



Moore County Board of Commissioners

January 23, 2024 | 5:30 PM
Historic Courthouse
1 Courthouse Square
Carthage, NC 28327

MINUTES

COMMISSIONERS PRESENT:

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

CALL TO ORDER

Chairman Picerno called the meeting to order.

INVOCATION

Pastor Earl Payne of Bright Light Baptist Church offered the invocation.

PLEDGE OF ALLEGIANCE

Finance Director Caroline Xiong led the Pledge of Allegiance.

Chairman Picerno welcomed everyone and thanked staff for responding to the cold recently and setting up a warming station. He noted that Board had an excellent meeting at Pinecrest the previous Thursday on land use and that he was looking forward to the Board's work session the coming Thursday.

1. PUBLIC COMMENT PERIOD

The following offered comments: John Misiaszek, Bill Hammond, Jeanne Hammond. Chairman Picerno offered information in response to the comments.

2. ADDITIONAL AGENDA

County Manager Wayne Vest noted two additional agenda items for consideration and Chairman Picerno directed that the two items, a supplemental response letter for the FY23 annual audit and a support letter for a capital purchase by Highfalls Fire & Rescue, be added to the Consent Agenda. There was no objection to these additions.

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.

CONSENT AGENDA

Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to approve the following consent agenda items, and the budget amendments, tax releases/refunds resolutions, budget ordinance amendment, supplemental response letter, and Highfalls Fire & Rescue letter are hereby incorporated as a part of these minutes by attachment as Appendices A, B, C, D, and E, respectively.

- A. Board of Commissioners - January 8, 2024, Special Meeting Minutes
- B. Board of Commissioners - January 9, 2024, Regular Meeting Minutes
- C. Finance - Budget Amendments
- D. Tax - Tax Releases/Refunds-Month of December 2023
- E. Board of Commissioners - Rename Homelessness Task Force to Homeless and Community Outreach Task Force
- F. Administration - Amend the FY23-24 Budget Ordinance, Section 10. Trust and Custodial Funds-for the Sheriff's Department
- G. ADDITIONAL ITEM: Finance - Supplemental Response to the Financial Performance Indicators of Concern in the Annual Audit FY2023
- H. ADDITIONAL ITEM: Administration – Letter Supporting Highfalls Fire & Rescue, Inc. Lease Purchase Transaction

3. RECOGNITIONS

There were no recognitions.

4. PRESENTATIONS

There were no presentations.

5. PUBLIC HEARINGS

- A. GIS/IT - Public Hearing - Amendment to the Road Name and Addressing Ordinance to Add Two Roads
GIS Programmer Analyst Rachel Smith presented a request for amendment to the Road Name and Addressing Ordinance to add two roads. Chairman Picerno opened the duly advertised public hearing regarding this matter. There were no speakers. Chairman Picerno closed the public hearing. **Upon motion made by Commissioner Ritter, seconded by Commissioner Cook, the Board voted 5-0 to add two roads to the Moore County Road Name and Addressing Ordinance as proposed.** The amendment is hereby incorporated as a part of these minutes by attachment as Appendix F.
- B. Planning - Public Hearing for a Conventional Rezoning Request: Industrial (I) to Highway Commercial (B-2) 3449 Vass Carthage Road
Planning Director Debra Ensminger presented a request for a conventional rezoning from Industrial to Highway Commercial at 3449 Vass Carthage Road.

Chairman Picerno asked if this was reducing uses and Ms. Ensminger said yes. Chairman Picerno opened the duly advertised public hearing regarding this matter.

Mr. James Gibbons, owner, discussed how the property was currently used and plans for a renter to purchase the building.

There were no further speakers and Chairman Picerno closed the public hearing.

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 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 conventional rezoning of one parcel of approximately 2.54 acres, located on 3449 Vass Carthage Road, Carthage, NC from Industrial (I) to Highway Commercial (B-2), owned by Creative Sparks, LLC, per Deed Book 3879 and Page 52. The consistency statement and Ms. Ensminger's staff report are hereby incorporated as a part of these minutes by attachment as Appendix G.

C. Planning - Public Hearing for a Text Amendment Chapter 6. Table of Uses - Section 6.1. Principal Use Table, Recreation, High Impact Outdoor

Planning Director Debra Ensminger presented and explained a request for amendment to Chapter 6 of the Unified Development Ordinance. She noted it would allow the use of High Impact Outdoor Recreation within the Planned Development Conditional Rezoning District and the commissioners would have the final say as it was conditional. Chairman Picerno asked if someone brought this request forward and Ms. Ensminger said there had been several inquiries regarding mixed use. Commissioner Cook discussed that this seemed like offering a blank check and Commissioner Quis discussed possible uses such as a driving range, lighted, with nets. Chairman Picerno noted the request was just to put the use in the table and allow the requestor to ask, and there could be a use that was not as high impact that would not get the opportunity to come forward without it.

Chairman Picerno opened the duly advertised public hearing regarding this matter.

Ms. Janice Gregorich, Mayor of Foxfire Village, said this item was just brought to her attention. She said smart, compatible growth should be encouraged. She encouraged the commissioners to focus on smart, appropriate development and not just on things that developers wanted to do. She suggested listening to the taxpayers and raising the bar for development.

There were no further speakers and Chairman Picerno closed the public hearing.

Ms. Ensminger reviewed information regarding the table of uses and what was permitted.

Commissioner Quis said he opposed including this in the table of uses and inquired about whether this affected the land use plan such that the consistency statement needed to be considered and Ms. Ensminger said yes.

Commissioner Quis made a motion, seconded by Commissioner Ritter, to adopt the Moore County Land Use Plan Inconsistency Statement and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Commissioner Cook inquired about whether everything was brought out before the commissioners when they

considered the planned development and Ms. Ensminger said yes. The motion to adopt the **Land Use Plan Inconsistency Statement** carried 3-2 (*Quis, Cook, Ritter – for; Picerno, Von Canon – opposed*). **Commissioner Von Canon made a motion, seconded by Chairman Picerno, to approve the amendments to Chapter 6 of the Moore County Unified Development Ordinance as proposed. The motion failed 2-3 (Von Canon, Picerno – for; Quis, Cook, Ritter – opposed).**

D. Planning - Public Hearing for Unified Development Ordinance Amendments to Chapter 8 Section 8.103.B (Solar Collectors, On-Site- Ground Mounted Solar Panels) and Section 8.103.C (Roof Mounted Panels)

Planning Director Debra Ensminger presented and explained a request for amendments to Chapter 8 of the Unified Development Ordinance regarding solar collectors. Commissioner Ritter inquired regarding what was allowed and when the statute that the County was inconsistent with was enacted. County Attorney Misty Leland shared that it was first introduced in 2019 and revised twice in 2020 and there was also a new law in 2023, and she discussed case law.

Commissioner Ritter asked if the current ordinance limited location on the roof and also the height of ground-mounted panels. Ms. Leland explained that location and screening could be regulated as long as they did not prevent reasonable use. Discussion followed.

Chairman Picerno opened the duly advertised public hearing regarding this matter. There were no speakers. Chairman Picerno closed the public hearing. **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 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 amendments to Chapter 8 of the Moore County Unified Development Ordinance as proposed. The consistency statement and Ms. Ensminger's staff report are hereby incorporated as a part of these minutes by attachment as Appendix H.**

E. Planning - Public Hearing for Unified Development Ordinance Amendments to Chapter 10 – Section 10.7- Staff Review and Action (A. Initial Staff Review, A.3.B. Staff Report and Recommendation Heading, B.2 & B.5)

Planning Director Debra Ensminger presented and explained a request for amendments to Chapter 10 of the Unified Development Ordinance regarding staff review and action.

Chairman Picerno opened the duly advertised public hearing regarding this matter. There were no speakers. Chairman Picerno closed the public hearing. **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 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 amendments to Chapter 10 of the Moore County Unified Development Ordinance as proposed. The consistency statement and Ms. Ensminger's staff report are hereby incorporated as a part of these minutes by attachment as Appendix I.**

6. QUASI-JUDICIAL HEARINGS

A. Planning - Quasi-Judicial Hearing for a Special Use Permit Request: Religious Institution (SDA Sandhills Church)-441 Monroe Road, Cameron, NC

Chairman Picerno announced that the next item on the agenda was a request by SDA Sandhills Church for a Special Use Permit to operate a Religious Institution 10.14 acres, located at 441 Monroe Road, owned by Carolina Conference of Seventh Day Adventists, Inc., per Deed Book 5847 Page 230, Plat Cabinet 19, Slide 256., and further described as ParID 00003368. He explained that the hearing on this matter was judicial in nature and would be conducted in accordance with special due process safeguards, explained the proceedings, and called witnesses forth to be sworn. The following witnesses were sworn by the Clerk to the Board: Donald Berrong, Robert Nunnally, Janie Johnston, Sarah Dabolt, Debra Ensminger, and Danielle Orloff.

Chairman Picerno offered opportunity for Board members to describe information or special knowledge they had about the case and/or reveal any possible conflicts and withdraw from the proceedings, and there was none. He further explained the proceedings and then opened the quasi-judicial hearing, duly advertised.

Planning Director Debra Ensminger made the staff presentation regarding the request.

Mr. Donald Berrong, chair of the building committee for the proposed project, explained plans for Phases 1 and 2, with Phase 1 including the construction of a picnic shelter. He discussed the sizes of proposed structures.

Mr. Robert Nunnally shared that he had moved to Carthage in 1990 and had travelled back and forth to Pittsboro for 25 years to attend an SDA church as there had not been one in the area. He said he was asked if he would be interested in planting a church in Moore County and had been renting facilities for about seven years. He said they had the opportunity to purchase property. He discussed the history of the church and noted that as the County was growing, having the SDA church would be good for the growth of the County as the closest ones were in Fayetteville, Rockingham, and Pittsboro.

Ms. Janie Johnston of 407 Monroe Road next to the church property shared that she raised goats on her property and expressed concerns regarding the church having a parking lot, loud noises, and lights that could harm her income from raising the goats. She discussed disruption to wildlife and said she had nothing against a church, but it was literally in her back yard.

Ms. Sarah Dabolt of 469 Monroe Road next to the church property noted the peaceful, rural nature of the property when she had purchased hers six years prior. She discussed that five houses had been built in front of her and now the church was proposed behind her, which she believed would cause increased

traffic, lights, and noise, and she felt would cause more harm than good to the rural community. Chairman Picerno asked where the houses were built, and Ms. Dabolt explained further.

Commissioner Quis asked about buffer requirements. Moore County Senior Planner Danielle Orloff reviewed the buffer and explained that it was required through the site plan approval process. Chairman Picerno asked what kind of buffers were required and Ms. Orloff explained that in addition to what they had, they could choose screening from the UDO.

Chairman Picerno asked if the applicant had held conversation with the people that lived in the area, and they said no.

There was discussion regarding the existing natural buffer, which Ms. Dabolt said did not block a whole lot. Mr. Berrong shared that they would have to meet the landscape plan including shrubs and more trees. He said they also cut as little as they could initially, clearing 1.7 acres, and tried to be sensitive to the neighbors.

Commissioner Von Canon asked if the property were sold to a developer, how many homes could be put there currently, and Ms. Ensminger said four.

County Attorney Misty Leland explained that the ordinance allowed for conditions such as additional buffers, as long as the owners consented.

Chairman Picerno asked if staff had a recommendation and Ms. Ensminger offered a proposed motion. Ms. Leland noted that there were people who spoke in opposition and Ms. Ensminger confirmed that the use met all required conditions and specifications. Chairman Picerno asked if they wanted to approve it with additional buffering, how it could be worded. Ms. Leland indicated it would be worded accordingly and then would go in the Board Order and the owner would have to consent. Chairman Picerno asked what would happen if they did not consent and Ms. Leland said the Board could approve or deny it. Chairman Picerno inquired about screening such as a fence, and Commissioner Von Canon suggested recessing for the parties to discuss. Ms. Leland said they could do that for the parties, not the commissioners. Chairman Picerno called for a five-minute recess.

Upon reconvening, Ms. Leland noted that Commissioner Von Canon had spoken to the parties and asked him to share for the record what they had talked about. Commissioner Von Canon said he had shared that there were other uses for the property. Commissioner Quis asked if some agreement had been reached. Ms. Johnston indicated she was fine as long they did a buffer, and it was ensured no one bothered her goats or farm dogs. Mr. Berrong said they would make sure no one went on the property and would do a buffer. He indicated they were willing to work with the neighbors to address their concerns. Chairman Picerno inquired about approving with buffering agreeable to the parties involved and how to make sure they were protected. Ms. Leland explained that they could not enforce something that was arbitrary and undefined and would need something that could

specifically be written out in the Board Order. Commissioner Cook asked if they could maybe meet with an arborist or professional in the field and Ms. Leland said they could, and if they could be more specific that would be sufficient also.

Commissioner Quis inquired about the Johnston property and Ms. Johnston showed her property on a map displayed.

Commissioner Ritter asked what was required already in addition to the tree line and Ms. Leland said Type 3 – existing undisturbed natural vegetation, 20 feet wide, a minimum of 15 trees at least half evergreen, and 15 shrubs for every 100 linear feet of lot boundary. Chairman Picerno asked if that would be in the Board Order and Ms. Ensminger said yes.

Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the Special Use Permit for SDA Sandhills Church to operate a religious institution on 10.14 acres, located at 441 Monroe Road, owned by Carolina Conference of Seventh Day Adventists, Inc., per Deed Book 5847, page 230, Plat Cabinet 19, Slide 256, with the condition of the screening as expressed by the Planning Director which should be included in the Board Order. Chairman Picerno closed the hearing. The staff report for this item is hereby incorporated as a part of these minutes by attachment as Appendix J.

7. OLD BUSINESS

There was no old business.

8. NEW BUSINESS

A. Social Services - Medicaid Expansion Staffing Request

Interim Social Services Director David Richmond requested two new positions for DSS due to the implementation of the mandated Medicaid Expansion Program. Chairman Picerno inquired regarding County funding and Mr. Richmond indicated there would be no cost to the County as long as the expansion was still in effect. Chairman Picerno noted current vacancies in DSS and asked for more information and Mr. Richmond shared that there had been some retirements and some medical reasons, and that some of the vacancies were in child welfare where it was common to have turnover due to the stressful nature of the job. He said there were currently seven positions and Chairman Picerno asked if any of those were in Medicaid Expansion and he said no. Chairman Picerno asked if he was deficient in any part of Medicaid positions and Mr. Richmond said there were two IMCs. **Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the establishment of one new IMC III (Income Maintenance Caseworker III) and one new IM Supervisor II (Income Maintenance Supervisor II) for the Moore County Department of Social Services for the Medicaid Expansion Program. Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the Social Services budget amendment for the two new positions with costs prorated for five months. The budget amendment**

is hereby incorporated as a part of these minutes by attachment as Appendix K.

B. Public Works - Emergency Bypass Rental Amendment No.1. Sunbelt Rentals - Water Pollution Control Plant

Public Works Director Randy Gould requested approval for an amendment to the contract with Sunbelt Rentals. Upon inquiry by Commissioner Cook, Mr. Gould explained the delay. **Commissioner Ritter made a motion, seconded by Commissioner Cook, to approve contract amendment no. 1 with Sunbelt Rentals, Inc. for the rental of emergency bypass pumps at the Water Pollution Control Plant raw sewage pump station and authorize the Chairman to sign.** Chairman Picerno noted that the item was under New Business rather than Consent due to the amount of money and giving the public the opportunity to hear the item. **The motion to approve carried 5-0.**

C. Administration - FY 2024-2025 Proposed Budget Adoption Schedule for the County of Moore

County Manager Wayne Vest requested the Board's approval of a proposed schedule for the adoption of the FY2025 budget. **Upon motion made by Commissioner Ritter, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the budget schedule which includes the statutory requirement for the public hearing to be held on Tuesday, June 18, 2024, and adopt the County of Moore FY 2025 budget at a special-called meeting by the Board prior to July 1, 2024.**

9. APPOINTMENTS

A. Board of Commissioners - Appointment of Alternate Delegate to Central Pines Regional Council Board of Delegates

Upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted 5-0 to appoint Commissioner Cook as an alternate delegate to the Central Pines Regional Council Board of Delegates.

B. Board of Commissioners - Appointment of Budget Task Force Member

Upon motion made by Chairman Picerno, seconded by Commissioner Quis, the Board voted 5-0 to appoint Commissioner Cook to the Budget Task Force in place of Commissioner Quis.

10. ADDITIONAL AGENDA

Chairman Picerno noted a request to reconsider motions for Agenda Item 5.C. regarding a text amendment to Chapter 6 of the Unified Development Ordinance. County Attorney Misty Leland reviewed the procedures for reconsideration. **Upon motion made by Commissioner Cook, seconded by Chairman Picerno, the Board voted 4-1 (Cook, Picerno, Von Canon, Ritter – for; Quis – opposed) to reconsider 5.C. on the Board's agenda, the item regarding the text amendment to Chapter 6, Table of Uses, Section 6.1 Principal Use Table, Recreation High Impact Outdoor, both the first motion and the second motion. Commissioner Cook made a motion, seconded by Commissioner Von Canon, to adopt the Moore County Land Use Plan Consistency Statement and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Commissioner Quis asked if enlightenment could be shared regarding why reconsideration was made.**

Commissioner Cook indicated that he now understood it would not be anything detrimental to the growth of the County or an eyesore and could be beneficial. Ms. Leland shared that Commissioner Cook had asked her a few questions and she was not sure he understood completely that approving the amendment to the UDO would still require any high impact recreation under that amendment to come back to the commissioners for consideration. Chairman Picerno said the Board would still have the chance to pick and choose. Commissioner Quis said he appreciated the transparency and respected that and all have had to change their mind from time to time, and he was about to change his. Ms. Leland shared also that the requestor who initiated the text amendment was Natalie Hawkins with Moore County Economic Development Partnership. **The motion to adopt the consistency statement carried 5-0. Upon motion made by Commissioner Cook, seconded by Commissioner Ritter, the Board voted 5-0 to approve the amendments to Chapter 6 of the Moore County Unified Development Ordinance as proposed.** The consistency statement and Ms. Ensminger's staff report are hereby incorporated as a part of these minutes by attachment as Appendix L.

11. **MANAGER'S REPORT**

County Manager Wayne Vest had nothing further to report.

12. **COMMISSIONERS' COMMENTS**

Commissioner Cook thanked everyone for their patience with him.

Chairman Picerno commented regarding the recent visit to Guilford County Animal Control, noting theirs was costly and had a big budget but gave an idea of what could be done in Moore County on a smaller scale. He said he looked forward to diving into it at a work session.

Commissioner Von Canon said he was very proud the County was looking out for those less fortunate and had a plan for the cold weather.

Commissioner Ritter concurred with Commissioner Von Canon's comment. He thanked staff for all they did and said it was a pleasure serving with the Board of Commissioners.

13. **CLOSED SESSION**

At 8:11pm, upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted 5-0 to enter into closed session pursuant to N.C.G.S. 143-318.11(a)(3) to preserve the attorney-client privilege, including in the matter of FERC Project 7987 (Highfalls Dam).

At approximately 8:40pm, upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to come out of closed session and seal the minutes. No action was reported.

ADJOURNMENT

There being no further business, upon motion made by Commissioner Quis, seconded by Commissioner Ritter, the Board voted 5-0 to adjourn the January 23, 2024, Regular Meeting of the Moore County Board of Commissioners at 8:42pm.



Nick Picerno, Chairman

Laura M. Williams
Laura M. Williams, Clerk to the Board



APPENDIX A

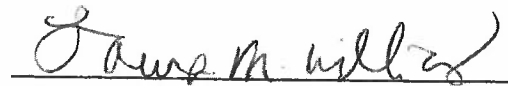
Fiscal Year 2023/2024

Budget Line Item Number			Budgeted Amount	Increase/ (Decrease)	Revised Budget
Property Management - Insurance Reimbursement					
Revenue	10018000 36053	Insurance Proceeds	45,006	20,589	65,595
Expense	10047087 54250	Accident Repairs	90,520	20,589	111,109

Approved this 23 day of January, 2024



Nick Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



70335

APPENDIX B

**RESOLUTION AUTHORIZING AND APPROVING
(CURRENT) RELEASES AND REFUNDS BY THE
TAX ADMINISTRATOR**

WHEREAS, Gary E. Briggs, Moore County Tax Administrator, has certified a list comprised of various county taxes illegally levied and assessed, the amount certified as being in excess of the amount legally due by the taxpayer and therefore should be released or refunded in accordance with General Statute 105-381.

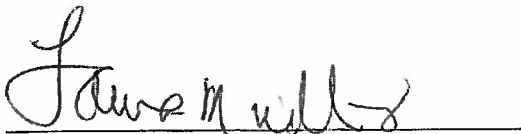
BE IT RESOLVED by the Board of Commissioners of Moore County that the taxpayers shown on said list of releases and refunds submitted by Gary E. Briggs, Tax Administrator, are hereby granted such tax release or refund of the county taxes shown and the County Finance Director is directed to make said refunds.

Adopted this the 23 day of January, 2024.



Nick Picerno, Chairman

ATTEST:



Laura M. Williams
Clerk to the Board



**RESOLUTION AUTHORIZING AND APPROVING
(DELINQUENT) RELEASES AND REFUNDS BY THE
TAX ADMINISTRATOR**

WHEREAS, Gary E. Briggs, Moore County Tax Administrator, has certified a list comprised of delinquent taxes illegally due by the taxpayer and therefore should be released or refunded in accordance with General Statute 105-381.

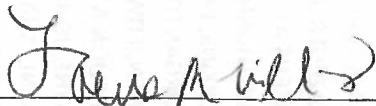
BE IT RESOLVED by the Board of Commissioners of Moore County that the taxpayers shown on said list of releases and refunds submitted by Gary E. Briggs, Tax Administrator, are hereby granted such tax release or refund of the county taxes shown and the County Finance Director is directed to make said refunds.

Adopted this the 23 day of January, 2024.



Nick Picerno, Chairman

ATTEST:



Laura M. Williams
Clerk to the Board



REAL ESTATE / PERSONAL PROPERTY

RELEASES

OVER - \$100

December-23

<u>BILL YEAR</u>	<u>BILL NUMBER</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
2023	7766	BOSWELL, CATHERINE ANN COCHRAN	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$1,302.26
2023	11935	BOSWELL, CATHERINE ANN COCHRAN	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$484.94
2023	1000404	CADDELL, EDWIN H &	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$2,586.96
2023	1000405	CADDELL, EDWIN H &	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$2,547.47
2023	1000438	CADDELL, EDWIN H &	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$2,547.47
2023	1000403	CADDELL, EDWIN H &	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$2,488.22
2023	1000410	COCHRAN, HILTON J SR	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$495.05
2023	1000411	COCHRAN, HILTON J SR	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$487.49
2023	1000436	COCHRAN, HILTON J SR	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$487.49
2023	1000409	COCHRAN, HILTON J SR	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$476.15
2023	1000413	COCHRAN, HILTON J SR &	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$1,344.78
2023	1000414	COCHRAN, HILTON J SR &	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$1,324.24
2023	1000437	COCHRAN, HILTON J SR &	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$1,324.24
2023	1000412	COCHRAN, HILTON J SR &	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$1,293.45
2023	1406	COLLIER, MICHAEL	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$238.01
2023	16949	COMUNIDAD CRISTIANA VIDA DE	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$3,722.99
2023	72657	FOREST CREEK PROPERTY OWNERS	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$558.88
2023	38958	GLAZENER, DANIEL L	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$171.27
2023	64866	GREENS AT ARBORETUM, LLC THE	ORDER OF PROPERTY TAX COMMISSION	\$22,727.16
2023	34270	HAWTHORNE PINECREST, LLC	ORDER OF PROPERTY TAX COMMISSION	\$49,726.13
2023	1002369	HOPKINS, LAJON FAYARD	GAP - VEHICLE REGISTERED IN ANOTHER STATE	\$139.46
2023	63056	MORGANTON PARK, LLC	ORDER OF PROPERTY TAX COMMISSION	\$33,898.21
2023	32860	OWEN, EDWARD J	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$7,332.41
2023	64098	PAVILION AT MORGANTON PARK, LLC	ORDER OF PROPERTY TAX COMMISSION	\$11,059.61
2023	1002031	PAYNE, JOHN WILLIAM	GAP - VEHICLE REGISTERED IN ANOTHER STATE	\$282.04
2023	1002304	PAYNE, SHARON TYLER	GAP - VEHICLE REGISTERED IN ANOTHER STATE	\$107.09
2023	29105	POLSTON, WILLIAM EUGENE TRUSTEE	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$295.87

REAL ESTATE / PERSONAL PROPERTY

RELEASES

OVER - \$100

December-23

<u>BILL YEAR</u>	<u>BILL NUMBER</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
2023	36652	WELLS TABERNACLE CHURCH OF	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$1,067.32
2023	1001146	WHITE, BENJAMIN BRASWELL	GAP - VEHICLE REGISTERED IN ANOTHER STATE	\$125.40
TOTAL				\$150,642.06

VTs/REAL ESTATE/PERSONAL PROPERTY

RELIEF - REFUNDS

OVER - \$100

December-23

Bill Year	Bill Number	Customer Name	Reason	Refund Amount
2022	VTS - 0073002630	AKUS, HENRY JOSEPH JR	TAG SURRENDER	\$145.45
2023	47195	BAILEY, CHRISTOPHER W	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$351.06
2023	28711	BLUE, CATHY D	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$225.86
2023	63978	BORELIZ, JACQUELINE D	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$306.06
2023	57028	BRABANT, STEPHEN L &	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$354.38
2023	40424	CARR, JEROME C JR	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$200.66
2022	VTS - 0062925715	CURTIS, ANDREW WATIER	MILITARY	\$308.80
2022	1000388	DAVIS, STONE MITCHELL	MILITARY	\$156.07
2023	30031	DUBUC, KATHRYN S	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$292.56
2023	VTS - 0075534348	ECHAVARRIA, ERIC VEGA	MILITARY	\$291.56
2023	47423	GAMBINO, WILLIAM BENEDICT	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$292.57
2023	VTS - 0073849241	GILDER, CHRISTOPHER NIGEL	TAG SURRENDER	\$302.35
2023	VTS - 0073751533	GONZALEZ, JABIER GONZALEZ	TAG SURRENDER	\$106.12
2022	VTS - 0072892524	GRAFENBERG, MATTHEW & GEORGINA	TAG SURRENDER	\$145.63
2023	VTS - 0073542269	GRAHAM, RICHARD & DEBBY	TAG SURRENDER	\$143.05
2022	VTS - 0052177777	GRANT, EARL GILBERT	TAG SURRENDER	\$158.64
2023	VTS - 0075641146	GREENE, CONNER VINCENT	MILITARY	\$201.71
2023	60906	HAASE, JOHN MICHAEL	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$306.07
2022	VTS - 0070893228	HALBRUNER, CORRINE MAE DUNN	MILITARY	\$503.94
2023	8013	HANNUM, BARBARA	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$475.17
2023	64829	HARRA, SCOTT	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$292.56
2023	45939	HERNANDEZ, JAVIER PEREZ	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$265.56
2023	19630	HOLTON, JULIE	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$265.57
2023	VTS - 0062667729	HUNSICKER, ROBERT WILLIAM III	TAG SURRENDER	\$127.89

VTS/REAL ESTATE/PERSONAL PROPERTY

RELIEF - REFUNDS

OVER - \$100

December-23

<u>Bill Year</u>	<u>Bill Number</u>	<u>Customer Name</u>	<u>Reason</u>	<u>Refund Amount</u>
2022	VTS - 0058998571	HUNSUCKER, THOMAS EUGENE	TAG SURRENDER	\$135.09
2022	VTS - 0071616030	LEFLER, DARREN WESLEY	TAG SURRENDER	\$115.36
2023	VTS - 0075522337	LESMEISTER, SHANNA MARIE	MILITARY	\$327.76
2023	62035	LIVENGOD, KYLA	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$200.65
2023	33842	MCCALEBB, CHARLES A	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$292.57
2022	VTS - 0066893635	MCCONVILLE, COLIN EVANS	MILITARY	\$134.66
2023	17881	MCGEE, MARY M	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$710.41
2022	VTS - 0071805280	MCMILLAN, WILLIAM CLIFTON	TAG SURRENDER	\$420.44
2022	VTS - 0051686797	MEYER, CONRAD GEORGE III	TAG SURRENDER	\$111.50
2023	23707	MURPHY, ROGER SCOTT TRUSTEE	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$276.46
2023	3131	PRESHER, JOSEPH DYLAN	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$836.69
2023	26498	ROMAN, DAVID A	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$265.57
2022	VTS - 0040333121	SHOFFIT, JONATHAN BLAKE	MILITARY	\$154.42
2022	VTS - 0064054465	SHOFFIT, LENA LEA	MILITARY	\$247.46
2023	25878	SIMMONDS, JONATHAN J	ORDER OF BOARD OF EQUALIZATION & REVIEW	\$265.57
2023	VTS - 0073215020	STEWART, DIAN PATTERSON	TAG SURRENDER	\$101.09
2023	VTS - 0074373908	STOHLER, WALTER JOHN JR	TAG SURRENDER	\$145.50
2023	VTS - 0069052020	WERZ, PHILIP MICHAEL	TAG SURRENDER	\$101.48
TOTAL				\$11,061.97

APPENDIX C

RESOLUTION TO AMEND SECTION 10. OF THE MOORE COUNTY BUDGET ORDINANCE FOR FISCAL YEAR 2023-2024 FOR THE REMOVAL AND ADDITION OF INDIVIDUALS AUTHORIZED TO SIGN CHECKS IN TRUST AND AGENCY FUNDS

WHEREAS, the Moore County Board of Commissioners require individuals authorized to sign checks in Trust and Agency Funds to be designated Special Deputy Finance Officer for this purpose; and

WHEREAS, Richard Maness, Chief Deputy, needs to be removed from the list of persons authorized to sign checks (due to his retirement); and

WHEREAS, Eric Galloway, Major, needs to be added to the list of persons authorized to sign checks effective January 23, 2024; and

WHEREAS, the Board hereby declares that the following individuals are authorized to sign checks on the County of Moore Sheriff's Department Civil Fund and the Inmate Trust Fund and amends the FY23/24 Moore County Budget Ordinance as follows:

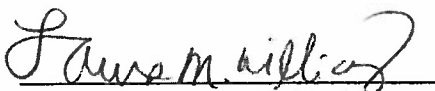
Ronnie Fields – Sheriff
 Andy Conway – Chief Deputy
 Eric Galloway - Major
 Adam Goins - Captain
 William Flint - Captain
 Lindsey Bufmeyer – Administrative Assistant I

NOW THEREFORE BE IT RESOLVED that the names listed above are authorized signer on the Moore County Sheriff's Department Civil Fund and the Inmate Trust Fund.

Adopted this 23rd day of January 2024.



Nick Picerno, Chair
 Moore County Board of Commissioners



Laura M. Williams, Clerk to the Board



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LAURA M. WILLIAMS
CLERK



NICK PICERNO
CHAIRMAN
KURT COOK
VICE CHAIRMAN
JIM VON CANON
JOHN RITTER
FRANK QUIS

COUNTY OF MOORE BOARD OF COMMISSIONERS

P.O. BOX 905 / ONE COURTHOUSE SQUARE
CARTHAGE, NC 28327
TELEPHONE: 910.947.6403

APPENDIX D

TO: NC Treasurer's Office, Local Government Commission Division (FPIC Team)

FROM: Moore County Chairman of the Board of County Commissioners, County Manager and Finance Director

DATE: Tuesday, January 23, 2024

SUBJECT: 20 NCAC 03 .0508; Response to Financial Performance Indicators of Concern (FPICs) identified in the annual audit for Fiscal Year 2023– Moore County, North Carolina

Under NCAC (North Carolina Administrative Code) 20 03 .0508, if a unit is notified by its independent auditors that the unit's audited financial statements included one or more significant deficiencies, material weaknesses, or other findings, or if **Financial Performance Indicators of Concern were identified**, the governing body must develop a response to these findings.

This letter is in response to the request made on January 18, 2024, from the Local Government Commission staff review of Financial Performance Indicators of Concern (FPICs) in the annual audit for fiscal year 2023. This response will address the following concern:

- Capital Asset Condition ratio. The remaining useful asset life of water and sewer capital assets is less than 50% of expected life. This may signal a need to replace these assets in the near future. Please explain any plans regarding these assets.

Randy Gould, Public Works Director, and his staff will provide some information about the Capital Improvement Plan (CIP) related to the Enterprise Funds and any plans that will impact the capital assets' value. They will also include their agreement with the supplemental response and plan for implementation of corrective action.

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County of Moore
Public Works
P.O. Box 1927
Carthage, North Carolina 28327



Public Utilities: 910-947-6315
Solid Waste: 910-947-3637

Fax: 910-947-1992
www.moorecountync.gov

MEMORANDUM

To: Moore County Board of Commissioners
From: Randy G. Gould, PE
Date: January 26, 2024
Subject: Assets of Moore County Public Works Department

A. Background:

1. The Moore County annual audit for FY 22-23 identified Financial Performance Indicators of Concern (FPICs).
2. The Local Government Commission (LGC) requested a supplement to address the Capital Asset Condition ratio being less than 50%. The supplement must address the needs to replace assets in the future as needed.

B. Items identified in the response:

1. Moore County Public Utilities (MCPU)

- Replacement of aging infrastructure needs to be identified and prioritized. Please see the attached draft Capital Improvements Plan for Moore County Public Utilities for time frames and estimated costs.

Corrective Action: Moore County is performing a \$400,000 Asset Inventory Assessment which will identify the replacement needs of the water infrastructures in the Vass and Pinehurst water system. Replacement and renovation needs will be identified, and priorities established.

- Moore County is growing and needs to ensure that adequate water supply is available.

Corrective Action: A new water source is needed to supplement current sources and meet growth needs. The Design Memo Report was completed this year with recommendation of a Phase 1 project at a cost of \$113M. The Preliminary Engineering Report and Environmental Report is to begin this year. The Phase 1 project is being scheduled to take 6 years for completion: Preliminary Engineering Report, Environmental and Funding the first year, engineering design years 2 and 3, bidding and procurement year 4, and construction years 5 and 6. Phase 2 is planned to begin in 2033 dependent on system demands and condition of current water sources.

Corrective Action: Two new water supply wells are being constructed on Linden Road to add additional water supply. Commissioners have committed over \$1.2M of ARP monies for this project.

- The Seven Lakes community is growing and experiencing failing septic systems.

Corrective Action: New sewer service is planned for the Seven Lakes community to alleviate troubled septic systems and alleviate pressure along the NC 211 growth corridor from a State legislative appropriation of \$15M. The Moore County Commissioners have committed ARP funds for portions of the project as shown on the ARP. A portion of the project is designed and constructed as part of the NCDOT NC 211 widening project. The total project estimated cost is \$21.4M.

- The Town of Vass is growing and experiencing failing septic systems in the unsewered portion of town.

Corrective Action: A new wastewater collection system is being constructed in the unsewered portion of Vass at a cost of over \$11M funded by USDA loan and grant plus a CDBG grant for the Town for the low to moderate income customers.

- Aging water and sewer infrastructure across the Moore County Public Utilities systems.

Corrective Action: We have replaced numerous aging water mains in Vass and Hyland Hills. We will continue to budget \$100,000 annually to replace additional lines.

Corrective Action: The water main replacement on Surry Circle is currently in design for the estimated cost of \$2M.

Corrective Action: We have replaced one aging old wastewater pneumatic pump stations with submersible pump station in Pinehurst and are designing 2 additional replacements for Lift Stations 15-1 and 3-3 at the estimated cost of \$800,000. The last 2 pneumatic stations are proposed to be replaced in the next 5 years.

Corrective Action: Four elevated tanks are scheduled to be repainted on the CIP at the estimated cost of \$300,000 each. Elevated tanks are inspected annually and maintained at a high level.

Corrective Action: Old fire hydrants are replaced annually budgeted at \$100,000 annually.

Corrective Action: Aging water meters are replaced annually. This year 680 dead meters (meters that won't transmit and must be read manually) are being replaced at a cost of over \$200,000. Additional dead water meters will be replaced annually.

Corrective Action: Advanced Metering Infrastructure (AMI), to utilize latest technology and provide better customer service, is proposed to begin implementation next year at a cost of over \$9M over the next 10 years. This will increase revenue as old meters always underread.

Corrective Action: Rehabilitation and replacement of the wastewater collection system is preformed every year, including manholes and sewer lines. This item is budgeted at \$150,000 annually.

Corrective Action: We replaced Sewage Pump Station 10-3 pumps this year at a cost of \$200,000.

Corrective Action: We added a mechanical grinder at Sewage Pump Station 9-1 this year to remove damaging debris from the influent flow at a cost of \$100,000.

2. East Moore Water District (EMWD)

- o Replacement of aging infrastructure needs to be identified and prioritized. Please see the attached draft Capital Improvements Plan for East Moore Water District for time frames and estimated costs.

Corrective Action: Water Mains repairs and extensions are budgeted annually at \$100,000. The water main along Morrison Bridge Road experienced multiple failures and was replaced. The next section along Morrison Bridge Road continues to break and is in design now.

Corrective Action: Thurlow Lake water booster pump station is being replaced to increase water supply to meet water demands. The Moore County Commissioners committed ARP monies to the project.

Corrective Action: The EMWD elevated tanks is scheduled to be repainted in the CIP at the estimated cost of \$300,000. Elevated tanks are inspected annually and maintained at a high level.

3. Water Pollution Control Plant (WPCP)

- o Rehabilitation and Replacement of aging infrastructure needs to be identified and prioritized. Please see the attached draft Capital Improvements Plan for Water Pollution Control Plant for time frames and estimated costs.

Corrective Action: The Raw Sewage Pump Station has experienced significant failures. New Pumps and VFD controls are being replaced in a new building this year at a cost of over \$4.4 M.

Corrective Action: Valve Vaults at Primary Clarifiers 1 and 3 were constructed to allow access to those broken valves at a cost of over \$500,000.

Corrective Action: Clarifier troughs are being coated this year at a cost of \$150,000. The coating of other clarifier troughs are proposed at \$345K over the next 2 years.

Corrective Action: The electrical switchgear which transfers power to generators when needed is to be replaced at a cost of \$440,000.

Corrective Action: The Solids Handling Unit valving and return sludge pipeline are proposed to be replaced a cost of over \$300,000.

Corrective Action: Permanent Bypass Pumps around the Raw Sewage Pump Station are proposed to be added at the estimated const of \$1.7M.

Corrective Action: Aeration blower replacement is scheduled over the next 5 years at the estimated cost of \$225K per year.

Corrective Action: The 2 Bar Rakes in the Influent Structure are scheduled to be replaced in 2 years at the estimated to cost of \$1M.

Corrective Action: The existing asbestos cement (AC) water main is scheduled to be replaced in 3 years at the estimated cost of \$390K.

Corrective Actions: Multiple other items are shown in the CIP to replace old infrastructure in including the following:

- a) Belt Filter Presses Rehabilitation estimated at \$115,000
 - b) Sand Filter Carriage Rehabilitation estimated at \$350,000
 - c) Clarifier Wire Replacement estimated at \$100,000
 - d) Structural Coating on Basins estimated at \$750,000
- o The interceptor sewer which transports wastewater from the municipalities to the Plant is 50 years old which dictates increased inspection, renovation, and replacement.

Corrective Action: A 3,600 LF segment of the interceptor sewer is being replaced and upsized this winter at a cost of over \$4M. This will complete the replacement and upsizing of this segment of interceptor which upstream portion was previously performed at the cost of over \$1.5M.

Corrective Action: The interceptor manholes were inspected by CCTV in 2021 with priorities identified for renovation. The deficient measures are being undertaken annually at the budgeted cost of \$150,000.

Corrective Action: The interceptor sewer lines are to be CCTVs next year at the estimated cost of \$500,000. Items identified that need to be renovated or replaced will be corrected annually as prioritized.

- o The Water Pollution Control Plant is permitted at \$10M Gal/Day and will need to begin expansion efforts when the Monthly Average Flow reaches 8 MGD.

Corrective Action: The highest Monthly Average Flow over the last 2 years was reported as 5.8 MGD. Based on growth and for conservatism we are scheduling to begin the study for the plant expansion within the next 10 years.

- o Sewage Pumping Stations owned by the WPCP are aging and will need to be rehabilitated.

Corrective Action: The Southern Pines 4 (SP-4) Station is scheduled to be upgraded with new pumps and structure upgrades at the estimated cost of \$1.5M. The force main from SP-4 is to be replaced at the estimated cost of \$1.5M.

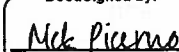
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Please accept this letter from Moore County, North Carolina signed by the Board Chair of the Governing Body, the County Manager and the Finance Officer indicating their knowledge of the FPICs as well as their agreement with the supplemental response and plan for implementation of corrective action.

Sincerely,

Moore County Board of Commissioners, Chairman of the Governing Board

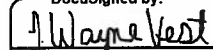
DocuSigned by:



Nick Picerno, Chairman

Moore County Manager:

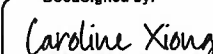
DocuSigned by:



J. Wayne Vest, County Manager

Moore County Finance Director:

DocuSigned by:



Caroline Xiong, Finance Director

COUNTY CAPITAL IMPROVEMENT PLAN - PUBLIC UTILITIES (FUND 610)

	FY26	FY27	FY28	FY29	FY30	FY31	FY32	FY33	FY34	FY34	TOTAL (not Inc TBD amount)	TBD Amount	Funded By:
1,000	\$2,000,000	\$3,000,000	\$6,000,000	\$50,000,000	\$50,000,000					\$8,000,000	\$78,000,000	\$113,070,000	
												\$86,000,000	
												\$1,223,689	
												\$2,300,000	
												\$2,398,690	
1,000												\$15,000,000	
1,000												\$2,000,000	
1,000	\$500,000	\$800,000	\$800,000	\$1,000,000	\$1,600,000	\$900,000	\$1,400,000	\$1,600,000				\$9,100,000	
1,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$1,200,000	
1,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$1,200,000	
1,000	\$800,000	\$93,000	\$238,000	\$160,000	\$326,000	\$0	\$120,000	\$0	\$446,000	\$117,000	\$1,860,000	\$2,000,000	
1,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$1,800,000	\$120,000	
1,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$800,000	\$800,000	
1,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$1,800,000	\$1,200,000	
1,000	\$400,000										\$400,000	\$400,000	
	\$600,000										\$600,000	\$600,000	
		\$400,000							\$0	\$0	\$400,000	\$400,000	
		\$300,000							\$0	\$0	\$300,000	\$300,000	
			\$300,000						\$0	\$0	\$300,000	\$300,000	
			\$107,834						\$0	\$0	\$107,834	\$107,834	
						\$300,000					\$300,000	\$300,000	
								\$1,000,000			\$1,000,000	\$1,000,000	
										\$300,000	\$300,000	\$300,000	
000	\$5,160,000	\$4,893,000	\$8,338,000	\$52,167,834	\$52,526,000	\$1,800,000	\$2,120,000	\$3,200,000	\$9,046,000	\$79,017,000	\$247,340,213	\$0	

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DEPARTMENT	DESCRIPTION	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32	FY33
Public Works/ Water Pollution Control Plant	Public Works/ Water Pollution Control Plant										
Public Works/ Water Pollution Control Plant	Flow Monitoring / Bypass Construction		\$1,749,990								
Public Works/ Water Pollution Control Plant	Raw Sewage Rehab / Repair	\$1,200,000									
Public Works/ Water Pollution Control Plant	Engineering Morganon Rd	\$387,000									
Public Works/ Water Pollution Control Plant	Interceptor rehab & repair	\$676,000	\$800,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$15
Public Works/ Water Pollution Control Plant	Sepic Receiving Station	\$271,695									
Public Works/ Water Pollution Control Plant	Final Clarifier trough coatings	\$150,000									
Public Works/ Water Pollution Control Plant	PC/C Trough Coatings		\$170,000	\$175,000							
Public Works/ Water Pollution Control Plant	Solids Handling Unit rehab	\$275,000									
Public Works/ Water Pollution Control Plant	Upgrade to Bio-solids storage canopy & new Solids Handling canopy										
Public Works/ Water Pollution Control Plant	WPCP Generator Switch Gear upgrade / replacement		\$500,000								
Public Works/ Water Pollution Control Plant	Replacement vehicles - Ops - Maint - SHU - Ops	\$38,000	\$45,000		\$85,000			\$100,000			\$6
Public Works/ Water Pollution Control Plant	Sand Filter canopy				\$280,000						
Public Works/ Water Pollution Control Plant	Belt Filter Presses #1 & #2 rehab										
Public Works/ Water Pollution Control Plant	Sand Filter Carriage rehab						\$350,000				
Public Works/ Water Pollution Control Plant	Sludge Force main - Grit to Solids Handling repair / replace		\$300,000								
Public Works/ Water Pollution Control Plant	Aeration Blower replacement 1-per year		\$225,000	\$225,000	\$225,000	\$225,000	\$225,000				
Public Works/ Water Pollution Control Plant	Bar-rake replacement & slide gate replacement			\$1,000,000							
Public Works/ Water Pollution Control Plant	AC Water Main Replacement				\$390,000						
Public Works/ Water Pollution Control Plant	Engineering Flow Monitoring / construction	\$25,000									
Public Works/ Water Pollution Control Plant	Equipment Replacement WPCP's Loader									\$225,000	
Public Works/ Water Pollution Control Plant	Wier Replacement on Clarifiers (9)									\$100,000	
Public Works/ Water Pollution Control Plant	Engineering Study Plant expansion										\$40
Public Works/ Water Pollution Control Plant	WPCP Expansion Design										
Public Works/ Water Pollution Control Plant	WPCP Expansion Construction										
Public Works/ Water Pollution Control Plant	WPCP roof repair / replacement B-2 & B-4 First		\$175,000					\$200,000			
Public Works/ Water Pollution Control Plant	Southern Pines #4 Station upgrade								\$1,500,000		
Public Works/ Water Pollution Control Plant	Southern Pines #4 Force Main replacement									\$1,500,000	
Public Works/ Water Pollution Control Plant	Structural coating on WPCP basins/equipment										\$75
Public Works/ Water Pollution Control Plant	TOTAL WPCP Fund 600	\$3,022,695	\$3,964,990	\$1,550,000	\$1,130,000	\$375,000	\$725,000	\$450,000	\$1,650,000	\$1,975,000	\$1,36

LAURA M. WILLIAMS
CLERK



NICK PICERNO
CHAIRMAN
KURT COOK
VICE CHAIRMAN
JIM VON CANON
JOHN RITTER
FRANK QUIS

COUNTY OF MOORE BOARD OF COMMISSIONERS

P.O. BOX 905 / ONE COURTHOUSE SQUARE
CARTHAGE, NC 28327
TELEPHONE: 910.947.6403

APPENDIX E

January 23, 2024

To Whom It May Concern:

I am the Chairman of the County Commissioners of Moore County. This letter is to advise you that: Highfalls Fire and Rescue, Incorporated is a qualified Volunteer Fire Department, assigned to protect a specific Fire District within this County.

In addition, a special ad valorem (fire tax) is assessed on the real property owners of this district. Said tax is to be used exclusively to provide equipment, facilities, and training as is necessary to provide fire protection for said district. Said funds may also be used to upgrade equipment as the need arises. This tax is collected by the County and disbursed by the Finance Office to the Fire Department on a regular basis by the County Finance Officer. The Fire Department is operated and managed by the Board of Directors of the Fire Department and the Officers of said Department. The Department is currently meeting the requirements of their fire service contract.

The Fire Department has made us aware of their intention to acquire new capital assets through a Lease Purchase transaction with your firm. Please be advised that the County has no objection to this transaction.

Sincerely,

Nick Picerno, Chairman
Moore County Board of Commissioners

APPENDIX F

AMENDMENT TO

THE MOORE COUNTY ROAD NAME AND ADDRESSING ORDINANCE

ADOPTED JULY 10, 1989
AND AS SUBSEQUENTLY AMENDED

RESOLVED by the Board of Commissioners of the County of Moore that Section III ROAD NAMING OF THE ABOVE REFERENCED ORDINANCE BE AMENDED TO ADD, RENAME, OR REMOVE THE FOLLOWING ROADS AS INDICATED:

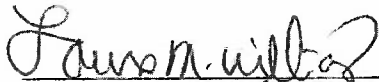
ADD:

ANTIQUÉ TOWN WAY (P4274)*Located off Dalrymple Rd (SR 1823) on the eastern side, approximately 0.18 miles south of the intersection of Dalrymple Rd and NC 24-27 Hwy.*

FORTIS FARM RD (P4275).....*Located off Lobelia Rd (NC 690) on the northern side, approximately 0.85 miles west of the intersection of Lobelia Rd and McLauchlin Rd (SR 2014).*

AND, FURTHER, that the effective date of this amendment to the above-described Ordinance shall be upon adoption.

Adopted this 23rd day of January 2024.



Laura Williams, Clerk to the Board
Moore County Board of Commissioners



Nick Picerno, Chairman
Moore County Board of Commissioners



Moore County Board of Commissioners
Land Use Plan Consistency Statement
Conventional Rezoning I to B-2 3449 Vass Carthage

The Moore County Board of Commissioners finds that:

Section 1: The proposed conventional rezoning amends the following plan (s):

The Moore County Land Use Plan, specifically the Future Land Use Map to revise the subject property's designation from Rural Agricultural to Commercial/Office/Retail/Institutional. The update to the Future Land Use Map will align with the following Goal of the Land Use Plan:

1. Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities).
 - Recommendation 1.7: Support and promote local businesses.
 - o Action 1.7.2: Encourage emerging markets that utilize local agricultural and manufactured products and enhance tourism and the service sectors.
 - o The requested rezoning to B-2 will reduce intensity in the range of allowable uses on the property.

Section 2: The proposed conventional rezoning **is reasonable** and in the public interest because it supports the current 2013 Moore County Land Use goal and recommendations listed above. The rezoning also reduces the intensity of potential uses of future development on the subject property, which is more compatible and consistent with surrounding land uses and development patterns.

Therefore, The Moore County Board of Commissioners finds the conventional rezoning amendment is **consistent** with the Land Use Plan, as proposed.



Nick Picerno, Chair
 Moore County Board of Commissioners

1/23/2024
 Date



Agenda Item: 5.B.
Meeting Date: January 23, 2024

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Debra Enslinger, Planning Director
DATE: 01/03/2024
SUBJECT: Public Hearing for a Conventional Rezoning Request: Industrial (I) to Highway Commercial (B-2) 3449 Vass Carthage Road
PRESENTER: Debra Enslinger, Planning Director

REQUEST: A Public Hearing for a Conventional Rezoning of one parcel of approximately 2.54 acres, located on 3449 Vass Carthage Road, Carthage, NC, from Industrial (I) to Highway Commercial (B-2) owned by Creative Sparks, LLC, per Deed Book 3879 and Page 52. The parcel has approximately 246 ft of road frontage on Vass Carthage Road. The potentially affected properties are located on Vass Carthage Road and Lees Branch Drive and surrounding properties.

Public notification consisted of publishing a legal notice in the local newspaper for two consecutive weeks, notification by certified mail to adjacent property owners, and placing public hearing signs on the property.

BACKGROUND: Creative Sparks, LLC, the current owner of Parcel 00033836, 3449 Vass Carthage Road, has two existing buildings that currently sit on the property. The subject property operates a trade contractor office and workshop for a metal work/welding business out of the front building. The back building operates as a trade contractor office and workshop for a landscaping business. This use type is permitted in both the existing zoning district of the parcel (I) and the proposed zoning district (B-2) with additional specific use standards outlined in the zoning ordinance. The requested rezoning would reduce the possibility of more intense land uses that are permitted under the parcel's current zoning designation of Industrial. The minimum dimensional standards in the current Zoning Ordinance for the (I) district are: Lot area=43560 SF, Front Setback = 65', Side Setback= 25', Corner Setback= 50', and Rear Setback = 30' The minimum dimensional standards in the current Zoning Ordinance for the (B-2) district are: Lot Area = 10,000 SF, Front Setback = 50', Side Setback = N/A, Corner Setback = 25', and Rear Setback = 25'.

Adjacent properties include single family dwellings, and agricultural land. The nearest B-2 zoned property is an adjacent parcel located directly east of the subject property.

The subject property has approximately 246 feet of road frontage on Vass Carthage Road near the Town limits of Whispering Pines.

The parcel is within the Cape Fear Little River (Vass) WS-IIIP watershed (average of 2

dwelling units / 1 acre per project OR 20,000 square foot lot excluding street right of way with an allowable 24% built upon area. The lots are exempt from this allowable amount if they are created prior to 1994. This lot was created prior to 1994, and purchased by the Gibbons in 1985, therefore existing built upon area is exempt. New development or expansions would be required to meet the 24% allowable BUA. There are existing structures on the parcel currently, that are exempt from the watershed restrictions. Reducing the zoning for the lot may reduce the lot size, but that specific lot size would be allowed the same 24% BUA for new development or expansions.

ZONING DISTRICT COMPATIBILITY

The requested rezoning to B-2 is consistent with the existing uses located near the property, including residential uses. Zoning districts adjacent to the property include B-2 (Highway Commercial) and Residential and Agricultural – 40 (RA-40). The existing zoning category of Industrial (I) is a more intensive district in terms of permitted uses. Rezoning to B-2 is consistent with the property to the east and would allow for lower-intensity land uses if future redevelopment of the property were to occur.

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The Future Land Use Map identifies the property as Rural Agricultural. The Land Use Plan states that the Rural Agricultural classification's primary use of land is to support rural residential life associated with agricultural uses (e.g. row crops, forestry, horticulture, grazing, poultry, dairy, swine operations, and intensive agricultural uses in certain areas) and other rural activities.

The requested rezoning to Highway Commercial (B-2) is not compatible with the Rural Agricultural classification as defined in the Moore County Land Use Plan. Per General Statutes, rezonings inconsistent with a jurisdiction's Land Use Plan can be approved if they are found to be reasonable. If the Board approves a rezoning request inconsistent with the existing Future Land Use Map, the property's category on the Future Land Use Map is automatically updated. In this case, if the rezoning to B -2 is approved, the property's classification would be updated to Commercial /Office/Retail/Institutional on the Future Land Use Map. The Commercial/Office/Retail/Institutional includes shopping/retail uses, dining, entertainment, services, general office space, medical offices, banks, schools, daycares, places of worship, libraries, etc.

It is important to note that while this rezoning would not be considered compatible with the Rural Agricultural classification, that does not mean the request is not reasonable. The property in its current zoning category of Industrial is also not compatible with the Future Land Use Map's existing designation of Rural Agricultural. B-2 offers lower intensity potential land uses, which are more compatible with the surrounding properties than the existing district of Industrial. Additionally, the requested B-2 district is compatible with the parcel directly east and consistent with the existing development pattern along Vass Carthage Road, which currently includes non-residential uses.

The Moore County Unified Development Ordinance states the B-2 (Highway Commercial) district is a district to provide for the development of commercial and service centers that serve community, countywide, or regional commercial needs, are accessible by residents from surrounding neighborhoods, and are configured to minimize conflicts with surrounding residential areas.

While the rezoning request does not align with the Future Land Use Map, the request is still

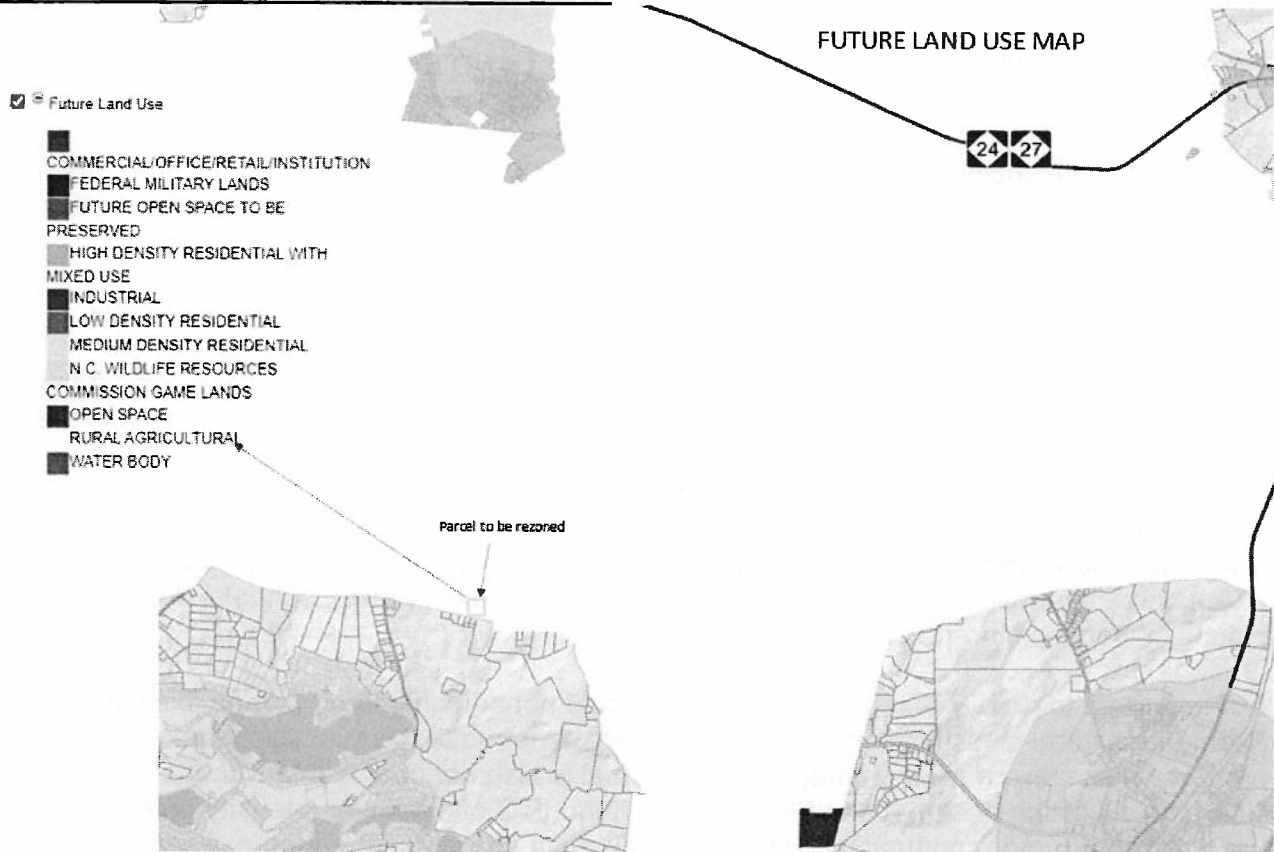
reasonable given that it does align with the following Goals, Recommendations and Actions as included in the attached Land Use Plan Consistency Statement, including:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities).

- Recommendation 1.7: Support and promote local businesses.
- Action 1.7.2: Encourage emerging markets that utilize local agricultural and manufactured products and enhance tourism and the service sectors.

The requested rezoning to B-2 will reduce intensity in the range of allowable uses on the property.

MOORE COUNTY FUTURE LAND USE MAP



PLANNING BOARD RECOMMENDATION

The Planning Board met on December 7, 2023, and voted 4-1; the requested request was consistent with the Land Use Plan Consistency Statement and recommended approval of the requested rezoning as proposed, passed 5-0.

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

IMPLEMENTATION PLAN: Hold a Public Hearing on January 23, 2024, at 5:30 p.m.

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

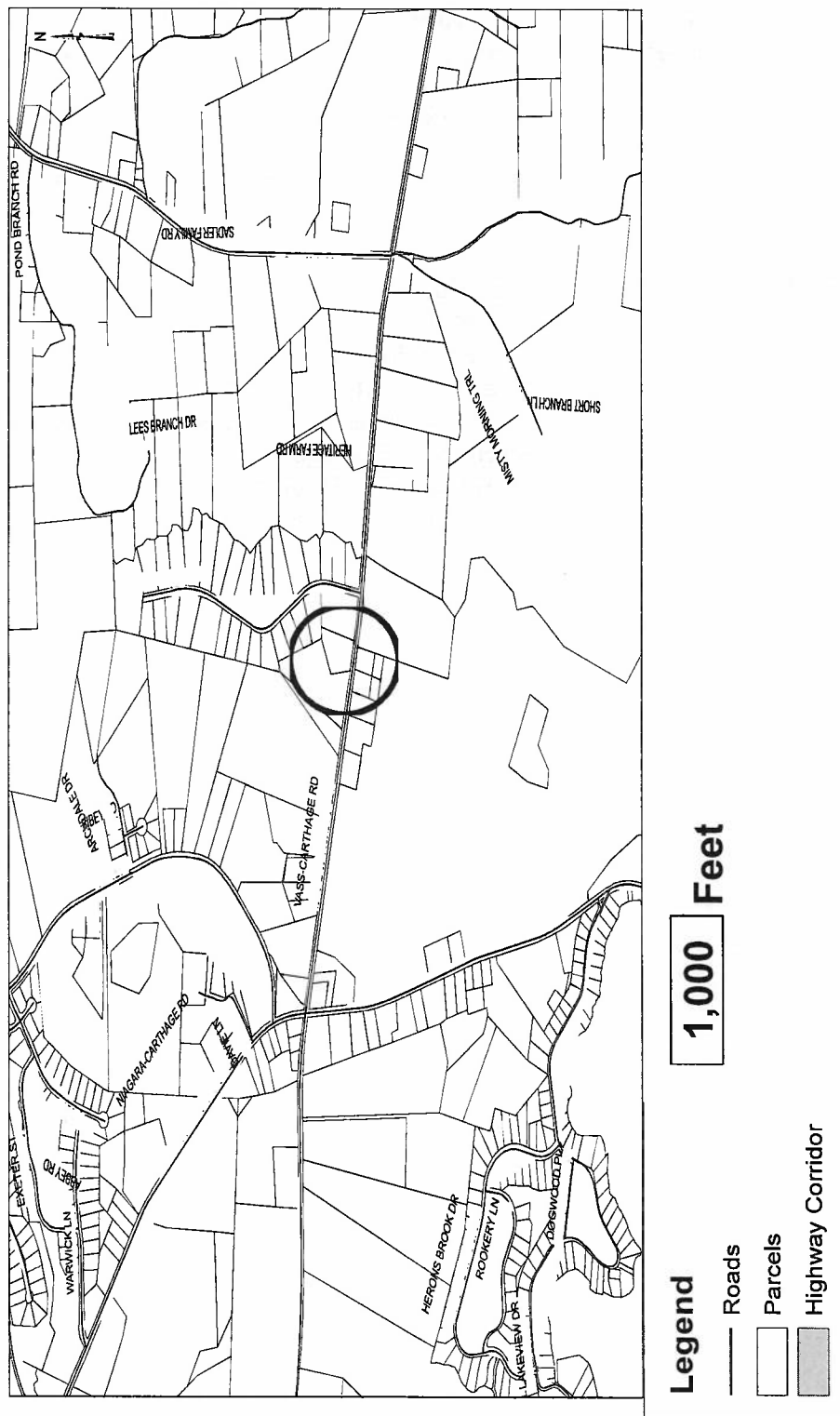
Motion #1: Make a motion to adopt the attached Moore County Board of Commissioners Land Use Plan Consistency Statement (**Consistent** or **Inconsistent**) and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605.

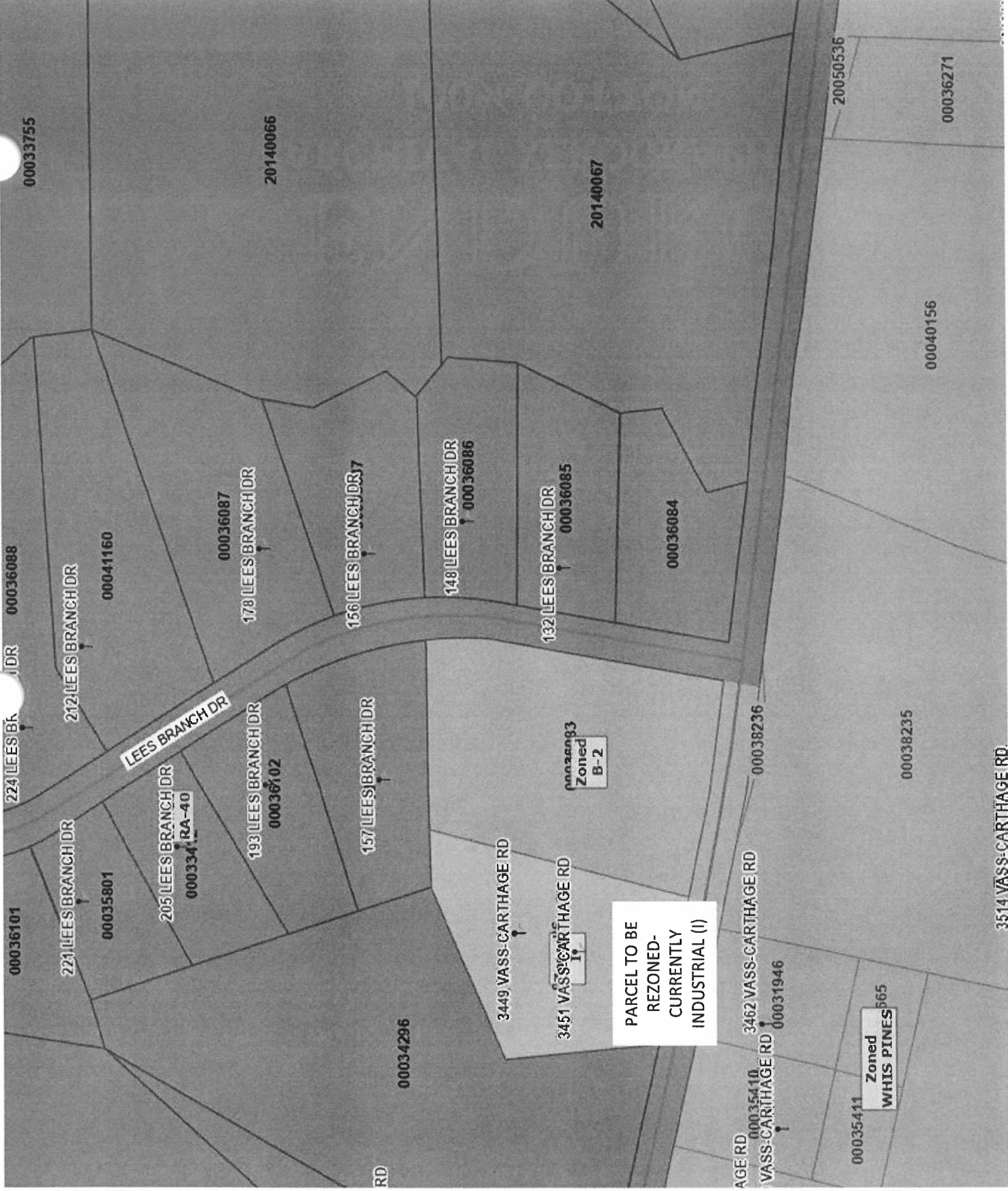
Motion #2: Make a motion to **Approve** or **Deny** the Conventional Rezoning of one parcel of approximately 2.54 acres, located on 3449 Vass Carthage Road, Carthage, NC, from Industrial (I) to Highway Commercial (B-2) owned by Creative Sparks, LLC, per Deed Book 3879 and Page 52.

ATTACHMENTS:

1. Vicinity Map
2. Zoning Map
3. Landmarks Map
4. Pictures of the property and adjacent properties
5. Submitted Conventional Rezoning Application
6. Deed Book 533, Page 229
7. Deed Book 3879, Page 52
8. Board of Commissioners Land Use Plan Consistency Statement - Consistent/Inconsistent

Vicinity Map





00033755

20140065

20140067

00040156

00036271

20050536

00036088

00041160

00036087

178 LEES BRANCH DR

156 LEES BRANCH DR

148 LEES BRANCH DR

00036086

132 LEES BRANCH DR

00036085

00036084

00036101

221 LEES BRANCH DR

00035801

205 LEES BRANCH DR

00033411 RA-40

193 LEES BRANCH DR

00036102

157 LEES BRANCH DR

00036083

Zoned B-2

3449 VASS-CARTHAGE RD

3451 VASS-CARTHAGE RD

00036103

PARCEL TO BE REZONED- CURRENTLY INDUSTRIAL (I)

3462 VASS-CARTHAGE RD

00031946

AGE RD

00035410

VASS-CARTHAGE RD

00035411

Zoned

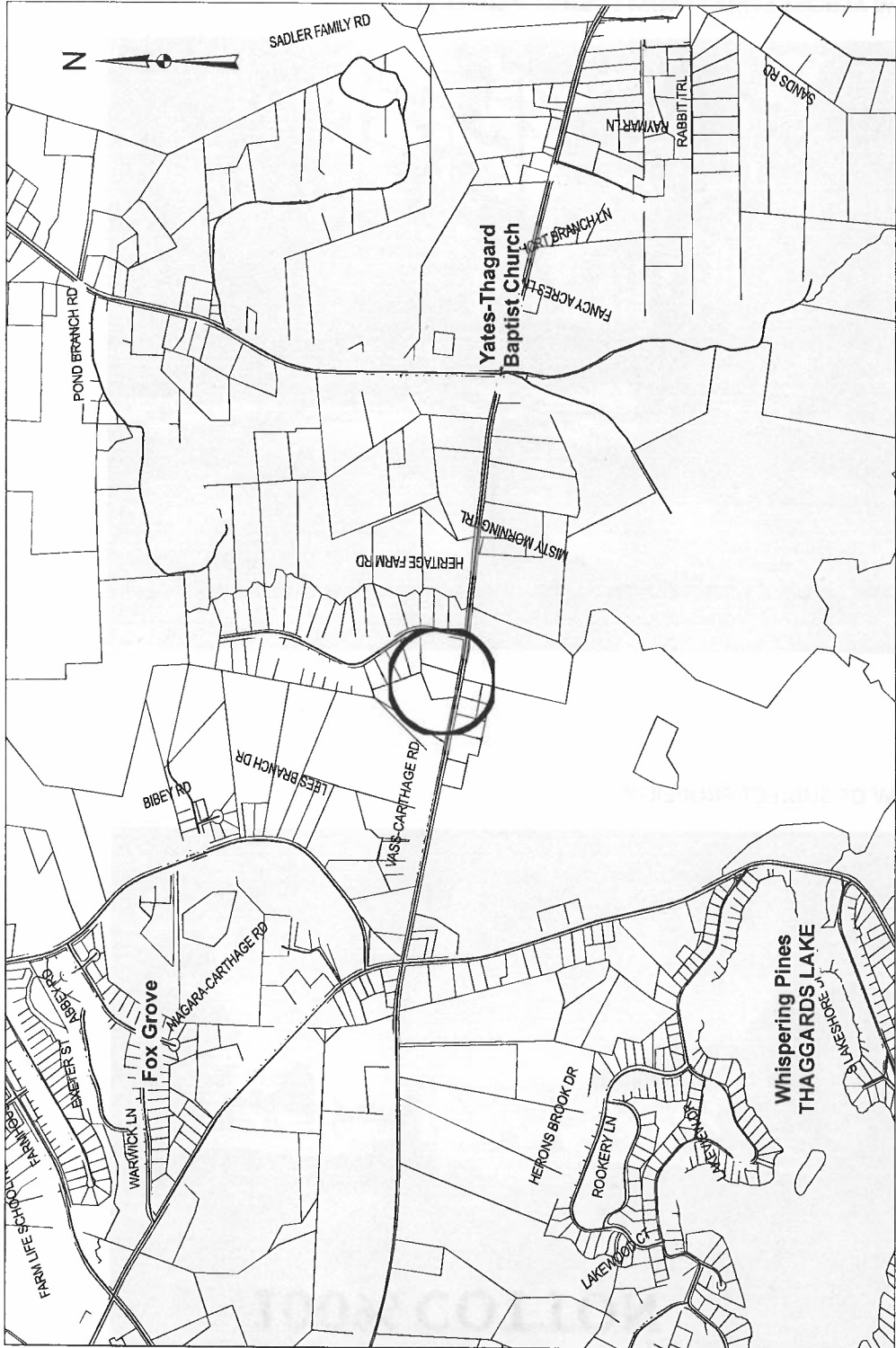
WHIS PINES 565

00038235

00038236

3514 VASS-CARTHAGE RD

Landmarks Map



1,000 Feet

Legend

Highways

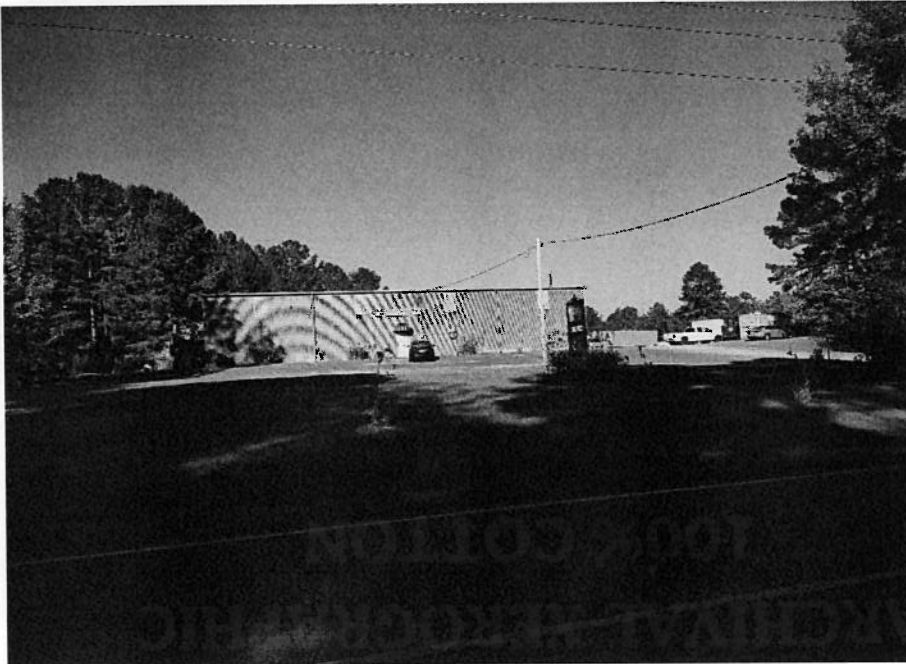
Roads

Parcels

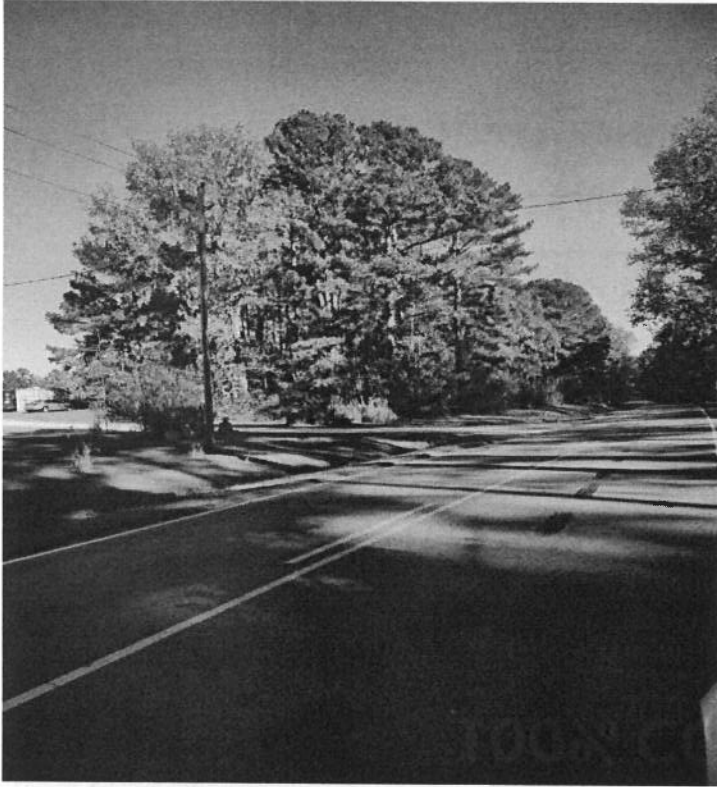
VIEW ACROSS STREET FROM SUBJECT PROPERTY



VIEW OF SUBJECT PROPERTY



VIEW EAST OF SUBJECT PROPERTY (VASS CARTHAGE ROAD)



VIEW WEST OF SUBJECT PROPERTY (VASS CARTHAGE ROAD)





County of Moore
Planning and Inspections

Moore County

SEP 21 2023

Inspections/Permitting: (910) 947-2221

Planning: (910) 947-5010

Fax: (910) 947-1303

Department

CONVENTIONAL REZONING APPLICATION

Application Date: 9/21/2023			
Location/Address of Property: 3449 Vass Carthage Road			
Applicant: James and Lisa Gibbons		Phone: (910) 949-2830	
Applicant Address: 642 Redwood Dr	City: Southern Pines	St: NC	Zip: 28387
Owner: James and Lisa Gibbons		Phone: (910) 949-2830	
Owner Address: 642 Redwood Dr	City: Southern Pines	St: NC	Zip: 28387
Current Zoning District: Light Industrial	Proposed Zoning District: B2		
Comments:			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
James L. Gibbons		9/21/2023	
Applicant/Owner Signature		Date	
Lisa T. Gibbons		9/21/2023	
Applicant/Owner Signature		Date	
Office Use Only:			
PAR ID: 00033836		9/21/2023	
Received By: [Signature]		Date	

Route 3 Box 370
Carthage, NC 28327
6.50
27.50
34.00 due!

0 5 9 6 6 5

STATE OF
NORTH CAROLINA
JUN 13 '85



Real Estate
Excise Tax
27.50
229

BOOK 533 PAGE 229
JUN 13 9 43 AM '85

GRIER GUY
REGISTERED
MORTGAGE

Excise Tax

Recording Time, Book and Page

Tax Lot No. Parcel Identifier No.
Verified by County on the day of 19.....
by
Mail after recording to James Lee Gibbons, R-3, B-370, Carthage, NC 28327
This instrument was prepared by Margaret Matthews

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 18th day of April, 1985, by and between

GRANTOR

GRANTEE

H. Leon Matthews & wife,
Margaret W. Matthews
R-5, B-77
Carthage, NC 28327

James Lee Gibbons & wife,
Lisa T. Gibbons
R-3, B-370
Carthage, NC 28327

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in McNeill Township, Moore County, North Carolina and more particularly described as follows:

A certain tract or parcel of land in McNeill Township, Moore County, N. C., fronting on the northeast side of State Road No. 1803 about one hundred yards west of its intersection with Lee's Branch Drive, adjoining the lands of Matthews and W. A. Harkey Jr. and being described as follows:
BEGINNING at an iron pipe 30 feet northeast of the centerline of pavement of State Road No. 1803, said beginning corner being located N77°36'W 356.54 feet from the intersection of the centerline of Lee's Branch Drive (a private road in the Settlers Grove subdivision) with the northerly right of way of State Road No. 1803; running thence from said beginning as the northerly right of way line of State Road No. 1803 as it curves slightly to the right in a northwesterly direction a chord of N74°31'W 265.00 feet to an existing iron pipe 30 feet northeast of the centerline of pavement, a corner of W.A. Harkey Jr.; thence leaving the road with lines of Harkey, N3°04'W, 259.90 feet to an existing iron pipe; thence N67°32'E 300.00 feet to an existing iron pipe, a corner of Harkey and the southwest corner of lot 30 of the Settlers Grove subdivision; thence as the south line of lot 30, S86°11'E 74.73 feet to an iron pipe; thence a new line S16°38'W 447.50 feet to the beginning, containing 2.54 acres more or less, and being a portion of the Matthews land described in Deed Book 504 at page 780 in the Moore County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in

Book 504, page 780

A map showing the above described property is recorded in Plat Book page

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

(Corporate Name)

By:

President

ATTEST:

Secretary (Corporate Seal)

USE BLACK INK ONLY

H. Leon Matthews (SEAL)
Margaret W. Matthews (SEAL)
 (SEAL)



MY COMMISSION EXPIRES

NORTH CAROLINA, COUNTY OF Moore

I, *Doris G. Fuquay*, a Notary Public of said county do hereby certify that *H. Leon Matthews and Margaret W. Matthews* Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this *22* day of *April*, 19*85*.
Doris G. Fuquay Notary Public

SEAL-STAMP

NORTH CAROLINA, COUNTY OF

I, a Notary Public of the County and State aforesaid, certify that personally came before me this day and acknowledged that he is Secretary of a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by as its Secretary.

Witness my hand and official stamp or seal, this day of 19.....

My commission expires:

Notary Public

North Carolina-Moore County

The foregoing Certificate(s) of

Doris G. Fuquay Notary Public of Moore County, North Carolina

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

This 13th. day of June, 1985

Grier Gilmore

REGISTER OF DEEDS FOR COUNTY

By

Mary R. Phillips

Deputy/Assistant - Register of Deeds

FOR REGISTRATION REGISTER OF DEEDS
Judy D. Martin
Moore County, NC
May 25, 2011 12:25:39
Book 3879 Page 52-54
FEE: \$25.00
INSTRUMENT # 2011006843

Rs



INSTRUMENT # 2011006843

mailed ✓ Instrument Prepared By: Hurley E. Thompson, Jr.
Tax Address: 3449 Vass-Carthage Road, Carthage, NC 28327

NORTH CAROLINA

WARRANTY DEED

MOORE COUNTY

THIS DEED, made and entered into this the 23rd day of May, 2011, by and between **Gibbons Enterprises, L.L.C.**, (hereafter "GRANTOR"), - TO - **Creative Sparks, L.L.C.**, (hereafter "GRANTEE");

W I T N E S S E T H :

That the Grantor, in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, has given, granted, bargained, sold and conveyed and by these presents does give, grant, bargain, sell and convey to the Grantee, his heirs, successors and assigns, all of that certain tract or parcel of land situate in McNeill Township, Moore County, North Carolina, more particularly described as follows:

BEGINNING at an iron pipe 30 feet northeast of the centerline of pavement of State Road No. 1803, said beginning corner being located at N 77° 36' W 256.54 feet from the intersection of the centerline of Lee's Branch Drive (a private road in Settler's Grove Subdivision) with the northerly right of way of State Road No. 1803; running thence from said beginning as the northerly right of way line of State Road No. 1803 as it curves slightly to the right in a northwesterly direction a chord of N 74° 31' W 265.00 feet to an existing iron pipe 30 feet northeast of the centerline of pavement, a corner of W. A. Harkey, Jr.; thence leaving the road with lines of

Harkey, N 3° 04' W 259.90 feet to an existing iron pipe, thence N 67° 32' E 300.00 feet to an existing iron pipe, a corner of Harkey and the southwest corner of Lot 30 of the Settler's Grove Subdivision; thence as the south line of Lot 30, S 86° 11' E 74.73 feet to an iron pipe; thence a new line S 10° 38' W 447.50 feet to the Beginning, containing 2.54 acres, more or less. For further reference see Book 1679, at Page 238.

This conveyance is subject to: (i) the Declaration of Restrictions and Covenants, if any, as the same may have been amended; (ii) such matters, provisions and reservations as are shown on the above plat, if any; (iii) the lien for ad valorem taxes or other assessments for the year of closing or conveyance; and (iv) utility easements of record.

TO HAVE AND TO HOLD the aforesaid described land with all privileges and appurtenances thereunto belonging or in anywise appertaining to the said Grantee, his heirs, successors and assigns, in fee simple forever.

And the said Grantor, for himself and his heirs, successors and assigns, covenants with the said Grantee, his heirs, successors and assigns, that he is seized of the said premises in fee and has the right to convey the same in fee simple; that the same is free and clear from all encumbrances; and that he does hereby forever warrant and will forever defend the said title to the same against the claims of all persons whomsoever, except for the exceptions noted herein.

The designation "Grantor" and "Grantee" as used herein shall include the singular as well as the plural and the masculine, feminine or neuter gender may be read in either the masculine, feminine or neuter gender or a combination thereof as the context may require in order to accurately refer to the person or persons first named hereinabove as "Grantor" and "Grantee".

780

IN WITNESS WHEREOF the said Grantor, has hereunto set his hand or if corporate, has caused this instrument to be signed in the corporate name by its duly authorized officers by authority of its duly elected Board of Directors, the day and year first above written.

Gibbons Enterprises, L.L.C.

BY: James L. Gibbons
James L. Gibbons,
Member/Manager

NORTH CAROLINA

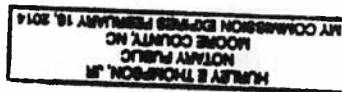
MOORE COUNTY

I, HORREY E. THOMPSON JR a Notary Public of the County and State aforesaid, certify that James L. Gibbons, personally came before me this day and acknowledged that he is member/manager of Gibbons Enterprises, L.L.C., a corporation, and that he, as member/manager, being authorized to do so, executed the foregoing instrument on behalf of the corporation.

WITNESS my hand and official seal, this 25th day of MAY, 2011.

[Signature] (SEAL)
Notary Public

My commission expires: 2/18/14.



Moore County Board of Commissioners
Land Use Plan Consistency Statement
Conventional Rezoning I to B-2 3449 Vass Carthage

The Moore County Board of Commissioners finds that:

Section 1: The proposed conventional rezoning amends the following plan (s):

The Moore County Land Use Plan, specifically the Future Land Use Map to revise the subject property's designation from Rural Agricultural to Commercial/Office/Retail/Institutional. The update to the Future Land Use Map will align with the following Goal of the Land Use Plan:

1. Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities).
 - Recommendation 1.7: Support and promote local businesses.
 - o Action 1.7.2: Encourage emerging markets that utilize local agricultural and manufactured products and enhance tourism and the service sectors.
 - o The requested rezoning to B-2 will reduce intensity in the range of allowable uses on the property.

Section 2: The proposed conventional rezoning **is reasonable** and in the public interest because it supports the current 2013 Moore County Land Use goal and recommendations listed above. The rezoning also reduces the intensity of potential uses of future development on the subject property, which is more compatible and consistent with surrounding land uses and development patterns.

Therefore, The Moore County Board of Commissioners finds the conventional rezoning amendment is **consistent** with the Land Use Plan, as proposed.

Nick Picerno, Chair
 Moore County Board of Commissioners

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Conventional Rezoning I to B-2 3449 Vass Carthage

The Moore County Board of Commissioners finds that:

The proposed conventional rezoning is **not** consistent with the following goal as listed in the 2013 Moore County Land Use Plan:

1. It is not consistent with Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities)
 - Recommendation 1.3: Preserve large tracts of prime agricultural land to ensure that farming remains a viable part of the local economy.
 - o The requested rezoning to B-2 will allow a smaller lot size (10,000 square feet) than is currently allowed (43,560 square feet).

The proposed conventional rezoning is not reasonable and not in the public interest because the proposed conventional rezoning will have an unreasonable impact on the surrounding community.

Therefore, The Moore County Board of Commissioners finds the conventional rezoning amendment is **inconsistent** with the Land Use Plan.

Nick Picerno, Chair
Moore County Board of Commissioners

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Chapter 8 -Specific Use Standards
Text Amendment to the Unified Development Ordinance

The Moore County Board of Commissioners finds that:

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

Goal 4: Provide Information and Seek Citizen Participation.

- o 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 amendment would ensure that standards accurately reflect North Carolina Law with changes made with adoption of General Statute 160D-914.

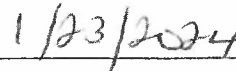
The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan Action listed above.
2. It ensures the Moore County Unified Development Ordinance mirrors NC General Statute, 160D-914, regarding solar collectors.

Therefore, The Moore County Board of Commissioners finds the text amendment to the Unified Development Ordinance is **consistent** with the land use plan.



Nick Picerno, Chair
Moore County Board of Commissioners



Date



Agenda Item: 5.D.
Meeting Date: January 23, 2024

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Debra Enslinger, Planning Director
DATE: 01/03/2024
SUBJECT: Public Hearing for Unified Development Ordinance Amendments to Chapter 8 Section 8.103.B (Solar Collectors, On-Site- Ground Mounted Solar Panels) and Section 8.103.C (Roof Mounted Panels)
PRESENTER: Debra Enslinger, Planning Director

REQUEST: A Public Hearing to consider amendments to Chapter 8 (Specific Use Standards), Section 8.103.B (Solar Collectors, On-Site-Ground Mounted Solar Panels) and Section 8.103.C. (Roof Mounted Panels) of the Moore County Unified Development Ordinance.

BACKGROUND: BACKGROUND

- The existing language regarding ground mounted solar panels is inconsistent with North Carolina current law by stating that on-site solar collectors shall be located in the side or rear yard, shall meet the required accessory building setbacks, shall not exceed 30% of the footprint of the principal structure, and in no case be higher than the principal structure and that in the RE Zoning District, ground mounted solar panels shall be allowed in the front yard and must meet principal structures setbacks. Maximum height of all components of the solar array shall be 12 feet and Type 2 or Type 3 screening from all adjacent properties shall be provided in accordance with Section 7.11.
- The existing language regarding roof mounted solar panels is inconsistent with North Carolina current law by stating that on-site solar collectors shall not extend beyond the perimeter of the roof and shall not project above the highest point of the roof.
- Per General Statute 160D-914, development regulation can only regulate location and screening.

PROPOSED TEXT AMENDMENT LANGUAGE TO BE REMOVED.

Bold text – additions to the ordinance

~~Strikethrough text~~ – deletions from the ordinance

1. AMEND Chapter 8 (Specific-Use-Standards), Section 8.103.B. (Solar Collectors, On-Site Ground Mounted Solar Panels) and 8.103.C (Roof Mounted Panels) to update the

requirements for solar collectors to be consistent with current NC law per General Statute 160D-914. The proposed language is as follows:

Section 8.103, B. GROUND MOUNT SOLAR PANELS

1. On-site solar collectors shall be located in the side or rear yard and shall meet the required accessory building setbacks. ~~shall not exceed 30% of the footprint of the principal structure, and in no case be higher than the principal structure.~~
2. In the RE Zoning District, ground mounted solar panels shall be allowed in the front yard and must meet principal structures setbacks. ~~Maximum height of all components of the solar array shall be 12 feet and Type 2 or Type 3 screening from all adjacent properties shall be provided in accordance with Section 7.11.~~

Section 8.103, C. ROOF MOUNTED PANELS

C. On-site solar collectors ~~shall not extend beyond the perimeter of the roof and shall not project above the highest point of the roof~~ are regulated pursuant to NCGS §160D-914.

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.

PLANNING BOARD RECOMMENDATION

The Planning Board met on December 7, 2023, and voted 4-1 to recommend approval of the text amendments as proposed.

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

IMPLEMENTATION PLAN: Hold a Public Hearing on January 23, 2024, at 5:30 p.m.

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 (**Consistent** or **Inconsistent**) 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 above amendments to Chapter 8 of the Moore County Unified Development Ordinance as proposed.

ATTACHMENTS:

1. NC General Statute 160D-914
2. RLUAC Comments
3. Board of Commissioners Land Use Plan Consistency Statement - Consistent/Inconsistent



User Name: Tron Ross

Date and Time: Friday, August 18, 2023 4:23:00PM EDT

Job Number: 203883488

Document (1)

1. N.C. Gen. Stat. § 160D-914

Client/Matter: -None-

Search Terms: ncgs 160d-914

Search Type: Natural Language

N.C. Gen. Stat. § 160D-914

Current through Session Laws 2023-105 of the 2023 Regular Session of the General Assembly, but does not reflect possible future codification directives from the Revisor of Statutes pursuant to G.S. 164-10.

General Statutes of North Carolina > Chapter 160D. Local Planning and Development Regulation. (Arts. 1 — 14) > Article 9. Regulation of Particular Uses and Areas. (Pts. 1 — 5) > Part 1. Particular Land Uses. (§§ 160D-901 — 160D-919)

§ 160D-914. Solar collectors.

(a) Except as provided in subsection (c) of this section, no local government development regulation shall prohibit, or have the effect of prohibiting, the installation of a solar collector that gathers solar radiation as a substitute for traditional energy for water heating, active space heating and cooling, passive heating, or generating electricity for a residential property, and no person shall be denied permission by a local government to install a solar collector that gathers solar radiation as a substitute for traditional energy for water heating, active space heating and cooling, passive heating, or generating electricity for a residential property. As used in this section, the term "residential property" means property where the predominant use is for residential purposes.

(b) This section does not prohibit a development regulation regulating the location or screening of solar collectors as described in subsection (a) of this section, provided the regulation does not have the effect of preventing the reasonable use of a solar collector for a residential property.

(c) This section does not prohibit a development regulation that would prohibit the location of solar collectors as described in subsection (a) of this section that are visible by a person on the ground and that are any of the following:

- (1) On the facade of a structure that faces areas open to common or public access.
- (2) On a roof surface that slopes downward toward the same areas open to common or public access that the facade of the structure faces.
- (3) Within the area set off by a line running across the facade of the structure extending to the property boundaries on either side of the facade, and those areas of common or public access faced by the structure.

(d) In any civil action arising under this section, the court may award costs and reasonable attorneys' fees to the prevailing party.

History

2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).

Annotations

Notes

Editor's Note.

Session Laws 2020-3, s. 5, is a severability clause.

Session Laws 2020-25, s. 51(b), provides: "Part II of S.L. 2019-111 [which enacted this Chapter] is effective when this act becomes law [June 19, 2020]. Part II of S.L. 2019-111 clarifies and restates the intent of law existing on the effective date of this act [June 19, 2020] and applies to ordinances adopted before, on, and after that date. Valid local government development regulations that are in effect at the time of the effective date of Part II of S.L. 2019-111 remain in effect but local governments shall amend those regulations to conform to the provisions of Part II of S.L. 2019-111 on or before July 1, 2021. Part II of S.L. 2019-111 applies to local government development regulation decisions made on or after the earlier of:

"(1) The effective date of the amendments to local development regulations made to conform to the provisions of Part II of S.L. 2019-111 or

"(2) July 1, 2021."

General Statutes of North Carolina
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End of Document

From: [RLUAC Executive Director](#)
To: [Danielle Orloff](#)
Subject: RE: Text Amendments going to Dec. 7 Planning board and BOC Jan 23
Date: Thursday, November 30, 2023 1:14:12 PM

Danielle,

RLUAC does not have any comments on the pending cases that you sent. I do have one question though – just for clarification. Does the amendment to 10.7.A.3 mean that if RLUAC makes a “recommendation” vs. a “comment” that it won’t be considered? We provide responses in various forms based on the nature of the case that we are reviewing, and sometimes the response contains a “recommendation.” Not being privy to the underlying reason for the amendment, I’m sure I’m missing something.

Thanks,

Vagn

Vagn K. Hansen II, AICP, Executive Director
Regional Land Use Advisory Commission
6205 Raeford Road
Fayetteville, NC 28304
(910) 398-3743
director@rluac.com
www.rluac.com

From: Danielle Orloff <dorloff@moorecountync.gov>
Sent: Tuesday, November 28, 2023 9:29 AM
To: RLUAC Executive Director <director@rluac.com>
Subject: Text Amendments going to Dec. 7 Planning board and BOC Jan 23

Vagn,

Please find the text amendments attached that were mentioned in the earlier email.

- Text Amendment-Chapter 6
- Text Amendment-Chapter 8
- Text Amendment-Chapter 10

Thank you,

Danielle Orloff, CCZO
Senior Planner
Moore County Planning & Inspections

Moore County Board of Commissioners

Land Use Plan Consistency Statement

Chapter 8 -Specific Use Standards

Text Amendment to the Unified Development Ordinance

The Moore County Board of Commissioners finds that:

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

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 amendment would ensure that standards accurately reflect North Carolina Law with changes made with adoption of General Statute 160D-914.

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

1. It supports the current 2013 Moore County Land Use Plan Action listed above.
2. It ensures the Moore County Unified Development Ordinance mirrors NC General Statute, 160D-914, regarding solar collectors.

Therefore, The Moore County Board of Commissioners finds the text amendment to the Unified Development Ordinance is **consistent** with the land use plan.

 Nick Picerno, Chair
 Moore County Board of Commissioners

 Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Chapter 8 -Specific Use Standards
Text Amendment to the Unified Development Ordinance

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.
 - 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 surrounding community.

Therefore, the Moore County Board of Commissioners finds that the text amendment to the Unified Development Ordinance is **not consistent** with the land use plan.

Nick Picerno, Chair
Moore County Board of Commissioners

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Chapter 10-General Application Review Procedures
Text Amendment to the Unified Development Ordinance

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.
 - Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - The proposed amendment would clarify the sections of the Unified Development Ordinance removing incorrect language regarding recommendations, making it easier to understand and use.

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 amendment is necessary to add clarity to the Unified Development Ordinance.

Therefore, The Moore County Board of Commissioners finds the text amendment to the Unified Development Ordinance is **consistent** with the land use plan.



Nick Picerno, Chair
 Moore County Board of Commissioners

1/23/2024
 Date



Agenda Item: 5.E.
Meeting Date: January 23, 2024

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Debra Ensinger, Planning Director
DATE: 01/03/2024
SUBJECT: Public Hearing for Unified Development Ordinance Amendments to Chapter 10 – Section 10.7- Staff Review and Action (A. Initial Staff Review, A.3, B. Staff Report and Recommendation Heading, B.2 & B.5)
PRESENTER: Debra Ensinger, Planning Director

REQUEST: A Public Hearing to consider amendments to Chapter 10 (General Application Review Procedures), Section 10.7 Staff Review and Action (A. Initial Staff Review, A.3), (Staff Report and Recommendation, Heading, B.2 & B.5) of the Moore County Unified Development Ordinance (UDO).

BACKGROUND:

- During 160D revisions to the UDO, approved by the Board of Commissioners, on November 15, 2022, sections were modified with language regarding recommendations. This term recommendations, as it currently is used in the UDO, has created confusion as to Staff's requirements when presenting information submitted by applicants to the different Boards. This Text Amendment is proposed to clean up language and clarify roles and requirements.

PROPOSED TEXT AMENDMENT LANGUAGE TO BE REMOVED

Bold Text – additions to the ordinance

~~**Strikethrough Text**~~ – deletions from the ordinance

Chapter 10 (General Application Review Procedures), Section 10.7 (Staff Review and Action – A. Initial Staff Review, A.3, B Staff Report and Recommendation, Heading, B.2 & B.5) of the Moore County Unified Development Ordinance.

10.7.A INITIAL STAFF REVIEW

1. Following application completeness determination, development application materials shall be distributed by the Administrator to all appropriate staff and review agencies for review and comment.
2. Applications shall be reviewed during the review cycle in place when the application is determined to be complete.

3. In considering the application, the Administrator or other County staff (as appropriate), shall review the application, relevant support material, and any comments or recommendations from other staff and review agencies to which the application was referred.
4. If deficiencies in complying with applicable standards of this Ordinance are identified, the Administrator shall notify the applicant of such deficiencies in writing and provide the applicant a reasonable opportunity to discuss them and revise the application accordingly.

10.7.B. STAFF REPORT

1. The Administrator shall prepare a written staff report on any application to be reviewed or decided by the Planning Board, Board of County Commissioners, or the Board of Adjustment.
2. The staff report shall conclude whether the application complies with all applicable review standards of this Ordinance ~~and recommend one of the decisions authorized for the particular type of application~~, based on the review standards applicable to the application type.
3. The staff report shall not include a recommendation from County staff on variance applications or appeals.
4. In cases where the staff finds an application does not comply with the provisions of this Ordinance the staff report shall cite the specific code section(s) in question and the reasons why the application fails to comply.
5. ~~The staff report may identify and recommend modifications to the development proposal that specify how compliance deficiencies might be corrected and how adverse effects of the development application (if any) might be mitigated.~~
- 6.5. A staff report is not required for applications decided by the Administrator, though one may be prepared.

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.

PLANNING BOARD RECOMMENDATION

The Planning Board met on December 7, 2023. A motion was made initially to recommend denial, with no second, resulting in that motion failing. A subsequent motion to recommend approval of the text amendments as proposed passed with a vote of 4-1.

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

IMPLEMENTATION PLAN: Hold a Public Hearing on January 23, 2024, at 5:30 p.m.

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 (**Consistent** or **Inconsistent**) 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 above amendments to Chapter 10 of the Moore County Unified Development Ordinance as proposed.

ATTACHMENTS:

1. RLUAC Comments
2. Board of Commissioners Land Use Plan Consistency Statement - Consistent/Inconsistent

From: RLUAC Executive Director
To: Danielle Orloff
Subject: RE: Text Amendments going to Dec. 7 Planning board and BOC Jan 23
Date: Thursday, November 30, 2023 1:14:12 PM

Danielle,

RLUAC does not have any comments on the pending cases that you sent. I do have one question though – just for clarification. Does the amendment to 10.7.A.3 mean that if RLUAC makes a “recommendation” vs. a “comment” that it won’t be considered? We provide responses in various forms based on the nature of the case that we are reviewing, and sometimes the response contains a “recommendation.” Not being privy to the underlying reason for the amendment, I’m sure I’m missing something.

Thanks,

Vagn

Vagn K. Hansen II, AICP, Executive Director
Regional Land Use Advisory Commission
6205 Raeford Road
Fayetteville, NC 28304
(910) 398-3743
director@rluac.com
www.rluac.com

From: Danielle Orloff <dorloff@moorecountync.gov>
Sent: Tuesday, November 28, 2023 9:29 AM
To: RLUAC Executive Director <director@rluac.com>
Subject: Text Amendments going to Dec. 7 Planning board and BOC Jan 23

Vagn,

Please find the text amendments attached that were mentioned in the earlier email.

- Text Amendment-Chapter 6
- Text Amendment-Chapter 8
- Text Amendment-Chapter 10

Thank you,

Danielle Orloff, CCZO
Senior Planner
Moore County Planning & Inspections

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Chapter 10-General Application Review Procedures
Text Amendment to the Unified Development Ordinance

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.
 - Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - The proposed amendment would clarify the sections of the Unified Development Ordinance removing incorrect language regarding recommendations, making it easier to understand and use.

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 amendment is necessary to add clarity to the Unified Development Ordinance.

Therefore, The Moore County Board of Commissioners finds the text amendment to the Unified Development Ordinance is **consistent** with the land use plan.

Nick Picerno, Chair
Moore County Board of Commissioners

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Chapter 10-General Application Review Procedures
Text Amendment to the Unified Development Ordinance

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.
 - 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 surrounding community.

Therefore, The Moore County Board of Commissioners finds the text amendment to the Unified Development Ordinance is **inconsistent** with the land use plan.

Nick Picerno, Chair
Moore County Board of Commissioners

Date



Agenda Item: 6.A.
Meeting Date: January 23, 2024

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Debra Enslinger, Planning Director
DATE: 01/04/2024
SUBJECT: Quasi-Judicial Hearing for a Special Use Permit Request: Religious Institution (SDA Sandhills Church)-441 Monroe Road, Cameron, NC
PRESENTER: Debra Enslinger, Planning Director

REQUEST: SDA Sandhills Church is requesting a Special Use Permit to operate a Religious Institution on 10.14 acres, located at 441 Monroe Road, owned by Carolina Conference of Seventh Day Adventists, Inc., per Deed Book 5847, Page 230, Plat Cabinet 19, Slide 256. The potentially affected properties are located on Monroe Road and Red Hill Road and surrounding properties.

BACKGROUND: SDA Sandhills Church has applied for a Special Use Permit to operate a Religious Institution on the 441 Monroe Road. Presently, the subject property is vacant and is zoned Rural Agricultural District (RA) which requires a Special Use Permit for the Religious Institution use. The submitted application and site-specific development plan meet the requirements of section 8.91 (Religious Institution) of the Moore County Unified Development Ordinance.

The unanimous passing of the Religious Land Use and Institutionalized Person Act (RLUIPA) by Congress in 2000, was discussed during the 160D UDO update. It was determined that the language of the UDO needed to be brought into compliance. The Table of Uses, in the UDO, was updated to ensure that all uses that fell within the Educational and Institutional Uses were treated equally and required the same procedures for zoning and land use. Therefore, Religious Institutions, which were previously permitted by right, were changed to require a Special Use Permit to be the same as Educational and Institutional Uses.

Adjacent land uses include vacant property, and residential uses.

REQUIRED FINDINGS

In recommending the Special Use Permit, the following findings must be met:

1. The use will not materially endanger the public health or safety; and
2. The use meets all required conditions and specifications; and
3. The use will not substantially injure the value of adjoining property unless the use is a public necessity; and
4. The use will be in harmony with the surrounding area and compatible with the surrounding neighborhood; and

5. The use will be in general conformity with the approved Moore County Land Use Plan, and
6. The use is subject to a site plan that accurately depicts the proposed use's configuration.

APPLICATION REVIEW COMMENTS

The proposed site plan meets all requirements of the Moore County Unified Development Ordinance, including Section 8.91 (Religious Institution)

A. Definition

A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose.

B. Accessory Uses

Includes pastor's housing, Sunday school buildings, recreational buildings utilized by congregation only, fellowship halls, food pantry, childcare facility, school, coffee house, bible school, and after-school facilities.

C. Standards

1. Schools located on the same lot as the religious institution and located in residential zoning districts shall meet the applicable specific use standards and receive approval of a special use permit (see Chapter 13). None proposed.
2. Childcare facilities shall meet the applicable specific use standards and shall submit a copy of State licenses before a Certificate of Occupancy is issued. Childcare not proposed.
3. The minimum yard required for all burial plots and any other building or structure associated with a cemetery is 30 feet from any exterior property line or the required district principal building setback, whichever is greater. Cemetery not proposed.
4. A cemetery shall be associated with the religious institution and be located on the same tract of land as a religious institution, or an immediately abutting parcel to a religious institution under the same ownership. Cemetery not proposed.
5. Religious institutions shall provide at least one off-street parking space for every four seats in the assembly room(s), plus one parking space per employee, or one parking space for every four persons at full occupancy, whichever is greater. Requirements met.

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

IMPLEMENTATION PLAN: Hold a Quasi-Judicial Hearing on January 23, 2024, at 5:30pm.

RECOMMENDATION SUMMARY: Staff recommends the Moore County Board of Commissioners make the following motion:

Motion: Make a motion to **approve/deny** the Special Use Permit for SDA Sandhills Church to operate a Religious Institution on 10.14 acres, located at 441 Monroe Road, owned by Carolina Conference of Seventh Day Adventists, Inc., per Deed Book 5847, Page 230, Plat Cabinet 19, Slide 256.

ATTACHMENTS: 1. Pictures of the property and adjacent properties

2. Zoning Map
3. Landmarks Map
4. Vicinity Map
5. Submitted Special Use Permit Application
6. Site Development and Floor Plan
7. Deed Book 5847, Page 230
8. Plat Cabinet 19, Slide 256
9. Chapter 6- Table of Uses-Educational & Institutional Uses

View of subject property (from Monroe Road)



View of adjacent property (469 Monroe Road)



View of adjacent property (407 Monroe Road)



View of property across the street (430 Monroe Road)



And



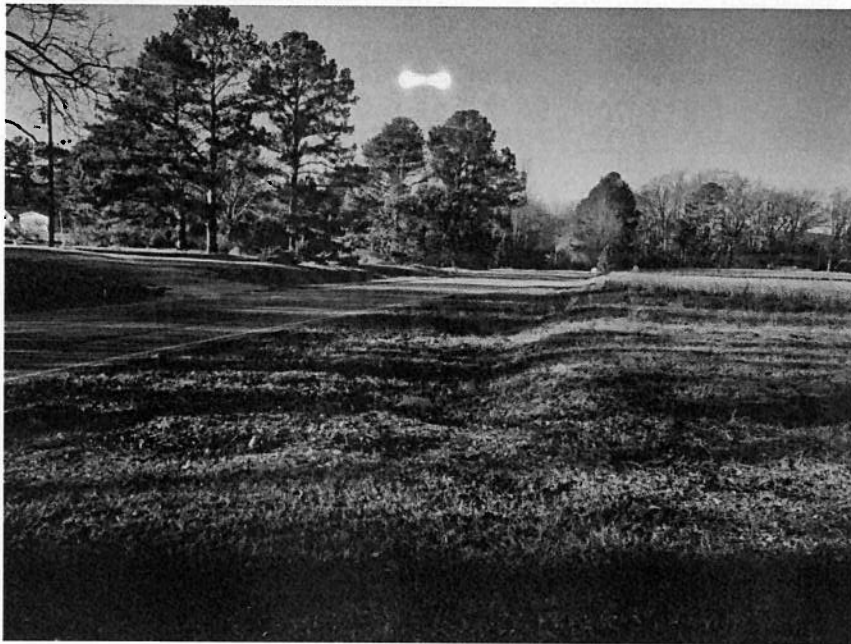
View of adjacent property (461 Monroe Road) from driveway of subject property



View South down Monroe Road



View North down Monroe Road



809

ZONING MAP

MONARCH LN

GILCHRIST RD

RED HILL RD

MITCHELL RD

CMPLY BLN

1460 Zoned RA

441 parcel

1460

1461

1409

1376

205

1241

715

665

571

545

110

574

610

660

608

792

1500

1520

1540

1560

1592

110

1597

1633

1647

1671

1695

1735

1755

1756

1758

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197

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169

809

ZONING MAP

MONARCH LN

GILCHRIST RD

RED HILL RD

MITCHELL RD

CMPLY BLN

1460 Zoned RA

441 parcel

1460

1461

1409

1376

205

1241

715

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571

545

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610

660

608

792

1500

1520

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ZONING MAP

MONARCH LN

GILCHRIST RD

RED HILL RD

MITCHELL RD

CMPLY BLN

1460 Zoned RA

441 parcel

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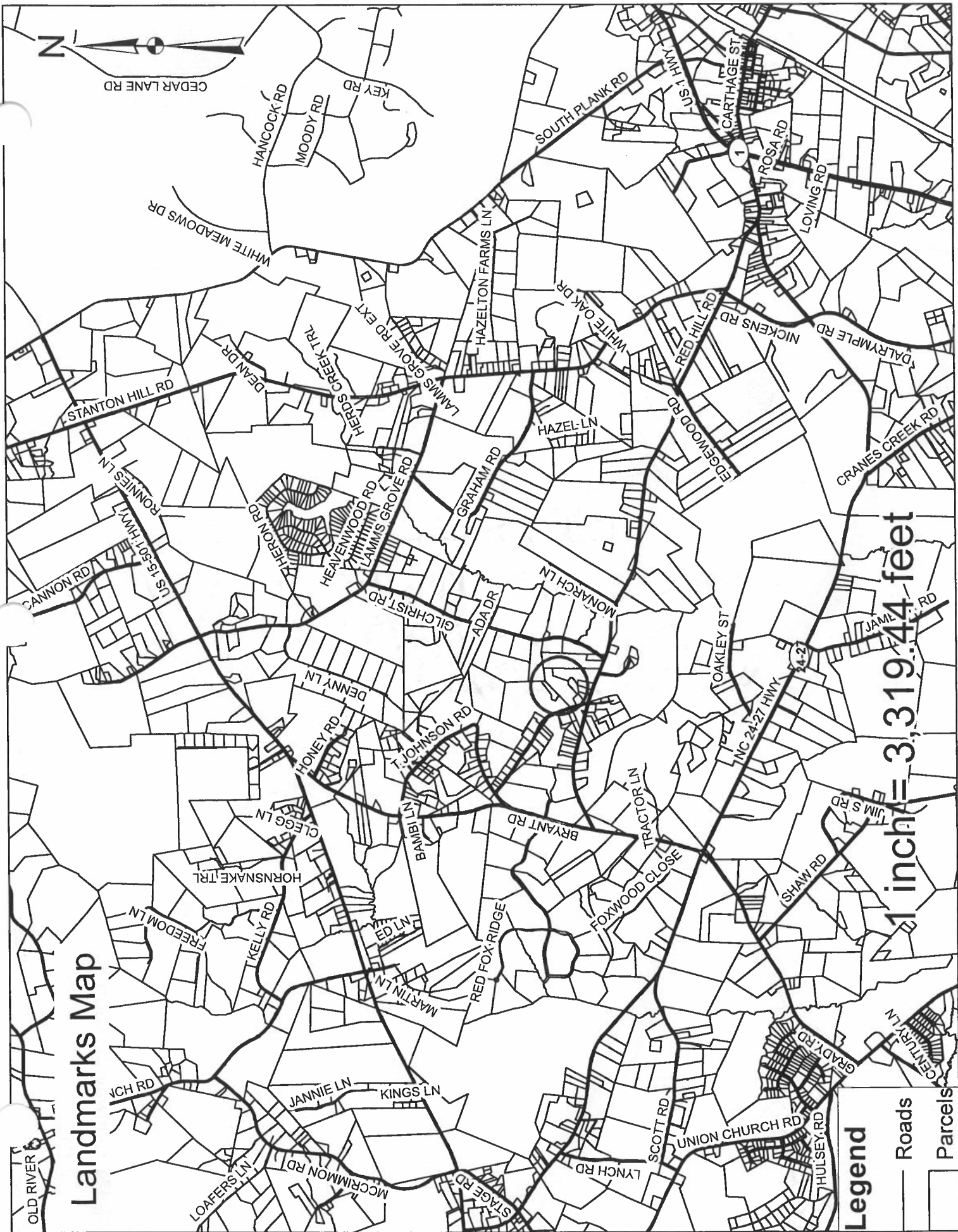
169

809

ZONING MAP

The map displays the following streets and features:

- Streets:** MONROE RD, GILCHRIST RD, MONARCH LN, RED HILL RD, MITCHELL RD, CIMPY BLN.
- Parcel Numbers:** 197, 188, 280, 317, 345, 330, 338, 403, 407, 441, 440, 409, 461, 430, 1672, 1670, 1668, 1662, 1640, 1647, 1671, 1695, 1735, 1755, 1756, 1758, 1597, 1592, 1560, 1540, 1520, 1500, 1461, 1409, 1376, 792, 715, 665, 660, 610, 574, 571, 545, 110, 205, 1241, 168.
- Zoning Designation:** Zoned RA (Residential A) is indicated for parcel 440.



Landmarks Map

Legend

- Roads
- ▭ Parcels

County of Moore Planning and Inspections

RECEIVED

NOV 16 2023

Inspections/Permitting: (910) 947-2221
Planning: (910) 947-5010
Fax: (910) 947-1303



Special Use Permit Application

Application Date: November 22, 2023			
Location/Address of Property: 441 Monroe rd. Cameron, NC 28326			
Applicant: SDA Sandhills Church			Phone: 910-638-8427
Applicant Address: 256 Freeman rd	City: Carthage	St: NC	Zip: 28327
Owner: Carolina Conference of Seventh-day Adventists, Inc.			Phone: 704-596-3200
Owner Address: 2701 East W.T. Harris Blvd.	City: Charlotte	St: NC	Zip: 28213
Current Zoning District: RA	Proposed Use: Religious Institution		
Comments: We are a small congregation of 35 +-. We want to make a difference in our community by helping those in need and demonstrating the love of Christ in our community. We believe if allowed to build a church we will make a positive impact to those around us.			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
<i>Donald Benary</i> Applicant/Owner Signature		11/16/2023 Date	
Applicant/Owner Signature		Date	
Office Use Only:			
PAR ID: 00003368			
<i>Samuel R. [Signature]</i> Received By		11/17/2023 Date	



Elder Chad Grundy
Undertreasurer

Wednesday, November 29, 2023

To whom it may concern:

This is to confirm that the Carolina Conference of Seventh-day Adventists, Inc. has authorized Donald Berrong and/or Robert Nunnaley, to sign an application for a "special Use Permit" to build on our property in Moore County, NC. The address of this property is 441 Monroe Rd., Cameron, NC 28326

Sincerely,

Chad Grundy
Conference Undertreasurer

I, Janeen Hicks Pierre, a Notary Public for North Carolina (state) in Mecklenburg County, do hereby certify that Chad Richard Grundy personally appeared before me this day and acknowledged the due execution of this document. Witness my hand and official seal, this the 5th day of December 2023

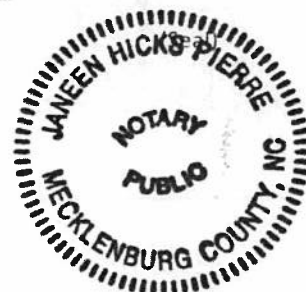
Notary Signature:

Janeen Hicks Pierre

Commission Expiration:

9/23/2025

2701 East WT Harris Blvd.
Charlotte, NC, 28213
PO Box 44270, 28215, USA
www.carolinasda.org



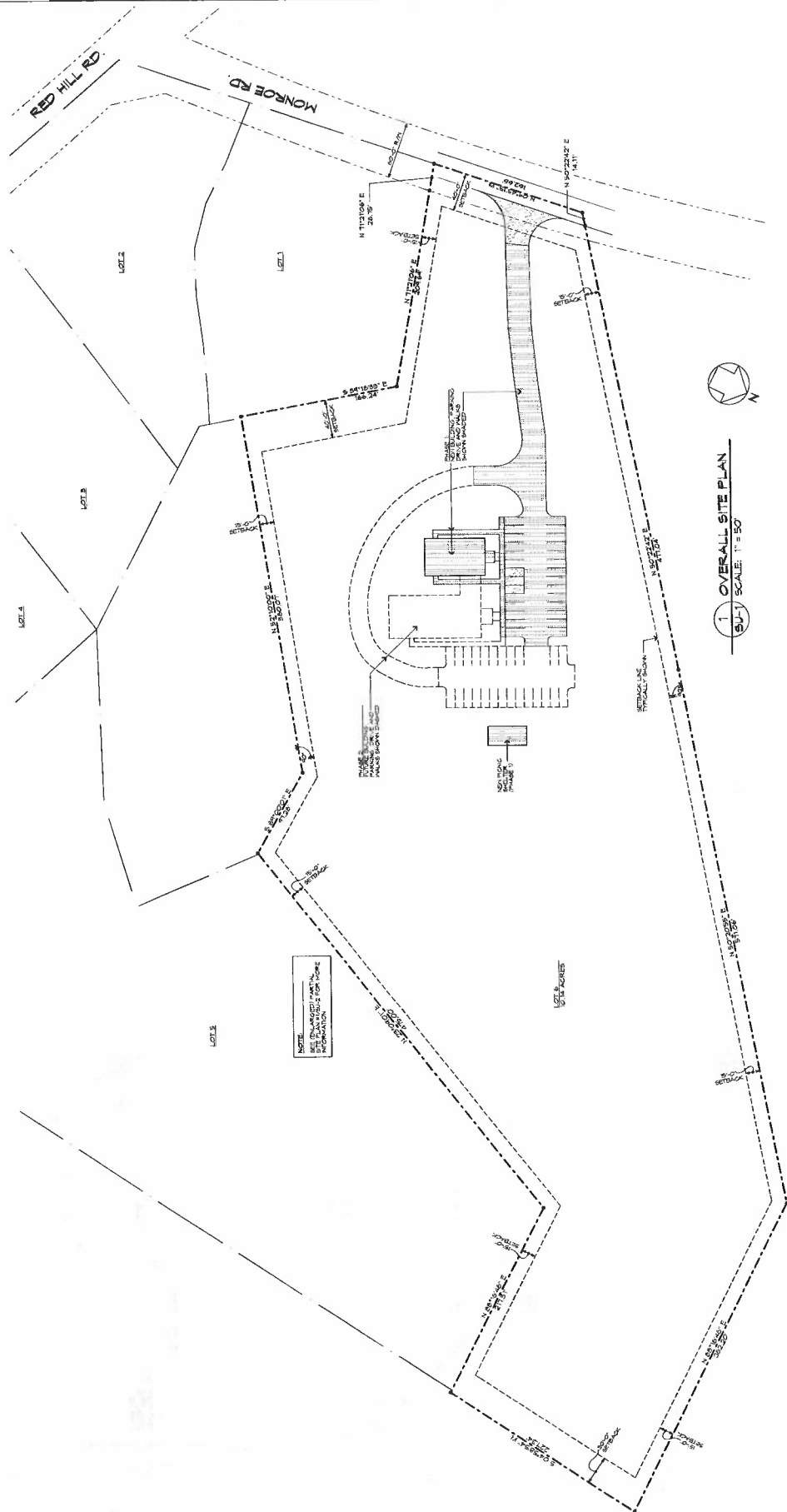
From: Donald Berrong <donaldberrong@gmail.com>
Sent: Thursday, January 4, 2024 12:58 PM
To: Danielle Orloff <dorloff@moorecountync.gov>
Subject: Re: Special Use Permit Please confirm blue responses

Our estimated completion date is as follows for phase one:

1. Picnic Shelter 6 months after permit is approved and pulled
2. New Building Fellowship. hall/Santcuary
18 months after permit is approved and pulled.

PREVIOUS SURFACE CALCULATIONS:

PHASE 1:	
TOTAL BUILDING FOOTPRINT	2,582.00 S.F.
PAVING DRIVE & PARKS	5,000.00 S.F.
TOTAL COVERAGE	7,582.00 S.F.
LOT AREA	22,994.00 S.F.
INTERVOR AREA PERCENTAGE	33%
PHASE 2:	
BUILDING ADDITION FOOTPRINT	4,544.00 S.F.
PARKING DRIVE & PARKS (ADDITION)	15,000.00 S.F.
TOTAL COVERAGE	20,588.00 S.F.
LOT AREA	22,994.00 S.F.
INTERVOR AREA PERCENTAGE	90%
OVERALL COVERAGE - PHASE 1 & PHASE 2:	
TOTAL PHASE 1 COVERAGE	7,582.00 S.F.
TOTAL PHASE 2 COVERAGE	20,588.00 S.F.
TOTAL COVERAGE	28,170.00 S.F.
LOT AREA	22,994.00 S.F.
INTERVOR AREA PERCENTAGE	123%



1" OVERALL SITE PLAN
SU-1 SCALE: 1" = 50'

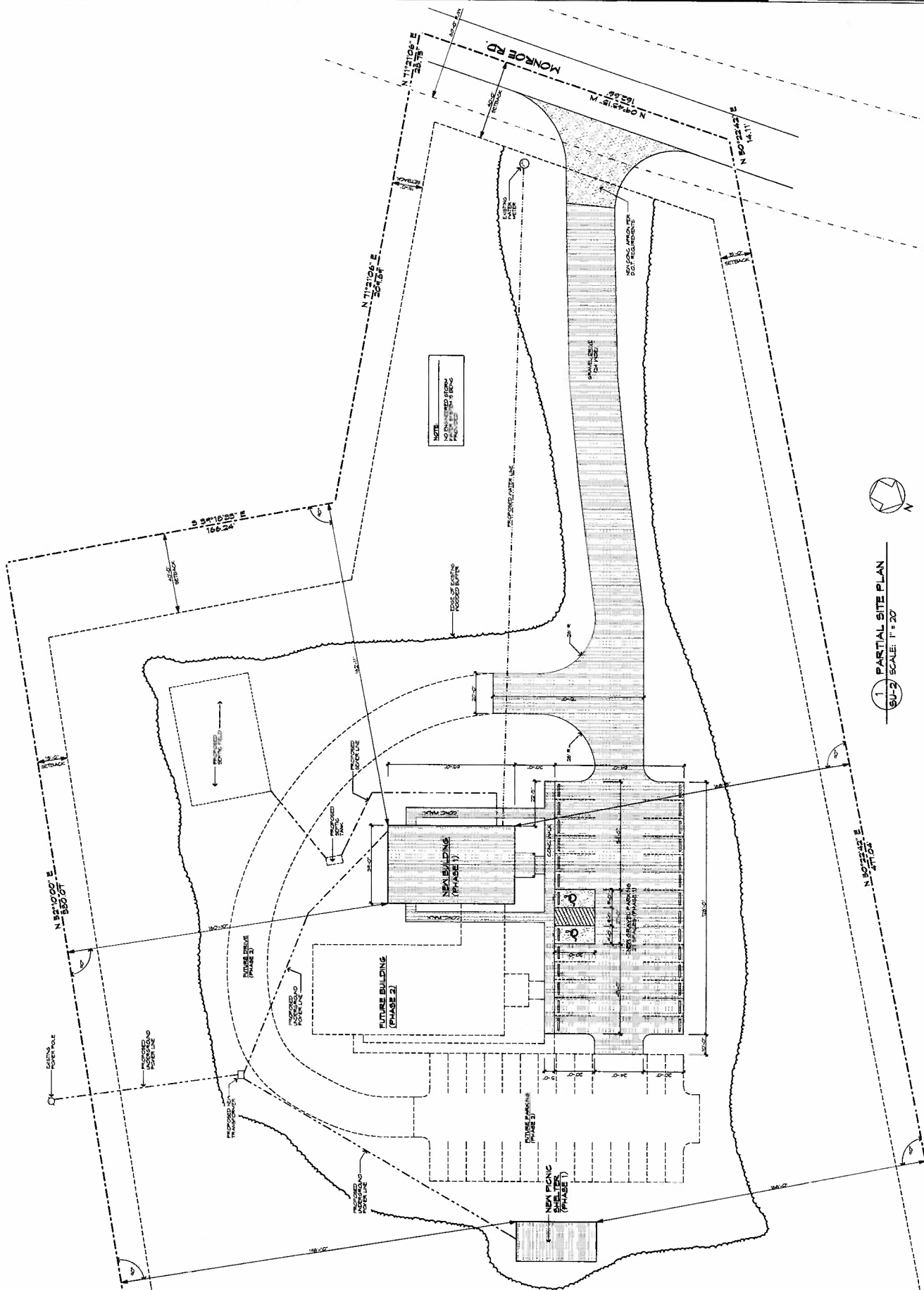
SU-1

DESIGN INFORMATION
JOB NO. 2005
SCALE: 1" = 50'-0"
BY: PB
DATE: 10-01-2005
REVISION DATE:

Design by Bailey
IN COLLABORATION WITH
NEW HOMES + ADDITIONS + RENOVATIONS
100 W. MONROE AVENUE, SUITE 417
NORTH CAROLINA 28601
910-528-0094
info@designbybailey.com

NEW MULTIPURPOSE BUILDING FOR
SDA CHURCH OF THE SANDHILLS
NORTH CAROLINA
CARTRIDGE

HECKETHORN ARCHITECTURE, PLLC
P.O. BOX 458
Southern Pines, NC 28388
Phone: 910-695-1441
Email: jth@hthn.com



818

FOR REGISTRATION REGISTER OF DEEDS

Judy D. Martin
Moore County, NC
May 10, 2022 02:16:42 PM
Book 5847 Page 230-232
FEE: \$26.00

NC REVENUE STAMP: \$258.00
INSTRUMENT # 2022008283



INSTRUMENT # 2022008283

Brief description for the Index:

Stamps: \$ 258.00

LOT 6, 10.14 ACRES +/-, GREENWOOD TOWNSHIP

This instrument was prepared by: **The Gorenflo Law Firm, PLLC** \NO TITLE SEARCH COMPLETED BY PREPARER

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 10th day of May, 2022, by and between,

GRANTOR	GRANTEE
Flynn-Fletcher, LLC a NC limited liability company <u>Mailing Address:</u> 760 C NW Broad Street Southern Pines, NC 28387	Carolina Conference of Seventh-Day Adventists, Inc., a NC non-profit corporation <u>Mailing Address:</u> <u>2701 EAST WT HARRIS BLVD</u> <u>CHARLOTTE NC 28213</u> <u>Property Address:</u> 441 Monroe Road Cameron, NC, 28326

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, tract, or parcel of land situated in **Greenwood Township, Moore County, North Carolina**, and more particularly described as follows:

BEING all of Lot 6, containing 10.14 acres +/-, Greenwood Township as shown on the plat entitled "Survey for Minor Subdivision, Flynn-Fletcher LLC", prepared by Melvin A. Graham, PLS, dated November 16, 2021 and recorded in Plat Cabinet 19, Slide 256 in the Moore County Registry.

Being a portion of the property conveyed to Flynn-Fletcher, LLC, by deed dated December 21, 2021, and recorded in Book 5767, Page 66, Moore County Registry.

All or a portion of the property herein conveyed does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot, tract, or parcel of land, and all privileges and appurtenances thereto belonging to the said Grantee in fee simple; subject, however, to the exceptions, reservations and conditions herein above referred to.

And the Grantor covenants with the Grantee, that Grantor is seized of said premises in fee simple and has the right to convey in fee simple; that the title is marketable and free and clear of all encumbrances; and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except: ad valorem taxes for the current year (prorated to the date of closing); utility easements; unviolated covenants, conditions and restrictions that do not materially affect the value of the property being conveyed herein; and such other encumbrances as may be assumed or specifically approved by Grantee.

The designation Grantor or Grantee as used herein shall include the singular as well as the plural and the masculine, feminine or neuter gender may be read in either the masculine, feminine or neuter gender or a combination thereof as the context may require in order to accurately refer to the person or persons first named hereinabove as Grantor and Grantee.

***** THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK *****

820

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal, or if Corporate, has caused this instrument to be signed in its Corporate name in the ordinary course of business by its duly authorized officer, pursuant to authorization from the Board of Directors, or if Limited Liability Company (Company), in its Company name in the ordinary course of business by its duly authorized manager, or pursuant to authorization from its members, the day and year first above written.

Flynn-Fletcher, LLC

Samuel T. Copper (SEAL)
 Samuel T. Copper, Member/Manager

STATE OF NORTH CAROLINA,

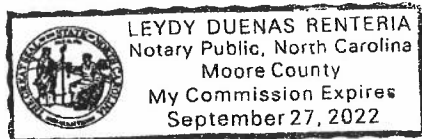
COUNTY OF MOORE, to wit:

I certify that the following person(s) personally appeared before me this day, and each acknowledging to me that he or she signed the foregoing document in the capacity indicated:
Samuel T. Copper, Member/Manager of Flynn-Fletcher, LLC, a NC limited liability company, being so authorized.

Witness my hand and notarial seal this 10th day of May, 2022.

Leydy Duenas Renteria
 Notary Public

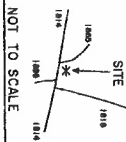
PLACE NOTARY SEAL INSIDE THIS BOX ONLY!



Leydy Duenas Renteria
 (Printed Name of Notary)

My Commission Expires: 10/27/22

VICINITY MAP



NOT TO SCALE

CERTIFICATE OF APPROVAL FOR RECORDING
I CERTIFY THAT THE PLAT SHOWN HEREON COMPLIES WITH THE
MOORE COUNTY WATERSHED PROTECTION ORDINANCE AND IS
APPROVED BY THE MOORE COUNTY REGISTER OF DEEDS
DATE 1-20-2022
Amir D. Walker
WATERSHED ADMINISTRATOR

NOTICE: THIS PROPERTY IS LOCATED WITHIN A PUBLIC WATER
SUPPLY WATERSHED-DEVELOPMENT RESTRICTIONS MAY APPLY.

NOTE: PARCELS ARE LOCATED NEAR AN AREA THAT
IS PRESENTLY USED FOR AGRICULTURAL PURPOSES.
NORMAL AGRICULTURAL OPERATIONS MAY CONFLICT
WITH RESIDENTIAL LAND USE. PLAT LIES GENERAL
PROTECTION FOR EXISTING AGRICULTURAL OPERATIONS
AGAINST NUISANCE LAWS.



MELVIN A. GRAHAM, CERTIFY THAT THIS PLAT WAS DRAWN
UNDER MY SUPERVISION AND IS ACCURATELY REPRESENTED
HEREON. I HAVE REVIEWED THE PLAT AND THE RECORDS OF
PAGE 66, ETC.; THAT THE BOUNDARIES NOT SURVEYED ARE
CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN
BOOK W-1, PAGE W-1; THAT THE RATIO OF PRECISION OR
POSITIONAL ACCURACY AS CALCULATED IS 1:10,000; THAT
THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 160-
AMENDED WATERSHED PROTECTION ACT, AND THAT THE
AND SEAL THIS DAY OF DECEMBER, A.D. 2021.
Melvin A. Graham, P.L.S. REGISTRATION NUMBER L-3471

I HEREBY CERTIFY THAT THE MINOR SUBDIVISION SHOWN ON THIS PLAT
DOES NOT INVOLVE THE CREATION OF NEW PUBLIC STREETS OR ANY
CHANGE IN EXISTING PUBLIC STREETS OR CHANGES IN EXISTING UTILITIES
OR THE SUBDIVISION OF LAND INTO LOTS OR PARCELS OF LAND.
AND THAT THEREFORE THIS PLAT HAS BEEN RECORDED IN THE MOORE
COUNTY REGISTER WITHIN SIXTY DAYS OF THE DATE BELOW.

Amir D. Walker 1-20-2022
WATERSHED ADMINISTRATOR

CERTIFICATE OF OWNERSHIP AND DEDICATION
I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S)
OF THE PROPERTY DESCRIBED HEREON, WHICH PLAT IS
WITHIN THE SUBDIVISION REGULATION OF MOORE COUNTY, NORTH CAROLINA
AND THAT I (WE) FREELY
ADORE THIS PLAN OF SUBDIVISION.
Flynn-Fletcher LLC
OWNER
Amir D. Walker
DATE 1-20-2022

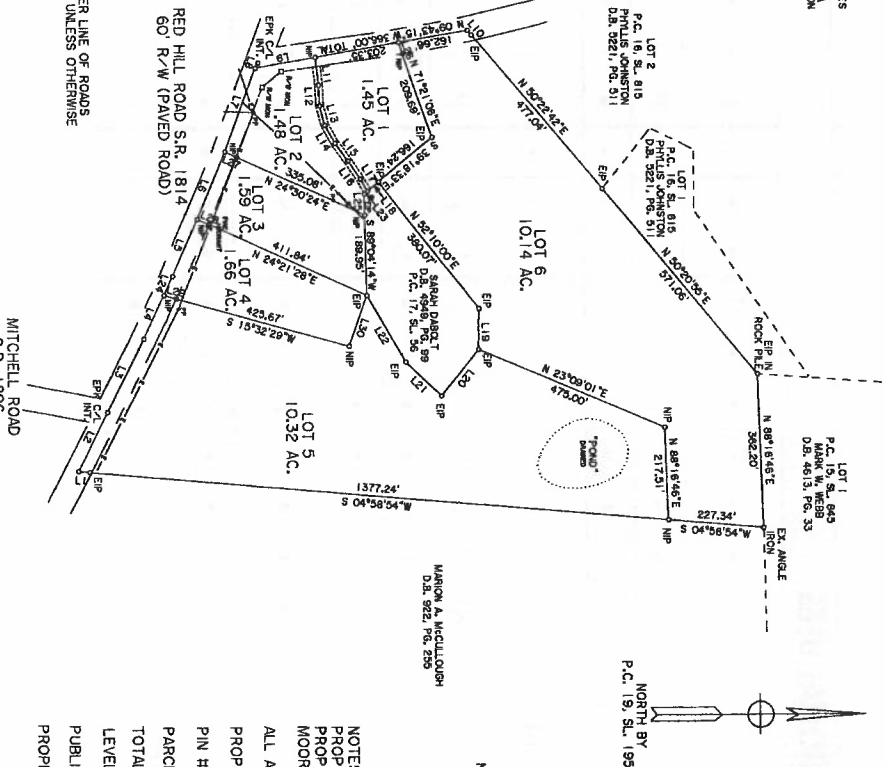
DATE 1-20-2022

MONROE ROAD S.R. 1865
60' R/W (PAVED ROAD)

COURSE	BEARINGS	DISTANCE
1	S 84°54'14" W	27.23'
2	S 82°34'12" W	184.46'
3	N 64°13'39" W	113.40'
4	N 64°13'39" W	113.40'
5	N 64°13'39" W	113.40'
6	N 64°13'39" W	113.40'
7	N 64°13'39" W	113.40'
8	N 64°13'39" W	113.40'
9	N 64°13'39" W	113.40'
10	N 64°13'39" W	113.40'
11	N 64°13'39" W	113.40'
12	N 64°13'39" W	113.40'
13	N 64°13'39" W	113.40'
14	N 64°13'39" W	113.40'
15	N 64°13'39" W	113.40'
16	N 64°13'39" W	113.40'
17	N 64°13'39" W	113.40'
18	N 64°13'39" W	113.40'
19	N 64°13'39" W	113.40'
20	S 81°22'09" E	139.45'
21	S 84°17'32" W	113.40'
22	N 64°13'39" W	113.40'
23	N 64°13'39" W	113.40'
24	N 64°13'39" W	113.40'
25	N 64°13'39" W	113.40'
26	N 64°13'39" W	113.40'
27	N 64°13'39" W	113.40'
28	N 64°13'39" W	113.40'
29	N 64°13'39" W	113.40'
30	N 64°13'39" W	113.40'

NOTE: ALL POINTS ALONG CENTER LINE OF ROADS
ARE CALCULATED POINTS UNLESS OTHERWISE
NOTED.

NOTE: ALL POINTS ALONG CENTER LINE OF 18' EASEMENT
ARE CALCULATED POINTS UNLESS OTHERWISE NOTED.



NOTE: WETLANDS MAY BE PRESENT ON PROPERTY
(SEE NATIONAL WETLAND INVENTORY)

NOTES:
PROPERTY CONSIST OF ALL OF THE FLYNN-FLETCHER, LLC
PROPERTY AS RECORDED IN D.B. 5767, PG. 66
MOORE COUNTY REGISTRY.

ALL AREAS BY COORDINATE METHOD

PROPERTY ZONED RA

PIN # 950700685918

PARCEL ID # 00003368

TOTAL AREA = 26.65 AC.

LEVEL ONE MINOR SUBDIVISION

PUBLIC WATER & PRIVATE SEPTIC SYSTEM

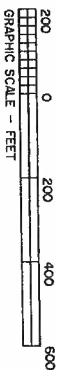
PROPERTY IN WATERSHED WS-III-P

FOR REGISTRATION, REGISTER OF DEEDS
JANUARY 20, 2022 10:15 AM
BOOK 2022-003
PAGE 131
INSTRUMENT # 202200153

MINIMUM BUILDING SETBACKS

FRONT - 40'
SIDE - 15'
REAR - 30'

LEGEND:
1. 18' EASEMENT ALONG CENTER LINE OF MONROE ROAD
2. 18' EASEMENT ALONG CENTER LINE OF MITCHELL ROAD
3. 18' EASEMENT ALONG CENTER LINE OF 18' EASEMENT
4. 18' EASEMENT ALONG CENTER LINE OF 18' EASEMENT
5. 18' EASEMENT ALONG CENTER LINE OF 18' EASEMENT
6. 18' EASEMENT ALONG CENTER LINE OF 18' EASEMENT
7. 18' EASEMENT ALONG CENTER LINE OF 18' EASEMENT
8. 18' EASEMENT ALONG CENTER LINE OF 18' EASEMENT
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19. 18' EASEMENT ALONG CENTER LINE OF 18' EASEMENT
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26. 18' EASEMENT ALONG CENTER LINE OF 18' EASEMENT
27. 18' EASEMENT ALONG CENTER LINE OF 18' EASEMENT
28. 18' EASEMENT ALONG CENTER LINE OF 18' EASEMENT
29. 18' EASEMENT ALONG CENTER LINE OF 18' EASEMENT
30. 18' EASEMENT ALONG CENTER LINE OF 18' EASEMENT



AREA IN R/W
LOT 1 = 0.11 AC +/-
LOT 2 = 0.23 AC +/-
LOT 3 = 0.23 AC +/-
LOT 4 = 0.15 AC +/-
LOT 5 = 0.31 AC +/-
LOT 6 = 0.11 AC +/-

NOTICE: THIS PLAT WAS PREPARED BY THE
REGISTER OF DEEDS - AMT T. SURVEY

TOWNSHIP	COUNTY	STATE
GREENWOOD	MOORE	NC
SURVEY, L-10		
(OWNER)		
FLYNN - FLETCHER, LLC		
355 NEW YORK AVE.		
SOUTHERN PINES, NC 28387		
PROJECT		
16521		
DATE		
11/16/2021		
SCALE		
1" = 200'		
REVISION		
MELVIN A. GRAHAM, P.L.S.		
355 NEW YORK AVE.		
SOUTHERN PINES, NC 28387		
PHONE (919) 499-6174		

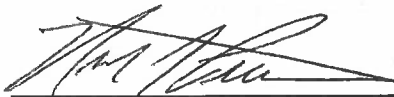
CH 6- TABLE OF USES

EDUCATIONAL & INSTITUTIONAL USES																
Cemetery or Mausoleum, Commercial	S	•	S	S	•	•	S	•	•	•	•	•	•	•	•	n/a
Child Care Facility	S	S	S	S	P	S	S	•	S	•	P	P	S	•	•	E, I
College / Business & Trade School	S	•	•	•	•	•	•	•	•	•	•	•	•	P	•	B
Funeral Home with Crematorium	•	•	•	•	•	•	•	•	•	•	•	P	P	P	•	A-3, B
Government Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Z	B
Hospital	•	•	•	•	•	•	•	•	S	S	•	•	•	•	•	I
Museum / Art Gallery	S	•	•	•	•	•	•	•	•	•	•	P	P	P	•	A-3
Religious Institution	S	•	•	P	P	P	•	S	S	•	•	P	P	P	•	A-3, E
Security Training Facility	S	•	•	•	•	•	•	•	•	•	•	•	•	•	•	B
School, Elementary / Middle / High	S	•	•	P	P	P	•	S	S	•	•	P	P	P	•	E

Fiscal Year 2023/2024

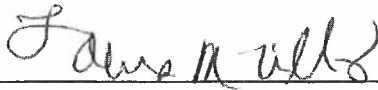
	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Social Services - Federal and State Funding					
Revenue	10032044 33017	Medical Assistance Program	2,580,610	68,362	2,648,972
Expense	10038047 51200	Salaries	2,398,794	23,238	2,422,032
Expense	10038047 51810	FICA/Medicare	184,043	1,778	185,821
Expense	10038047 51811	Retirement	310,347	2,998	313,345
Expense	10038047 51813	Health Insurance	476,267	3,917	480,184
Expense	10038047 51812	401K Retirement	72,174	698	72,872
Expense	10038047 51816	Life Insurance	7,797	86	7,883
Expense	10038045 51200	Salaries	363,760	25,604	389,364
Expense	10038045 51810	FICA/Medicare	27,828	1,959	29,787
Expense	10038045 51812	401K Retirement	10,913	769	11,682
Expense	10038045 51813	Health Insurance	56,400	3,917	60,317
Expense	10038045 51811	Retirement	46,925	3,303	50,228
Expense	10038045 51816	Life Insurance	1,267	95	1,362

Approved this 23 day of January, 2024



Nick Picerno

Moore County Board of Commissioners



Laura Williams

Clerk to the Board

70564

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Chapter 6 Table of Uses
Text Amendment to the Unified Development Ordinance

The Moore County Board of Commissioners finds that:

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

- Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - The proposed amendment allows the use to be an allowable use within the Planned Development Conditional Zoning District which allows a unique range of allowable uses. High Impact Outdoor Recreation is a use that includes a variety of high potential uses that would be considered within a mixed-use development.

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

1. It supports the current 2013 Moore County Land Use Plan action listed above.

Therefore, The Moore County Board of Commissioners finds the text amendment to the Unified Development Ordinance is **consistent** with the land use plan.



Nick Picerno, Chair
Moore County Board of Commissioners

1/23/2024
Date



Agenda Item: 5.C.
Meeting Date: January 23, 2024

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Debra Ensminger, Planning Director
DATE: 01/04/2024
SUBJECT: Public Hearing for a Text Amendment Chapter 6. Table of Uses - Section 6.1. Principal Use Table, Recreation, High Impact Outdoor
PRESENTER: Debra Ensminger, Planning Director

REQUEST: A Public Hearing to consider amendments to Chapter 6. Table of Uses, Section 6.1. Principal Use Table of the Moore County Unified Development Ordinance.

BACKGROUND:

- The proposed amendment will allow the use of High Impact Outdoor Recreation within the Planned Development Conditional Rezoning District.

PROPOSED TEXT AMENDMENT LANGUAGE

Bold Text – additions to the ordinance

PRINCIPAL USE TABLE

P = Permitted by-Right
 S = Requires Special Use Permit
 Z = Permitted in Conditional Zoning District
 A = Allowed in PD District
 O = Not Permitted

Principal Use Type	Zoning Districts [1]																Specific Use Standards	Bldg. Code Class.
	RA	RA-20	RA-40	RA-2	RA-5	RA-USB	RE	GC-SL	GC-WL	PC	B-1	B-2	VB	I	MF-CZ	PD-CZ		
RECREATION USES																		
Airport, Public or Private	S	•	•	•	•	•	•	•	•	•	•	•	•	Z	•	A	8.8	A-3, B
Airstrip, Small Private	S	•	•	•	•	•	•	•	•	•	P	•	•	•	•	A	8.9	B
Assembly Hall	Z	•	•	•	•	•	•	•	Z	•	•	Z	Z	P	•	A	8.13	A-4, A-5
Camp or Care Center	P	•	•	•	•	•	•	•	•	•	•	•	•	•	•	A	8.22	A-3, R-1
Campground, Public and Private	P	•	•	•	•	•	•	•	•	•	•	•	•	•	•	A	8.23	A-3, R-1
Camp, Recreation Day	P	•	•	•	•	•	•	•	•	•	•	•	•	•	•	A	8.24	A-3
Civic / Social Club, Lodge, Organization	S	•	•	P	P	P	•	S	S	•	P	P	P	•	•	A	8.30	A-2, A-3
Golf Driving Range	•	•	•	•	•	•	•	S	S	P	•	P	•	•	•	A	8.54	A-3
Golf Course (including par 3)	•	•	•	•	•	•	•	S	S	P	•	P	•	•	•	A	8.53	U
Marina (fuel & supplies)	•	•	•	•	•	•	•	P	P	•	•	•	•	•	•	A	8.71	M
Neighborhood Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Z	A	8.78	U
Recreation, Indoor	•	•	•	•	•	•	•	•	•	•	S	P	S	•	•	A	8.88	A-5
Recreation, Low Impact Outdoor	P	•	P	P	P	P	P	P	P	•	P	P	S	•	•	A	8.89	A-5
Recreation, High Impact Outdoor	Z	•	•	•	•	•	•	•	•	•	•	•	Z	P	•	A	8.90	A-5
Shooting Range, Indoor	Z	•	•	•	•	•	•	•	•	•	•	P	•	•	•	•	8.98	A-5
Shooting Range, Outdoor	Z	•	•	•	•	•	•	•	•	•	•	P	•	•	•	•	8.99	A-5
Zoo / Petting Zoo	Z	•	•	•	•	•	•	•	•	•	•	P	•	•	•	•	8.117	A-5, U

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.

PLANNING BOARD RECOMMENDATION

The Planning Board met on December 7, 2023, and voted 5-0 to recommend approval of the text amendments as proposed.

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

IMPLEMENTATION PLAN: Hold a Public Hearing on January 23, 2024, at 5:30 p.m.

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 (**Consistent** or **Inconsistent**) 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 above amendments to Chapter 6 of the Moore County Unified Development Ordinance as proposed.

ATTACHMENTS:

1. RLUAC Comments
2. Board of Commissioners Land Use Plan Consistency Statement - Consistent/Inconsistent

From: RLUAC Executive Director
To: Danielle Orloff
Subject: RE: Text Amendments going to Dec. 7 Planning board and BOC Jan 23
Date: Thursday, November 30, 2023 1:14:12 PM

Danielle,

RLUAC does not have any comments on the pending cases that you sent. I do have one question though – just for clarification. Does the amendment to 10.7.A.3 mean that if RLUAC makes a “recommendation” vs. a “comment” that it won’t be considered? We provide responses in various forms based on the nature of the case that we are reviewing, and sometimes the response contains a “recommendation.” Not being privy to the underlying reason for the amendment, I’m sure I’m missing something.

Thanks,

Vagn

Vagn K. Hansen II, AICP, Executive Director
Regional Land Use Advisory Commission
6205 Raeford Road
Fayetteville, NC 28304
(910) 398-3743
director@rluac.com
www.rluac.com

From: Danielle Orloff <dorloff@moorecountync.gov>
Sent: Tuesday, November 28, 2023 9:29 AM
To: RLUAC Executive Director <director@rluac.com>
Subject: Text Amendments going to Dec. 7 Planning board and BOC Jan 23

Vagn,

Please find the text amendments attached that were mentioned in the earlier email.

- Text Amendment-Chapter 6
- Text Amendment-Chapter 8
- Text Amendment-Chapter 10

Thank you,

Danielle Orloff, CCZO
Senior Planner
Moore County Planning & Inspections

Moore County Board of Commissioners

Land Use Plan Consistency Statement

Chapter 6 Table of Uses

Text Amendment to the Unified Development Ordinance

The Moore County Board of Commissioners finds that:

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

- Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - The proposed amendment allows the use to be an allowable use within the Planned Development Conditional Zoning District which allows a unique range of allowable uses. High Impact Outdoor Recreation is a use that includes a variety of high potential uses that would be considered within a mixed-use development.

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

1. It supports the current 2013 Moore County Land Use Plan action listed above.

Therefore, The Moore County Board of Commissioners finds the text amendment to the Unified Development Ordinance is **consistent** with the land use plan.

Nick Picerno, Chair
Moore County Board of Commissioners

Date

Moore County Board of Commissioners

Land Use Plan Consistency Statement

Chapter 6 Table of Uses

Text Amendment to the Unified Development Ordinance

The Moore County Board of Commissioners finds that:

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

- 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 surrounding community.

Therefore, the Moore County Board of Commissioners finds the text amendment to the Unified Development Ordinance is **not consistent** with the land use plan.

Nick Picerno, Chair

Moore County Board of Commissioners

Date