

MINUTES FROM THE WORK SESSION HELD BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF WARREN IN THE WARREN COUNTY ARMORY CIVIC CENTER, MEETING ROOM ON MONDAY, JUNE 23, 2021 AT 6:00 PM.

The meeting was called to order by Chairman Tare Davis. Other Commissioners present: Victor Hunt, Walter Powell, Jennifer Pierce and Bertadean Baker. Others in attendance: County Manager Vincent Jones, Senior Assistant Charla Duncan, and County Attorney Hassan Kingsberry.

Chairman Davis conducted prayer and pledge to the flag.

PUBLIC HEARING 1:

PURPOSE: To consider the provision of economic development incentives pursuant to G.S. 158-7.1.

The Board of Commissioners intends to consider awarding an economic development incentive to Project Y.E.P. which is investing in real and personal property with a potential value totaling \$58,000,000 real property and \$24,000,000 personal property investment taxable amount (\$82,000,000 total investment). The value of the incentive is based upon the appraised value each year as appraised by the Warren County Tax Administration Office, as well as waiver of up to \$150,000 in building permit fees.

Project Y.E.P. will invest \$82,000,000 and create 205 new jobs in Warren County over three years. The grant will be a total of \$3,231,706 and paid over ten years. This would be a performance-based grant. The first payment would be following the investment and reporting to the Warren County Tax Office.

EDC Director Charla Duncan explained that this project is a potential industry expansion that is in competition with several other states. YEP stands for Yarn Expansion Project and involves expansion of Glen Raven in Norlina. Because the project is still in competition, a certain level of confidentiality was required up to this point in order to protect negotiations during the competition phase. North Carolina State Statutes dictate the manner in which such projects are to be handled and Warren County has followed all statutes.

Citizen Comments:

- Cliff Jackson stated that the report given was good and informative. He feels Glen Raven is deserving of help with this project and thanked the Board for considering the incentive package.
- Joe Mann stated that the public was not able to get any information about this project prior to this presentation.
- Deborah Ferruccio is happy to hear what the project is but thinks the public should have been given more information sooner. She further stated that items should not be proposed and voted on in the same meeting.
- Reinaldo Espinosa approached the Board with questions regarding the County books and asked if the Attorney General has been called yet.
- Bobby Espinosa signed up but did not speak.

With no further business to discuss, the Public Hearing was closed.

PUBLIC HEARING 2:

Notice is hereby given that the Warren County Board of Commissioners will hold a Public Hearing on Wednesday, June 23, 2021 at 6:15 p.m. at the Warren County Armory Civic Center. The purpose of this Public Hearing is: To hear citizens comments regarding an appeal filed by neighboring property owners of The Pointe Café, LLC in reference to the Permit for Temporary Variance from the Warren County Noise Ordinance previously granted by the Noise Control Board. This appeal voids the granted permit. Following the Public Hearing, the Warren County Board of Commissioners will determine if the permit should be granted or denied.

County Manager Vincent Jones provided a written timeline explaining how this matter has come to the Board of Commissioners. The Pointe was issued a Permit for Temporary Variance from the

Noise Ordinance after meeting all of the requirements for the permit. At this time, property owners, through an Attorney, have filed an appeal which voids the permit.

Chad Barbour, co-owner of The Pointe, addressed the Board and explained the hardship on his business if the permit is not granted. Mr. Barbour indicated that the number of days the permit is requested is much lower than in years past and include three Friday night events, 16 Saturday night events, and 10 Sunday daytime events. Mr. Barbour also pointed out that the allowed decibels stated in the Noise Ordinance are not realistic.

Attorney Gerald Koinis, representing property owners within a 1,000 foot radius of The Pointe, stated that they are not asking to shut The Pointe down completely, but rather are asking that the number of days be lessened and the allowed time be lowered, and that the decibels allowed be lowered. Atty. Koinis stated that the landscape in that area has changed since The Pointe first started having events and that now there are townhomes nearby that are significantly affected by the noise.

Citizen Comments:

- Alison Mundy is in 100% support of The Pointe. She noted that this is the busiest commercial area of Lake Gaston and that should have been considered before townhomes were allowed to be built in the area. Ms. Mundy asked that the Board consider a permanent permit so that The Pointe would not have to continue to request one each year.
- Christopher George stated that noise testing is a very difficult science and that machine must be calibrated and used correctly. Mr. George asked the Board to approve the permit for now and then work towards an agreement between all affected by the noise.
- John McLean yielded time to the next speaker.
- Joe Mann stated he was on the Noise Ordinance Task Force and that the Noise Ordinance is illegal. He further stated that the Task Force has been dis-banned. He asked the Board to stop obstruction and let the Task Force work.
- Duane White stated that the townhome community is a \$14 million dollar tax revenue for the County. Mr. White is against the permit because of the affect it has on those townhomes.
- Macon White yielded to Duane White.
- Kim Coley thanked the Board for their work in the County. Ms. Coley stated that she loves this area and the community, and that she owns property here. She asked the Board to govern wisely when considering this item.
- Deborah Ferruccio stated the Noise Ordinance has a lot of problems that need to be addressed. Ms. Ferruccio recommended that the permit be approved now and that the Noise Ordinance and decibels be looked at further going forward.
- Bobby Espinosa did not speak.
- Neal Anderson said the permit should be granted and that the ordinance should be struck down for vagueness and rewritten.

Deputy Clerk Ella Dowtin stated 13 emails were received against issuance of the permit, and 145 emails were received in support of the permit.

Chad Barbour addressed the Board again and stated he cannot operate at 60 decibels, and would need at least 85 decibels. Mr. Barbour also stated that in 50 years there have only been 4 lake front restaurants. These restaurants make 75% of their revenue in the summer months between May and September.

With no further business, the Public Hearing was closed.

ITEM 3 – On motion of Commissioner Hunt, seconded by Commissioner Pierce, and duly carried by unanimous vote, the Economic Development Incentive to Project Y.E.P totaling \$3,231,706 (60% of tax liability for 10 years) to be paid back over ten years was approved.

ITEM 4 – On motion of Commissioner Pierce, seconded by Commissioner Baker, and duly carried by unanimous vote resolution and application to N. C. Commerce Building Reuse Grant for Project Y.E.P with a match of \$25,000.00 was approved and County Manager Vincent Jones is authorized to execute documents.

ITEM 5 – On motion of Commissioner Pierce, seconded by Commissioner Powell, and duly carried by unanimous vote, the Permit for Temporary Variance from the Noise Ordinance for The Pointe was approved with a maximum decibel level of 85 decibels.

ITEM 6 – CONSIDER APPROVAL OF FY21-22 BUDGET:

- 1. On motion of Commissioner Baker, seconded by Commissioner Powell, and duly carried by unanimous vote, the Departmental Reorganization was approved.**
- 2. On motion of Commissioner Pierce, seconded by Commissioner Baker, and duly carried by unanimous vote, the Reclassification Requests, Position Descriptions and FY21-22 Pay Plan were approved.**
- 3. On motion of Commissioner Baker, seconded by Commissioner Pierce, and duly carried by unanimous vote, the FY21-22 Fee Schedule for Emergency Medical Services was approved.**
- 4. On motion of Commissioner Hunt, seconded by Commissioner Powell, and duly carried by unanimous vote, the FY21-22 Warren County Budget Ordinance in the amount of \$36,543,135 was approved.**
- 5. On motion of Commissioner Baker, seconded by Commissioner Hunt, and duly carried by unanimous vote, the FY21-27 Five-Year Capital Improvement Plan was approved.**

ITEM 7 – On motion of Commissioner Baker, seconded by Commissioner Powell, and duly carried by unanimous vote, the Resolution Authorizing and Amendment to Interlocal Agreement for the Regional Stepping Up Initiative in Franklin, Granville, Halifax, Vance and Warren Counties was approved.

ITEM 8 – On motion of Commissioner Baker, seconded by Commissioner Hunt, and duly carried by unanimous vote, the Capital Project Ordinance for Heritage Mulch Water Project using Industrial Development Fund Grant Award of \$115,000 was approved.

ITEM 9 – ADJOURN WORK SESSION