

**OXFORD, NORTH CAROLINA**  
**February 1, 2016**

The Members of the Honorable Board of Commissioners of Granville County, North Carolina met in a regular meeting on Monday, February 1, 2016 at 7:00 p.m. in the Auditorium, Granville Expo and Convention Center, 4185 US Highway 15 South, Oxford.

***Present were:***

***Chairman:*** Zelodis Jay

***Commissioners:*** Tony W. Cozart            R. David Currin, Jr.  
                                 Timothy Karan            Ed Mims  
                                 David T. Smith            Edgar Smoak

***County Manager:*** Michael S. Felts

***County Attorney:*** James C. Wrenn, Jr.  
***Assistant County Attorney:*** Gerald T. Koinis

***News Reporters:*** Elizabeth Coleman – *Butner-Creedmoor News*  
                                 Linda Nicholson – *Oxford Public Ledger*

**MEETING CALLED TO ORDER**

At 7:00 p.m., Chairman Zelodis Jay called the meeting to order, and recognized Commissioner David T. Smith for the invocation and the Pledge of Allegiance.

**BOARD APPROVED CONSENT AGENDA**

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

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

Environmental Disaster Contingency	\$ 10,000
General Contingency Balance	\$ 66,081
General Fund Appropriated Fund Balance	\$ 2,738,207

- (B) Approved Budget Amendment #6 as follows:

Budget Amendment #6  
February 1, 2016

Expenditures: Increase/(Decrease)

General Government	
Finance	6,300
Public Safety	
Animal Control	5,000
Community Services	
Unwrappin The Gift	5,250
Unwrappin The Gift - Warren Co.	14,035
Education	
Granville County School System	86,467
Area Projects and Other Appropriations	
Pass Thru Funds and Transfers	(6,393)

Contributions to Other Funds				
	Contingencies		(92,767)	
	Total Expenditures			17,892
Revenues: Increase/(Decrease)				
	Restricted and Intergovernmental		10,010	
	Appropriated Fund Balance		7,882	
	Total Revenues			17,892
Budget Amendment #6				
(For reference only)				
				Balance
General Fund/ Pass Through				
Expenditures: Increase/ (Decrease)				
10-8580	108	Community Connections	\$141	\$63,930
10-8580	146	JCPC - Trail to Success	(\$6,534)	\$14,220
Revenues: Increase/ (Decrease)				
10-3583	342	JCPC - Trail to Success	(\$11,850)	\$11,850
10-3990	991	Appropriated Fund Balance	\$5,457	\$2,735,782
Description: To correct BA #4 - JCPC spending plan finalization.				
General Fund/Animal Control				
Expenditures: Increase/ (Decrease)				
10-4380	399	Spay & Neuter Program	\$3,405	\$6,405
10-4380	233	Donations	\$1,595	\$1,645
Revenues: Increase/ (Decrease)				
10-3438	411	Donations	\$5,000	\$6,000
Description: To recognize receipt of donation funds and apply funding to the Spay and Neuter program.				
General Fund/Schools				
10-5911	580	Category 1 - Capital Outlay	\$86,467	\$1,044,138
10-9910	991	General Contingency	(\$86,467)	\$72,381
Expenditures: Increase/ (Decrease)				
Description: To fund the reimbursement of actual capital costs towards South Granville field erosion, as approved on December 7th, 2015 by the Granville County Board of Commissioners.				
General Fund/ Cooperative Extension				
Expenditures: Increase/ (Decrease)				
10-5835	390	Enrichment Activities	\$5,250	\$8,250
Revenues: Increase/ (Decrease)				
10-3583	840	JCPC - UTG -Donations	\$2,825	\$2,825
10-3990	991	Appropriated Fund Balance	\$2,425	\$2,738,207
Description: To fund the JCPC Unwrappin' The Gift field trip and reappropriate donations received in the prior fiscal year.				
General Fund/ Finance				
Expenditures: Increase/ (Decrease)				
10-4130	199	Professional Service	\$5,000	\$13,000
10-4130	510	Capital Outlay	\$1,300	\$1,300
10-9910	991	General Contingency	(\$6,300)	\$66,081
Description: To fund temporary worker to fill Accounting Technician position and purchase replacement laptop.				
General Fund/Cooperative Extension				
Expenditures: Increases/(Decreases)				
10-5836	126	Part Time Salaries	\$8,640	\$8,640
10-5836	181	FICA	\$1,266	\$1,266
10-5836	221	Food	\$959	\$959
10-5836	251	Gas, Oil & Tires	\$900	\$600
10-5836	261	Office Supplies	\$150	\$150
10-5836	341	Printing	\$120	\$120
10-5836	390	Enrichment Activities	\$2,000	\$2,000
Revenues: Increase/(Decrease)				
10-3583	344	JCPC - UTG - Warren Co	\$14,035	\$14,035

Description: To fund the JCPC - Unwrappin' The Gift/He Matter program for Warren Co.

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

**Tax Releases  
February 1, 2016**

ACCT	NAME	AMOUNT	REASON
18842-301	Pauline B Richard Heirs	139.10	Qualified for Disability Exemption FY 2015
23999-301	Lessie E Williams Jr	(801.78)	Payment Posted to Wrong Account
8473-302	Kay Turner	18.92	Dup - SW MH Listed Twice
79881-201	Robert Dale Lugar	27.30	Boat Listed in Vance County
4326-201	Tommy Bullock	165.67	Dup - Vehicle Listed Twice
<b>TOTAL</b>		(\$450.79)	

(D) Approved the Capital Project Ordinance, Granville Central High School Expansion, Budget Amendment #2 (during Fiscal Year 2015-2016) as follows:

**Capital Project Ordinance  
Granville Central High School Expansion  
Budget Amendment # 2 (during Fiscal Year 2015-2016)  
(Budget Amendment # 3 for Grant Project Ordinance)**

**Be it ordained,** the Granville Central High School Budget Ordinance is hereby amended as follows:

**Expenditures: Increase / (Decrease)**

Issuance Costs	\$ 15,800
Building Site & Construction	\$ 606,565
Architect and Engineering Fees	\$ 64,479
Project Management	\$ (376,276)
Other Contracts and Charges	\$ (44,768)
Design & Construction Contingency	\$ (265,800)

Total Expenditures \$ 0

**(For Reference Only)**

			<u>Balance</u>
Expenditure Increase/ (Decrease)			
47-5912-510	Issuance Cost	\$ 15,800	\$ 112,000
47-5912-522	Building Site & Construction	\$ 606,565	\$ 9,592,000
47-5912-526	Architectural & Engineering Fee	\$ 64,479	675,000
47-5912-527	Project Management	\$ (376,276)	0
47-5912-529	Other Contracts and Charges	\$ (294,768)	
47-5912-529	Other Contracts and Charges	\$ 250,000	1,054,457
47-5912-991	Design & Construction Contingency	\$ (265,800)	606,543

**Description:** To adjust project budgets to reflect revised project scope.

**RESTATEMENT OF BUDGET LEVELS  
Capital Project Ordinance  
Granville Central High School Expansion  
(For County Auditors Reference)**

<b>Expenditures</b>		<b>Revenues</b>	
Issuance Cost	\$ 112,000	Debt Proceeds	\$12,000,000
Building Site and Construction	\$ 9,592,000	Investment Earnings	40,000
Architect and Engineering Fees	\$ 675,000	Transfers from General Fund	750,000
Project Management Fees	\$ 0		
Other Contracts and Charges	\$ 1,054,457		
Contingency	\$ 606,543		

Refund of Transfer from Gen Fd \$ 750,000

<u>Total Expenditures</u>	\$12,790,000	<u>Total Revenues</u>	\$12,790,000
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(E) Approved the Capital Project Ordinance, Butner Landfill Closure/Post Closure, Budget Amendment #1 (during Fiscal Year 2015-2016) as follows:

**Capital Project Ordinance  
Butner Landfill Closure/Post Closure  
Budget Amendment # 1** (during Fiscal Year 2015-2016)  
(Budget Amendment # 4 for capital project ordinance)

**Be it ordained,** the Butner Landfill Closure/Post Closure Capital Project Budget Ordinance is hereby amended as follows:

**Expenditures: Increase / (Decrease)**

Closure/Post Closure Activities	\$	11,923	
Total Expenditures			\$ 11,923

**Revenues: Increase / (Decrease)**

Contribution from Landfill	\$	11,923	
Total Revenues			\$ 11,923

**(For Reference Only)**

			<u>Balance</u>
Revenue Increase/ (Decrease)			
63-3981-000	Contribution from Landfill	\$ 11,923	\$ 464,024
Expenditure Increase/ (Decrease)			
63-4730-599	Butner – Post Closure Costs	\$ 11,923	\$ 442,394

**Description:** To adjust project budgets to reflect actual closure costs and to appropriate additional funds for post closure costs based on current project estimates.

**RESTATEMENT OF BUDGET LEVELS**

**Capital Project Ordinance  
Butner Landfill Closure/Post Closure  
(For County Auditors Reference)**

Expenditures		Revenues	
Closure/Post Closure Costs	\$ 764,024	Contribution from the Landfill	464,024
		Investment Earnings	300,000
Total Expenditures	<u>\$ 764,024</u>	Total Revenues	<u>\$ 764,024</u>

**PRESENTATION OF FY 2014-2015 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)**

Chairman Jay stated that the audit firm of Winston, Williams, Creech, Evans & Company LLP completed the financial and compliance audit of the County’s operations for the year ending June 30, 2015. He noted that Mr. Jim Winston, CPA, was present to provide an overview of the firm’s work and findings. The Audit Review Committee met on the morning of January 29<sup>th</sup> to discuss the audit in detail and Commissioners Currin and Mims serve on the Committee.

Mr. Winston then reviewed with the Board the following highlights of the report:

- The report presented is a final report for fiscal year ending June 30, 2015. The County received an unmodified opinion.
- Total assets - \$99,596,991. This is up due to construction at Granville Central High School.
- The net position is -\$13,051,619. The number is negative due to Granville County carrying the debt for the school system, which is common in North Carolina.
- Revenues were up to \$59.1M due to increase in sales tax and Expenditures were up to \$57.9M due to expenses associated with Granville Central High School.
- There was a increase in cash to the amount of \$43.7M. This was due mostly to the change occurred in the Solid Waste Fund for capital reserve funds used to complete the landfill construction.
- General Fund actual revenues for the fiscal year were \$56,361,930 and actual expenditures were \$65,435,171. This is due to refinanced debt that was not budgeted.
- Granville County had 43.20% of unassigned fund balance. The Local Government Commission requires counties to maintain at least 8%.
- The adjusted tax levy for Granville County for Fiscal Year 2014-2015 was \$35,141,489
- The County's overall tax collection percentage rate was 98.84%. The State average was 97.23%.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board accepted the FY 2014-2015 Comprehensive Annual Financial Report (CAFR) as presented and explained by the County's outside auditing firm.

**DURING PUBLIC COMMENTS, ONE SPOKE ABOUT COUNTY ROADS AND DITCHES AND ONE SPOKE ABOUT 201 MCCLANAHAN STREET**

**Reverend John Gooch, P. O. Box 233, 1640 Sanders Road, Stem,** asked the Board how to get a response from the Department of Transportation regarding cleaning ditches on properties that he maintains. He noted he has been trying to get a response for eight or ten months. He said when it rains, ditches are overflowing and mentioned problems at East Cedar Grove Baptist Association located at 2174 Brassfield Road, Creedmoor. He also mentioned trash on the roads in the county and noted specifically Lyon Station Road in a curve in the woods and on Old 75 going to the landfill. He said it appears that no one is doing anything about the issues and wanted to know how to handle these issues.

**Alva Petway, 501 Oxford Park Boulevard, Oxford,** asked the Board to honor the resolution passed in 2008 to award the building at 201 McClanahan Street to the National Mary Potter Club. She said this is a very emotional issue to hundreds of people who reside in Granville County to retain the building. She said that the acquisition of this building will allow them to reclaim a piece of their heritage. She explained that this is the last existing building built by Dr. Shaw and noted that the students and faculty built the building referred to as the Industrial Arts Building. She said that the other buildings that were part of the Mary Potter, with the exception of the gym, have been torn down. She said that the community was not consulted when decisions were made about the historic building. She said that Dr. Shaw started the school as a boarding school for colored children who had no opportunity for an education

and they were awarded an education of excellence at Mary Potter. She said the heritage of excellence is what they are trying to reinstill in today's youth that are dropping by the wayside. She said they want to use the building for classroom space for tutoring and mentoring for children who will become statistics if intervention is not held. She said they want the building to be restored. She said she knows that there is another organization wanting the building but it comes down to a moral question of fairness. She asked the Board to please return the building back to Mary Potter from whence it came.

**AFTER HOLDING PUBLIC HEARING, BOARD APPROVED ECONOMIC DEVELOPMENT INCENTIVE FOR EXPANSION OF RESTORATION COMPANY**

Chairman Jay stated that a public hearing would be held to obtain the views of the public on aiding and encouraging the location or expansion of industrial facilities in Granville County specifically as follows: the expansion of a restoration company in Granville County to expand and open a new office.

He then declared the public hearing open and recognized Harry Mills, Director of Economic Development, to provide an overview of the project.

Mr. Mills stated that Project Rebuild/Restoration is the expansion of commercial and home restoration company in the southern end of the county. The company will invest approximately \$1,055,657 and the maximum cost of the County-funded improvements will not exceed \$8,775. He noted that the company has applied for a State Building Reuse Grant that they have received that requires a 5% match from Granville County. The grant requires the employment of a minimum of 18 new employees with salaries and benefits over \$35,000. The expansion could possibly lead up to 33 new jobs. North Carolina General Statute 158-7.1 requires a public hearing prior to any final action of the Board and also requires a public notice requirement which has been met.

Commissioner Mims asked if there would be 18 jobs at the onset of the expansion.

Mr. Mills answered that the grant requires 18 jobs within 6 months to a year to complete. He noted that the owner hopes to employ 33 people.

Chairman Jay asked for anyone wishing to speak to come to the podium.

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

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board approved an economic incentive for an existing

restoration company in Granville County to expand and open a new office, at a cost not to exceed \$8,775 as a 5% match towards a North Carolina Department of Commerce Building Reuse Program grant in accordance with the County's funding policy.

**AFTER HOLDING PUBLIC HEARING, BOARD APPROVED GRANVILLE COUNTY LAND DEVELOPMENT CODE TEXT AMENDMENT REGARDING SUBDIVISION STREET MAINTENANCE**

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

**Barry Baker, Planning Director, 122 Williamsboro Street, Oxford, NC**, stated that this is a text amendment public hearing related to maintenance agreements and maintenance guarantees in keeping with State law and in regard to those that subdivide. He said that the Planning Board held a public hearing on January 21, 2016 and recommended approval of the text amendments. He noted that they approved additional language be added to Section 32-1064 and a copy of the Written Consistency statement was given to the Clerk for distribution.

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

Commissioner Smoak asked if this changes anything regarding the developer and Home Owners' Association (HOA).

Mr. Baker answered that this amendment does not affect that relationship. He noted that the maintenance agreement places "more teeth" on those who subdivide. The maintenance agreement was added to the regulation in May and these amendments will codify what has been placed in maintenance agreements since then and places more requirements on the developer.

County Attorney Wrenn explained that this would not change anything. He clarified that currently our rules require that the developer maintain the roads up until the time the Department of Transportation (DOT) accepts them. The HOA would only come into play if the developer defaulted. The developer is signing a maintenance agreement guaranteeing that they will maintain the roads to state standards and then turn them over to DOT upon the time they can be accepted by DOT which is at 75% buildout.

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

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

**AMENDMENT REGARDING SUBDIVISION STREET MAINTENANCE**

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

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

**Whereas**, the Granville County Planning Board held a public hearing on the proposed amendment on January 21, 2016 and after a study of evidence presented, made a favorable recommendation on the adoption of the proposed amendment; and,

**Whereas**, a notice of public hearing has been given as provided in North Carolina General Statute 153A-323 and the Granville County Land Development Code for a Text Amendment and a public hearing was held by the Board of Commissioners on February 1, 2016, at which, evidence was presented at the public hearing.

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

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

The Granville County Comprehensive Land Use Plan (the Plan) on page V-7 states as an objective to "ensure that streets in new developments are properly designed, built, and maintained."

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

**SECTION 1.** Amend Section 32-1057 of the Granville County Land Development Code (**bold** denotes new language and ~~strike-through~~ denotes deleted language):

Sec. 32-1057. - Final plat.

The procedural requirements for procuring major final subdivision plat approval are as follows:

- (4) *Required improvements or bonding.* No major final plat shall be approved until all improvements are installed and/or meet any requirements, including but not limited to requirements for the execution of a maintenance agreement, **and/or** the posting of a performance guarantee, ~~and/or the performance of a maintenance guarantee~~ as established in Article XVII, and the certificates as depicted on the plat have been signed. Further, no final plat shall be approved until all roads shown on previously recorded phases of the subdivision have been accepted for maintenance by NCDOT.

**SECTION 2.** Amend Section 32-1058 of the Granville County Land Development Code (**bold** denotes new language and ~~strike-through~~ denotes deleted language):

Sec. 32-1058. – Performance Guarantees.

(a) *Guarantees of required subdivision improvements.* If required subdivision improvements have not been completed prior to the submission of the major final plat, the subdivider shall guarantee the completion of the required improvements in a subdivision by means of a performance bond, irrevocable letter of credit, cash deposit, or other surety satisfactory to the county manager in an amount equal to ~~150~~ **125** percent of the estimated cost of the required improvements (the "Performance Guarantee"). Roads that are to be dedicated to the public will not be considered completed until a "built to standards" letter has been received from NCDOT for such roads. In reviewing the proposed Performance Guarantee, the county manager shall solicit recommendations from the planning director and the county



attorney. Improvements shall be made and utilities installed within the time indicated in the Performance Guarantee.

**SECTION 3.** Amend Section 32-1063 of the Granville County Land Development Code (~~strike through~~ denotes deleted language):

~~Sec. 32-1063.—Dedicated public road maintenance guarantee.~~

- ~~(a) Maintenance guarantees are required for the purpose of ensuring that roads that are to be dedicated to the public are properly maintained, free from defects, between the time of their construction and the time of formal acceptance for maintenance by NCDOT. Maintenance guarantees will be allowed only for roads for which a “built to standards” letter has been issued by NCDOT. Until a “built to standards” letter is issued by NCDOT, a performance guarantee shall be maintained in accordance with Section 32-1058.~~
- ~~(b) A maintenance guarantee must be in place before any required performance guarantee is released or before any building permits are issued for subdivisions containing public road improvements.~~
- ~~(c) Required maintenance guarantees for public road facilities must stipulate that the subdivider will maintain all required public road improvements, drainage improvements, and sedimentation and erosion control improvements to the standards of this ordinance until the public road improvements are added to the state-maintained road system. It must also state that the subject developer will be responsible for correcting any defects that may arise during the maintenance period and remove temporary sedimentation and erosion control measures.~~
- ~~(d) Initial posting of required maintenance guarantees must be in the form of a performance bond, letter of credit, or cash deposit. The amount of the guarantee must be at least 15 percent of the total cost of constructing the public road improvements. The estimated cost of the required improvements must be itemized and certified by the applicant’s licensed professional engineer or other licensed professional as authorized by North Carolina General Statute. Cost estimates must be based on industry norms within Granville County. The Planning Director or Planning Board may require a higher guarantee amount when deemed necessary to address higher potential correction costs due to the subdivision’s size and site characteristics, but in no event may the amount of the initial posting exceed 25 percent of estimated construction costs.~~
- ~~(e) Maintenance guarantees may be renewed by adhering to the tiered schedule below:
  - ~~(1) After four years of initial posting, the maintenance guarantee may be renewed by posting 20 percent of the original total cost estimate.~~
  - ~~(2) After eight years of initial posting, the maintenance guarantee may be renewed by posting 25 percent of the original total cost estimate.~~
  - ~~(3) After 10 years of initial posting, the maintenance guarantee may be renewed by submitting a new total cost estimate and a maintenance guarantee of at least 25 percent of that estimate.~~
  - ~~(4) After 12 years of initial posting, and every two years thereafter, a new total cost estimate and maintenance guarantee of 25 percent of that estimate, will be required for renewal.~~~~
- ~~(f) The maintenance guarantee agreement must have a term of two years and may be renewed provided the terms of subsection (e) above have been met. The agreement must also provide that the subdivider pay a fee to cover the County’s administrative costs. The fee will be required at the time of the initial posting and when the required documents for renewal have not been received by the County at least two weeks prior to expiration of the current agreement and guarantee.~~

**SECTION 4.** Amend Section 32-1064 of the Granville County Land Development Code (**bold** denotes new language and ~~strike through~~ denotes deleted language):

Sec. 32-1064      Maintenance Agreement

(b) *Timing.* A maintenance agreement ~~and the maintenance guarantee required by Section 32-1058~~ must be in place before any building permits are issued for subdivisions containing public road improvements.

(d) *Agreement.* The required maintenance agreement for roads that are to be dedicated to the public must stipulate that the subdivider will maintain all required public road improvements including, but not limited to, grading, ditching, culverts, stone base, asphalt, seeding, drainage improvements, and sedimentation and erosion control improvements to the standards of this ordinance until the public road improvements are added to the state-maintained road system. It must also state that the subject developer will be responsible for correcting any defects that may arise during the maintenance period and removing temporary sedimentation and erosion control measures. The maintenance agreement shall contain all of the conditions required by this division and such other terms and conditions deemed necessary by the county attorney to protect the county's interests. **The county shall be authorized to charge a fee to pay for legal services in preparation of the agreement.**

(e) *Term.* ~~The agreement must have a term of a minimum of 2 years with automatic renewal terms until the roads have been accepted by the NCDOT or a municipality for public maintenance. The subdivider must arrange for the annual inspection of the improvements by an engineer licensed in the State of North Carolina and must submit to the County an estimate of the costs necessary to bring the roads into such a condition as to meet the requirements for acceptance by NCDOT for public maintenance. If the County is not satisfied with the estimate, it may have the improvements inspected by an engineer of its choice. The amount of the posted maintenance guarantee shall be increased to cover any increase in the estimated costs of bringing the roads into such a condition as to meet the requirements for acceptance by NCDOT for public maintenance.~~ **will be for a term of ten years or until such time as the NCDOT or a municipality assumes formal, legal responsibility for maintenance of the roads, whichever is earlier. The County may renew this Agreement for subsequent terms of ten (10) years each by providing written notice to the subdivider prior to the expiration of the then current term.**

(f) *Remedies.* In addition to the remedies available in Division 7 of this Chapter, the agreement shall contain a provision that the County will be entitled to seek damages in the amount of all required public road improvements including, but not limited to, grading, ditching, culverts, stone base, asphalt, seeding, drainage improvements, and sedimentation and erosion control improvements necessary to bring the road(s) up to the standards required by this ordinance and NCDOT. The damages shall be determined based upon an assessment of probable cost prepared by an engineer retained by the County. The County will have the right to release said damages to a property owners' association duly constituted under the laws of North Carolina for the subdivision, if such an property owners' association exists, upon the property owners' association meeting certain conditions specified by the County, for the property owners' association to use to correct, or to arrange for the correction of, any deterioration of, or defect in, the improvements and to maintain them until all public road improvements are added to the State maintained road system or accepted by a municipality for maintenance.

(g) *Events of Default.* In addition to any other contractual provisions the county manager or county attorney may deem necessary, the following shall be events of default under the agreement:

- (1) Subdivider's failure to have any road in the subdivision accepted by NCDOT for addition to the state-maintained road system within one (1) year of the subdivider becoming eligible based upon any build out requirements to petition for the addition of the road into the state-maintained road system;
- (2) Subdivider's insolvency, the appointment of a receiver for the subdivider, or the filing of a voluntary or involuntary petition in bankruptcy respecting the subdivider;
- (3) Foreclosure of any lien against the subdivision property or a portion of the property, or assignment or conveyance of the subdivision property in lieu of foreclosure; or

**Within ten (10) days after any appointment of a receiver for the subdivider, filing of a bankruptcy petition respecting the subdivider, foreclosure against the subdivision property, or conveyance of the subdivision property in lieu of foreclosure, the subdivider will give the county written notice of such event.**

**SECTION 5.** 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 6.** This Ordinance shall take effect and be in force upon the date and time of adoption.

**SECTION 7.** This Ordinance duly adopted by the Board of Commissioners of the County of Granville, North Carolina, this the 1<sup>st</sup> day of February, 2016.

**BOARD APPROVED GRANVILLE ATHLETIC PARK EQUIPMENT PURCHASE AND SURPLUS AND DISPOSITION OF MOWER BEING REPLACED**

County Manager Felts stated that Granville Athletic Park (GAP) staff was requesting the purchase of a 60-inch mower to replace the 60-inch EverRide mower that they have had for 9 years. The mower is over the recommended hourly usage life and is in need of major repairs. Staff obtained the following three quotes:

<b>Vendor</b>	<b>Price</b>
Tri-County Power Equipment, Inc. (Toro 60" Z)	\$7,686.00
Steve's Lawn & Garden (XOne 60" 27 HP)	\$9,153.81
John Deere Company (John Deere Z950M)	\$9,794.85

He noted that although funding for the equipment purchase is available in the park budget, the request was being brought back to the Board for final approval per policy because the expenditure is in excess of \$5,000.

Commissioner Timothy Karan made a motion to award purchasing a 60-inch mower for the Granville Athletic Park from the low bidder, Tri-County Power Equipment, Inc. for a total price not to exceed \$7,686.00. Commissioner Edgar Smoak seconded the motion.

Commissioner Karan asked if the EverRide mower that the new mower is replacing could be declared as surplus and be sold.

County Manager Felts answered that it could be declared surplus and be put up for sale.

When Chairman Jay called for a vote on the matter, it passed unanimously to award purchasing a 60-inch mower from the low bidder, Tri-County Power Equipment, Inc. for a total price not to exceed \$7,686.00 for the Granville Athletic Park.

Upon a motion by Commissioner Timothy Karan, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board approved the surplus and disposition of the nine year old EverRide mower that the new mower replaces.

**BOARD APPROVED VEHICLE FOR THE INSPECTIONS DEPARTMENT**

County Manager Felts stated that the Development Services Director was requesting approval to purchase one 2016 Ford F-150 Standard Cab Pickup in accordance with State Term Contract 070A item #10 for an amount not to exceed \$20,673 from Capital Ford of Raleigh for his department. Funding for this purchase is included in the Inspection Department's budget.

Although the funding for the vehicle was approved in the FY 2015-2016 budget, the request is being brought back to the Board for final approval per policy because the expenditure is in excess of \$5,000.

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Edgar Smoak, and unanimously carried, the Board approved the purchase of a 2016 Ford F-150 standard cab pick-up for an amount not to exceed \$20,673 from the State Term Contract 070G/Item 10 for the Inspections Department.

**BOARD APPROVED COURTHOUSE CAMERA SYSTEM UPGRADE**

County Manager Felts stated that Courthouse Security Staff was requesting the addition of a pan/tilt/zoom analog wall-mounted camera for the rear corner of the Courthouse. The addition of this camera would improve staff's ability to secure the Courthouse grounds. Funding is available within the Construction Administration budget for this request. The request is being brought to the Board for approval per policy because the expenditure is in excess of \$5,000. Edwards Electronic Systems, Inc. is the current vendor servicing the Courthouse Camera System, so only one quote was obtained.

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board approved awarding the purchase and installation of the Courthouse camera system upgrade to Edwards Electronic Systems, Inc. for an amount not to exceed \$5,665.00 from the Construction Administration budget.

**SUMMER CIVIC LEADERSHIP PROGRAM HELD FOR DISCUSSION AT UPCOMING RETREAT**

County Manager Felts stated that during the fiscal year 2015-2016 budget process, the Board of County Commissioners voted to continue funding for the Summer Civic Leadership Program. Currently students that are ninth graders (rising tenth graders) within Granville County Public School System and are Granville County residents are eligible to apply for an opportunity to spend five (5) weeks during the summer learning about and working in County government. Students successfully completing this program are awarded a scholarship in the amount of \$1,000. He continued to explain that over the past 17 years there have been several changes to the education system, school schedules, the cost of higher education, availability of transportation, interest expressed by students/parents outside the Granville County Public School System, and interest in making the program more focused to specific areas of

government. He noted that some of the topics that County Administration would like to discuss tonight or in the future include:

1. Changing the program from rising sophomores to rising seniors.
2. Discuss changing the program from a county-wide program to a focus on one of four specific tracks; Public Safety, Human Services, Community Services, and General Government.
3. Increasing the scholarship amount from \$1,000 to \$1,400 to recognize the rising cost of higher education.
4. Eligibility Requirements (See some scenarios below)
  - a. Dependent of a Granville County School Employee who lives out of County but whose child attends a Granville County School.
  - b. A student who is a Granville County resident who attends a private or charter school **out** of County.
  - c. A student who is a Granville County resident who attends a private or charter school **in** Granville County.
  - d. A student who is a Granville County resident and is home-schooled.

He noted that it is the time of year to start promoting the program, so if changes need to be made now is the time to do so. He mentioned that transportation issues with students have become increasingly difficult and that he has received interest from students outside of the public school system that want to participate.

Chairman Jay asked that this item be placed on the upcoming retreat agenda.

**BOARD APPROVED RESOLUTION SUPPORTING THE CONNECT NC BOND ACT**

County Manager Felts stated that the North Carolina Association of County Commissioners (NCACC) Board of Directors adopted a resolution supporting the Connect NC Bond Act and is encouraging each county to adopt a similar resolution. A copy of the NCACC's Resolution was included in the agenda for reference as well as a draft resolution for the Board's consideration.

Commissioner Mims asked if the Connect NC Bond passes, when the funds would be distributed.

County Manager Felts stated that he did not have a specific answer, but that this will be on the March ballot. If the bond passes, the State Treasurer would have to put together a bond package and that distribution would occur no earlier than six months after the bond passes.

Commissioner Mims said that he thought that the public needs to know this.

Commissioner Timothy Karan made a motion to support the Connect NC Bond Act and to send it out to the appropriate entities. Commissioner Edgar Smoak seconded the motion and asked that the County Manager check on the time frame and funding amounts.

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

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

**RESOLUTION SUPPORTING CONNECT NC BOND ACT**

WHEREAS, the North Carolina General Assembly has passed and Governor Pat McCrory has signed a \$2 billion dollar initiative to be placed on the North Carolina Primary Election Ballot on March 15, 2016; and

WHEREAS, the Connect NC Bond Initiative is intended to connect North Carolina cities and towns in the 21<sup>st</sup> century by upgrading technology, constructing and improving educational facilities, improving parks and recreational facilities, and upgrading water and sewer systems; and

WHEREAS, these improvements and construction will complement and enhance key elements of the County's economic engine such as Vance-Granville Community College and tourism; and

WHEREAS, these strategic investments, as proposed, are designed to benefit every community across this great State and will create jobs and improve the quality of life and environment for every community across this great State; and

WHEREAS, clean water and sewer systems are essential to attract new and strengthen existing industry and to provide for the needs of the State and its growing population; and

WHEREAS, dollars invested in agriculture will directly impact farmers in our County; and

WHEREAS, having parks and public facilities accessible to children and veterans with disabilities is essential to improving the quality of life for our most vulnerable citizens; and

WHEREAS, financing these costs through a bond is the most economical and affordable way to address these infrastructure needs; and

WHEREAS, the Connect NC Bond Act will provide funding for many critical needs facing North Carolina that will improve and enhance the quality of life in our counties;

NOW THEREFORE, BE IT RESOLVED by the Granville County Board of Commissioners that it does hereby express its support for the Connect NC Bond Act; and

BE IT FURTHER RESOLVED, that copies of this resolution are transmitted to the members of the local legislative delegation and to Governor Pat McCrory to let them know of our support for this issue.

**ADOPTED**, this 1st day of February, 2016 by the Granville County Board of Commissioners.

**BOARD APPROVED AUTHORIZING COUNTY STAFF TO POST THE REQUEST FOR PROPOSAL FOR STREET SIGN INSTALLATION**

County Manager Felts stated that in January 2015, the installation of street signs was brought in-house and our Granville County Addressing Coordinator assumed the responsibilities of installing and replacing street signs for the County. Prior to January 2015, this service was contracted. While County staff has done a good job, after reviewing the program it has proven to be less efficient and effective than we had hoped. He explained that County staff has prepared a draft Request for Proposal (RFP) for street sign installation based on the lessons learned from the previous contract and from in-house management of the program. A copy of the RFP was included in the agenda packet for reference and review. He

noted that staff would like to post the RFP on February 4<sup>th</sup> with a submittal due date of March 3<sup>rd</sup> and an expected award date of March 21, 2016.

Upon a motion by Commissioner R. David Currin, Jr., seconded by Commissioner Timothy Karan, and unanimously carried, the Board approved authorizing County staff to post the Request for Proposal for street sign installation.

**COUNTY MANAGER'S REPORT**

County Manager Felts stated that he had a property acquisition matter for closed session.

**COUNTY ATTORNEY'S REPORT**

County Attorney Wrenn stated that he had an attorney-client matter for closed session.

**DURING BOARD PRESENTATIONS, BOARD APPROVED NOTIFYING THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION OF DITCH ISSUES**

Commissioner Cozart asked that the Clerk or County Manager notify the North Department of Transportation (NCDOT) regarding the issues Reverend Gooch mentioned during public comments.

Upon a motion by Commissioner Tony W. Cozart, seconded by Commissioner R. David Currin, Jr., and unanimously carried, the Board approved staff notifying the North Carolina Department of Transportation Granville office of issues regarding ditches being cleaned out at 2174 Brassfield Road, Creedmoor (East Cedar Grove Church) and 1665 Sanders Road, Creedmoor.

**BOARD PRESENTATIONS CONTINUE**

Commissioner Cozart also mentioned that he talked with Reverend Gloretta McNeil, Coordinator of the Second Chance Program, and that they are taking applications for the spring class of the program if anyone is interested in attending. He also commended staff for the audit report that was presented tonight and noted that the balance was budgeted without using money from fund balance.

Commissioner Mims reported that the Veterans Appreciation Event has been rescheduled to March 26, 2016 at the Granville Expo and Convention Center from 2:00 p.m. to 4:00 p.m. He also reported that he visited South Granville High School where the Board of Education held a staff forum and public hearing regarding the feasibility of joining the two high schools there into one high school. He said that they indicated there are financial benefits

to combining the two high schools and that the Board of Education will vote on the item tonight at their meeting or in the near future.

Commissioner Smoak said that the situation with trash and trash pick-up is terrible and is not just in Granville County. He asked that this item be placed on the retreat agenda for further discussion.

**BOARD APPROVED THE RECOMMENDATION OF APPOINTMENT OF DARLENE TARLTON TO THE JUVENILE CRIME PREVENTION COUNCIL AS THE PARKS AND RECREATION REPRESENTATIVE**

Commissioner Smith said that he had a recommendation for the Juvenile Crime Prevention Council (JCPC) that had many years of experience in recreation.

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Ed Mims, and unanimously carried, the Board recommended the appointment of Darlene Tarlton as the Parks and Recreation Representative for the Juvenile Crime Prevention Council.

**BOARD PRESENTATIONS CONTINUE**

Commissioner Smith also reported that at a recent Kerr-Tar Regional Council of Governments meeting the audit report was presented and they are “out of the red,” making steady progress and received an unmodified opinion.

**BOARD APPROVED PROCLAMATION FOR DOUG JONES’ 90<sup>TH</sup> BIRTHDAY**

Commissioner Currin requested that the Board approve a proclamation honoring Doug Jones for this 90<sup>th</sup> birthday.

Upon a motion by Commissioner R. David Currin, Jr., seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board approved a 90<sup>th</sup> birthday proclamation honoring Doug Jones.

**BOARD PRESENTATIONS CONTINUE**

Commissioner Currin referred to the audit report by Mr. Winston with Winston, Williams, Creech, Evans, & Company, LLP given tonight and the meeting the Audit Committee had with him earlier. He mentioned that in the audit findings there were inconsistencies in Social Services and difficulties with flaws in the NC FAST program. He noted concerns with the many recent retirees and the loss of policy knowledge at Social Services. He said that if the State determines that benefits were given to those that were not eligible, the State will possibly look to counties for repayment of the benefits if those that received them do not repay them.



Commissioner Currin said that Mrs. Petway spoke during public comments about the building at 201 McClanahan Street and that he felt out of fairness to everyone that the Board needs to address the matter. He said that Families Living Violence Free is moving forward and that the Board endorsed them at the last meeting.

County Manager Felts said that he has met with both groups and that due diligence is being performed. He said he has to speak with the County Attorney about the 2008 resolution that was passed.

Commissioner Currin said that Families Living Violence Free has grant funding that this decision will impact.

Commissioner Currin also mentioned that Australia has developed a drug that will bind a protein that certain cancer cells feed off of and it is a very significant discovery. He said that they will be free of the FDA (Food and Drug Administration) regulations and encouraged everyone to keep up with this.

Chairman Jay said that half of the Henry Wilson Road has been paved and the other half has not been paved. He asked that the status of this road be included in the notification to NCDOT with the concerns about ditches. He mentioned that Mrs. Taylor has cleaned up Noel Tuck Road several times and it is still littered. He said that this continues to be an issue and the Environmental Affairs Committee continues to search for solutions. He announced that the North Carolina House of Representatives from this area and Senator Floyd McKissick have been invited to the upcoming Environmental Affairs Committee meeting to discuss House Bill 675 and also littering issues and possible funding for help with the matter. He said that we have to start with ourselves first and dispose of trash from our cars.

Commissioner Currin suggested evaluating those participating in the Adopt-a-Highway Program to see if the requirements for adopting the area are being met. Chairman Jay said this has been discussed at their Environmental Affairs meeting and that people who have adopted roads are not doing the clean-up. Commissioner Currin said that the ordinance states if they do not do the required pick-ups, someone will be hired for clean-up and the bill will be assessed to the person or group that adopted the road. He also suggested trash receptacles at fast food restaurants, noting that Bojangles have them at their drive-thru lines. He asked that the Environmental Affairs Committee request fast food restaurants have them.

Commissioner Smith requested an update on the litter issues at the retreat.

Commissioner Smoak noted that Bill McKellar, Butner Town Council Member and Pharmacist, has done a study on cancer and asked the Board to review the study. He said the report places Granville County as number 1 in the occurrences of cancer.

Commissioner Currin commended the department heads that attended the meeting.

**BOARD WENT INTO CLOSED SESSION**

Upon a motion by Commissioner Edgar Smoak, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board went into closed session as allowed by G.S. 143-318.11(a)(3), (5) and (6) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; and to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee.

Upon a motion by Commissioner Tony W. Cozart, seconded by Commissioner Ed Mims, and unanimously carried, the Board returned to regular session.

**BOARD ADJOURNED**

Upon a motion by Commissioner R. David Currin, Jr., seconded by Commissioner Ed Mims, and unanimously carried, the Board adjourned.

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