



Moore County Board of Commissioners

September 5, 2023 | 10:30 AM
Historic Courthouse
1 Courthouse Square
Carthage, NC 28327

REGULAR MEETING MINUTES

COMMISSIONERS PRESENT

Chairman Nick Picerno, Vice Chairman Frank Quis, Commissioner Kurt Cook, Commissioner John Ritter, Commissioner Jim Von Canon

CALL TO ORDER

Chairman Picerno called the meeting to order.

INVOCATION

Reverend Arnold Comer of Summer Hill Baptist Church offered the invocation.

PLEDGE OF ALLEGIANCE

Major Andy Conway led the Pledge of Allegiance.

1. PUBLIC COMMENT PERIOD

The following offered comments: John Misiaszek and Michael Parker.

2. ADDITIONAL AGENDA

Upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted 5-0 to add to the agenda as New Business Item J a call to public hearing for Transportation Services regarding a grant application.

Chairman Picerno asked whether any commissioner had a conflict of interest concerning agenda items the Board would address in the meeting and there was none.

Chairman Picerno asked County Manager Wayne Vest to make a public service announcement. Mr. Vest shared that the County had recently rolled out a new website that included a portal for citizens to register their contact information to receive notifications and he encouraged everyone to go to the site and submit their information. Chairman Picerno congratulated the team who put the site together.

3. CONSENT AGENDA

Upon motion made by Commissioner Quis, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the following consent agenda items, and the meeting schedule revision resolution, budget amendments, 2018 bond referendum revision 23, and Vass phase II revision 8 documents are hereby incorporated as a part of these minutes by attachment as Appendices A, B, C, and D, respectively.

- A. Governing Body - August 15, 2023, 5:30pm Regular Meeting Minutes
- B. Governing Body - Amendment to FY24 Regular Meeting Schedule
- C. Finance - Budget Amendments
- D. Finance - Local Educational Bonds - 2018 Bond Referendum – Revision 23
- E. Finance - Vass Phase II Sewer System Improvements – Revision 8
- F. Aging - FY24 Home and Community Care Block Grant Contract
- G. Aging - Agreement Addendum No. 2 Mid-South Food Services
- H. Elections - Contract Revision with Election Systems & Software, LLC (ES&S)
- I. Parks & Recreation - FY24 Fee Schedule Change - Parks & Recreation

4. RECOGNITIONS

- A. Governing Body - Proclamation for Constitution Week 2023
Commissioner Von Canon shared a request received by a representative of the local Alfred Moore Chapter of the Daughters of the American Revolution for adoption of a proclamation for Constitution Week. He reviewed the history of Constitution week and shared a statement by a former president in 2017 regarding the same and read the proposed proclamation. **Upon motion made by Commissioner Von Canon, seconded by Commissioner Quis, the Board voted 5-0 to proclaim September 17-23, 2023, as Constitution Week, to be witnessed by (the signatures) of all five commissioners.** The proclamation is hereby incorporated as a part of these minutes by attachment as Appendix E.

5. PRESENTATIONS

- A. Finance - Quarterly Fiscal Report – Sandhills Center of MH/DD/SAS
Assistant Finance Director Chris Morgan presented the quarterly fiscal report for Sandhills Center for Mental Health/Developmental Disabilities/Substance Abuse Services. Chairman Picerno noted that accountability was needed for these funds, including a detailed report on who was providing the services, how many people were being helped, how many were recovered, etc. He asked Mr. Morgan to pass the request along from Finance and Mr. Morgan agreed to do so.
- B. Planning - Fayetteville Area Metropolitan Planning Organization Boundary Expansion
Planning Director Debra Ensminger introduced Mr. Zachary Bugg, PhD, PE, with Kittleson & Associates, Inc., who provided a presentation regarding expansion of the boundary of the Fayetteville Area Metropolitan Planning Organization boundary, which could include a portion of Moore County. Mr. Bugg's presentation is hereby incorporated as a part of these minutes by attachment as Appendix F. Commissioner Quis asked if everything would be finalized in December and Mr. Bugg said yes and that on November 29, there would be a vote on whether to accept the new boundary and then that would allow another

month for NCDOT to approve it. Commissioner Von Canon inquired about the inclusion of Fort Liberty and Mr. Bugg confirmed inclusion. Commissioner Von Canon discussed dangerous conditions on Manchester Road and along Highway 690 and new homes being built that would increase traffic in that area. He asked whether Fort Liberty would be willing to work to make improvements and said there were some things he would like to know before bringing this item for a vote. Mr. Bugg explained that the expansion would open up additional funding opportunities. Chairman Picerno inquired about the dues and Mr. Bugg explained that it was prorated to population. He also shared that there may be some mechanism to participate but not vote. Chairman Picerno discussed the levels of red tape and overlap and asked Mr. Bugg his recommendation regarding the State reducing these organizations with tremendous overlap. Mr. Bugg noted that he was a third party and said Moore County was in a unique area, but he did not know that it added a layer as part of the County was already in FAMPO. He said there would be no overlap because the RPO would give up the area (taken in by FAMPO). Commissioner Von Canon asked about the benefit for the little portion of Moore County that could be included in the expansion and Mr. Bugg said the benefit was project planning and funding. He said 690 was currently unfunded and projects originated with locals, not from the top-down at DOT, so this would be an additional funding mechanism.

6. QUASI-JUDICIAL HEARINGS

- A. Planning - Continued Quasi-Judicial Hearing from August 15, 2023 for an Amendment to a Special Use Permit: Conservation Subdivision – Bibey Road (2 Additional Lots) - ParID 20210670, 00039436
APPLICANT: Tri-South Builders, Inc. And Brandon J. & Emily K. Cooley

The subject quasi-judicial hearing originally opened on August 15, 2023, continued. This record is a summary and the recording of the full proceedings including the August 15, 2023, and September 5, 2023, recordings are available in the office of the Clerk to the Board.

Commissioner Quis asked when the Bibey Road subdivision was originally approved, and Planning Director Debra Ensminger said it was April 19, 2021. Chairman Picerno discussed that in the subdivision rules in the Unified Development Ordinance, open space was deemed permanent; however, another section allowed a major modification which would allow open space to be reduced. Ms. Ensminger noted that it would still meet open space requirements. Chairman Picerno asked how if it was permanent, it could be modified. County Attorney Misty Leland said she could see how a lay person could see it as a conflict as the plan was permanent when recorded, but only until another was recorded, and then that one became permanent. She explained that it was authorized by statute. Chairman Picerno discussed the issue of sending the wrong message to the people buying the property. Commissioner Von Canon said permanent to him meant now and forever. Ms. Ensminger suggested identifying that it could be modified, rather than defining the word permanent. Commissioner Von Canon said there should be a legal obligation to tell homebuyers.

Chairman Picerno noted a change in Lot 14 and County Manager Wayne Vest

said Ms. Leland would weigh in on how to handle it. He said the applicant reached out to the Planning Director to say he would like Lot 14 to be removed from consideration. Ms. Leland noted that the person had to be present. She explained the Board could continue the hearing but could also make a decision without the person present, and she did not want him to be misrepresented as he would like the lot approved. Ms. Ensminger said if the Board was considering denying the request, then he requested that his part (Lot 14) not be included. Ms. Leland reminded the commissioners that they did not necessarily need that (testimony) to move forward this day. Commissioner Quis asked if the Homeowners Association witness was considered a valid witness and Ms. Leland said yes as he was a member, and that issue was at the very heart of what was being discussed.

Mr. Ryan Shahan (Homeowners Association) was resworn by the Clerk. Mr. Shahan shared that he was the Homeowners Association president and a veteran and was just there to defend what was being taken from their property. Commissioner Quis asked when a retention pond being built behind his property was constructed and Mr. Shahan said roughly three months prior. Mr. Shahan informed the Board that he had pictures of the property to share if there was interest. Chairman Picerno called for a brief recess while staff loaded the files for viewing. The hearing was resumed at 11:38am and Mr. Shahan displayed and explained the photos. Commissioner Von Canon asked where the other drainage basin was prior to this one, and if there was one before. Mr. Shahan said no, and it looked like on Google maps that there was maybe one at Mr. Cooley's property. Commissioner Von Canon discussed the stormwater plan and whether there was a problem or issue and Mr. Shahan said there was a small seasonal stream and he assumed it was because of that but it was probably overkill. Commissioner Von Canon asked him if when he bought the property, he was told it would always be open space. Mr. Shahan said every single person he talked to said it was great and no one would ever be able to build there, and the covenants said it. He said his understanding was that the HOA was supposed to be paying the taxes, etc. on it now and budgeting that out of the HOA.

There was no further testimony and Ms. Ensminger provided a summary saying that the application that was submitted for Lots 13 and 14 met the requirements of the UDO and it was up to the Board based upon the evidence received to make the decision. Ms. Leland asked Ms. Ensminger to go over the required findings of fact and she did so. Chairman Picerno closed the quasi-judicial hearing.

Chairman Picerno asked if there was any way to split the two lots as far as motions as one appeared to be in compliance but the other, he was not in favor of. Ms. Leland said that could be a condition of the approval. She said she had the legal standard on such a condition. She said conditions had to be reasonably related to the proposed use, not in conflict with the ordinance, and further a legitimate objective of the ordinance, and she felt what he proposed fit the criteria. Chairman Picerno asked which lot it was that did not appear to be in any controversy and Ms. Ensminger said that was 180 Archdale Drive, Parcel# 00039436, owned by Brandon and Emily Cooley per Deed Book 5831, Page 502. Commissioner Von Canon said that was Lot 13 and Ms. Ensminger concurred. Ms. Leland said anticipating this may happen, Planning had prepared a list of conditions that would have to be satisfied to split it, and they were technical

conditions and would need to be included in the motion. Chairman Picerno requested guidance for a motion to approve Lot 13 but not Lot 14 and Ms. Ensminger provided the information. **Chairman Picerno made a motion, seconded by Commissioner Von Canon, to approve the amendment to a Special Use Permit and preliminary plat for Bibey Road subdivision for one additional lot in an existing 12-lot major subdivision with a combined total of 33.98 acres located on Bibey Road, Carthage, North Carolina on 180 Archdale Drive, Carthage, North Carolina, ParID# 00039436, owned by Brandon and Emily Cooley per Deed Book 5831, Page 502, Lot # 13, based on the following conditions:**

1. Change the title from two additional lots to one additional lot.
2. Add the date of the revision to the revision table.
3. Update the note under property information from request to two additional lots to previously approved 12-lot conservation subdivision to request one additional lot to previously approved 12-lot conservation subdivision.
4. Under project data, change the total project area to 33.98 acres, total acreage of entire subdivision as recorded on the Bibey Road subdivision final plat in PC 19, Slide 225.
5. Change the number of residential lots to 13.
6. Change the open space area total to include the area in proposed Lot 14.
7. Change the area to be subdivided to 6.67 acres, area of existing lot 12 as recorded on the final plat.
8. Update the proposed impervious surface total to reflect the removal of Lot 14.
9. Under density calculations change the proposed density to 13 dwelling units.
10. Change the proposed total density to 13 dwelling units.
11. Change the open space provided to include the area in proposed Lot 14.
12. Remove Lot 14 from the map.
13. Update open space labels on the map to reflect correct totals after Lot 14 is removed.

Commissioner Quis asked if the Board might address the open space and its permanence as he was concerned about the future. Ms. Leland advised him that it was outside of the scope of the motion. There was further discussion and Chairman Picerno said Commissioner Quis' point was well taken. Ms. Leland explained further that the statute authorized the action, but the County could put some clarifying language in its ordinance, and she would recommend that. Commissioner Von Canon asked if a major modification (i.e., retaining pond) made after the fact came to the Board of Commissioners. Ms. Ensminger said it (the pond) came before the Board in 2021, and it said it would meet the rule. Ms. Leland said she thought he was referring to the drainage basin which was not a part of the original recorded plat and Ms. Ensminger said no but there was a statement on the plat that said the stormwater requirements would meet the 10 year/25 year rule. She said it was never drawn on the original plat but should have been. Commissioner Von Canon said someone should have okayed that

and Ms. Leland said that was correct. Ms. Leland said they did not go into it, but the covenants were an issue, too. Commissioner Von Canon also questioned the Homeowners Association paying the taxes on land that someone else owns. Ms. Leland said it would have to be conveyed to them. Mr. Shahan said the land was supposed to be given to the Homeowners Association. He said he tried to buy it and someone else did also, but they were told by Wes Caddell that they could not because he had to gift it to the HOA. Ms. Leland offered comments regarding controlling land but not owning it. Mr. Vest offered that once the HOA took ownership, there was a statute regarding common area not being taxable and it would require an application in the month of January. He recommended contacting the Tax Administrator at the appropriate time. Commissioner Von Canon asked Mr. Shahan if there was anything else and Mr. Shahan commented regarding the ownership of open space. Ms. Leland said there was nothing the Board could do about that. Commissioner Quis said that in the Board's evaluation of the Land Use Plan and other aspects of the UDO, he would strongly urge looking at conservation subdivisions.

The motion on the floor carried 5-0.

7. PUBLIC HEARINGS

A. Planning - Public Hearing (Closed 8/15/2023) to Consider Amendments to Chapter 19 (Subdivisions) and Chapter 20 (Definitions) of the Moore County Unified Development Ordinance

Upon request by Chairman Picerno, Planning Director Debra Ensminger reviewed one by one for the Board's consideration proposed text amendments to Chapters 19 and 20 of the Unified Development Ordinance (UDO):

- **Chapter 19, Section 19.4 – Upon motion made by Commissioner Quis, seconded by Commissioner Von Canon, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Commissioner Quis, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the proposed text amendment to Chapter 19, Section 19.4 D, to leave in iii as proposed by the Planning Board.**
- **Chapter 19, Section 19.6 – Upon motion made by Chairman Picerno seconded by Commissioner Ritter, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Chairman Picerno, seconded by Commissioner Cook, the Board voted 5-0 to approve the proposed text amendment to the Moore County UDO, Chapter 19, Section 19.6 E ii to leave in ii as recommended by the Moore County Planning Board.**
- **Chapter 19, Section 19.7 – Chairman Picerno made a motion to adopt the consistency statement approval and the motion failed for lack of a second. Upon motion made by Commissioner Von Canon, seconded by Commissioner Quis, the Board voted 4-1 (Von Canon, Quis, Cook,**

Ritter – for; Picerno – opposed) to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement denial and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Chairman asked if the Board could consider the motion for the text amendment since it did not pass the consistency statement and County Attorney Misty Leland said no. Ms. Ensminger read a proposed motion to deny the amendment and Chairman Picerno told her the Board could not consider it since it did not pass the consistency statement, and she was advised by him and Ms. Leland to continue to the next item. There was further discussion regarding whether the item should be voted upon. It was determined to not vote and the ordinance would stay as it was.

- Chapter 19, Section 19.16 a. – Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the proposed text amendment to the Moore County UDO Chapter 19, Section 19.16 a as recommended by the Moore County Planning Board.
- Chapter 19, Section 19.16 b. – Upon motion made by Chairman Picerno, seconded by Commissioner Cook, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to approve the proposed text amendment to the Moore County UDO Chapter 19, Section 19.16 b as recommended by the Moore County Planning Board.
- Chapter 19, Section 19.16 c. – Upon motion made by Commissioner Quis, seconded by Commissioner Von Canon, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Commissioner Quis, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the proposed text amendment to the Moore County UDO Chapter 19, Section 19.16 c, require existing topography to be shown on preliminary plat and proposed topography as recommended by the Planning Board.
- Chapter 19, Section 19.16 d. – Upon motion made by Commissioner Von Canon, seconded by Commissioner Ritter, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Commissioner Ritter, seconded by

Commissioner Cook, the Board voted 5-0 to approve the proposed text amendment to Chapter 19, Section 19.16 d to require existing and proposed entrance signs to be shown on preliminary plats, if applicable.

- Chapter 19, Section 19.16 e. – Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to approve the proposed text amendment to Chapter 19, Section 19.16 e to require estimated linear feet in streets on preliminary plats and require linear feet in streets on final plats.
- Chapter 19, Section 19.16 f. – Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Commissioner Quis, seconded by Commissioner Cook, the Board voted 5-0 to approve the proposed text amendment f to require estimated percentage of entire project to be covered with impervious surfaces including totals by phase on preliminary plats and require percentage of entire project to be covered with impervious surface including totals by phase on final plats.
- Chapter 19, Section 19.16 g. – Upon motion made by Commissioner Cook, seconded by Commissioner Von Canon, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to approve the proposed text amendment to Chapter 19, Section 19.16 to require estimated separate impervious surface totals by streets, sidewalks, maximum allowed for each lot on preliminary plats and require separate impervious surface totals by streets, sidewalks, maximum allowed for each lot, etc. on final plats.
- Chapter 19, Section 19.16 h. – Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Chairman Picerno, seconded by Commissioner Cook, the Board voted 4-1 (*Picerno, Cook, Quis, Von Canon – for; Ritter – opposed*) to deny adding this to the text amendments. (Commissioner Ritter sought clarification that the motion was to not add it to the Table of Subdivision Application Requirements and the motion was confirmed.)

- Chapter 19, Section 19.16 i. – The Board did not consider this item since earlier in the meeting the vote was to deny a similar request earlier in the meeting. As a result, the stormwater management plans for major subdivisions would remain a requirement at the preliminary plat stage.
- Chapter 19, Section 19.17 – **Upon motion made by Commissioner Von Canon, seconded by Commissioner Ritter, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Commissioner Ritter, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the table of subdivision certification requirement showing the proposed amendment for utilities certification for minor subdivisions.**
- Chapter 20, Section 20.2 – **Upon motion made by Commissioner Quis, seconded by Commissioner Von Canon, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Commissioner Ritter, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the proposed text amendment to Chapter 20 Definitions, Section 20.2 Definitions to add Stormwater Management Plan, Stormwater Control Measures, Dispersed Flow, Vegetated Conveyance, and Post-Construction Stormwater Management Permit, as recommended by the Planning Board.**

The staff report, which includes details of the proposed amendments and Planning Board recommendations, and the signed consistency statements are hereby incorporated as a part of these minutes by attachment as Appendix G.

- B. Planning - Continued Public Hearing from August 15, 2023, to Consider Amendments to the Unified Development Ordinance: Chapter 4 (Zoning Permits, Site Plans, and Determinations), Chapter 7 (General Development Standards) Chapter 8 (Specific Use Standards), Chapter 17 (Flood Damage Prevention) Chairman Picerno opened the duly advertised public hearing regarding this matter, which was continued from August 15, 2023. Mr. Matthew Parker and Mr. Marsh Smith stated their agreement with recommendations determined by the Planning Board regarding zoning decision signs. Planning Director Debra Ensminger reviewed recommendations. There being no further speakers, Chairman Picerno closed the public hearing and the Board considered proposed amendments individually:
- Chapter 4, Section 4.1 – **Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Commissioner Ritter, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the proposed text amendment to Chapter 4, Section 4.1 E to remain in the ordinance as recommended by the Planning Board.**

- Chapter 7, Section 7.8 – Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to approve the proposed text amendment to Chapter 7, Section 7.8 to include in G, 1. iii Manufacturing, General as recommended by the Planning Board.
- Chapter 8, Section 8.114 – Upon motion made by Commissioner Von Canon, seconded by Chairman Picerno, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the proposed text amendment to Chapter 8 Specific Use Standards, Section 8.114 Wireless Communication Facility as recommended by the Planning Board.
- Chapter 17, Section 17.1 – Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement approval and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted 5-0 to approve the proposed text amendment to Chapter 17 Flood Damage Prevention, Section 17.1 Applicability to correct the statute reference.

The staff report and the signed consistency statements are hereby incorporated as a part of these minutes by attachment as Appendix H.

- C. Planning - Call to Public Hearing for a Conventional Rezoning from Residential and Agricultural – 40 (RA-40) to Residential and Agricultural -2 (RA2) – 270 McDuffie Lane
 Planning Director Debra Ensminger presented a request for a call for a public hearing. Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to call for a Public Hearing on September 26, 2023, at 5:30 p.m. for a Conventional Rezoning of one parcel of approximately 2.79 acres, located on 270 McDuffie Lane, from Residential and Agricultural – 40 (RA-40) to Residential and Agricultural – 2 (RA-2) owned by Vass American Legion Post 296, Inc. per the Articles of Merger of McDuffie Post 303, Inc. into Vass American Legion Post 296, Inc. recorded with the Secretary of State as SOSID: 1330021, Deed Book 189, Page 202 and further described as Parcel ID 00022641 in Moore County tax records.
- D. Planning - Call to Public Hearing for a Conventional Rezoning Request: Residential and Agricultural – 40 (RA-40) to Residential and Agricultural – 20 (RA-20) 452 Brown Rd.

Planning Director Debra Ensminger presented a request for a call for a public hearing. **Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to call for a Public Hearing on September 26, 2023 at 5:30 p.m. to consider a Conventional Rezoning of one parcel of approximately 1.37 acres, located on 452 Brown Road, from Residential and Agricultural – 40 (RA-40) to Residential and Agricultural – 20 (RA-20) owned by M Renovation & Design, LLC per Deed Book 5808, Page 477 and further described as Parcel ID 00000811 in Moore County tax records.**

- E. Planning - Call to Public Hearing for a Conventional Rezoning Request: Gated Community Seven Lakes (GC-SL) to Rural Agricultural Urban Service Boundary (RA-USB) – 565 Holly Grove School Rd.
Planning Director Debra Ensminger presented a request for a call for a public hearing. **Upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted 5-0 to call for a Public Hearing on September 26, 2023, at 5:30 p.m. to consider a Conventional Rezoning of one parcel of approximately 2.31 acres, located on 565 Holly Grove School Road, from Gated Community Seven Lakes (GC-SL) to Rural Agricultural Urban Service Boundary (RA-USB) owned by John and Sondra Lundgren per Deed Book 5982, Page 131 and further described as Parcel ID 98000163 in Moore County tax records.**

- F. Planning - Call to Public Hearing for a Conditional Rezoning Request:

- 5307 NC 211 Hwy (Parcel ID 00020642) from B-2 to B-2-CZ,
- 4020 NC 73 Hwy, (Parcel ID 00021818) from RA-40 to B-2-CZ,
- Property Located on NC 73 Hwy (Parcel ID 20220140) from RA-40 to B-2-CZ), and
- Property Located on NC 73 Hwy (Parcel ID 20220139) from RA-40 to B-2-CZ)

Planning Director Debra Ensminger presented a request for a call for a public hearing. **Upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted 5-0 to call for a Public Hearing on September 26, 2023, at 5:30 p.m. to consider a Conditional Rezoning of four adjacent parcels of approximately 5.99 acres to Highway Commercial Conditional Zoning (B-2-CZ) for Retail Sales and a Garden Center as follows:**

5307 NC 211 Hwy, approximately 1.59 acres, owned by Southern Golf and Land, LLC, per Deed Book 5896, Page 149, Parcel ID 00020642 from Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B-2-CZ).

4020 NC 73 Hwy, approximately 2.43 acres, owned by Southern Golf and Land, LLC, per Deed Book 5604, Page 221, Parcel ID 00021818 from Residential and Agricultural-40 (RA-40) to

Highway Commercial Conditional Zoning (B-2-CZ).

Property located on NC 73 Hwy, approximately 1.01 acres, owned by James D. Williams, per Deed Book 5809, Page 51, Parcel ID 20220140 from Residential and Agricultural-40 (RA-40) to Highway Commercial Conditional Zoning (B-2-CZ).

Property located on NC 73 Hwy, approximately 0.96 acres, owned by James D. Williams, per Deed Book 5809, Page 51, Parcel ID 20220139 from Residential and Agricultural-40 (RA-40) to Highway Commercial Conditional Zoning (B-2-CZ).

- G. Planning - Call to Public Hearing for Unified Development Ordinance Amendments to Chapter 6 (Table of Uses) to Add Indoor Athletic Courts as an Allowed Accessory Use within Major Subdivisions
Planning Director Debra Ensminger presented a request for a call for a public hearing. **Upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted 5-0 to call for a public hearing on September 26, 2023, at 5:30 p.m. to consider the above amendments to Chapter 6 of the Moore County Unified Development Ordinance.**
- H. Planning - Call to Public Hearing for Unified Development Ordinance Amendments to Chapter 6 (Table of Uses) and Chapter 8 (Specific Use Standards) to Add Commissary Kitchens as a Specific Use
Planning Director Debra Ensminger presented a request for a call for a public hearing. **Upon motion made by Commissioner Quis, seconded by Commissioner Von Canon, the Board voted 5-0 to call for a public hearing on September 26, 2023, at 5:30 p.m. to consider the above amendments to Chapter 6 and Chapter 8 of the Moore County Unified Development Ordinance.**
- I. Planning - Call to Public Hearing for Unified Development Ordinance amendments to Chapter 8 and Chapter 20 to Add Transitional Living to the Standards for Camp or Care Centers and Define Transitional Living
Planning Director Debra Ensminger presented a request for a call for a public hearing. **Upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted 5-0 to call for a public hearing on September 26, 2023, at 5:30 p.m. to consider the above amendments to Chapter 8 and Chapter 20 of the Moore County Unified Development Ordinance.**
- J. **ADDITIONAL AGENDA ITEM – Transportation – Call to Public Hearing**
Transportation Director Sonia Biggs requested the Board call a public hearing regarding the FY 2024-2025 5311 Community Transportation Program grant application. Chairman Picerno inquired regarding the amount of user fees collected annually and Ms. Biggs provided an estimate. **Upon motion made by Commissioner Quis, seconded by Commissioner Von Canon, the Board**

voted 5-0 to call for a public hearing on September 26, 2023, at 5:30pm to receive public comment regarding the FY 2024-2025 Community Transportation Program grant application.

8. **OLD BUSINESS**

There was no old business.

9. **NEW BUSINESS**

A. **Planning - Sandhills Area Metropolitan Planning Organization Name & Voting Structure**

Planning Director Debra Ensminger informed the Board that the Sandhills Area Metropolitan Planning Organization had recently determined to change its name to Sandhills Metropolitan Planning Organization and had also suggested a voting structure of one vote per jurisdiction with the possibility of a weighted vote if there was a tie vote, and the board for each respective jurisdiction was to vote on these matters. Discussion followed and **upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 for the name to be the Sandhills Metropolitan Planning Organization and for each jurisdiction to be allocated one vote.**

B. **Administration - Moore County Solid Waste - Convenience Center**

Capital Projects Manager Rich Smith presented a request for the contract for the Solid Waste convenience site in Aberdeen. Chairman Picerno inquired regarding the variance in the bids and whether everyone received the same specifications, and Mr. Smith explained that in his experience contractors had different takes on projects. County Manager Wayne Vest offered additional comments and shared that Anson Contractors had done the County's Cell 6 expansion and did great work. **Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to award the bid for the Moore County Solid Waste Convenience Center to Anson Contractors, Inc. in the amount of \$2,724,316.95, and authorize the Chair to sign the contract upon approval by the County Attorney. Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the budget amendment for the use of White Goods funds in the amount of \$270,000.00. Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the Capital Project Ordinance.** The budget amendment and capital project ordinance are hereby incorporated as a part of these minutes by attachment as Appendix I.

C. **Administration - Approval of Capital Expenditures - Apparatus Purchases for High Falls Fire, Cypress Pointe Fire, Pinebluff Fire Departments; and Building Renovations for West End Fire Department**

Chief Mike Cameron presented requests approved by the Moore County Fire Commission for capital expenditures by Highfalls, Cypress Pointe, Pinebluff, and West End. Questions and discussion followed regarding the proposed expenditures. Chief Cameron noted there was one request the Fire Commission was not agreeable with that may come to the Board later. Chairman Picerno asked if departments waited for the Fire Commission to approve before purchases were made and Chief Cameron said mostly, unless it was a

municipality. County Manager Wayne Vest asked Mr. Cameron to review the approval process and he did so. **Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to approve the purchases of capital expenditure requests approved by the Fire Commission at their July 16, 2023, meeting as follows:**

- Highfalls – Engine (down payment), \$69,739
- Cypress Pointe – Brush Truck (one-time expenditure), \$150,350
- Pinebluff – Command vehicle (one-time expenditure), \$50,775
- Pinebluff – Tanker (down payment), \$33,072
- Pinebluff – QRV (down payment), \$24,197
- West End – Building Renovation (one-time expenditure), \$23,308.

Upon motion made by Commissioner Von Canon, seconded by Commissioner Ritter, the Board voted 5-0 to authorize the Chairman to sign the budget amendments. The budget amendments are hereby incorporated as a part of these minutes by attachment as Appendix J.

D. Sheriff - Contract with RCC to Purchase TDMA Compliant Radios for the Sheriff's Office

Major Andy Conway requested approval of a contract for purchase of portable and mobile radios to complete the transition to Time Division Multiple Access compliant two-way communications for the Sheriff's Office. Chairman Picerno asked if the County received sales tax back on the purchases and County Manager Wayne Vest said yes. **Upon motion made by Commissioner Von Canon, seconded by Commissioner Ritter, the Board voted 5-0 to approve the contract with RCC for \$137,099.43 for the purchase of (41) Kenwood portable and (27) Kenwood mobile TDMA compliant radios and authorize the Chair to sign the same.**

E. Sheriff - Contract with Performance Automotive Group

Major Andy Conway requested the Board's approval of a contract for the purchase of two pursuit and two patrol vehicles for the Sheriff's Office. Chairman Picerno inquired regarding the difference between the pursuit and patrol vehicles and Major Conway explained that the V6 patrol vehicle was more of an investigative type of vehicle not consistently used for apprehending people. **Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to approve the contract with Performance Automotive Group and authorize the Chair to sign the same.**

F. Public Works - Water Asset Inventory Assessment ARP Grant Acceptance

County Engineer Brian Patnode asked the Board to accept an offer for \$400,000 from the American Rescue Plan for asset inventory assessment. Chairman Picerno asked what had to be done to do an asset inventory assessment and Mr. Patnode explained that the money would be used to hire a consultant and they would look at all water system assets and at the end of the project would provide a report that would give a ranking and assessment of the different assets. **Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to adopt the resolution to accept the American Rescue Plan (ARP) offer of \$400,000 for the Asset Inventory Assessment (AIA) for the Pinehurst and Vass Water and Wastewater systems and authorize the Chairman to sign and to authorize County staff to complete**

other necessary documents in regard to the acceptance and performance of the project. The resolution is hereby incorporated as a part of these minutes by attachment as Appendix K.

- G. **Public Works - Vass Sewer Phase 2 Contract 3 Change Order Number 1**
County Engineer Brian Patnode requested the Board's approval of a change order to the Vass Sewer Phase 2 Contract 3 which would reduce the contract amount. Commissioners Cook and Quis asked questions regarding the pipe and Mr. Patnode provided explanation. **Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to approve Change Order No. 1 with ELJ, Inc. for a decrease of \$83,597.01 for Contract 3 of Vass Phase 2 Sewer Extension Project and authorize the Chairman to sign.**
- H. **Public Works - Interceptor Replacement Phase II-WPCP**
County Engineer Brian Patnode requested approvals from the Board regarding a contract with BRS, Inc. for the Interceptor Sewer Replacement Phase II Project. **Upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted 5-0 to award a construction contract to BRS, Inc. for an amount not to exceed \$4,190,777.00 for the Interceptor Sewer Replacement Phase II Project and authorize the Chairman to sign after execution by the Contractor contingent upon final approval by the County Attorney. Chairman Picerno made a motion, seconded by Commissioner Quis, to authorize the County Manager or his designee to sign construction change orders for BRS, Inc. up to \$100,000 and all deduct change orders contingent upon approval by the County Attorney. Chairman Picerno asked that those changes be reported to the Board of Commissioners and County Attorney Misty Leland shared that they would be in her contracts report. The motion carried 5-0. Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to approve the budget amendment in the amount of \$4,291,000.00 and authorize the Chairman to sign.** The budget amendment is hereby incorporated as a part of these minutes by attachment as Appendix L.
- I. **Public Works - Vass Sewer Phase 2 Contract 1 Change Order Number 2**
County Engineer Brian Patnode requested the Board's approval of a change order to the Vass Sewer Phase 2 Contract 1 which would reduce the contract amount. **Upon motion made by Commissioner Von Canon, seconded by Commissioner Ritter, the Board voted 5-0 to approve Change Order No. 2 with SKC, Inc. for Contract 1 of Vass Phase 2 Sewer Extension Project and authorize the Chairman to sign.**

10. APPOINTMENTS

- A. **Governing Body - Appointments to the Moore County Board of Health**
Upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted 5-0 to appoint Tyler Brady as the veterinarian member of the Board of Health for a three-year term commencing October 1, 2023, and expiring September 30, 2026.
Chairman Picerno noted that the Board would continue looking for a professional

engineer member to fill the unexpired term of Leo Santowasso, who had recently passed away. Commissioner Quis offered comments of commendation regarding Mr. Santowasso's service.

- B. **Governing Body - Appointment to the Moore County Planning Board**
Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to appoint Guy McGraw to the Moore County Planning Board for a three-year term commencing October 1, 2023, and expiring September 30, 2026.
- C. **Governing Body - Appointments to the Nursing and Adult Care Home Community Advisory Committee**
Upon motion made by Commissioner Ritter, seconded by Commissioner Von Canon, the Board voted 5-0 to appoint Grace Anderson and Ann Wolfe to the Nursing and Adult Care Home Community Advisory Committee for initial one-year terms expiring August 31, 2024.
- D. **Governing Body - Appointment of Town of Carthage Planning Board ETJ Members**
Upon motion made by Commissioner Von Canon, seconded by Commissioner Quis, the Board voted 5-0 to appoint Victoria Riddle and Dena Michelle DeLucia as ETJ members of the Town of Carthage Planning Board for three-year terms expiring June 30, 2026.

11. **ADDITIONAL AGENDA**

There were no additional items.

12. **MANAGER'S REPORT**

The Manager had no further reports.

13. **COMMISSIONERS' COMMENTS**

Commissioner Von Canon commended County staff for their readiness for a recent hurricane, had it presented a problem for Moore County.

Chairman Picerno called for a half hour recess at 2:13pm.

14. **CLOSED SESSION**

The Board reconvened at 2:46pm. **Upon motion made by Chairman Picerno, seconded by Commissioner Quis, the Board voted 4-0 to excuse Commissioner Ritter, who had a prior obligation, from the remainder of the meeting. Upon motion made by Chairman Picerno, seconded by Commissioner Cook, the Board voted 4-0 to enter into closed session pursuant to N.C.G.S. 143-318.11(a)(3) to preserve the attorney-client privilege regarding the cases County of Moore v. 3M Company, et al., Moore County v. Randy Acres and Soek Yie Phan, and other matters. At 3:35pm, upon motion made by Commissioner Von Canon, seconded by Commissioner Quis, the Board voted 4-0 to come out of closed session and seal the minutes.**

ADJOURNMENT

There being no further business, upon motion made by Commissioner Von Canon, seconded by Commissioner Quis, the Board voted 4-0 to adjourn the September 5, 2023, Regular Meeting of the Moore County Board of Commissioners at 3:36pm.



Nick Picerno, Chairman



Laura M. Williams, Clerk to the Board





**A RESOLUTION TO AMEND THE REGULAR MEETING SCHEDULE FOR THE
MOORE COUNTY BOARD OF COMMISSIONERS FOR FISCAL YEAR 2024**

WHEREAS, per N.C.G.S. 153A-40, the Moore County Board of Commissioners shall hold a regular meeting at least once a month and may hold more frequent regular meetings; and

WHEREAS, a regular meeting schedule for FY24 was established by a resolution of the Board adopted on May 2, 2023, and amended via resolution of the Board adopted on July 18, 2023; and

WHEREAS, the Chairman and Vice Chairman will be absent from the September 19, 2023, 5:30pm Regular Meeting due to conflicts in their schedules; and

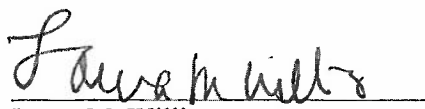
NOW THEREFORE BE IT RESOLVED that the Moore County Board of Commissioners hereby amends its FY24 Regular Meeting Schedule to reschedule the September 19, 2023, 5:30pm Regular Meeting to Tuesday, September 26, 2023, at 5:30pm. The FY24 Regular Meeting schedule will otherwise remain as adopted on May 2, 2023 and July 18, 2023.

FURTHER BE IT RESOLVED that a copy of this resolution be posted on the Courthouse bulletin board and a summary of it be published.

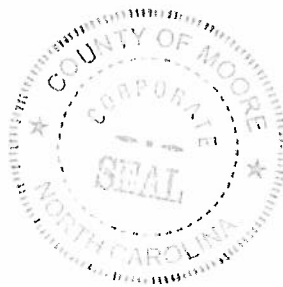
This the 5th day of September 2023.



Nick Picerno
Chairman



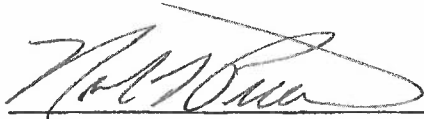
Laura M. Williams
Clerk to the Board



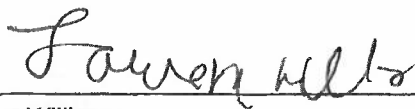
Fiscal Year 2023/2024

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Sheriff - NC Dept of Public Safety Governor's Crime Commission Grant					
Revenue	10032005 36333	GCC 2022 Sheriff Block Grant	-	24,150	24,150
Expense	10019505 56337	GCC 2022 Sheriff Block Grant	-	24,150	24,150

Approved this 5 day of September, 2023



Nick Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



30013

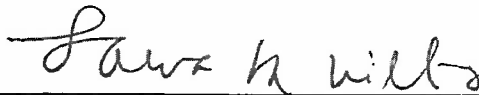
Fiscal Year 2023/2024

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Property Management - Insurance Reimbursement					
Revenue	10018000 36053	Insurance Proceeds	-	8,844	8,844
Expense	10047087 54250	Accident Repairs	30,000	8,844	38,844

Approved this 5 day of September, 2023



Nick Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



30001

County of Moore
Local Educational Bonds – 2018 Bond Referendum (Fund 482)
Project Ordinance – Revision #23

Journal 30002

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 authorized is to provide funds for acquiring and constructing New Elementary Schools and improving, expanding and renovating other public school facilities; also will provide funds, for acquiring, constructing, improving, expanding, renovating and equipping community college facilities, including Nursing Education Facilities.

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 Local Educational Bonds – 2018 Bond Referendum Capital Project Ordinance:

New Southern Pines Elementary School:

	Budget	Incr./Decr.	Revised Budget
Architect	\$ 1,770,000	\$ -	\$ 1,770,000
Construction	\$ 31,183,483	\$ -	\$ 31,183,483
FF&E	\$ 2,306,540	\$ -	\$ 2,306,540
Cost of Issuance	\$ 300,185	\$ -	\$ 300,185
Transfer to Capital Res for Govt Project	\$ 2,901,361	\$ -	\$ 2,901,361
2019 SP GO BD Premium	\$ -	\$ -	\$ -
Modernization EL Gym Project MEGYM	\$ 3,474,273	\$ -	\$ 3,474,273
Transfer to General Fund Digital Equip	\$ 243,215	\$ -	\$ 243,215
Transfer to General Fund - Interest Debt	\$ 150,000	\$ -	\$ 150,000
Total	\$ 42,329,057	\$ -	\$ 42,329,057

New Pinehurst Elementary School:

	Budget	Incr./Decr.	Revised Budget
Architect	\$ 2,453,000	\$ -	\$ 2,453,000
Pinehurst Modular Classrooms	\$ 2,400,000	\$ -	\$ 2,400,000
Construction	\$ 29,636,186	\$ -	\$ 29,636,186
FF&E	\$ 2,306,540	\$ -	\$ 2,306,540
Cost of Issuance	\$ 259,210	\$ -	\$ 259,210
Contingency	\$ 945,064	\$ -	\$ 945,064
GO Bond Premium	\$ -	\$ -	\$ -
Modernization EL Gym Project MEGYM	\$ 4,712,988	\$ -	\$ 4,712,988
Transfer to Capital Res for Govt Project	\$ 4,853,000	\$ -	\$ 4,853,000
PHST Transfer to GF Digital Equip	\$ 132,078	\$ -	\$ 132,078
Total	\$ 47,698,066	\$ -	\$ 47,698,066

New Aberdeen Elementary School:

	Budget	Incr./Decr.	Revised Budget
Construction	\$ 26,816,930	\$ -	\$ 26,816,930
Contingency	\$ -	\$ -	\$ -
Off-Site Sewer	\$ 450,000	\$ -	\$ 450,000
FF&E/Tech	\$ 1,895,550	\$ -	\$ 1,895,550
Testing & Inspection	\$ 93,270	\$ -	\$ 93,270
Cost of Issuance	\$ 274,042	\$ -	\$ 274,042
2018 Aberdeen GO BD Prem	\$ -	\$ -	\$ -
Modernization EL Gym Project MEGYM	\$ 353,726	\$ 376,372	\$ 730,098
Carthage EL-HVAC Bld 7	\$ 56,700	\$ (9,118)	\$ 47,582
Elise MS-Buried boiler	\$ 378,000	\$ (346,000)	\$ 32,000
Vass LE-HVA Bld 5	\$ 108,000	\$ (79,500)	\$ 28,500
Carthage EL-Return piping	\$ 216,000	\$ -	\$ 216,000
Community L-Air handlers	\$ 108,000	\$ -	\$ 108,000
Sandhills FL-Heat pumps	\$ 199,600	\$ (79,375)	\$ 120,225
Carthage EL-Gym	\$ 43,200	\$ (16,095)	\$ 27,105
Carthage EL-Fire alarm	\$ 140,400	\$ (53,400)	\$ 87,000
All schools-Classroom display syst	\$ 387,400	\$ -	\$ 387,400
Elise MS-Gym	\$ 27,000	\$ 41,917	\$ 68,917
Union Pines-Furnace ROTC Bld	\$ 13,000	\$ (6,025)	\$ 6,975
Sandhills FL-Install foundation	\$ 40,500	\$ (7,376)	\$ 33,124
Highfalls ES-sanitary lift station	\$ -	\$ -	\$ -
NMHS-sanitary lift station	\$ 254,000	\$ (1,462)	\$ 252,538
Union Pines-Water main pipes	\$ 56,755	\$ 180,062	\$ 236,817
Transfer to General Fund Digital Equip	\$ 1,124,707	\$ -	\$ 1,124,707
Transfer to Southern Pines Construction	\$ 1,560,208	\$ -	\$ 1,560,208
Transfer to General Fund - Interest Debt	\$ 150,000	\$ -	\$ 150,000
Total	\$ 34,746,988	\$ -	\$ 34,746,988

SCC Nursing Education Facilities:

	Budget	Incr./Decr.	Revised Budget
Architect	\$ 1,510,050	\$ -	\$ 1,510,050
SCC Construction	\$ 15,142,635	\$ -	\$ 15,142,635
Cost of Issuance	\$ 353,500	\$ -	\$ 353,500
SCC Contingency	\$ 560,424	\$ -	\$ 560,424
SCC FF&E	\$ 2,119,382	\$ -	\$ 2,119,382
SSC Planning & Design	\$ 314,009	\$ -	\$ 314,009
SCC GO Bond Premium	\$ -	\$ -	\$ -
Phase I & II - Water Utility Improvements	\$ -	\$ -	\$ -
Meyer Hall Science Lab Renovations	\$ 2,109,310	\$ (1,100,000)	\$ 1,009,310
Fire & Construction Education Center	\$ -	\$ 1,100,000	\$ 1,100,000
SCC Transfer to CR for GOV PROJ	\$ 1,600,000	\$ -	\$ 1,600,000
Total	\$ 23,709,310	\$ -	\$ 23,709,310

Section 4. The following revenues are anticipated to be available to complete the Local Educational Bonds – 2018 Bond Referendum Project Ordinance:

New Southern Pines Elementary School:

	Budget	Incr./Decr.	Revised Budget
Transfer from Capital Res for Govt Project	\$ 2,901,361	\$ -	\$ 2,901,361
2019 SP GO BD Proceeds	\$ 34,000,000	\$ -	\$ 34,000,000
2019 SP GO BD Premium	\$ 3,474,273		\$ 3,474,273
SP Sales Tax Refund	\$ 243,215	\$ -	\$ 243,215
2019 SP GO BD Interest	\$ 150,000	\$ -	\$ 150,000
Transfer from New Aberdeen Elementary	\$ 1,560,208	\$ -	\$ 1,560,208
Total	\$ 42,329,057	\$ -	\$ 42,329,057

New Pinehurst Elementary School:

	Budget	Incr./Decr.	Revised Budget
Transfer from Capital Res for Govt Project	\$ 4,853,000	\$ -	\$ 4,853,000
2019 PHST GO BD Proceeds	\$ 38,000,000	\$ -	\$ 38,000,000
2019 PHST GO BD Premium	\$ 4,712,988	\$ -	\$ 4,712,988
PHST Sales Tax Refund	\$ 132,078	\$ -	\$ 132,078
Total	\$ 47,698,066	\$ -	\$ 47,698,066

New Aberdeen Elementary School:

	Budget	Incr./Decr.	Revised Budget
2018 Aberdeen GO BD Proceeds	\$ 31,000,000	\$ -	\$ 31,000,000
2018 Aberdeen GO BD Prem	\$ 2,472,281	\$ -	\$ 2,472,281
2018 Aberdeen GO Bond Int	\$ 730,837	\$ -	\$ 730,837
Aberdeen Elem Sales Tax Refund	\$ 543,870	\$ -	\$ 543,870
Total	\$ 34,746,988	\$ -	\$ 34,746,988

SCC Nursing Education Facilities:

	Budget	Incr./Decr.	Revised Budget
Transfer from Capital Res for Govt Project	\$ 1,600,000	\$ -	\$ 1,600,000
SCC GO BD Proceeds	\$ 20,000,000	\$ -	\$ 20,000,000
SCC GO BD Premium	\$ 2,109,310	\$ -	\$ 2,109,310
Total	\$ 23,709,310	\$ -	\$ 23,709,310

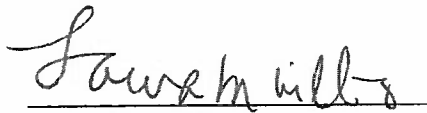
Section 5. The Finance Officer is hereby directed to maintain within the Project Fund sufficient specific detailed accounting records to satisfy the requirements of North Carolina General Statutes, federal regulations and any other applicable laws.

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

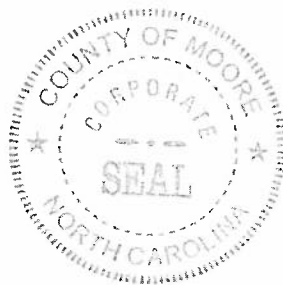
Section 7. The Finance Officer is directed to report the financial status of the project, as requested by the Board of Commissioners.

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 5th day of September 2023.


Laura M. Williams
Clerk to the Board


Nick Picerno, Chairman
Moore County Board of Commissioners



County of Moore
Vass Phase II Sewer System Improvements (Fund 411)
Capital Project Ordinance – Revision 8

Journal 30012

BE IT ORDAINED by the Board of Commissioners, County of Moore, North Carolina, pursuant to North Carolina General Statute § 159-13.2, the following Capital Project Ordinance is hereby adopted as follows:

Section 1. The Capital Project authorized is the Vass Phase II Sewer System Improvements will include sewer service to the unsewered portion of the Town of Vass.

Section 2. The officers and staff of this unit are hereby directed to proceed with the project within the terms of any bond documents and the budget contained herein.

Section 3. The following amounts are appropriated for the Vass Phase II Sewer System Improvements:

	Budget	Incr./Decr.	Revised Budget
Construction	\$ 10,294,916	\$ -	\$ 10,294,916
Contingency	\$ 515,211	\$ (8,029)	\$ 507,182
Engineering & Inspection	\$ 750,996	\$ 8,029	\$ 759,025
USDA Application	\$ -	\$ -	\$ -
Land & Rights	\$ 8,029	\$ -	\$ 8,029
Interest for Interim Financing	\$ 577,000	\$ -	\$ 577,000
Legal Services - Bond Counsel	\$ 37,500	\$ -	\$ 37,500
Administrative Costs	\$ 6,300	\$ -	\$ 6,300
Transfer to Public Utilities Reserve Fund	\$ 362,418	\$ -	\$ 362,418
Environmental - Wetland Mitigation	\$ 48,000	\$ -	\$ 48,000
Bond Anticipation Note Principal Payment	\$ 3,430,000	\$ -	\$ 3,430,000
Bond Anticipation Note Principal Pymt II (Subsequent Fund)	\$ 1,227,000	\$ -	\$ 1,227,000
Bond Anticipation Note Principal Pymt III (Subsequent Fund)	\$ 756,000	\$ -	\$ 756,000
Total	\$ 18,013,370	\$ -	\$ 18,013,370

Section 4. The following revenues are anticipated to be available to complete the Vass Phase II Sewer System Improvements:

USDA Revenue Bond	\$ 3,430,000	\$ -	\$ 3,430,000
Transfer from Public Utilities	\$ -	\$ -	\$ -
Tap Fees	\$ 12,000	\$ -	\$ 12,000
USDA Grant	\$ 1,414,000	\$ -	\$ 1,414,000
Transfer fr Public Utilities Capital Reserve Fund	\$ 362,418	\$ -	\$ 362,418
USDA Subsequent Revenue Bond	\$ 1,227,000	\$ -	\$ 1,227,000
USDA Subsequent Grant	\$ 1,926,000	\$ -	\$ 1,926,000
Contribution Pump Station Upgrade	\$ 307,550	\$ -	\$ 307,550
CDBG Contribution from Vass	\$ 35,402	\$ -	\$ 35,402
Vass Contribution	\$ 125,000	\$ -	\$ 125,000
Bond Anticipation Note Proceeds	\$ 3,430,000	\$ -	\$ 3,430,000
Bond Anticipation Note Proceeds II (Subsequent Fund)	\$ 1,227,000	\$ -	\$ 1,227,000
USDA Subsequent Revenue Bond II	\$ 756,000	\$ -	\$ 756,000
USDA Subsequent Grant II	\$ 3,005,000	\$ -	\$ 3,005,000
Bond Anticipation Note Proceeds III (Subsequent Fund)	\$ 756,000	\$ -	\$ 756,000
Total	\$ 18,013,370	\$ -	\$ 18,013,370

Section 5. The Finance Officer is hereby directed to maintain within the Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Trustee, documents and agreements as it relates to the bond, 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 5th day of September 2023.



Nick Picerno, Chairman
Moore County Board of Commissioners



Laura M. Williams
Clerk to the Board



**CONSTITUTION WEEK 2023
A PROCLAMATION**

WHEREAS, September 17, 2023, marks the two hundred and thirty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week; and

NOW, THEREFORE, the Board of Commissioners for the County of Moore hereby proclaims the week of September 17 through 23, 2023, as Constitution Week.

Witness our hands this the 5th day of September 2023.

Nick Picerno, Chairman

Frank Quis, Vice Chairman

Kurt Cook, Commissioner

John Ritter, Commissioner

Jim Von Canon, Commissioner



FAMPO

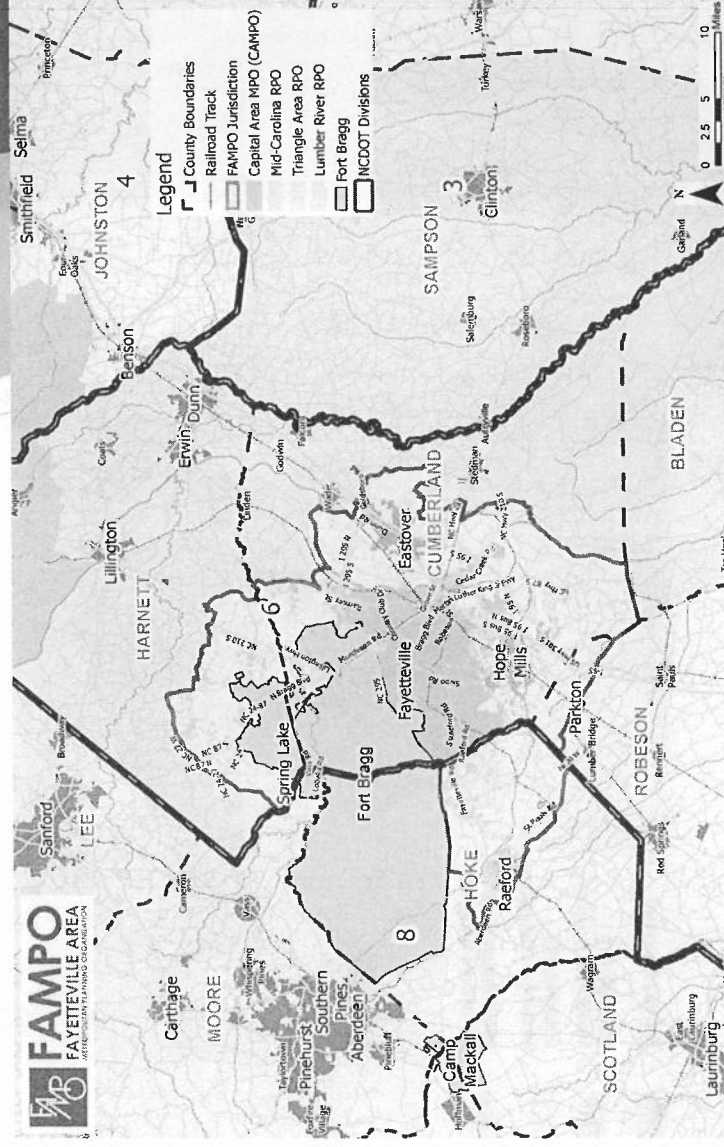
Boundary Assessment



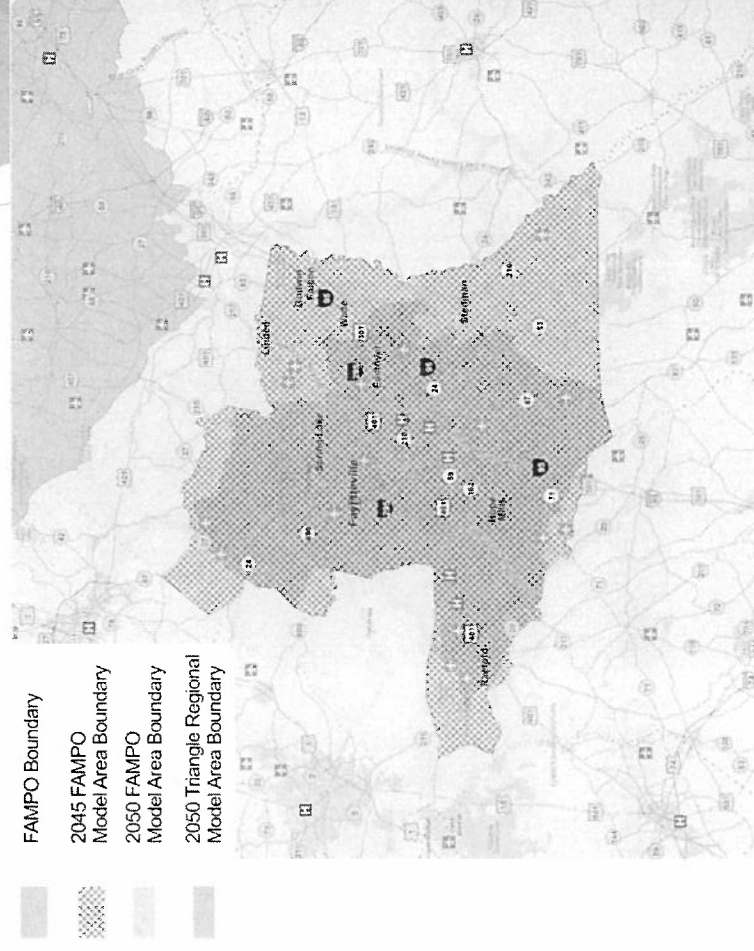
Moore County Board of Commissioners
September 5, 2023

Overview

- FAMPO boundary last expanded in December 2014
- The urbanized area changed to reflect the 2010 Census
- This project is exploring alternatives for expanding the FAMPO boundary, to reflect the 2020 census results (23CFR450.312).
- Alternatives may include:
 - Expansion to match travel demand model boundary
 - Soft expansion (locations may vary)
 - No expansion



Travel Demand Model Boundary



The FAMPO 2050 Travel Demand Model recently expanded to include all of Cumberland and Hoke Counties, a majority of Harnett County, and portions of Robeson and Moore Counties.

Public Agency Involvement

We are in the process of collecting feedback and gauging interest from existing and prospective member agencies:

- Cities/Towns
- Counties
- Neighboring MPOs/RPOs
- Fort Liberty
- NCDOT



MPO Responsibilities

- Federal requirements
 - Help urbanized areas plan for the development, improvement, and management of transportation systems [23CFR450.308](#)
 - Use funds to support intermodal transportation planning for the movement of people and goods [23CFR450.306](#)
 - Develop long-range plans with a 20-year or greater planning horizon (MTP) [23CFR450.312](#)
 - Develop Transportation Improvement Program (TIP) [23CFR450.315](#)
 - Develop UPWP (Unified Planning Work Program) [23CFR450.314](#)
- State Requirements
 - Set Highway Safety Improvement Programs (HSIP) targets for safety performance measures [FHWA MPO Fact Sheet](#)

Local & Flexible Funding

- Locally Administered Projects Program (LAPP)
 - Federally administered to Transportation Management Areas (TMAs) / MPOs with over 200,000 population
- Three sources of LAPP funding to build local projects
 1. Surface Transportation Block Grant Program – Direct Attributable (STBG-DA)
 2. Transportation Alternative Program – Direct Attributable (TA-DA)
 3. Carbon Reduction Program Funds
- Competitive projects awarded to FAMPO member jurisdictions
- Minimum 20% required match
- Applicants are responsible for fronting the project costs and requesting reimbursement
- Projects must be identified in the MTP and the STIP

Surface Transportation Block Grant - Direct Attributable (STBG-DA)

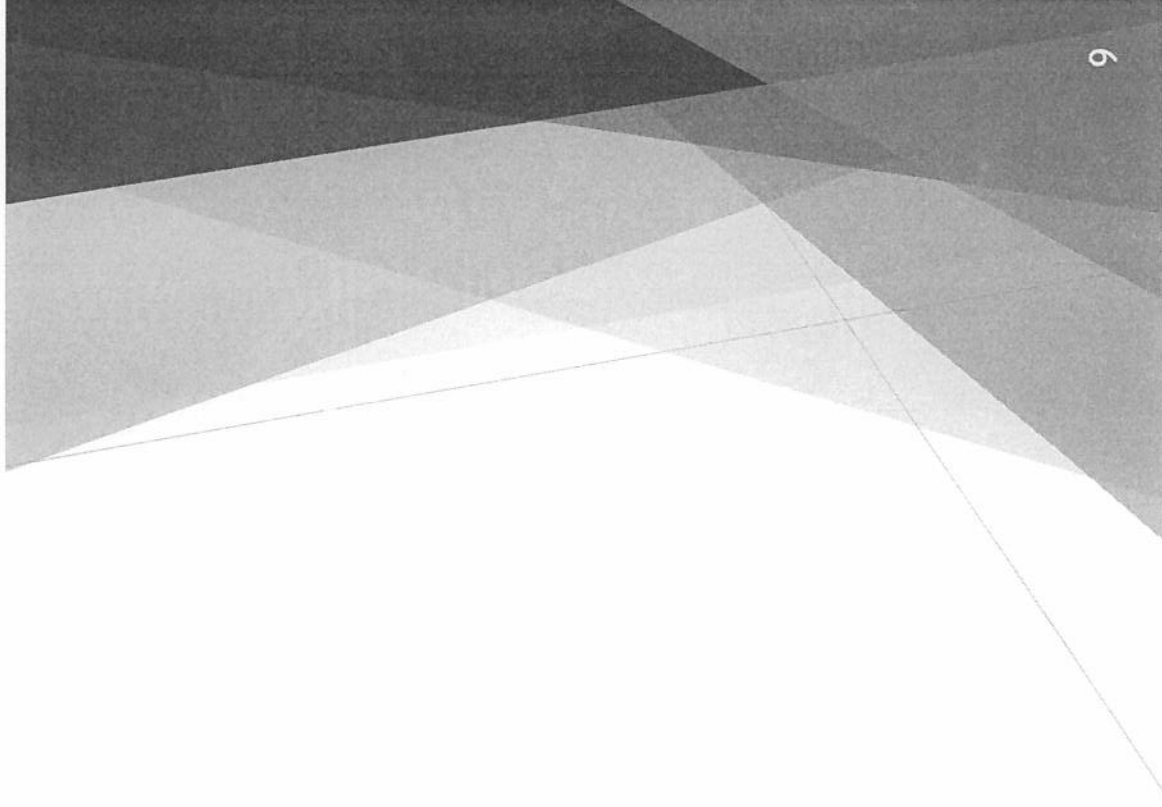
- Provides flexible funding to be used for projects to preserve and improve conditions on:
 - Federal aid highways
 - Public bridges and tunnels
 - Bicycle infrastructure
 - Pedestrian infrastructure
 - Transit Capital projects
 - More
- FAMPO receives \$5.8 million annually

Transportation Alternatives (TA-DA)

- Provides flexible funding to be used for projects to preserve and improve conditions on:
 - Bicycle facilities
 - Pedestrian facilities
 - Community improvements like historic preservation and vegetation management
 - Safe Routes to School
- FAMPO receives \$740,000 annually

Carbon Reduction Efforts

- Eligible emission reduction projects include:
 - Electric vehicle charging
 - Electric vehicles
 - Transit facilities
 - Carpool facilities
 - Bicycle and pedestrian facilities
- FAMPO receives \$708,000 annually
- Current funds available: \$3,540,000

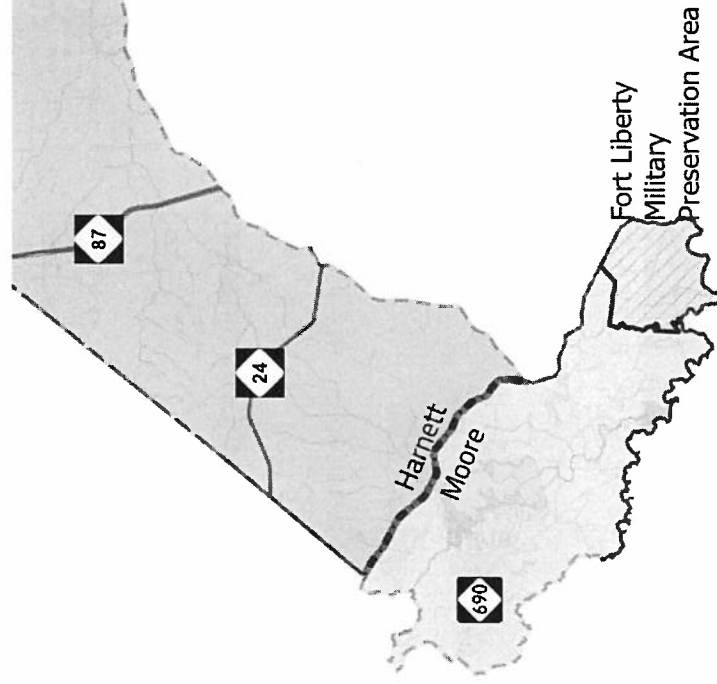


Additional Considerations

- Dues
 - Moore County financial contribution to FAMPO
- Organizational structure and governing boards
 - Moore County Board of Commissioners representative on the FAMPO Board
 - Moore County staff member on the FAMPO Technical Coordinating Committee

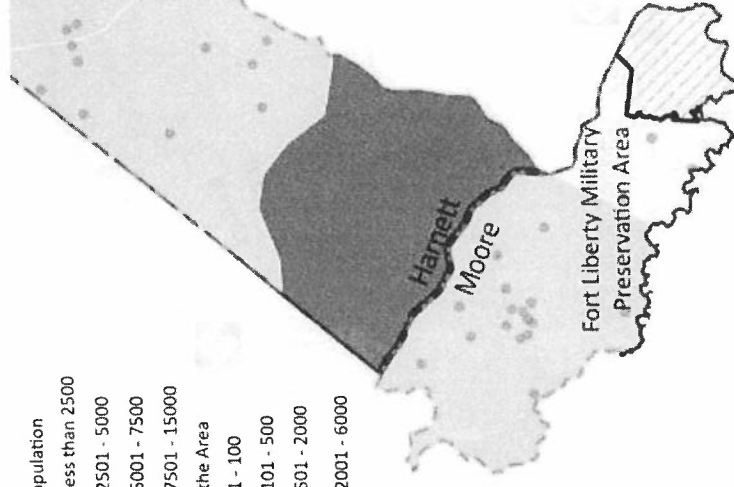
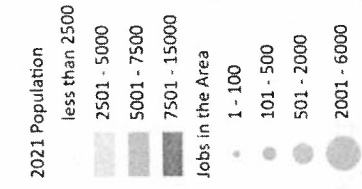
Proposed Area for Expansion

- Portion of eastern Moore County
- No incorporated municipalities



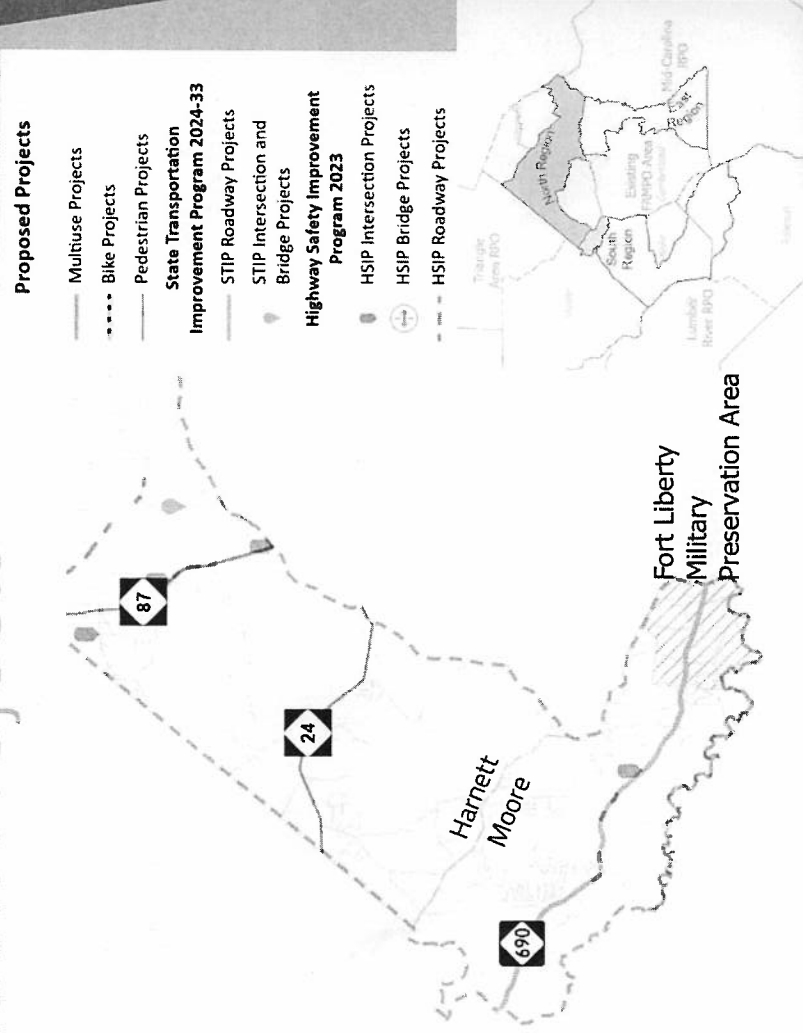
Population and Employment

- Population gain:
 - Moore County: 4,681
- Employment gain:
 - Moore County: 201



Notable Transportation Projects

- Transportation Improvement Project R-5824, NC 690 (Lobelia Road)
 - Upgrade roadway to include turn lanes at various locations. From US 1 in Vass to Cumberland County line.
- Highway Safety Improvement Project 62100127
 - Intersection improvement at McPherson Rd and Lobelia Rd



Schedule and Next Steps

- June 2023 – Project initiation
- August 2023 – Public agency workshop #1 and alternatives identification
- September 2023 – Alternatives assessment
- October 2023 – Public agency workshop #2 and alternative selection
- November 2023 – Draft Memorandum of Understanding (TAC Meeting 11/29/2023)
- December 2023 – Final Memorandum of Understanding and FHWA approval

Questions / Discussion



Agenda Item: 7.A.
Meeting Date: September 5, 2023

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Debra Ensminger, Planning Director
DATE: 08/18/2023
SUBJECT: Public Hearing (Closed 8/15/2023) to Consider Amendments to Chapter 19 (Subdivisions) and Chapter 20 (Definitions) of the Moore County Unified Development Ordinance
PRESENTER: Debra Ensminger, Planning Director

REQUEST: A request to amend Chapter 19 (Subdivisions) and Chapter 20 (Definitions) of the Moore County Unified Development Ordinance.

BACKGROUND: The following text amendments were approved by the Planning Board on October 6, 2022. They were brought before the Board of Commissioners on November 15, 2022. At that time, the Board recommended that the amendments be considered by the incoming Board. Since November, three additional items (3, 4b, and 6 below) have been added to these proposed amendments. The Planning Board considered the following amendments at a Special Meeting on June 15, 2023. The Planning Board recommendations are included after each item listed below.

Bold Text – additions to the ordinance
~~Strikethrough Text~~ – deletions from the ordinance

1. Chapter 19 (Subdivisions) Section 19.4 (Family Subdivisions) to remove Subdivision Review Board (SRB) requirements to approve family subdivision plats as follows:

D. ACTION BY THE ADMINISTRATOR

- i. The Administrator shall render a decision within 14 working days after receipt of the completed plat.
- ii. The plat shall not be approved by the Administrator until all additional documents have been reviewed and approved.
- iii. ~~If no decision is rendered by the Administrator within the required 14-day period, the applicant may refer the Family Subdivision plat to the Subdivision Review Board for review.~~
- iv. If the subdivision is disapproved, the Administrator shall promptly furnish the applicant with a written statement of the reasons for disapproval.

REASON. To streamline the process for reviewing Family Subdivisions.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0: recommended the Subdivision Review Board (SRB) requirements to approve family subdivision plats

remain and not be removed.

2. Chapter 19 (Subdivisions) Section 19.6 (Minor Subdivisions) to remove Subdivision Review Board (SRB) requirements to approve minor subdivisions.

E. ACTION BY THE ADMINISTRATOR

- i. The Administrator shall render a decision on a minor subdivision application within 14 working days after receipt of the completed plat and additional documents.
- ii. ~~If no decision is rendered by the Administrator within the required 14-day period, the applicant may refer the plat to the Subdivision Review Board for review.~~
- iii. If the subdivision is disapproved, the Administrator shall promptly furnish the applicant with a written statement of the reasons for disapproval.

REASON. To streamline the process for reviewing Minor Subdivisions.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0: recommended the Subdivision Review Board (SRB) requirements to approve minor subdivision plats remain and not be removed.

3. Chapter 19 (Subdivisions) to change Stormwater Management Plan requirements from preliminary plat stage (Section 19.7) to final plat stage, update the requirements to be consistent with current NCDEQ policies, and move this language to Section 19.11 (Construction Process).

G. C. DRAINAGE

A Stormwater Management Plan with Stormwater Control Measures (SCMs) meeting the most current edition of the North Carolina Department of Environmental Quality Stormwater Design Manual shall be required prior to final plat submittal for subdivisions in a WS-II, WS-III, or WS-IV Watershed. Projects within a High-Quality Watershed (HQW) or an Outstanding Resource Watershed (ORW) also require a Post-Construction Stormwater Management Permit from the North Carolina Department of Environmental Quality Division of Energy, Mineral and Land Resources (DEMLR) prior to the construction of any built-upon area. For example, a proposed subdivision in a WS-IIIP watershed and not in a HQW is required to submit a stormwater management plan to the County but does not need a Post-Construction Stormwater Management Permit from DEMLR. When a Post-Construction Stormwater Management Permit is required, it shall be obtained from DEMLR, and a copy of the permit shall be submitted to the County prior to final plat preliminary plat approval. All structural stormwater Subdivisions in the HQW, with up to 12% built-upon area are considered Low Density where stormwater runoff may be through dispersed flow or vegetated conveyance. Projects with greater than 12% built-upon area are High Density and require engineered Stormwater Control Measures (SCMs) per DEMLR. Best Management Practices (BMPs) shall meet the most current edition of the North Carolina Department of Environmental Quality, Division of Water Quality's Stormwater Best Management Practices Manual. All stormwater control structures shall be designed by a state registered professional with qualifications appropriate for the type of system required. Residential subdivisions shall have systems designed to protect to the ten (10) year storm level, and commercial and industrial shall be protected to the twenty-five (25) year storm level. Each lot shall contain a suitable building area safe from inundation and erosion. Sanitary sewer systems, septic tank drainfields, water systems, wells, and adjacent properties shall be protected from inundation by surface water. Where a

~~subdivision is traversed by a stream or drainage way, an easement shall be provided conforming with the lines of such stream and be of sufficient width to provide adequate drainage for the subdivision. If a stream or drainage way does not cross a subdivision, a 20 feet wide drainage way easement shall be provided along the topographically lowest property line(s) of lots within the subdivision.~~

REASON. To reflect current North Carolina Department of Environmental Quality standards. The NCDEQ requires a post-construction stormwater management permit prior to construction of any impervious surfaces when a proposed subdivision is located in a High-Quality Watershed. When a proposed subdivision is not in a High-Quality Watershed, the developer would still be required to submit a stormwater management plan to the County. This requirement is recommended to be moved from the preliminary plat approval stage to be required at the final plat approval stage because creating a stormwater management plan can be very expensive for the developer. Moving the requirement allows the developer to spend that money once they know the subdivision is approved.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 3-2 to recommend approval of this item.

4. Chapter 19 (Subdivisions) Section 19.16 (Subdivision Plat Requirements) to change items on the Table of Subdivision Application Requirements as follows:

a. Proposed buildings are required only if applicable on preliminary plats.

REASON. At the preliminary plat stage, no lots have been sold and no buildings are proposed. All buildings will be required to meet zoning and building code requirements before building permits are issued.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0 to recommend approval of this item.

b. Existing buildings are required only on exempt, minor, and family subdivisions.

REASON. This is to ensure that no subdivision would create a setback violation on an exempt, minor, or family subdivision. For major subdivisions, any existing buildings would likely be removed to allow for the development and sale of the new lots.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0 to recommend approval of this item.

c. Allow existing topography to be shown on preliminary plats, not proposed topography.

REASON. The proposed topography is not determined until a grading plan is created, which is done after the preliminary plat is approved.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0 to recommend changing the word "allow" to "require," changing the word "not" to "and" proposed topography, and approve this item.

d. Allow existing and proposed entrance signs to be shown on preliminary plats if applicable.

REASON. As with buildings, there may be no entrance signs proposed at preliminary plat stage.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0 to recommend changing the word "allow" to "require" and approve this item.

e. Allow estimated linear feet in streets on preliminary plats and require linear feet in streets on final plats.

REASON. This number may change between preliminary plat approval and construction of streets.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0 to recommend changing the word “allow” to “require” and approve this item.

f. Allow estimated Percentage of entire project to be covered with impervious surfaces, including totals by phase on preliminary plats and require percentage of entire project to be covered with impervious surface, including totals by phase on final plats.

REASON. Impervious surface numbers may be estimated at preliminary plat stage since some of the details of buildings, streets, and sidewalks are still to be determined.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0 to recommend changing the word “allow” to “require” and approve this item.

g. Allow estimated separate impervious surface totals by streets, sidewalks, maximum allowed for each lot on preliminary plats and require separate impervious surface totals by streets, sidewalks, maximum allowed for each lot, etc. on final plats.

REASON. The total area of impervious surfaces in streets, and sidewalks may have minor changes between preliminary plat approval and final plat approval.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0 to recommend changing the word “allow” to “require” and approve this item.

h. Primary and secondary fire and rescue responders are required on preliminary and final plats.

REASON. This is to show which fire and rescue department would respond in case of an emergency. This requirement is already in the text of the UDO, but not included in the table of subdivision application requirements.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0 to recommend not adding this item to the Table of Subdivision Application Requirements.

i. Allow Stormwater Management Plans for major subdivisions to be submitted at final plat stage rather than preliminary plat stage.

REASON. A stormwater management plan will be required before any construction takes place. Obtaining a stormwater management plan at preliminary plat stage can impose an unnecessary cost burden on the developer.

PLANNING BOARD RECOMMENDATIONS. The Planning Board voted 3-2 to recommend approval of this item.

PROPOSED TEXT. The Table of Subdivision Application Requirements showing the proposed amendments is attached to this staff report for reference.

5. Chapter 19 (Subdivisions), Section 19.17 (Subdivision Plat Certification Requirements) to remove the requirement for a utilities certificate on minor subdivision plats.

PROPOSED TEXT. The Table of Subdivision Certification Requirements showing the proposed amendment is attached to this staff report for reference.

REASON. Improvements for utilities are very rarely installed for minor subdivisions.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0 to keep the requirement for a utilities certificate on Minor Subdivision Plats.

6. Chapter 20 (Definitions) Section 20.2 (Definitions) to add the following definitions as follows:

STORMWATER MANAGEMENT PLAN: The set of drawings and other documents that comprise all the information and specifications for the programs, drainage systems, structures, BMPs, concepts, and techniques intended to maintain or restore quality of stormwater runoff to pre-development levels.

STORMWATER CONTROL MEASURES (SCMs): Also known as “Best Management Practice” or “BMP” means a permanent structural device that is designed, constructed, and maintained to remove pollutants from stormwater runoff by promoting settling or filtration; or to mimic the natural hydrologic cycle by promoting infiltration, evapo-transpiration, post-filtration discharge, reuse of stormwater, or a combination thereof.

DISPERSED FLOW: Uniform shallow flow that is conveyed to a vegetated filter strip (as defined in 15A NCAC 2H .1059), another vegetated area, or stormwater control measure. The purpose of “dispersed flow” is to remove pollutants through infiltration and setline, as well as to reduce erosion prior to stormwater reaching surface waters.

VEGETATED CONVEYANCE: A permanent, designed waterway lined with vegetation that is used to convey stormwater runoff at a non-erosive velocity within or away from a developed area.

POST-CONSTRUCTION STORMWATER MANAGEMENT PERMIT: A permit obtained from the North Carolina Department of Environmental Quality Department of Energy, Mineral, and Land Resources to minimize the impact of stormwater runoff from development on the water quality of surface waters and to protect their designated best usages in in High Quality Watersheds (HQW) and Outstanding Resource Waters (ORW).

REASON. To be consistent with NCDEQ definitions and provide context for Section 19.11 listed above.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0 to recommend approval of this item.

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The Board of Commissioners Consistency Statement which speaks to Land Use Plan goals is included for the Board’s review and consideration.

FINANCIAL IMPACT: No financial impact to the County’s FY 2023-2024 budget.

IMPLEMENTATION PLAN: Consider the recommended motions or reopen the Public Hearing from August 15, 2023

RECOMMENDATION SUMMARY: Staff recommends the Moore County Board of Commissioners make two separate motions:

Motion #1: Make a motion to adopt the attached Moore County Board of Commissioners Land Use Plan Consistency Statement (**Approval or Denial**) and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605.

Motion #2: Make a motion to **Approve** or **Deny** the proposed text amendment to the Moore County Unified Development Ordinance.

- ATTACHMENTS:**
1. Board of Commissioners Consistency Statements
 2. Table of Subdivision Application Requirements with proposed amendments
 3. Table of Subdivision Certification Requirements with proposed amendments
 4. RLUAC Statement of No Comments

Moore County Board of Commissioners
Land Use Plan Consistency Statement
 Text Amendment - Unified Development Ordinance
 19.4 Family Subdivisions

The Moore County Board of Commissioners finds that:

The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Board of Commissioners recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair
 Moore County Board of Commissioners

9/5/23

 Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

19.6 Minor Subdivisions

The Moore County Board of Commissioners finds that:

The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - o The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Board of Commissioners recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair
 Moore County Board of Commissioners

9/5/23

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
 Text Amendment - Unified Development Ordinance
Stormwater management plan 19.7 → 19.11

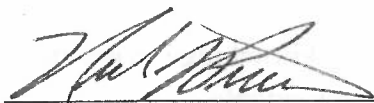
The Moore County Board of Commissioners finds that:

The proposed text amendment is not consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is not consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.

The proposed text amendment is not reasonable and not in the public interest because the proposed text amendment will have an unreasonable impact on the community.

Therefore, the Moore County Board of Commissioners recommends **DENIAL** of the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair
 Moore County Board of Commissioners

9/5/23

Date

Moore County Board of CommissionersLand Use Plan Consistency StatementText Amendment - Unified Development Ordinance19.16 ^A Subdivision Plat Requirements

The Moore County Board of Commissioners finds that:

The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - o The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Board of Commissioners recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair

Moore County Board of Commissioners

9/5/23

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
 Text Amendment - Unified Development Ordinance

19.16 B

The Moore County Board of Commissioners finds that:

The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Board of Commissioners recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair
 Moore County Board of Commissioners

9/5/23

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

19.16 c

The Moore County Board of Commissioners finds that:

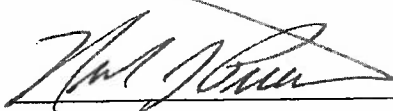
The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Board of Commissioners recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair

Moore County Board of Commissioners

9/5/23

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

19.16 D

The Moore County Board of Commissioners finds that:

The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Board of Commissioners recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair

Moore County Board of Commissioners

9/5/23

 Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
 Text Amendment - Unified Development Ordinance

19.16 E

The Moore County Board of Commissioners finds that:

The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Board of Commissioners recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair

Moore County Board of Commissioners

9/5/23

 Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
 Text Amendment - Unified Development Ordinance

19.16 F

The Moore County Board of Commissioners finds that:

The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Board of Commissioners recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair

Moore County Board of Commissioners

9/5/23

 Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

19.16 G

The Moore County Board of Commissioners finds that:

The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - o The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Board of Commissioners recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair

Moore County Board of Commissioners

9/5/23

 Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance
 19.16.14

The Moore County Board of Commissioners finds that:

The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - o The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Board of Commissioners recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair

Moore County Board of Commissioners

9/5/23

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
 Text Amendment - Unified Development Ordinance
 19.17

The Moore County Board of Commissioners finds that:

The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - o The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Board of Commissioners recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair

Moore County Board of Commissioners

9/5/23

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
 Text Amendment - Unified Development Ordinance

20.2

The Moore County Board of Commissioners finds that:

The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Board of Commissioners recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair
 Moore County Board of Commissioners

Date 9/5/23



Agenda Item: 7.B.
Meeting Date: September 5, 2023

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Debra Ensminger, Planning Director
DATE: 08/18/2023
SUBJECT: Continued Public Hearing from August 15, 2023, to Consider Amendments to the Unified Development Ordinance: Chapter 4 (Zoning Permits, Site Plans, and Determinations), Chapter 7 (General Development Standards) Chapter 8 (Specific Use Standards), Chapter 17 (Flood Damage Prevention)
PRESENTER: Debra Ensminger, Planning Director

REQUEST: A request to amend Chapter 4 (Zoning Permits, Site Plans, and Determinations), Chapter 7 (General Development Standards), Chapter 8 (Specific Use Standards), and Chapter 17 (Flood Damage Prevention) of the Moore County Unified Development Ordinance.

BACKGROUND: The text amendments below were approved by the Planning Board on October 6, 2022. They were brought before the Board of Commissioners on November 15, 2022. At that time, the Board of Commissioners recommended that the amendments be considered by the incoming Board. Since November, one amendment (item 4 below) has been added to these proposed amendments. The Planning Board considered the following amendments at a Special Meeting on June 15, 2023. The Planning Board recommendations are included after each item listed below.

Bold Text – additions to the ordinance
Strikethrough Text – deletions from the ordinance

1. Chapter 4 (Zoning Permits, Site Plans, and Determinations), Section 4.1 (Zoning Permit Required) to remove the zoning decision sign requirements for new non-residential buildings or changes of use as follows:

E. ZONING DECISION SIGN

~~The applicant shall post a sign containing the words "Zoning Decision" in letters at least 6 inches high, including contact information of the Administrator, on the site in a prominent location including street frontage, and provide evidence to the Administrator within 10 days of the permit issuance for new non-residential buildings or changes of use, for a minimum of 10 days to notify the neighbors, or the Zoning Permit shall be null and void.~~

REASON. Requiring the creation of a zoning decision sign places a burden on the developer and is difficult to monitor.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0: recommended

the zoning decision sign requirement remain and not be removed.

2. Chapter 7 (General Development Standards), Section 7.8 (Highway Corridor Overlay District) to add "Manufacturing, General" to uses allowed by Conditional Zoning in the Urban Transition Highway Corridor Overlay District as follows:

G. CONDITIONAL ZONING USES

1. URBAN TRANSITION SUB-DISTRICT

Any commercial buildings in excess of 10,000 square feet and any of the following use types may only be permitted within an underlying conditional zoning district when the lot or site is also located in the Urban Transition sub-district of the HCOD:

- i. Group Care Facility;
- ii. All uses listed under "Vehicle Services" in the commercial uses portion of the principal use table (see Chapter 6).
- iii. **Manufacturing, General**

REASON. Manufacturing, General uses have the potential to be intensive and may impact the visual character and appearance of the highway corridor. The Urban Transition Highway Corridor Overlay District is intended to improve property, support the natural conditions, and keep development consistent with the visual character and appearance of the nearby towns. To protect these goals, it is recommended that these uses require a Conditional Zoning approval when proposed to be in the Urban Transition Highway Corridor Overlay District.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0 to recommend approval of this item.

3. Chapter 8 (Specific Use Standards) Section 8.114 (Wireless Communication Facility) to remove the requirement for a Biennial Operating Permit for persons operating Wireless Communication Facilities as follows:

~~10. BIENNIAL OPERATING PERMIT~~

~~Persons operating wireless communication facilities on the effective date of this Ordinance shall comply with this permit requirement. Before a biennial operating permit shall be issued or renewed, the applicant must certify that:~~

- ~~i. In compliance with current FCC rules and FCC license is in good standing.~~
- ~~ii. Evidence of the continued Liability Insurance of a minimum \$1,000,000.~~
- ~~iii. Evidence of any bond or other security if the wireless communications facility remains in full force.~~
- ~~iv. Permit fees shall not be pro-rated.~~
- ~~v. Private business users operating a single wireless communications facility at their place of business and government uses are exempt from the fee.~~

REASON. The Biennial Operating Permit requires operators of cell towers to pay a fee every two years. The items required for approval of a Biennial Operating Permit are also required when a new tower is built, or when any collocations of equipment on an existing tower are proposed. Additionally, there is nothing in NCGS 160D that requires counties to require a Biennial Operating Permit. This requirement creates redundancy and imposes unnecessary fees on Wireless Communications Facility operators.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0 to recommend approval of this item.

4. Chapter 17 (Flood Damage Prevention) Section 17.1 (Applicability) to correct the statute reference as follows:

SECTION 17.1. APPLICABILITY

A. In accordance with NCGS Chapter 143, Article 21 and Chapter 153A, ~~Articles 6 and 18, Chapter 160D-923~~, this Chapter shall apply to all Special Flood Hazard Areas within Moore County's planning jurisdiction, and within the jurisdiction of any other community whose governing body agrees, by resolution, to such applicability.

REASON. To correct the statute reference to reflect NCGS 160D.

PLANNING BOARD RECOMMENDATION. The Planning Board voted 5-0 to recommend approval of this item.

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The Board of Commissioners Consistency Statement which speaks to Land Use Plan goals is included for the Board's review and consideration.

FINANCIAL IMPACT: The Planning Department fee schedule will need to be updated to reflect the removal of the Biennial Operating Permit if approved.

IMPLEMENTATION PLAN: Hold a Public Hearing from August 15, 2023.

RECOMMENDATION SUMMARY: Staff recommends the Moore County Board of Commissioners make two separate motions:

Motion #1: Make a motion to adopt the attached Moore County Board of Commissioners Land Use Plan Consistency Statement (**Approval** or **Denial**) and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605.

Motion #2: Make a motion to **Approve** or **Deny** the proposed text amendments to the Moore County Unified Development Ordinance.

ATTACHMENTS:

1. RLUAC Statement of No Comments
2. Board of Commissioners Consistency Statements

Moore County Board of Commissioners
Land Use Plan Consistency Statement
 Text Amendment - Unified Development Ordinance

4.1

The Moore County Board of Commissioners finds that:

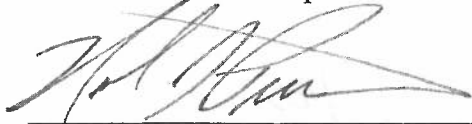
The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Board of Commissioners **APPROVES** the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair

Moore County Board of Commissioners

9/5/23

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

7.8

The Moore County Board of Commissioners finds that:

The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

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Therefore, the Moore County Board of Commissioners **APPROVES** the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair

Moore County Board of Commissioners

9/5/23

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance
 8.114

The Moore County Board of Commissioners finds that:

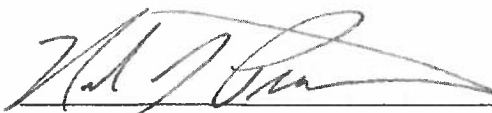
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2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Board of Commissioners **APPROVES** the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair

Moore County Board of Commissioners

9/5/23

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
 Text Amendment - Unified Development Ordinance

17.1

The Moore County Board of Commissioners finds that:

The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Board of Commissioners **APPROVES** the text amendment to the Unified Development Ordinance, as proposed.



Nick Picerno, Chair

Moore County Board of Commissioners

9/5/23

Date

Fiscal Year 2023/2024

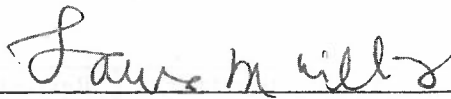
	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Administration - Appropriated Fund Balance					
Revenue	10019000 32950	Appropriated Fund Balance	66,546	270,000	336,546
Expense	10036056 59969	Tr to SW Improvement Project	-	270,000	270,000

Approved this 5 day of September, 2023



Nick Picerno

Moore County Board of Commissioners



Laura Williams

Clerk to the Board



30011

County of Moore
Solid Waste Improvement Capital Project (Fund 435)
Capital Project Ordinance Revision 10

Journal 30010

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	\$ 256,938	\$ -	\$ 256,938
Earthwork/Stormwater Projects	\$ 418,160	\$ -	\$ 418,160
Geotechnical & Environmental Services	\$ 53,914	\$ -	\$ 53,914
Contingency	\$ -	\$ -	\$ -
Construction Phase Services	\$ 44,841	\$ -	\$ 44,841
Subtotal	\$ 773,853	\$ -	\$ 773,853

Solid Waste Other Capital Projects:	Budget	Incr./Decr.	Revised Budget
Cameron Collection Site Modification	\$ -	\$ -	\$ -
Aberdeen Collection Site (SWABE)	\$ 2,487,532	\$ 847,707	\$ 3,335,239
Scale House Project	\$ 775,000	\$ (577,707)	\$ 197,293
Containers	\$ -	\$ 260,000	\$ 260,000
Subtotal	\$ 3,262,532	\$ 530,000	\$ 3,792,532
Total	\$ 4,036,385	\$ 530,000	\$ 4,566,385

Section 4. The following revenues are anticipated to be available to complete the Solid Waste Improvement Capital Project Ordinance:

	Budget	Incr./Decr.	Revised Budget
Transfer from General Fund	\$ 2,782,000	\$ 530,000	\$ 3,312,000
Transfer from Capital Res for Gov Projects	\$ 1,254,385	\$ -	\$ 1,254,385
Total	\$ 4,036,385	\$ 530,000	\$ 4,566,385

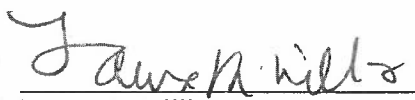
Section 5. The Finance Officer is hereby directed to maintain within the Project Fund sufficient specific detailed accounting records to satisfy the requirements of North Carolina General Statutes, federal regulations and any other applicable laws.

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

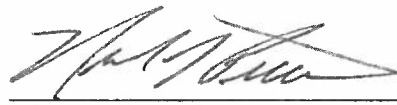
Section 7. The Finance Officer is directed to report the financial status of the project, as requested by the Board of Commissioners.

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.

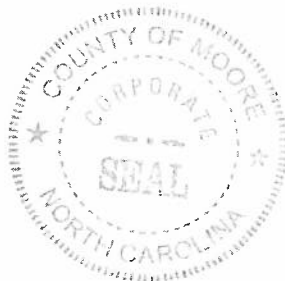
Adopted this 5th day of September 2023.



Laura M. Williams
Clerk to the Board



Nick Picerno, Chairman
Moore County Board of Commissioners



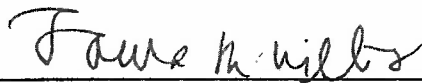
Fiscal Year 2023/2024

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Fund 215 Fire Commission/Cypress Pointe Fire Department - Appropriated Fund Balance					
Revenue	21519000 32950	Appropriated Fund Balance	336,130	127,210	463,340
Expense	21555500 56085	Cypress Pointe Fire CY Tax	820,023	127,210	947,233

Approved this 5 day of September, 2023



Nick Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



30005

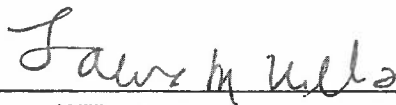
Fiscal Year 2023/2024

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Fund 215 Fire Commission/High Falls Fire Department - Appropriated Fund Balance					
Revenue	21519000 32950	Appropriated Fund Balance	336,130	69,739	405,869
Expense	21555500 56038	Highfalls Current Year Tax	304,631	69,739	374,370

Approved this 5 day of September, 2023



Nick Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



30006

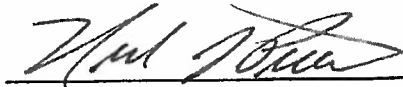
Fiscal Year 2023/2024

Budget Line Item Number	Budgeted Amount	Increase/ (Decrease)	Revised Budget
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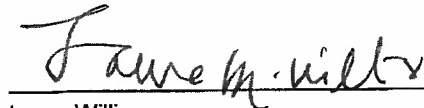
Fund 215 Fire Commission/Pinebluff Fire Department - Appropriated Fund Balance

Revenue	21519000 32950	Appropriated Fund Balance	336,130	50,984	387,114
Expense	21555500 56046	Pinebluff Current Year Tax	340,544	50,775	391,319
Expense	21555500 56046	Pinebluff Current Year Tax	391,319	209	391,528

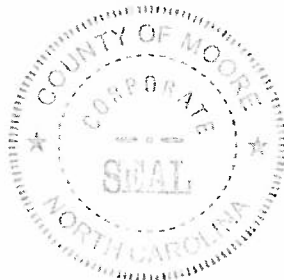
Approved this 5 day of September, 2023



Nick Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



30007

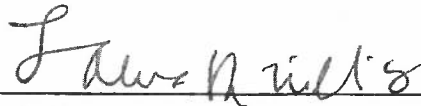
Fiscal Year 2023/2024

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Fund 215 Fire Commission/West End Fire Department - Appropriated Fund Balance					
Revenue	21519000 32950	Appropriated Fund Balance	336,130	11,732	347,862
Expense	21555500 56056	West End Current Year Tax	556,701	11,732	568,433

Approved this 5 day of September, 2023



Nick Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



30008

RESOLUTION BY APPROVING WATER INFRASTRUCTURE GRANT – WATER AIA

WHEREAS, the American Rescue Plan (ARP) funded from the State Fiscal Recovery Fund was established in S.L. 2021-180 to assist eligible units of government with meeting their water/wastewater infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered American Rescue Plan (ARP) funding in the amount of \$400,000.00 to perform an Asset Inventory and Assessment study detailed in the submitted application, and

WHEREAS, the County of Moore intends to perform said project in accordance with the agreed scope of work,

NOW, THEREFORE, BE IT RESOLVED That the County of Moore does hereby accept the American Rescue Plan (ARP) offer of \$400,000.00.

That the County of Moore does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

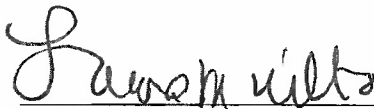
That Nick Picerno, Chairman and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this the 5th day of September, 2023.

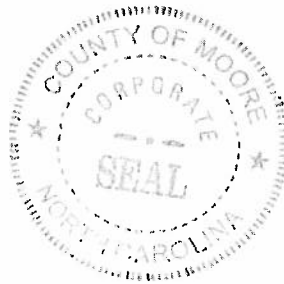


Nick Picerno, Chairman
Board of Commissioners

ATTEST:



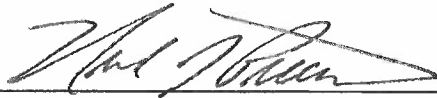
Laura M. Williams
Clerk to the Board



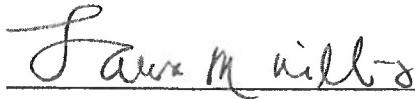
Fiscal Year 2023/2024

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Water Pollution Control Plant - Appropriated Retained Earnings					
Revenue	60019000 36002	Appropriated Retained Earnings	1,208,994	4,291,000	5,499,994
Expense	60040055 55014	Morganton Road	-	4,291,000	4,291,000

Approved this 5 day of September, 2023



Nick Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



30004