MOORE COUNTY BOARD OF COMMISSIONERS TUESDAY, AUGUST 17, 2021 REGULAR MEETING

4:30 P.M. CALL TO ORDER CLOSED SESSION – pursuant to N.C.G.S. 143-318.11(a)(3) 5:30 P.M. INVOCATION – Reverend Lee McKinney, New Covenant Fellowship Church PLEDGE OF ALLEGIANCE – Debra Ensminger, Planning/Transportation Director I. PUBLIC COMMENT PERIOD (Procedures are attached to agenda.) II. ADDITIONAL AGENDA CHAIRMAN – Does any Commissioner have a conflict of interest concerning agenda items the Board will address in

this meeting? III. APPROVAL OF CONSENT AGENDA All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except on request of a member of the Board of Commissioners.

A. Minutes: August 3, 2021, Regular Meeting B. Tax Releases/Refunds – July 2021

C. Budget Amendments D. Solid Waste Improvement Capital Project (Fund 435) – Revision 5 E. Fire Prevention Code Enforcement Agreement with Town of Pinebluff

IV. RECOGNITIONS V. PRESENTATIONS A. Health – COVID-19 Update (Robert Wittmann, Health Director) VI. PUBLIC HEARINGS A. GIS /Public Hearing – Request to Consider Amendment to the Moore County Road Name and Addressing Ordinance to Add One Road: Dewport Rd (Rachel Patterson, GIS Manager) B. GIS /Public Hearing – Request to Consider Amendment to the Moore County Road Name and Addressing Ordinance to Add One Road: Wits End Trl (Rachel Patterson, GIS Manager) VII. OLD BUSINESS

VIII. NEW BUSINESS A. Health – Request for Approval of FY22 543 Enhancing Detection Activities Original Addendum Agreement in the Amount of $783,987 (Robert Wittmann, Health Director)

B. Health – Request for Approval of FY22 Funding for Activity 716 CDC COVID-19 Vaccination Program Grant in the Amount of $83,270 (Robert Wittmann, Health Director)

C. Planning – Request for Approval of Amendments to Board of Adjustment Bylaws and Rules of Procedure (Debra Ensminger, Planning/Transportation Director) D. Solid Waste – Request for Approval of Contract to Purchase 2022 Truck (David Lambert, Solid Waste Director) E. Solid Waste – Request for Approval of Contract to Purchase 2020 Hyundai HL940A Wheel Loader (David Lambert, Solid Waste Director) F. Solid Waste – Request for Approval of Contract to Purchase New John Deere Track Loader (David Lambert, Solid Waste Director)

IX. APPOINTMENTS

A. Nursing and Adult Care Home Community Advisory Committee

B. Juvenile Crime Prevention Council C. Workforce Development Board X. ADDITIONAL AGENDA

XI. MANAGER'S REPORT XII. COMMISSIONERS' COMMENTS

XIII. CLOSED SESSION – if needed

ADJOURNMENT

PUBLIC COMMENT PROCEDURES

MOORE COUNTY BOARD OF COMMISSIONERS

The Moore County Board of Commissioners is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures: 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes. 2. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Commissioners' Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff. 3. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic. 4. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign-up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address. 5. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual commissioner. Discussions between speakers and members of the audience will not be allowed. 6. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.

7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period. 8. Any applause will be held until the end of the Public Comment Period. 9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Clerk to the Board. 10. Speakers shall not discuss any of the following: matters which concern the candidacy of any person seeking public office, including the candidacy of the person addressing the Board; matters which are closed session matters, including

but not limited to matters within the attorney-client privilege, anticipated or pending litigation, personnel, property acquisition, matters which are made confidential by law; matters which are the subject of public hearings.

11. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Commissioner's Meeting Room. 12. Action on items brought up during the Public Comment Period will be at the discretion of the Board. Adopted on the 5th day of March 2007 by a 5 to 0 vote of the Moore County Board of Commissioners. Revised on the 7th day of April 2015.

Revised on the 7th day of February 2017.

MOORE COUNTY BOARD OF COMMISSIONERS TUESDAY, AUGUST 3, 2021, 10:30AM REGULAR MEETING

The Moore County Board of Commissioners convened for a Regular Meeting at 10:30am, Tuesday, August 3, 2021, in the Commissioners' Meeting Room of the Historic Courthouse, One Courthouse Square, Carthage, North Carolina. Commissioners Present:

Chairman Frank Quis, Vice Chairman Louis Gregory, Jerry Daeke, Catherine Graham, Otis Ritter

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Chairman Quis called the meeting to order at 10:35 am. Reverend Robert Kidd of Prosperity Friends Church offered the invocation and GIS Manager Rachel Patterson led the Pledge of Allegiance. PUBLIC COMMENT PERIOD

There were no public comments. County Attorney Misty Leland introduced Steve Lapping, Attorney with the Moore County's Attorney Office, to the Board and offered comments. Mr. Lapping had assisted with the Board of Health meeting the evening

prior and Commissioner Gregory, a Board of Health member, wanted him to be introduced. Commissioner Gregory also expressed thanks for Attorney Lapping's service with the County. Ms. Leland noted Ms. Charlene Anderson, another new attorney in her office, would be introduced at another time. ADDITIONAL AGENDA Chairman Quis advised the Board of a new business agenda item from Partners in Progress regarding the request for a letter of support for an industrial development project. Upon motion by Commissioner Graham, seconded by Commissioner Ritter, the Board voted 5-0 to add the item under New Business.

Chairman Quis asked whether any commissioner had a conflict of interest concerning agenda items the Board would address in the meeting, and there were none. CONSENT AGENDA Upon motion made by Commissioner Ritter, seconded by Commissioner Graham, the Board voted 5-0 to

approve the following consent agenda items: Minutes: July 20, 2021, Regular Meeting and Closed Session

Budget Amendments
Digital Learning Invoices for Moore County Schools Copier Management Program Agreement Amendment FY 22
School Nurse Funding Initiative Contract Amendment Health Department Bad Debt Write Off
2021 Urgent Repair Program and Associated Documents

The budget amendments and Urgent Repair Program budget amendment are hereby incorporated as a part of these minutes by attachment as Appendices A and B, respectively. PUBLIC HEARINGS

GIS – Call to Public Hearing – Request to Consider Amendment to the Moore County Road Name and Addressing Ordinance to Add One Road: Dewport Rd

GIS Manager Rachel Patterson requested that the Board call for a public hearing to be held on August 17, 2021, at 5:30pm to consider amending the Moore County Road Name and Addressing Ordinance to add one road, Dewport Road. Upon motion made by Commissioner Daeke, seconded by Commissioner Ritter, the Board voted 5-0 to call a public hearing on August 17, 2021, at 5:30pm to consider amendments to the Moore County Road Name and Addressing Ordinance to add one road to the ordinance.

GIS – Call to Public Hearing – Request to Consider Amendment to the Moore County Road Name and Addressing Ordinance to Add One Road: Wits End Trl GIS Manager Rachel Patterson requested that the Board call for a public hearing on August 17, 2021, at 5:30 pm to consider amending the Moore County Road Name and Addressing Ordinance to add one road, Wits End Trail. Upon motion made by Commissioner Ritter, seconded by Commissioner Daeke, the Board voted 5-0 to call a public hearing for August 17, 2021, at 5:30 pm to consider amendments to the Moore County Road Name and Addressing Ordinance to add one road to the ordinance. NEW BUSINESS

Partners In Progress – Requested Letter of Support for Iron Horse Industrial Park Grant Application Chairman Quis commented that the request was for a letter of support for a grant that the two property owners of the Iron Horse Industrial Park in Aberdeen plan to make and stated that the grant indicates that a letter of support from the County Commissioners is required. The grant deadline is August 12th. Chairman Quis further advised that a 40% grant match is required which will be paid by the property owners and that there is no financial obligation for county government. Commissioner Graham made a motion to authorize the Chair to sign the letter to Build-Ready Sites regarding the application for Iron Horse Industrial Park in Aberdeen, North Carolina. Upon second by Commissioner Ritter, the Board voted 5-0 for the Chair to sign the letter of support. Chairman Quis requested that a statement be included in the language of the letter advising that the Commissioners unanimously voted in support of the request. A copy of the letter of support is hereby incorporated as a part of these minutes by attachment as Appendix C.

APPOINTMENTS

Juvenile Crime Prevention Council Upon motion made by Commissioner Graham, seconded by Commissioner Daeke, the Board voted 5-0 to
change Laura May's JCPC membership designation for her current term of service to Commissioner Appointee instead of Schools representative, and to appoint Lucinda Dedmond as the Schools representative, to reappoint Bunny Critcher as the Department of Social Services representative, and to appoint Beth Tanner as a Commissioner Appointee member for two-year terms expiring August 31, 2023. Library Board of Trustees

Upon motion made by Commissioner Graham, seconded by Commissioner Gregory, the Board voted 5-0 to reappoint Joanna King and to waive the term limit and reappoint Susan Zucchino to the Library Board of Trustees for three-year terms expiring August 31, 2024.

COMMISSIONERS' COMMENTS

Commissioner Gregory commented that Board of Elections Director Glenda Clendenin has notified of her upcoming retirement. He wished her the best and advised that she has done an outstanding job for the County and the citizens of Moore County.

Commissioner Gregory shared that a member of his party has commented that he will no longer serve after the next election and advised that this is not true. Commissioner Gregory stated that he plans to serve the entire time that he was elected. ADJOURNMENT

There being no further business, upon motion made by Commissioner Ritter, seconded by Commissioner Graham, the Board voted 5-0 to adjourn the August 3, 2021, Regular Meeting of the Moore County Board of Commissioners at 10:57am.

Francis R. Quis, Jr., Chairman

Laura M. Williams, Clerk to the Board

Agenda Item:
Meeting Date: 08/17/2021

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Caroline L. Xiong, Finance Director

DATE: August 9, 2021

SUBJECT: Solid Waste Improvement Capital Project (Fund 435) – Revision 5

PRESENTERS: Caroline L. Xiong

REQUEST:

Approve the Solid Waste Improvement Capital Project – Revision 5

BACKGROUND:

Staff is requesting that the Board authorizes the Cell 6 Landfill Expansion Capital Project to be renamed Solid Waste Improvement Capital Project Fund to include additional capital projects for the Solid Waste department. $328,081 will be transferred from available funds from the Cell 6 Landfill Expansion Capital Project to fund two new projects: Cameron Collection Site Modification for $63,000 and Aberdeen Collection Site Relocation for $265,081.

IMPLEMENTATION PLAN:

The Project Ordinance will be in place for the lifetime of the project.

FINANCIAL IMPACT STATEMENT:

The Project Ordinance includes the revenues and expenditures for the lifetime of the project.

RECOMMENDATION SUMMARY:

Make a motion to adopt the Solid Waste Improvement Capital Project Ordinance – Revision 5

SUPPORTING ATTACHMENTS:

Solid Waste Improvement Capital Project Ordinance – Revision 5

County of Moore
Solid Waste Improvement Capital Project (Fund 435)
Capital Project Ordinance Revision 5
Journal 20252
BE IT ORDAINED by the Board of Commissioners, County of Moore, North Carolina, pursuant to
North Carolina General Statute § 159-13.2, the following project ordinance is hereby adopted as follows:
Section 1. The capital project was originally authorized for the Cell 6 Landfill Expansion. As of
August 17th, 2021, the Board of Commissioners authorized the renaming of this capital project ordinance to
Solid Waste Improvement Capital Project to include additional capital projects.
Section 2. The officers and staff of this unit are hereby directed to proceed with the project within
the budget contained herein.
Section 3. The following amounts are appropriated for the Solid Waste Improvement Capital Project
Ordinance:
Cell 6 Landfill Expansion Capital:Budget Incr./Decr. Revised Budget
Permitting & Design Fees 257,000$ -$ 257,000$
Earthwork/Stormwater Projects 1,014,900$ (187,510)$ 827,390$
Geotechnical & Environmental Services 57,000$ (3,086)$ 53,914$
Contingency 137,485$ (137,485)$ -$
Construction Phase Services 45,000$ -$ 45,000$
Subtotal 1,511,385$ (328,081)$ 1,183,304$
Solid Waste Other Capital Projects:Budget Incr./Decr. Revised Budget
Cameron Collection Site Modification -$ 63,000$ 63,000$
Aberdeen Collection Site Relocation -$ 265,081$ 265,081$
Subtotal -$ 328,081$ 328,081$
Total 1,511,385$ -$ 1,511,385$
Section 4. The following revenues are anticipated to be available to complete the Solid Waste
32Improvement Capital Project Ordinance:
Budget Incr./Decr. Revised Budget
Transfer from General Fund 257,000$ -$ 257,000$
Transfer from Capital Res for Gov Projects 1,254,385$ -$ 1,254,385$
Total 1,511,385$ -$ 1,511,385$
Section 5. The Finance Officer is hereby directed to maintain within the Project Fund sufficient
specific detailed accounting records to satisfy the requirements of North Carolina General Statutes, federal
regulations and any other applicable laws.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due.

Section 7. The Finance Officer is directed to report the financial status of the project, as requested by the Board of Commissioners.

Section 8. This Project Ordinance shall be entered in the minutes by the Clerk to the Board of Commissioners and within five days after adoption of this Ordinance, copies shall be filed with the finance officer, budget officer and Clerk to the Board of Commissioners.

Adopted this 17th day of August 2021

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Frank Quis, Chairman
Moore County Board of Commissioners

____

Laura M. Williams
Clerk to the Board

Agenda Item: _____________________ Meeting Date: ____08/17/2021________

MEMORANDUM TO: MOORE COUNTY BOARD OF COMMISSIONERS

FROM: Rachel Patterson, GIS

DATE: August 17, 2021

SUBJECT: Public Hearing – Amendment to the Moore County Road Name and Addressing Ordinance

PRESENTER: Rachel Patterson REQUEST: Request is hereby made for the Board of Commissioners to amend the Moore County Road Naming and Addressing Ordinance to add one (1) road to the ordinance.

BACKGROUND:

On July 10, 1989, the Moore County Board of Commissioners enacted the Moore County Road Name and Addressing Ordinance, establishing the names of roads, a procedure for the future naming or renaming of roads and the numbering of all houses, mobile homes, commercial and industrial buildings. In adopting this Ordinance, the Board recognized the need for the naming of roads outside of municipal limits in the County of Moore and the numbering of residential, commercial and industrial structures, and accessory buildings thereto, as being essential for the operation of the enhanced 911 dispatch system in the County of Moore.

Section 3 of this Ordinance states "No new roads outside of municipal limits in the County of Moore, whether a part of the State Secondary Road System or Private, shall be named without approval of the Board of Commissioners." The road listed here is for initial naming and are privately maintained; DEWPORT RD (P4253).

IMPLEMENTATION PLAN: Upon adoption of this amendment, a formal letter of notification of the approved road names will be forwarded to individuals who own property along each of these roads. FINANCIAL IMPACT STATEMENT: Not Applicable.

RECOMMENDATION SUMMARY: Staff respectfully requests that the Board of Commissioners make a motion to add the road to the Moore County Road Name and Addressing Ordinance as proposed. SUPPORTING ATTACHMENTS:

Road Name and Addressing Ordinance Color Maps Legal Notice

AMENDMENT TO
THE MOORE COUNTY ROAD NAME AND ADDRESSING ORDINANCE ADOPTED JULY 10, 1989 AND AS SUBSEQUENTLY AMENDED RESOLVED by the Board of Commissioners of the County of Moore that Section III ROAD NAMING OF THE ABOVE REFERENCED ORDINANCE BE AMENDED TO ADD, RENAME, OR REMOVE THE FOLLOWING ROADS AS INDICATED: ADD: DEWPORT RD (P4253) ....Located off private road Berrydrew Ln, which is located at the end of Needhams Rd (SR 1327).

AND, FURTHER, that the effective date of this amendment to the above described Ordinance shall be upon adoption.
Adopted this 17th day of August 2021. ________________________________ Francis R Quis, Jr., Chairman Moore County Board of Commissioners ________________________________ Laura Williams, Clerk to the Board Moore County Board of Commissioners

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Ma p Pre pa re d By Moore County GIS De pa rtm e ntDa te : 7/6/2021

SET FOR TH ON THIS MEDIA WHETHER EXPR ESS OR IMPLIED, IN FACT OR IN LAW, INCLUDING WITHOUT LIMITATION THE IMPLIED WAR R ANTIES OF MER CHANTABILITY AND FITNESS FOR A PAR TICULAR USE. Any re sa le of this d a ta is strictly prohibite d in a ccord a nce with North Ca rolina Ge ne ra l Sta tute s 132-10. Grid is ba se d on North Ca rolina Sta te Pla ne Coord ina te Syste m NAD83 (fe e t).

Moore County Ordinance Update - Map 1

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LEGAL NOTICE

Notice is hereby given that two Public Hearings regarding proposed amendments to the Moore County Road Name and Addressing Ordinance will be held before the Moore County Board of Commissioners at 5:30 PM on Tuesday, August 17, 2021, in the Commissioners' Meeting Room located on the 2nd floor of the Historic Courthouse at 1 Courthouse Sq., Carthage, North Carolina. The purpose of the hearings is to consider the following:

1) An amendment to the Moore County Road Name and Addressing Ordinance to one road to the Ordinance, which is Dewport Rd, and

2) An amendment to the Moore County Road Name and Addressing Ordinance to one road to the Ordinance, which is Wits End Trl. Information pertaining to these amendments is available for review at the Moore County GIS Department, located at 302 S. McNeill St, Carthage, NC 28327, during normal business hours.

Interested persons are invited to attend. Accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is given.

Laura Williams Clerk to the Board

Agenda Item: ______________________ Meeting Date: ____08/17/2021________

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Section 3 of this Ordinance states "No new roads outside of municipal limits in the County of Moore, whether a part of the State Secondary Road System or Private, shall be named without approval of the Board of Commissioners." The road listed here is for initial naming and are privately maintained; WITS END TRL (P4254).

IMPLEMENTATION PLAN: Upon adoption of this amendment, a formal letter of notification of the approved road names will be forwarded to individuals who own property along each of these roads. FINANCIAL IMPACT STATEMENT: Not Applicable.

RECOMMENDATION SUMMARY: Staff respectfully requests that the Board of Commissioners make a motion to add the road to the Moore County Road Name and Addressing Ordinance as proposed. SUPPORTING ATTACHMENTS:

Road Name and Addressing Ordinance Color Maps Legal Notice

AMENDMENT TO
THE MOORE COUNTY ROAD NAME AND ADDRESSING ORDINANCE ADOPTED JULY 10, 1989 AND AS SUBSEQUENTLY AMENDED RESOLVED by the Board of Commissioners of the County of Moore that Section III ROAD NAMING OF THE ABOVE REFERENCED ORDINANCE BE AMENDED TO ADD, RENAME, OR REMOVE THE FOLLOWING ROADS AS INDICATED: ADD: WITS END TRL (P4254).......................Located off Lakebay Rd (SR 2023) directly across from the private road Deer Path Rd. Approximately
1.4 miles west of the intersection of Lakebay Rd
(SR 2023) and Aiken Rd (SR 2175)

AND, FURTHER, that the effective date of this amendment to the above described Ordinance shall be upon adoption.
Adopted this 17th day of August 2021. ________________________________ Francis R Quis, Jr., Chairman
Moore County Board of Commissioners ________________________________ Laura Williams, Clerk to the Board
Moore County Board of Commissioners

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Ma p Pre pa re d By Moore County GIS De pa rtm e ntDa te : 7/6/2021
Moore County GIS Discla im e rAll the inform a tion conta ine d on this m e d ia is pre pa re d for the inve ntory of re a l prope rty found within Moore County. All d a ta is com pile dfrom re cord e d d e e d s, pla ts, a nd othe r public re cord s a nd d a ta . Use rs of this d a ta a re he re by notifie d tha t the a fore m e ntione d public prim a ry inform a tion source s should be consulte d for ve rifica tion of the inform a tion. All inform a tion conta ine d he re in wa s cre a te d for the County's inte rna l use . MOOR E COUNTY, ITS OFFICIALS, AGENTS AND EMPLOYEES MAKE NO WAR R ANTY AS TO THE COR R ECTNESS OR ACCUR ACY OF THE INFOR MATION SET FOR TH ON THIS MEDIA WHETHER EXPR ESS OR IMPLIED, IN FACT OR IN LAW, INCLUDING

WITHOUT LIMITATION THE IMPLIED WAR R ANTIES OF MER CHANTABILITY AND FITNESS FOR A PAR TICULAR USE. Any re sa le of this d a ta is strictly prohibite d in a ccord a nce with North Ca rolina Ge ne ra l Sta tute s 132-10. Grid is ba se d on North Ca rolina Sta te Pla ne Coord ina te Syste m NAD83 (fe e t).

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1) An amendment to the Moore County Road Name and Addressing Ordinance to one road to the Ordinance, which is Dewport Rd, and

2) An amendment to the Moore County Road Name and Addressing Ordinance to one road to the Ordinance, which is Wits End Trl. Information pertaining to these amendments is available for review at the Moore County GIS Department, located at 302 S. McNeill St, Carthage, NC 28327, during normal business hours.

Interested persons are invited to attend. Accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is given.

Laura Williams Clerk to the Board

Board of Adjustment By-Laws and Rules of Procedures

Agenda Item: Meeting Date: August 17, 2021

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Debra Ensminger Planning & Inspections Director DATE: August 3, 2021

SUBJECT: Amendments to the Board of Adjustment By-Laws and Rules of Procedure PRESENTER: Debra Ensminger

REQUEST: A request to amend the Board of Adjustment By-Laws and Rules of Procedure to be in compliance with North Carolina General Statute 160D.

BACKGROUND:

The Board of Adjustment By-Laws and Rules of Procedure shall be governed by the terms of the North Carolina General Statutes as set in place by 160D. Implementation of North Carolina General Statute 160D, the Board of Adjustment By-Laws and Rules of Procedures have been modified to reflect compliance with the most current language as set forth in North Carolina General Statute 160D, which became effective July 1, 2021.

The requested amendments have been reviewed and approved by the County's Attorney's Office.

IMPLEMENTATION PLAN:

The amendments to the Board of Adjustment By-Laws and Rules of Procedure will be effective upon approval by the Board of County Commissioners. All members of the Board of Adjustment will receive a copy of the updated Board of Adjustment By-Laws and Rules of Procedure. FINANCIAL IMPACT STATEMENT:

The requested amendments to the Board of Adjustment By-Laws and Rules of Procedure will not have a financial impact to the FY 21-22 Budget. RECOMMENDATION SUMMARY: Make a motion to approve the amended Board of Adjustment By-Laws and Rules of Procedure as presented.

SUPPORTING ATTACHMENTS: Board of Adjustment By-Laws and Rules of Procedures

BY-LAWS AND RULES OF PROCEDURE BOARD OF
ADJUSTMENT MOORE
COUNTY NORTH CAROLINA I. GENERAL RULES

The Zoning Board of Adjustment shall be governed by the terms of North Carolina General Statutes §153A-345.1 and §160A-388 160D-109 (d), 160D-302, 160D-403 (b), 160D-405, 160D-406, 160D-705, 160D-1405 and by the Unified Development Zoning Ordinance of Moore County.

II. MEMBERSHIP

A. Members of the Moore County Board of Adjustment are appointed by the Moore County Board of Commissioners and shall serve at the pleasure of the Board. B. Board of Adjustment members should have basic knowledge of the Moore County Unified Development Zoning Ordinance and law, particularly land-use law.

C. Board of Adjustment membership shall be restricted to residents of Moore County. D. If the Board of Commissioners does not zone regulate the entire territorial jurisdiction of the County, each designated zoning area shall have at least one resident as a member of the Board of Adjustment.

E. Terms: 1. No member may serve more than two consecutive terms without stepping down from the Board for one three-year term. 2. The length of one term is three years. 3. Terms will be staggered so that no more than fifty percent of the
members' terms expire at one time. 4. If a vacancy occurs before a term expires, the replacement appointment shall be for the balance of the unexpired term, at which time the person who filled the unexpired term would be eligible for appointment. appointment for no more than two consecutive terms as
stated in Section E1. F. Composition: The Board of Adjustment shall be made up of five members and two alternate members. III. OFFICERS AND DUTIES

A. ChairmanChair: A chairmanchair shall be elected by the full membership (including alternate members) of the Board of Adjustment. His/her term of office shall be for one year and until his successor is elected. Beginning on July 1, he/she shall be eligible for re-election. The chairmanchair shall decide upon all points of
order and procedure, subject to these rules, unless directed otherwise by a majority of the Board in session at that time. The chairmanchair shall appoint any committees found necessary to investigate any matters before the Board.

B. Vice ChairmanChair: A vice chairmanchair shall be elected by the Board from among its regular members in the same manner and for the same term as the chairmanchair. He/she shall serve as acting chairmanchair in the absence of the chairmanchair, and at such times he/she shall have the same powers and duties as the chairmanchair.

C. Secretary and Assistant Secretary: A secretary and assistant secretary shall be appointed by the chairmanchair of the Board, either from within or outside its membership, to hold office during the term of the chairmanchair and/or until a successor secretary shall have been appointed. The secretary shall be eligible for reappointment. The secretary, subject to the direction of the chairmanchair and the Board, shall keep all records, conduct all correspondence of the Board, arrange for all public notices required to be given, notify members of pending meetings and their agenda, notify parties to cases before the Board of its decision on such cases, and, generally, supervise the clerical work of the Board. The secretary shall keep a permanent volume of the minutes of every meeting of the Board. The minutes shall show the record of all important facts pertaining to each meeting and hearing, every resolution and actions taken by the Board, and all votes of members of the Board upon any resolution or upon the final determination of any question, indicating the names of members absent or failing to vote. If the secretary is chosen from outside the membership of the Board, he/she shall not be eligible to vote upon any matter. The Assistant Secretary shall assume all duties and responsibilities of the Secretary in times of absence or vacancy.

IV. ALTERNATE MEMBERS

Alternate members of the Board shall be called upon to attend only those meetings and hearings at which one or more regular members are absent or unable to participate in the hearing of a case because of financial or other interest. Regular members, upon receiving notice of a special meeting which they cannot attend, or upon learning that they will be unable to participate in a meeting, shall promptly give notice to the secretary of the Board that they are unable to attend or to participate. On receiving such notice, the secretary shall, by the most expeditious means, notify an alternate member to attend. Assignments shall be rotated between the alternate members. At any meeting which they are called upon to attend, alternate members shall have the same powers and duties as regular members.

Except at the election of officers, at no time shall more than five members participate officially in any hearing or meeting. V. RULES OF CONDUCT FOR MEMBERS

Members of the Board shall be removed for cause, including, but not limited to, a violation of the rules stated below.

A. Faithful attendance at all meetings of the Board and conscientious performance of the duties required of members of the Board shall be considered a prerequisite of continuing membership on the Board.

B. No Board member shall take part in the hearing, consideration, or determination of any case in which he/she is personally or financially interested.

C. No Board member shall vote on any matter deciding on an application or appeal unless he/she has attended the public hearing on that application or appeal.

D. No Board member shall discuss any case with any party thereto prior to the public hearing on that case. E. Members of the Board shall not express individual opinions on the proper judgment of any case with any parties thereto prior to its determination of that case. Violation of this rule shall be cause for dismissal from the Board. F. Members of the Board shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts 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. VI. MEETINGS A. Regular Meetings: Meetings will be scheduled as appeals for variances and interpretations are submitted to the Planning Department. Scheduled meetings will occur at 4:00 p.m. on the fourth Wednesday of each month as needed. B. Special Meetings: Special meetings of the Board may be called at any time by the ChairmanChair or by a majority of the Board. At least 48 hours written notice of the time and place of special meetings shall be given, by the secretary or by the ChairmanChair, to each member of the Board, and as required by the Open Meetings Law. C. Cancellation of Meetings: Whenever there are no appeals, applications for exceptions or variances, or other business for the Board, or whenever so many regular and alternate members notify the secretary of inability to attend that a quorum will not be available, the chairmanchair may dispense with a regular meeting by giving written or oral notice to all members not less than 24 hours prior to the time set for the meeting. D. Quorum: A quorum in all matters except variance requests shall consist of a majority of the members of the Board. A quorum for variance requests shall consist of four-fifths of the members of the Board. E. Voting: All regular members may vote on any issue unless they have disqualified themselves for one or more of the reasons listed in Section V. The required vote to decide appeals and applications shall be provided in Section VII, d, 4 and shall not be reduced by any disqualification. In all other matters, the vote of a majority of the members present and voting shall decide issues before the Board. F. Conduct of Meeting: All meetings shall be open to the public. The order of business at a regular meeting shall be as follows:

1. Roll call 2. Reading of minutes of previous meeting
3. Hearing of cases
4. Reports of committees 5. Unfinished business 6. New business 7. Consideration and determination of cases heard

VII. APPEALS AND APPLICATIONS A. Types of appeals: The Board shall hear and decide all appeals from and review any order, requirement, decision, or determination made by the Building Inspector an Administrative decision and/or Zoning the
Administrator determination. It shall also hear and decide all matters
referred to it or upon which it is required to pass by the Unified Development Zoning Ordinance of Moore County. In deciding appeals, it may hear both those based upon an allegedly improper or erroneous interpretation of the ordinance and those based upon alleged hardship resulting from
strict interpretation of the ordinance. B. Procedure for Filing Appeals: No appeal shall be heard by the Board unless notice thereof is filed within 30 days after the interested party owner or other parties receive written notice of the determination delivered via personal delivery, electronic mail, or first-class mail of the order,
requirement, decision, or determination by the Building Inspector an Administrative decision and/or Zoning the Administrator determination. Any other person with standing to appeal has 30 days from receipt from any source of actual or constructive notice of the determination within which to file an appeal. The applicant must file his application for a
hearing with the Zoning Administrator Clerk to the Board of County Commissioners. All applications shall be made upon the form furnished for that purpose, and all information required thereon shall be complete before an appeal shall be considered as having been filed. C. Hearings:
1. Time: After receipt of notice of appeal, the Board chairmanchair shall schedule the time for a hearing, which shall be at a scheduled or special meeting within 45 days from the filing of such notice of appeal. 2. Notice: Notice of evidentiary hearings conducted pursuant to this
section Chapter 160D-406 (b) shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of
the hearing; and to any other persons entitled to receive notice as provided by the local development regulation zoning or unified development ordinance. In the absence of evidence to the contrary, the city local government may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice

must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing. Within that same time
period, the city local government shall also prominently post a
notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way. The board may continue an evidentiary hearing that has been convened without further advertisement. If an evidentiary hearing is set for a given
date and a quorum of the board is not then present, the hearing
shall be continued until the next regular board meeting without further advertisement. 3. Conduct of Hearing: Any party may appear in person or by agent or by attorney at the hearing. The order of business for hearing
shall be as follows:
a. The chairmanchair, or such person as he/she may direct, shall give a preliminary statement of the case. b. The applicant shall present an opening statement in support of the application. c. Persons opposed to granting the application shall present an
opening statement against the application. d. The applicant shall present evidence in support of the application. e. Persons opposed to granting the application shall present evidence against the application.
f. Both sides will be permitted to present rebuttals to opposing testimony. g. After all of the evidence has been presented, both the applicant and opposing parties shall be allowed to make closing statements, if they so desire. There shall be only
one closing statement on behalf of the applicant, and one closing statement on behalf of those opposing the application. h. The chairmanchair shall summarize the evidence which has been presented, giving the parties opportunity to make
objections or corrections. Witnesses may be called, and factual evidence may be submitted, but the Board shall not be limited to consideration of such evidence as would be admissible in a court of law. The Board may view the premises before arriving at a decision. All witnesses before
the Board shall be placed under oath and the opposing party may cross-examine them. i. Rules for addressing the Board of Adjustment are as follows: i. Each speaker must be sworn in.
ii. Each speaker will be limited to speaking one time, except in the cases of rebuttal and in purposes of explanation, in reference to the requested action, but will be allowed to answer questions by the board if there are any questions. When finished,

the speaker will ask the board if there are any questions. The speaker shall answer all questions and be seated.

iii. Each speaker will confine himself or herself to testimony related to the specific case before the Board and shall avoid irrelevant comments and personalities.

4. Rehearing:

An application for a rehearing may be made in the same manner as provided for an original hearing. Evidence in support of the application shall initially be limited to that which is necessary to enable the Board to determine whether there has been a substantial change in the facts. The application for rehearing shall be denied by the Board if from the record it finds that there has been no substantial change in facts. If the Board finds there has been a substantial change in facts, it shall thereupon treat the request in the same manner as any other application. D. Decisions:

1. Time: Decisions by the Board shall be made not more than seven days from the time of the hearing. The board shall determine contested facts and make its decision within a reasonable time. 2. Form: Written notice of the decision in a case shall be given to the applicant by the secretary as soon as practicable after the case is decided. The final decision of the Board shall be shown in the record of the case as entered in the minutes of the Board and signed by the secretary and the chairmanchair upon approval of the minutes by the Board. Such record shall show the reasons for the determination, with a summary of the evidence introduced and the findings of fact made by the Board. Where a variance is granted, the record shall state in detail any exceptional difficulty or unnecessary hardship upon which the appeal was based and which the Board finds to exist. The decision may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from. Where a conditional use permit is granted, the record shall state in detail what, if any conditions and safeguards are imposed by the Board in connection with the granting of a variance or a conditional use permit. 3. Expiration of Permits: Unless otherwise specified, any order or decision of the Board granting a conditional special use permit, or a variance shall expire if a building permit or certificate of occupancy for such use is not obtained by the applicant with six months from the date of the decision.

4. Voting at Hearings: The concurring vote of four-fifths of the members of the board shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For purposes of this section, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members

of the board for calculation of the requisite majority if there are not qualified alternatives available to take the place of such members. No member of the Board may be excused from voting except when immediate personal or financial interest precludes impartial consideration of issues involved. In all other cases a failure to vote by a member who is present at the meeting place or has withdrawn without being excused by a majority vote of the remaining members shall be counted as an affirmative vote.

5. Public Record of Decisions The decisions of the Board, as filed in its minutes, shall be a public record, available for inspection at all reasonable times.

VIII. AMENDMENTS

A. These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than four members of the Board, provided that such amendment be presented in writing at a scheduled or special meeting preceding the meeting at which the vote is taken. B. The Board of Commissioners must approve the by-laws and rules of procedure and all amendments. The Board of Commissioners can amend or revise the by- laws and rules of procedure without approval of the Board of Adjustment. IX. Reports A. The Board of Commissioners shall be provided a monthly report in writing detailing variance requests and Board of Adjustment decisions.

BY-LAWS AND RULES OF PROCEDURE BOARD OF
ADJUSTMENT MOORE
COUNTY NORTH CAROLINA I. GENERAL RULES

The Board of Adjustment shall be governed by the terms of North Carolina General Statutes 160D-109 (d), 160D-302, 160D-403 (b), 160D-405, 160D-406, 160D-705, 160D-1405 and by the Unified Development Ordinance of Moore County. II. MEMBERSHIP

A. Members of the Moore County Board of Adjustment are appointed by the Moore County Board of Commissioners and shall serve at the pleasure of the Board. B. Board of Adjustment members should have basic knowledge of the Moore County Unified Development Ordinance and law, particularly land-use law. C. Board of Adjustment membership shall be restricted to residents of Moore County.

D. If the Board of Commissioners does not regulate the entire territorial jurisdiction of the County, each designated zoning area shall have at least one resident as a member of the Board of Adjustment. E. Terms: 1. The length of one term is three years.

3. Terms will be staggered so that no more than fifty percent of the members' terms expire at one time. 4. If a vacancy occurs before a term expires, the replacement appointment shall be for the balance of the unexpired term, at which time the person who filled the unexpired term would be eligible for appointment. F. Composition: The Board of Adjustment shall be made up of five members and two alternate members. III. OFFICERS AND DUTIES

A. Chair: A chair shall be elected by the full membership (including alternate members) of the Board of Adjustment. His/her term of office shall be for one year and until his successor is elected. Beginning on July 1, he/she shall be eligible for re-election. The chair shall decide upon all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Board in session at that time. The chair shall appoint any committees found necessary to investigate any matters before the Board. B. Vice Chair: A vice chair shall be elected by the Board from among its regular members in the same manner and for the same term as the chair. He/she shall serve as acting chair in the absence of the chair, and at such times he/she shall have the same powers and duties as the chair. C. Secretary and Assistant Secretary: A secretary and assistant secretary shall be appointed by the chair of the Board, either from within or outside its membership, to hold office during the term of the chair and/or until a successor secretary shall have been appointed. The secretary shall be eligible for reappointment. The secretary, subject to the direction of the chair and the Board, shall keep all records, conduct all correspondence of the Board, arrange for all public notices required to be given, notify members of pending meetings and their agenda, notify parties to cases before the Board of its decision on such cases, and, generally, supervise the clerical work of the Board. The secretary shall keep a permanent volume of the minutes of every meeting of the Board. The minutes shall show the record of all important facts pertaining to each meeting and hearing, every resolution and actions taken by the Board, and all votes of members of the Board upon any resolution or upon the final determination of any question, indicating the names of members absent or failing to vote. If the secretary is chosen from outside the membership of the Board, he/she shall not be eligible to vote upon any matter. The Assistant Secretary shall assume all duties and responsibilities of the Secretary in times of absence or vacancy.

IV. ALTERNATE MEMBERS Alternate members of the Board shall be called upon to attend only those meetings and hearings at which one or more regular members are absent or unable to participate in the hearing of a case because of financial or other interest. Regular members, upon receiving notice of a special meeting which they cannot attend, or upon learning that they will be unable to participate in a meeting, shall promptly give notice to the secretary of the Board that they are unable to attend or to participate. On receiving such notice, the secretary shall, by the most expeditious means, notify an alternate member to attend. Assignments shall be rotated between the alternate members. At any meeting which they are called upon to attend, alternate members shall have the same powers and duties as regular members. Except at the election of officers, at no time shall more than five members participate officially in any hearing or meeting.

V. RULES OF CONDUCT FOR MEMBERS Members of the Board shall be removed for cause, including, but not limited to, a violation of the rules stated below. A. Faithful attendance at all meetings of the Board and conscientious performance of the duties required of members of the Board shall be considered a prerequisite of continuing membership on the Board. B. No Board member shall take part in the hearing, consideration, or determination of any case in which he/she is personally or financially interested.

C. No Board member shall vote on any matter deciding on an application or appeal unless he/she has attended the public hearing on that application or appeal. D. No Board member shall discuss any case with any party thereto prior to the public hearing on that case.

E. Members of the Board shall not express individual opinions on the proper judgment of any case with any parties thereto prior to its determination of that case. Violation of this rule shall be cause for dismissal from the Board. F. Members of the Board shall not participate in or vote on any quasi-judicial

matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts 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. VI. MEETINGS A. Regular Meetings: Meetings will be scheduled as appeals for variances and interpretations are submitted to the Planning Department. Scheduled meetings will occur at 4:00 p.m. on the fourth Wednesday of each month as needed. B. Special Meetings: Special meetings of the Board may be called at any time by the Chair or by a majority of the Board. At least 48 hours written notice of the time and place of special meetings shall be given, by the secretary or by the Chair, to each member of the Board, and as required by the Open Meetings Law. C. Cancellation of Meetings: Whenever there are no appeals, applications for exceptions or variances, or other business for the Board, or whenever so many regular and alternate members notify the secretary of inability to attend that a quorum will not be available, the chair may dispense with a regular meeting by giving written or oral notice to all members not less than 24 hours prior to the time set for the meeting. D. Quorum: A quorum in all matters except variance requests shall consist of a majority of the members of the Board. A quorum for variance requests shall consist of four-fifths of the members of the Board. E. Voting: All regular members may vote on any issue unless they have disqualified themselves for one or more of the reasons listed in Section V. The required vote to decide appeals and applications shall be provided in Section VII, d, 4 and shall not be reduced by any disqualification. In all other matters, the vote of a majority of the members present and voting shall decide issues before the Board. F. Conduct of Meeting: All meetings shall be open to the public. The order of business at a regular meeting shall be as follows: 1. Roll call
2. Reading of minutes of previous meeting 3. Hearing of cases 4. Reports of committees 5. Unfinished business 6. New business
7. Consideration and determination of cases heard VII. APPEALS AND APPLICATIONS A. Types of appeals: The Board shall hear and decide all appeals from and review any order, requirement, decision, or determination made by the

Administrator. It shall also hear and decide all matters referred to it or upon which it is required to pass by the Unified Development Ordinance of Moore County. In deciding appeals, it may hear both those based upon an allegedly improper or erroneous interpretation of the ordinance and those based upon alleged hardship resulting from strict interpretation of the ordinance. B. Procedure for Filing Appeals: No appeal shall be heard by the Board unless notice thereof is filed within 30 days after the owner or other parties receive written notice of the determination delivered via personal delivery, electronic mail, or first-class mail of the order, requirement, decision, or determination by the Administrator. Any other person with standing to appeal has 30 days from receipt from any source of actual or constructive notice of the determination within which to file an appeal. The applicant must file his application for a hearing with the Clerk to the Board of County Commissioners. All applications shall be made upon the form furnished for that purpose, and all information required thereon shall be complete before an appeal shall be considered as having been filed. C. Hearings:

1. Time: After receipt of notice of appeal, the Board chair shall schedule the time for a hearing, which shall be at a scheduled or special meeting within 45 days from the filing of such notice of appeal. 2. Notice: Notice of evidentiary hearings conducted pursuant to Chapter 160D-406 (b) shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and to any other persons entitled to receive notice as provided by the local development regulation. In the absence of evidence to the contrary, the local government may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the local government shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way. The board may continue an evidentiary hearing that has been convened without further advertisement. If an evidentiary hearing is set for a given date and a quorum of the board is not then present, the hearing shall be continued until the next regular board meeting without further advertisement. 3. Conduct of Hearing: Any party may appear in person or by agent or by attorney at the hearing. The order of business for hearing shall be as follows: a. The chair, or such person as he/she may direct, shall give a preliminary statement of the case. b. The applicant shall present an opening statement in support

of the application. c. Persons opposed to granting the application shall present an opening statement against the application.

d. The applicant shall present evidence in support of the application. e. Persons opposed to granting the application shall present evidence against the application.

f. Both sides will be permitted to present rebuttals to opposing testimony. g. After all of the evidence has been presented, both the applicant and opposing parties shall be allowed to make closing statements, if they so desire. There shall be only one closing statement on behalf of the applicant, and one closing statement on behalf of those opposing the application. h. The chair shall summarize the evidence which has been presented, giving the parties opportunity to make objections or corrections. Witnesses may be called, and factual evidence may be submitted, but the Board shall not be limited to consideration of such evidence as would be admissible in a court of law. The Board may view the premises before arriving at a decision. All witnesses before the Board shall be placed under oath and the opposing party may cross-examine them. i. Rules for addressing the Board of Adjustment are as follows: i. Each speaker must be sworn in. ii. Each speaker will be limited to speaking one time, except in the cases of rebuttal and in purposes of explanation, in reference to the requested action, but will be allowed to answer questions by the board if there are any questions. When finished, the speaker will ask the board if there are any questions. The speaker shall answer all questions and be seated. iii. Each speaker will confine himself or herself to testimony related to the specific case before the Board and shall avoid irrelevant comments and personalities. 4. Rehearing: An application for a rehearing may be made in the same manner as provided for an original hearing. Evidence in support of the application shall initially be limited to that which is necessary to enable the Board to determine whether there has been a substantial change in the facts. The application for rehearing shall be denied by the Board if from the record it finds that there has been no substantial change in facts. If the Board finds there has been a substantial change in facts, it shall thereupon treat the request in the same manner as any other application. D. Decisions:

1. Time: The board shall determine contested facts and make its decision within a reasonable time. 2. Form: Written notice of the decision in a case shall be given to the applicant by the secretary as soon as practicable after the case is decided. The final decision of the Board shall be shown in the record of the case as entered in the minutes of the Board and signed by the secretary and the chair upon approval of the minutes by the Board. Such record shall show the reasons for the determination, with a summary of the evidence introduced and the findings of fact made by the Board. Where a variance is granted, the record shall state in detail any exceptional difficulty or unnecessary hardship upon which the appeal was based and which the Board finds to exist. The decision may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from. 3. Expiration of Permits: Unless otherwise specified, any order or decision of the Board granting a special use permit, or a variance shall expire if a building permit or certificate of occupancy for such use is not obtained by the applicant with six months from the date of the decision. 4. Voting at Hearings: The concurring vote of four-fifths of the members of the board shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For purposes of this section, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the board for calculation of the requisite majority if there are not qualified alternatives available to take the place of such members. No member of the Board may be excused from voting except when immediate personal or financial interest precludes impartial consideration of issues involved. In all other cases a failure to vote by a member who is present at the meeting place or has withdrawn without being excused by a majority vote of the remaining members shall be counted as an affirmative vote. 5. Public Record of Decisions The decisions of the Board, as filed in its minutes, shall be a public record, available for inspection at all reasonable times.

VIII. AMENDMENTS A. These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than four members of the Board, provided that such amendment be presented in writing at a scheduled or special meeting preceding the meeting at which the vote is taken. B. The Board of Commissioners must approve the by-laws and rules of procedure and all amendments. The Board of Commissioners can amend or revise the by- laws and rules of procedure without approval of the Board of Adjustment.

Agenda Item: Meeting Date: 8/17/2021 MEMORANDUM TO BOARD OF COMMISSIONERS: FROM: Solid Waste   DATE: 8/17/2021 SUBJECT: Contract to purchase 2022 Mack Granite 64FR Truck with a Galbreath Roll Off (chassis) with dealer purchased and installed hoist. PRESENTER: David Lambert, Solid Waste Director

REQUEST: Approve purchase a 2022 Mack Granite 64FR Truck with a Galbreath Roll Off (Hoisting system provided by dealer through Carolina Environmental Systems).   The total cost is $169,150.00 Also, approve a __-year financing agreement for $______ (excludes sales tax) at an interest rate of ____%. BACKGROUND: This request was originally included in the departmental budget request but was removed to explore opportunities for alternative funding arrangements, including financing.

Operational use: Moore County currently hauls materials from its convenience sites to the landfill. They do make periodic trips to other locations including Pratt Industries in Fayetteville, and Southern Environmental Solutions in Chesterfield South Carolina. Based on our increased volume, and the amount of mileage we accrue per year, we will be requesting a new roll-off truck every two years. Each roll-off truck in normal use regularly travels over 4,000 miles a month. In 2020, we started

running routes six days a week and this further increases the demand of the trucks in the department.   After soliciting bids for financing this truck ____is the recommended vendor. _____ offers a ___-year term (final maturity of _____) at a rate of ___%. The first payment would be scheduled in _____

and budgeted in next years budget.

OR A budget amendment is included to assign unused funds from FY 20-21 (fund balance)in the amount of ____ to cover this expense.

IMPLEMENTATION PLAN: The contract will be contingent upon closing of the loan with ______ in September _____. The first installment of the loan will occur in September of ____. or The contract will be executed and the truck purchased

FINANCIAL IMPACT STATEMENT:

Funding for the first installment of the $___ loan will be allocated next fiscal year. RECOMMENDATION SUMMARY:

1. Make a motion to approve a contract with Transource for the purpose of securing a 2022 Mack Granite 64FR Truck with a Galbreath Roll Off (Hoisting system provided by dealer through Carolina Environmental Systems) $169,150.00 contingent upon the closing of the direct bank loan with First Bank and to authorize the Chairman to sign all necessary documents. Make a motion to approve a contract with Transource for the purpose of the a 2022 Mack Granite 64FR Truck with a Galbreath Roll Off (Hoisting system provided by dealer through Carolina Environmental Systems and authorize the Chairman to sign all necessary documents.

2. Make a motion to approve a financing agreement with _______ for $_____ at an interest rate of _____% for a _____-year term and authorize the County Manager to sign the necessary documents upon favorable review by the County Attorney and Finance Director. 3. Make a motion to approve the BA attached.

SUPPORTING ATTACHMENTS:

Contract for Transource

Finance Agreement with ______ Budget Amendment

Agenda Item: Meeting Date: 8/17/2021 MEMORANDUM TO BOARD OF COMMISSIONERS: FROM: Solid Waste DATE: 8/17/2021 SUBJECT: Contract to purchase 2020 Hyundai HL940A Wheel Loader with the option of AAVM 360 Degree Cameras PRESENTER: David Lambert, Solid Waste Director REQUEST: Approve purchase a new Hyundai HL940 Wheel Loader with AAVM 360 Degree Cameras from National Equipment Dealers LLC. The total cost is $141,267.82 Also, approve a 5-year financing agreement for $______ (excludes sales tax) at an interest rate of ____%. BACKGROUND: This request was originally included in the departmental budget request but was removed to explore opportunities for alternative funding arrangements, including financing.

Operational use: The Solid Waste Department requires a wheel loader to complete tasks at different areas of the landfill including the leaf and limb and metal pile areas. Last year over 17,527.56 tons of leaf and limb material was brought to the facility which required a wheel loader to maintain the piles and, once mulched, required the piles to be turned to ensure proper temperature levels. Some material was then loaded by landfill staff into trucks where they could be disposed of—for free—as boiler fuel. Wheel loaders are also used to maintain material in the glass bunker. The machine is being offered at a price of $129,536.00 (excluding tax) which is lower than the state Sourcewell contract price of 134,240.00 and the NC Sheriff's pricing of 139,206.00. The machine includes a 3 year/3000 hour full machine warranty.

The camera feature is being added to most new machines and will allow operators to see around the entire perimeter of the machine. The Solid Waste Department is prioritizing safety in the use of equipment in order to preserve health and safety off both staff and the public and ensure prolonged use of equipment.

Current Machine: The current machine is a John Deere 444 with 4006 hours. Urgent repairs were made this year to the center pin and hydraulics require additional work. Last year around 10,000 was spend on repairs for this equipment, excluding hose replacements or general service expenses. Our recommendation is to move this machine to back -up status and for use at the metal/glass area. It is necessary to have some redundancy in equipment because when equipment is down, or being serviced, we are unable to have suitable coverage of the working area.

After soliciting bids for financing this equipment ____is the recommended vendor. _____ offers a ___-year term (final maturity of _____) at a rate of ___%. The first payment would be scheduled in _____ and budgeted in next years budget. OR
A budget amendment is included to assign unused funds from FY 20-21 (fund balance)in the amount of ____ to cover this expense. IMPLEMENTATION PLAN:
The contract will be contingent upon closing of the loan with ______ in September _____. The first installment of the loan will occur in September of ____.
or The contract will be executed and the equipment purchased FINANCIAL IMPACT STATEMENT:
Funding for the first installment of the $___ loan will be allocated next fiscal year. RECOMMENDATION SUMMARY: 1. Make a motion to approve a contract with National Equipment Dealers for the purpose of a new Hyundai HL940A Wheel Loader in the amount of $129,536.00 contingent upon the closing of the direct bank loan with First Bank and to authorize the Chairman to sign all necessary documents.
Make a motion to approve a contract with National Equipment Dealers for the purpose of the aforementioned Hyundai HL940A Wheel and authorize the Chairman to sign all necessary documents. 2. Make a motion to approve a financing agreement with _______ for $_____ at an interest rate of _____% for a _____-year term and authorize the County Manager to sign the necessary documents upon favorable review by the County Attorney and Finance Director.
3. Make a motion to approve the BA attached.

SUPPORTING ATTACHMENTS: Contract for National Equipment Dealers Finance Agreement with ______ Budget Amendment

Agenda Item: Meeting Date: 8/17/2021 MEMORANDUM TO BOARD OF COMMISSIONERS:
FROM: Solid Waste DATE: 8/17/2021 SUBJECT: Contract to purchase new John Deere 655K Track Loader
PRESENTER: David Lambert, Solid Waste Director REQUEST:

Approve purchase a new John Deere 655K Track Loader (Based on Sourcewell State Contract #032119-JDC) in the amount of $253,3510.28. Also, approve a _-year financing agreement for $______ (excludes sales tax) at an interest rate of ____%. BACKGROUND: This request was originally included in the departmental budget request but was removed to explore opportunities for alternative funding arrangements, including financing.

Operational use: The Solid Waste Department requires a track loader for various functions of the landfill including the old MSW site, Construction and Demolition and general site maintenance. The 655K Track Loader includes a landfill package, installation of screening around the cab, and a multi-purpose bucket. The Solid Waste Department has used John Deere machines in the past and we are satisfied with their performance and longevity.

John Deere has provided us the state contract price of $253,510.28. (which is a 28% discount (approximately $90,000) of regular price. We expect that this machine should last us the duration of the active life of the landfill.

Current Machine: Our current track loader is a Cat 953B and it has 9227 hours. This model is very versatile and allows us to maintain our cell slopes and allows us to complete jobs that a wheel loader or bull dozer cannot do. This piece of equipment has had several maintenance issues. In FY 20-21 we have spent over $50,000 in repair work. In FY 19-20 there was also substantial repair work that included a multi-month rental of equipment.

We intend to move this equipment to move our current track loader to back up status in order to allow us to maintain our new equipment better and reduce the amount of “down time” of equipment. We want to avoid having expensive “emergency repairs” on an old piece of equipment in order to operate the landfill

After soliciting bids for financing this equipment ____is the recommended vendor. _____ offers a ___-year term (final maturity of _____) at a rate of ___%. The first payment would be scheduled in _____ and budgeted in next years budget.

OR

A budget amendment is included to assign unused funds from FY 20-21 (fund balance)in the amount of ____ to cover this expense. IMPLEMENTATION PLAN: The contract will be contingent upon closing of the loan with ______ in September _____. The first
installment of the loan will occur in September of ____.

or

The contract will be executed and the equipment purchased FINANCIAL IMPACT STATEMENT: Funding for the first installment of the $___ loan will be allocated next fiscal year.

RECOMMENDATION SUMMARY: 1. Make a motion to approve a contract with James River Equipment for the purpose of a new
John Deere 655K Track Loader the amount of $253,3510.28, all contingent upon the closing
of the direct bank loan with _____ and to authorize the Chairman to sign all necessary
documents. Make a motion to approve a contract with James River for the purpose of a new John Deere 655K Track Loader the amount of $253,3510.28 and authorize the Chairman to sign all necessary documents.

2. Make a motion to approve a financing agreement with _______ for $_____ at an interest rate of _____% for a _____-year term and authorize the County Manager to sign the necessary documents upon favorable review by the County Attorney and Finance Director.

3. Make a motion to approve the BA attached.

SUPPORTING ATTACHMENTS:

Contract with James River Equipment Finance Agreement with ______ Budget Amendment

Agenda Item: Meeting Date: 08/17/2021 MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Laura M. Williams, Clerk DATE: 08/09/2021 SUBJECT: Appointments / Nursing and Adult Care Home Community Advisory Committee REQUEST:

Appoint two new members to the Nursing and Adult Care Home Community Advisory Committee.

BACKGROUND: Ms. Barbara Hainline and Ms. Debi Kennedy are recommended for appointment as new members of the Nursing and Adult Care Home Community Advisory Committee. Each has completed required training and been certified as required by the State. IMPLEMENTATION PLAN:

Clerk will make notification of appointments and update records.

RECOMMENDATION SUMMARY: Make a motion to appoint Barbara Hainline and Debi Kennedy to the Nursing and Adult Care Home Community Advisory Committee for initial one-year terms commencing September 1, 2021, and expiring August 31, 2022. ATTACHMENTS:

Applications and Certifications

Debi Kennedy
495 Donald Ross Drive
4138224999 4138224999
uptowndebi@aol.com Retired
Former President and CEO of non-profit in Massachusetts.

06/09/2021

Agenda Item: Meeting Date: 08/17/2021 MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Laura M. Williams, Clerk DATE: 08/10/2021 SUBJECT: Appointments / Juvenile Crime Prevention Council

REQUEST:

Appoint new member to the Juvenile Crime Prevention Council.

BACKGROUND: Mr. Marco Rotting has been recommended for appointment to a Commissioner Appointee position on the Juvenile Crime Prevention Council. He attended the most recent JCPC meeting.

IMPLEMENTATION PLAN: Clerk will make notification of appointment and update records.

RECOMMENDATION SUMMARY: Make a motion to appoint Marco Rotting to a Commissioner Appointee position on the Juvenile Crime Prevention Council for a two-year term expiring August 31, 2023. ATTACHMENTS: Appointment Application

Agenda Item: Meeting Date: 08/17/2021 MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Laura M. Williams, Clerk DATE: 08/10/2021 SUBJECT: Appointments / Workforce Development Board

REQUEST:

Appoint two members to the Workforce Development Board.

BACKGROUND: Stephanie Daugherty has been recommended for appointment to a vacant seat on the Workforce Development Board representing the business sector. Ms. Daugherty is the Human Resources Manager for Meridian Kiosks. Additionally, Caroline Brigmon was recently appointed to fill the unexpired term of John Lowery representing the Division of Workforce Solutions. That term expires August 31. Ms. Brigmon is recommended to be appointed to another term. Her service will be temporary until a new Regional Operations Director for Moore County is hired at which time request will be made for that person to fill Ms. Brigmon's position on the Workforce Development Board. IMPLEMENTATION PLAN:

Clerk will make notification of appointments and update records. RECOMMENDATION SUMMARY:

Make a motion to appoint Stephanie Daugherty and Caroline Brigmon to the Workforce Development Board for three-year terms expiring August 31, 2024. ATTACHMENTS:

Appointment Request from Regional Partnership Workforce Development Director

August 10, 2021

TO:

FROM:

SUBJECT:

Clerk to the Board

Moore County Board of Commissioners

Tammy Wall, Director

Workforce Development Board Member Appointments

Regional Partnership Workforce Development Board is submitting an appointment request for Stephanie Daugherty to fill the Business seat left by Valerie Freeman. Stephanie was nominated by Phillip Schumaker and is the HR Manager for Meridian Kiosk in Aberdeen. We feel she will bring a fresh perspective to our board from her perspective, especially in these difficult times for small businesses. Her term of appointment will be for three years.

I would appreciate you including this request in the next Moore County Board of Commissioners agenda.

If you have any questions, please do not hesitate to contact me at (336) 629-5141.

Kind Regards,

Tammy Wall

Director, Regional Partnership Workforce Development

NC Works

(336)629-5141 office

twall@regionalcs.org

Regional Partnership Workforce Development

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