

**OXFORD, NORTH CAROLINA**  
November 17, 2014

The Members of the Honorable Board of Commissioners of Granville County, North Carolina met in a regular meeting on Monday, November 17, 2014 at 7:00 p.m. in the Auditorium, Granville Expo and Convention Center, 4185 US Highway 15 South, Oxford.

***Present were:***

**Chairman:** David T. Smith

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

**APPROVED CONSENT AGENDA**

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

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

General Contingency Balance	\$ 170,000
Environmental Disaster Contingency	\$ 10,000
General Fund Appropriated Fund Balance	\$ 2,643,772

(B) Approved the Minutes of the October 29, 2014 Special Meeting and November 3, 2014 Meeting as recorded.

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

Tax Releases  
November 17, 2014

ACCT	NAME	AMOUNT	REASON
16589-304	Linda W Newcomb	266.42	DW MH Listed Twice
81019-111	James F Jr & Irene McGill FY 2011	-6885.47	Qualified for Land Use Valuation
81019-112	James F Jr & Irene McGill FY 2012	-6396.59	Qualified for Land Use Valuation
81019-113	James F Jr & Irene McGill FY 2013	-4428.84	Qualified for Land Use Valuation

81019-301	James F Jr & Irene McGill FY 2014	-4072.53	Qualified for Land Use Valuation
<b>TOTAL</b>		-21,517.01	

**BOARD RECEIVED UPDATE REPORT ON ABC BOARD ACTIVITIES**

Chairman Smith recognized Allen T. Nelson, Chairman of the Granville County ABC Board, to update the Board on ABC Board activities.

Mr. Nelson noted that Tim Cottrell, General Manager, and ABC Board members Rob Williford and Bill Crosby were present. He reported that the total gross sales from July 1, 2013 to June 30, 2014 were \$3,387,170 and increased 4.62% from the previous year. Operating costs were approximately the same as the previous year and Inventory Cost Analysis was 11.6% and ranked first in the State. He stated that the ABC Board purchased land in Butner in May 2014 for a final price of \$325,897. He reported that Tim Cottrell was hired as General Manager in July 2014 to replace Russell Murray who retired and Ruth Carraway was appointed Financial Officer/Secretary-Bookkeeper effective August 1, 2014. He also reported that the Granville County ABC Board distribution of income to Granville County was \$363,906 for the year ending June 30, 2014. He thanked the Board of Commissioners, the County Manager and staff for their support.

When asked, Mr. Nelson stated that 1.9 acres were purchased in Butner.

**BOARD APPROVED NCDOT 5310 FUNDING FOR SENIOR SERVICES**

Chairman Smith stated that information from Kathy May, Senior Services Director, regarding the renewal of a grant application to the North Carolina Department of Transportation (NCDOT) for the use of Federal 5310 Grant funds to operate, in partnership with KARTS, a fixed bus route in the city limits of Oxford; and a second bus to provide transportation services that meet the special needs of elderly persons and persons with disabilities for whom mass transportation services are unavailable, insufficient or inappropriate was included in the agenda packet. Statistical information and a copy of the public hearing notice were also included in the agenda packet.

At this point, Chairman Smith declared the public hearing open and asked those wishing to speak to come to the podium and give their name and address for the record. He then recognized Kathy May, Senior Services Director.

**Kathy May, Director of Senior Services**, stated that this grant was received in 2010 and was done in partnership with KARTS for a fixed bus route within the city limits of

Oxford. The route has 16 stops and the bus runs at full capacity most of the time. The grant also pays for a second paratransit van to pick up disabled seniors within the city limits to bring them to the Granville County Senior Center and will take others from Senior Center on errands within the city limits for approximately an hour and a half. She noted that the grant has provided a great service to the community and freed up other transportation funding from the Home and Community Care Block Grant and ETAP funding allowing for more transportation in the County including the northern and southern areas. She requested \$161,000 from NCDOT for fiscal year 2015-2016 and is based on current numbers and a 3% increase. She noted that ETAP funding can be used for the 10% local match.

**Rev. Bernard Holliday, 1738 Lake Road, Creedmoor, NC**, noted that there is a Senior Center in Creedmoor that services Creedmoor and the Butner area and that the budget is less than Oxford and other centers in the County. He asked on behalf of the Center for Living of which he is the Chairman, inclusion of the bus transportation program in the southern end of the County. He stated that there is a member who has a van that has passed state inspection to accommodate disabled or senior citizens safely. He submitted to the Board for consideration the possibility of responsibility of liability coverage, noting that they have the van and a driver. He asked for guidance and inclusion of the southern end of the County just as Oxford is serviced.

Commissioner Mims asked if there is a precedent for the County providing liability coverage if a citizen were to provide transportation.

County Manager Felts stated that currently transportation services are contracted out and the contractor carries the liability coverage, not the County. He noted that it would be somewhat problematic for the County to provide liability coverage for a service that the County has no direct supervision of, such as if the driver was not a County employee or the equipment was not County-owned. He said he could look into the matter.

Commissioner Mims noted that \$161,000 is being requested and what would need to be added to provide some type of transportation on the southern end of the County.

Ms. May stated that there is already transportation in the southern end of the County, but not a fixed bus route. She said that transportation is provided to bring people to the Senior Center in Creedmoor. The route goes through Butner, Stem and further out and has been offered for expansion and there was no interest. She noted that this grant frees up other

funding for transportation in other areas of the County. When asked, she said there is a 25 cents charge to ride the bus.

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

Upon a motion by Commissioner Zelodis Jay, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board approved the renewal application to the North Carolina Department of Transportation (NCDOT) for fiscal year 2015-2016, for funding to operate, in partnership with KARTS, a fixed bus route in the city limits of Oxford and a second bus to provide transportation services that meet the special needs of elderly persons and persons with disabilities for whom mass transportation services are unavailable, insufficient or inappropriate. The renewal application is for \$161,000 for the one year time period and other NCDOT money from the ROAP grant will be used for the 10% local match.

**BOARD APPROVED ORDINANCE EXTENDING A MORATORIUM ON GROUND-MOUNTED SOLAR POWER ENERGY SYSTEMS IN THE AR-40 ZONING DISTRICTS**

Chairman Smith stated that the purpose of the public hearing was to hear public comments on the proposed extension of the moratorium ordinance entitled "Moratorium on Ground-Mounted Solar Power Energy Systems ("Solar Farms") in the Agricultural Residential 40 (AR-40) Zoning District" for an additional 60 days. The purpose of the proposed extension of the moratorium on development approvals related to Solar Farms in the AR-40 Zoning District is to allow the Granville County Planning Board and the Granville County Board of Commissioners to further evaluate the effects such land uses have on the County and its citizens and to consider possible ordinance modifications that will allow the continued location of Solar Farms in areas currently zoned AR-40 through a conditional zoning district rezoning process. Said ordinance would be extended no more than sixty (60) days unless extended as allowed by law.

At this point, Chairman Smith declared the public hearing open and asked those wishing to speak to come to the podium and give their name and address for the record. He then 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 for the public hearing. He said that the moratorium that was passed on September 18, 2014 is set to end at

midnight tonight. The Planning Board has a set of text amendments associated with solar farms that they will hold a public hearing on this Thursday, November 20<sup>th</sup>. These will be sent to the Board for the first January meeting. The extension of the moratorium will end at the end of January 16, 2015. He noted that the text amendments are concerning conditional zoning districts which are a legislative rezoning process and solar farms and other non-exempt agricultural type uses would be permitted uses as a conditional use. He added that if approved, solar farms as special uses in AR-40 districts would be removed.

Commissioner Cozart asked who has been involved in the conversations regarding text amendments that the Planning Board is now considering other than the Planning Board and staff.

Mr. Baker answered that the Planning Board and staff have been involved and that the process for conditional zoning has been sought through the University of North Carolina School of Government's Planning listserv.

Commissioner Cozart also asked how many solar farm applications have been filed or how much interest has there been.

Mr. Baker stated that four solar farm special use permits have been approved and one of those is on the ground and three have vested rights and could get building permits if they proceed within a time period after their approval. He said he does not know how many applications we could have, but he is speaking with someone later this week about a solar farm.

Commissioner Mims asked why this is coming back to the Board in January rather than earlier.

Mr. Baker stated that the anticipated date of coming back to the Board is January 5, 2015 and is due to a matter of meeting legal notice requirements. He noted that the public hearing for the Planning Board is November 20<sup>th</sup> and the next Commissioners' Board meeting is December 1<sup>st</sup>. He noted that they could not advertise for the December 1<sup>st</sup> Board of Commissioner's' meeting without knowing exactly what the Planning Board would do.

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

Commissioner R. David Currin, Jr. made a motion to approve the ordinance extending a moratorium on ground-mounted solar power energy systems in the AR-40

zoning districts for sixty days until January 16, 2015. Commissioner Edgar Smoak seconded the motion.

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

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

**BOARD APPROVED CHASSIS MOUNTED KENNEL UNIT FOR ANIMAL CONTROL**

Chairman Smith stated that the purchase of a chassis mount kennel unit for Granville County Animal Control division will bring the Animal Management Department up to code with NC Animal Welfare Standard 02NCAC 52J.0302. The need for this unit was also mentioned as an action item in the August 2013 Animal Welfare inspection of Granville County Animal Control & Shelter. Matt Katz, Animal Management Director, provided a memo summarizing the features of the kennel unit, a copy of the NC Animal Welfare Standard, and copies of the pricing summaries from the various vendors and they were included in the agenda packet. He referred to the following quotes and noted that the Animal Management Director recommended awarding the contract to the low bidder, Jackson Creek Manufacturing, Inc., Denton, NC:

Vendor	Price
Jackson Creek Manufacturing – NC	\$13,084.00
Custom Fiberglass Coaches – IA	\$14,340.00
Jones Trailer Company – TX	\$15,515.00

Upon a motion by Commissioner R. David Currin, Jr., seconded by Commissioner Zelodis Jay, and unanimously carried, the Board approved contracting with Jackson Creek Manufacturing, Inc., Denton, NC at a cost of \$13,084, for a chassis mount kennel unit for Animal Control.

**BOARD REAPPOINTED ELIJAH STRATER (DISTRICT 1) AND FREDERICK COOPER (DISTRICT 2) TO THE ORANGE STREET COMMUNITY CENTER BOARD OF TRUSTEES**

Upon a motion by Commissioner Zelodis Jay, seconded by Commissioner Ed Mims, and unanimously carried, the Board reappointed Elijah Strater (District 1) to the Orange Street Community Center Board of Trustees.

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board reappointed Frederick Cooper (District 2) to the Orange Street Community Center Board of Trustees.

**BOARD REAPPOINTED JOHN H. GLENN, JR. (DISTRICT 3), A. A. "BUDDY" PRINCE (DISTRICT 6) AND RONALD "RON" DANIELS – ALTERNATE (DISTRICT 3) TO THE BUTNER PLANNING BOARD OF ADJUSTMENT – EXTRATERRITORIAL MEMBERS**

Upon a motion by Commissioner R. David Currin, Jr., seconded by Commissioner Edgar Smoak, and unanimously carried, the Board approved the reappointment of John H. Glenn, Jr. (District 3) and Ronald "Ron" Daniels – Alternate (District 3) to the Butner Planning Board of Adjustment – Extraterritorial Members.

Upon a motion by Commissioner Timothy Karan, seconded by Commissioner Edgar Smoak, and unanimously carried, the Board approved the reappointment of A. A. "Buddy" Prince (District 6) to the Butner Planning Board of Adjustment – Extraterritorial Member.

**BOARD REAPPOINTED ZELODIS JAY (DISTRICT 1), TIMOTHY KARAN (DISTRICT 6) AND EDGAR SMOAK (DISTRICT 7) TO THE GRANVILLE HEALTH SYSTEM BOARD OF TRUSTEES**

Upon a motion by Commissioner R. David Currin, Jr., seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board reappointed Zelodis Jay to the Granville Health System Board of Trustees.

Upon a motion by Commissioner Tony W. Cozart, seconded by Commissioner R. David Currin, Jr., and unanimously carried, the Board reappointed Timothy Karan to the Granville Health System Board of Trustees.

Upon a motion by Commissioner R. David Currin, Jr., seconded by Commissioner Zelodis Jay, and unanimously carried, the Board reappointed Edgar Smoak to the Granville Health System Board of Trustees.

**BOARD APPROVED CHANGE IN GRANVILLE COUNTY'S SECTION 504 ADA GRIEVANCE PROCEDURE**

County Manager Felts stated that the existing Section 504 Americans with Disabilities (ADA) Grievance Procedures for Granville County for the years 2013-2016 lists Mr. Justin Ayscue, Human Resources Director as the ADA Coordinator. The County's Grant Coordinator Banita Onyirimba has requested the procedure be updated to list Mrs. Wendy Pennington, Human Resources Director as the ADA Coordinator.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Timothy Karan, and unanimously carried, the Board approved the change in Granville County's Section 504 ADA Grievance Procedure.

**BOARD APPROVED STORMWATER UTILITY FUND – ON-SITE WASTEWATER REMEDIAL ASSISTANCE TRANSFER**

County Manager Felts stated that in the FY 2014-2015 Stormwater Utility Budget, Granville County has planned a transfer of funds in the amount of \$26,530.20 to the Granville-Vance District Health Department (GVDHD) program to support on-site wastewater remedial assistance. He noted that Henrietta Locklear, Stormwater Utility Services Manager, recommends the transfer of the full amount to GVDHD to provide additional inspections and technical assistance with on-site wastewater systems in the Falls watershed area of Granville County. Additional information from Ms. Locklear was included in the agenda packet.

Commissioner Karan asked if the inspections are at the request of the property owner or if the inspections are driven by the Health Department. He also asked if they were involuntary inspections.

Ms. Locklear stated that the inspections would only be done with the permission of the owners, but the Health Department is planning to concentrate inspections throughout the systems in the Falls watershed.

Commissioner Karan noted that North Carolina is a self-reporting state, and asked if the property owner is to request the inspection.

Ms. Locklear stated that she did not know the answer according to the law.

Commissioner Ed Mims made a motion to approve the transfer of \$26,530.20 to the Granville-Vance District Health Department program to support on-site wastewater remedial assistance. Commissioner Edgar Smoak seconded the motion.

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

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

**BOARD APPROVED FUNDING REQUEST FOR INSPECTOR 1 POSITION**

County Manager Felts stated that during the fiscal year 2014-2015 budget process, the Granville County Board of Commissioners requested several items to be brought back to



them for review and consideration. He explained that this request was to unfreeze the Inspector I position and provide funding for the position for the remainder of fiscal year 2014-2015. The Department would like to hire an Inspector Level 1 after January 1, 2015 (1/2 of the year). By hiring in 2015, sufficient time would be available for the new hire to obtain all the necessary inspector certifications prior to the retirement of an existing Inspector. The estimated cost to fund this position for the remainder of fiscal year 2015 is \$22,018 and funds are available in the position reclassification budget line item. Restoring funding for this position is part of the County's succession planning efforts. The Development Services Director recommended unfreezing and funding the Inspector I position effective January 1, 2015.

Upon a motion by Commissioner Timothy Karan, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board approved unfreezing and funding the Inspector I position effective January 1, 2015 from the position reclassification budget line item.

**BOARD APPROVED ADDITIONAL FUNDING REQUEST FOR VGCC SOUTH CAMPUS**

County Manager Felts stated that during the FY 2014-2015 budget process, the Granville County Board of Commissioners requested several items to be brought back to them for review and consideration. He explained that this request was for funding \$59,347 to support increases in recurring current operating expenses for the South Campus of VGCC. He read a section of a letter from Dr. Stelfanie Williams, VGCC President, which states: *"The cost of operations for the South Campus resulted in a net loss of \$25,702 for the fiscal year ending June 30, 2014. The college is currently supporting this deficiency with other institutional funding. With the increased costs and the vital need to provide adequate security to ensure the safety of our students and employees, this deficiency will likely increase further for the 2014-2015 fiscal year. Also, funding for security and policing on the campuses, as provided by respective boards of commissioners, will determine how adequately we can secure respective campuses."* He noted that \$59,347 represents a 23.5% increase of the current South Campus current expense funding level of \$252,043. He recommended approving 10% of current funding levels.

Commissioner Smoak asked if this was a recurring or one-time expense.

County Manager stated that this is a recurring funding item.

Commissioner Cozart asked what the difference was between the request and his recommendation and if it would be sufficient to provide for the safety of the students on South Campus.

County Manager Felts answered that the amount recommended is the amount of the known deficiency as opposed to a guestimate of the deficiency.

Upon a motion by Commissioner Tony W. Cozart, seconded by Commissioner Ed Mims, and unanimously carried, the Board approved appropriating fund balance in the amount of \$25,702 for Vance-Granville Community College South Campus as a recurring expense.

#### **BOARD PRESENTATIONS**

Commissioner Jay congratulated Commissioners Karan, Smith and Smoak on their reelection to the Board of Commissioners. He reported to Commissioner Karan that the Environmental Affairs Board discussed non-hydraulic fracturing and decided that they do not have enough information so a committee was formed to evaluate it.

Commissioner Karan stated that there is a misconception in the community that he is a supporter of fracturing for natural gas exploration which is completely untrue. He said that just because he voted against the resolution because it was poorly worded does not make him a supporter of it.

Commissioner Currin stated that he had a matter for closed session.

Commissioner Cozart stated that after hearing comments from Rev. Bernard Holliday and Kathy May, he is pleased with the efforts in the southern end for services for senior citizens. He said that he is pleased that transportation is available for senior citizens around the County as he is concerned for their safety and having public transportation available.

Commissioner Mims stated that the Granville County Veterans Affairs Committee will host a Meet and Greet on January 24, 2015 at 2:00 p.m. at the Granville Expo and Convention. Major General Cordell Wilson will be the keynote speaker. The Granville-District Health Department hosted an open house in Vance County on November 13<sup>th</sup> and will host one in Granville County on November 20<sup>th</sup>.

Chairman Smith thanked the Granville Senior Center for reaching out to senior citizens throughout the County.

**BOARD WENT INTO CLOSED SESSION**

The Board went into closed session for attorney-client matters.

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

Upon a motion by Commissioner R. David Currin, Jr., seconded by Commissioner Tony Cozart, and unanimously carried, the Board returned to regular session.

**BOARD ADJOURNED**

Upon a motion by Commissioner Zelodis Jay, seconded by Commissioner Edgar Smoak, and unanimously carried, the Board adjourned.

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

APPROVED BY:

  
David T. Smith, Chairman