

GRANVILLE COUNTY BOARD OF COMMISSIONERS
November 20, 2023
GRANVILLE EXPO AND CONVENTION CENTER
4185 US Highway 15 South, Oxford, North Carolina

PRESENT:

Chair Russ May
Vice Chair Timothy Karan
Commissioner Zelodis Jay
Commissioner Robert Williford
Commissioner Sue Hinman
Commissioner Tony W. Cozart
Commissioner Jimmy Gooch

County Manager Drew Cummings
Deputy County Manager Korena Weichel
County Attorney James C. Wrenn, Jr.

CALL TO ORDER

At 7:04 p.m. Chair Russ May called the meeting to order. Commissioner Robert Williford had the invocation and led the Pledge of Allegiance.

CONSENT AGENDA

Motioned by Commissioner Tony W. Cozart, seconded by Commissioner Jimmy Gooch, and unanimously carried, the Board approved the consent agenda as follows:

A. Tax Refunds, Releases, and Write-offs:

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|-----------------------------|--------------------------------------|-----------|
| • Refunds | October 26, 2023 – November 8, 2023: | \$1327.33 |
| • Releases | October 26, 2023 – November 8, 2023: | \$ 649.23 |
| • Write-offs (\$2 and less) | October 26, 2023 – November 8, 2023: | \$ 2.56 |

B. Approved Minutes:

- September 5, 2023 Regular Meeting
- June 5, 2023 Special Meeting
- June 6, 2023 Special Meeting

INTRODUCTIONS RECOGNITIONS AND PRESENTATIONS

Economic Appropriations Announcement for Triangle North Granville

Representative Frank Sossamon and Representative Matthew Winslow announced an economic development appropriation in the North Carolina budget for one million dollars for Triangle North Granville Business Park and presented a check.

Representative Sossamon highlighted the positive impacts of an \$11.5 million dollar appropriation for the Advanced Manufacturing Center and the Portman Industrial, LLC's pending development in Triangle North Granville which would bring jobs and increase the tax base. He emphasized the collaborative effort involved. He thanked key individuals for their leadership, commitment to representing the counties, and the behind-the-scenes work facilitating appropriations.

Representative Winslow acknowledged the collaborative effort and expressed appreciation for working with community-focused individuals.

Board members thanked both representatives for effective representation, acknowledging that the recent budget passed by the State of North Carolina included over \$30 million in financial support from the legislature for various projects in Granville County.

PUBLIC COMMENTS

David Atkins, 7619 NC Hwy 96, Oxford, NC, expressed his concerns about the Oak Hill solar farm, specifically mentioning environmental and safety concerns. He said that he researched on the internet that the safe distance is 1.2 miles away. He mentioned that he and his neighbors live 0.2 miles away from the solar farm and are worried about the potential risks. He also mentioned that he talked to the fire department and was told they would not be able to put out a fire in the solar farm due to its size and that they would have to cut a fire line around 600 acres and let it burn. He requested that an environmental study be conducted before proceeding with the project.

Chair May thanked Mr. Atkins for bringing it to the Board's attention and noted that the matter had not come before the Board or the Planning Board yet.

PUBLIC HEARINGS

After Holding a Public Hearing, Board Approved Land Development Code Text Amendment on Cluster Subdivisions

Chair May stated that the purpose of the continued public hearing was to hear public comments on a proposed amendment to the Land Development Code (LDC) that would increase the minimum lot size in a rural cluster subdivision to 40,000 square feet, require a minimum lot width of 85 feet per lot and change the minimum setbacks in proposed rural cluster subdivisions.

Chair May declared the public hearing open and recognized Planning Director Barry Baker for a brief overview.

Planning Director Baker explained that the public hearing was continued from the October 16, 2023 meeting. He presented the proposed text amendment that would increase the minimum lot size for rural cluster major subdivisions to 40,000 square feet, require a minimum lot width of 85 feet, and change the minimum setbacks to match the base zoning district. These standards would apply only to major cluster subdivisions, not major conventional, minor subdivisions, nor family subdivisions.

Mr. Baker explained that in late 2018, Granville County, after an extensive public input process, adopted a comprehensive plan that recommended rural cluster major subdivisions that encouraged flexibility in lot size and clustering to protect natural resources and agricultural operations. It also encouraged updating the dimensional standards to allow for conservation subdivision cluster subdivisions and it incentivized protection of environmentally sensitive lands. Cluster development on smaller lots was encouraged to preserve larger open space, especially where there is access to water and sewer, but some clustering might be feasible in unsewered areas with good soils and/or water availability.

Mr. Baker explained that to implement the plan, the county adopted subdivision regulations in 2019 that added rural cluster subdivisions as a major subdivision type and required open space criteria. He mentioned that in December of the previous year, they adopted additional open space criteria that mandated an additional 10% allocation for recreation in cluster subdivisions. As a result, open space in cluster subdivisions increased to 30% of the tract proposed for such developments. He said that since the text amendment in 2019, the Planning

Board had approved 16 major subdivisions. All 16 were conservation clustered major subdivisions, six of which noted have noted the use of community wells.

Chair May asked Mr. Baker to clarify that conservation subdivisions and cluster subdivisions are the same.

Mr. Baker confirmed that they are synonymous.

Mr. Baker stated that the Comprehensive Plan encouraged flexibility in lot size and promoted clustering to safeguard natural resources and existing agricultural operations. The plan also urged the updating of dimensional standards to accommodate conservation/cluster subdivisions and provided incentives for the protection of environmentally sensitive lands. He further explained that the strategy included the encouragement of cluster development on smaller lots to preserve larger open space, particularly in areas with access to water and sewer, with the aim of preserving larger open spaces. Additionally, he noted that clustering might be feasible in unsewered areas with favorable soil and water conditions.

Mr. Baker explained that since the 2019 amendment, the Planning Board had approved 16 major subdivisions, all of which were conservation-clustered major subdivisions, and that six of the 16 subdivisions noted the use of community wells.

When Commissioner Karan asked Mr. Baker how many of the subdivisions had been built out, Mr. Baker responded that to his recollection, two subdivisions had been completed and that he believed both were on Graham Sherron Road in the southeast corner of the county.

Mr. Baker clarified that the proposed amendment would increase the existing minimum lot size from 12,000 to 40,000 square feet for rural areas. The Planning Board received concerns about community wells and the appearance of dense development from cluster subdivisions. These concerns were received both at their public hearing and meetings preceding their public hearing. To address these concerns, the proposal also included widening the minimum lot width from 60 to 85 feet, which he described as a lot line along a right of way. Regarding the expansion of the minimum lot width, he mentioned that increasing it could potentially diminish the perceived density of the development. The Planning Board had received concerns about the visual impact of dense development, particularly in the context of cluster subdivisions.

When Commissioner Cozart asked Mr. Baker to define a family subdivision, Mr. Baker explained that a family subdivision is a land division that allows up to five lots for lineal family members with a minimum lot size of 44,000 square feet. The family relationship can be between grandparents and grandchildren, parents and children, or children and grandparents. A road right of way that meets minimum DOT (Department of Transportation) standards must be illustrated on paper, but paving is not required. The subdivision is exempt from the lot width standard, and the setback is 50 from the right of way, 15 from the side, and 25 from the rear.

As a follow-up question, Commissioner Cozart asked if there still was a minimum number of years the land must have been within the family to qualify for a family subdivision. Mr. Baker confirmed that there was no time minimum, but only five lots were allowed to be created. The limit did not specify the time frame, which meant that a person could own the lot for any length of time and then give it to a lineal family member.

Chair May asked Commissioners to hold their questions so that they could hear from the public.

Karen McGhee, 107 Warren Avenue, Oxford, NC, supported the proposal to increase the lot size. Ms. McGhee believed the rules for lot size should apply equally to individuals and developers. Ms. McGhee mentioned being told about the one acre and 150 feet of road frontage parameters when attempting to put a double wide on some property in the county a few weeks ago. She said she did not think it was fair for individuals to be held to a larger lot size when subdivision developers do not have to follow the same rules.

Jesse Davi, 1100 Lake Ridge Drive, Creedmoor, NC, a member of "Keep Granville Green," expressed frustration at feeling unheard for two years regarding concerns related to lot size and its connection to water resources. He acknowledged the other Keep Granville Green members present. He mentioned past requests by the group to eliminate cluster developments, increase lot sizes, and implement a well-interference ordinance. He criticized the repeated requests for more information and the denial of the validity of their claims. He referred to a USGS (United States Geological Survey) study showing the impact of a community well on private wells in the Norwood community and cited a study by Dominick Antolino that referenced Granville County. He highlighted that Representative Matt Winslow and Senator Mary Bode had met with the DEQ of North Carolina, and the DEQ suggested increasing lot sizes and implementing a well-interference ordinance. He urged the commissioners to increase lot sizes as a crucial step in slowing down overdevelopment and protecting private wells. Mr. Davi said that this decision would reveal which commissioners prioritize the community's interests over those of developers.

Jaycee Georgiev, 1174 Smith Creek Way, Wake Forest, NC, presented a petition regarding infrastructure issues in Granville County with six parts – (1) restore 1 acre minimum lot sizes in the watershed, (2) ban community wells in the Falls Lake Watershed and other areas with existing private wells, (3) building moratorium for health and safety assessment as allowed by NC General Statute 160D-107, (4) adoption of a well interference ordinance, (5) no use of explosives to grade land for new development, and (6) equitable fire tax distribution for Brassfield Fire Department. She spoke about the 2018 Comprehensive Plan, emphasizing several factors regarding the importance of infrastructure during development. She noted the plan's i.2.3 and i.2.4 sections highlighted the need to "address water quality issues in south Granville and conduct studies to address water and sewer infrastructure capacity needs." She said that according to information provided by the planning and zoning department, there were 16 approved cluster subdivisions in southern Granville County over the past three years. Specifically, 772 lots were approved in 2022, and 626 lots were approved in 2021. Out of these, six developments relied on community wells, a feature that was nonexistent before this period. She said that while there were no pressing issues at the time of her statement, she expressed concern about the potential lack of infrastructure and resources in the area, which could pose challenges in the future due to the rapid pace of development. She pointed out that the 2018 Comprehensive Plan recommended situating cluster subdivisions in high-density areas or just outside cities or towns capable of supporting the required infrastructure. She cited The Oaks development as an example and said that two DEQ approved community well sites resulted in the approval of 10 additional wells under a single permit. The Oaks had approximately 10 drilled wells between 400 and 750 feet deep around community well C with some sites posing concerns due to their proximity to property lines. Ms. Georgia said that while The Oaks was designed with PUD (Planned Unit Development) in mind, it did not hold PUD status and lacked approval from the planning and zoning. Each lot relied on private septic systems, with a few having only a septic easement, not public sewer access. She highlighted that the Falls Lake watershed rules safeguarded Raleigh and Durham's drinking water but did not provide protection for those residing along the blue line rivers in their watershed. She urged caution until an updated groundwater study was conducted, emphasizing the need to carefully consider allowable density until Creedmoor could catch up and adequately support its suburban areas. The proposed text amendment from the Planning and Zoning Department, Ms. Georgia pointed out, reflected a broader county-wide concern extending beyond southern Granville. She expressed concern about the rapid development at the time, emphasizing the lack of a plan for backup water infrastructure or a non-volunteer-based firehouse. She requested a return to a rule in place before 2020, which had been altered during lockdown. Ms. Georgia urged the approval of this text amendment as the responsible course of action.

Mark Kwasnick, 3614 Pine Needles Drive, Wake Forest, NC, spoke in support of the 40,000-square-foot text amendment. He believes that southern Granville is an oasis in the larger Triangle area with privacy and green spaces. He mentioned that road infrastructure is a consideration and gave an example of Johnston County and the dangers of a dense network of two-lane roads. He also discussed the unknown factor of water and how smaller lots may

require community wells which can affect private wells. He believes that not restoring the larger lot minimum will increase density, which leads to unmanaged growth in rural areas without the infrastructure needed to support it. He loves the area and wants to be a voice for the people who live there.

Julie Brooks, 1196 Old Still Way, Wake Forest, NC, referenced the 2018 Granville County comprehensive plan. She highlighted a vision board within the plan, featuring phrases such as "small-town living," "small-town feel," "quiet feel," and "rural." She said that the plan's graphs illustrated community preferences for placing new residential areas where existing water and sewer infrastructure exists, away from sensitive environmental resources and noted that two of the top recreational priorities outlined in the plan were greenways and trails, along with water quality protection. She emphasized that the most preferred new residential growth, according to the plan, was rural residential and agricultural open spaces subdivision, with conventional subdivision being the least preferred. Additionally, Ms. Brooks highlighted the plan's indication that the most popular housing preference among residents was for houses with large lots. She said that the plan further noted that areas on the east side of Creedmoor, including locations near Wilton and Grissom, had witnessed numerous residential subdivisions in recent years. Addressing density in the southern part of the county, Ms. Brooks mentioned the limitations imposed by Falls Lake rules, established by the State of North Carolina to safeguard Falls Lake, a major drinking water source for Raleigh and downstream municipalities. She stressed the need for a concerted effort to balance residential subdivisions with the protection of green space and the establishment of adequate stormwater infrastructure, especially as growth was anticipated in the area. She pointed out that the number one goal of the plan was to protect the county's rural atmosphere by conserving agricultural resources and protecting sensitive environmental areas. Expressing the sentiments of the local residents, Ms. Brooks conveyed that people had chosen to live in the area for its natural feel and rural ambiance. She noted that the residents expected the commissioners to uphold the comprehensive plan, and she raised concerns about the commissioners' voting patterns. She said that citizens felt like they were in a battle to hold the commissioners accountable to the plan. She underlined the petition as an effort to align with the forward-thinking aspects of the plan, expressing reservations about the current trend of allowing numerous subdivisions without adequate plans for infrastructure. She concluded her statement by requesting that the commissioners vote to reinstate the 40,000 square foot lots and urged them to act in alignment with the comprehensive plan.

Alaina Wilson, 1049 Blue Bell Lane, Wake Forest, NC, said that she is an operations manager for a defense engineering group. She spoke as a concerned citizen and a parent, expressing her worries about the lack of protection for water systems in the area. Ms. Wilson believes that reinstating the lot size minimum is necessary to protect the citizens of the county and their rural way of life. She urged county commissioners to do their due diligence in studying water systems before allowing developments that do not protect its citizens. Ms. Wilson concluded by stating that she and others will continue to fight for their county and its citizens.

William Ott, 3608 Pine Needles Drive, Wake Forest, NC, focused on the need to maintain a larger minimum lot size to protect groundwater resources. He argued that with the current drought conditions and the potential impacts of climate change, it is important to expand the minimum lot size to ensure the sustainable use of groundwater. He also expressed concern about the potential increase in water usage if smaller lot sizes were allowed and emphasized the need to adopt the recommendations for a 40,000-square-foot minimum lot size.

Alice Meise, 1103 Lake Ridge Drive, Creedmoor, NC, stated that she is in support of increasing the minimum lot size to 40,000 square feet. She expressed concern about the change in lot size, saying that they were not aware of the change. She emphasized the importance of preserving their rural way of life. She also mentioned their fear of running out of water and the lack of backup plans in case of water shortage. She requested that the board approve the 40,000 square-foot minimum lot size and protect their water.

Connie Campion, 1217 New Grissom Way, Wake Forest, NC, shared her experience growing up with a community well in New York in the country and the challenges they faced with water supply. She recalls how her father had to call Mr. Jones, who oversaw their well, whenever they had water pressure issues. As more houses were built, they had to drill another well to cater to the increasing demand. Eventually, their town had to send tanks for them to have water. She then talked about the Preserve at Smith's Creek where she lives. She expressed concern about densely populated housing development in the area and requested not to go backward into the past, where they had to rely on water tanker trucks and tanks in front yards to have water. She said that she hopes that they can go back to where they were and not have to face the same issues again.

Betse Noble, 1295 Woodland Church Road, Wake Forest, NC, expressed her support for the one-acre lot minimum. She mentioned that her property backed up to Smith Creek, where she used to walk her five dogs once or twice every day. She observed the creek's water level decreasing over time. During a neighborhood walk on a Saturday, she spoke to several neighbors in New Forest and residents in Ironwood, who shared her concerns about the diminishing water levels in Smith Creek. Some Ironwood residents had experienced well issues, although they hadn't reported them formally, opting to contact plumbers instead. Ms. Noble said that despite several concerned individuals being unable to attend the meeting due to the holiday weekend, she conveyed that there was support for the one-acre lot minimum among those she spoke to.

Erin Massie, 3637 Wild Orchid Court, Wake Forest, NC, spoke in support of the minimum lot size of 40,000 square feet. She said she lives in the New Forest subdivision where her neighbors also support the proposal. Ms. Massie highlighted concerns related to existing infrastructure, including resources such as fire departments and police. Citing personal experiences, she mentioned there were incidents in the neighborhood where emergency response times were longer, emphasizing the potential strain on resources. She also addressed concerns about well issues, noting that her own well drains easily. Living adjacent to another subdivision, she expressed worries about limitations on groundwater and potential water resource problems in the future. Ms. Massie asked that the commissioners vote for the 40,000-square-foot minimum lot size.

Deborah Raskin, 3607 Pine Needles Drive, Wake Forest, NC, expressed her support for the minimum lot size in Granville County, citing her preference for living in a rural area where she has almost two acres of property. She said she hopes the Board will consider voting for the 40,000 square foot minimum lot size.

Peter Schmidt, 1304 Sourwood Drive, Wake Forest, NC, stated that it is important to maintain the original 40,000 square foot lots for the well and septic, and said that reducing lot sizes could cause issues with the septic area sinking. He emphasized the need to return to the 40,000-square-foot lot minimum and the importance of the water supply.

Melissa Ratcliff, 3609 Pine Needles Drive, Wake Forest, NC, urged the officials to reconsider raising the minimum lot size back to 40,000. She and her husband moved to the area in August and were attracted to it. She said she hopes that the officials will listen to their constituents' concerns and make the best decision.

Robert Andrews, 1112 Lake Ridge Drive, Creedmoor, NC, raised concerns about the control of community well permits by the State of North Carolina, and said he wanted to know if there were any updates on the state being in control of issuing community well permits. He expressed his belief that this control could negatively affect their livelihood and cause water depletion, especially during the ongoing drought. He questioned why the state would have control over community wells in their area.

Brandon Love, 3600 Carole Court, Wake Forest, NC, spoke in favor of 40,000 square-foot lots to reduce the number of houses and the link-to-node ratio that ties neighborhoods together.

He expressed concern about the safety of densely linked neighborhoods in emergencies and hoped that the Board would be in favor of the proposal.

Daniel Mosher, 1255 Woodland Church Road, Wake Forest, NC, expressed his support for reverting to a minimum lot size. He shared his perspective on community growth, cautioning against the promises of benefits touted by developers and others, emphasizing that he had witnessed similar growth in other areas. He noted that each supposed benefit of growth comes at a higher cost to the county, emphasizing that the economic reality involves accumulating more debt with each attempt to fund growth. Mr. Mosher went further to propose a total moratorium on growth, asserting that the current rate of exponential growth is unsustainable and that the county is ill-prepared for further expansion. He highlighted the crucial role of water in the decision-making process. He warned that unless the county wants to face water-related issues like Flint, Michigan, they should pause and gather more information before proceeding with further growth. He concluded by advocating for a more thoughtful approach and the need for additional information before making decisions about growth.

Dan Spinale, 1052 Bluebell Lane, Wake Forest, NC, expressed concerns about a developer burning excessive amounts of material and the potential impact on the community's water supply. He questioned how the developer obtained permits to burn so much and who would be responsible for fixing his well if it were to be damaged by developers putting community wells. Mr. Spinale wondered if Granville County would aid if community wells were to damage the water supply of neighboring wells.

Teresa Smith Gilreath, 915 Williamsboro Street, Oxford, NC, said she owns property in the southern end of the county. She expressed concern about the impact of the proposed changes on communities. She agreed with a 40,000-square-foot requirement but disagreed with some setbacks and specific numbers of setbacks. She questioned the reason for an 85-foot front requirement and asked the board to consider the variability in land topography. She believed that other setbacks could negatively impact landowners' ability to use their property effectively.

Chair Russ May thanked the public for their comments. He then asked if the Board had any questions.

Commissioner Jay proposed a scenario saying if he had acreage and wanted to give five plots to five grandchildren and asked if each lot would need to be 40,000 square feet, the same size as a developer's lot.

Mr. Baker explained that the proposed standards only apply to major cluster or conservation subdivisions, which have different requirements than family subdivisions. For family subdivisions, the minimum lot size is 44,000 square feet and the setbacks are 50 feet front, 15 feet side, and 25 feet rear, as required by the zoning district AR40. The setbacks and lot sizes for major subdivisions were tied to a smaller table in the current ordinance. The rules for family subdivisions do not apply to the proposed text amendment. For minor subdivisions, which are not family subdivisions, the minimum lot size is also 44,000 square feet, but with setbacks of 50 feet from a street, 15 feet from a side property line, and 25 feet from the rear. If the subdivision is on a state secondary road, there must be 150 feet on that road per lot.

Commissioner Cozart asked what flexibility is there, if any, for the setbacks. Mr. Baker replied that there is no flexibility in the ordinance for setbacks.

Attorney Wrenn said that if it was an existing lot of record then it would be grandfathered. Mr. Baker confirmed Attorney Wrenn's statement.

Mr. Baker gave an example that if someone had to put a house at 49 feet setback instead of 50, then they would need to seek a variance from the Board of Adjustments.

Commissioner Cozart clarified that there is a process to go through if there is a small difference from the setbacks in the ordinance, and Mr. Baker confirmed.

Commissioner Hinman asked Mr. Baker to clarify that the proposed amendment is only for cluster subdivisions, and Mr. Baker confirmed.

Commissioner Karan talked about the allocation of land for cluster subdivisions which included 20% set aside for open space and 10% for active and passive recreation. He asked if the land area is increased to 40,000 square feet per lot, would it remove the 20% requirement for open space.

Mr. Baker replied that on a case-by-case basis, a developer may choose to do a major or conventional subdivision if they cannot meet the requirements for a cluster subdivision. In a conventional subdivision, only 10% of the open space is required for passive recreation.

Commissioner Karan referred to the question previously asked and answered regarding the number of subdivisions that had been built out. Of the two conservation cluster subdivisions that were built out, he asked if Mr. Baker recalled the size of those subdivisions. Mr. Baker said that one probably had 20 lots, and the other probably had 25 lots. Commissioner Karan said that the subdivisions were small in comparison to The Oaks, for instance, and Mr. Baker confirmed that was correct. Commissioner Karan asked if Mr. Baker knew off the top of his head what the open space requirement was for The Oaks. Mr. Baker said that the requirement at the time was 20% but that they likely exceeded that. When asked, he also said the size of The Oaks as far as acreage total and open space to his knowledge, it is about 100 lots and 125 acres.

Commissioner Karan noted the challenge of finding land in the southern end that does not have environmentally sensitive areas and noted that without cluster subdivisions, these areas would be divided into individual lots. He asked Mr. Baker to confirm if that assessment was correct. Mr. Baker confirmed Commissioner Karan's assessment was correct, and added that in the Falls Lake watershed, some of that sensitive area would become stormwater control devices. Commissioner Karan inquired if there was an active enforcement tool in place, for example, for people who are building fire pits in environmentally sensitive areas or accessing seasonal intermittent streams without permission. Mr. Baker replied that it would be complaint-driven, adding that riparian buffers are state regulations enforced on intermittent and perennial streams. Complaints about non-compliance with these standards are reported to the state.

Commissioner Karan then asked Mr. Baker if, in his opinion, a cluster subdivision provided sufficient protection for sensitive areas by deeding the land, and Mr. Baker replied that that was the intent.

Commissioner Karan emphasized that the Comprehensive Land Use Plan was not created secretly, but rather was openly advertised and involved multiple meetings and outreach sessions over a year and a half. He asked Mr. Baker how many outreach sessions he recalled, and Mr. Baker replied that he recalled five or six with a public survey. Commissioner Karan said that a year-long recreation study was completed in Granville County and the final comprehensive recreation plan meeting was held recently. He asked if Mr. Baker recalled how many people attended the recent meeting, and Mr. Baker did not recall. Commissioner Karan estimated that there were around 12 citizens present at the final comprehensive recreation plan meeting that was held recently, along with seven commissioners. He asked Mr. Baker if the group present on this date for this hearing was larger than any during the Comprehensive Land Use Plan and planning process from previous years, and Mr. Baker said that for a single meeting, he would say yes. Commissioner Karan acknowledged that some of the meeting attendees on this date were not present during the Comprehensive Land Use Plan meetings but noted that various development tools were utilized to benefit the interests of both developers and those coming to Granville County. He asked Mr. Baker to confirm, and Mr. Baker replied that they were building so that people could live in Granville County.

Commissioner Karan acknowledged that there were representatives from the Granville- Vance Health Department and the North Carolina Department of Health and Human Services (DHHS). He asked Chair May if he could ask them questions, and Chair May asked them to come forward.

Chris Hedrick, Environmental Health Supervisor with Granville-Vance District Health Department, and Wilson Mize, Regional Environmental Health Specialist with DHHS, then answered questions.

Commissioner Karan inquired about the number of catastrophic well failures that occurred in Granville County in the past year and said he was not referring to mechanical or electrical failures but asking only about catastrophic well failures.

Mr. Hedrick replied that there were four such well failures the past year.

Commissioner Karan said that the county spans 530 square miles, and while any failure is tragic for the affected individual, he asked if it was safe to assume that there might have been around 40 failures in the last decade. Mr. Hedrick said it was safe to assume that there were 3-5 well failures a year over the last decade.

Commissioner Karan mentioned that there has been a lot of talk about well interference and asked in dealing with well construction and the Well Construction Act in North Carolina whether neighboring wells can cause problems.

Mr. Mize replied that potential well-interference complaints are infrequent in North Carolina, said he oversees 60 counties in North Carolina and averages five or six calls a year statewide. These complaints are usually related to construction issues, such as mines or older subdivisions with shallower wells. He acknowledged the presence of the Triassic Basin in the area and highlighted his experience dealing with geology-related issues and water availability. He said he resides in Franklin County and mentioned his involvement with several lots facing challenges in finding water. Expressing uncertainty about the direct impact of lot size on water availability, Mr. Wilson suggested that larger lot sizes may provide more flexibility in determining the well location. He explained that smaller lots have limitations on well placement, and larger lots could potentially offer more options for well placement.

Commissioner Karan noted the distinct differences in soil types between his residence and the other side of Smith Creek. He described his area as having lots of quartz, red, and pretty soils, while the other side had predominantly sandy soil. Emphasizing the non-uniformity of soil types in the region, Commissioner Karan said he wanted to ensure that people understood that the solution is not one size-all all, which is why one of the reasons they, with public input, included a conservation subdivision in the comprehensive land use plan due to the desire for diverse options.

Commissioner Gooch asked where the four to five well failures a year are located throughout the county. Mr. Hedrick replied that they were not located in any particular area. Commissioner Gooch asked specifically if they were concentrated in the southeast or on Hester Road. Mr. Hedrick replied that they were not, they were throughout the county. Commissioner Gooch restated that Mr. Hedrick said that they were not concentrated in one particular area, regardless of the population, and Mr. Hedrick confirmed that they were not.

Commissioner Karan mentioned Dominick Antolino, who authored a paper about well yield, dominant fractures and groundwater recharge rates focused in Wake County. He said that Mr. Antolino's comments were taken out of context, but that Mr. Antolino did mention the predictability of perkable soils and the southeast corner of Granville County being a different soil type. Commissioner Karan asked if a good portion of the 33,000 square foot lots would be perkable without the road or well placement affecting it.

Mr. Hedrick asked if he was referring to the Wilton, Grissom area toward Franklinton, 56. Commissioner Karan confirmed, and Mr. Hedrick replied, yes, that he would say so.

Commissioner Karan discussed how the location of the perk site, house, and well is determined by the aesthetics of the development and the placement of the road. He noted that it is often ironic to see the septic fields at the back of houses when driving through neighborhoods. Mr. Hedrick replied that generally, the septic dictates where everything goes, adding that good soil dictates where the septic goes. Mr. Mize added that it would be easier if all of the wells were in the front of properties to meet the necessary setbacks and avoid the septic tanks.

Chair Russ May inquired about the change that happened in 2018 and how the conservation subdivision was established.

Mr. Baker replied that during the public process, there was concern about complying with the 150-foot lot width requirement in conventional subdivisions, including cul-de-sacs. The lot size was not a frequent issue, but rather the constraint posed by the requirement of doing major subdivisions.

Chair Russ May inquired about how the setbacks that the public had previously asked about were determined. Mr. Baker clarified that the setbacks being discussed that night were the same as those currently required by AR40 for lots created in major conventional subdivisions, minor subdivisions, family subdivisions, or lots of record.

Chair May mentioned the concerns about community wells, lot sizes, and potential impacts on groundwater and this matter is concerning to commissioners. He said he reviewed the petition, and would highlight some of the concerns. He clarified that the state, specifically the Department of Environmental Quality (DEQ), controls community well regulations. The county does not have the authority to ban community wells or enact a community well ordinance. During a recent meeting with DEQ, DEQ did not recommend a community well ban.

County Attorney Jim Wrenn emphasized that the County Commissioners lack authority over wells. The Board of Health has authority over wells that are less than 15 connections or under 25 or more people. Anything over that is regulated by the public water section of DEQ.

Chair May highlighted that there is no information presented to the County to suggest a public safety or health threat that would warrant or allow a land use moratorium.

Attorney Wrenn explained that the Water Use Act of 1967, North Carolina General Statute 143-215.13 provides a statutory scheme for the Environmental Management Commission to investigate and hold hearings on areas suffering from water quality or quantity issues.

The Board highlighted the need for accurate information, the role of DEQ in regulating wells, and the limitations on the county's authority regarding well-related issues. The Board discussed the concerns raised by the public and the need to make decisions based on factual information and statutory authority. The focus was on clarifying the role of the county in regulating wells and addressing community concerns.

Commissioner Karan made one clarifying statement on the time frame. He said March 10, 2022, was the first meeting he had at a citizen's home regarding this matter and noted that that was not two years ago.

Commissioner Hinman asked Mr. Baker to clarify the setbacks. Mr. Baker said that the setbacks that are proposed would apply to any other lot that is zoned AR40 that is not part of a cluster subdivision. When asked, Mr. Baker confirmed that the County sets the AR40 rules.

Commissioner Gooch asked what the lot sizes are for conventional major subdivisions. Mr. Baker replied, 44,000 square feet minimum. Commissioner Gooch asked if the change to 40,000 square foot minimum for cluster subdivisions would eliminate cluster subdivisions. Mr.

Baker replied that he did not think so if there is land that has natural features to preserve, and a cluster subdivision would fit a particular tract.

Chair May presented information on average lot sizes in various proposed subdivisions, highlighting that 11 out of 16 proposed subdivisions had an average lot size of approximately 40,000 square feet. He also provided details about the 6-cent fire tax and its impact on funding for volunteer fire departments, mentioning plans for a potential increase to 3.2 million after revaluation. He acknowledged community concerns about groundwater and emphasized the importance of factual information. He indicated that the county lacks the authority to regulate private and community wells and that the decision-making process involves working with state agencies such as DHHS and DEQ.

Chair May discussed the fire tax, potential enhancements for fire departments, and the need for equitable distribution. He recognized the community's involvement and expressed appreciation for their input. He mentioned the importance of making decisions based on expert advice and factual information.

Chair May closed the public hearing.

Chair May asked the board if they had any further questions or concerns before making a decision. The Clerk reminded the board about the consistency statement and Chair May read the Planning Board's consistency statement regarding the proposed text amendment, emphasizing its alignment with the adopted comprehensive land use plan.

Chair May requested the board's decision, considering the information presented. At this time, the public hearing was closed.

Chair May asked if there was a motion and requested a roll call vote.

Commissioner Tony W. Cozart made a motion to accept the recommendation from the Planning Board as well as the consistency statement. Commissioner Robert Williford seconded the motion.

Chair May asked if there was any further discussion.

Commissioner Karan asked DHHS and the Health Department representatives if these people need to be afraid that they would run out of water. They both replied no.

Clerk Weary did a roll call and the votes were as follows:

District 1, Commissioner Zelodis Jay: Aye
District 2, Commissioner Robert Williford: Aye
District 3, Commissioner Sue Hinman: Aye
District 4, Commissioner Tony W. Cozart: Aye
District 5, Chair Russ May: Aye
District 6, Commissioner Timothy Karan: Aye
District 7, Commissioner Jimmy Gooch: Aye

The motion made by Commissioner Tony W. Cozart, seconded by Robert Williford, passed unanimously 7-0 to approve the following text amendment and plan consistency statement to the Land Development Code (LDC) that increases the minimum lot size in a rural cluster subdivision to 40,000 square feet, requires a minimum lot width of 85 feet per lot and changes the minimum setbacks in proposed rural cluster subdivisions to 50 feet street, 15 feet side, and 25 feet rear.

AMENDMENT REGARDING CLUSTER SUBDIVISION LOT STANDARDS

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 legislative hearing on the proposed amendment on September 21, 2023, and after a study of evidence presented, made a favorable recommendation on the adoption of the proposed amendment; and,

Whereas, a notice of legislative hearing has been given as provided in North Carolina General Statute 160D-601&602 and the Granville County Land Development Code for a Text Amendment and a legislative hearing was held by the Board of Commissioners on October 16, 2023 and a continued legislative hearing on November 20, 2023, at which, evidence was presented at the legislative hearings.

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

GRANVILLE COUNTY BOARD OF COMMISSIONERS' PLAN CONSISTENCY STATEMENT:

A stated recommendation of the Granville County Comprehensive Land Use Plan is to: "Implement Conservation Design principles by encouraging flexibility in lot size and clustering to protect natural resources and existing agricultural operations." Further, the Plan encourages cluster development on smaller lots to preserve large open space areas in un-sewered areas with good soils and/or water availability. As such, the proposed text amendment is consistent with the adopted Comprehensive Land Use Plan.

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

SECTION 1. Amend Section 32-602 of the Granville County Land Development Code (**bold** text denotes new language and ~~strike-through~~ denotes deleted language):

Sec. 32-602. Major subdivisions.

(b) A cluster subdivision is an allowable major subdivision design in rural areas of the county.

(4) *Lot design standards.* Each lot shall be regularly shaped and meet the **following** dimensional standards:

~~of section 32-263 of this chapter.~~

- a. **Minimum lot size shall be 40,000 square feet.**
- b. **Minimum lot width shall be 85 feet.**
- c. **Minimum setbacks shall be 50 feet street yard, 15 feet side yard and 25 feet rear yard.**
- d.

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 was duly adopted by the Board of Commissioners of the County of Granville, North Carolina, this the 20th day of November 2023.

RECESS

The Board took a brief recess at 8:55 p.m. The meeting resumed at 9:08 p.m.

TAX MATTERS

Board Approved Adoption of the Schedules, Standards, and Rules for Real Property 2024 Revaluations

Tax Administrator Jenny Griffin stated that the purpose was to adopt the schedules, standards, and rules for real property at market value for 2024. She mentioned that they ran ads in the paper for the public hearing, specifically mentioning that the Oxford Ledger ad ran on October 19th and the Butner Creedmoor News ad ran on October 26th. She said the schedule of values for both real property and present use value was placed on the Tax office counter for public inspection. She also mentioned that the schedule was available on the county website. She asked that the Board approve separately the schedule for real estate and present use value for the 2024 reevaluation and instruct the Tax Administrator to publish the notice of adoption and the Oxford Public Ledger and Butner Creedmoor News once a week for the next four weeks.

Motioned by Commissioner Sue Hinman, seconded by Commissioner Zelodis Jay, and unanimously carried, the Board approved the adoption of the schedules, standards, and rules for real property 2024 revaluation.

Board Approved Adoption of the Schedules, Standards, and Rules for Present Use Value for 2024 Revaluation

Tax Administrator Jenny Griffin stated that the schedule, standards, and rules for present use value for the 2024 reevaluation were included in the same book as the schedule for real estate. She mentioned that they had to be approved separately but could be done on the same night. She recommended approving the adoption of the schedule, standards, and rules manual for 2024.

Motioned by Commissioner Zelodis Jay, seconded by Commissioner Rob Williford, and unanimously carried the Board approved the adoption of the schedules, standards, and rules for present use value property 2024 revaluation.

After Holding a Quasi-Judicial Hearing, Board Continued the Quasi-Judicial Hearing for the Exemption Appeal for The Power Church

Chair May called to order a quasi-judicial hearing for an appeal of a partial tax exemption. He recognized Clerk Debra Weary who provided additional background information.

The Power Church submitted an appeal of a partial exemption that was granted in 2023 for properties located in Tally Ho Township at 3719 and 3720 Halcyon Way. A partial exemption was granted for the house used as a parsonage and for the one acre of land occupied by the house and the surrounding area deemed reasonably necessary for the convenient use of the parsonage. The exemption request was denied for the remaining acreage. The parsonage is located on the property known as 3719 Halcyon Way containing 10.15 acres and there is an adjacent parcel located at 3720 Halcyon Way containing 10.17 acres. The appeal before you is of the partial denial of the exemption application.

At this time, all those wishing to speak or present evidence at this appeal, please come forward and be sworn only those individuals who are sworn will be allowed to address the

board. So if you believe there is any chance that you want to present evidence on this case, please come forward at this time.

At this time, Clerk Weary swore in those wishing to speak on the matter.

After being duly sworn, when asked, Pastor Price stated his name for the record: Carey Price.

When asked, Tax Administrator Jenny Griffin stated her name and title for the record: Jennifer Griffin, Tax Administrator

Chair May asked Attorney Wrenn to read instructions to the Board:

Pursuant to North Carolina General Statute 105-274, all real property located in North Carolina is subject to property taxation unless it is exempted by statutory or constitutional provision. General statute 105-282.1(a) states, among other things, that each property owner applying for an exemption has the burden of proving that it is entitled to such exemption. In this hearing, the burden is on the taxpayer to show by the greater weight of the evidence that the Tax Administrator's decision was unlawful or incorrect.

Following the Board's discussion of the appeal, the Board will need to let the applicant and Tax Administrator know what action it will take and that course of action is typically either: (i) rendering a decision today or in the due course; or (ii) requesting additional information, requesting additional information be provided by either the appellant or the Tax office within a set timeframe.

Once the Board has indicated an intended course of action, there should not be any other communication concerning the appeal between the Board and the taxpayer or the Tax Administrator unless all parties are present. And lastly, the decision of this board is to be made in an open public meeting so that all citizens, including the appellant, have the right to be present and hear the deliberations and discussions and the vote by the Board members.

There were no questions for Attorney Wrenn, so Chair May said they would hear evidence and testimony from the appellate taxpayer.

Pastor Cary Price shared details about the property purchased in 2018 with the primary intention of community use. He said that the parsonage aspect was an afterthought. The original 10 acres at 3719 were intended for community gardens and housing horses. Pastor Price described the ministry's purpose of bringing horses to the city of Durham for the community they served in east Durham. He explained the various activities on the property, including walking trails, horse riding, lessons, education about horses, meetings, and a Christ-centered message-based approach. Pastor Price encountered challenges with a community garden due to watershed issues but mentioned ongoing efforts to navigate through them. He expressed gratitude for the original approval of the partial exemption and explained the comprehensive use of the property, including homeschool classes, access to animals, and a playground area. The ministry also offered community service opportunities, assisting individuals in need. He highlighted the secondary part of the land, purchased by a church-affiliated person, Mr. Charles Kirkland, for horse ministries and outreach summer programs. Unfortunately, Mr. Kirkland passed away in 2019 and his wife donated the property to the church as was his wish. The church sought to honor his intention by incorporating the entire property into their community outreach efforts. Pastor Price thanked the Board for the original exemption and requested a similar consideration for the entire property, emphasizing its use for community outreach aligned with the original vision and intentions of those involved. He noted that he gets an exemption for his property in Durham County and is requesting the same.

Chair May asked if she had any questions for the taxpayer or the witness, Tax Administrator Jenny Griffin said that she did not.

Chair May asked if she contended any of the facts the taxpayer presented, she provided the following information. She stated that the property in question had a total combined area of 20.32 acres. She said that an exemption was granted due to the presence of a parsonage and included a one-acre building site. On September 8th, the Tax Administrator and a real property appraiser conducted a visit to assess if more land would qualify. During the visit, the real property appraiser took pictures of various aspects, including horses, feed storage, hay, saddles, and walking trails—some cleared and others overgrown. He noted that Mr. Price said that the horses were moved around the property. She highlighted the need for a different application and a different 501(c)3 for community service approval, clarifying that she could not approve it as religious exemption if it was more of a charitable nature.

Chair May asked Ms. Griffin what she was saying contrary to the taxpayer. She said that it is the burden of the taxpayer to show proof. She said she asked if there were bulletins for the church but was told that they usually meet via Zoom.

Attorney Wrenn confirmed that Tax Administrator Griffin could also present her own evidence. Attorney Wrenn asked Ms. Griffin if she had any documentary evidence or photographic evidence. She confirmed that she had photographs, and Attorney Wrenn asked if she wanted to introduce those as evidence.

Photographs of the property were displayed via a presentation. She explained that the primary location for horses was highlighted, with multiple pastures—two, three, or four—used for rotational grazing; numerous walking trails offering diverse paths for recreational use; a storage trailer for receiving donations of old bread serving as a supplementary food source for the horses; and the presence of saddles for the horses was noted in a designated area. Additionally, Ms. Griffin pointed out the road leading from the parsonage, dividing the property.

Chair May asked if there was an identifiable playground, and Ms. Griffin referred to the slide with the picture.

Commissioner Williford asked about the whereabouts of the horses, and Ms. Griffin referred to slides with the pictures and noted that there were two horses in the first pasture and three horses in another pasture.

When asked if she had more evidence to present, she said she had spent 30-40 minutes there asking questions.

Attorney Wrenn asked Ms. Griffin to confirm if she wanted the photos entered into evidence. She said yes.

Attorney Wrenn asked Chair May if he would accept the photos as evidence. He said yes.

Chair May asked if the Board had any questions for the taxpayer or of any witness, including Ms. Griffin, concerning the evidence presented.

Commissioner Hinman asked Mr. Price about the community service activities on the property, questioning how they were conducted without proper court paperwork.

Pastor Cary Price responded, stating that the organization is a 501(c)(3) and has not faced issues with community service work.

Commissioner Hinman emphasized the necessity of court approval for such activities and expressed her experience with annual paperwork for her own charity. She stressed the importance of specifying the types of individuals accepted for community service.

Pastor Price explained that their primary goal was horses, but due to community needs, they engaged in community service activities, helping programs like the Tar Heel Challenge. He asserted they never faced issues or kickbacks, and the court relied on their number for community service fulfillment. He said they have been doing this even before he had his own land.

Chair May asked about letters of court documentation for the community service, to which Pastor Price explained that the court uses their number, and he signs off on the work without encountering any problems.

Chair May questioned Pastor Price about providing information regarding the community service activities. Pastor Price responded, stating that he was not asked to present that information and was not aware that it would be the primary focus at that point in the discussion, and if he had known they would have given that information.

County Attorney Wrenn explained the purpose of the discussion, clarifying that the focus was on a religious exemption. There were two types of exemptions mentioned:

N.C.G.S. 105-278.3: Buildings, the land they actually occupy, and additional adjacent land reasonably necessary for the convenient use of any such building shall be exempted from taxation if wholly owned by an agency listed in subsection (c), and

N.C.G.S. 105-278.5: (a) Buildings, the land they actually occupy, and additional adjacent land reasonably necessary for the convenient use of any such building or for the religious educational programs of the owner, shall be exempted from taxation if:

- (1) Owned by a religious educational assembly, retreat, or similar organization;
- (2) No officer, shareholder, member, or employee of the owner, or any other person is entitled to receive pecuniary profit from the owner's operations except reasonable compensation for services; and
- (3) Of a kind commonly employed in those activities naturally and properly incident to the operation of a religious educational assembly such as the owner; and
- (4) Wholly and exclusively used for
 - a. Religious worship or
 - b. Purposes of instruction in religious education.

County Attorney Wrenn emphasized that the property must meet all the specified criteria to be eligible for exemption, but acknowledged the possibility of other exemptions that could be applied for.

When Commissioner Karan asked if it was mentioned who stays in the property, Pastor Price replied that he does. He added that he is the pastor and president of the 501(c)3.

Commissioner Cozart asked Pastor Price about the homeschool status of the students associated with the property. Pastor Price confirmed that the homeschooled students are registered through the Department of Public Instruction.

Commissioner Cozart inquired about the documentation of goods distributed, specifically the bread truck donations. Pastor Cary Price clarified that the bread donations are specifically for the horses and not for distribution to people. Commissioner Cozart confirmed the clarification, acknowledging that the bread is solely intended for the horses. Pastor Price reiterated that it's strictly for the animals.

Commissioner Cozart inquired about the documentation of volunteer efforts, particularly regarding community service. Pastor Cary Price clarified that community service is not something they actively advertise, and is not a common occurrence. While it is not their main focus, people come for community service, and during the process, they engage in ministry efforts, incorporating religious teachings. Pastor Price emphasized that community service is one aspect of their activities, with tasks like mucking and clearing being necessary but not the primary focus.

Commissioner Cozart asked Pastor Price about the participation of young people from the Tar Heel Challenge on the farm. Pastor Price explained that they do not have a log specifically for Tar Heel Challenge participants because it is not organized through the program itself. Instead, families who have children in the program may have a person sign up as a sponsor. Pastor Price personally sponsors them, and they bring the young people out to do work related to the farm.

Commissioner Cozart addressed Pastor Price, inquiring about additional information or documentation that could be beneficial for the Board to review regarding the ministry's impact and benefits to people. Pastor Price responded, explaining that he was not aware of a specific push for certain documentation, particularly related to community service. He clarified that while community service is one aspect of their activities, it is not the primary focus, and Ms. Griffin's questions led to discussions about various aspects of their work. Pastor Price mentioned that if there had been a major push for specific documentation, he could have presented recent information regarding the acceptance of community service with their 501(c)(3) number.

Commissioner Cozart inquired whether Pastor Price thought it would be beneficial to the request if he had more time to gather documentation showcasing the ministry's efforts. Pastor Price responded yes and no, stating that his communication with Ms. Griffin involved her taking pictures and asking questions. He mentioned that Ms. Griffin had indicated she would present what Pastor Price explained. However, if there were additional requirements from the Board, he expressed readiness to provide the necessary documentation.

Commissioner Gooch inquired about the amount of land designated as pastureland for the horses. Pastor Price responded, stating that some of the land is wooded, and approximately seven acres, in total, are used as pasture for the horses.

Commissioner Gooch asked about the care and ownership of the horses on the property. Pastor Price answered that he personally cares for the horses, and the ownership lies with the church.

When Commissioner Gooch asked Pastor Price if he had any documentation on how often he has rides for kids, Pastor Price replied that Power Church had significantly scaled back certain activities due to COVID and that they were focused on restoring and elevating our efforts to their previous levels. He said that despite the challenges, individuals connected to the ministry are encouraged to participate at any time. Pastor Price emphasized that acquiring the land remained the primary objective and was documented in their mortgage paperwork, meeting minutes, and related records, which he had submitted previously.

Commissioner Williford inquired about the availability of instructors for individuals without experience in horse riding. Pastor Price responded, stating that he personally teaches riding lessons and handles safety aspects. While there are individuals who occasionally come out to assist, primarily, Pastor Price is responsible for providing instruction to those who want to learn.

Chair May said that it was time to hear evidence and testimony from the county tax administrator. Attorney Wrenn asked Tax Administrator Jenny Griffin if she had presented all of the evidence she had. She confirmed that she had.

Chair May asked if the taxpayer had any questions of the Tax Administrator concerning the evidence she presented. Pastor Price confirmed that he did not.

Chair May asked if the Board members had any questions for the Tax Administrator or any witnesses concerning the evidence presented. They did not.

Chair May asked Ms. Griffin to summarize what she was contending.

Ms. Griffin expressed cautiousness and the need for more evidence before approving something related to 20 acres and a house for a parsonage. Her statement suggested a desire for further information or clarification regarding the exemption.

Chair May asked in what regard more evidence would be needed.

Ms. Griffin mentioned asking about obtaining bulletins, but given that they are online, she expressed concerns about the lack of physical evidence or documentation.

Chair May asked if there was evidence regarding the religious use of the property in question. Ms. Griffin expressed a need for more proof, indicating that she could only confirm the parsonage and one acre as being used for religious purposes. When asked about the other acre, she stated that she would require additional proof.

Chair May inquired about the proof provided by Mr. Price, to which Jenny Griffin mentioned seeing horses on the land, but expressed difficulty in obtaining evidence of widespread use for religious activities. She clarified that she approved the parsonage and one acre because she believed those qualified based on the information available.

Chair May further questioned if there were any records or evidence, such as attendance logs, computer records, or receipts, to support the religious use. Ms. Griffin responded that she had not obtained such evidence from Mr. Price.

Chair May then opened the floor for other members to ask questions of the witnesses, including the tax administrator and Mr. Price.

Commissioner Jay asked for clarification on the focus of the discussion, stating that the parsonage and one acre had already been approved, and Ms. Griffin confirmed. Commissioner Jay asked if the goal was to determine the eligibility for the entire 20 acres for tax exemption.

County Attorney Wrenn explained the distinction between two statutes: one allowing approval for a building and its necessary grounds used for religious purposes (105-278.3), and the other (105-278.5) addressing the remaining acres 20 acres and whether they are wholly and exclusively used for religious worship or instructional purposes in religious education. Attorney Wrenn emphasized that the taxpayer has the burden of proving the exemption and the denial of the exemption was based on the lack of evidence of use in the manner required. The challenge now is for the taxpayer to demonstrate that the property qualifies for a tax exemption as it is being used wholly and exclusively for religious worship or purposes of instruction in religious education.

Chair May opened the floor to board members to discuss the appeal.

Commissioner Cozart suggested the possibility of asking Pastor Price to provide additional information to clarify the use of the land before making a decision. He inquired whether the Board needed to make a decision immediately or if they could take more time.

Chair May sought clarification from the County Attorney, who explained that the Board could handle it either way but suggested holding it open until the next Board meeting. This would allow Pastor Price to provide additional information to the Tax Administrator, and the matter could be discussed at the next meeting if an understanding was not reached in the interim.

Chair May agreed with this approach, stating that a vote might not be necessary, and the Board could render a decision to hold the matter open until the next meeting.

Pastor Cary Price offered information, stating that there may have been an error. He mentioned that early on, he submitted Facebook posts and other activities related to the horses, including images and descriptions of people riding. This documentation aimed to showcase the activities and events conducted at the location. Pastor Price suggested that if the Board were to review this information, it might provide further insight into the use of the property for religious and instructional purposes.

Commissioner Cozart proposed a motion to hold action on the appeal and suggested that Pastor Price work with Ms. Griffin to share any relevant information. The motion further recommended bringing the issue back for discussion at the next board meeting or when Tax Administrator Griffin is ready for the matter to come back to the Board. The motion was seconded by Commissioner Zelodis Jay.

County Attorney Wrenn clarified that under the statute, the evidence to be brought back should demonstrate that the property is wholly and exclusively used for religious worship or purposes of instruction in religious education. The emphasis was on consistent and exclusive use for these specific purposes.

When Chair May asked Pastor Price and Ms. Griffin if they understood Attorney Wrenn, they both confirmed that they did.

Motioned by Commissioner Tony W. Cozart, seconded by Commissioner Zelodis Jay, and unanimously carried, the Board continued the quasi-judicial hearing for the exemption appeal for The Power Church.

PURCHASING

Board Approved Outside Dog Kennel Replacement

Animal Management Director Matt Katz presented a request to purchase and replace the outside kennels at the animal shelter that have been deemed unsuitable by NC Department of Agriculture and Animal Welfare Division. He provided pictures of the deteriorating kennels and three quotes for the replacement.

When asked about whether the kennels from the previous site were the ones requiring replacement, Mr. Katz affirmed and specified that they had been relocated from the old location. He mentioned that the kennels were acquired in 2015 and 2016.

Chair May asked if \$23,689 was the correct amount, and Mr. Katz confirmed. Mr. Katz added that \$30,000 was budgeted.

Motioned by Commissioner Jimmy Gooch, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board approved the purchase of 16 outdoor dog kennels with anti-fight panels and corrugated metal kennel roofs from Cove Products Multiple Pro Full Stall Dog Kennels in the amount of \$23,689.96 from the current fiscal year 2023-2024 budget.

SHERIFF MATTERS

Board Updated on Granville County Jail Health Plan

Lisa Macon Harrison, Health Director for Granville Vance Public Health, provided an update on the Jail Health and Medical Plan for the Granville County Detention Facility. She mentioned that the plan is a joint responsibility of the Sheriff, County Commissioners, Granville-Vance Public Health, and Southern Health Partners. The plan includes provisions for receiving screening, daily triage of complaints, special medical services, pharmaceuticals and medical supplies, emergency medical, dental, and mental health care, protocols for pregnant inmates, medical records and confidentiality, and more. The plan has been updated to meet federal and state requirements and has been reviewed and approved by the local health director.

Chair May asked when medical staff are available for the initial assessment. Sheriff Fountain responded that Southern Health Partners and detention facility personnel work together to provide the initial assessment. They have medical staff available for the assessment between the hours of 7:00 am and 7:00 pm. During off-duty hours, this screening process aimed to identify any health concerns and the subsequent follow-up occurred the next morning, involving a practitioner, medical professional, or nurse on duty. Sheriff Fountain emphasized the importance of taking this proactive approach, even during non-working hours. Sheriff Fountain mentioned that Southern Health Partners provides data-driven information daily regarding the services they provide and mentioned that it is available through the end of September and that data for October and November was not yet available at the time of the meeting.

Chair May asked who has the final call on accepting an inmate. Sheriff Fountain replied that it is discretionary and depends on the situation. If an inmate comes in visibly injured, they will not be accepted and will be seen by medical personnel. If an inmate is brought in by an arresting agency, they will be screened by a nurse before being accepted. If an inmate is too intoxicated to be there, medical personnel will be called to evaluate them. Ultimately, the decision is made by the Sheriff's Office.

Chair May clarified that if screening was needed after hours, they would contact EMS. Sheriff Fountain confirmed.

Chair May read the following except for page 7 and then expressed his opinion about the use of the word 'feels':

When emergency transportation is required, medical personnel will decide whether an ambulance or security van is required and coordinate appropriate transportation with the corrections administration and security. However, in the event where detention officer feels that the services of EMS require medical staff that is not present to address the situation, then detention officers will make provisions and so forth.

Sheriff Fountain explained that detention officers do not have a medical degree and therefore should not have the discretion to decide whether EMS is needed. Instead, they should make a phone call to the medical staff and let them decide. He agreed that the word "feel" should be removed from the language used in that context.

County Manager Cummings acknowledged that the document distributed did not have the County Attorney's final edits and revisions. He suggested reintroducing the final edited version for adoption at a later date.

Attorney Wrenn suggested that the Detention/Jail Plan could be included in the agenda packet for next month's meeting, possibly on the consent agenda, since the board members would have already reviewed it.

Ms. Harrison conveyed her gratitude to Sheriff Fountain and all those who have supported the Stepping Up Initiative over the past eight years. She acknowledged the initiative's role in enhancing public health awareness and participation in related processes, expressing satisfaction with the significant progress made.

Sheriff Fountain's Quarterly Update

Sheriff Fountain expressed gratitude for the time and acknowledged the collaborative effort in providing relevant data to the County Commissioners. He recognized the contributions of County Manager Drew Cummings, County Attorney Jim Wrenn, Emergency Communications Director Trent Brummitt, and staff, particularly praising Public Information Officer Terry Hobgood for a job well done in handling information and data. The Sheriff emphasized the importance of teamwork, acknowledging that collective efforts surpass individual knowledge.

Sheriff Fountain spoke from a PowerPoint presentation. He presented the past status of major crimes and law enforcement categories, breaking them down into calls for service. Sheriff Fountain explained that the data presented did not include service papers, civil papers, and arrests made by the Warrant Squad, with further details to come.

Sheriff Fountain continued, stating that there were 103 cases of assaults and sexual assaults in the year, marking a decrease from the previous year and preceding years, notably in incidents involving stabbings and gunshots. The County had two homicides, believed to be connected, and collaborative efforts with the Oxford Police Department were underway for investigation and arrests. Three individuals were already in custody for a shooting murder on Raleigh Street in Oxford. The Sheriff's Office was actively working on the case in the northern part of the county and exploring the use of rewards for crime tips. He mentioned ongoing discussions with the finance team, with the help of Rob Bailess, to find a solution.

Regarding the number of stab and gunshot victims, Sheriff Fountain mentioned that the county had experienced an uptick in incidents, including 31 stabbings or shootings year-to-date since January, compared to 28 the previous year. However, breaking and injury calls were down to 44 from the previous year's 77. Disturbances in the County totaled 1251 year-to-date, showing a decrease from the prior year's 1394. Domestic violence calls numbered 550 year-to-date, a few hundred short of the previous year's 718, and below figures from two and three years prior. Sheriff Fountain highlighted the importance of assessing the county's safety based on these statistics and noted that although the current year's data was year-to-date, the year had not yet ended.

Chair May asked if the reporting included all departments as countywide reporting, not just the Sheriff's office. Sheriff Fountain confirmed that was correct.

Sheriff Fountain shared information about the County's response to other 911 law enforcement calls revealing that 28,493 other calls for service had been handled, with the majority being non-emergency calls such as alarm activations. He highlighted that these calls, along with civil papers and arrests made by other law enforcement agencies, were not reflected in the 'Other 911 Law Enforcement Calls' data on slide nine.

Overall, Sheriff Fountain mentioned various activities that were not captured in the data, such as providing escorts for the tax office, churches, or funerals. He recounted an incident where the former mayor reported speeding on Brogden Road, leading to successful traffic enforcement. However, he mentioned a recent setback where his traffic enforcement officer was hit by a drunk driver.

Sheriff Fountain discussed personnel, indicating that out of the 72 positions allocated, there were initially four vacancies at the time he prepared for this meeting, which had recently decreased to three. He shared plans to swear in a deputy and mentioned ongoing efforts to ensure all staff members were certified by July 2024.

Sheriff Fountain discussed the five vacancies in the Detention Center and plans to fill them within three weeks. He provided details about ongoing training programs and changes in the length of the courses due to new standards.

Sheriff Fountain discussed the revenue generated from housing federal inmates and transporting them to court and medical appointments. He mentioned plans to increase the number of federal inmates housed and ongoing discussions with the County Attorney and County Manager regarding generating funds through the commissary.

Sheriff Fountain shared insights from a community feedback initiative conducted with the University of Indiana, revealing a 73% approval rating for the Granville County Sheriff's Office. He expressed gratitude for the transparency and emphasized the commitment to addressing community concerns promptly. The ongoing study is planned again for April and then four months later to assess the agency's progress.

Commissioner Williford inquired about the origin of the \$103 figure mentioned by Sheriff Fountain. Sheriff Fountain explained that since taking office, he had consulted with several Sheriffs who housed federal inmates. The range for such housing fees varied from \$70 to \$200 across different jurisdictions, with Charlotte Mecklenburg charging around \$200. However, he emphasized that due to bed space limitations, charging rates similar to larger jurisdictions might not be feasible. Sheriff Fountain outlined ongoing efforts to build relationships with key figures that would allow for strategic discussions about suitable fees, considering the current rate of \$73 might not be viable in the future. He emphasized the need to align with present-day standards and voiced the willingness to work collaboratively with federal authorities. Sheriff Fountain highlighted the regional importance of Granville County as a hub for federal inmates due to the proximity of the federal courthouse in Raleigh. He also mentioned the prerequisite for his staff to complete basic correctional officer or detention officer school before expanding federal inmate housing capabilities.

Chair May referred to page 137 in the agenda packet that covers stab gunshot victims, and asked if the data was county-wide, including other agencies. Sheriff Fountain confirmed that it was countywide and did include other agencies.

Chair May asked if there were any graphs specific to the Sheriff's Department. Sheriff Fountain referred him to the last graph (slide 13) which was an FBI report by jurisdictions.

County Manager Cummings briefly mentioned the pairing of up-to-date 911 call data with the official FBI Uniform Crime Report data. He noted that the 911 call data is the most immediate and current source of information regarding incidents in the County. In contrast, the FBI data has a bit of a lag, with the most recent available being from 2022. However, it provides an agency-by-agency breakdown, allowing for a comprehensive view, as highlighted by the Sheriff regarding different agencies and the total for the sheriff's office.

Chair May said that he understood that drug trafficking was included in violent crimes. Sheriff Fountain confirmed.

Sheriff Fountain acknowledged that when discussing the data with Emergency Communication Director Brummitt, they were cautious about what to include to avoid inflating the numbers. County Manager Cummings was particularly mindful of not including certain data to prevent inflation. Sheriff Fountain highlighted the importance of presenting information that closely reflects their actual work, ensuring accuracy, transparency, and factual representation of the delivery of service.

When asked if the 911 data was specific to the Sheriff's office, County Manager Cummings replied that the data was county-wide.

Sheriff Fountain explained that in line with the discussion, they took a laptop, and Trent Brummitt is in the process of putting the Computer-Aided Dispatch (CAD) on it. This laptop would be stored in the Special Operations Division (SOD), enabling them to target agency-specific calls. Mr. Brummitt and the team were actively working on implementing this system.

Chair May inquired about the upcoming changes in standards and training, specifically mentioning the year-long probation period that the Sheriff's office used to be able to maintain. He sought clarification on whether this applied to detention officers as well.

Sheriff Fountain explained that the new standards and training, effective July 1st of the following year, applied only to deputies being sworn on the Law Enforcement Officer (LEO) side. He clarified that this change would not affect detention officers.

Chair May sought further clarification, asking if, after July 1st, a deputy who had not completed BLET (Basic Law Enforcement Training) or was not in BLET would be let go.

Sheriff Fountain clarified that existing deputies were grandfathered in, however, any new hires after July 1st would need to be certified.

Chair May inquired about the collaboration with the County Manager on a budget proposal regarding the Sheriff's own academy.

Sheriff Fountain confirmed the collaboration and explained that they had the facilities for an academy at the Granville County Sheriff's Office. He detailed plans for the academy, including the need for a mat room for self-defense training.

Chair May questioned if there would be a need to revisit the staffing model with the implementation of the Sheriff's own academy.

Commissioner Williford asked if they would still be using Vance-Granville Community College for training.

Sheriff Fountain responded that the proposal was to move away from using Vance Granville.

Chair May discussed the need for a cost-benefit analysis to determine the most efficient way to handle training.

County Manager Cummings highlighted the complexity of the new law and the challenge of dealing with trainees being poached by other agencies.

Sheriff Fountain expressed concerns about the cost and impact of overtime when deputies are poached by other agencies. He mentioned ongoing conversations about strategic planning and the need to address the challenges posed by the changes in training standards.

Chair May asked about the most driving crime in the county and its trend.

Sheriff Fountain stated that the most prevalent issue they deal with is 911 hang-up calls. He emphasized the daily challenge of addressing these calls. However, he noted that they are not experiencing a significant amount of violence. He did mention a recent fight at Granville Central High School, leading to a protocol where disruptive students are handcuffed and brought to the Sheriff's office, and their parents need to retrieve them. Sheriff Fountain highlighted the focus on juvenile justice and the absence of major crimes, with small incidents like breaking and entering being the primary concerns. He noted that violent incidents, such as those off Raleigh Road, often come out into the County stemming from activities in Oxford.

Sheriff Fountain discussed the two murders on the same day, suggesting a potential connection between them. He mentioned the formation of the drug unit, with a focus on narcotics as the primary driver of crime. The growing issue of opioids and fentanyl, including cases of heroin laced with fentanyl, was identified as a significant concern. Sheriff Fountain highlighted that much of the drug-related problems do not originate within Granville County but are brought in from elsewhere.

Chair May sought clarification, asking if there is currently no spike in violent crime and if there's no specific crime trend. Sheriff Fountain confirmed that there is no particular crime trend, and violent crime has not experienced a spike.

Chair May raised concerns about handling the increased number of federally introduced inmates with only 14 certified detention officers.

Sheriff Fountain expressed confidence in managing the federal inmates, citing his background in the prison system, including running a supermax prison. He emphasized the success of programs like the Stepping Up Initiative and building partnerships to handle the inmates effectively. Sheriff Fountain highlighted his involvement in orienting every federal inmate and creating a positive culture within the facility. He mentioned initiatives such as art projects and providing simple items like basketball shorts to improve the inmates' experience. Sheriff Fountain noted a significant reduction in the use of force incidents, attributing it to staff qualifications, training, and a focus on professionalism. He assured Chair May that rounds are conducted timely, utilizing technology like Guardian for tracking and ensuring consistent monitoring. Sheriff Fountain also transparently acknowledged past challenges, such as lacking ADEA (Americans with Disabilities Act) certification but affirmed that these issues have been addressed with the help of various parties, including the County Attorney, County Manager, DEA, and the Department of Health and Human Services.

Commissioner Hinman expressed gratitude to Sheriff Fountain for the donation of 427 pounds of food, which was distributed at ACIM (Area Congregations in Ministry) on the same day. She also thanked Sheriff Fountain for his assistance with the upcoming Turkey Trot on Thanksgiving Day and invited everyone to participate in the walk starting at 8:30 a.m. at the Oxford Methodist Church. She acknowledged the forthcoming check for ACIM and extended her appreciation to Sheriff Fountain. Sheriff Fountain mentioned that they had contacted a couple of their vendors for donations.

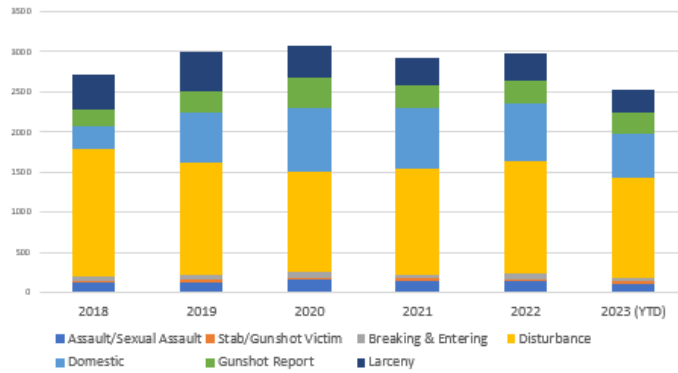
Sheriff Fountain introduced Chase Parrott, a part-time employee with the Sheriff's office responsible for cleaning up the 700 auxiliary deputies in Granville County to ensure compliance with state law. The Sheriff mentioned the need to review and verify equipment, with one missing

radio still being tracked down. Chair May expressed hope that the County does not have 700 pieces of equipment for the auxiliary deputies. Sheriff Fountain assured that they were addressing the situation.

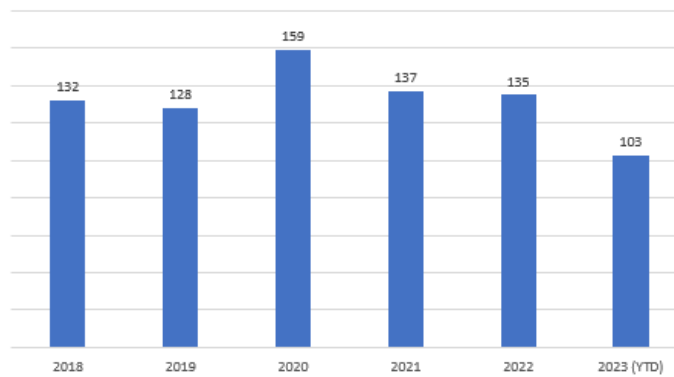
The Sheriff also invited community partners to attend their upcoming monthly, held on the last Thursday of every month.



Law Enforcement Calls by Major Category

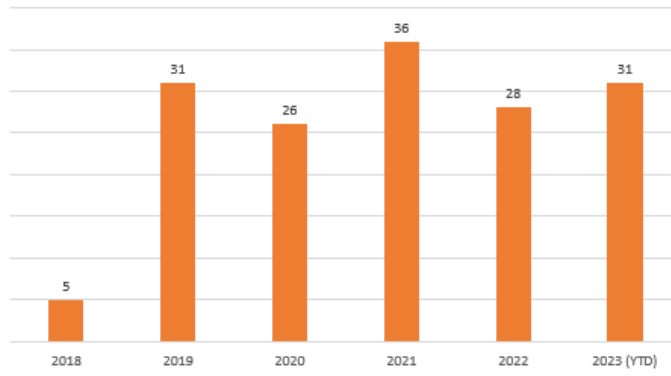


Assault/Sexual Assault





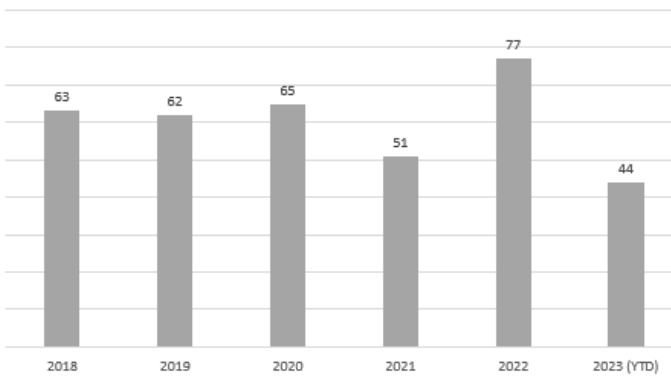
Stab/Gunshot Victim



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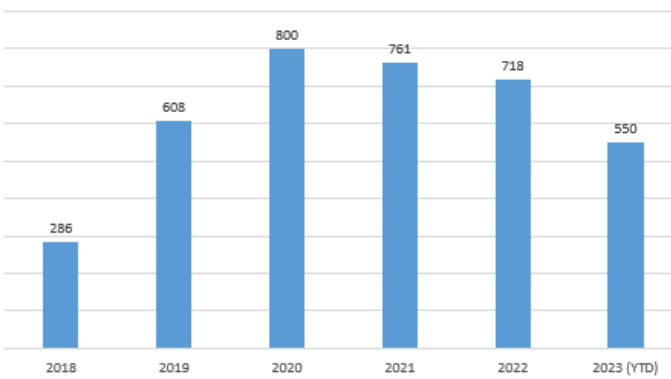
Breaking & Entering



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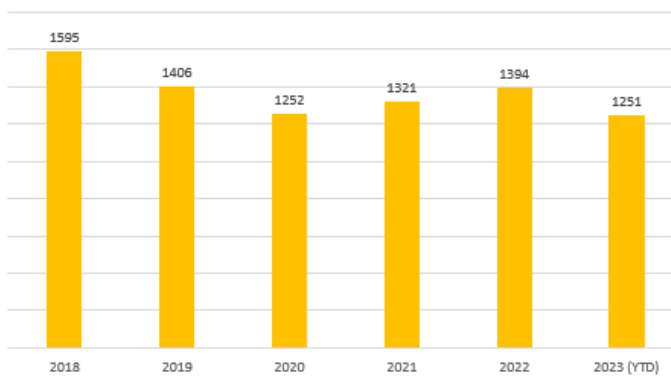
Domestic



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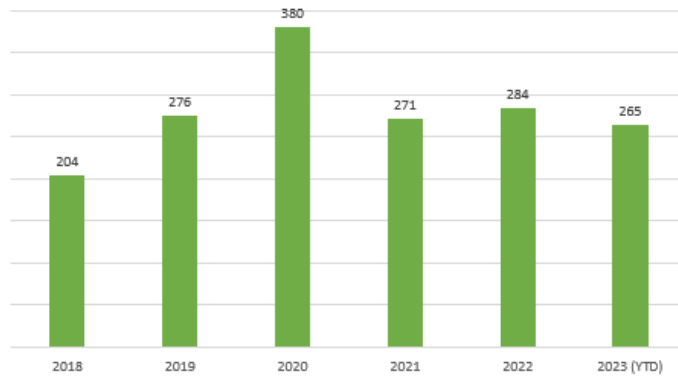
Disturbance



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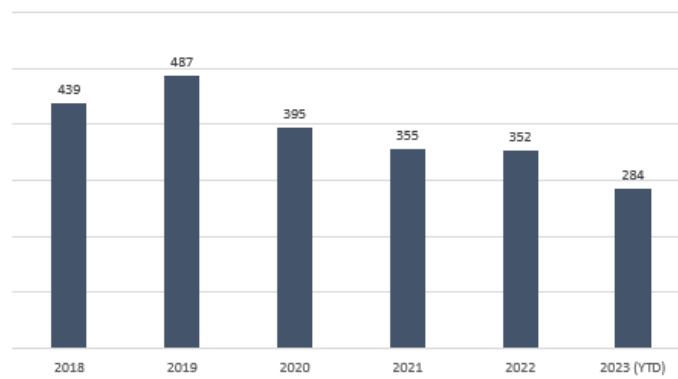
Gunshot Report



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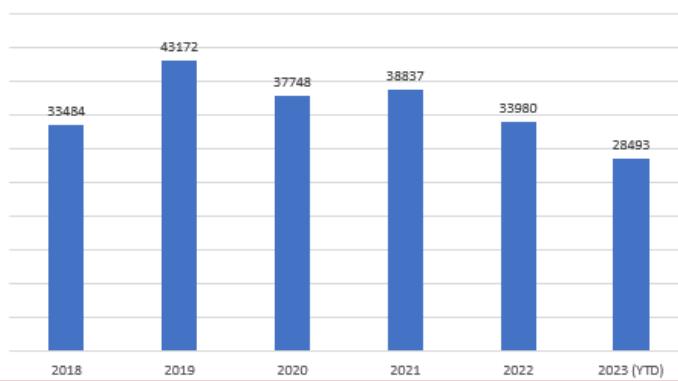
Larceny



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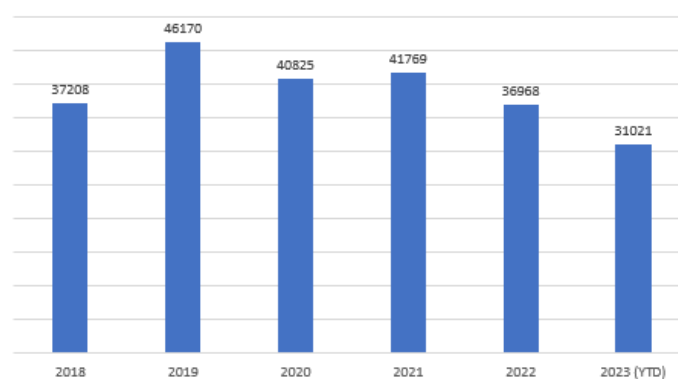
Other 911 Law Enforcement Calls



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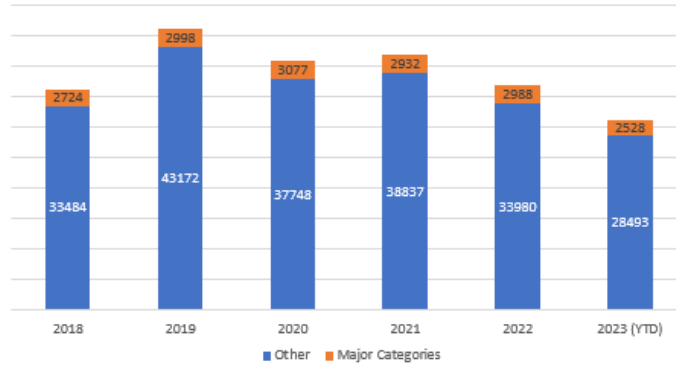
Total Law Enforcement 911 Calls



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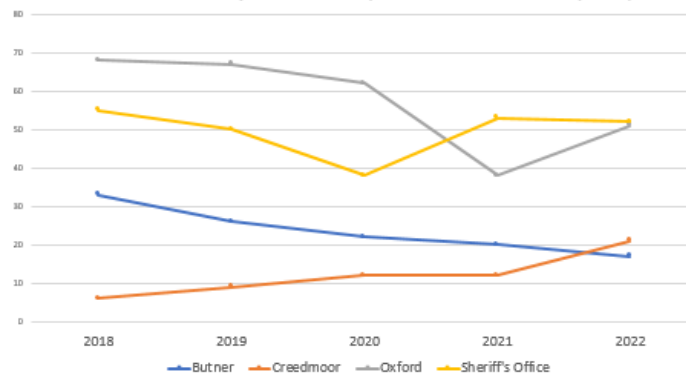
911 Law Enforcement Calls Other vs. Major Categories



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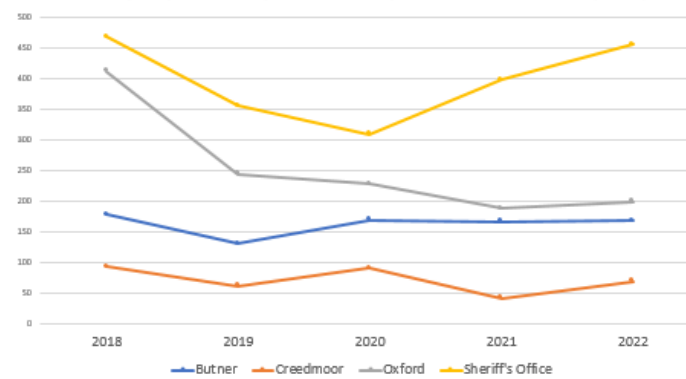
Violent Crimes by Jurisdiction (FBI Uniform Crime Reports)



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Property Crimes by Jurisdiction (FBI Uniform Crime Reports)



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APPOINTMENTS

Board Approved Appointment to Animal Control Advisory Committee

Chair May said that the purpose of this item was to make an appointment to the Animal Control Advisory Committee as Sarah Gabel (District 2) resigned and needed to be replaced.

Motioned by Commissioner Robert Williford, seconded by Commissioner Zelodis Jay, and unanimously carried, the Board appointed Jennifer Currin to the Animal Control Advisory Committee District 2 seat.

Board Approved Appointments to the Opioid Advisory Committee

Chair May said that the purpose of this item was to make appointments and reappointments to the Opioid Advisory Committee. He read the roster recommended for approval by the Opioid Committee.

Motioned by Commissioner Rob Williford, seconded by Commissioner Sue Hinman, and unanimously carried, the Board approved the following roster of appointments and reappointments to the Opioid Advisory Committee:

Lynette Clements	Sheriff or Designee
Lisa Harrison	Health Director
Korena Weichel	County Manager or Designee
Jimmy Gooch	County Commissioner
Tim Karan	County Commissioner
Rob Williford	County Commissioner
Bobby Wheeler	Pharmacy Representative
Adam McConnell	Medical/Hospital Representative
Lisa Gilbert	Behavioral Health Specialist
Scott Phillips	Family Member Representative
LaToya Davenport Toussaint	DSS Director or Designee
Lieutenant Michael Stockwell	Municipal Representative
Dr. LaJuana Norfleet	Granville County Public Schools
Jimmy Minor	Citizen At-Large Representative
Annette Myers	Citizen at-Large Representative
Shurondia Williams	Peer-Support Representative
Terry Hobgood	Staff Representative, Ex-Officio
A.J. Spiess	Granville County Veterans Services Officer
Elliot Clark	Vaya Health, Ex-Officio
Danielle Harris	Drug-Free Coalition, Ex-Officio

COUNTY MANAGER’S REPORT

County Manager’s Report

County Manager Drew Cummings did not have any items to report.

COUNTY ATTORNEY’S REPORT

County Attorney’s Report

County Attorney Jim Wrenn did not have any items to report.

PRESENTATIONS BY COUNTY BOARD MEMBERS

Commissioner Karan expressed appreciation for the veteran activities in Stem. He commended the Ruritan Club for their successful collaboration with the town of Stem in organizing the first holiday season parade. Additionally, he expressed hope that other municipalities would be inspired to do the same.

Commissioner Williford wished everyone a Happy Thanksgiving and said to travel safely.

Commissioner Hinman said she had an awesome experience participating in the combined Thanksgiving, Veterans and Christmas parade in Stem, where she was given the privilege of riding in a 55 Bel Air. Additionally, she extended an invitation for everyone to join her in the annual Turkey Trot on Thanksgiving morning in downtown Oxford.

Commissioner Cozart said that during the Hospital Finance Committee meeting on this date, they received a fantastic report from Brantwood Nursing Home on a review they had. He expressed gratitude to all the staff and leadership at Brantwood for their hard work in transforming the facility. He wished everyone a Happy Thanksgiving.

Chair May requested that County Manager Cummings and Environmental Program Director Jason Falls continue looking at concerns at the Wilton Convenience Center to address issues there. He also mentioned waiting for updates from KARTS Executive Director Randy Cantor regarding challenges with KARTS and improving access through potential grants for southern Granville. He thanked Commissioners for the robust discussion on lot sizes.

ANY OTHER MATTERS

There were no other matters.

CLOSED SESSION

Upon a motion by Commissioner Robert Williford, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board went into closed session as allowed by North Carolina General Statute 143-318(a) (6) for a personnel matter at 10:39 p.m.

RETURN TO OPEN SESSION

Upon a motion by Commissioner Zelodis Jay, seconded by Commissioner Robert Williford, and unanimously carried, the Board returned to open session.

ADJOURNMENT

Upon a motion by, Commissioner Sue Hinman, seconded by, Commissioner Robert Williford and unanimously carried, the Board adjourned at 10:57 p.m.

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