

OXFORD, NORTH CAROLINA
July 5, 2016

The Members of the Honorable Board of Commissioners of Granville County, North Carolina met in a regular meeting on Tuesday, July 5, 2016 at 7:00 p.m. in the Auditorium, Granville Expo and Convention Center, 4185 US Highway 15 South, Oxford.

Present were:

Chairman: Zelodis Jay

Commissioners: Tony W. Cozart Timothy Karan
Ed Mims David T. Smith
Edgar Smoak

R. David Currin, Jr. was absent.

County Manager: Michael S. Felts

County Attorney: James C. Wrenn, Jr.

Assistant County Attorney: Gerald T. Koinis

News Reporters: Chris Harris – *Butner-Creedmoor News*
David Murray – *Oxford Public Ledger*
David Irvine – *The Daily Dispatch*

MEETING CALLED TO ORDER

At 7:00 p.m., Chairman Zelodis Jay called the meeting to order, and recognized Commissioner Tony W. Cozart for the invocation and the Pledge of Allegiance. He introduced and welcomed David Murray, new Staff Writer with the Oxford Public Ledger, to the meeting.

BOARD APPROVED CONSENT AGENDA

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Ed Mims, and unanimously carried, the Board approved the consent agenda as follows:

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

Environmental Disaster Contingency	\$ 10,000
General Contingency Balance	\$ 170,000
General Fund Appropriated Fund Balance	\$ 579,708

- (B) Approved Minutes of the May 16, 2016 Regular Meeting as recorded.

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

TAX RELEASES
July 5, 2016

ACCOUNT	OWNERS NAME	AMOUNT	REASON FOR RELEASE
6398-301	D C Jr & James Henry Critcher FY15	753.64	Property rezoned April 2014
6407-301	James Henry Critcher FY15	235.08	Property rezoned April 2014
6400-301	Darius C Jr & Jean Critcher	240.19	Property rezoned April 2014

TOTAL		\$1,228.91	
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BOARD RECOGNIZED CARL CANTALUPPI

Chairman Jay recognized Commissioner Karan and he recognized Carl Cantaluppi for his 22 years of service with Granville County Cooperative Extension and presented him with a Certificate of Recognition from the Board that read as follows:

Certificate of Recognition
Presented To
Carl Cantaluppi
In Recognition of Outstanding Service
To
Granville County Cooperative Extension Service
From
September 1, 1994 – June 30, 2016

Paul Westfall, Director of Cooperative Extension, also made comments when he arrived and thanked Mr. Cantaluppi for his years of service.

AFTER HOLDING PUBLIC HEARING, BOARD APPROVED GRANVILLE COUNTY LAND DEVELOPMENT CODE TEXT AMENDMENT REGARDING WATER SUPPLY WATERSHED REGULATIONS

Chairman Jay stated that the public hearing was to hear public comments on a Granville County Land Development Code Text Amendment petition. He then declared the public hearing open and recognized Barry Baker, Planning Director, for a brief overview.

Barry Baker, Planning Director, 122 Williamsboro Street, Oxford, NC, stated that all public notices as required by local and state law have been accomplished. He said included in the agenda packet were: (1) Copy of proposed text amendment petition and language; (2) Planning Board Written Consistency Statement regarding the proposed amendment; (3) Unapproved minute excerpts for agenda item from the June 16, 2016 Planning Board meeting; and (4) Copy of General Watershed remaining balances. He said the special intensity bonus density allocation (SIBDA) will allow for non-residential uses that are allowed in residential zones including schools, churches and public buildings if this text amendment is adopted. He said the Planning Board recommended approval of the Land Development Code Text Amendment by a vote of 4-0.

Commissioner Smoak asked for clarification.

Mr. Baker said this will be keeping up with State rules and allows for 10% of each watershed to be built upon up to 70% and will include anything made impervious such as paved, graveled, building footprints and compacted soil.

Chairman Jay asked that anyone wishing to speak to come to the podium and state their name and address for the record.

With no one wishing to speak, Chairman Jay asked if the Board had any questions.

Commissioner Karan asked if costs are assessed by square foot and asked for clarification on the Special Intensity Bonus Development Allocations.

Mr. Baker answered that it is 10 cents per square foot over the base amount that is allowed - 24% 36%. He referred to page 36 of the agenda for the Special Intensity Bonus Development Allocations.

Chairman Jay declared the public hearing closed.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Ed Mims, and unanimously carried, the Board approved the plan consistency statement and the amendment to the Granville County Land Development Code as recommended by the Planning Board as follows:

AMENDMENT TO WATER SUPPLY WATERSHED REGULATIONS

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 June 16, 2016 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 July 5, 2016, 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 on page V-10 states as a goal and objective to pursue policies that "protect Granville County's surficial and groundwater resources."

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

SECTION 1. Amend Section 32-359 of the Granville County Land Development Code by deleting the following language (~~strike through~~ denotes deleted language):

Sec. 32-359. - Special intensity bonus.

- (a) The county may allocate a special intensity bonus up to ten percent of the land in each WS-II-GW, WS-III-GW and WS-IV-GW watershed area. Such bonus area may be developed as nonresidential uses only. ~~An area allocated the special intensity bonus may be granted for any permitted use in the nonresidential zoning districts only.~~ In the development receiving the special intensity bonus, the built-upon area is permitted to be increased to 70 percent of the

site. Applications for this special intensity bonus development allocation (SIBDA) must be submitted and approved by the board of county commissioners to develop under these built-upon provisions. An allocation in either the Upper or Lower Falls Watershed Overlay Zoning Districts may only be granted if the project will achieve 85 percent total suspended solids removal and complies with all provisions of the Falls Watershed Stormwater Ordinance for New Development (article V, division 5 of this chapter).

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 July, 2016.

AFTER HOLDING PUBLIC HEARING, BOARD APPROVED RESOLUTION TO ADOPT THE TAR RIVER NC REGIONAL HAZARD MITIGATION PLAN

Chairman Jay stated that the public hearing was to hear public comments on the Tar River NC Regional Hazard Mitigation Plan. He then declared the public hearing open and recognized Robin Edwards, Emergency Management Planning/Exercise Officer, for a brief overview.

Mrs. Edwards explained that in the past few months, Granville County (including the municipalities of Butner, Creedmoor, Oxford, Stem and Stovall) has been working with several other counties in our area (Franklin, Vance, and Warren), to develop a regional hazard mitigation plan known as the Tar River Hazard Mitigation Plan. In 2012 a plan update was completed at the local level, but for the current update, at the suggestion of the State to share resources and reduce the overall costs of planning and due to the fact the counties involved share similar hazards, we have worked with Franklin, Vance, and Warren counties on a regional plan. Because of our regional status, the state provided the region with a grant to hire a consultant (Atkins) who has been working with us throughout this process. She noted that FEMA recently approved the Tar River Regional Hazard Mitigation Plan and a requirement is to hold a public hearing which has been advertised in the local papers and on the County's website. She noted that as of today, no comments have been received by her office. She asked that after the public hearing, the Board approve the plan by resolution of adoption. Once the plan is approved by Granville County, each of the municipalities will be asked to approve the plan. FEMA will issue the formal approval of the plan upon receipt of adoption documentation.

Commissioner Mims asked if there had been any indication that all of the municipalities would approve the plan. He also asked if a municipality did not sign on, what would be the implications.

Mrs. Edwards said she had worked with the municipalities and received some feedback and believed they would approve the plan. She said she did not believe that would be an issue, but could confer with the consultant to see.

Chairman Jay asked that anyone wishing to speak to come to the podium and state their name and address for the record.

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

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board approved the Resolution to Adopt the Tar River Regional Hazard Mitigation Plan as follows:

RESOLUTION TO ADOPT THE TAR RIVER REGIONAL HAZARD MITIGATION PLAN

WHEREAS, Granville County is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

WHEREAS, Granville County desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the Granville County Board of Commissioners to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of the Granville County Board of Commissioners to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting Granville County; and

WHEREAS, Granville County, in coordination with Franklin County, Vance County, Warren County, and the participating municipalities within those counties, has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;

WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency have reviewed the Tar River Regional Hazard Mitigation Plan for legislative compliance and have approved the plan pending the completion of local adoption procedures;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Granville County hereby:

1. Adopts the Tar River Regional Hazard Mitigation Plan; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Adopted on July 5, 2016.

BOARD APPROVED REQUEST FOR RELEASE OF FUNDS FOR THE OLDE BRASSFIELD SUBDIVISION ROAD MAINTENANCE

County Manager Felts stated that Mr. Richard Yost, on behalf of the Olde Brassfield Property Owners Association, Inc., has submitted a written request for the release of funds, held by Granville County, for the maintenance of the subdivision's roads in accordance with the County's policy. The following is a brief summary of items required to be submitted along with the written request to the County Manager.

1. The request must come from a legal person with the right or obligation to maintain, repair, and/or replace all of the streets that were originally covered by the surety ("Responsible Person").
2. The Responsible Person must submit a written certification from an attorney certifying to the County that the Responsible Person is entitled to act on behalf of the HOA, Developer, or other legal person with the right or obligation to maintain, repair, and/or replace all of the streets that were originally covered by the surety.
3. Provide a copy of a NC DOT punch list that is current.
4. A copy of a contract between the Responsible Person and a contractor having the necessary licenses and credentials to complete the work contemplated by the punch list.

County Manager Felts explained that the County Manager and County Attorney shall advise the Board of Commissioners, as appropriate, of any issues or concerns. The Board of Commissioners shall take action on the request if it so chooses. Any decision to pay the funds in support of the request shall be effectuated by payment of the funds, less any expenses incurred by the County in connection with the funds or the request, by check made payable to the Responsible Person and the contractor selected by the Responsible Person to complete the work necessary to complete the punch list. Note: before payment will be made, an engineer licensed to practice in the State of North Carolina must certify in writing and under seal that the punch list has been completed according to NC DOT standards.

County Manager Felts recognized Rick Yost, President of the Olde Brassfield Property Owners Association, to make comments and noted that requirements have been met.

Mr. Yost said that this has been a long five-year process and thanked County Manager Felts and County Attorney Wrenn for their work on the matter. He said he understood that Olde Brassfield is the first to go through the process and hopes others will. He presented notes to the Commissioners with the timeline of the process that has taken place to get to this point. He asked the Board to honor the County Manager's request to release the funds for Olde Brassfield Subdivision road maintenance.

Commissioner Mims made comments and said since the funds are available he would make a motion to approve the County Manager's recommendation. Commissioner Edgar Smoak seconded the motion.

Commissioner Smoak said when the bond money was held, the Board did not anticipate that this would be such a long process. He thanked staff that helped with the matter and Mr. Yost for being the "guinea pig" in this matter. He said he believed that a good process is in place.

When Chairman Jay called for a vote on the matter, the motion passed unanimously authorizing the release of the road bond funds for Olde Brassfield Subdivision road maintenance subject to obtaining a copy of the contract between the Responsible Person and Contractor and confirmation from the Responsible Person that an engineer licensed to practice in the State of North Carolina will be hired to certify in writing and under seal that the punch list has been completed according to NC DOT standards and to do any other inspections or testing required by NCDOT.

BOARD APPROVED ADDENDUM TO THE MASTER SERVICES AGREEMENT FOR CONSULTING SERVICES WITH JOYCE ENGINEERING

County Manager Felts stated that a professional consulting services agreement addendum (# 0670-10) with Joyce Engineering for services at the County's landfills for FY 2016-2017 was included in the agenda packet. This is an addendum to the Master Services Agreement No. 0670 dated June 28, 2007 between the County and Joyce Engineering. Services this upcoming year include routine general landfill consulting, water quality sampling and reporting, and landfill gas monitoring required by the North Carolina Department of Environmental Quality (NCDEQ). He noted that funding for the services is included in the FY 2016-2017 Solid Waste Enterprise Fund approved budget.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner David T. Smith, and unanimously carried, the Board approved the professional consulting services agreement with Joyce Engineering for services at the County's landfills for FY 2016-2017, known as an addendum #0670-10 to the Master Services Agreement Number 0670 dated June 28, 2007, and included in the FY 2016-2017 approved budget to be paid from Solid Waste Enterprise Fund.

BOARD REAPPOINTED JACKIE SERGENT (PUBLIC HEALTH) TO THE GREENWAY TECHNICAL COMMITTEE

Upon a motion by Commissioner Ed Mims, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board reappointed Jackie Sergent (Public Health) to the Greenway Technical Committee as recommended by Lisa Harrison, Health Director.

BOARD APPOINTED ALLEN NELSON (DISTRICT 1) TO THE GRANVILLE COUNTY PLANNING BOARD

Upon a motion by Commissioner Zelodis Jay, seconded by Commissioner Timothy Karan, and unanimously carried, the Board appointed Allen Nelson (District 1) to the Granville County Planning Board.

BOARD APPOINTED JAY BRADSHAW (HOTEL/MOTEL MANAGER) TO THE GRANVILLE COUNTY TOURISM DEVELOPMENT AUTHORITY

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Timothy Karan, and unanimously carried, the Board appointed Jay Bradshaw (Hotel/Motel Manager) to the Granville County Tourism Development Authority as recommended by the Granville County Tourism Development Authority Board.

BOARD APPROVED APPOINTMENTS/REAPPOINTMENTS TO THE GRANVILLE COUNTY COMPREHENSIVE TRANSPORTATION PLANNING COMMITTEE

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board approved the following appointments/reappointments to the Granville County Comprehensive Transportation Planning Committee:

**GRANVILLE COUNTY
CTP COMMITTEE**

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Edgar Smoak	<i>Granville County, Commissioner</i>
Mike Felts	<i>Granville County, Manager</i>
Barry Baker	<i>Granville County, Planning Director</i>
Justin Jorgensen	<i>Granville County, Senior Transportation Planner</i>
Scott Phillips	<i>Granville County, Development Services Director</i>
Harry Mills	<i>Granville County, Economic Development</i>
Vicky Cates	<i>Town of Butner, Mayor</i>
Tommy Marrow	<i>Town of Butner, Manager</i>
Jessica Gladwin	<i>Town of Butner, Planner</i>
Daryl Moss	<i>City of Creedmoor, Mayor</i>
Michael Bonfield	<i>City of Creedmoor, Manager</i>
Michael Frangos	<i>City of Creedmoor, Planning Director</i>
Jackie Sergent	<i>City of Oxford, Mayor</i>
Amy Ratliff	<i>City of Oxford, City Engineer</i>
Cheryl Hart	<i>City of Oxford, Planning Director</i>

Lonnie Cole	<i>Town of Stem, Commissioner</i>
Janet Parrott	<i>Town of Stovall, Mayor</i>
Annie Cotton	<i>Citizen Member</i>
Becky Currin	<i>Citizen Member</i>

NCDOT/CAMPO/Kerr-Tar RPO Representatives

Rupal Desai	<i>NCDOT, Transportation Planning Branch</i>
Scott Walston	<i>NCDOT, Transportation Planning Branch</i>
Jason Lee	<i>NCDOT, Granville County Maintenance</i>
Joey Hopkins/David Kealson	<i>NCDOT, Division 5</i>
Ann Stroobant	<i>Kerr-Tar RPO</i>
Paul Black	<i>Capitol Area MPO</i>

BOARD APPROVED FIRE PROTECTION SERVICES AGREEMENT WITH THE TOWN OF BUTNER

County Manager Felts stated that the NC Office of State Fire Marshal has completed a re-inspection of Butner Public Safety and Stem Fire Departments. During the inspection, it was noted that the existing contract between the County and Butner was made between the County and the NC Department of Crime Control and Public Safety for coverage to the Lyon Station Fire Insurance District.

The Fire Protection Services Agreement should have been renewed during the Town of Butner's incorporation as a municipality. A copy of the proposed Fire Protection Services Agreement between Granville County, North Carolina and the Town of Butner, North Carolina is included in the agenda packet. This agreement is consistent with other fire protection agreements currently in place for Granville County.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board approved the Fire Protection Services Agreement between Granville County and the Town of Butner and approved forwarding the agreement to the Town of Butner for their consideration.

BOARD APPROVED NCACC VOTING DELEGATE

County Manager Felts stated that the Board needs to designate a voting delegate for the North Carolina Association of County Commissioners (NCACC) Annual Conference in Forsyth County on August 11-14, 2016. Commissioners Tony W. Cozart, Zelodis Jay, Timothy Karan, Ed Mims, and David T. Smith will be attending the conference.

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Ed Mims, and unanimously carried, the Board approved designating Chairman Zelodis Jay as the 2016 NCACC Voting Delegate.

BOARD REDUCED FUNDING FOR THE ROANOKE RIVER BASIN

County Manager Felts stated that the following request would have been included in the FY 2016-2017 budget as a service expansion; however it was received after the County's request for information date.

The Roanoke River Basin Association (RRBA) has been working to advocate for and support efforts to protect the Roanoke River Basin since 1945. Most of this effort has been performed by a dedicated group of voluntary board of directors and a part-time executive director. The RRBA would like to create a full-time executive director position dedicated to working for the membership and the board of directors. They are requesting each county in the basin to contribute \$.10 per capita to cover operational and advocacy/public relations expense for the year. This request would total \$5,810 for Granville County. Granville County has provided \$1,800 annually to RRBA since 2006 and the current allocation in the FY 2016-2017 budget is \$1,800. He noted that Person County and Vance County have agreed to the same amount of funding as last year and noted that Vance County contributes \$100.

Commissioner David T. Smith made a motion to fund the Roanoke River Basin Association for fiscal year 2016-2017 in the amount of \$100 as Vance County does. Commissioner Tony W. Cozart seconded the motion.

Commissioner Smoak said he agreed and asked if the Board could do this and what the funding level for Person County is. He asked for clarification of the increase.

County Manager Felts stated that funding is voluntary since 2006 and that he did not know the amount of funding from Person County, but noted that funding will remain the same as last year.

Commissioner Smith said maybe they will have more information next year.

Commissioner Mims asked about a possible amendment to the motion that the funding be provided with the proviso that information is received first regarding the benefits to Granville County.

County Manager Felts referred to their budget and general information included in the agenda packet. He clarified that the contribution has been voluntary since 2006 and not dues based. He said that Person and Vance Counties are not contributing the \$.10 per capita. He noted that much of the funding will go to the salary for a full-time executive director.

Commissioner Karan mentioned concerns with the political priorities of the group.

Commissioner Mims said he agreed with the original motion.

When Chairman Jay called for a vote on the motion, it passed unanimously to reduce funding for the Roanoke River Basin from \$1,800 to \$100 for fiscal year 2016-2017.

BOARD APPROVED FUNDING FOR THE FIVE COUNTY STEPPING UP INITIATIVE

County Manager Felts said the request is for each county to identify a portion, up to \$20,000, of the funds already allocated in the FY 2016-2017 budget for Cardinal Innovations Healthcare Solutions (Mental Health Funding) to be earmarked for the Five County Stepping Up Initiative. He noted that Franklin, Vance and Warren Counties have contributed \$20,000 and Halifax County has contributed \$15,000.

Commissioner Smoak explained that they are trying to get people with mental illnesses help instead of them being caught up in the criminal justice system. He said that money will be used from each of the five counties to conduct a study of what can be done to help these people so they will not invade the emergency rooms or tie up law enforcement officials. He said he highly recommends this initiative to get these people help and not a record. He clarified that funding for the study is being redirected from the existing mental health budget.

Commissioner Mims asked if having \$85,000 in total funding from counties instead of \$100,000 will affect the program and if Granville County should do \$20,000 being the largest county.

County Manager Felts explained that Warren County was the first to contribute and approved \$15,000. He said that \$100,000 total from the five counties was determined to be enough to do a study, but they could work with \$85,000.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Ed Mims and unanimously carried, the Board approved redirecting \$15,000 from Granville County's existing mental health, intellectual and developmental disabilities, and substance use funding allocation for FY 2016-2017 toward the collective Five County Stepping Up Initiative.

BOARD PRESENTATIONS

Commissioner Mims reported that on June 28th the UNC School of Government held a seminar on the Essentials of Economic Development at Vance-Granville Community College. He was unable to attend, but encouraged the Board to be proactive in getting information on economic development. He said he had received compliments about Wilton Slopes and asked the County Manager to check on the feasibility of restroom facilities at the site.

Commissioner Karan said that the July 4th fireworks that the County helped sponsor was a fantastic event and went off without any problems.

Commissioner Smoak thanked the Board, staff and everyone for their support during the past month dealing with health issues. He said he realized that the Board loves Granville County and will do the right things with or without him.

Commissioner Smith reminded everyone of the Nifty 90's Program on July 12th that recognizes our citizens 90 and over.

Commissioner Cozart said the basketball league at the Central Children's Home that the Board has supported has been a great opportunity for the children and hopes it will continue. He asked County Attorney Wrenn to check on the property on Antioch Road that he has received complaints on in the past.

Chairman Jay said that the Board was glad to have Commissioner Smoak at the meeting tonight. He reported that Mayor Darryl Moss's father passed away and the services are on Tuesday, July 6th. He said that we are in serious times and we need to be praying for each other.

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