

GRANVILLE COUNTY BOARD OF COMMISSIONERS
April 7, 2025
GRANVILLE EXPO AND CONVENTION CENTER
4185 US Highway 15 South, Oxford, North Carolina

PRESENT:

Chair Jimmy Gooch
Vice-Chair Zelodis Jay
Commissioner Robert Williford
Commissioner Mark Griffin
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 7:01 p.m., Chair Jimmy Gooch called the meeting to order. Commissioner Robert Williford had the invocation and led the Pledge of Allegiance.

APPROVAL OF AGENDA

Motioned by Commissioner Tony W. Cozart, seconded by Commissioner Russ May, and unanimously carried, 6-0, Board moved item 13, ‘Approval of Child Welfare Practice Assessment & Capacity Building Contract’, to the consent agenda.

Motioned by Commissioner Zelodis Jay, seconded by Commissioner Robert Williford, and unanimously carried, 6-0, Board approved the April 7, 2025 regular meeting agenda.

CONSENT AGENDA

Motioned by Commissioner Zelodis Jay, seconded by Commissioner Robert Williford, and unanimously carried, 6-0, Board approved the consent agenda as follows:

- A. Approved Budget Amendment 14 for Fiscal Year 2024-2025.**
- B. Approved *Resolution to Establish a General Capital Reserve Fund*.**

RESOLUTION TO ESTABLISH A GENERAL CAPITAL RESERVE FUND

the Board of Commissioners of Granville County recognizes the importance of prudent financial management and the need to plan for long-term capital expenditures to maintain and improve public infrastructure, facilities, and services; and

pursuant to Article 3, Part Two of the North Carolina General Statutes, any local government or public authority is authorized to establish and maintain a capital reserve fund for any purposes for which it may issue bonds; and

the establishment of a General Capital Reserve Fund will enable Granville County to set aside funds for any purposes for which it may issue bonds; and

the creation of a General Capital Reserve Fund will provide a stable and predictable source of funding for these capital needs, while ensuring that Granville County remains fiscally responsible in meeting the future needs of its residents; and

the Board of Commissioners of Granville County desires to ensure that adequate resources are available to address the county's long-term capital needs while managing the financial impact on the operating budget and avoiding undue debt burdens; and

the Board of Commissioners of Granville County desires to authorize the Finance Director to create and implement the necessary procedures and policies for the establishment, administration, and oversight of the General Capital Reserve Fund; and

the Board of Commissioners of Granville County requires that any withdrawal from the General Capital Reserve Fund be approved by the Board through the passage of an ordinance or resolution; and

the Board of Commissioners of Granville County acknowledges that capital projects may be necessary to address both county needs and public school needs, and thus, the General Capital Reserve Fund may be used for such projects to support the infrastructure and operational needs of the County and its public schools.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Granville County, as follows:

1. **Establishment of the General Capital Reserve Fund:** Pursuant to Article 3, Part 2 of the North Carolina General Statutes, the Board of Commissioners of Granville County hereby authorizes the establishment of a General Capital Reserve Fund.
2. **Fund Sources and Contributions:** There is hereby appropriated from the *General Fund – Contributions to Other Funds* to the General Capital Reserve Fund the sum of \$1,737,845. The General Capital Reserve Fund shall be funded by appropriations from the General Fund and by appropriations from any other fund consistent with the limitations imposed in N.C. General Statute §159-13(b), provided when moneys or investment securities, the use of which is restricted by law, come into a capital reserve fund, the identity of such moneys or investment securities shall be maintained by appropriate accounting entries.
3. **Use of Fund:** The General Capital Reserve Fund shall be used primarily for the following purposes:
 - a. Providing land for corporate purposes;
 - b. Providing parks and recreation facilities;
 - c. Providing public buildings; and
 - d. Providing school facilities.
 - e. This Resolution may be amended as set out in N.C. General Statute §159-19 to authorize the use of moneys accumulated or to be accumulated in the General Capital Reserve Fund for capital outlay purposes not stated herein.
4. **Period for Which Funds May Be Accumulated:** Funds shall be held in the General Capital Reserve Fund until transferred by subsequent resolution or ordinance of the Board of Commissioners to a fund within the capital reserve fund for a particular category of capital project or appropriated pursuant to a project ordinance. The Board of Commissioners will conduct an annual review of the funds held in the General Capital Reserve Fund. During this review, the Board will evaluate the status of ongoing and upcoming capital projects and determine whether any action, including a new resolution, is required to transfer or appropriate funds.
5. **Amounts to be Accumulated:** The estimated cost for each new capital project shall be determined as part of the planning process for that project. The Board will ensure that adequate funds are available in the General Capital Reserve Fund to cover the estimated costs of each new capital project, as determined when the project is created and brought before the Board.
6. **Effective Date:** This resolution shall take effect immediately upon its adoption.

BE IT FINALLY RESOLVED, that any actions taken by the authorized signatories in connection with the above matters are hereby ratified and approved, this 7th day of April, 2025.

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

- Refunds March 6, 2025 - March 26, 2025: \$18,030.51
- Releases March 6, 2025 - March 26, 2025: \$ 3,133.45
- Write-offs March 6, 2025 - March 26, 2025: \$ 156.78

D. 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
2C3CDXAT1EH121291	2014	Sheriff's Office	Dodge	Charger	100,000+	End of life
2C3CDXAT2FH902967	2015	Sheriff's Office	Dodge	Charger	100,000+	End of life
2C3CDXAT8GH356631	2016	Sheriff's Office	Dodge	Charger	100,000+	End of life
2C3CDXAT6GH356627	2016	Sheriff's Office	Dodge	Charger	100,000+	End of life

- E. Approved the purchase of replacement computer equipment for the Granville County Department of Social Services from SHI in the amount of \$101,983, with \$69,423 in funding in the FY 2024-2025 Social Services Budget and \$32,560 in funding in Child Support Incentives funds, in compliance with Granville County's Information Technology Policy.
- F. Approved the purchase of lifecycle computer replacements from SHI in the amount of \$105,150, with funding available in the FY26 Information Technology hardware budget, in compliance with Granville County's Information Technology Policy, for the following Granville County departments:

Administration	Human Resources
Animal Control	Internal Auditor
Board of Elections	Information Technology
Board of Commissioners	Library
Development Services	Register of Deeds
Economic Development	Senior Services
Emergency Management	Soil & Water
Facility Management	Tax Department
Finance	Veteran Services
GIS	

- G. Approved the NCDOT-Sponsored Spring 2025 County Employee Litter Sweep as an information-only item; the event will be held on Friday, April 25, 2025.
- H. Approved a one-year service contract between Granville County and Neuroagile Leadership & Workforce Consulting LLC, doing business as Allies4Outcomes (A4O), for the term of June 1, 2025 through June 30, 2026, in the amount of \$75,200, funded through FY 2024-25 County general funds, and authorized the County Manager to execute the contract upon final review by the County Attorney.
- I. Approved minutes:
- January 27, 2025 Joint Meeting with Board of Education
 - March 17, 2025 Regular Meeting

INTRODUCTIONS, RECOGNITIONS, AND PRESENTATIONS

Board Recognized Granville County’s 911 Telecommunicators
Emergency Communications Director Stacy Hicks and telecommunicator staff came forward to receive the following proclamation read by Commissioner May and presented by Chair Gooch.

**Proclamation Honoring Granville County's 911 Telecommunicators
for National Public Safety Telecommunicators Week, April 13-19, 2025**

WHEREAS, emergencies can occur at any time, requiring immediate response from law enforcement, fire, or emergency medical services; and

WHEREAS, 911 telecommunicators serve as the critical first point of contact, obtaining essential information, providing life-saving instructions, and ensuring the swift dispatch of first responders; and

WHEREAS, the safety of first responders depends on the accuracy and efficiency of telecommunicators who monitor their activities, provide critical updates, and coordinate emergency efforts; and

WHEREAS, the dedicated telecommunicators of Granville County Emergency Communications demonstrate professionalism, composure under pressure, and a commitment to public safety, often working long hours, nights, weekends, and holidays; and

WHEREAS, these unseen heroes contribute significantly to the protection of life, the apprehension of criminals, the suppression of fires, and the treatment of patients in need; and

WHEREAS, National Public Safety Telecommunicators Week, April 13-19, 2025, recognizes the invaluable service of 911 professionals and their vital role in emergency response;

NOW, THEREFORE, the Granville County Board of Commissioners does hereby proclaim April 13-19, 2025, as **National Public Safety Telecommunicators Week** in Granville County, in honor of the men and women whose dedication and professionalism keep our county and citizens safe.

Board Recognized Veterans Affairs Committee Members

Chair Gooch, joined by Commissioner May and David Sella, Chair of the Veterans Affairs Committee (VAC), led a presentation to recognize outgoing members of the Granville County Veterans Affairs Committee for their outstanding service.

Chair Gooch began by sharing a personal reflection about his long-standing friendship with Michael Turner, noting they had known each other since first grade at Wilton School, 65 years ago. He emphasized the importance of such enduring connections and expressed his appreciation for Turner's service.

Chair Gooch then presented individual certificates of recognition to:

- Judy Smith – for her outstanding service to the Granville County Veterans Affairs Committee.
- Gerald Seibert – for his dedicated service on the Committee.
- Charles Miller – for his significant contributions, including his role as Chair.
- Michael Turner – for his long-term commitment to the Committee, acknowledging his service to the City of Creedmoor and Granville County in many capacities.

David Sella remarked that the four honorees collectively contributed over 30 years of service to the Committee, which is only 10 years old. He highlighted the substantial impact their efforts have had on veterans in Granville County, likely exceeding those of many other counties across the state.

Commissioner May also expressed gratitude, stating that it would be difficult to find a more committed county board. He commended the Veterans Affairs Committee for raising and managing their own funds and for their enduring service, noting that members are veterans themselves who continue to serve their fellow service members.

Michael Turner acknowledged the many individuals who have supported the Committee's work over the years. He gave special recognition to Anne Williams, longtime secretary; Lynette

Breisacher; Alan Strickland; Ronnie Board; Harriet Morton; Sandra Eaton; and AJ Spiess, Granville County Veterans Service Officer, expressing his gratitude for their valuable contributions and dedicated service.

Recognition of Detention Facility Staff

Sheriff Robert Fountain and Natasha Green of Southern Health Partners recognized detention facility staff for their lifesaving actions during a recent medical emergency involving an inmate. Sheriff Fountain emphasized the Sheriff's Office's commitment to the safety and well-being of both the public and the inmate population. He highlighted that the detention center is more than just a holding facility and spoke about the professionalism and compassion shown by staff.

Natasha Green presented Lifesaving Awards to members of the B Rotation Day Shift for their immediate and coordinated response that resulted in saving an inmate's life. Award recipients included Captain Shameika Terry, Sergeant Dwayne Green, Nurse Kim Lewis, Officer Juan Adams, Officer Christopher Cox, and Officer Tisha Taylor. Additional awards were forthcoming for Sergeant Walton, Officer Harris, and Officer Burgess.

Sheriff Fountain explained that staff conducted regular 15-minute rounds and discovered an unresponsive inmate. Staff initiated emergency protocols, administered chest compressions, and used an Automated External Defibrillator (AED). The inmate coded twice but was successfully revived and is recovering.

Sheriff Fountain also shared that the Sheriff's Office had recently partnered with Little Caesars to provide incentives for inmates displaying positive behavior. He noted that other counties, including Pender, Stokes, and Stanley, had visited or planned to visit Granville County to learn from its jail operations.

PUBLIC COMMENTS

Lesha Barbee, 3594 Deerfield Road, Stem, NC, expressed concerns about the ongoing issues in her neighborhood, including the lack of visible law enforcement presence. She reported frequent reckless behavior, such as shootings, speeding, and young people carrying guns on others' properties. Despite speaking to the Sheriff's office and requesting more patrols, Barbee stated that the situation has not improved, and she worries about the safety of her neighbors, particularly with the risk of stray bullets. She requested more frequent sheriff patrols in the area to help deter these issues.

Blanca Leyva, 3564 Deerfield Road, Stem, NC, shared concerns about the rise in crime on her road, particularly the frequent gunfire near her property. She mentioned that she has called 911 multiple times but has never had an officer come to address her concerns or check in on the situation. Leyva expressed fear for her safety, especially for her children and pets, due to the proximity of the shooting. She requested more law enforcement presence in the area, as she feels unsafe even going outside or walking to her mailbox because of the risk of being hit by stray bullets. Her primary concern was the lack of response from authorities to her repeated calls.

Diane DeLeonardo, 3567 Deerfield Road, Stem, NC, shared similar concerns about the deteriorating condition of the road. She emphasized the dangers posed by the road's disrepair, which is making it unsafe for emergency vehicles to pass. DeLeonardo also described an incident involving teenagers on four-wheelers harassing a driver, as well as frequent gunfire and potential criminal activity. She noted that the road was originally built by a private individual but was never properly maintained, leaving residents to struggle with upkeep. DeLeonardo called for immediate attention to both the road's safety and the rising crime in the area.

Jerry Woodall, 3562 Deerfield Road, Stem, NC, also expressed frustration with the lack of representation and support for his neighborhood. While he largely agreed with DeLeonardo's concerns about the road, he underscored the need for officials to come and see the situation firsthand. Woodall stated that although they pay taxes like everyone else, residents feel they are not receiving the necessary services, particularly regarding law enforcement and road repairs.

Brad Oldenburg, 6588 Huntsburg Road, Oxford, NC, voiced his concerns about the rapid growth in Granville County, particularly with new subdivisions being proposed near Oxford. He expressed skepticism about whether developers and city officials are adequately planning for the impact on infrastructure and public safety. Oldenburg stressed that this growth could strain resources like law enforcement and public services, and urged the Board to take a more proactive role in ensuring responsible development that considers the community's needs.

Board Remarks

Commissioner Griffin thanked all the speakers for bringing their concerns to the meeting, noting the importance of hearing from residents. He assured them that the Board takes these matters seriously and would consider the issues raised.

SOCIAL SERVICES MATTERS

At the beginning of the meeting, Board moved item 13, 'Approval of Child Welfare Practice Assessment & Capacity Building Contract', to the consent agenda.

PURCHASING

Board Denied Approval of Eagleview Aerial Imagery Contract

Management Analyst Schexnayder presented terms for an oblique aerial imagery service contract with EagleView. He explained that EagleView operates fixed-wing piloted aircraft to capture imagery of the county from both traditional overhead and oblique angles. The company processes these images into maps and data sets that integrate with existing County software, allowing staff to access the imagery within their normal workflow. Schexnayder noted that the imagery would assist tax staff in identifying unlisted structures and performing property assessments more safely and efficiently. He shared that some counties are able to complete most assessments from their desks, requiring field visits only for disputed cases.

He also emphasized the benefits for emergency communications, as the enhanced imagery would allow staff to quickly assess areas when dispatching first responders. In the event of a natural disaster, EagleView offered to re-fly affected areas at no additional cost to support emergency management. Schexnayder cited EagleView's response to Hurricane Helene in Western North Carolina as an example of their value in disaster response.

Schexnayder reported that the County issued a request for qualifications earlier in the year, and of the two qualified bidders, EagleView was selected for its experience working with North Carolina counties and its ability to integrate with Granville County's systems. The Board had authorized staff to begin negotiations at the February 3rd meeting, and during those negotiations, staff identified cost savings that reduced the estimated annual cost from \$70,000 to less than \$43,000. Funding for the current year was available from lapse salary, and future costs were expected to be offset by increased property tax collection.

Schexnayder recommended that the Board authorize a six-year contract totaling \$253,195.20 with EagleView for aerial imagery services and authorize the County Manager to execute the contract upon final approval by the County Attorney.

Discussion ensued regarding the balance between the technology's practical benefits and the importance of safeguarding public trust, with Commissioners seeking reassurance about privacy protections, legal considerations, and clear usage guidelines.

Schexnayder explained that EagleView provides clearer, more frequently updated images than publicly available platforms, and is used by over 30 North Carolina counties. He noted that the imagery cannot see inside structures, is not live or continuous, and would be used selectively—primarily when automated systems flag possible new construction for tax purposes.

Commissioners expressed appreciation for the information and acknowledged the potential benefits, particularly for tax mapping and 911 services. 911 Director Stacy Hicks affirmed the tool's usefulness for emergency scenarios, including enhanced site awareness during critical incidents. County Manager Cummings added that EagleView's "Change Finder" feature has helped other counties identify untaxed structures, offsetting service costs over time. He also clarified that the imagery would not be made public and would be restricted to internal use by designated departments.

While recognizing the value of the proposal, several Commissioners raised concerns about public perception, privacy, and the importance of setting clear boundaries for use. Commissioner May requested the development of a written policy to guide implementation and protect public trust.

Commissioner Robert Williford made a motion to approve; the motion failed for lack of a second. Board agreed that additional consideration was needed before moving forward.

PLANNING MATTERS

After Holding a Quasi-Judicial Hearing, Board Approved Jones Road Major Special Use Permit Application for a Proposed Wireless Telecommunication Tower

County Attorney Wrenn informed the Board that the matter before them was a special use permit involving a tower to be constructed by Duke Energy. He stated that he had a conflict in the matter and that Chad Essick from the law firm of Poyner Spruill was present to act as conflict counsel. He explained that Attorney Essick was an attorney who practiced in the area of land use, planning, development, and governmental matters, and was well-versed in these issues. Attorney Essick had represented the county before the Board of Adjustment on this matter when Duke Energy sought a variance for the height of the tower. County Attorney Wrenn noted that, after answering any questions from the Board, he would step down and Attorney Essick would take his seat to guide the Board through the process.

Attorney Chad Essick introduced himself.

Board Opened the Quasi-Judicial Hearing

Motioned by Commissioner Zelodis Jay, seconded by Commissioner Tony W. Cozart, and unanimously carried, 6-0, Board opened the hearing for the Blue Bell Lane Major Special Use Permit Application for a Proposed Wireless Telecommunication Tower.

Chair Gooch, stated that both proponents and opponents of the permit would have the opportunity to present evidence and arguments. He required all speakers to be sworn in before addressing the Board, emphasizing that only sworn individuals could speak.

The following individuals were sworn in by Clerk Karen Evans:

- Susan Rabold, Consultant o/b/o Granville County, Cityscape
- Barry Baker, Planning Director, Granville County
- Caleb Jergenson, Staff Structural Engineer, Burns &McDonnell
- Joel Widmer, Electrical Engineer, Burns & McDonnell
- Merrick Parrot, Attorney o/b/o Applicant, Parker Poe Adams and Bernstein
- Patrick Bernier, Senior Project Manager, Duke Energy
- Julie Ratcliffe, Public Involvement Specialist, Burns & McDonnell
- Scott Smith, MAI, Integra Realty Resources - Raleigh, Applicant's Expert Witness
- Elizabeth Townsend, Director - East Region, Government and Community Relations, Duke Energy
- Jean Thomas, Blue Bell Lane

Preliminary Statement

Chair Gooch invited Planning Director Barry Baker to provide a preliminary statement.

Planning Director Baker affirmed that all public notice requirements for the hearing had been met and presented based on the information in the agenda packet. He presented the special use permit application for a 404-foot replacement tower on Blue Bell Lane, submitted by Burns and McDonnell on behalf of Duke Energy. He noted that the Board of Adjustment had granted a height variance in November 2023. The proposed tower complied with the airport height ordinance and would retain its manufactured steel gray color. Baker outlined conditions from Cityscape, including submission of certified construction drawings, NEPA and Section 106 reports, compliance with FCC interference rules, and adherence to the county's noise limit of 65 decibels at the property line. He then introduced Susan Rabold to present Cityscape's report.

Granville County consultant Susan Rabold of Cityscape presented based on the consultant information included in the agenda packet. Consultants reviewed the application and supporting materials, noting that the proposed tower would replace an existing Duke Energy structure that must be removed. She explained that no suitable co-location opportunities existed in the area due to the required height and lack of tall structures or public properties, and confirmed Cityscape's agreement with the applicant's use of siting priority eight for a new non-concealed freestanding structure. Rabold stated the tower was designed to accommodate Duke Energy's equipment and future commercial co-location, with three elevations reserved for commercial providers and adequate space in the ground compound. She noted FAA approvals had been obtained, and the tower would feature a dual lighting system—white strobe by day and red strobe by night. Rabold confirmed compliance with RF exposure standards, a one-to-one setback of 404 feet, and described access via a new 26-foot driveway from Blue Bell Road. The compound would be enclosed by an eight-foot fence with barbed wire, screened with fabric and landscaping, and supplemented by existing vegetation along the northeast and southern property lines.

Instructions to the Board

When asked by the Chair, Attorney Essick read the instructions to the Board.

INSTRUCTIONS TO BOARD—MAJOR SPECIAL USE PERMIT

WIRELESS TELECOMMUNICATIONS FACILITIES

The Federal Telecommunications Act, as codified at 47 U.S.C. § 332(c)(7), allows municipalities (including counties) to regulate the placement of wireless service facilities. Part 2, Article 9, Chapter 160D of the North Carolina General Statutes, "Wireless Telecommunications Facilities", sets out the statutory framework pursuant to which local governments can regulate wireless telecommunications facilities. The Wireless Facility and Wireless Support Structure Siting

Ordinance for the County of Granville is found in Article IX of Chapter 32 of the Granville County Land Development Code. Section 32-572(c) requires a major special use permit for all new wireless support structures.

Section 32-1101 of the Ordinance establishes the following six standards for major special use permits:

1. All applicable specific conditions pertaining to the proposed use contained in Article III of Chapter 32 of the Ordinance have been or will be satisfied.

Specifically, in order to grant a special use permit to construct a new freestanding wireless support structure, the Board must find that the applicant demonstrated why a site of a higher priority was not selected. In order to find that the applicant demonstrated why a site of higher priority was not selected, the applicant must have demonstrated to the satisfaction of this board the reason or reasons why such a permit should be granted for the proposed site and the hardships that would be incurred by the applicant if the permit were not granted for the proposed site.

The above-referenced eight orders of priority for constructing a new wireless support structure are set out in Ordinance §32-572(a) as follows:

- (1) Attached concealed antenna onto an existing structure;
- (2) Collocated antenna on existing freestanding wireless support structures;
- (3) Attached nonconcealed antenna onto an existing structure;
- (4) Freestanding wireless support structures on a site with an existing wireless support structures or tall structure;
- (5) Concealed freestanding wireless support structures on county-owned property;
- (6) Concealed freestanding wireless support structures on other property in the county;
- (7) Nonconcealed freestanding wireless support structures on county-owned property;
- (8) Nonconcealed freestanding wireless support structures on other property in the county.

In addition to these general requirements, the Ordinance also sets out specific requirements for all new wireless support structures:

Sec. 32-573. - General requirements for all wireless support structures and broadcast facilities.

(a) Security of wireless support structures. All wireless support structures shall be located, fenced or otherwise secured in a manner that prevents unauthorized access. Specifically as follows:

- (1) All antennas, towers and other supporting structures, including guy wires, shall be made inaccessible to individuals and constructed or shielded in such a manner that they cannot be climbed or run into; and
- (2) Transmitters and telecommunications control points must be installed in a manner to be readily accessible only to persons authorized to operate or service them.

(b) Signage. Wireless support structures shall contain a sign no larger than four square feet to provide adequate notification to persons in the immediate area of the presence of an antenna that has transmission capabilities. The sign shall contain the name(s) of the owner(s) and operator(s) of the facility, an emergency phone number(s), and FCC registration number, if applicable. The sign shall be on the equipment shelter or shed of the applicant and be visible from the access point of the site and must identify the equipment shelter of the applicant. The sign shall not be lighted unless the board shall have allowed such lighting or unless applicable provisions of law require such lighting. No other signage, including advertising, shall be permitted on any wireless support structure, unless required by law.

(c) [Access.] At a wireless support structure site, an access road, turn around space, and parking shall be provided to assure adequate emergency and service access. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and vegetation cutting. Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce soil erosion.

(d) [Setbacks.] All wireless support structures and broadcast facilities shall be set back from abutting property lines and recorded rights-of-way by the following distances: a distance equal to the height of the wireless support structure or broadcast facility tower or structure or use breakpoint technology as provided for in subsection 32-579(8)a. Any accessory structure shall be located so as to comply with the applicable minimum setback requirements for the property on which it is situated.

2. **Access roads or entrance and exit drives are or will be sufficient in size and properly located to ensure automotive and pedestrian safety and convenience, traffic flow, and control and access in case of fire or other emergency.**
3. **Off-street parking, loading, refuse and other service areas are located so as to be safe and convenient, allow for access in case of emergency, and to minimize economic, glare, odor and other impacts on adjoining properties in the general neighborhood.**
4. **Utilities, schools, fire, police, and other necessary public and private facilities and services will be adequate to handle the proposed use.**
5. **The location and arrangement of the use on the site, screening, buffering, landscaping and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impact.**
6. **The type, size and intensity of the proposed use, including such considerations as the hours of operation and number of people who are likely to utilize or be attracted to the use, will not have significant adverse impacts on adjoining properties or the neighborhood.**

In making these findings of fact, the Board's decisions must be based on competent, material, and substantial evidence in the record. Substantial evidence is more than a mere scintilla. It means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion. It must do more than create the suspicion of the existence of the fact to be established.

The concurring vote of a majority of the members of the Board shall be necessary to grant a major special use permit. Vacant positions on the Board and members who are disqualified from voting on an evidentiary matter shall not be considered members of the board for calculation of the requisite majority, if there are no qualified alternates to take the place of such member. If the Board approves the major special use permit, it may impose any additional reasonable conditions and safeguards as may be necessary to: (i) Ensure that the criteria for the granting of such a permit will be complied with; and (ii) Reduce or minimize any potentially injurious effect of the use on adjoining properties; the character of the neighborhood; or the health, safety, morals or general welfare of the community.

Where appropriate, such conditions may include requirements that street and utility rights-of-way be dedicated to the public and that provision be made of recreational space and facilities. Conditions and safeguards imposed under this subsection shall not include requirements for which the local government does not have authority under statute to regulate nor requirements for which the courts have held to be unenforceable if imposed directly by the local government. As always, a member of this Board shall not participate in or vote on a special use permit in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.

Applicant Evidence

Chair Gooch said the Board would now hear evidence from the applicant.

Attorney Merrick Parrott of Parker Poe Adams and Bernstein, representing the applicant, introduced herself and the project team, which included representatives from Duke Energy, Burns and McDonnell, and a property value expert. She noted their request for a major special use permit for the 404-foot tower and explained that her presentation would address how the application meets the County's requirements and supports the six findings of fact.

Before beginning her presentation, Attorney Merrick Parrott distributed hard copies of materials in addition to those included in the agenda packet, which contained a copy of the slide deck presentation and an expert witness report by Scott Smith, MAI (the latter was not included in the agenda packet). She requested that all application materials — including those in the agenda packet and the additional hard copies — be entered into the record for ease of reference.

Chair Gooch stated that, without objection from the Board, the documents were entered into evidence.

Attorney Merrick Parrott, representing the applicant, introduced the request for a major special use permit to replace the existing 430-foot tower with a 404-foot non-broadcast wireless tower. She explained that the new tower would support Duke Energy's Smart Grid infrastructure and allow co-location for third-party providers. The tower would be located on a 19.3-acre Duke Energy parcel and include landscaping and an access road. Attorney Parrott reviewed the six findings of fact, stating that the project met all requirements, including setbacks, access, and service adequacy, and would not negatively impact surrounding properties. She requested approval of the application.

Attorney Parrott introduced expert witness Scott Smith, an MAI-designated real estate appraiser, to provide his expert opinion on findings of fact five and six, as his report addressed both.

Scott Smit presented his impact study on the proposed tower. He examined three properties to assess potential negative impacts on property values due to proximity to the tower. His findings concluded that the proposed tower's location, screening, and landscaping would harmonize with surrounding properties and minimize adverse impacts. Additionally, the study found no evidence that the tower would affect property values, citing the area's sparse population, lack of municipal utilities, and natural vegetation buffers.

Attorney Parrott asked if Scott Smith could be accepted as an expert witness in real property valuation.

The following questions and answers were addressed:

Commissioner May asked if Scott Smith had submitted a report, which Attorney Parrott confirmed as the report distributed at the beginning of the meeting.

Commissioner Griffin asked several questions:

- **Notification to residents:** Attorney Parrott confirmed a community meeting was held in November 2024 with a few residents attending.
- **Noise from the tower:** Joel Whitmer (Burns and McDonald) explained the tower would not emit any noise audible to humans, but wind or weather might cause sounds.
- **Environmental impact:** Whitmer stated an environmental impact study would be submitted in compliance with FCC requirements.
- **Interference with other communications:** Whitmer confirmed that frequency coordination would prevent interference with cell phones or police radios.
- **T-Mobile's request:** Whitmer confirmed T-Mobile has requested space on the tower, which could improve coverage for that carrier if approved.

Attorney Parrott addressed finding of fact six, explaining that the new tower would be shorter, more setback, and remain unmanned. It will be made of galvanized steel, which is industry standard and won't negatively impact neighboring properties. She discussed the Cityscape report, agreeing with four of the five conditions but opposing the requirement to paint the

tower. Attorney Parrott argued that painting would be costly and disruptive, requesting approval with the four conditions and without the painting requirement.

Chair Gooch stated that, without objection from the Board, the documents were entered into evidence.

Opposition Evidence

Chair asked if any individuals wished to present evidence against the major special use permit.

Jean Thomas presented an original contract previously held by CP&L (Carolina Power & Light) concerning the tower. She clarified that the contract stipulates the land's sole permitted use as a site for a tower, with the requirement that the road be maintained indefinitely by the landowner. She provided the Board with a copy of the agreement dated March 15, 1978.

Attorney Marrott stated that the applicant had not seen a copy of the document and requested an opportunity to review it. Chair Gooch agreed.

When asked to state her address for the record so that the Board may know her proximity to the site, she stated that she lived right beside the property and had been there her entire life. She continued, expressing concern about the potential impact of the frequency on farm animals and wildlife, noting that bears often came up behind her house and she enjoyed seeing them. She added that she disliked microwave towers but was unsure about the type of tower being proposed.

The following questions and answers were addressed:

- Attorney Parrott expressed appreciation for the community's participation and emphasized the applicant's intent to be a good neighbor. He noted that the document presented appeared to be an easement from the 1970s concerning road maintenance and confirmed that Duke Energy had obligations to maintain portions of the road, which they had done and would continue to do.
- Patrick Bernier, Senior Project Manager with Duke Energy, explained that his team regularly replaced aging towers and was experienced in addressing road maintenance related to such projects. He stated that the construction process might impact the road, but Duke Energy intended to document its condition beforehand and leave it in as good or better condition upon completion. He shared a recent example from Pickens County, where similar commitments were fulfilled to residents' satisfaction.
- Chair Gooch inquired whether the road was currently maintained. Bernier responded that he was unsure but acknowledged that rebuilding roads was a common part of such projects.
- Commissioner Williford asked if documentation, such as photographs of the road, would be provided to the County Planning Department. Patrick Bernier confirmed they would document existing conditions upon receipt of the building permit.
- Commissioner May inquired about potential environmental impacts on animals or livestock due to the equipment being placed on the tower. Merrick Parrott responded that no impacts were expected, referencing the environmental assessment mentioned earlier in the meeting.
- Commissioner Williford asked about the expected lifespan of the new tower. Bernier began to respond, noting that it was a common question and referencing the original tower built in the 1980s, with many similar towers having been constructed in the 1960s

Closing Statement by Attorney Merrick Parrott:

Attorney Parrott summarized the applicant's position. She stated that the presentation and expert testimony demonstrated compliance with all applicable County regulations. She emphasized that the applicant provided competent, material, and substantial evidence on each

of the six findings of fact required for a quasi-judicial decision, as outlined by the County attorney. She noted that, under North Carolina law, generalized concerns or fears without supporting evidence do not meet the standard of competent, material, and substantial evidence. She concluded by requesting that the Board issue the major special use permit, subject to the four conditions listed on slide 16 of the applicant's PowerPoint presentation.

Board Closed the Hearing

Chair asked if any final questions or individuals wished to present evidence against the major special use permit. Seeing none, he invited a motion to close the hearing.

Motioned by Commissioner Zelodis Jay, seconded by Commissioner Mark Griffin and unanimously carried, 6-0. Board closed the hearing for the Blue Bell Lane Major Special Use Permit Application for a Proposed Wireless Telecommunication Tower.

Summary of Evidence by Attorney Essick

Attorney Essick summarized the hearing, noting testimony from Planning Director Barry Baker and Granville County Consultant Susan Rabold of Cityscape confirming the existing tower height of 430 feet and the proposed replacement at 404 feet, with Rabold stating no other towers met Duke Energy's needs. The new tower will allow for three co-location points, has FAA and RF compliance approvals, and meets all setback, access, and parking requirements. Site improvements include a new 20-foot driveway, security fencing, preservation of existing vegetation, and the planting of 39 American hollies. The applicant accepted four of five conditions, objecting only to the painting requirement. Expert testimony from appraiser Scott Smith concluded there would be no negative impact on property values. One resident spoke in opposition, raising concerns about an old easement and potential impacts on wildlife, which the applicant rebutted, noting that an APA study would be completed prior to permitting.

Commissioner Williford clarified that the existing tower height is 430 feet and the proposed replacement will be 404 feet, noting that Attorney Essick had misstated the figures. Commissioner May acknowledged the correction, confirming that the project involves a 26-foot reduction in height from the original tower.

Chair asked if anyone who had been sworn objected to the attorney's summary of the evidence.

Jean Thomas raised a clarification, stating that the person who testified about the impact on animals did not say there would be no impact, but rather that they did not know. Attorney Essick responded, explaining that he was referring to Attorney Parrott's testimony, which indicated there would not be an impact on livestock and that further environmental studies would be conducted, but June Thomas maintained that one of the witnesses had stated they did not know.

Commissioner Griffin asked Jean Thomas if she was opposed to the tower, to which she clarified that she was not, but she wanted to ensure that the land could only be used for the tower, not for other purposes such as a junkyard or a residence and that the road would be maintained. She also expressed concern about the potential impact on animals. Commissioner Williford then inquired if there had been any issues with the current tower, to which Jean Thomas responded that there were no issues in her area, as she lived in the bottom and hoped the microwaves would pass over her. She reiterated her concerns about the new tower, specifically its potential impact on animals since she was unsure about the technology it would use.

Discussion

Chair opened the floor for Board members to discuss the application as a whole.

Commissioner May asked Attorney Essick for clarification on the painting condition, noting that the applicant had agreed to four of the five recommended conditions but requested removal of the painting condition, as the site plan already required the tower to be galvanized steel. Attorney Essick explained that the decision was up to the Board. Planning Director Baker agreed that galvanized steel was the appropriate color, as most cell towers are made of it unless camouflaged. Commissioner May sought further clarification to address the issue in the statement of facts. Susan Rabold clarified that Cityscape was not recommending the tower be painted, but rather leaving the decision up to the Board's discretion, as they do not comment on aesthetics.

Board Confirmed Sufficient Evidence Supporting Findings of Fact

	Attorney's Explanation to the Board	Motion & Second
First Finding of Fact	In order to grant a major special use permit to construct a new freestanding wireless support structure, the Board must find that all applicable specific conditions pertaining to the proposed use contained in Article IX of Chapter 32 of the Ordinance have been or will be satisfied. These requirements include but are not limited to those requirements set out Ordinance §32-572 and Ordinance §32-573 and which are further described in the instruction handout that has been provided to you.	Motioned by Commissioner Robert Williford, seconded by Commissioner Mark Griffin, and unanimously carried, 6-0, Board approved the first finding of fact.
Second Finding of Fact	Access roads or entrance and exit drives are or will be sufficient in size and properly located to ensure automotive and pedestrian safety and convenience, traffic flow, and control and access in case of fire or other emergency.	Motioned by Commissioner Russ May, seconded by Commissioner Robert Williford, and unanimously carried, 6-0, Board approved the second finding of fact.
Third Finding of Fact	Off-street parking, loading, refuse and other service areas are located so as to be safe and convenient, allow for access in case of emergency, and to minimize economic, glare, odor and other impacts on adjoining properties in the general neighborhood.	Motioned by Commissioner Mark Griffin, seconded by Commissioner Zelodis Jay, and unanimously carried, 6-0, Board approved the third finding of fact.
Fourth Finding of Fact	Utilities, schools, fire, police, and other necessary public and private facilities and services will be adequate to handle the proposed use.	Motioned by Commissioner Mark Griffin, seconded by Commissioner Zelodis Jay, and unanimously carried, 6-0, Board approved the fourth finding of fact.
Fifth Finding of Fact	The location and arrangement of the use on the site, screening, buffering, landscaping and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impact.	Motioned by Commissioner Robert Williford, seconded by Commissioner Mark Griffin, and unanimously carried, 6-0, Board approved the fifth finding of fact.

Sixth Finding of Fact	The type, size and intensity of the proposed use, including such considerations as the hours of operation and number of people who are likely to utilize or be attracted to the use, will not have significant adverse impacts on adjoining properties or the neighborhood.	Motioned by Commissioner Mark Griffin, seconded by Commissioner Tony W. Cozart, and unanimously carried, 6-0, Board approved the sixth finding of fact.
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Board Approved Major Special Use Permit

Chair stated that the Board has voted in support of each required finding of fact. He asked if there was anything else to discuss as it relates to the application for a major special use permit. Seeing none, he entertained a motion to approve or deny the application for the major special use permit.

Commissioner Jay made a motion to approve the major special use permit. Chair Gooch asked for a second. Attorney Essick requested clarification on the motion, specifically regarding the removal of condition three. Commissioner Jay amended the motion to approve the special use permit with the conditions outlined by staff but removed condition number three about the painting. Commissioner Williford seconded the motion, confirming that conditions one, two, four, and five would be approved, with condition three removed.

Motioned by Commissioner Zelodis Jay, seconded by Commissioner Robert Williford, and unanimously carried, 6-0, Board approved the Blue Bell Lane Major Special Use Permit Application for a Wireless Telecommunication Tower.

APPOINTMENTS

Board approved appointment to the Granville County Juvenile Crime Prevention Council.

Motioned by Commissioner Robert Williford, seconded by Commissioner Russ May, and unanimously carried, 6-0, Board appointed Dietrich McMillan to the Juvenile Crime Prevention Council Juvenile Defender seat.

Board Approved Reappointments to the Granville County Library Board of Trustees.

Motioned by Commissioner Robert Williford, seconded by Commissioner Tony W. Cozart, and unanimously carried, 6-0, Board reappointed Byron Goff to the Granville County Library Board of Trustees District 2 seat.

Motioned by Commissioner Tony W. Cozart, seconded by Commissioner Zelodis Jay, and unanimously carried, 6-0, Board reappointed Juanita Rogers to the Granville County Library Board of Trustees District 4 seat.

Board Approved Appointment to the Granville County Animal Control Advisory Board.

Motioned by Commissioner Russ May, seconded by Commissioner Robert Williford, and unanimously carried, 6-0, Board appointed Desiree Decker to the Granville County Animal Control Advisory Board District 5 seat.

COUNTY MANAGER’S REPORT

County Manager’s Report

County Manager Cummings said that he did not have any items to report.

COUNTY ATTORNEY’S REPORT

County Attorney Wrenn said that he did not have any items to report.

PRESENTATIONS BY COUNTY BOARD MEMBERS

Commissioner Griffin:

- Praised the student-led business projects at the South Granville High School SparkLab exposition, highlighting a student who incorporated a business, managed staff, handled advertising and finances, and will be competing in a regional event in Florida.
- Acknowledged April as National Child Abuse and Adoption Month, noted that Granville County had over 300 cases of abuse last year, and commended DSS Director LaToya Toussaint and her staff for improving investigative practices to better protect local children.

ANY OTHER MATTERS

Board Approved NACo Voting Delegate.

Motioned by Commissioner Tony W. Cozart, seconded by Commissioner Robert Williford, and unanimously carried, 6-0, the Board approved Commissioner Zelodis Jay as the 2025 NACo Voting Delegate at the annual NACo conference scheduled for July 11–14, 2025, in Philadelphia, Pennsylvania.

ADJOURNMENT

Motioned by Commissioner Mark Griffin seconded by Commissioner Zelodis Jay, and unanimously carried, 6-0, Board adjourned at 9:14 p.m.

Respectfully submitted,
Karen Evans
Clerk to the Board