.GRANVILLE COUNTY BOARD OF COMMISSIONERS
November 18, 2024
GRANVILLE CONVENTION AND EXPO CENTER
4185 US Highway 15 South, Oxford, North Carolina

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

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

CALL TO ORDER

At 7:00 p.m. Chair Timothy Karan called the meeting to order. Commissioner Zelodis Jay had the invocation and led the Pledge of Allegiance.

CONSENT AGENDA

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

A. Approved Budget Amendment # 7 for fiscal year 2024-2025.

BUDGET AMENDMENT No 7
November 18, 2024
Legal Document

Be it ordained, the FY 2024-2025 Annual Budget Ordinance is hereby amended as follows:

GENERAL FUND

Expenditures	**Increase**	**Decrease**	**Total**
General Government			$ -
IT	$ 5,000	$ -	
Human Resources	$ -	$ 5,000	
Public Safety			**248,277**
Sheriff's Office	$ 229,981	$ -	
Emergency Management	$ 18,296	$ -	
		Total Expenditures	**248,277**
Revenues			
Interest & Operating Transfers In	$ 229,981	$ -	
Restricted and Intergovernmental	$ 18,296	$ -	
		Total Revenues	**$248,277**

B. Approved the following tax refunds, releases, and write-offs:

- Refunds October 24, 2024 – November 6, 2024: $ 314.27
- Releases October 24, 2024 – November 6, 2024: $ 30,336.76
- Write-offs ($2 and less) October 24, 2024 – November 6, 2024: $ 3.70

C. Approved declaring the following vehicles as surplus, to be sold via an online auction platform or by Enterprise Fleet Management, if EFM chooses to accept the vehicles for sale:

VIN	Year	Department	Make	Model	Mileage	Condition
1FM5K8D86FGA21218	2015	Sheriff's Office	Ford	Explorer	100,000+	End of life
2C3CDXAT2DH629543	2013	Sheriff's Office	Dodge	Charger	100,000+	End of life
2C3CDXAT4EH121298	2014	Sheriff's Office	Dodge	Charger	100,000+	End of life
2C3CDXAT9GH155790	2016	Sheriff's Office	Dodge	Charger	100,000+	End of life
2C3CDXAT6GH356630	2016	Sheriff's Office	Dodge	Charger	100,000+	End of life
1FBJS31S1VHB20032	1997	Cooperative Extension	Ford	Econoline	77,000	End of life

D. Approved the electrical service utility easement for Duke Energy Progress, LLC to service the North Granville Senior Center located at 303 Oxford Street, Stovall, NC, and authorized the County Attorney and County Manager to finalize the document.

E. Board approved adding the Finance Technician position (Grade 64) to the 2024-2025 Pay and Classification Plan for the Finance Department.

F. Approved minutes:

- November 4, 2024 Regular Meeting

INTRODUCTIONS, RECOGNITIONS AND PRESENTATIONS

Presentation of Kerr-Tar Region and Granville County Digital Inclusion Plan

Amanda Lewis, representing the Kerr-Tar Regional Council of Governments, provided an overview of the Granville County Digital Inclusion Plan, which was developed in collaboration with local stakeholders. This initiative, funded by the State of North Carolina through the Institute for Emerging Issues at NC State University, provides funding to all councils of government across the state to develop both regional and county-specific digital inclusion plans. The Granville County plan addresses critical areas such as broadband affordability, digital literacy, and online accessibility, while aligning with state-level digital equity efforts. Lewis presented the information using a slide deck that was not included in the agenda packet.

- **Focus Areas**: Affordable broadband, internet-enabled devices, digital literacy training, quality technical support, and accessible online content.
- **Stakeholder Engagement**: An April 18, 2024, meeting helped define the plan's vision, mission, and priorities, informed by state surveys, Wi-Fi resources, and local outreach.
- **Community Input**: Surveys identified concerns about rural access, limited provider options, and high costs. Local governments and businesses supported outreach efforts.
- **Plan Goals**: Addressed homework gaps, workforce development, telehealth, small business support, and digital equity with measurable objectives for implementation.
- **State Alignment**: Goals align with North Carolina's Digital Equity Plan, focusing on affordability, cybersecurity, and accessibility.
- **Cybersecurity Initiatives**: Includes objectives for promoting cybersecurity awareness and providing training for local governments and communities.
- **Resource Accessibility**: Hyperlinked resources in the plan allow public access to the data and tools used in its development.

- **Correction Noted**: A slide correction was identified, updating "Goal 2, Objective 1" to "Goal 2, Objective 2."

During the discussion, Commissioner May inquired about specific terms and concepts within the Granville County Digital Inclusion Plan. He asked Lewis to clarify the meaning of "accessibility and inclusivity of online services," to which she explained it as ensuring digital content is usable by all individuals, including those with visual, hearing, or language barriers. She noted that tools like Google Translate and ADA compliance efforts would enhance accessibility.

Commissioner May also asked whether Granville County Public Schools were involved in the plan. Lewis confirmed their collaboration and described how schools provide public Wi-Fi access for students, strategically distributed across the county.

Regarding the term "digital equity" and its inclusion on page 53 of the plan, Commissioner May suggested reframing the language referring to “democracy” to focus on equitable access to information without relying on terms that might carry varied interpretations. Lewis acknowledged his feedback, agreeing that the terminology could be refined during the editing process.

Commissioner Cozart added his appreciation for the presentation and highlighted the inclusion of telehealth services in the Digital Inclusion Plan. He noted ongoing efforts by local hospitals to expand telehealth and inquired about the role of Granville Medical Center in the plan.

Amanda Lewis responded that medical professionals, including representatives from Granville Medical, had attended the April 18, 2024 stakeholder engagement meeting. She offered to engage further with hospital representatives to gather additional input, especially on telehealth, which is a significant focus statewide.

Motioned by Commissioner Tony W. Cozart, seconded by Commissioner Robert Williford, and unanimously carried, Board approved the Granville County Digital Inclusion Plan, as presented by Amanda Lewis of the Kerr-Tar Regional Council of Governments and recommended by the Granville County Digital Inclusion Planning Team, with final Board-suggested edits and revisions.

<u>Presentation by the Orange Street Community Center</u>
Chair of the Orange Street Community Center, Juanita Rogers, presented on the recent successful fundraising efforts and facility improvements. She presented form the slide deck presentation included the agenda packet.

- **Improvements to the Orange Street Community Center:**
  - Added awnings, stage steps, and new interior/exterior lighting.
  - Secured a $4,000 Downtown Economic Development Facade Grant to fund signage and awnings.
- **Future Plans:**
  - Ordered stage drapes last week.
  - Refinishing flooring and installing a security system.
  - Upgrading the kitchen and painting the hall area.
- **October 19, 2024, Fundraiser:**
  - Initial goal: $10,000; actual amount raised: $25,000 during the event, now approaching $30,000.
  - Event planner helped increase fundraising expectations and outcomes.
- **Significant Donation by Fred Johnson:**
  - Contributed funds to replace the heating system, steps, and other needs.
  - Donations alleviated financial struggles caused by the $60/hour rental fee.

    - Acknowledged as a key supporter and friend of the center, Fred Johnson, who was in attendance at the meeting on this date.
- **Additional Enhancements:**
    - Upgraded lighting to LED and installed chandeliers.
    - Exposed historical brickwork laid by the community, supervised by master brick mason William Henry Green (95 years old).
- **Plans Moving Forward:**
    - Preparing for another fundraiser to support further improvements.
    - Awaiting County assistance with roof repairs.
- **Acknowledgements:**
    - Introduced Orange Street Community Center Board members in attendance.

Commissioner Williford acknowledged Commissioner Hinman's recent Area Congregation in Ministry (ACIM) retirement event held at Orange Street Community Center on the evening of Tuesday, October 29, 2024. He commended its board and Fred Johnson for the facility's beautiful renovation and generous contributions, as well as the community for its support.

Commissioner Cozart praised the board's proactive approach and highlighted the potential of the Orange Street Community Center to alleviate demand on other venues, emphasizing the positive impact of leadership and community involvement.

Commissioner Hinman expressed admiration for the transformation of the facility, noting its prior condition and attributing its success to Rogers and her dedication. She extended her gratitude to the committee and those who contributed to the renovation efforts.

Commissioner Jay also commended Rogers and the board for their outstanding work and expressed appreciation for their commitment to the community.

County Manager Cummings recognized staff members, Development Services Director Scott Phillips and Facilities Maintenance Director Gary Bowen, for their expertise and dedication in maintaining the facility. Rogers reiterated her gratitude to the staff, particularly acknowledging Scott Phillips' responsiveness and Gary Bowen's efforts, as well as the Board of Commissioners for their support.

PUBLIC COMMENTS

Deidre Taborn, Oxford Marketplace, 615-B Lewis Street, Suite 101, Oxford, NC, a former Granville County resident now residing in Vance County, addressed the Board to introduce her nonprofit, Paradise Landing 1. She shared that the organization has been active for 14 years, hosting various events and activities in Granville County. Highlights included a women's empowerment event at the Granville County Convention and Expo Center, which attracted over 300 attendees, and a successful toy distribution at The Orpheum at Oxford last year, where over 300 toys were given away. Taborn explained that Paradise Landing operates primarily on grants, supplemented by personal funding. She announced that this year's toy distribution would take place December 22, 2024 at The Orpheum at Oxford from 10:00 AM to 2:00 PM, supported by 25 volunteers ranging in age from youth to 90 years old.

TAX MATTERS

After Holding a Quasi-Judicial Hearing, Board Approved Present-Use Value Late Applications for Charles Dean and Laura Dean Blackley/Sandra Dean Pruitt Based on a Finding of Good Cause

Tax Administrator Jenny Short opened by explaining that the purpose of the agenda item was to address a late application, adding that the agenda item was initially on the agenda for an October 2024 Board meeting. She identified the individuals involved as Laura Dean Blackley, Sandra Dean Pruitt, and Charles William Dean. Short provided background on the property, noting it was inherited through a will. Upon receiving the will and death certificate, ownership was updated to reflect the heirs.

Tax Administrator Short described the Present-Use Value application process, explaining that applicants are given 60 days to return completed applications. For forestry management cases, staff verify that management plans are less than 10 years old and direct applicants to consult a forester if needed. Short mentioned that staff notify applicants of the 60-day deadline when they visit the office. She explained that forester Rob Montague is commonly used but often in high demand, and he typically emails completed forestry plans directly to Jennifer Seeley, Property Appraisal Supervisor. In this specific case, the application was provided to the taxpayer, and a confirmation from Montague was received in February.

County Attorney Jim Wrenn stated that the matter should be handled as a quasi-judicial hearing.

Chair Karan acknowledged the proposal to handle the matter as a quasi-judicial hearing, requested guidance on the appropriate procedures for proceeding in a quasi-judicial format, and indicated that individuals would be called upon to provide relevant information as necessary.

County Attorney Wrenn clarified that the matter involved a late application under North Carolina General Statute 105-277.4(a1), related to property tax applications. He explained that this statute allows for an application to keep property in present use status during the calendar year of a property transfer. The statute requires the applicant to show good cause for a late application, and the Board of Equalization and Review may approve such applications, and that the Granville County Board of Commissions, by designation, is the Board of Equalization and Review. Wrenn emphasized that the Board operates in a quasi-judicial capacity when making decisions on these matters. He noted that Board members must ensure impartiality, avoid conflicts of interest, and refrain from voting if doing so would violate an applicant's constitutional rights or due process. Wrenn also mentioned that County board decisions could be subject to appeal to the Property Tax Commission, similar to other tax-related appeals.

Commissioner Williford disclosed a longstanding personal and professional relationship with Charles Dean and Sandra Dean Pruitt, including doing business with their father 60 years ago and with them for the past 30 years. He also acknowledged having spoken to both Sandra and Charles about the issue multiple times. Based on this, he stated that he believed he should recuse himself from the matter.

Attorney Wrenn clarified that it was up to the Board to accept the recusal and confirmed that Williford believed he had a conflict of interest.

Motioned by Commissioner May, seconded by Commissioner Cozart, and unanimously carried, 6-0, board accepted the recusal of Commissioner Robert Williford based on his relationship with the parties and prior communication about the case.

Chair Karan directed those presenting evidence to come forward and be sworn in as a group by Clerk Karen Evans, ensuring their names and relevant information were recorded for the record.

The oath sworn by the following six individuals asked if they solemnly swear or affirm that the evidence and information they would provide to the Granville County Board of Commissioners would be relevant to and pertinent to the issue at hand before the Board.

- Sandra Dean Pruitt, Applicant
- Laura Dean Blackley, Applicant
- Charles William Dean, Applicant
- Lori Dutra, Attorney for the applicants
- Jenny Short, Granville County Tax Administrator
- Jennifer Sealey, Granville County Property Appraisal Supervisor

Chair Karan asked if the proceedings could continue with the current arrangement, and Attorney Wrenn confirmed that the speaker could proceed from where they left off.

Attorney Wrenn inquired if Attorney Lori Dutra objected to including the previously given information in the record, to which Attorney Dutra replied that she did not.

Tax Administrator Short explained that when the matter was initially added to the agenda in October, it had to be removed for further discussion. Initially, she thought the issue stemmed from a miscommunication when the application was picked up, but after discussing with staff, she realized it was more of a misunderstanding on the applicant's part.

Short acknowledged forgetting about the policy approved on January 17, 2023, which states that good cause for considering a late application may include situations in which the taxpayer was given incorrect information in writing regarding the matter from the tax office or the N.C. Department of Revenue; or the taxpayer was incompetent, incapacitated, or deployed in military service out of the country during the period in which the application should have been submitted.

She clarified that because the application was late, the decision to approve it was no longer within her control as tax administrator. She noted that when the late application was brought forward, staff advised the applicants to submit a written letter stating good cause to present to the Board of Commissioners. Prior to the initiation of the current request to allow the application for good cause, the first contact with the applicants was in January, and the last was in August. All relevant documents, including the letter, forestry management plan, and application, had been provided to the Board for review.

She concluded by stating that the tax office now has all the necessary information, but the only action they can take is to add the applicants to the program during the January 1–31, 2025 application period. At that time, the deferred taxes would need to be repaid, and the property could then be re-enrolled in the program.

Chair Karan asked if any Board members had questions for Mr. Short.

Commissioner Cozart requested clarification on the concept of "good cause."

Tax Administrator Short explained that the Granville County Late Application Policy and Processes were adopted on January 17, 2023. She noted that inherent in owning property is the obligation for property owners to understand their rights and responsibilities, including paying taxes and applying for all exclusions and exemptions in a timely manner. With this principle in mind, neglect or oversight by taxpayers would not constitute good cause for late exemption or exclusion applications.

Short further explained that a late application is defined as either: 1) an application not received by the tax office before the official deadline, or 2) an application not bearing a clear postmark or official timestamp before the deadline from the US Postal Service or another recognized delivery service, where the date of deposit with the delivery company can be determined. Good cause for considering a late application may include situations where the taxpayer was given incorrect written information by the tax office or the North Carolina Department of Revenue, or where the taxpayer was incapacitated or deployed in military service outside the country during the application period. She emphasized that the burden of providing good cause for the late application and eligibility for the requested exemption or exclusion falls on the taxpayer.

Commissioner Cozart referenced the agenda packet, paragraph two in the Present-Use Value Late Applications agenda item, specifically the last sentence, which stated that the tax office had given Ms. Blackley and Mr. Dean an application to fill out for continued use value with verbal instructions. He asked if there were any written instructions provided along with the verbal ones.

Jenny Short confirmed that it was just the application.

County Attorney Wrenn added that the present use value application was a tax deferral program, not an exemption or exclusion. He clarified that the definition of "good cause" was the same in this statute as it was in others. Based on this, Attorney Wrenn noted that staff did not see any distinction in the type of information required for an exemption or exclusion compared to a deferral program. He explained that while a tax deferral meant the tax would be paid eventually, an elderly or disabled exemption provided relief from a portion of the tax. He emphasized that the standard for all these programs was "good cause," and the policy for late applications, which defined good cause, had been adopted by the Board.

Commissioner May asked for clarification on whether good cause would be considered as either the applicant being provided incorrect information, or being incompetent or deployed, and whether that was correct. Short confirmed that was correct, adding that incapacitation was also considered a valid reason for good cause.

Commissioner May then asked if he could ask further questions.

Attorney Wrenn informed the Board that the applicants had evidence to present and suggested that Commissioner May may want to hear their evidence before asking further questions.

Commissioner May then asked if the information provided to the applicants was accurate. Short confirmed that it was.

Attorney for the applicants, Lori Dutra, addressed the Board, seeking approval of good cause for the taxpayers' late submission of Present-Use Value applications on their property. She emphasized the significance of agricultural property to the county, noting that the farm in question had been continuously farmed since the 1920s and was currently cultivated by the Preddy brothers. She underscored that the applicants had always intended to maintain the present use designation after inheriting the property. Attorney Dutra praised the professionalism and helpfulness of the tax staff, clarifying that the applicants were not alleging any intentional misleading actions.

Attorney Dutra reminded the Board that they were acting as arbitrators in determining good cause under the adopted policy, which provided flexibility to consider factors beyond specific examples. She asserted that good cause existed in this case and submitted additional documents for consideration to supplement the packet provided to the Board. She outlined three facts: the property had been in continuous agricultural use since the 1920s, a complete application was now with the tax department, and the application was untimely, requiring the Board's finding of good cause for approval.

Attorney Dutra explained that, upon realizing the need for an application, the applicants visited the tax department with their mother's will and then consulted with Rob Montague (Exhibit 1: January 29, 2024 and February 1, 2024 email records) about preparing the required forestry plan. They mistakenly believed the application had to be fully completed, including the plan, before submission. Once the plan was finished, the application was submitted but not within the 60-day window.

Attorney Dutra presented records (Exhibit 2: July 9, 2024 tax bills) showing the applicants' reliance on tax bills received in July, which reflected Present-Use assessments and led them to believe the process was proceeding as expected. She also highlighted letters from the County (Exhibit 3: letter from Tax Administration dated August 27, 2024) notifying the applicants that their property had been removed from the Present-Use program due to the untimely application. Upon receiving these letters, the applicants finalized their application, which now met statutory requirements.

Attorney Dutra noted that the October 21, 2024, Board of Commissioners agenda item, prepared by staff for this same matter, recommended approval of the application due to a miscommunication, which she attributed to unclear instructions and written requirements. She argued that the longstanding agricultural use of the property, combined with the applicants' efforts to comply, demonstrated merit for granting good cause. She emphasized the importance of the Present-Use Value deferral system in supporting agricultural use, allowing land to remain farmed rather than being sold for development.

In conclusion, Attorney Dutra urged the Board to approve the untimely application under good cause, stating that the policy did not limit their consideration to disability or military service alone but allowed flexibility to evaluate other relevant factors. She reiterated her clients' commitment to maintaining the property's agricultural use and offered to answer any questions, noting that Sandra Dean Pruitt, heavily involved in the application process, was also available for questions.

Commissioner May sought clarification on whether the policy allowed exceptions solely under the specific conditions outlined by Tax Administrator Short or if it could be applied more broadly based on attempts to comply rather than strict compliance. Attorney Dutra responded by referencing the policy, which states that good cause for considering a late application may include situations in which the taxpayer was given incorrect information in writing. She emphasized that the applicants were not alleging intentional misinformation but highlighted inaccuracies in the process. She pointed to the July tax statement issued by the County, which indicated the property remained under present use and was correctly titled in the applicants' names. The applicants interpreted this as confirmation that the application process was still ongoing and compliant, which contributed to their misunderstanding. She acknowledged this was not intentionally misleading but argued it was inaccurate and part of the miscommunication that complicated the situation. Attorney Dutra further noted that the policy includes other considerations, such as cases where taxpayers received incorrect written information, were incompetent, incapacitated, or deployed to military service abroad during the application period. She contended that at least some aspects of this case met the policy's criteria for good cause.

Commissioner May inquired about the specific information provided to the applicants that was incorrect. Attorney Dutra responded that the applicants received a tax bill in July indicating the property was still under present use valuation. This led them to believe they were in compliance and that their application process was ongoing.

Commissioner May asked which exhibit contained this information. Attorney Dutra clarified that it was Exhibit 2, which included the tax statements sent to Charles Dean and Sandra Pruitt/Laura Dean Blackley. She explained that these tax bills assessed the property at its Present-Use Value. Additionally, Exhibit 3 contained the subsequent letters sent the following month, notifying the applicants they were being removed from the present use program and assessing all deferred taxes.

Attorney Dutra noted that while the staff-provided chronology in the Board's packet accurately reflected the events, it did not mention the July tax statement. She emphasized that the good cause provision allows the Board to act equitably, considering fairness under the policy. She concluded by asserting that the applicants' situation could justly be decided in their favor under the Board's guidelines.

Commissioner Gooch asked for a concise explanation as to why the application was late. Attorney Dutra explained that the applicants did not submit the application on time because they were waiting for the required forestry plan to be completed. Attorney Dutra clarified that the applicants misunderstood the process and believed they could not submit an incomplete application. The forestry plan was not finalized until September, which delayed their submission.

Commissioner May sought clarification about the application process, questioning if an incomplete application could have been submitted. He asked for the actual application to verify earlier statements. Attorney Dutra confirmed she had copies of the application and could provide them, noting they were not included in the packet. County Manager Drew Cummings suggested the application might be in the digital packet, but Attorney Wrenn confirmed it was not. Attorney Dutra offered to share the physical copies she had or provide an explanation. Commissioner May reiterated his interest in seeing the application, referencing earlier testimony about whether incomplete submissions could be considered non-compliant under penalty of perjury. Attorney Dutra approached to provide the application for review.

Commissioner Hinman inquired whether Mr. Montague had been hired in January, to which Attorney Dutra confirmed, referring to Exhibit 1. Commissioner Hinman then stated that, given Mr. Montague's January hire date, she would assume that if he had not yet responded to her, she was still within the appropriate time frame. She asked for clarification, seeking confirmation as to whether her understanding was correct or if she was mistaken.

Attorney Dutra explained that the applicants likely assumed they were still within the appropriate timeframe. She referred to the application form, emphasizing that it explicitly required parts one, three, and four to be completed, with part three mandating the attachment of the forest management plan. She pointed out that part four includes an affirmation under penalty of law that the information provided is accurate and complete.

Attorney Dutra suggested that if there were a process allowing for the submission of an incomplete application, such flexibility should be clearly outlined in writing on the application itself. She offered to provide copies of the application to anyone who needed them.

Chair Karan asked if the Board had any further questions or if County Attorney Wrenn had anything additional to contribute.

Commissioner May, addressing County Attorney Wrenn, sought clarification on the facts of the situation, emphasizing that while the applicant was not in compliance, their non-compliance was due to their inability to complete the application. He noted that, had the application been partially completed, the applicant would have been required to swear under penalty of perjury that the information provided was accurate. Commissioner May then asked whether the

County's letter, which informed the applicant that they were in deferment, aligned with the policy. Specifically, she inquired if the term "may" in the policy allowed for an avenue to establish good cause.

Attorney Wrenn explained the legal requirements, stating that the law requires the submission of the application within 60 days of a change in ownership. Referring to the application process, he noted that Part Three of the forestry application requires an attachment of a complete copy of the forest management plan, with several options for submission, including from the NC Division of Forest Resources, a consulting forester, or the owner. He further stated that the law permits an applicant to submit a plan from a consulting forester within the 60-day period and does not require waiting for Rob Montague to complete the process. Attorney Wrenn then inquired whether, when someone requests the Division of Forest Resources to prepare the plan, the County informs them that they may submit the plan once it is completed, even if it could take several months.

Tax Administrator Short confirmed that when applicants seek assistance with forestry plans, they are advised to submit the application within the 60-day period, even if the forestry management plan is not yet complete. She explained that the County provides a list of foresters for those who prefer not to wait for Rob Montague, though applicants often know which foresters they want to use. If applicants choose to use the North Carolina Division of Forest Resources, they are informed that they can submit the application first and provide the completed forestry management plan later when it becomes available.

Attorney Wrenn sought clarification about whether applicants are made aware of this process and other available options. Short affirmed that this information is indeed shared with them.

Attorney Wrenn asked whether anyone spoke to the applicants regarding the 60-day application deadline. Short mentioned that she spoke to them after the fact, while Jennifer Sealey spoke with them when they received the bill.

Commissioner May clarified that he was inquiring about the communication regarding the 60-day deadline. He wanted to know if they were clearly informed that the application had to be submitted within 60 days, regardless of who completed the forestry management plan.

Short confirmed that the office staff repeatedly told applicants to ensure their applications were submitted within 60 days. However, when asked specifically whether she told the applicants this, Ms. Short responded that she did not. She indicated that it would have been one of the staff members at the window, either Corie Spiess or Melody Hargrove, who informed them. Commissioner May noted that the staff member who provided this information was not present for the meeting.

Commissioner Cozart raised a concern about the July 9, 2024 bills (Exhibit 2), which were sent after the 60-day deadline but still showed the property in current use status. He pointed out that the bills, with the same value, might have caused confusion. He questioned why the bills showed this status so late and whether it contributed to a misunderstanding regarding the deadline.

Attorney Wrenn asked why the bill was sent with the current use status, and Short clarified that it was part of the County's general tax billing process, sent out with all the tax bills in July.

Property Appraisals Supervisor Jennifer Sealey explained that only two staff members handle this task, and with the reevaluation process taking priority, the removal from use value (i.e., the tax bill) had to be delayed until August. However, she confirmed that this delay in sending the letter about removal did not relate to when the application was actually received.

Chair Karan asked the Board if they had any further questions or had reached a decision.

Commissioner May inquired if the complainant had anything further.

Attorney Dutra requested to ask Sandra Dean Pruitt questions on the record. She first asked her to state her name, which she did. She then asked if she went to the tax office herself, to which she confirmed she was the only one who went on January 29, 2024.

Attorney Dutra followed up by asking if she obtained the application during her visit, and Pruitt confirmed that she did. She then asked if she understood that she needed to hire a forester for the application, and Pruitt responded that she was told to complete the form and submit it with a forestry management program. She also mentioned that she planned to contact Rob Montague, as she was familiar with him.

Attorney Dutra referred to Exhibit 1 showing an email from Rob Montague and asked if it was true that he had confirmed his involvement by February 1, 2024. Pruitt explained that after leaving the tax office, she called Rob Montague from her cell phone, told him what was needed, and he agreed to help. She added that he informed her it would take some time due to a backlog in forestry service requests countywide.

Finally, Attorney Dutra asked if she submitted the application once she had the plan, and Pruitt confirmed and added that Rob Montague emailed her and Jennifer Seeley on January 29, 2024, indicating that he was starting the process of the forestry management plan.

Chair Karan asked the Board if there were any other questions and asked how they would like to proceed.

Commissioner Cozart, after expressing appreciation for the efforts made in the case, moved to approve the late application based on the evidence presented. He initially sought confirmation on the correct phrasing of the motion, and Attorney Wrenn clarified that it would be the Board approving the late application. Cozart then formally made the motion to approve.

Motioned by Commissioner Tony W. Cozart, seconded by Commissioner Sue Hinman, and unanimously carried, 6-0, after holding a quasi-judicial hearing, Board approved the late applications submitted by Charles Dean and Laura Dean Blackley/Sandra Dean Pruitt for the Present-Use Value Program, based on a finding of good cause for the delayed submission as allowed under N.C.G.S. 105-277.4(a1).

PLANNING MATTERS

After Holding a Legislative Hearing, Board Approved Land Development Code Text Amendment

Chair Karan explained that the purpose of the item was to hold a legislative hearing regarding the proposed land development code text amendment and asked Planning Director Barry Baker to provide some background information.

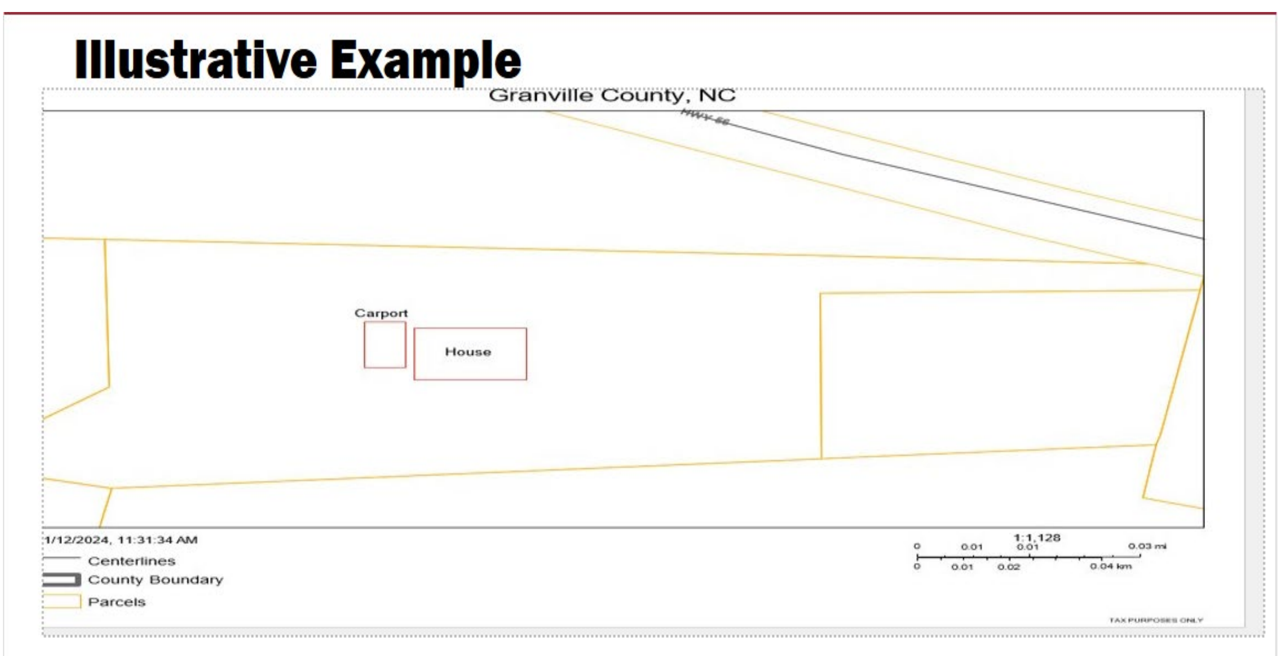
Planning Director Barry Baker addressed the Board, noting that all public notices required by local and state law had been completed for the public hearing on the proposed land development code text amendment. He explained that the amendment was based on feedback from the Planning Board, planning staff, and a local citizen who raised concerns about whether accessory structures should be allowed in the front yard of dwellings in residential zoning districts.

Planning Director Baker reported that staff investigated how other local governments addressed this issue and found that some allowed accessory structures to be located in front yards under certain circumstances. He clarified that the term "front yard" in zoning refers to the area beyond the front corners of a dwelling, not necessarily directly in front of the front door.

Baker outlined the proposed standards developed in consultation with the Planning Board, the development review committee, and the County attorney's office. These standards included:

- The accessory structure must be no more than half the total square footage of the dwelling.
- The height must not exceed 35 feet, which is the maximum height allowed in residential zoning districts.
- The structure must be set back at least 50 feet from the street, consistent with the principal dwelling setback.
- Based on recommendations from the development review committee and emergency management, any storage building must be placed at least 10 feet from a property's driveway to prevent emergency access issues.

Baker presented an illustrative example to demonstrate the proposed zoning front yard, noting that the amendment could reduce the need for Board of adjustment cases related to this issue. He added that the Granville County Comprehensive Plan did not address the matter but that the Planning Board believed the amendment to be reasonable and consistent with practices in other North Carolina jurisdictions.



Baker concluded by stating that the Planning Board unanimously recommended approval of the text amendment at their October 17, 2024 meeting and offered to answer any questions.

Chair Karan declared the public hearing closed, noting that, procedurally, it should have been closed earlier, following the conclusion of public comments and before the Board's questions. Chair Karan asked the Commissioners if they had any questions for Mr. Baker.

Commissioner May stated that he did not have any questions but wished to comment, to which Chair Karan agreed. Commissioner May remarked that the proposed ordinance amendment was both reasonable and rooted in common sense. He explained that the amendment originated from a citizen's request to accommodate the care of an elderly father, a request which did not align with the current ordinance. He commended the collaborative effort between the citizen, Mr. Baker, and the County Manager in developing the proposal. Commissioner May emphasized the importance of maintaining flexibility and a practical approach to ordinances, encouraging citizens to work with the planning office to comply with regulations rather than seeking ways to circumvent them.

Chair Karan declared the public hearing closed, acknowledging that, procedurally, it should have been closed earlier at the conclusion of the comments and before the Board's questions**.**

Motioned by Commissioner Russ May, seconded by Commissioner Robert Williford, and unanimously carried, after holding a legislative hearing, Board approved the proposed amendment to the Land Development Code to allow one accessory structure to be located in the zoning front yard in residential districts, subject to specific standards. The Board also adopted the Planning Board's plan consistency and reasonableness statement in accordance with N.C.G.S. 160D-605.

PURCHASING

Board Approved Upgrades and Purchases of Motorola Radios for Granville County Sheriff's Office

Emergency Management Director Jason Reavis presented a request to the Board on behalf of the Sheriff's Office for the purchase of new radios to ensure continued operability on the State Highway Patrol's Viper Network. Reavis explained that after a thorough inventory process in collaboration with David Schexnayder and Joel Trott of the Sheriff's Office, it was determined that the following items are needed:

- 18 Motorola APX 4500 radios
- 12 Motorola APX 6000 radios
- 12 replacement batteries (to address aging equipment)
- 4 radio clips (for proper functionality and convenience)

Reavis emphasized that this purchase is critical due to the upcoming TDMA (Time Division Multiple Access) upgrade, scheduled for July 1 of the following year, which will render older Motorola XTS and XTL radios obsolete. The associated costs are as follows:

- Motorola TDMA Upgrade: $60,049.50
- Kenwood TDMA Upgrade: $18,555.00
- Motorola APX 6000 radios: $65,970.18
- Motorola APX 4500 radios: $83,827.62
- 12 Motorola batteries: $1,477.20
- 4 radio clips: $100.92

Reavis said that the quotes received were in accordance with state contract pricing and sole-source vendor guidelines. He and the Sheriff recommended approving the purchase, with costs not to exceed $230,000, utilizing funds from the appropriation of interest earnings from the County's ARPA fund investments (see next agenda item). He further recommended that the Board authorize the County Manager to execute the contract upon its finalization by the County Attorney.

Commissioner Williford asked how long a radio battery typically lasts. Reavis explained that modern batteries have a limited lifespan, decreasing with each charge cycle. He estimated that a battery would last about three years, or approximately 1,100 to 1,200 charges.

Attorney Wrenn then inquired about the procurement process, asking if the radios were indeed on state contract. Jason confirmed that the equipment was purchased under state contract pricing. He also clarified that Mobile Communications is the authorized Motorola dealer, and RCC Communications serves as the authorized Kenwood dealer for the area.

Commissioner May asked which radios were portable and whether any rebate was available for turned-in radios. Reavis clarified that the Apex 4500 models are the mobile units, and the Apex 6000 models are portable. He admitted he might have switched the descriptions earlier. Regarding rebates, Reavis stated there was no trade-in value for the older radios, as the entire state was transitioning away from them. He added that the disposal of the old radios would be discussed with the county manager at a later date.

Commissioner Hinman asked for clarification, stating she believed the funding was coming from ARPA money. Reavis confirmed that the purchase would be funded using the interest generated from the ARPA funds.

Commissioner Hinman acknowledged the clarification, and Attorney Wrenn added that the interest was not restricted at this point.

Motioned by Commissioner Russ May, seconded by Commissioner Tony W. Cozart, and unanimously carried, Board approved the appropriation of interest earnings from ARPA fund investments to purchase 30 new radios, replacement batteries, and radio clips for the Granville County Sheriff's Office, at a total cost not to exceed $230,000. The Board further authorized the County Manager to execute the contract, subject to final review by the County Attorney.

Board Approved American Rescue Plan Act (ARPA) Project Ordinance Amendment #7 for Fiscal Year 2024-2025

Deputy County Manager Korena Weichel addressed the Board on behalf of Finance Director Jennifer Baird. She stated that it pertained to the radios the Board had just approved for purchase. To appropriate the interest generated from ARPA investments for this purpose, a project ordinance amendment was necessary.

Weichel clarified that interest earnings from ARPA funds were not subject to ARPA compliance conditions and could be transferred into the general fund as needed. She reported that, as of November 4, the interest earnings totaled approximately $439,000. The proposed amendment would appropriate $229,000 of that amount.

Motioned by Commissioner Robert Williford, seconded by Commissioner Tony W. Cozart, and unanimously carried, Board approved American Rescue Plan Act (ARPA) Project Ordinance Amendment #7 for Fiscal Year 2024-2025.

Project Ordinance
American Rescue Plant Act
Budget Amendment #7 for Project Ordinance
November 18, 2024
LEGAL DOCUMENT

Be it ordained, the American Rescue Plan Act Project Ordinance is hereby amended as follows:

Expenditures	Increase	Decrease	Total
Transfer to General Fund	$229,981		$229,981
		Total Expenditures	$229,981
Revenues			
Interest Earnings		$229,981	$229,981
		Total Revenues	$229,981

Project Ordinance
American Rescue Plan Act
Project Ordinance Amendment #7
November 18, 2024
LEGAL DOCUMENT

Grant Project Ordinance for the County of Granville American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds

BE IT ORDAINED by the Board of Commissioners of the County of Granville, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby amended:

On November 4, 2024, the Board approved Project Ordinance #6 authorizing recognizing the interest proceeds as additional revenue and appropriate the same amount as a budget transfer to the General Fund as needed.

Therefore, $229,981 of interest proceeds from the ARPA (SLFRF) funds is being appropriated and transferred to the General Fund to cover the cost of radio upgrades, replacements, and additional units for the Granville County Sheriff's Office. Radios are essential communication tools designed to make law enforcement more efficient and safer. The upgrades, replacements, and additional units are critical and necessary.

Motorola TDMA Upgrade	$60,049.50
Kenwood TDMA Upgrade	$18,555.00
5 Replacement APX6000	$27,487.45
7 Replacement APX4500	$32,599.63
7 New APX6000	$38,482.43
11 New APX4500	$51,227.99
12 Batteries	$1,477.20
4 Radio Clips	$100.92
Total Cost	**$229,980.12**

EMERGENCY MANAGEMENT MATTERS

Board Approved Fire Protection & Rescue Services Budget Clarification

Emergency Management Director Jason Reavis explained the purpose of the item, which was to clarify Section 16 of the County budget, specifically regarding the Fire Protection and Rescue Service Fund. He provided background on the Fire Commission's previous recommendation to the Board, which had separated the grant funds into two categories: state fire grants and other grants.

During the most recent Fire Commission meeting, several fire chiefs requested that the two grants be combined into one fund to use the grant money more effectively. Some fire departments were no longer eligible for certain grants, such as the forestry grant, due to the population size of their districts. As a result, the Fire Commission recommended that both grant categories be merged to allow the volunteer fire departments greater flexibility in using the funds, including for grant matching purposes.

Motioned by Commissioner Russ May, seconded by Commissioner Jimmy Gooch, and unanimously carried, Board approved the clarification to Section 16 of the County Budget (Fire Protection & Rescue Service Fund) to allow Volunteer Fire Departments the flexibility to use the total $40,000 allocated for grant matches for any required grant match, including state fire grants, federal grants, and other grants, as needed.

Commissioner May asked if there had been any further conversations with the audit firm, following the last Fire Commission meeting. County Manager Cummings responded that the audit firm had continued to provide weekly or biweekly updates on their progress in reviewing the financial procedures. These updates were shared with staff, and further requests from the Fire Commission and fire departments were also being addressed.

County Manager Cummings added that, during the last Fire Commission meeting, a letter had been sent out outlining the terms of the contract with the audit firm, including the specific deliverables the firm would be expecting from each fire department.

COUNTY MANAGER'S REPORT

County Manager Cummings did not have any items to report.

COUNTY ATTORNEY'S REPORT

County Attorney's Report
County Attorney Wrenn reported that he had one matter for closed session for attorney-client privilege.

PRESENTATIONS BY COUNTY BOARD MEMBERS

Commissioner May inquired about Mr. Adam McConnell, CEO of Granville Health System. He understood that the SAMS account [Centers for Disease Control and Prevention's (CDC) Secure Access Management Services (SAMS)] had been rectified, which resulted in a substantial amount of money being returned to the hospital. He asked the County Manager to follow up with McConnell to explore the possibility of renewed conversations with FCI Butner. Commissioner May noted that during the previous meeting with FCI Butner, conditions were not favorable, but with the SAMS account now resolved, there might be an opportunity to negotiate additional assistance. He expressed hope for progress in reducing the use of ambulance services or increasing payments for those services.

Commissioner Jay expressed his gratitude to Commissioner Hinman for her service and reflected on their time working together. He provided an update from the Kerr Area Regional Transit System (KARTS) meeting, noting an impending shortage of ten drivers due to retirements and encouraging outreach for potential applicants. Commissioner Jay also summarized his experience at the Legislative Goals Conference, highlighting that Senator Jim Burgin emphasized the importance of local government training for prospective candidates, while House Representative Ray Jeffers shared how the association and his background in county government had been instrumental in his transition to the legislature. Additionally, Commissioner Jay reported progress in approving most conference goals and noted discussions on addressing foster care challenges, supporting community colleges, and preparing industrial parks for economic development opportunities.

Commissioner Williford thanked Commissioner Hinman for the quilt she gifted as part of her farewell to the Board. He expressed appreciation for the two years they served together, noting it had been a pleasure. He also extended well wishes to the citizens of Granville County for a safe and joyous Thanksgiving, emphasizing safe travels.

Commissioner Hinman expressed gratitude for the opportunity to serve on the Board, describing it as both a pleasure and a privilege. She reflected on her commitment to doing her best for the County and thanked her fellow commissioners for their support and camaraderie. Commissioner Hinman humorously recounted her experiences during her final two parades, thanking Jason Reavis for providing a golf cart and sharing anecdotes about navigating the parades with Commissioner May as the driver. She concluded by acknowledging the honor of presenting her fellow commissioners with handmade quilts on the evening of Wednesday, November, 13, 2024 as a farewell gift and appreciating the citizens for allowing her to serve.

Commissioner Cozart shared an announcement about a homeless forum hosted by the school system at the Mary Potter Center on Saturday, from 10:00 a.m. to 12:00 noon, discussing McKinney-Vento students in the community. He then expressed how much of a pleasure it had been to serve with Commissioner Hinman, noting that he was fortunate to continue serving on both the DSS and Franklin-Vance-Warren boards. He recalled that as Chair, Commissioner Hinman was known for assigning tasks and ensuring everyone was prepared for conferences, running a tight ship. Commissioner Cozart praised her big heart, thanking her for the quilt gifts she gave to the Board as a farewell gesture, and expressed how special it had been to serve alongside her, wishing her the best in health and life.

Commissioner May humorously acknowledged that Commissioner Hinman had indeed told him what to do on a few occasions, but he expressed immense respect for her in doing so. He thanked her for her friendship, counsel, and the passion and compassion she demonstrated during her time on the Board. Commissioner May noted that she would leave a lasting legacy and expressed gratitude for both the quilt she gifted to him and for her service.

Chair Karan acknowledged the recent election, welcomed Commissioner-elect Griffin, and expressed enthusiasm for his upcoming orientation. He also shared that Granville County celebrated its first Farmer's Appreciation Day on November 14, 2024, marking the second Thursday in November annually. Chair Karan highlighted that North Carolina's new state fruit is the muscadine grape. He welcomed Selena McCoy as the new Cooperative Extension Director and reminded the community about the upcoming recreation mini-grant program, with applications due by January 31, 2025. Additionally, he provided an update on the I-85 interceptor project, a $75 million initiative led by the South Granville Water and Sewer Authority, with $35 million dollar in grants and $35 million in low-interest loans as well as funds from local ratepayers. He said construction is expected to begin in the second quarter of 2025.

ANY OTHER MATTERS

There were no other matters for open session.

CLOSED SESSION

Motioned by Commissioner Sue Hinman, seconded by Commissioner Robert Williford, and unanimously carried, Board went into closed session as allowed by North Carolina General Statute 143-318.11(a)(3) for attorney-client matters and Statute 143-318.11(a)(5) for property acquisition matters at 8:56 p.m.

RETURN TO OPEN SESSION

Motioned by Commissioner Sue Hinman seconded by Commissioner Robert Williford, and unanimously carried, the Board returned to open session at 10:05 p.m.

ADJOURNMENT

Motioned by Commissioner Sue Hinman, seconded by Commissioner Jimmy Gooch, and unanimously carried, Board adjourned at 10:06 p.m.

Respectfully submitted,
Karen Evans
Clerk to the Board