer Authority (SGWASA) and work out what they want as far as service areas. Commissioner Timothy Karan seconded the motion and it passed unanimously.

Commissioner Jay asked that everyone remember the Faulkner family in prayer following the tragedy in the Oak Hill community.

Chairman Cozart reported that the School Liaisons will meet with Granville County Schools' leadership on Thursday and asked if the Board had anything to share to let them know. He mentioned that he has been brainstorming on ways to seek public input on the

upcoming retreat and asked if there were ideas on reaching specific organizations to let him know. He also mentioned a letter he received from the Chairman of the Orange Street Community Board of Trustees regarding a recent appointment to their Board and a unanimous choice for the appointment that was not received by the Board. He asked that the Board consider how their wishes could be fulfilled.

Commissioner R. David Currin, Jr. made a motion to appoint Willie "Bo Bo" Marrow to the Orange Street Community Board of Trustees as an ex-officio member to serve until the first vacancy occurs and he then fill that position. Commissioner Ed Mims seconded the motion and it passed unanimously.

BOARD WENT INTO CLOSED SESSION

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Ed Mims, and unanimously carried, the Board went into closed session as allowed by G.S. 143-318.11(a)(3) and (5) 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; and to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Ed Mims, and unanimously carried, the Board returned to regular session.

BOARD ADJOURNED

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

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

APPROVED BY:


Tony W. Cozart, Chairman