

**GATES COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
September 16, 2013**

The Gates County Board of Commissioners met in Regular Session at 7:00 p.m. Monday, September 16, 2013 in the main courtroom, 202 Court Street, Gatesville. Commissioners Jordan, Owens, Hora, Jernigan and Hofler were present. Also present was County Manager, Jon Mendenhall.

Chairman Jordan led in prayer and the pledge of allegiance.

Chairman Jordan called the meeting to order.

Approval of Minutes

Minutes are approved during the 1st monthly meeting; none are available at this time.

Approval of Agenda

Chairman Jordan made a motion to approve the Agenda as presented. Commissioner Owens seconded the motion, motion carried without opposition.

Delegations – Unannounced

Sidney Pierce, Gatesville, provided commissioners with a proposal to modify the board of commissioners by adding 6 commissioners to represent each voting precinct and then a 7th seat as an at large member. Mr. Pierce questioned how it is fair for a district to vote for someone that doesn't represent their home district and how it is fair when districts have disproportioned district populations. He asked the commissioners to think about how population increases would be handled in the future. Presented 3 counties that have recently amended their Board of Commissioners. At the end of his presentation he provided a petition for citizens to sign.

Earl Rountree, Sunbury, opposed Mr. Pierce's proposal and spoke to how he feels that every commissioner represents him not just the commissioner from his district.

Delegations – Announced

No announced delegations

Administrative Reports

Administrative reports are provided during the 1st monthly meeting; none are available at this time.

Public Hearings

Commissioner Owens made a motion to enter a Public Hearing on a Zoning Text Amendment for Cell Towers. Commissioner Hora seconded the motion, motion passed without opposition.

Stephen Romine, local attorney for Verizon Wireless, spoke in support of the text amendment and mentioned that the Planning Board voted unanimously to adopt the text amendment. Chairman Jordan asked about the timeframe. Mr. Romine could not speak to the production schedule but feels that the process would begin fairly quickly. Commissioner Hofler confirmed that the proposal allows for a piece of agricultural land to be A1 and the specific site for the tower to be acquired through special permit. Jon Mendenhall, County Manager, confirmed that only the piece of the land for the tower would be available through special permit and the remaining land will still be zoned A1. Commissioner Jernigan questioned two towers in his district that are standing which have no antennas. Mr. Romine responded that often times a tower speculator may put up a tower in hopes of a carrier joining which could still be in the process or carriers could feel that the tower may not be suitable for needs. When submitting a special application Verizon will attempt to prove if the standing towers would be beneficial or if a new tower will be needed

Chuck Brothers, Vice-Chairman of the Planning Board, provided the Board of Commissioners with information that was discussed in the Planning Board meeting and reiterated that their concerns were answered sufficiently by Mr. Romine in the planning board meeting. The Planning Board unanimously voted to approve the text amendment.

Commissioner Jernigan made a motion to exit the Public Hearing on a Zoning Text Amendment for Cell Towers. Commissioner Hofler seconded the motion, motion passed without opposition.

Commissioner Hora made a motion to adopt the text amendment as written. Commissioner Jernigan seconded the motion, motion passed without opposition.

Commissioner Owens made a motion to enter a Public Hearing on a Zoning Text Amendment for Solar Farms. Commissioner Jernigan seconded the motion, motion passed without opposition.

Chuck Brothers, Vice-Chairman of the Planning Board, shared a message from Perquimans County that was received on the planning board list serve in regards to large scale solar farms. The Planning Director from Perquimans County was requesting information on conditional use forms for Solar Farms. Mr. Brothers asked the Board to empower the planning department and the county manager to research to make sure all wording and information is correct prior to voting.

Commissioner Jernigan asked if any research had been done to find out Hertford County regulations. Mr. Brothers responded that the information would be discussed in the Planning Board meeting. He feels that the current provided language is just a small part of the homework that needs to be done.

Chairman Jordan asked Mr. Mendenhall to go over the requirements currently listed for Solar Farm. Jon Mendenhall, county manager, explained the 5 standards required for Solar Farms according to the Zoning Text Amendment for Solar Farms.

Commissioner Hofler recommended a one month delay in order to conduct more research and confirm wording. Jon Mendenhall confirmed that the matter is time sensitive and that economic developer, NC Power, has two special use permits submitted waiting on the actions of the board.

Commissioner Hofler questioned if the provider had been consulted. Jon Mendenhall responded that the provider has been involved in the process and is satisfied with the requirements.

Commissioner Owens responded that he is familiar with the Murfreesboro facility and feels that our fencing and road setback requirement is adequate.

Commissioner Hora questioned if the Board of Adjustment will be reviewing the special use permit. Jon Mendenhall confirmed that the Board of Adjustment will be reviewing the application and have the opportunity to make recommendations for future review.

Earl Rountree, Sunbury, feels that Commissioner Hoffler is correct in asking for delay in the passing of the amendment. Mr. Rountree stated that he as well as many others received a bulk mailing in regards to owning land available for solar farm. He encouraged the commissioners to not rush into a decision. He questioned what should happen when the lease runs out, how many jobs will be created, and feels that the public wouldn't be in favor.

Dan Lang, Board of Adjustment, agrees that there is no need to rush but supports industry that would not be polluting the county.

Ronald Eure, a citizen, questioned how the solar farm would benefit the county and if would it reduce the average family electric bill.

Chairman Jordan responded that it would be creating energy, there would be gain in tax revenue from equipment and such and possibly a potential for jobs but it would not

directly influence the electric bill of individual households. He expressed that solar farms are a way of the future

Chuck Brothers, Vice-Chairman of the Planning Board, explained that the difference between this situation and the cell tower is that the cell tower ordinance was already in place whereas the solar farm ordinance needs a starting point. If a solar farm is never started it can never be adjusted or amended. He made mention that the ordinance provides a landscape ordinance for the provider. He encourages a directive from the Board of Commissioners to move forward in one way or another.

Commissioner Jernigan made a motion to exit the Public Hearing on a Zoning Text Amendment for Solar Farms. Commissioner Hofler seconded the motion, motion passed without opposition.

Commissioner Owens stated that the board knew that this was coming and is privy to information on investment, the possibility of jobs and the boost to the tax base. He also feels that the county finally has the right situation for a starting industry and would be in favor of the ordinance and also in favor of tweaking the ordinance down the road as needed.

Commissioner Hora agreed with Commissioner Owens and feels that the industry will be a step toward progress. He feels that any industry has the opportunity to leave after established and the fear of leaving after 5 or 10 years can't prevent the opportunity to be created.

Commissioner Jernigan would like to proceed with the motion to approve the Zoning Text Amendment for Solar Farms.

Commissioner Hofler feels that a month delay with additional research would be beneficial.

Commissioner Jernigan made a motion to accept the Zoning Text Amendment for Solar Farms. Commissioner Owens seconded the motion. Motion passed four to one.

Patrice Taylor-Lassiter, GITS Director, explained the ROAP grant and the 3 pots of money that the grant effects. Typically the grant is approved in May but the state delayed the process. Ms. Lassiter also discussed the changes affecting time and dates of some routes and mentioned that the closed office hour would move from 12:00 to 1:00p.m. to 12:15 to 1:15p.m.. Ms. Lassiter confirmed that the amount increased from \$90,000 to \$110,000.

Commissioner Owens made a motion to enter a Public Hearing on a Transit Grant for ROAP Funding. Commissioner Jernigan seconded the motion, motion passed without opposition.

No public comments were received.

Commissioner Owens made a motion to exit the Public Hearing on a Transit Grant for ROAP Funding. Commissioner Hora seconded the motion, motion passed without opposition.

Commissioner Jernigan made a motion to approve the application for a Transit Grant for ROAP Funding. Commissioner Owens seconded the motion, motion carried without opposition.

Hofler made a motion to direct the county manager and planning board to investigate solar farm regulations. Commissioner Jernigan seconded the motion, motion passed without opposition.

Old Business

None

New Business

Chairman Jordan explained that the Albemarle Commission has turned a small home repair grant agreement over to the housing committee. If accepting the grant the county would administer the grant and the housing committee would carry out the grant.

Commissioner Owens made a motion to accept the Small Home Repair Grant Agreement to be administered by the county and carried out by the housing committee. Commissioner Hora seconded the motion, motion carried without opposition.

Commissioner Hofler made a motion to reappoint Fannie Langston to the Jury Commission. Owens seconded the motion, motion carried without opposition.

Citizen Comments

There were no citizen comments

Chairman Jordan gave authorization to Renee McGinnis, Tax Assessor to collect the taxes set forth in the tax records filed in the office of the Tax Assessor and/or Collector and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Chairman Jordan read the following:

To the Collector of the County of Gates

State of North Carolina

County of Gates

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Tax Assessor and/or Collector and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be the first lien upon all real property of the respective taxpayers in the County of Gates, and this order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law, NCGS 105-321(b).

Commissioner Hora made a motion to approve the directive given to the tax assessor to collect taxes. Commissioner Jernigan seconded the motion, motion carried without opposition.

Commissioner Comments

Commissioner Hofler feels that although we do not always agree with each other we have shown that we can disagree but still move forward.

Commissioner Jernigan wanted to thank everyone for attending and respecting the process.

Commissioner Hora thanked the public for attending and expressed that although we do not agree there is open communication and negotiation and the community is a part of the open communication and negotiation.

Commissioner Owens thanked the public for attending and feels that the actions of tonight are proof that progress is being made and hopefully the fruits of tonight will be seen in the near future.

Chairman Jordan also thanked everyone for attending and reiterated that local government is the first step in a long governmental process. He informed the public that a letter has been drafted and is being signed by the commissioners to go to the Governor in regards to the stop light at the US Hwy 13/158 and NC 137 intersection.

Chairman Jordan announced that a homecoming for the Reid's Grove Rosenwald School Homecoming:

Reid's Grove Rosenwald School Homecoming
Help celebrate the national designation of this historic building that served as an educational facility for African-Americans.
Who: Alumni, Family, Friends and Community
When: Wednesday, October 30, 2013, 3:15pm
Where: Reid's Grove School (EIC Building) Hwy 137, Gatesville, NC
Register by: October 21
Cost: Free
Contact: Reba Green-Holley, CED or BJ Okleshen, Adm. Asst., Gates County Extension Center – 252-357-1400

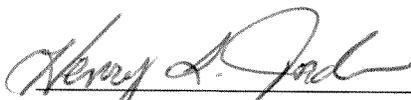
Closed Session

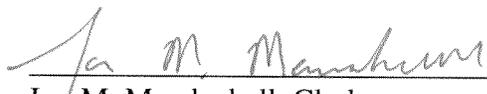
Commissioner Owens made a motion to enter into closed session according to NCGS 143-318.11 (6) Personnel and (9) Public Safety. Commissioner Hora seconded the motion, motion passed without opposition.

Commissioner Jernigan made a motion to exit closed session and enter into regular session. Commissioner Hofler seconded the motion, motion passed without opposition

Adjournment

Commissioner Owens made a motion to adjourn. Commissioner Hora seconded the motion, motion passed without opposition.


Henry L. Jordan, Chairman


Jon M. Mendenhall, Clerk

GATES COUNTY BOARD OF COMMISSIONERS

