

## August 18, 2014

The Board of Commissioners of Franklin County, North Carolina, met for its Regular Meeting at 7:00 P.M. in the Commissioner's Conference Room located in the County Administration Building with the following Commissioners present: Chairman Sidney E. Dunston, Vice-Chairman John M. May, Commissioners Cedric K. Jones, Harry L. Foy, Jr., Don Lancaster, E. Shane Mitchell and David T. Bunn.

Chairman Dunston called the meeting to order and asked the Board to consider approval of the consent agenda.

Commissioner May made the motion to approve the consent agenda, seconded by Commissioner Lancaster. The motion duly carried with all present voting "AYE."

The following items were approved.

### 1. **CONSENT AGENDA**

A. Releases, Adjustments, Refunds and Tax Collection Report

### 2. **COMMENTS FROM THE PUBLIC**

This was the time set aside by the Board of Commissioners to allow individuals five minutes to address the Board on issues concerning the county.

#### **Michael Gerbos, 1144 Lake Royale, Louisburg, NC**

- Mr. Gerbos stated he represented the property owners of Lake Royale. He collected 1437 signatures from property owners asking for tax relief. Mr. Gerbos said last year Lake Royal property owners paid for a million dollar road construction project and feels they should be awarded 20-30% tax relief.

#### **Bruce Allen, 992 Mays Crossroads Road, Franklinton, NC**

- Mr. Allen thanked the County's administrative staff for assistance during his time of employment with Triangle North Executive Airport. Mr. Allen commented on concerns with the operation of the airport including grass cutting safety.

#### **Lucy Allen, 312 North Main Street, Louisburg, NC**

- Ms. Allen said it had come to her attention the Franklin County Courthouse bell had been removed during renovation. She said she was not aware of intentions to put the bell back but felt the bell should remain in its original location.

### 3. **PUBLIC HEARINGS**

- A. Text Amendment to the Franklin County Unified Development Ordinance to amend Article 4., Section 4-3 Establishment of Zoning Districts and the Purpose Thereof in order to provide consistency with Section 6-1: Table of Permitted Uses

Franklin County's Senior Planner Donna Wood stated the Planning Board is proposing to amend the Unified Development Ordinance (UDO) Section 4-3 Establishment of Zoning Districts, and the Purpose Thereof in order to provide consistency with Section 6-1 Table of Permitted Uses. After reviewing both sections, she said planning staff discovered some inconsistencies with the definitions of the Residential-1, Residential-8 and Residential-15 zoning districts and the permitted uses allowed within each district. She said all of these districts are primarily residential in nature, but there are a number of nonresidential uses allowed in each. Some examples include churches,

convenience centers, country clubs, fire/rescue stations, public/private schools and solar energy farms. She said the Planning Board feels changes to the definitions will provide consistency within the UDO.

The Planning Board recommended approval of the proposed text amendment at its July 8, 2014 meeting.

At 7:15 P.M., Chairman Dunston opened and closed the public hearing with comments offered from the public.

Commissioner Lancaster made a motion to approve a Text Amendment to the Franklin County Unified Development Ordinance to amend Article 4., Section 4-3 Establishment of Zoning Districts and the Purpose Thereof in order to provide consistency with Section 6-1: Table of Permitted Uses. The motion was seconded by Commissioner Mitchell and duly carried approval with all present voting "AYE."

**B. Text Amendment to the Franklin County Unified Development Ordinance to amend Article 24. Appeals, Variances, Interpretations, Article 7. Conditional Uses, and Article 26. Administrative Mechanisms in order to provide consistency with existing North Carolina Law.**

Franklin County's Senior Planner Donna Wood stated the Planning Board is proposing to amend the Unified Development Ordinance, Section 24-2: Variances, Section 26-3: Powers and Duties of the Board of Adjustment, Section 7-2: Procedure for Conditional Use Permit granted by the Board of Adjustment, and Section 26-4 Appeals. She said the proposed amendment would provide consistency with existing North Carolina Law and stated the North Carolina General Assembly recently amendment General Statute 153A-345.1.

The Planning Board recommended approval of the proposed text amendment at its July 8, 2014 meeting.

At 7:20 P.M., Chairman Dunston opened and closed the public hearing with comments offered from the public.

Commissioner Foy made a motion to approve a Text Amendment to the Franklin County Unified Development Ordinance to amend Article 24. Appeals, Variances, Interpretations, Article 7. Conditional Uses, and Article 26. Administrative Mechanisms in order to provide consistency with existing North Carolina Law. The motion was seconded by Commissioner Lancaster and duly carried approval with all present voting "AYE."

**C. Text Amendment to the Franklin County Unified Development Ordinance to amend Article 6. District Regulations, Section 6-1: Table of Permitted Uses to allow Boat Works/Repair in more zoning districts.**

Franklin County's Senior Planner Donna Wood stated Ms. Mary Jones recently requested that staff amend the ordinance to allow "Boat Works/Repair" in more zoning districts. She said planning staff has researched several ordinances from other Counties and Municipalities and found that Boat Works/Repair and Automobile Repair were allowed in the same zoning districts with similar requirements. Therefore, she said the Planning Board suggested an amendment to the to the table of permitted uses for Boat Works/Repair: Conditional Use in Neighborhood Business (NB) and Mixed Use (MU), Special Use in Rural Business (RB), and permitted use in the Highway Business (HB) zoning district. She said the Planning Board believes the proposed amendment to the UDO to allow Boat Works/Repair is reasonable and similar to Automobile Repair that is allowed in the Neighborhood Business, Mixed Use, Rural Business, and Highway Business zoning districts.

The Planning Board recommended approval of the proposed text amendment at its meeting on July 7, 2014.

Chairman Dunston then opened and closed the public hearing at 7:22 P.M., with no public comments offered.

Commissioner Foy made a motion to approve a text amendment to the Franklin County Unified Development Ordinance to amend Article 6. District Regulations, Section 6-1: Table of Permitted Uses to allow Boat Works/Repair in more zoning districts. The motion was seconded by Commissioner Lancaster and duly carried approval with all present voting "AYE."

**D. Request for Rezoning – James Carl Allen**

The Board was asked to consider adoption of a zoning map amendment to rezone approximately 1.033 acres on US 401 Highway from Mixed Use/Highway Business (MU/HB) to Highway Business (HB) in Harris Township. Following the public hearing, it was recommended the Board use the attached rezoning checklist to assist in their decision.

Franklin County's Senior Planner Donna Wood stated James Carl Allen requested to rezone 1.033 acres on US 401 Highway from Highway Business (HB) and Mixed Use (MU) to Highway Business (HB) in Harris Township. She said the petitioner has stated a portion of the property is currently zoned Highway Business, and he wishes to rezone the entire 1.0333 acres to Highway Business. The adjoining parcel to the south is currently zoned Highway Business and is occupied by a new Dollar General store. She said the property is located at an intersection on a major thoroughfare and will be an extension of an adjacent Highway Business zoning district. Mrs. Wood said the future Land Use Plan indicates this property is intended for Office Institutional and is designated as a commercial node. She also stated there is public water available to the site. She stated the 2012 average daily traffic county along US 401 Highway is approximately 9,100 vehicles per day. Mrs. Wood said the subject property is located within the Tar-Pamlico basin and is required to meet nutrient regulations for nitrates and phosphates for new improvements exceeding one-half acre.

The Planning Board, by unanimous vote, recommended approval of the rezoning request.

At 7:25 P.M., Chairman Dunston opened and closed the public hearing with no comments offered by the public.

Commissioner Foy made a motion to approve the zoning map amendment to rezone approximately 1.033 acres on US 401 Highway from Mixed Use/Highway Business (MU/HB) to Highway Business (HB) in Harris Township. The motion was seconded by Commissioner Lancaster and duly carried approval with all present voting "AYE."

**E. Request for Special Use Permit – Morgan Farm LLC**

The Board was asked to consider approval of a special use permit request by Morgan Farm LLC for a Solar Energy Farm on a 25 +/- acre portion of a 58.97 acre and 1.03 acre parcel located on NC 56 Highway East in the Agricultural Residential (AR) District in Cedar Rock Township. It was the recommended the Board use the special use permit checklist to assist in its decision following the public hearing.

Donna Wood, Senior Franklin County Planner, was sworn under oath by Clerk to the Board Kristen G. King.

Mrs. Wood stated the following:

- Morgan Farm LLC intends to construct a solar photovoltaic power generating facility consisting of solar panels, on metal racking which is supported by driven metal pilings, occupying approximately 25+/- acres of the subject parcels to generate clean, renewable energy.
- The property is currently zoned Agricultural Residential (AR).
- The submitted site plan indicates the buffer and landscaping plan and area for parking.
- The applicant states solar arrays are good neighbors which are silent, odorless, and cause no pollution whatsoever.
- The applicant has submitted into evidence an email from the Director of the North Carolina Solar Center at NC State University which supports that no pollution is caused by the proposed array.
- The applicant further states the solar array contributes to general welfare by bringing more than \$2 million of personal property tax base to the County, which base is expected to remain and generate property tax reviewed for 30 years.
- The site will have no permanent personnel working there, and an operation and maintenance crew will pay occasional visits (e.g. 4 times per year) with a small crew to inspect or maintain the array, or do ground maintenance.
- They stated the proposal conforms with all the elements of Note 16 of the Franklin County Unified Development Ordinance concerning solar energy farms.
- In addition to meeting the county requirement for buffer screening, the applicant has provided additional screening along the western boundary of the subject parcel at certain areas where the woodlot screening on the neighbor property is relatively narrow.
- In addition to requirements listed in the Franklin County Unified Development Ordinance, the following items will be required if the special use permit is approved. Evidence of approval of erosion control from the NC Department of Environment and Natural Resources, the subject property is located within the Tar-Pamlico River basin and is required to meet nutrient regulations for nitrates and phosphates for new improvements exceeding one-half acre, NC Department of Transportation driveway permit, approval from the NC Utilities Commissioner, approval from the local fire department of a Knox box, and an engineering estimate for the removal of the solar facility will need to be submitted in addition to a financial surety prior to issuance of building permits.
- The Comprehensive Land Use Plan has designated this area as Agriculture/Residential.
- Public water and sewer is not available on Highway 56 East.
- The average daily traffic count on NC 56 Highway is 2,600 vehicles per day.
- The County soil survey indicates several possible streams on the property, however, the applicant has submitted a DWR determination letter from the NC Department of Environment and Natural Resources which states the features are "not subject" and have been determined not to be a stream. The subject property is located within the Tar-Pamlico basin and is required to meet nutrient regulations for nitrates and phosphates.
- The Planning Board reviewed the special use permit checklist and by a unanimous vote recommended approval of the special use permit for a solar energy farm.

County Attorney Pete Tomlinson stated the requirements of a special use permit require the Board of Commissioners find by the preponderance of the evidence presented at this hearing that the elements listed on the checklist have been complied with or considered. He said the proponent must put on evidence that deals with each requirement. Anyone in opposition can testify against any one or all of the elements. He said the hearing is similar to a court

proceeding. He said the sworn testimony must address these issues. After the proponent has put on its evidence the opposition will have an opportunity to put on evidence and raise questions concerning what has been said by the proponent and then there is a time for rebuttal by the proponent. He said when all of the evidence is complete, the Board will close the public hearing and find specific facts of what has been said and presented at this meeting. Therefore he said it is necessary that the Board is given enough evidence to either say the requirements have been met or they have not been met. He said the Board would go through each one of the findings on the fact sheet. When it is complete, he said the Board would then vote whether or not to grant the special use permit.

At 7:33 P.M., Chairman Dunston opened the public hearing and each witness was sworn under oath by Clerk to the Board Kristen G. King.

**Phil Nyborg, 75 Meadow Run Drive, Chapel Hill, NC**

- Mr. Nyborg stated he is the manager of the applicant (Morgan Farm, LLC). He said he feels the summary given is complete as to the material points raised in the application. Mr. Nyborg went on to address each item within the “Special Use Permit Checklist.”

Special Use Permit Checklist

- Yes or No. The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.

*Mr. Nyborg submitted into evidence a letter from Stephen Kalland, Director of the North Carolina Solar Center, supporting a claim that solar arrays produce no pollution of any type. Mr. Nyborg added solar arrays are good neighbors in that they are silent and odorless. He said the application notes metrics (provided by the United States Department of Energy, National Renewable Energy Laboratory) proving that each year this array operates during a nominal 30-year operating life, it will avoid putting 7,000 tons of greenhouse gas (carbon dioxide) into the atmosphere every year compared to conventional generation therefore creating a clear, regional air environment. It also notes an avoidance of particulates than can cause heart and lung disease. He further stated the array contributes to general welfare by bringing more than \$2 million of business personal property tax base to the County, which base is expected to remain and generate property tax revenues for approximately 30 years. He added that contribution is able to be made to the County without putting significant burden on County resources such as water, sewer and electricity.*

- Yes or No. The use or the development complies with all required regulations of this Unified Development Ordinance and all applicable specific standards and regulations.

*Mr. Nyborg said he worked closely with Donna Wood (Franklin County Senior Planner) in the development of the application and says the proposed array will be compliant with the Unified Development Ordinance.*

- Yes or No. The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of contiguous property, or that use or development is a public necessity.

*Mr. Nyborg said the vegetative screening will be around the perimeter of the solar array. He said there is a substantial setback from the highway and from the property boundaries around the array.*

- Yes or No. The use of development conforms with general plans for the physical development of the County’s planning jurisdiction as embodied in this chapter, the Franklin County Comprehensive Development Plan, or other development policies as adopted by the Board of Commissioners.

*Mr. Nyborg referred to discussions with Donna Wood (Franklin County Senior Planner) and the County’s zoning department as to the application stating the project is consistent with*

*general development. He said the array conforms specifically to Note 16 of the Unified Development Ordinance (UDO). He said the project is compliant with the UDO.*

- Yes or No. 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.

*Mr. Nyborg said it is his belief the property screening and landscaping are in an arrangement that will harmonize with adjoining properties and general area to minimize adverse impacts.*

- Yes or No. The type, size, and intensity of the proposed use, including such considerations as hours of operation and number of people who are likely to utilize or be attracted to the use, will not have significant adverse impact on adjoining properties or the neighborhood.

*Mr. Nyborg said the operation of the array will not have adverse impacts. He said performance of the unmanned facility is monitored over an internet interface at a remote facility. He said if there are problems, a repair crew is dispatched. He does not expect routine crews to visit more than four times per year and said arrays generally operate without significant maintenance.*

- Yes or No. Utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the proposed use.

*Mr. Nyborg said he feels utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the proposed use. He said significant utilities are not required in order to operate the site. He said it is entirely an apparatus that generates electricity for the grid and connects into the grid.*

*Commissioner May then asked if there is any particular type of training local fire departments should conduct before the site is in operation. Mr. Nyborg stated he is aware there are several arrays already in the County and said training may have already been conducted.*

#### **Ingrid Volk, 135 Uphill Lane, Rolesville, NC**

- Ms. Volk stated she is aware the plan has been approved by the Planning Board, but said the item should not be on the agenda because the blueprint for the project is incorrect. She said the blueprint states the project is located on "Highway 59" which does not exist in Franklin County. She said the project would be located on Highway 56.
- Ms. Volk stated Charlie Morgan Road is one of the only two state roads in Franklin that remains a dirt road. She said 19 residents access this road plus excess traffic from the feed lot located at the south end of the road. Ms. Volk said the property in question has an incline and fears the panels will create a hazardous glare for travelers that could cause serious accidents.

#### **Richard Morgan, 4261 Highway 56 East, Louisburg, NC**

- Mr. Morgan stated he is an adjacent landowner to the proposed solar farm. He said the property is owned by his friend and feels the project will be good for his friend financially.
- Mr. Morgan said there are many items to be considered as the Board examines the project. When researching statistics about solar farms, Mr. Morgan said the only negative he discovered was that hypertension is created for area landowners near solar farms. He said the project could be a good thing for the County but said if the project is approved; the County should make certain motorists are not blinded by glare from the solar panels.
- Mr. Morgan said the project will generate income for property owners but fears his property taxes may be adversely affected.

- He asked how his power rates would be affected being located next door to the energy source.
- Mr. Morgan said he was neither for nor against the solar farm, but said he wanted to make certain if it is allowed it will be a positive for the community rather than create havoc on the road system in front of his home or increase his power bill.

*Following Mr. Morgan's comments, Chairman Dunston offered a period for rebuttal.*

**Phil Nyborg, 75 Meadow Run Drive, Chapel Hill, NC**

- Mr. Nyborg stated comments made during the hearing were not made at the Planning Board meeting and stated he would address concerns individually.
- Mr. Nyborg commented on a similar situation in Scotland County where the Board did not recommend approval of a solar farm. He said the decision was appealed to Superior Court. He said the court stated in its opinion once the proponent makes a prima facie case for compliance with the Unified Development Ordinance (UDO), the permit is to be granted unless there is competent evidence introduced at the hearing to suggest the project did not meet requirements.
- Relative to Ms. Volk's comments regarding the typographical error of the solar farm's location, Mr. Nyborg submitted the plan and said the application accurately identifies the parcels in question and the exact location of the solar array. He said there is no doubt regarding where the array is to be located. He stated a full site plan was produced by a respected engineering firm including the layout of the solar panels as well as the various screening and fencing requirements of the UDO. He said one technical issue should not stand in the way of granting approval.
- Speaking to the allegation the array will produce undesirable glare, he said there will be vegetative screening around the panels. To his knowledge he said the person raising the objection was not a qualified expert to testify the panels will create a glare issue. He said there was no competent evidence presented to suggest there would be an issue with glare.
- Mr. Nyborg said the allegation the property was uphill is not factually correct. He said a portion of the property is uphill, but said the northern half begins to trend downhill and submits there was no competent evidence to suggest an issue with glare only conjecture by a non-expert. He said he would work with the County zoning office if it wished for a different type of tree vegetation along the highway. He said the UDO requires either understory trees or taller trees along the highway but said he is certainly prepared to work with the type of trees and spacing the county seeks.
- As to the points raised by Mr. Morgan, Mr. Nyborg submitted there is no competent evidence introduced regarding any of the concerns raised. He stated he has been in the industry for years and said this is the first concern raised about hypertension as it relates to solar farms. To his knowledge he said there is no evidence to suggest it exists.
- Mr. Nyborg offered to submit into evidence an appraisal by Kirkland Appraisals. County Attorney Pete Tomlinson stated the appraisal could not be submitted as evidence as the author was not in attendance and could not be questioned. Mr. Nyborg stated the document is signed by

the expert then went onto summarize the report. He said Mr. Kirkland has assessed a number of existing and planned solar arrays in North Carolina and has come to the conclusion based on those studies that are in his files that these arrays pose no negative impact on neighboring property including property values and that they are in harmony with the usage of the communities in which they reside. Also included in the study was a matched pair study that examines properties that were adjacent to recently built solar arrays and very similar properties that were not adjacent to recently built solar arrays. In each case it concluded the construction of the array had no negative impact on the value of adjacent property.

- Mr. Nyborg said he considered himself an expert in the electronics industry. He said he had been an executive in the electronics industry for 30 years, CEO of electric companies, operated ENlight for the last three years which has several solar arrays successfully operating in North Carolina. He stated the presence of this array itself will not drive power bills higher for neighboring properties.
- Chairman Dunston asked Mr. Nyborg if he had expertise that would allow him to speak to the glare that may be experienced for motorists travelling Charlie Morgan Road. Mr. Nyborg said he did not have expertise but said it is his belief glare would not be an issue with this array.
- Mr. Nyborg stated there will be no runoff coming from this property that does not already exist. He said there would be no grading changes.

Commissioner May asked what recourse the County had if the special use permit is approved and glare becomes a hazard to motorists. County Attorney Pete Tomlinson stated there is no recourse once the permit is granted.

Chairman Dunston closed the hearing at 8:27 P.M. and the Board used the Special Use Permit Checklist to assist with its decision.

#### Special Use Permit Checklist

- Yes or No. The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.

*The Board answered "YES" unanimously, adding the special condition that vegetation be planted so as to create a barrier to block any potential glare from the panels toward Charlie Morgan Road. The barrier will be approved by Planning Department staff.*

*In response to the statement, Commissioner Lancaster made a motion in agreement with the above statement, with the special buffering conditions, seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE."*

- Yes or No. The use or the development complies with all required regulations of this Unified Development Ordinance and all applicable specific standards and regulations.

*The Board answered "YES" unanimously.*

*In response to the statement, Commissioner May made a motion in agreement with the above statement, seconded by Commissioner Jones. The motion duly carried with all present voting "AYE."*



- Yes or No. The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of contiguous property, or that use or development is a public necessity.

*The Board answered "YES" unanimously.*

*In response to the statement, Commissioner Lancaster made a motion in agreement with the above statement, seconded by Commissioner Mitchell. The motion duly carried with all present voting "AYE."*

- Yes or No. The use of development conforms with general plans for the physical development of the County's planning jurisdiction as embodied in this chapter, the Franklin County Comprehensive Development Plan, or other development policies as adopted by the Board of Commissioners.

*The Board answered "YES" unanimously.*

*In response to the statement, Commissioner May made a motion in agreement with the above statement, seconded by Commissioner Bunn. The motion duly carried with all present voting "AYE."*

- Yes or No. 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.

*The Board answered "YES" unanimously.*

*In response to the statement, Commissioner Lancaster made a motion in agreement with the above statement, with the special buffering conditions, seconded by Commissioner Bunn. The motion duly carried with all present voting "AYE."*

- Yes or No. The type, size, and intensity of the proposed use, including such considerations as hours of operation and number of people who are likely to utilize or be attracted to the use, will not have significant adverse impact on adjoining properties or the neighborhood.

*The Board answered "YES" unanimously.*

*In response to the statement, Commissioner Jones made a motion in agreement with the above statement, seconded by Commissioner Bunn. The motion duly carried with all present voting "AYE."*

- Yes or No. Utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the proposed use.

*The Board answered "YES" unanimously.*

*In response to the statement, Commissioner May made a motion in agreement with the above statement, seconded by Commissioner Bunn. The motion duly carried with all present voting "AYE."*

- **The following graphic is a copy of the Special Use Permit Checklist given to each Commissioner to assist in considering the Special Use Permit request. The answers were recorded by the Clerk to the Board upon each vote.**

### Special Use Permit Checklist

In order to issue a Special Use Permit, the Board shall consider each of the following conditions, and based on the evidence presented at the hearing(s) make findings of fact in regards to each and must find that the issuance of the Special Permit is in the best interest of the County.

- Yes  No  The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.
- Yes  No  The use or the development complies with all required regulations of this Unified Development Ordinance and all applicable specific standards and regulations.
- Yes  No  The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of contiguous property, or that use or development is a public necessity.
- Yes  No  The use or development conforms with general plans for the physical development of the County's planning jurisdiction as embodied in this chapter, the Franklin County Comprehensive Development Plan, or other development policies as adopted by the Board of Commissioners.
- Yes  No  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.
- Yes  No  The type, size, and intensity of the proposed use, including such considerations as hours of operation and number of people who are likely to utilize or be attracted to the use, will not have significant adverse impact on adjoining properties or the neighborhood.
- Yes  No  Utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the proposed use.

If the Board approves the Special Use Permit, it may, as part of the terms of such approval, impose any additional reasonable conditions and safeguards as may be necessary to insure that the criteria for the granting of such a permit will be complied with and to 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 provisions be made for recreational space and facilities.

Commissioner Lancaster then made a motion to approve the special use permit by Morgan Farm LLC with the conditions recommended by the Planning board as well as the special buffering that will be determined to block the view of the panels from Charlie Morgan Road. The motion was seconded by Commissioner May and duly carried approval with all present voting "AYE."

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### SUMMARY OF EVIDENCE REQUEST FOR SPECIAL USE PERMIT – MORGAN FARM, LLC

On August 18, 2014, the Franklin County Board of Commissioners held a public hearing and by a vote of 6 to 0, approved the special use permit filed by Morgan Farm LLC, PIN 2845-96-3505 & PIN 2845-84-9824 for a Solar Energy Farm within the Agricultural-Residential (AR) zoning district.

Having heard all the evidence and arguments presented at the hearing, the Board finds that the application should be approved and is complete and complies with Article 9, (E), (1) of the Franklin County Unified Development Ordinance. The Board made the following findings:

- a) The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety and general welfare;

- The Board voted in the affirmative, adding the special condition that vegetation be planted so as to create a barrier to block any potential glare from the solar panels toward Charlie Morgan Road.
- b) The use or the development complies will all required regulations of this Unified Development Ordinance and all applicable specific standards and regulations;
  - The Board voted in the affirmative.
- c) The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of contiguous property, or that use or development is a public necessity;
  - The Board voted in the affirmative.
- d) The use or development conforms with general plans for the physical development of the County’s planning jurisdiction as embodied in this chapter, the Franklin County Comprehensive Development Plan, or other development policies as adopted by the Board of Commissioners;
  - The Board voted in the affirmative.
- e) 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 impacts;
  - The Board voted in the affirmative, with the special buffering conditions.
- f) 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;
  - The Board voted in the affirmative.
- g) Utilities, schools, fire, police, and other necessary public and private facilities and services will be adequate to handle the proposed use;
  - The Board voted in the affirmative.

Date: 8-18-14

Sidney E. Dunston  
Chairman, Franklin County Planning Board

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Decision of the Franklin County Board of Commissioners:

Petition Approved \_\_\_\_\_ Petition Denied \_\_\_\_\_

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Chairman, Franklin County Board of Commissioners

**4. UNITED WAY FUNDING REQUEST**

Franklin County United Way Executive Director Kathy Harrelson provided a brief highlight of the United Way’s contributions to Franklin County.

Jeremy Neal, United Way of Franklin County board member was also present. He introduced the 211 concept and stated Franklin County was one of two counties in the state that does not have the 211 program. Mr. Neal then introduced Jim Morrison, President of North Carolina United Way and founder of the 211 for the state.

211 is a number system to call for comprehensive health and human services information and is used extensively during hurricane/disaster times, i.e. shelter locations, danger zones and general public safety information. 211 currently has the most comprehensive database in the state that includes 20,000 organizations. The infrastructure and database is complete and ready for Franklin County and funded mostly by a Blue Cross Blue Shield grant.

The Board was asked to consider a request for funding for the implementation of 211 in Franklin. The cost is recurring at \$3,000 per year.

Commissioner Lancaster made a motion to approve funding for 211 (at a recurring cost of \$3,000 per year). The motion was seconded by Commissioner May and duly carried approval with all present voting "AYE."

**5. STATE OF THE COLLEGE OVERVIEW – VANCE GRANVILLE COMMUNITY COLLEGE (VGCC)**

VGCC President Dr. Stelfanie Williams provided an update on college activities and achievements for 2013/2014. The information she shared is provided in the following report.

*(see report beginning on page 3053)*

## Presentation to the Franklin County

### Board of Commissioners

August 18, 2014

#### ***2013-2014 Data (pending final review by NCCCS)***

Enrollment (Summer 2013, Fall 2013, and Spring 2014):

- Curriculum – 5,147
- Continuing Education – 9,007

Graduates (Summer 2013, Fall 2013, and Spring 2014):

Curriculum:

- Associate Degrees – 376
- Diplomas – 87
- Certificates – 86

GED/High School Equivalency:

- Campus and Kittrell Job Corps – 346
  - Prisons – 124
- Adult High School – 101

Average Class Size – 14

Student to Faculty Ratio – 14:1

In-state Tuition/Credit Hour - \$71.50

In-state Tuition Full-time - \$1,144.00

(Per semester; based on 16 hours)

Out-of-State Tuition/Credit Hour - \$263.50

Out-of-State Tuition Full-time - \$4,216.00

Curriculum Students Residence Profile

- Granville County – 28.04%
- Vance County – 24.36%
- Franklin County – 21.08%
- Warren County – 10.86%
- Adjacent Counties – 13.56%
- Other NC Counties – 1.81%
- Non-NC Residents – 0.29%

Faculty & Staff

- Instructors, Full-Time – 164
- Instructors, Part-Time – 342
- Staff, Full-Time – 161
- Staff, Part-Time – 112
- Total – 779

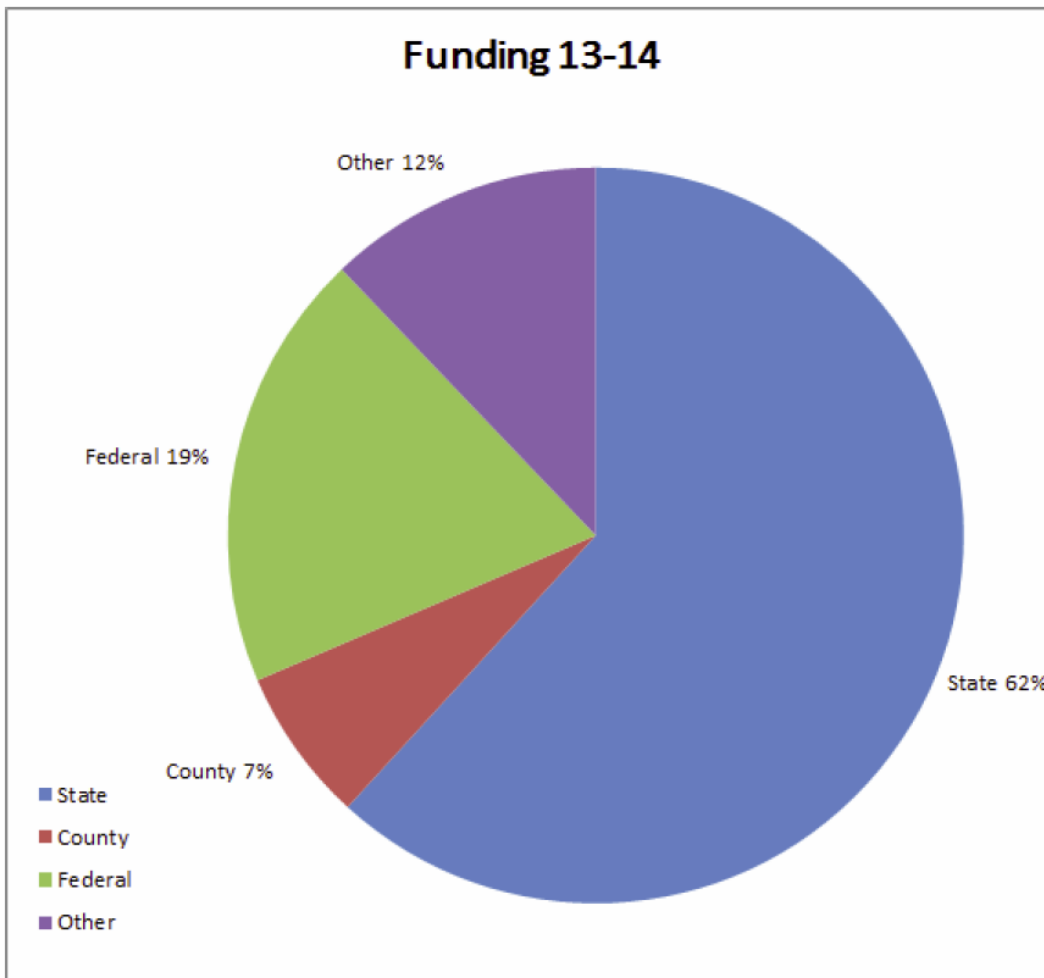
**Presentation to the Franklin County**

**Board of Commissioners**

**August 18, 2014**

**2013-2014 Funding**

State	\$22,677,741
County	2,490,193
Federal	7,089,687
Other	4,452,282
Total	<u>\$36,709,903</u>



## Presentation to the Franklin County

### Board of Commissioners

August 18, 2014

#### Vanguard Vision: VGCC Strategic Plan 2014-2019

##### **Educational Excellence** from Access to Success

- 1.1 Increase student achievement through student centered teaching.
- 1.2 Increase student completion through effective academic advising.
- 1.3 Facilitate college growth.
- 1.4 Cultivate a college-wide culture of support for a diverse community of learners.
- 1.5 Provide resources and experiences to empower students and prepare them for work or higher education.

##### An **Organizational Culture** of Quality, Cooperation, and Engagement

- 2.1 Recruit and hire exceptional employees.
- 2.2 Retain qualified employees.
- 2.3 Foster participation in meaningful professional development opportunities.
- 2.4 Enhance open communication.
- 2.5 Develop a campus community valuing health, safety, and quality of life opportunities.

##### A Learning Community of **Continuous Improvement**

- 3.1 Develop a culture that prioritizes individualized service to students.
- 3.2 Develop a culture of continuous quality improvement and best practices.
- 3.3 Institute leadership development that supports and empowers all employees.

##### **One College Experience**

- 4.1 Enhance support services.
- 4.2 Foster student and employee engagement in college life.
- 4.3 Partner with community organizations to support the college mission.
- 4.4 Improve, maintain, and utilize adequate technology.

##### **Institutional Stewardship:** Securing and Sustaining Our Resources

- 5.1 Secure new and innovative resources to support institutional goals.
- 5.2 Implement risk assessment and management at the college.
- 5.3 Advance environmentally-friendly practices at the college.

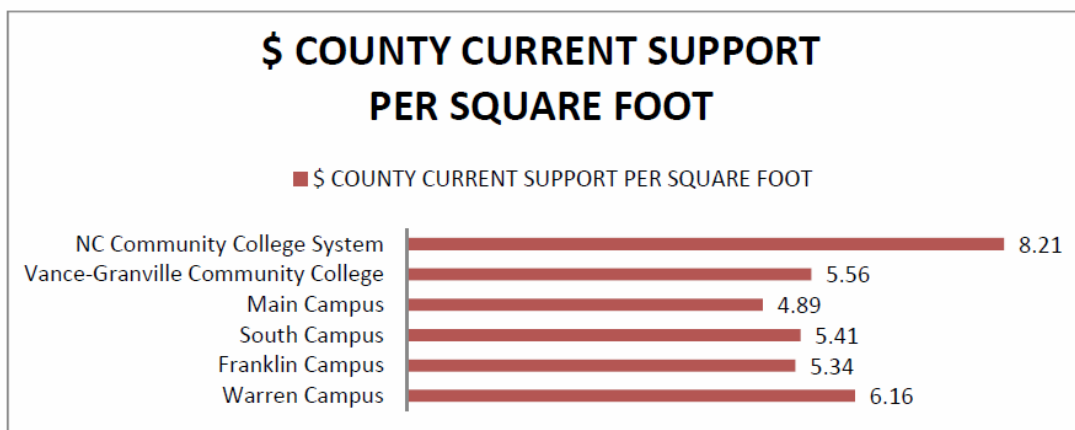
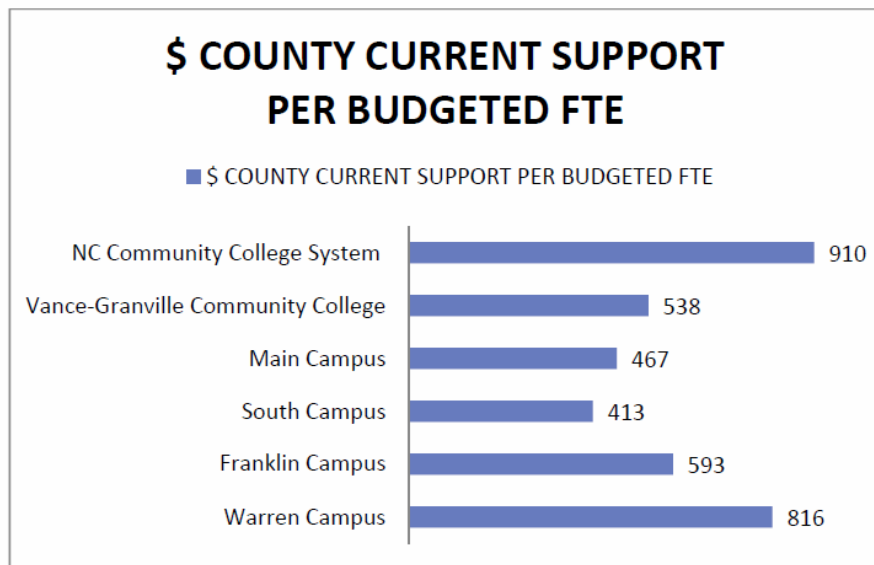
## Presentation to the Franklin County

### Board of Commissioners

August 18, 2014

#### Significant Challenges

- College-readiness and student success; student persistence
- Recruiting, retaining, and developing top-notch faculty
- Facilities, infrastructure, and expansion
- Appropriate levels of service for multi-county and economies of scale
- Maintaining cutting-edge equipment, technology, and resources
- Campus safety and security
- Community collaboration and public-private partnership
- Advancing sustainability efforts





## Presentation to the Franklin County

### Board of Commissioners

August 18, 2014

#### 2013-2014 Selected Highlights

- *Received full SACS/COC reaffirmation of accreditation in July 2013*
- *Established three new degree programs: Computer Technology Integration, Mechatronics (Fall 2014), and expanded Pharmacy Technology to degree*
- *Selected as a mentor college for exemplary performance on state performance measures*
- *Clear financial and program audits for this fiscal and academic year*
- *Received eight grants including the largest grant in the history of the college*
  - *Plus 50 Encore Completion Grant (\$15,000)*
  - *Campus Action Project (AAUW) "An Educated Woman, An Educated Future" (\$5,000)*
  - *Male Mentoring Grant (\$20,500)*
  - *Back-to-Work (\$120,000)*
  - *Project Skill-UP (\$20,000)*
  - *TAACCCT DOL Grant (\$1,757,299)*
  - *Duke Energy Grant (\$245,923)*
  - *Golden LEAF Grant (\$460,000)*
  - *Recently awarded as partner on Governor's Innovation Award grant with four school systems*
- *Early college graduates from all four programs; 92 graduated from high school, awarded 45 degrees including one double-major*
- *Culinary Arts students Shiona MacLean and Matthew Hosier won first place at the American Culinary Federation "Mystery Box" Hot Food competition held on April 1, 2014, as part of the annual Wake Technical Community College Culinary Arts Showcase*
- *Students recognized by the NC Community College System for Academic Excellence (Rebecca Anderson) and Student Leadership (Theresa Chiplis)*
- *90 inductees into Phi Theta Kappa academic honor society*
- *Employees performed community service projects during the academic year with public schools and throughout service area as a part of summer flexible schedule instituted this year, and student organizations completed more than a dozen projects*
- *Awarded 339 scholarships and held highest fundraising golf tournaments for scholarships for third year in a row*
- *Held second annual dinner theater, Spring production, and community band concerts for the community*
- *Held drama, science, creative writing, and medical camps, as well as Manufacturing Awareness Event, for local school-age children*
- *Established campus police including Chief and Sergeant positions*

## Presentation to the Franklin County

### Board of Commissioners

**August 18, 2014**

#### ***Economic Impact Study (study completed by EMSI in March of 2013)***

##### How Students Benefit:

- For every \$1.00 the student invests in a VGCC education, he or she will receive approximately \$7.70 in higher future earnings over the course of a working career.
- Associate's degree graduates in the VGCC Service Area earn \$318,500 more than someone with a high school diploma.
- Students enjoy an attractive 24.5% rate of return on their VGCC educational investment.

##### How Taxpayers Benefit:

- State and local governments receive a rate of return of 9.3% on their investments in VGCC.
- Higher student earnings and associated increases in property income generate about \$2.5 million in added tax revenue each year.
- The state saves an estimated \$1.6 million per year from VGCC's impact on improved health and reduced public assistance, unemployment, and crime.

##### How Our Economy Benefits:

- An estimated 99% of VGCC students remain in North Carolina and contribute to economic growth.
- The increased productivity of workers and businesses due to education from VGCC contributes approximately \$271.3 million in added income each year.
- VGCC accounts for 6.4% of the overall "gross regional product".

*Thank you Commissioners for your support of our community college.*

No action was requested on taken.

## **6. OTHER BUSINESS**

Regarding recent public comments by former Franklin County Airport employee Bruce Allen, Commissioner Foy asked if there had been follow-up to Mr. Allen's concerns.

Commissioner Lancaster stated Mr. Allen attended a recent meeting of the Airport Commission (August 12, 2014) and once again presented allegations. Commissioner Lancaster reminded Commissioner Foy that personnel discussions should not be conducted in open session. He said the Airport Commission listened to Mr. Allen's concerns and said the Commission will take them under advisement.

Commissioner Lancaster indicated some of Mr. Allen's same concerns had already been examined in 2011 in a meeting between the entire Airport Commission, County Manager Angela L. Harris and Finance Director Chuck Murray. Commissioner Lancaster said some of the concerns were resolved at that time.

Mrs. Harris stated she followed up with Airport Manager Steve Merritt after Mr. Allen presented his concerns. She said she is also working to schedule a meeting within the week with County Attorney Pete Tomlinson to ensure any outstanding safety issues, if any, were promptly addressed. Mrs. Harris said any operational concerns would be brought back to the Airport Commission.

Commissioner Mitchell concurred that many of the issues brought forward by Mr. Allen had already been dealt with when he served on the Airport Commission in 2011.

Mrs. Harris and Chairman Dunston stated the concerns brought forward were being investigated.

## **7. BOARD, MANAGER AND CLERK'S COMMENTS**

This was the time set aside for the Board of County Commissioners, the County Manager, and the Clerk to the Board to report on various activities. The Board may also discuss other items of interest.

**County Clerk Kristen G. King:** Mrs. King reminded the Board its next meeting would be held on Tuesday, September 2<sup>nd</sup>.

**Commissioner Foy:** No comments were offered.

**Commissioner Bunn:** No comments were offered.

**Commissioner May:** Mr. May commented on his recent attendance at the annual conference of the NCACC (North Carolina Association of County Commissioners) held in Asheville. He said Macon County Commissioner Ronnie Beale was elected to serve as President of the NCACC. In the upcoming year, President Beale has asked the Association to focus on mental health and its cost to counties.

**Commissioner Jones:** Commissioner Jones reported his attendance at the NCACC conference in Asheville.

**Commissioner Mitchell:** No comments were offered.

**Commissioner Dunston:** Commissioner Dunston also attended the annual NCACC Conference in Asheville. He represented the Board by voting for Ronnie Beale (Macon County) as Association President, Glenn Webb (Pitt County) as President Elect, Brenda Howerton (Durham County) as Second Vice President. Jimmy Clayton (Person County) was elected to the NACC's Board of Directors to represent District 8 which includes Franklin, Granville, Person, Vance and Warren.

**Commissioner Lancaster:** Commissioner Lancaster said he attended a recent meeting of the Airport Commission.

**County Manager Angela L. Harris:** No comments were offered.

## **8. CLOSED SESSION**

The Board was asked to enter into closed session pursuant to the following North Carolina General Statute 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

At approximately 9:28 P.M., Commissioner Jones made a motion to enter into closed session pursuant to NCGS 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is here acknowledged. The motion was seconded by Commissioner Mitchell. The motion carried 6 to 1, with Commissioner Foy voting "NO."

Following closed session, Commissioner Bunn made a motion to enter back into open session, seconded by Commissioner May. The motion duly carried with all present voting "AYE."

No action was taken.

At 9:52 P.M., Commissioner Bunn made a motion to adjourn the meeting, seconded by Commissioner May. The motion duly carried with all present voting "AYE."

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Sidney E. Dunston, Chair

Kristen G. King, Clerk to the Board