



Moore County Board of Commissioners

April 16, 2024 | 5:30 PM
Historic Courthouse
1 Courthouse Square
Carthage, NC 28327

MINUTES

COMMISSIONERS PRESENT:

Chairman Nick Picerno, Frank Quis, John Ritter, Jim Von Canon

COMMISSIONERS ABSENT:

Vice Chairman Kurt Cook

CALL TO ORDER

Chairman Picerno called the meeting to order.

INVOCATION

Rev. John Kane of St. Anthony of Padua Catholic Church offered the invocation.

PLEDGE OF ALLEGIANCE

Planning Director Debra Ensminger led the Pledge of Allegiance.

Chairman Picerno welcomed everyone and asked them to keep Commissioner Cook in their prayers as he was under the weather.

1. PUBLIC COMMENT PERIOD

Mr. John Misiaszek offered comments.

2. ADDITIONAL AGENDA

No additional agenda items were added.

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.

3. CONSENT AGENDA

Upon motion made by Commissioner Von Canon, seconded by Commissioner Ritter, the Board voted 4-0 to approve the following consent agenda items, and the budget amendments, tax releases/refunds resolutions, and Badger Meter sole source form are hereby incorporated as a part of these minutes by attachment as Appendices A, B, and C, respectively.

A. Board of Commissioners - April 2, 2024, Regular Meeting Minutes

- B. Finance - Budget Amendments
- C. Tax - Tax Releases/Refunds for Month of March 2024
- D. Administration - Interlocal Agreement for the Buggy Festival
- E. Administration - Contract Amendment #2 Between County of Moore, NC and Geo-Hydro Engineers, Inc.
- F. Public Works - Contract Amendment #1 Huber Technology Inc-Septage Receiving Station-WPCP
- G. Public Works - Badger Meter; Meter Purchase Sole Source

4. RECOGNITIONS

- A. Social Services - Proclamation: Child Abuse Prevention Month 2024
Moore County DSS Social Work Supervisor Charell Threadgill read a proposed proclamation regarding Child Abuse Prevention Month. **Chairman Picerno made a motion, seconded by Commissioner Ritter, to adopt the proclamation declaring April 1-30, 2024, as Child Abuse Prevention Month in Moore County.** Chairman Picerno expressed appreciation to the Department of Social Services staff for looking out for the welfare of children. **The motion to adopt the proclamation carried 4-0 and it is hereby incorporated as a part of these minutes by attachment as Appendix D.**

5. PRESENTATIONS

There were no presentations.

6. PUBLIC HEARINGS

- A. GIS/IT - Public Hearing - Amendment to the Road Name and Addressing Ordinance to Add Seven Roads
GIS Programmer Analyst Rachel Smith presented a request for Board to consider amending the Road Name and Addressing Ordinance to add seven 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 Chairman Picerno, seconded by Commissioner Quis, the Board voted 4-0 to add seven 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 E.
- B. Planning - Public Hearing - Conventional Rezoning Request: Neighborhood Business (B-1) to Residential and Agricultural - 40 (RA-40) Murdocksville Rd.
Planning Director Debra Ensminger presented a request for a conventional rezoning from B-1 to RA-40. Chairman Picerno opened the duly advertised public hearing regarding this matter.
Mr. Paul Travarro, representing the owner, Mr. Victor Cheechov, made himself available for questions. Commissioner Quis inquired regarding whether there was a site plan in place and Mr. Travarro said they had a preliminary plat.

Commissioner Quis asked about the driveways and Mr. Travarro explained that they planned to have one driveway for each lot if NCDOT and the County approved. Commissioner Quis asked about Mr. Cheechov's ownership of surrounding properties and whether there were plans to develop those. Mr. Travarro confirmed that Mr. Cheechov owned an additional four acres east and four acres southeast, he thought, for a total of twelve acres, and did not currently have plans to develop.

Mr. Lewis Miller of 2456 Murdocksville Road said he had no questions regarding the use of the property, but he requested more safety patrolling, noting excessive speeding in the area, especially in the evenings.

There being no further speakers, Chairman Picerno closed the public hearing.

Upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted 4-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement – Consistent – 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 4-0 to approve the request for Conventional Rezoning of one parcel of approximately 3.772 acres, located on Murdocksville Road, from Neighborhood Business (B-1) to Residential and Agricultural – 40 (RA-40) owned by Victor Cheechov per Deed Book 4630, Pages 256-259 and further described as Parcel ID 00014941 in Moore County tax records. The consistency statement and Ms. Ensminger's staff report are hereby incorporated as a part of these minutes by attachment as Appendix F.

C. Planning - Public Hearing - Unified Development Ordinance Amendment to Chapter 7 (General Development Standards) - Section 7.8.F.1.iii Personal Workshop/Storage Building (Highway Corridor Overlay District – Prohibited Uses – Urban Transition Sub – District)

Planning Director Debra Ensminger presented a request for amendment to Chapter 7 of the Unified Development Ordinance. Per request by the Chairman at the Board's previous meeting, Ms. Ensminger shared the history of the establishment of 400 feet for the highway corridor overlay, noting that it was determined with a 2020 amendment by averaging the footage of previously designated areas which were 500, 400, and 300 feet. Ms. Ensminger reviewed that this day's request was for a residential use. Commissioner Quis asked Ms. Ensminger to convey to the other commissioners the reason for the HCOD amendment in 2020, when he was also on the Board, and she provided the background information as requested. Chairman Picerno inquired about manufactured homes and whether that meant for manufactured home sales or for a commercial use, and he asked since Ms. Ensminger had previously stated that this only applied to commercial, if that meant a manufactured home could be put in that corridor. Ms. Ensminger explained that a new manufactured home could not be put in the urban transition, but if there was one that had been existing, it could in the rural highway corridor. Chairman Picerno said he thought she said it was for commercial and Ms. Ensminger said it was specifically for commercial, however, manufactured homes were not allowed in the urban transition. There was further discussion and Commissioner Von Canon asked what was considered a manufactured home. Ms. Ensminger discussed that it was those meeting HUD requirements of the State of North Carolina. Commissioner Von

Canon noted that there were some manufactured homes that were multistory and nicer than stick-built houses and asked if those would be prohibited and Ms. Ensminger said yes. Commissioner Von Canon indicated that was an issue and Ms. Ensminger offered that staff could bring that item back for the Board to consider allowing them if desired. Commissioner Von Canon discussed that he definitely thought they needed to look at it while looking and revamping everything.

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 Ritter, the Board voted 4-0 to adopt the Moore County Board of Commissioners Land Use Plan Consistency Statement – Consistent – and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Commissioner Ritter, seconded by Commissioner Von Canon, the Board voted 4-0 to approve the request to amend Chapter 7 (General Development Standards) – Section 7.8.F.1.iii Personal Workshop/Storage Building (Highway Corridor Overlay District – Prohibited Uses – Urban Transition Sub-District) of the Moore County Unified Development Ordinance.** The consistency statement and Ms. Ensminger's staff report are hereby incorporated as a part of these minutes by attachment as Appendix G. Regarding the manufactured homes, Ms. Ensminger inquired whether staff should bring the information back or if it should be addressed in the Land Use Plan update. Chairman Picerno indicated those in the Land Use Plan update process should be made aware.

7. **QUASI-JUDICIAL HEARINGS**

There were no quasi-judicial hearings.

8. **OLD BUSINESS**

There was no old business.

9. **NEW BUSINESS**

A. Moore County Schools - Additional Bond Premium Funding Purpose

Dr. Tim Locklair, Superintendent for Moore County Schools, requested the Board add an additional purpose for bond premium funds. Jenny Purvis, Assistant Superintendent for Operations, reviewed that there were currently five gyms being updated with bond premium funds and that there would be some funding remaining, and she informed the Board of projects that could be accomplished with those funds. The projects would include replacement of auditorium curtains at the high schools and Chairman Picerno recalled that the Pinecrest curtain had been replaced when he was previously on the Board. Mrs. Purvis explained that the rigging was the issue. Chairman Picerno asked how long it should last and she said about 25 years. Regarding the proposed projects, Chairman Picerno asked if there were bids and Mrs. Purvis said no but they had done a district-wide assessment and got the figures from the companies, and they would put them out to bid. Chairman Picerno expressed appreciation for the research that had been done on the costs. **Upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted 4-0 to approve the purpose of**

district-wide improvements being added to the bond premium funding.

B. Public Works - Contract with McFadden Homes Inc. for the James Street Waterline Replacement

Public Works Director Randy Gould presented a request for approval of a contract with McFadden Homes, Inc. for the James St. Waterline Replacement Project in Vass. Chairman Picerno commended Mr. Gould and his staff for fulfilling promises made previously under MOWASA. **Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 4-0 to approve the construction contract with McFadden Homes, Inc. for the James Street Waterline Replacement Project in the amount not to exceed \$177,512.04, contingent upon approval by the County Attorney, and authorize the Chairman to sign. Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 4-0 to authorize the County Manager or his designee to sign construction change orders up to \$20,000 each contingent upon approval by the County Attorney.**

C. Board of Commissioners - A Resolution to Request State Funding for Moore County's Implementation of Required VIPER TDMA Upgrades

Public Safety Director Bryan Phillips presented for the Board's consideration a resolution requesting State funding for required VIPER TDMA upgrades. Chairman Picerno noted that Moore County was now a fixture for US Open tournaments and this upgrade requirement cost was passed down from the State and the FCC. **Upon motion made by Commissioner Quis, seconded by Commissioner Ritter, the Board voted 4-0 to adopt a Resolution to Request State Funding for Moore County's Implementation of Required VIPER TDMA Upgrades.** The resolution is hereby incorporated as a part of these minutes by attachment as Appendix H.

Mr. Phillips noted that it was currently Public Safety Telecommunicators Week and shared that he was proud of the work they did. Chairman Picerno asked Mr. Phillips how many telecommunicators he had in his office, and he said he had about 18 and there were also 6-8 for the Sheriff's Office. Chairman Picerno asked if he had done anything for them and Mr. Phillips shared that his office and the Sheriff's Office were providing lunch for them for a few days.

D. Board of Commissioners - A Resolution Requesting the NC Department of Health and Human Services to Address Concerns Regarding Consolidation with Trillium Health Resources

Chairman Picerno presented for the Board's consideration a resolution regarding concerns about the consolidation of Sandhills Center with Trillium Health Resources. He reviewed that he served on the Sandhills Center board and that Sandhills Center had put forth a lot of effort to merge with Eastpointe and submitted that to the NCDHHS Secretary, who rejected it and consolidated them with Trillium. He shared that the board meetings that were previously in Asheboro or Seven Lakes were now in Lumberton or Wilmington and shared there were issues with services and meetings. He said there was something broken in the system because they were spending billions and very few people were getting the help they needed. Commissioner Von Canon inquired about salaries and Chairman Picerno discussed that salaries for each director had exceeded \$350,000. Chairman Picerno discussed that he did not know how to fix

the issues, but they needed to bring attention to them. **Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 4-0 to adopt a Resolution by the Moore County Board of Commissioners Requesting the North Carolina Department of Health and Human Services to Address Concerns Regarding Consolidation with Trillium Health Resources.** The resolution is hereby incorporated as a part of these minutes by attachment as Appendix I. Chairman Picerno said he promised they would work hard to make a difference. Commissioner Von Canon asked about \$284,000 in funding that would be lost, and Chairman Picerno explained that Trillium would no longer fund school counselors. He said he was checking to see if the County was required by law to contribute (to Trillium).

- E. **Board of Commissioners - A Resolution Requesting NCDOT to Fulfill Sponsor-A-Highway Clean-Up Duties or Remove Excessive Sponsorship Signage**
County Manager Wayne Vest shared that further research was needed regarding the subject resolution. **Upon motion made by Commissioner Quis, seconded by Commissioner Von Canon, the Board voted 4-0 to table this resolution.**

10. **APPOINTMENTS**

ABC Board

Chairman Picerno explained that the recent appointee to the ABC Board had submitted his resignation due to disqualification. He shared that the ABC Board chairman had recommended a qualified applicant. **Upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted 4-0 to appoint Wes Hart to the ABC Board to fill the unexpired term.**

11. **ADDITIONAL AGENDA**

There were no additional agenda items.

12. **MANAGER'S REPORT**

County Manager Wayne Vest had nothing further to report.

13. **COMMISSIONERS' COMMENTS**

Commissioner Von Canon expressed his appreciation to staff.

Chairman Picerno shared that the Land Use Plan was proceeding and Robert Hayter, who led the charge in 2013, along with Larry Best would be chairing the committee. He said they were calling potential members and planned to work intensely at two times per month for six months.

Chairman Picerno wished Commissioner Cook a speedy recovery.

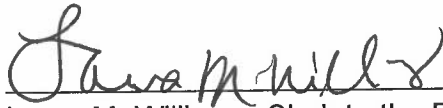
Chairman Picerno addressed comments made by Mr. Misiaszek during the public comment period noting that the teacher shortage was not a Moore County problem, but a State problem. He discussed that a lack of respect for the profession, a lack of discipline, and being forced to teach things they did not agree with was discouraging teachers. Chairman Picerno noted that despite a proposed tax cut for the coming fiscal year, Moore County Schools was proposed to receive more funding than they received in the current fiscal year. He also noted that just because the County gave money to the Schools did not mean it would end up with the teachers, and he encouraged Mr. Misiaszek to look into the Schools' funds, particularly Fund 8.

14. CLOSED SESSION

There was no closed session business.

ADJOURNMENT

There being no further business, upon motion made by Commissioner Quis, seconded by Commissioner Von Canon, the Board voted 4-0 to adjourn the April 16, 2024, Regular Meeting of the Moore County Board of Commissioners at 6:39pm.



Laura M. Williams, Clerk to the Board



~~Nick Picerno, Chairman~~

Kurt Cook, Vice chairman



Fiscal Year 2023/2024

Budget Line Item Number	Budgeted Amount	Increase/ (Decrease)	Revised Budget
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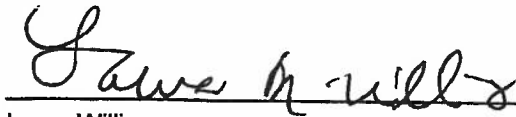
Library - Donations/Memorials

Revenue	10018007 31603 Donations/Memorials	250	206	456
Expense	10031000 52612 Books	58,550	206	58,756

Approved this 16 day of April, 2024



Nick Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



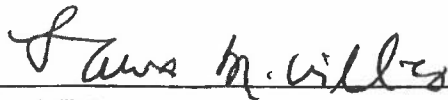
100004

Fiscal Year 2023/2024

Budget Line Item Number	Budgeted Amount	Increase/ (Decrease)	Revised Budget
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Register of Deeds - Fees Collected Daily for Excise Tax

Revenue	10018000 30450	Interest Earned	3,000,000	400,000	3,400,000
Expense	10018500 56001	Excise Tax/State Payments	950,000	400,000	1,350,000

Approved this 16 day of April, 2024Nick Picerno
Moore County Board of CommissionersLaura Williams
Clerk to the Board

100046

Fiscal Year 2023/2024

Budget Line Item Number	Budgeted Amount	Increase/ (Decrease)	Revised Budget
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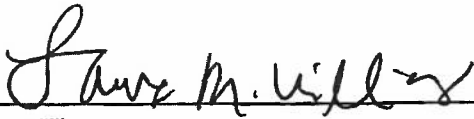
Aging - Medicare Improvement for Patients and Providers Act (MIPPPA)

Revenue	24032024 36198	MIPPA Grant	40,254	2,800	43,054
Expense	24030073 52601	Operating Supplies	1,461	2,800	4,261

Approved this 14 day of April, 2024



Nick Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



**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.

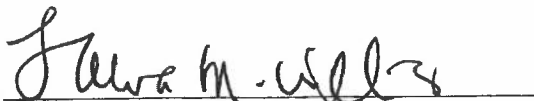
BE IT RESOLVED by the Board of Commissioners of Moore County that the taxpayers shown on said list of releases and refunds submitted by Gary E. Briggs, Tax Administrator, are hereby granted such tax release or refund of the county taxes shown and the County Finance Director is directed to make said refunds.

Adopted this the 16 day of April, 2024.



Nick Picerno, Chairman

ATTEST:



Laura M. Williams
Clerk to the Board

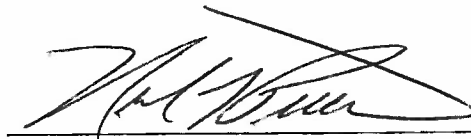


**RESOLUTION AUTHORIZING AND APPROVING
(DELINQUENT) RELEASES AND REFUNDS BY THE
TAX ADMINISTRATOR**

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.

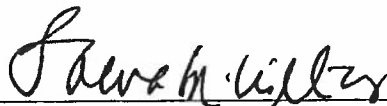
BE IT RESOLVED by the Board of Commissioners of Moore County that the taxpayers shown on said list of releases and refunds submitted by Gary E. Briggs, Tax Administrator, are hereby granted such tax release or refund of the county taxes shown and the County Finance Director is directed to make said refunds.

Adopted this the 16 day of April, 2024.



Nick Picerno, Chairman

ATTEST:



Laura M. Williams
Clerk to the Board



REAL ESTATE / PERSONAL PROPERTY

RELEASES

OVER - \$100

March-24

BILL YEAR	BILL NUMBER	NAME	REASON	AMOUNT
2024	1000058	CARTER, TRACY	DEFERRMENT REMOVED IN ERROR	\$443.62
2024	1000059	CARTER, TRACY	DEFERRMENT REMOVED IN ERROR	\$494.56
2024	1000060	CARTER, TRACY	DEFERRMENT REMOVED IN ERROR	\$514.18
* 2023	480	CLARK, ADAM M	ORDER OF PROPERTY TAX COMMISSION	\$192.69
* 2023	73910	FOOD LION, LLC	ORDER OF PROPERTY TAX COMMISSION	\$15,987.65
2023	91765	KNIGHT, JAMIE L	PERSONAL PROPERTY SOLD PRIOR TO JANUARY 1, 2023	\$867.74
* 2023	89800	RADDEN, ERICA D	MILITARY	\$126.04
* 2023	44871	STATE EMPLOYEES CREDIT UNION	ORDER OF PROPERTY TAX COMMISSION	\$2,423.08
* 2023	62403	STATE EMPLOYEES CREDIT UNION	ORDER OF PROPERTY TAX COMMISSION	\$2,776.29
* 2023	44868	STATE EMPLOYEES' CREDIT UNION	ORDER OF PROPERTY TAX COMMISSION	\$4,656.44
* 2023	48551	SWF ASSOCIATES	ORDER OF PROPERTY TAX COMMISSION	\$12,826.83
* 2023	48817	T & S DEVELOPERS LLC	PROPERTY BILLED IN INCORRECT DISTRICT - ANNEXED	\$1,788.11
* 2022	48893	T & S DEVELOPERS LLC	PROPERTY BILLED IN INCORRECT DISTRICT - ANNEXED	\$2,063.19
* 2023	16094	ULRICH, RICHARD T	ORDER OF PROPERTY TAX COMMISSION	\$118.54
* 2023	42386	ZF PROPERTIES LLC	ORDER OF PROPERTY TAX COMMISSION	\$444.07
			TOTAL	\$45,723.03

* RELEASE CREATED REFUND

VTS/REAL ESTATE/PERSONAL PROPERTY

RELIEF - REFUNDS

OVER - \$100

March-24

Bill Year	Bill Number	Customer Name	Reason	Refund Amount
2023	VTS - 0068792905	ADVANCED CONCRETE FINISHING	TAG SURRENDER	\$259.00
2023	VTS - 0063524939	CAIN, JOHN MARC	TAG SURRENDER	\$194.82
* 2023	480	CLARK, ADAM M	ORDER OF PROPERTY TAX COMMISSION	\$195.25
2023	VTS - 0076668588	DIAL, CONNOR MCCLENDON	MILITARY	\$140.72
2023	VTS - 0069173414	FARLEY, BRADEN JOHN	MILITARY	\$137.18
* 2023	73910	FOOD LION, LLC	ORDER OF PROPERTY TAX COMMISSION	\$16,200.29
2023	VTS - 0064239273	GOODFELLOW, BRETT FORREST	TAG SURRENDER	\$356.03
2022	VTS - 0067778010	GURUNG, SUBASH MAN	MILITARY	\$100.93
2023	VTS - 0073635552	HAENDEL, CHERYL LOUISE	TAG SURRENDER	\$139.82
2022	VTS - 0072349260	HANSEN, JONATHAN PATRICK	TAG SURRENDER	\$250.94
2023	VTS - 0076965008	HONAKER, PENNY WILKIE	CHANGE OF COUNTY	\$172.05
2023	VTS - 0070601690	JOHNSON, RONALD LEE	TAG SURRENDER	\$159.93
2022	VTS - 0071129511	KHADER, HANAN BELAL	MILITARY	\$375.51
2023	VTS - 0057333452	LANEY, JAMES DAVID	TAG SURRENDER	\$156.72
2023	VTS - 0074963414	OSTRANDER, JAMES WRIGHT	TAG SURRENDER	\$168.10
2023	VTS - 0046276421	PELLEGRINO, ANTHONY GEORGE	TAG SURRENDER	\$117.87
2023	VTS - 0057848585	POLLARD, ROBERT CHARLES	TAG SURRENDER	\$135.63
* 2023	89800	RADDEN, ERICA D	MILITARY	\$126.04
2023	VTS - 0073225502	RITCHIE, ERIC RAY	TAG SURRENDER	\$215.59
2023	VTS - 0062658065	SCHILLACI, FELICE ANTONIO	TAG SURRENDER	\$131.97
* 2023	44871	STATE EMPLOYEES CREDIT UNION	ORDER OF PROPERTY TAX COMMISSION	\$2,455.31
* 2023	62403	STATE EMPLOYEES CREDIT UNION	ORDER OF PROPERTY TAX COMMISSION	\$2,827.50
* 2023	44868	STATE EMPLOYEES' CREDIT UNION	ORDER OF PROPERTY TAX COMMISSION	\$4,718.37
* 2023	48551	SWF ASSOCIATES	ORDER OF PROPERTY TAX COMMISSION	\$12,997.43

VTS/REAL ESTATE/PERSONAL PROPERTY

RELIEF - REFUNDS

OVER - \$100

March-24

<u>Bill Year</u>	<u>Bill Number</u>	<u>Customer Name</u>	<u>Reason</u>	<u>Refund Amount</u>
* 2022	48893	T & S DEVELOPERS LLC	PROPERTY BILLED IN INCORRECT DISTRICT - ANNEX	\$2,063.19
* 2023	16094	ULRICH, RICHARD T	ORDER OF PROPERTY TAX COMMISSION	\$120.12
2022	VTS - 0060582313	VANCAMP, JAMES RICHARD	TAG SURRENDER	\$170.94
2023	VTS - 0074214411	VOELPEL, STUART GAYLE	TAG SURRENDER	\$142.08
* 2023	42386	ZF PROPERTIES LLC	ORDER OF PROPERTY TAX COMMISSION	\$449.97
TOTAL				\$45,679.30

* RELEASE CREATED REFUND



Sole Source Justification Form

APPENDIX C

(For items equal to or greater than \$30,000.00)

Vendor:*

Badger Meter- 7678



Item:*

Meters



Estimated expenditure for the Above Item: *

35472.36

#



CHECK ALL ENTRIES BELOW THAT APPLY TO THE PROPOSED PURCHASE. ATTACH A MEMO CONTAINING JUSTIFICATION AND SUPPORT DOCUMENTATION.

Memo Attachment*



GCF03272024.pdf

4/16/2024

Nick Picerno, chairman

APPROVE

SEEK CLARIFICATION



DENY

MOORE COUNTY BOARD OF COMMISSIONERS
CHILD ABUSE PREVENTION MONTH
A PROCLAMATION

WHEREAS, in Federal fiscal year 2023, approximately 600,000 children were identified as victims of maltreatment which includes abuse and neglect in North Carolina; and

WHEREAS, during year 2023, there were 43,785 cases of physical abuse, and 127,049 cases of sexual abuse substantiated in North Carolina; and

WHEREAS, an estimated 1,992 children died as a result of child abuse homicide in North Carolina in 2022; and

WHEREAS, 583 abuse and neglect reports were accepted in Moore County last year; and

WHEREAS, the effects of child abuse are felt by whole communities, and need to be addressed by the entire community; and

WHEREAS, child abuse is a community problem and finding solutions depends upon involvement among people throughout the community; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community; and

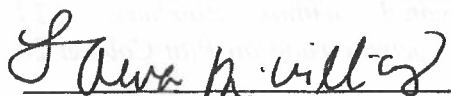
WHEREAS, all citizens should become more aware of the negative effects of child abuse and its prevention within the community and become involved in supporting parents to raise their children in a safe, nurturing environment.

NOW, THEREFORE, the Moore County Board of Commissioners hereby proclaims April 2024, as "Child Abuse Prevention Month" in Moore County and calls upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in efforts to prevent child abuse, thereby strengthening the community in which we live.

This the 16th day of April 2024.



Nick Picerno, Chairman



Laura M. Williams, Clerk to the Board



AMENDMENT TO

THE MOORE COUNTY ROAD NAME AND ADDRESSING ORDINANCE

ADOPTED JULY 10, 1989
AND AS SUBSEQUENTLY AMENDED

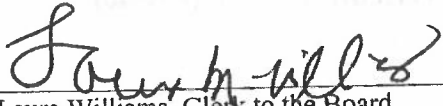
RESOLVED by the Board of Commissioners of the County of Moore that Section III ROAD NAMING OF THE ABOVE REFERENCED ORDINANCE BE AMENDED TO ADD, RENAME, OR REMOVE THE FOLLOWING ROADS AS INDICATED:

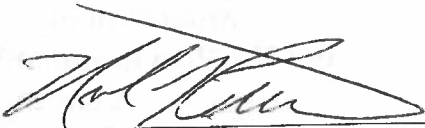
ADD:

- BLUESTONE DR (P4276)***Located off US 1 Hwy on the western side, approximately 0.4 miles north of the intersection of US 1 Hwy and Cranes Creek Rd (SR 1825). Shown as easement on Plat Cabinet 20, Slide 22.*
- CANDACE LN (P4277)***Located off Carthage Rd (SR 1229) on the western side, approximately 0.8 miles south of the intersection of Carthage Rd and Love Grove Church Rd (SR 1238). Shown as easement on Plat Cabinet 19, Slide 939.*
- CROSS ARROW WAY (P4278)***Located off South Plank Rd (SR 1007) on the western side, approximately 0.9 miles south of the intersection of South Plank Rd and US 15-501 Hwy. Shown as easement on Plat Cabinet 19, Slide 998.*
- FREIDA MAY LN (P4279)***Located off Addor Rd (SR 1102) on the northern side, approximately 0.2 miles west of the intersection of Addor Rd and Currant Street Ext (SR 1103). Located within Pinebluff ETJ. Plat to be recorded after road named.*
- NANCY CT (P4280)***Located off Freida May Ln (P4279) on the eastern side. Located within Pinebluff ETJ. Plat to be recorded after road named.*
- OCTOBER RD (P4281)***Located off Red Hill Rd (SR 1814) on the southern side, approximately 0.6 miles west of the intersection of Red Hill Rd and Edgewood Rd (SR 1820). Shown as easement on Plat Cabinet 19, Slide 788.*
- PALMER GREY CT (P4282)***Located off Chicken Plant Rd (SR 1121) on the northern side, approximately 0.06 miles west of the intersection of Chicken Plant Rd and Bowman Rd (SR 1120). Located within Pinehurst ETJ. Shown as proposed private road on Plat Cabinet 20, Slide 137.*

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

Adopted this 16th day of April 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 Reasonableness & Consistency Statement
Conventional Rezoning
Neighborhood Business (B-1) to Residential and Agricultural – 40 (RA-40)
Murdocksville Road

The Moore County Board of Commissioners finds that:

Section 1: The proposed conventional rezoning, RA-40, *is consistent* with the following as listed in the 2013 Moore County Land Use Plan:

1. Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities).
 - Recommendation 1.8: Discourage undesirable or unattractive land uses, especially within high visibility areas.
 - Action 1.8.5: Support and promote infill development that will optimize the use of existing infrastructure.
 - The requested rezoning to RA-40 will reduce intensity and number of allowable uses on the property compared to the current B-1 zoning.

Section 2: The proposed conventional rezoning is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan recommendation listed above. The rezoning also reduces the intensity of potential uses of future development, compared to the B-1 zoning, on the subject property.
2. RA 40 zoning is also more compatible and consistent with surrounding land uses and development patterns.

Therefore, the Moore County Board of Commissioners finds the conventional rezoning is consistent with the land use plan.



Nick Picerno, Chair

Moore County Board of Commissioners

4/16/2024
Date



Agenda Item: 6.B.
Meeting Date: April 16, 2024

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Debra Enslinger, Planning Director
DATE: 04/03/2024
SUBJECT: Public Hearing - Conventional Rezoning Request: Neighborhood Business (B-1) to Residential and Agricultural - 40 (RA-40) Murdocksville Rd.
PRESENTER: Debra Enslinger, Planning Director

REQUEST: A request for a Conventional Rezoning of one parcel of approximately 3.772 acres, located on Murdocksville Rd, from Neighborhood Business (B-1) to Residential and Agricultural - 40 (RA-40) owned by Victor Cheechov per Deed Book 4630, Pages 256-259 and further described as Parcel ID 00014941 in Moore County tax records. The potentially affected properties are located on Murdocksville Road 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: The parcel is located on Murdocksville Road, and identified as Parcel ID 00014941, currently vacant and undeveloped. Adjacent properties include single family dwellings, and vacant undeveloped property. Adjacent and surrounding parcels of the property being proposed are currently zoned RA-40.

Review Criteria: Chapter 11.3.D

The advisability of approval of a conventional rezoning application is a matter committed to the legislative discretion of the Board of Commissioners and is not controlled by any one factor. In determining whether to adopt or deny an application, the Board of Commissioners may weigh the relevance of and consider the following:

1. Whether the proposed application advances the public health, safety, or welfare;
2. Whether and the extent to which the proposed application is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the County's Adopted Comprehensive Land Use Plan;
3. Whether the application is necessitated by changed conditions;
4. If approval of the application addresses a demonstrated community need;
5. If the application addresses an unforeseen matter not present when the Ordinance was adopted;
6. Whether an approval of the application is reasonable and in the public interest; and
7. Other factors as the Board of Commissioners may determine to be relevant.

ZONING DISTRICT COMPATIBILITY

The Unified Development Ordinance defines Residential and Agricultural - 40 (RA-40) districts as districts in which the principal use of the land is for single family dwellings, duplexes, and agriculture and discouraging any use which would generate traffic on minor streets other than normal traffic to serve residences on those streets.

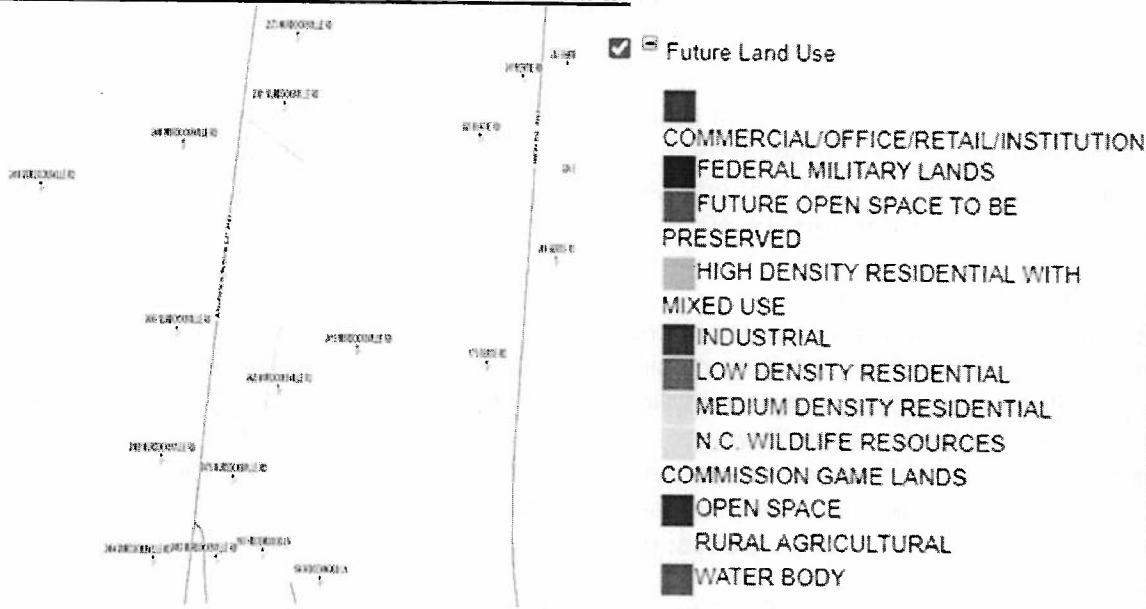
The requested rezoning to RA-40 is compatible with the existing uses located near the property including residential uses. Zoning districts adjacent to the property include Residential and Agricultural – 40 (RA-40). Rezoning to RA-40 is compatible with the adjacent properties and would reduce the intensity of allowable land uses, from the current zoning of B-1, if future redevelopment of the property were to occur.

The existing zoning category of Neighborhood Business (B-1) is a more intensive district in terms of permitted uses. A comprehensive list of the allowable uses for both zoning districts is attached.

Currently the Neighborhood Business (B-1) zoning district has 45 allowable uses. Three within the Residential Uses category, twenty-seven within the Commercial Use category, six within the Educational and Institutional category, five within the Recreation Use category and eight within the Industrial Use category.

Currently the Residential and Agricultural RA-40 (RA-40) zoning district has 17 allowable uses. Six within the Residential Use category, one within the Commercial Use category, three within the Educational and Institutional category, two within the Recreation Use category, and five within the Industrial Use category.

MOORE COUNTY FUTURE LAND USE MAP



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. Major subdivisions of land are strongly discouraged; however, family subdivisions and subdivisions of four or less lots would be considered. The requested

rezoning to Residential and Agricultural (RA-40) is consistent with the Rural Agricultural classification, because of the reference to residential family subdivisions and subdivisions of four or less lots.

The requested rezoning to Residential and Agricultural (RA-40) is more consistent with the land use classification of medium density residential in the Moore County Land Use Plan. The Land Use Plan and Future Land Use Map show the surrounding area as RA, but this area was already zoned RA-40 when the Future Land Use Map was created. This is an issue needing to be addressed during the rewrite of the Future Land Use Plan.

In this case, if the rezoning to RA-40 is approved, this parcel would be designated as medium density residential on the Future Land Use Map.

The rezoning request does align with the Future Land Use Map classification of Rural Agricultural and Medium Density Residential, and aligns 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 1.8: Discourage undesirable or unattractive land uses, especially within high visibility areas.
 - Action 1.8.5: Support and promote infill development that will optimize the use of existing infrastructure.

This rezoning to RA-40 would make the parcel more consistent than its current zoning category of Neighborhood Business (B - 1). Residential and Agricultural (RA-40) offers fewer allowable and lower intensity potential land uses, which are more compatible with the surrounding properties than the existing district of Neighborhood Business (B-1) when comparing to the Future Land Use Map.

PLANNING BOARD RECOMMENDATION:

The Planning Board met on March 7, 2024, and voted 8-1, the requested rezoning was consistent with the Land Use Plan Consistency Statement. In discussion of this request, Board Members noted the recent Land Use Plan forums. Many citizens voiced that they do not want more residential subdivisions in Moore County. Due to this, one Board Member was concerned that the rezoning would allow the subject property to be subdivided into four lots or could make it possible for the owner to create a major subdivision using nearby lots under the same ownership. Ultimately the Board decided to look at the facts in front of them, which was that the surrounding area is consistent with RA-40 and the requested zoning classification allows for fewer, less intensive uses and voted 8-1 to recommend approval of the rezoning as proposed.

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

IMPLEMENTATION PLAN: Hold a Public Hearing on April 16, 2024.

RECOMMENDATION SUMMARY: Staff recommend 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** to the request for Conventional Rezoning of one parcel of approximately 3.772 acres, located on Murdocksville Rd, from Neighborhood Business (B-1) to Residential and Agricultural – 40 (RA-40) owned by Victor Cheechov per Deed Book 4630, Pages 256-259 and further described as Parcel ID 00014941 in Moore County tax records.

ATTACHMENTS:

1. Pictures of the property and adjacent properties
2. Vicinity Map
3. Land Use Map
4. Zoning Map
5. Landmarks Map
6. Submitted Rezoning Application
7. Deed Book 4630, Page 256-259
8. Allowable Uses Comparison B-1 vs RA-40
9. Board of Commissioners Consistency Statements - Consistent/Inconsistent

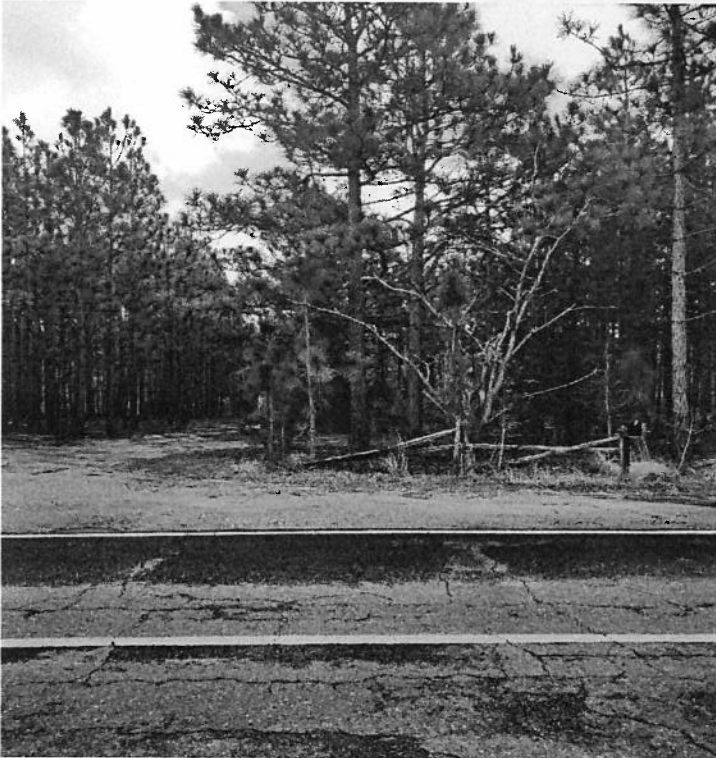
VIEW SOUTH OF PARCEL ON MURDOCKSVILLE RD



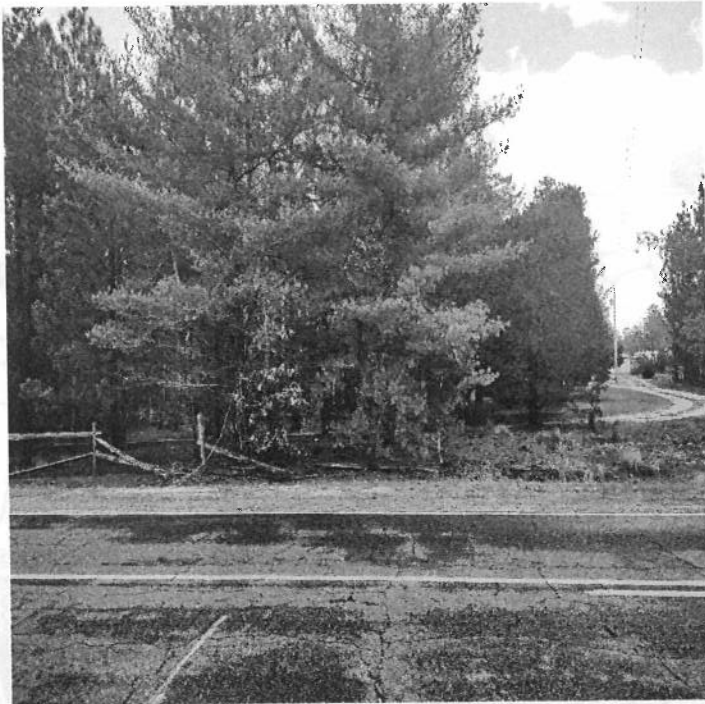
VIEW NORTH OF PARCEL ON MURDOCKSVILLE RD



VIEW OF ACCESS EASEMENT TO BACK PARCEL (2423) FROM MURDOCKSVILLE RD



VIEW OF BACK PARCEL 2423 MURDOCKSVILLE RD FROM MURDOCKSVILLE RD



VIEW OF PARCEL FROM MURDOCKSVILLE RD





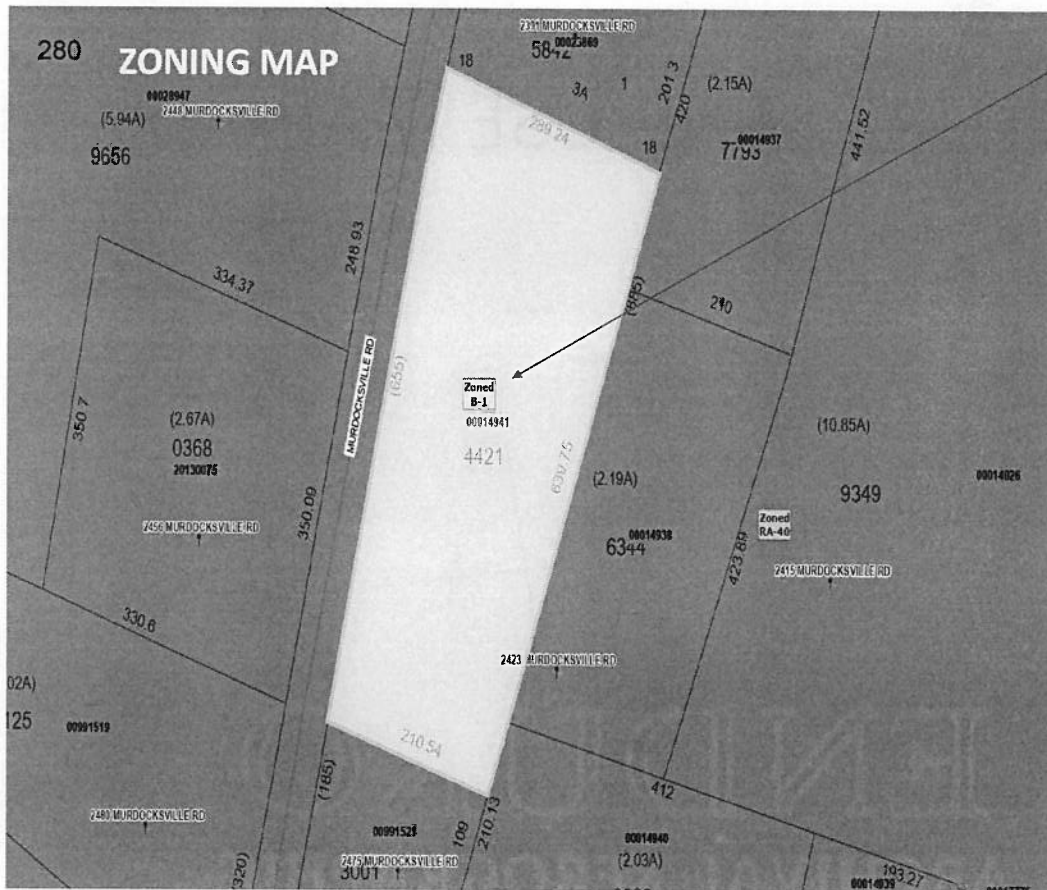
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HIDDENWOOD LN

ARCHIVAL XEROGRAPHIC



280

ZONING MAP



- Aberdeen
- B-1
- B-1-CZ
- B-2
- B-2-CZ
- Cameron
- Candor
- Carthage
- Foxfire
- GC-SL
- GC-WL
- I
- P-C
- Pinebluff
- Pinehurst
- PUD/CZ
- PUD-CZ
- PUD-H
- R-2
- RA
- RA-2
- RA-20
- RA-2-CZ
- RA-40
- RA-5
- RA-CZ
- RA-USB
- RE
- R-MH
- Robbins
- Southern Pines
- Taylorstown
- Vass
- VB
- VB-CZ
- Whispering Pines



282

Application Date

01/04/2024

Location/Address of Property

TBD Murdocksville Rd. West End, NC 27376. PID 00014941

Applicant

Victor Cheechov

Email

vcheech@buzzpark.com

Phone Number

910-995-5042

Applicant Address

PO Box 1142

City

West End

State

NC

Zip

27376

Owner

Victor Cheechov

Phone Number

910-995-5042

Owner Address

PO Box 1142

City

West End

State

NC

Zip

27376

Current Zoning District

B-1

Proposed Zoning District

RA-40

Comments

Owner would like to do a minor subdivision for residential lots. Surrounding area is predominately RA-40 zoning and residential use.

Does the property have joint ownership?

• No

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.

Applicant/Owner Signature



Print Applicant/Owner Name

Victor Cheechov

Date

01/04/2024

Detailed Rezoning Map



27523.pdf



GIS aerial.pdf

283

Office Use Only:

PAR ID: 00014941

Received By: Danielle Orsini

Date: 1/22/2024

FOR REGISTRATION REGISTER OF DEEDS
 Judy D. Martin
 Moore County, NC
 April 13, 2016 04:15:15 PM
 Book 4630 Page 256-259
 FEE: \$26.00
 NC REVENUE STAMP: \$184.00
 INSTRUMENT # 2016004715



INSTRUMENT # 2016004715

Brief description for the Index:

Stamps: \$184.00

MULTIPLE PARCELS, MINERAL SPRINGS TOWNSHIP

This instrument was prepared by: **Sandhills Law Group**

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 6th day of April, 2016, by and between,

GRANTOR	GRANTEE
Catherine S. Black, Unmarried Elmcroft # 524 997 West Aurora Rd. Sagamore Hills, OH 44607	Victor Cheechov <u>Mailing Address:</u> Box 1142 West End, NC 27376 <u>Property Address:</u> 2423 Murdocksville Road West End, NC, 27376

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 **Mineral Springs Township, Moore County, North Carolina**, and more particularly described as follows:

TRACT 1: Being a portion of Tract Two-A (2-A) of the Zora L. Jackson Estate Division, and being more particularly described as BEGINNING at a point in the center of State Road No. 1209; thence South 65 degrees 17 minutes East 319.24 feet to an iron rod, same being the southeast corner of Lot 3-A in said division; thence South 24 degrees 42 minutes West 539.73 feet to a concrete control corner; thence South 23 degrees 45 minutes West 100.22 feet to a stake and corner of Lot 1-A in said division; thence North 66 degrees 15 minutes West 240.54 feet to a point in the center of State Road No. 1209 a new corner; thence North 17 degrees 34 minutes

East 649.06 feet with the centerline of State Road No. 1209 to the point of BEGINNING, containing 4.12 acres, more or less, and being a portion of Tract 2-A in the Zora L. Jackson Estate Division and the same as is more particularly shown on a plat appearing of record in Plat Cabinet 2, at Slide 193.

TRACT 2: BEGINNING at an axle, same being a common corner of Hughie M. Black and C. Leonard Baldwin and located in the line of Francis T. Black; thence with the line of Hughie Black and Baldwin South 21 degrees 26 minutes West 210.0 feet to an axle, same being a common corner of Black and Baldwin; thence a new line South 68 degrees 34 minutes East 375.99 feet to an iron pipe in the common line between Baldwin and the Eastwood Volunteer Fire Department; thence with the Baldwin-Fire Department line North 19 degrees 29 minutes West 277.92 feet to an iron stake, common corner of Baldwin and Eastwood Volunteer Fire Department and in the line of Francis T. Black; thence with the Baldwin-Francis T. Black line North 68 degrees 34 minutes West 193.97 feet to the beginning and containing 1.37 acres.

TRACT 3: BEGINNING at an iron stake and tile, a common corner of Hughie M. Black and Carey Leonard Baldwin, point also being in the eastern line of the property of the Jackson heirs and the northwestern corner of tract number one (1) of Baldwin as recorded in Deed Book 140, Pages 480 and 481, Moore County Registry; thence with the Hughie M. Black and Baldwin line, South 68 degrees 34 minutes East 210.2 feet to an iron stake, point being a common corner of Hughie M. Black and Francis T. Black; thence continuing with the common line of Francis T. Black and Baldwin, South 68 degrees 34 minutes East 201.8 feet to an axle (new corner); thence a new line, South 21 degrees 26 minutes West 210.0 feet to an axle (new corner); thence a new line, North 68 degrees 34 minutes West 419.52 feet to an axle (new corner), point being in the common line of Baldwin and Jackson heirs; thence with the Jackson and Baldwin line, North 23 degrees 29 minutes East 210.13 feet to the beginning, containing 2.00 acres, more or less, and being the same tract or parcel of land as shown on a map entitled "Property of Hughie M. Black, Mineral Springs Twsp., Moore Co., N. C.", dated March 16, 1976, drawn from an actual survey by Fred E. Whitesell, Registered Land Surveyor.

TRACT 4: Adjoining the lands of Hughie McKenzie Black, Francis Thomas Black and wife, Linda Carol Black, Cora McKenzie, and others, and bounded as follows:

BEGINNING at a stake in the line of Francis Thomas Black and wife, Linda Carol Black, same being a corner of the Hughie McKenzie Black's 2.070 acre tract conveyed to him by Cora McKenzie; runs thence North 69 degrees 04 minutes West 210.00 feet to a stake; thence North 20 degrees 56 minutes East 420.00 feet to a stake in the line of Cora McKenzie; thence South 74 degrees 55 minutes East 211.11 feet to a stake in the line of Cora McKenzie, same also being a corner of Francis Thomas Black and wife, Linda Carol Black's 11.033 acre tract conveyed to them by Cora McKenzie; thence South 20 degrees 56 minutes West 441.52 feet to the point of beginning, containing 2.077 acres, more or less.

TRACT 5: BEGINNING at a stake in the line of Donald Morrison, same being a corner of Francis Thomas Black and wife, Linda Carol Black; runs thence North 72 degrees 04 minutes West 210.28 feet to a stake; thence North 20 degrees 56 minutes East 434.90 feet to a stake, same being a corner of Loyd L. Black; thence South 69 degrees 04 minutes East 210.00 feet to a stake in the line of Francis Thomas Black and wife, Linda Carol Black and being a corner of Loyd L. Black; thence South 20 degrees 56 minutes West 423.89 feet to the point of beginning, containing 2.070 acres, more or less.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 489, Page 439, Book 425, Page 14, Book 405, Page 411, Book 368, Page 690, Book 330, Page 438, Moore County Registry. Hugh McKenzie Black died 9/10/2004 a Moore County resident. Also referenced Estate File 04E617.

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 for the exceptions hereinafter stated.

1. **Lien(s) for Moore County ad valorem taxes or other assessments for the year of closing or conveyance, and subsequent years.**
2. **Easements and Rights-of-way of record, if any.**
3. **Covenants, conditions and restrictions of record.**
4. **Such matters, provisions and reservations as are shown on the aforesaid recorded plat or survey, if any.**
5. **Zoning or other municipal ordinances.**

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 *****

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, pursuant to authorization from its members, the day and year first above written.

Catherine S. Black (SEAL)
Catherine S. Black

STATE OF OHIO,

COUNTY OF SUMMIT, 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:
Catherine S. Black.

Witness my hand and notarial seal this 6 day of April, 2016.

[Signature]

(Official Signature of Notary)

(OFFICIAL SEAL)



SAL SARACUSA
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 11-29-19 (Printed or typed name), Notary Public

My commission expires: _____

Allowed in Neighborhood Business (B-1)	Allowed in Residential & Agricultural 40 (RA-40)
Agricultural Uses and Buildings	Agricultural Uses and Buildings
Group Care Facility (Special Use Permit);	Dwellings, Single Family;
Nursing Home	Dwellings, Duplex
Kennels Overnight (Conditional Zoning); Pet Day Care, Grooming, Obedience Training;	Family care Home (6 or less)
Veterinary Clinic	Manufactured Home
Commissary Kitchen;	Nursing Home (Special Use Permit)
Dry Cleaning and Laundromat;	Bed and Breakfast (Conditional Zoning)
Office	Cemetery or Mausoleum, Commercial (Special Use Permit)
Small Appliance Repair Shop	Child Care Facility (Special Use Permit)
Trade Contractor Office and Workshop (Conditional Zoning);	Government Facility
Auction House	Neighborhood Park
Convenience Store	Recreation, Low Impact Outdoor
Feed and Seed Sales	Public & Private Utility Facilities
Florist	Antenna Colocation, Major (Special Use Permit)
Flea Market (Conditional Zoning)	Antenna Collocation, Minor
Garden Center	Small Wireless Facility (Special Use Permit)
Restaurant	Residential Major Subdivision (Special Use Permit)
Retail	
Car Wash & Detailing	
Commercial truck wash (Special Use Permit)	
Parking lot as a Principal Use	
Taxi Service (Conditional Zoning)	
Vehicle, Auto Parts Tires, Farm Equipment, Boat, RV- Sales, Rental or Service	
Vehicle Service Station (Gas Stations)	
Vehicle Wrecker Service (Conditional Zoning)	

**Allowed in Neighborhood Business
(B-1)**

**Allowed in Residential & Agricultural 40
(RA-40)**

Massage & Bodywork Therapy	
Cemetery or Mausoleum, Commercial	
Child Care Facility	
Funeral Home with Crematorium	
Museum/ Art Gallery	
Religious Institution	
School, Elementary/Middle/High	
Office	
Small Appliance Repair Shop	
Trade Contractor Office and Workshop	
Airstrip, Small Private	
Civic / Social Club, Lodge, Organization	
Neighborhood Park	
Recreation Indoor (Special Use Permit)	
Recreation Low Impact Outdoor	
Manufacturing & Sales Pottery	
Public & Private Utility Facilities	
Antenna Collocation, Major	
Antenna Collocation, Minor	
Small Wireless Facility	
Telecommunications Tower, Minor	
Mini-Warehouse(self-service) (Conditional Zoning)	
Debris Management Facility (Conditional Zoning)	



Moore County Board of Commissioners
Land Use Plan Reasonableness & Consistency Statement
Conventional Rezoning
Neighborhood Business (B-1) to Residential and Agricultural – 40 (RA-40)
Murdocksville Road

The Moore County Board of Commissioners finds that:

Section 1: The proposed conventional rezoning, RA-40, *is consistent* with the following as listed in the 2013 Moore County Land Use Plan:

1. Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities).
- Recommendation 1.8: Discourage undesirable or unattractive land uses, especially within high visibility areas.
 - Action 1.8.5: Support and promote infill development that will optimize the use of existing infrastructure.
 - The requested rezoning to RA-40 will reduce intensity and number of allowable uses on the property compared to the current B-1 zoning.

Section 2: The proposed conventional rezoning is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan recommendation listed above. The rezoning also reduces the intensity of potential uses of future development, compared to the B-1 zoning, on the subject property.
2. RA 40 zoning is also more compatible and consistent with surrounding land uses and development patterns.

Therefore, the Moore County Board of Commissioners finds the conventional rezoning is **consistent** with the land use plan.

Nick Picerno, Chair

Moore County Board of Commissioners

Date

Moore County Board of Commissioners
Land Use Plan Reasonableness & Consistency Statement
Conventional Rezoning
Neighborhood Business (B-1) to Residential and Agricultural – 40 (RA-40)
Murdocksville Road

The Moore County Board of Commissioners finds that:

1. The proposed conventional rezoning *is not consistent* with the Moore County Future Land Use Map (FLUM).
2. The proposed conventional rezoning is not reasonable and not in the public interest because:
 - This rezoning is not consistent with the current FLUM designation of Rural Agricultural.
 - The proposed conventional rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Board of Commissioners finds the conventional rezoning 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 7 (Section 7.8.F.1.iii Personal Workshop/Storage Building)-
General Development Standards
Highway Corridor Overlay District – Prohibited Uses – Urban Transition Sub -
District
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:

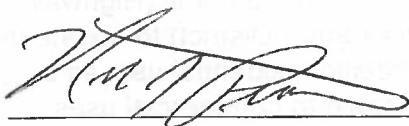
Goal 4: Provide Information and Seek Citizen Participation.

- 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 the intent of the Urban Transition Sub – District, within the Highway Corridor Overlay District, regarding applicability of commercial vs. residential uses per the ordinance.

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

4/16/2024
Date



Agenda Item: 6.C.
Meeting Date: April 16, 2024

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Debra Enslinger, Planning Director
DATE: 04/03/2024
SUBJECT: Public Hearing - Unified Development Ordinance Amendment to Chapter 7 (General Development Standards) - Section 7.8.F.1.iii Personal Workshop/Storage Building (Highway Corridor Overlay District – Prohibited Uses – Urban Transition Sub - District)
PRESENTER: Debra Enslinger, Planning Director

REQUEST: A request to amend Chapter 7 (General Development Standards) - Section 7.8.F.1.iii Personal Workshop/Storage Building (Highway Corridor Overlay District – Prohibited Uses – Urban Transition Sub - District) of the Moore County Unified Development Ordinance.

Public notification consisted of publishing a legal notice in the local newspaper for two consecutive weeks and posting a legal notice on the Moore County website.

BACKGROUND: The Unified Development Ordinance has existing language regarding prohibited uses within the Highway Corridor Overlay District that shows specific use types that are prohibited in the Urban Transition sub-district located in the Highway Corridor Overlay District. The ordinance should be amended to remove the residential use of a personal workshop or storage building, as a prohibited use, to comply with the intent of the overlay district and its effect on commercial versus residential uses. The language was intended to be applicable to commercial and not residential uses.

PROPOSED TEXT AMENDMENT LANGUAGE TO BE REMOVED

Bold Text – additions to the ordinance

Strikethrough Text— deletions from the ordinance

1. Amend Chapter 7 (General Development Standards) - Section 7.8.F.1.iii (Highway Corridor Overlay District – Prohibited Uses – Urban Transition Sub - District) to update the current Unified Development Ordinance by removing this specific residential use, as a prohibited use, from language that was intended to be applicable to commercial uses. Proposed language is as follows:

F. PROHIBITED USES

1. URBAN TRANSITION SUB-DISTRICT

The following use types are prohibited in the Urban Transition sub-district of the HCOD regardless of whether or not such use is allowable in the underlying zoning district:

- i. Accessory Manufactured Home;

- ii. Manufactured Home;
- ~~iii. Personal Workshop/Storage Building;~~
- ~~iv.iii.~~ Manufactured or Modular Home Sales;
- ~~v.iv.~~ Storage Building Sales;
- ~~vi.v.~~ All uses listed under "Adult Uses" in the commercial uses portion of the principal use table (see Chapter 6);
- ~~vii.vi.~~ All uses listed under "Waste Related Services" in the industrial uses portion of the principal use table (see Chapter 6);
- ~~viii.vii.~~ Cemetery or Mausoleum/Commercial;
- ~~ix.viii.~~ Family Cemetery;
- ~~x.ix.~~ High Impact Outdoor Recreation;
- ~~xi.x.~~ Indoor Shooting Range;
- ~~xii.xi.~~ Outdoor Shooting Range;
- ~~xiii.xii.~~ Zoo/Petting Zoo;
- ~~xiv.xiii.~~ Major or Minor Telecommunications Tower; and
- ~~xv.xiv.~~ All uses listed under "Warehousing" in the industrial uses portion of the principal use table (see Chapter 6)

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 March 7, 2024, and voted 9-0, the requested text amendment was consistent with the Land Use Plan and recommended approval of the requested text amendment 9-0.

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

IMPLEMENTATION PLAN: Hold a Public Hearing on April 16, 2024.

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 request to amend Chapter 7 (General Development Standards) - Section 7.8.F.1.iii Personal Workshop/Storage Building (Highway Corridor Overlay District – Prohibited Uses – Urban Transition Sub - District) of the Moore County Unified Development Ordinance.

ATTACHMENTS:

1. RLUAC Comments
2. Board of Commissioners Consistency Statements - Consistent/Inconsistent

From: RLUAC Executive Director
To: Danielle Orloff
Subject: RE: Text Amendment for March Planning Board
Date: Thursday, February 22, 2024 9:37:10 AM

Danielle,

RLUAC does not have any comments on the proposed amendment.

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](mailto:edorloff@moorecountync.gov)>
Sent: Thursday, February 22, 2024 9:25 AM
To: director@rluac.com
Subject: Text Amendment for March Planning Board

I have one more Text Amendment for your review and comments. Thank you

Danielle Orloff, CZO
Senior Planner
Moore County Planning & Inspections
edorloff@moorecountync.gov
910-947-5010 (phone)
910-947-1303 (fax)

Moore County Board of Commissioners

Land Use Plan Consistency Statement

Chapter 7 (Section 7.8.F.1.iii Personal Workshop/Storage Building)-

General Development Standards

**Highway Corridor Overlay District – Prohibited Uses – Urban Transition Sub -
District**

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 the intent of the Urban Transition Sub – District, within the Highway Corridor Overlay District, regarding applicability of commercial vs. residential uses per the ordinance.

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 7 (Section 7.8.F.1.iii Personal Workshop/Storage Building)-
General Development Standards
Highway Corridor Overlay District – Prohibited Uses – Urban Transition Sub -
District
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



**A RESOLUTION TO REQUEST STATE FUNDING FOR MOORE COUNTY'S
IMPLEMENTATION OF REQUIRED VIPER TDMA UPGRADES**

WHEREAS, in July 2019, the North Carolina Voice Interoperability Project for Emergency Responders (VIPER) implemented a graduated set of requirements for end user agencies to remove certain older radios from service and to procure newer radios with the capability to operate in accordance with the P25 Phase 2 Time Division Multiple Access (TDMA) national standard for public safety radio systems as defined by the Association of Public Safety Communications Officials; and

WHEREAS, this TDMA requirement will ultimately allow the VIPER network to expand its capacity through software and firmware upgrades needed to support additional radios, without having to replace the existing hardware, but this will require all end user radios on the network to be capable of operating in the upgraded TDMA environment, and the deadline for end users' full compliance is July 1, 2025; and

WHEREAS, Moore County Public Safety has been planning for these changes, but the compliance date presents challenges to end users, particularly regarding funding; and

WHEREAS, for Moore County, the cost for the VIPER TDMA upgrades is estimated to be \$633,500.00 for mobile radio replacement, \$1,450,000 for portable radio replacement, and \$1,000,000 for implementation of a new tower VIPER site on NC HWY 705, for a total estimated cost of \$3,083,500 to Moore County; and

WHEREAS, the VIPER TDMA upgrades benefit all end users and enhances the entire State VIPER network; and

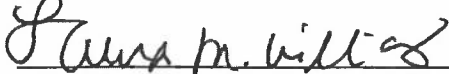
WHEREAS, Moore County's golf tourism is vital to the economy of the State of North Carolina, and it will remain particularly such as professional tournaments continue to be held regularly here, including the US Opens which will attract visitors from around the world. The safety of Moore County citizens and visitors alike is priority one for these tournaments, and the VIPER network will be used to communicate with all partners; and

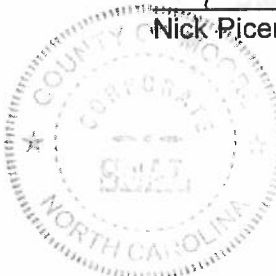
NOW, THEREFORE BE IT RESOLVED that the Moore County Board of Commissioners hereby requests the North Carolina General Assembly to appropriate funding adequate for compliance with the TDMA upgrade by the July 1, 2025, deadline.

This the 16th day of April 2024.


Nick Picerno, Chairman

ATTEST:


Laura M. Williams, Clerk to the Board





**A RESOLUTION BY THE MOORE COUNTY BOARD OF COMMISSIONERS REQUESTING
THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES TO
ADDRESS CONCERNS REGARDING CONSOLIDATION WITH TRILLIUM HEALTH
RESOURCES**

WHEREAS, on February 1, 2024, Trillium Health Resources, Eastpointe, and Sandhills Center LME/MCOs merged to provide managed care services for behavioral health, intellectual/developmental disabilities, and traumatic brain injuries; and

WHEREAS, this new Trillium Health Resources region serves 46 counties, including Moore County, with a total population of just under 3.1 million people and Moore County was previously served by Sandhills Center which served only 11 counties; and

WHEREAS, when served by Sandhills Center, Moore County was allowed representation on the governing board, but since the consolidation with Trillium, Moore County is not a part of the governing board and has input only via a regional advisory board; and

WHEREAS, Trillium has withdrawn FY25 funding of \$284,000 previously provided by Sandhills Center for behavioral mental health services positions in Moore County Schools. This withdrawal of funds is concerning on many levels and makes student access to much needed care more difficult; and

WHEREAS, the Moore County Board of Commissioners has observed no benefits from the consolidation with Trillium Health Resources and believes the consolidation is to the detriment of our citizens; and

NOW, THEREFORE BE IT RESOLVED that the Moore County Board of Commissioners hereby requests the North Carolina Department of Health and Human Services to provide options for representation of all affected counties in the government of Trillium Health Resources, and options for ensuring vital services needed by our citizens are not diminished because of the February 1, 2024, consolidation.

This the 16th day of April 2024.

A handwritten signature in black ink, appearing to read "Nick Picerno", written over a horizontal line.

Nick Picerno, Chairman

ATTEST:

A handwritten signature in black ink, appearing to read "Laura M. Williams", written over a horizontal line.

Laura M. Williams, Clerk to the Board

