



Moore County Board of Commissioners

May 21, 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

County Manager Wayne Vest offered the invocation.

PLEDGE OF ALLEGIANCE

County Attorney Misty Leland led the Pledge of Allegiance.

1. PUBLIC COMMENT PERIOD

There were no comments.

2. ADDITIONAL AGENDA

There were no additional agenda items.

CHAIRMAN

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 Ritter, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the following consent agenda items, and the budget amendments, tax releases/refunds resolutions, sole source form, NCDOT resolution, and upset bid resolution are hereby incorporated as a part of these minutes by attachment as Appendices A, B, C, D, and E, respectively.

- A. Board of Commissioners - May 7, 2024, Regular Meeting Minutes and Closed Session Minutes
- B. Finance - Budget Amendments
- C. Finance - Bad Debt Write-off FY24

- D. Tax - Tax Releases/Refunds for Month of April 2024
- E. Tax - Tax Collection for Village of Foxfire
- F. Public Works - Deed of Dedication and Special Warranty Deed for South Pinehurst Cottages
- G. Public Works - Contract Amendment #1 Polytec, Inc.-Lime Slurry-WPCP
- H. Public Works - Sole Source Justification-Combs Technologies-WPCP
- I. GIS/IT - Resolution Recommending NCDOT to add roads in The Meadows at Farmlife Subdivision
- J. Public Safety - Contract Amendment #1 Northwestern Emergency Vehicles, LLC for Ambulance Purchase
- K. Administration - Resolution Authorizing the Upset Bid Process for "55 56 71 72 Oakdale" located at 112 Moore Street, Aberdeen, LRK00054032
- L. Cooperative Extension - Moore County Cooperative Extension Memorandum of Agreement
- M. Sheriff - SCAAP and BVP Grant Application

4. RECOGNITIONS

- A. Public Safety - CPR Save Award for Emergency Responders
Public Safety Director Bryan Phillips recognized emergency responders who participated in successful resuscitation of cardiac arrest patients and presented them with awards. A citizen who survived a cardiac arrest event shared his personal story and commended the first responders who saved his life. The commissioners greeted and thanked those being recognized.

5. PRESENTATIONS

- A. Administration - Presentation of the FY 2024-2025 Recommended County of Moore Budget and Call for Public Hearing
County Manager Wayne Vest presented the Fiscal Year 2025 recommended budget. Mr. Vest's presentation is hereby incorporated as a part of these minutes by attachment as Appendix F. **Upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted 5-0 to receive the Manager's recommended budget. Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to call for a public hearing to be held on Tuesday, June 18, 2024, at 5:30pm to receive public comment regarding the recommended budget for Fiscal Year 2024-2025 for the County of Moore.** Chairman Picerno highlighted items of note in the budget, and he thanked Commissioner Cook for his work on the Budget Task Force. He commended the team for putting the budget together.
- B. Planning - Presentation of Changes to Moore County Digital Flood Maps

Stacey Fuller and Milton Carpenter with the NC Department of Public Safety Emergency Management/Hazard Mitigation Division presented information regarding the new Moore County Digital Flood Maps. They noted the new maps were not yet effective and changes could still be made. They shared information regarding websites where officials and citizens could learn more. Discussion followed regarding areas of flooding concern within the County. Following the presentation, Ms. Fuller and Mr. Carpenter met with interested/affected citizens in another area of the building regarding changes which may impact their properties.

Chairman Picerno called for a brief recess and the Board reconvened at 7:23pm.

6. PUBLIC HEARINGS

A. Transportation - Call to Public Hearing for Proposed Fare Increases for ROAP Program

Transportation Director Sonia Biggs requested the Board call a public hearing regarding proposed fare increases for the ROAP program. Chairman Picerno inquired as to whether there was a decrease in people using the service when rates were increased eight years prior, and Ms. Biggs said no. Commissioner Von Canon asked if citizens were not getting what they needed if Ms. Biggs would come back to the Board and she said yes and said they could also help find other resources. **Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to call for a public hearing on June 18, 2024, at 5:30pm to receive public comment regarding the proposed fare increases for the ROAP ("token") program.**

B. Public Works - Public Hearing for the System Development Fee Analysis for Moore County Public Utilities

Public Works Director Randy Gould introduced Mr. Bobby Sills with Nelsnick Enterprises who provided a presentation regarding the system development fee analysis. The presentation is hereby incorporated as a part of these minutes by attachment as Appendix G.

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

Mr. Bruce Geddes and Mr. Scott Stanley both provided comments and their printed comments are also hereby incorporated as a part of these minutes by attachment in Appendix G. Extensive discussion followed the comments and Mr. Sills provided response to some of the comments and indicated he would offer clarification to those he could in the report. Upon questions by Commissioner Quis, Mr. Gould explained that the was source had to meet the max day demand, and he addressed inflow and infiltration and a slip lining project that was done previously. Commissioner Von Canon discussed the need to be independent regarding meeting the County's needs and not depending on other entities. Chairman Picerno addressed a comment made by Mr. Gould during the course of the discussion regarding the County running out of water. Mr. Gould discussed that the 20-year projection indicated the County needed some more water sources. Chairman Picerno stated his agreement with the public commenters that some of the numbers were estimates and said the County was growing but was limited by the supply of water it had. He said he did not like throwing out

costs before having the factual information, and that he was working hard to secure funding from State legislators. He said he was also concerned for young folks and the cost of having as he wanted it to be affordable for people to live in Moore County. He said the Board would be talking a lot about the system development fees at the next week's work session. There being no further speakers, Chairman Picerno closed the public hearing.

There was discussion regarding whether action was necessary, and the Board determined to add the item for potential action to its May 28, 2024, Special Meeting (work session) agenda.

C. Planning - Public Hearing for an Initial Zoning Request to Rural Equestrian (RE) Parcel ID 00037131, Owner, RJ Property Holdings, LLC

Planning Director Debra Ensminger presented a request for an initial zoning to Rural Equestrian (RE) for Parcel ID 00037131. There was discussion regarding how the property had missed being zoned. 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 Von Canon, the Board voted 5-0 to adopt the Consistent 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 initial zoning to Rural Equestrian (RE) one parcel of approximately 13.81 acres located on Equestrian Road, owned by RJ Property Holdings, LLC, per Deed Book 5896, Page 163, Deed Book 5941, Page 310, and further described as Parcel ID 00037131 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 H.

D. Planning - Public Hearing for a Conventional Rezoning Request: Residential and Agricultural-5 (RA-5) and Residential and Agricultural-40 (RA-40) to Residential and Agricultural-40 (RA-40)

Planning Director Debra Ensminger presented a request for a rezoning from RA-5 and RA-40 to RA-40 for a portion of a property on Murdocksville Road. Chairman Picerno asked how the RA-5 got to be in the middle of the RA-40 and the landowner, Cynthia Secura, explained that it had been rezoned many years earlier because of a huge tract being for sale. 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 Cook, seconded by Commissioner Ritter, the Board voted 5-0 to adopt the Consistent 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 Commissioner Cook, seconded by Commissioner Ritter, the Board voted 5-0 to approve the Conventional Rezoning from Residential and Agricultural-5 (RA-5) and Residential and Agricultural-40 (RA-40) to Residential and Agricultural-40 (RA-40) of one parcel of approximately 14.74 acres located at 1675 Murdocksville Road, owned by Cynthia Cole Secura, per Deed Book 6117, Page 419. The consistency statement and Ms.**

Ensminger's staff report are hereby incorporated as a part of these minutes by attachment as Appendix I.

E. Planning - Public Hearing for Unified Development Ordinance Amendments to Chapter 19 – Subdivisions, Section 19.11.C.2 (Major Subdivision – Construction Process – Soil Evaluation Report)

Planning Director Debra Ensminger presented a request for amendments to Chapter 19 of the Moore County Unified Development Ordinance. 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 5-0 to adopt the Consistent 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 request to amend Chapter 19 (Subdivisions) – and amend Section 19.11.C.2. (Major Subdivision – Construction Process – Soil Evaluation Report) of the Moore County Unified Development Ordinance to correct the legal reference for individual lot soil evaluations in major subdivisions.** The consistency statement and Ms. Ensminger's staff report are hereby incorporated as a part of these minutes by attachment as Appendix J.

7. **QUASI-JUDICIAL HEARINGS**

There were no quasi-judicial hearings.

8. **OLD BUSINESS**

There was no old business.

9. **NEW BUSINESS**

A. Public Safety - FY 2021 Homeland Security Grant Program - Amendment
Public Safety Director Bryan Phillips requested the Board's approval of an amended Memorandum of Agreement for the FY2021 Homeland Security Grant Program. Chairman Picerno asked what equipment they would be buying, and Mr. Phillips explained that it would include bulletproof vests, shields, etc. **Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 for the County Manager to sign the Memorandum of Agreement (MOA) for the revision to the FY 2021 Homeland Security Grant Program and any necessary documents to include the attached Budget Amendment associated with this program upon approval by the County Attorney and Finance Director.** The budget amendment is hereby incorporated as a part of these minutes by attachment as Appendix K.

B. Property Management - 2024-288 Highland Roofing Company-Roofing Project for the Health Department and Agricultural Center

Property Management Director Gene Boles requested the Board's approval for installation of a new roof for the Moore County Health Department and Agricultural Center. Chairman Picerno asked if the project was bid out and

references checked, and Mr. Boles said yes and that it was a highly reputable company. Commissioner Ritter asked if the current roof had been replaced and Mr. Boles indicated it had been in place since around 1989. **Upon motion made by Commissioner Ritter, seconded by Commissioner Quis, the Board voted 5-0 to approve the contract with Highland Roofing Company for the cost of both roofing installations in the amount of \$167,614.00 and authorize the Chairman to sign.**

C. Property Management - Simmons Heating Cooling Electrical Inc.-HVAC Project for the Old Jail

Property Management Director Gene Boles requested the Board's approval for the Old Jail HVAC system renovation. Chairman Picerno asked where Simmons was located, and Mr. Boles said Laurinburg. Mr. Boles explained that this was a very complicated project, and this was the only contractor who bid. **Upon motion made by Commissioner Cook, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the contract with Simmons Heating Cooling Electrical Inc. for the cost of the HVAC renovation in the amount of \$2,895,000.00 and authorize the Chairperson to sign. Upon motion made by Commissioner Ritter, seconded by Commissioner Quis, the Board voted 5-0 to authorize the County Manager or designee to sign change orders to Simmons Heating Cooling Electrical Inc. up to \$60,000 contingent upon approval by the County Attorney.**

D. Public Works - Polytec, Inc. Purchase Contract Award-WPCP

Public Works Director Randy Gould requested the Board's approval for the purchase of lime slurry for FY25. **Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to award and approve the purchase of lime slurry to Polytec, Inc. in the amount not to exceed \$195,000.00 for Fiscal Year 2024-2025 and authorize the Chair to sign.**

E. Public Works - Professional Services Contract with LKC Engineering PLLC for the Water System AIA Study

Public Works Director Randy Gould requested the Board approve a professional services contract with LKC Engineering for the Water System AIA Study. **Upon motion made by Commissioner Quis, seconded by Commissioner Von Canon, the Board voted 5-0 to award the Professional Services Agreement with LKC Engineering, PLLC for the Water System AIA Study for an amount not to exceed \$400,000 and authorize the Chairman to sign.**

10. APPOINTMENTS

A. Board of Commissioners - Appointment to Nursing and Adult Care Home Community Advisory Committee

Upon motion made by Commissioner Ritter, seconded by Commissioner Cook, the Board voted 5-0 to appoint Suzanne Lafollette-Black to the Nursing and Adult Care Home Community Advisory Committee for an initial one-year term commencing June 1, 2024, and expiring May 31, 2025.

B. Board of Commissioners - Appointment to the Sandhills Regional Library System

Board of Trustees

Upon motion made by Commissioner Ritter, seconded by Commissioner Quis, the Board voted 5-0 to appoint Carl Danis to the Sandhills Regional Library System Board of Trustees for a six-year term expiring June 30, 2030.

11. ADDITIONAL AGENDA

There were no additional agenda items.

12. MANAGER'S REPORT

County Manager Wayne Vest had no further reports.

13. COMMISSIONERS' COMMENTS

Commissioner Ritter expressed his appreciation for serving with his fellow commissioners. He said he was glad Chairman Picerno had returned safely from his trip, and said he looked forward to getting the budget approved.

Commissioner Von Canon encouraged everyone to remember Moore County families in prayer, particularly those who had recently lost loved ones in automobile accidents.

Commissioner Quis thanked Chairman Picerno, Commissioner Cook, and staff for their work on the recommended budget. He discussed the system development fees and upcoming significant decisions for very expensive projects.

Commissioner Cook commended the Union Pines High School wrestling team and women's lacrosse team for championship wins.

Chairman Picerno thanked the Board for allowing him to be absent for his recent trip to Alaska. He emphasized a work session scheduled for the following week and noted the Clerk would send the agenda the next morning. Chairman Picerno noted that he had missed the ETJ discussions held during the previous meeting from which he was absent. He asked Planning Director Debra Ensminger to be prepared to present the Board the pros and cons of living in the ETJ and what she saw from a planning professional's standpoint.

14. CLOSED SESSION

Upon motion made by Chairman Picerno, seconded by Commissioner Cook, 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, to include the matter of Moore County v. Randy Acres, et al and the opioid lawsuit against Johnson and Johnson, et al.

Chairman Picerno called for a ten-minute recess prior to the Board convening in closed session.

Following the closed session business, upon motion made by Commissioner Ritter, seconded by Commissioner Von Canon, the Board voted 5-0 to come out of closed session and seal the minutes.

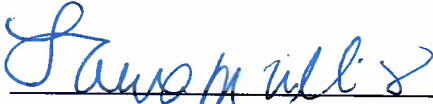
Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to amend the opioid complaint to add new defendants PBMs Express Scripts and OptumRx.

ADJOURNMENT

There being no further business, upon motion made by Commissioner Quis, seconded by Commissioner Von Canon, the Board voted 5-0 to adjourn the May 21, 2024, Regular Meeting of the Moore County Board of Commissioners at 10:03pm.



Nick Picerno, Chairman



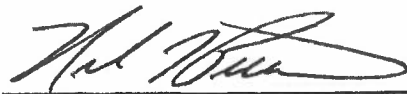
Laura M. Williams, Clerk to the Board



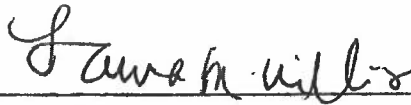
Fiscal Year 2023/2024

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Property Management - Insurance Reimbursement					
Revenue	10018000 36053	Insurance Proceeds	87,570	33,855	121,425
Expense	10047087 54250	Accident Repairs	133,084	33,855	166,939

Approved this 21 day of May, 2024



Nick Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



110010

Fiscal Year 2023/2024

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

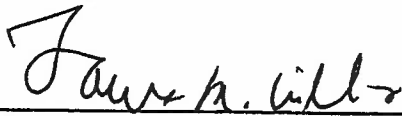
Administration - Appropriated Fund Balance

Revenue	29019000 32950	Appropriated Fund Balance	671,380	(51,440)	619,940
Expense	29012000 56334	MOORB Early Intervention	51,440	(51,440)	-

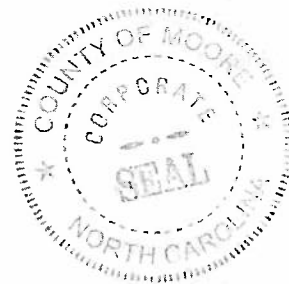
Approved this 21 day of May, 2024



Nick Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board

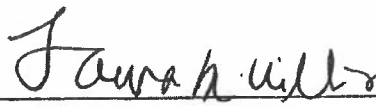


Fiscal Year 2023/2024

Budget Line Item Number	Budgeted Amount	Increase/ (Decrease)	Revised Budget
Moore County Sheriff's Office Animal Services - Donations			
Revenue 24018070 32502 Donations	77,518	28,100	105,618
Expense 24021570 53922 Donations	110,491	28,100	138,591

Approved this 21 day of May, 2024


 Nick Picerno
 Moore County Board of Commissioners


 Laura Williams
 Clerk to the Board



Fiscal Year 2023/2024

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

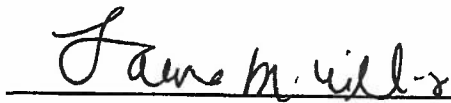
Financial Services - Lease Proceeds GASB 87

Revenue	10019000 32906 LEAHE	Lease Proceeds	-	26,561	26,561
Expense	100375LC 56670 LEAHE	Lease Capital Outlay	-	26,561	26,561
Revenue	20019000 32906	Lease Proceeds	-	396,670	396,670
Expense	200375LC 56670	Lease Capital Outlay	-	396,670	396,670

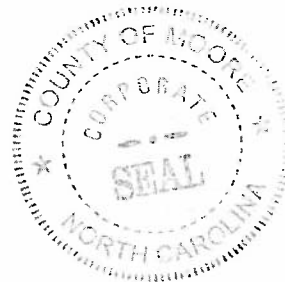
Approved this 21 day of May, 2024



Nick Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



110427

Fiscal Year 2023/2024

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

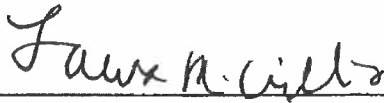
Finance - Subscription-Based IT Technology Arrangements GASB 96

Revenue	10019000 32907 SUBFN	Subscription IT Proceeds	-	34,415	34,415
Expense	100376SC 56675 SUBFN	Subscription IT Capital Outlay	-	34,415	34,415
Revenue	10019000 32907 SUBPS	Subscription IT Proceeds	-	66,792	66,792
Expense	100376SC 56675 SUBPS	Subscription IT Capital Outlay	-	66,792	66,792

Approved this 21 day of May, 2024



Nick Picerno
Moore County Board of Commissioners



Laura 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.

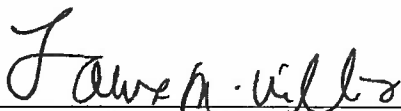
BE IT RESOLVED by the Board of Commissioners of Moore County that the taxpayers shown on said list of releases and refunds submitted by Gary E. Briggs, Tax Administrator, are hereby granted such tax release or refund of the county taxes shown and the County Finance Director is directed to make said refunds.

Adopted this the 21 day of May, 2024.



Nick Picerno, Chairman

ATTEST:



Laura M. 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.

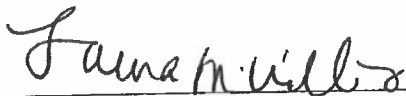
BE IT RESOLVED by the Board of Commissioners of Moore County that the taxpayers shown on said list of releases and refunds submitted by Gary E. Briggs, Tax Administrator, are hereby granted such tax release or refund of the county taxes shown and the County Finance Director is directed to make said refunds.

Adopted this the 21 day of May, 2024.



Nick Picerno, Chairman

ATTEST:



Laura M. Williams
Clerk to the Board



377

**VTS/REAL ESTATE/PERSONAL PROPERTY
RELIEF - REFUNDS
OVER - \$100
April-24**

<u>Bill Year</u>	<u>Bill Number</u>	<u>Customer Name</u>	<u>Reason</u>	<u>Refund Amount</u>
2023	VTS - 0074080830	TAYLOR, LYNN ANN	TAG SURRENDER	\$203.61
2023	VTS - 0069630759	TOULOUSE, MICHAEL WAYNE	MILITARY	\$198.14
2023	VTS - 0070855033	ULRICH, RICHARD THOMAS	TAG SURRENDER	\$201.39
2022	VTS - 0073777412	ZEEDYK, NICHOLAS DANIEL	SITUS	\$197.29
			TOTAL	\$5,338.27

**VTs/REAL ESTATE/PERSONAL PROPERTY
RELIEF - REFUNDS
OVER - \$100
April-24**

<u>Bill Year</u>	<u>Bill Number</u>	<u>Customer Name</u>	<u>Reason</u>	<u>Refund Amount</u>
2023	VTs - 0076078183	BAKI, ILKER	TAG SURRENDER	\$103.26
2022	VTs - 0071962395	BOGAN, NANCY ANNE	TAG SURRENDER	\$104.91
2023	VTs - 0075889176	CARLISLE, LLOYD & SUSAN	TAG SURRENDER	\$152.46
2023	VTs - 0074437326	CHANCE, FREDDIE HARRELL	TAG SURRENDER	\$185.48
2023	VTs - 0074831771	CHANCE, FREDDIE HARRELL	TAG SURRENDER	\$195.66
2023	1000300	DIESING, CONNOR JAMES	MILITARY	\$582.11
2023	VTs - 0076900626	EDSEL, WILLIAM & CHIQUITA	TAG SURRENDER	\$244.77
2023	VTs - 0077366312	HIGBY, CHAD EDWARD	SITUS	\$143.65
2023	VTs - 0070624813	HOLCOMB, VICKIE JO	TAG SURRENDER	\$124.47
2022	VTs - 0066875453	KACA, AGNIESZKA MARIA	TAG SURRENDER	\$177.48
2023	VTs - 0077055693	KALLAM, MICHAEL GRAY	TAG SURRENDER	\$119.61
2022	VTs - 0066733230	LEVI, PATRICIA	TAG SURRENDER	\$169.90
2023	VTs - 0071037605	MAIN, JOSHUA DAVID	TAG SURRENDER	\$164.10
2023	VTs - 0070265148	MARION, BRANDON TRENT	TAG SURRENDER	\$105.00
2021	VTs - 0066657289	MARLOW, AARON MICHAEL	MILITARY	\$220.33
2022	VTs - 0054367196	MEIER, JIMMY & GERALDINE	TAG SURRENDER	\$153.95
2023	VTs - 0068208781	MORRISSETT, VICKY DIEDRICH	TAG SURRENDER	\$129.75
2023	VTs - 0069491396	PATTON, KAREN ANN	TAG SURRENDER	\$169.89
2022	VTs - 0068371390	ROGERS, JAMES ALLEN	MILITARY	\$118.89
2023	VTs - 0071385681	SAVANNAH, NIKO J	MILITARY	\$161.78
2022	VTs - 0072073979	SCRUGGS, ANDREW MARSHALL	MILITARY	\$268.63
2022	VTs - 0073361854	SHAMMAS, LINA ELIAS	TAG SURRENDER	\$100.49
2023	VTs - 0064030428	SMITH, CHAD AUBREY	TAG SURRENDER	\$327.37
2023	VTs - 0076572948	SMITH, LEIGHTON WARREN JR	TAG SURRENDER	\$173.19
2022	VTs - 0048378109	STOHLER, WALTER JOHN JR	TAG SURRENDER	\$140.71

379

REAL ESTATE / PERSONAL PROPERTY

RELEASES

OVER - \$100

April-24

<u>BILL YEAR</u>	<u>BILL NUMBER</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
2023	89968	ALEXANDER, DANIEL CHRISTOPHER	MILITARY	\$173.85
* 2023	1000300	DIESING, CONNOR JAMES	MILITARY	\$558.38
TOTAL				\$732.23

* RELEASE CREATED REFUND

Sole Source Justification Form

04/24/2024 8:04 AM (EDT)

APPENDIX C

Sole Source Justification Form

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

Vendor: Combs Technologies
Item: Parts for Grit Diaphragm Pumps
Estimated expenditure for the Above Item: 31531

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

Memo Attachment

 Sole Source Justification.pdf

Steps

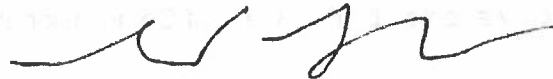
- 3. This is the only known item or service that will meet the specialized needs of this department or perform the intended function.
- 1. Sole source us for the original manufacturer or provider, there are no area distributors.
- 2. The parts/equipment are not interchangeable with similar parts of another manufacturer.

The undersigned requests that competitive procurement be waived and that the vendor identified as the supplier of the material or service described in this sole source justification be authorized as a sole source for the material or service.

Form Preparer Email: sring@moorecountync.gov

Form Preparer Name: Sam Ring

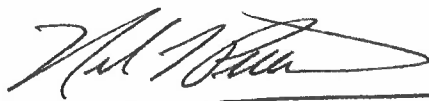
Form Preparer Signature:



Date Form Submitted: 04/24/2024

Department: Public Works

Department Head's Email: rgould@moorecountync.gov



5/21/24

Nick Picerno, Chairman

**North Carolina Department of Transportation
Division of Highways
Request for Addition to State Maintained Secondary Road System**

North Carolina

County: Moore

Road Description: Roads within Meadows at Farmlife Subdivision are being requested to be added.

The entire length of Ryegrass Lane and a portion of Farmhouse Lane. The portion of Farmhouse Lane is from the intersection of Bibey Road (SR 1868) and Farmhouse Lane to extend 60 feet past the intersection of Farmhouse Lane and Ryegrass Lane.

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Moore County requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System, and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Moore County that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Moore County at a meeting on the 21st day of May, 2024.

WITNESS my hand and official seal this the 21st day of May, 2024.



Clerk, Board of Commissioners
County: Moore

PLEASE NOTE:

Forward direct with request to the Division Engineer, Division of Highways

**RESOLUTION AUTHORIZING THE UPSET BID PROCESS
FOR "55 56 71 72 Oakdale"**

WHEREAS, the County of Moore owns certain real property located at 112 Moore St., in Aberdeen, Moore County, North Carolina, being known and more particularly described as "55 56 71 72 Oakdale." LRK#00054032; and

WHEREAS, the property was subject to a tax foreclosure and sold at public auction on July 8, 1997; and

WHEREAS, the County of Moore acquired the property for \$477.12, which was the sum of the amount of taxes owed on the property, fees related to the foreclosure, and other related costs paid or incurred by the County of Moore prior to the public auction; and

WHEREAS, the County of Moore has not used the property since acquiring it and has no intention of using the property; and

WHEREAS, North Carolina General Statute 160A-269 permits the County to sell real property by negotiated offer and upset bid; and

WHEREAS, the Board of Commissioners acknowledges receipt of an offer from Lucas Property Rentals, LLC (Mr. Carlos Lucas) in the amount of \$1,800.00 for the property described above; and

WHEREAS, Lucas Property Rentals, LLC has paid the required five percent deposit on his offer.

NOW, THEREFORE, the Board of Commissioners of the County of Moore resolves that:

1. The Board of Commissioners authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute 160A-269; and
2. Once an initial bid is received, the Clerk to the Board shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset; and
3. Any person may submit an upset bid to the office of the Clerk to the Board within 10 days after the notice of sale is published. In order for a bid to be considered, the bidder must be current on payment of all property taxes owed to the County; and
4. If a qualifying higher bid is received, the Clerk to the Board shall cause a new notice of upset bid to be published and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received; and

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer; and
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The County will return the deposit on any bid not accepted and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The County will return the deposit of the final high bidder at closing if requested; and
7. The terms of the final sale are:
 - The property is sold in its current condition, as is, and the County gives no warranty with respect to usability of the property; and
 - Closing will occur within 90 days of approval of the final bid at the Office of the Moore County Attorney; and
 - The County will issue a non-warranty deed; and
 - The Buyer is responsible for ad valorem taxes for the current year (non-prorated); and
 - The Buyer must pay with cash, by cashier's check or by certified check at the time of the closing.
8. The County reserves the right to withdraw the property from sale at any time before the final high bid is approved and the right to reject at any time all bids; and
9. The final high bid shall be taken to the Board of Commissioners for approval.

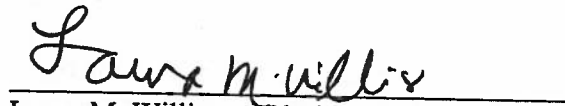
ADOPTED this 21st day of May 2024 by the Moore County Board of Commissioners.

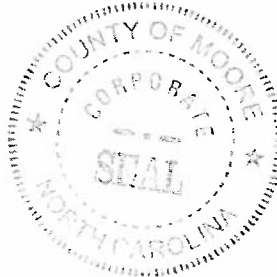
COUNTY OF MOORE



Nick Picerno, Chairman
Moore County Board of Commissioners

ATTEST:


Laura M. Williams, Clerk to the Board



Fiscal Year 2025 Budget

May 21, 2024

**PRESENTED BY
J. Wayne Vest, County Manager**

Fiscal Year 2025 Budget

FY24/25 Budget Team Members

Name	Position/Title
Nick Picerno	Moore County Board of Commissioners, Chairman, Budget Task Force Commissioner
Kurt Cook	Moore County Board of Commissioners, Vice Chairman, Budget Task Force Commissioner
Laura Williams	Clerk to the Board
Gary Briggs	Tax Administrator
Caroline Xiong	Finance Director
Dawn Gilbert	Human Resources Director
Gene Boles	Property Management Director
Kay Ingram	Information Technology Director
Tami Golden	Budget and Auditing Director
Kris Klug	Budget Manager/Internal Auditor
Janet Parris	Assistant County Manager
Wayne Vest	County Manager

Fiscal Year 2025 Budget

FY2024-2025 Recommended Gross and Net Budget by Fund

Fund	Fund Name	Fund Type	Gross Budget	Less Transfers	Net Budget	Rate/Source
100	General	General	\$152,407,600	-\$7,066,435	\$145,341,165	\$.32/\$100 valuation
200	Public Safety/Emergency Mgmt	Special Revenue	\$13,312,160	-\$2,038,268	\$11,273,892	\$.0375/\$100 valuation
210	E911 Telephone	Special Revenue	\$211,428	\$0	\$211,428	PSAP Funding
215	Fire - Rescue District	Special Revenue	\$7,529,684	-\$1,057,807	\$6,471,877	\$.0875/\$100 valuation
216	Fire - Rescue District Debt	Special Revenue	\$1,057,807	\$0	\$1,057,807	Fire Debt Service
220	Soil Water Conservation District	Special Revenue	\$33,753	\$0	\$33,753	Rental Fees/State
230	Transportation Services	Special Revenue	\$1,540,197	-\$378,056	\$1,162,141	Fees/Grants
280	DSS Charitable	Special Revenue	\$15,000	\$0	\$15,000	Fees
281	DSS Rep Payee	Special Revenue	\$420,000	\$0	\$420,000	Fees
290	Opioid Settlement Funds	Special Revenue	\$25,000	\$0	\$25,000	State Funded (Settlement)
600	Water Pollution Control Plant	Enterprise	\$9,239,277	-\$350,160	\$8,889,117	User Fees
610	Public Utilities - Water & Sewer	Enterprise	\$17,414,127	-\$1,244,740	\$16,169,387	User Fees
620	East Moore Water District	Enterprise	\$3,472,081	\$0	\$3,472,081	User Fees
810	Risk Management	Internal Service	\$12,233,754	-\$10,000	\$12,223,754	Internal (transfers)
	Total County Funds		\$218,911,868	-\$12,145,466	\$206,766,402	
260	Convention & Visitor's Bureau	Comp Unit/Spec Rev	\$3,806,500	-\$52,500	\$3,754,000	3% Occupancy Tax
640	Airport Authority	Comp Unit/Enterprise	\$6,227,103	-\$94,500	\$6,132,603	User Fees
	Total Component Units		\$10,033,603	-\$147,000	\$9,886,603	
	Totals		\$228,945,471	-\$12,292,466	\$216,653,005	

A penny on the County General Fund tax rate is anticipated to generate \$2,230,773 in revenue

A penny on the ALS tax rate is anticipated to generate \$2,215,665 in revenue

A penny on the Fire Service District tax rate is anticipated to generate \$764,354 in revenue

Fiscal Year 2025 Budget

The Recommended Budget

- Proposes a **One-Cent-Reduced** County General Tax Rate of **.32/\$100** of valuation
- Proposes Advanced Life Support Rate of **.0375** per \$100 of valuation
- Proposes a Rural Fire Protection Service Rate of **.0875** Per \$100 of valuation
- Prioritizes Education, Public Safety, Health & Human Services

Fiscal Year 2025 Budget

Revenue Neutral Comparison

North Carolina General Statutes require Counties to post the Revenue Neutral Rate(s) during a Revaluation Year

2023 was the most recent Revaluation Year for Moore County

Per Board of Commissioner action, Moore County performs a Revaluation every 4 years

Tax Rate Comparisons to Revaluation Year's Revenue Neutral Rates

Fund	FY23 Tax Rate	FY24 Revenue Neutral	FY24 Adopted Tax Rate	F25 Rec Rate
General Fund 100	0.485	0.3512	\$0.3300	\$0.3200
EMS Fund 200	0.04	0.029	\$0.0375	\$0.0375
Fire Fund 215	0.105	0.0871	\$0.0875	<u>\$0.0875</u>
Cummulative (100, 200, 215)	\$0.6300	\$0.4673	\$0.4550	\$0.4450

FY25 Cumulative Tax Rate is nearly 2 ¼ Pennies below the FY24 Revenue Neutral Rate

Fiscal Year 2025 Budget

Recommended Budget's Major Points of Consideration: General Fund

- 2025 recommended fiscal year budget is balanced at: \$228,945,471 Gross and \$216,653,005 Net (less transfers and assessments).
- Funds Moore County Schools at \$53,563,763 including Current Expense, Capital Outlay, Digital Learning, Debt Service, School Nurse Initiative, and Sandhills Center allocations
- Funds Sandhills Community College at \$7,934,362 including Expense and Debt Service allocations
- Illuminates the County's Mission-Vision-Values-Pillars by:
 - Ensuring funding for Exceptional Services
 - Governing (budgeting) Conservatively
 - Demonstrating Respect and Compassion for citizens and visitors
 - Being Fiscally Sound
 - Prioritizing a Safe & Secure Community along with Health and Human Services
 - Supporting Sustainable Growth
 - Providing for Cultural and Recreational Opportunities

Fiscal Year 2025 Budget

The Recommended Budget

Preserves the competitiveness of the employee benefits and compensation package and ensures the sustainability of the County's Self-Insurance program:

Included Items:

- Fully funding existing components of the benefits and compensation package (Insurance, retirement, longevity, wellness, 401K, vacation/sick/community leave)
- Includes 4% C.O.L.A. to be implemented:
 - 2% effective with pay period beginning June 29, 2024
 - 2% effective with the pay period beginning December 14, 2024
- Proposes no changes to employee and dependent health insurance premiums, copays, deductibles, and out-of-pocket limits

Fiscal Year 2025 Budget

The Recommended Budget

Adds 13 Full Time Positions and 1 Part Time Position

Number of Employees (All Funds)				
FY	Full time	Part time	Total # of Employees	Total FTE's
FY07-08	615.0	58.0	673.0	644.0
FY08-09	623.0	30.0	653.0	638.0
FY09-10	629.0	24.0	653.0	641.0
FY10-11	620.0	18.0	638.0	629.0
FY11-12	610.0	17.0	627.0	618.5
FY12-13	611.0	17.0	628.0	619.5
FY13-14	617.0	19.0	636.0	626.5
FY14-15	626.0	16.0	642.0	634.0
FY15-16	632.0	11.0	643.0	637.5
FY16-17	632.0	11.0	643.0	637.5
FY17-18	653.0	7.0	660.0	656.5
FY18-19	666.0	8.0	674.0	670.0
FY19-20	683.0	6.0	689.0	686.0
FY19-20 revised	684.0	6.0	690.0	687.0
FY20-21	694.0	8.0	702.0	698.0
FY20-21 revised	695.0	7.0	702.0	698.5
FY21-22	706.0	10.0	716.0	711.0
FY21-22 revised	710.0	10.0	720.0	715.0
FY22-23	719.0	14.0	733.0	726.0
FY23-24	752.0	15.0	767.00	759.50
FY23-24 revised	764.0	16.0	780.00	772.00
FY24-25	777.0	17.0	794.00	785.50

Fiscal Year 2025 Budget

The Recommended Budget

FY25 Position Additions

General Fund 100

Add 1 FT Human Resource Assistant Director

Add 1 FT Tax Present Use Value Specialist

Add 1 FT Veterans Services Officer (1/2 Year - January 2025)

Add 1 FT Cooperative Extension 4-H Program Assistant (1/2 Year-January 2025)

Add 1 FT Permitting Admin Asst Clerical

Add 1 PT Solid Waste Site Attendant

General Fund 100 added 5 FT and 1 PT

EMS Fund 200

Add 4 FT Paramedics Full Year

Add 4 FT Paramedics 1/2 Year - January 2025)

EMS Fund 200 added 8 FT

Total Additions all Funds 13 FT and 1 PT

Fiscal Year 2025 Budget

FY2024-2025 Recommended Gross and Net Budget by Fund

Fund	Fund Name	Fund Type	Gross Budget	Less Transfers	Net Budget	Rate/Source
100	General	General	\$152,407,600	-\$7,066,435	\$145,341,165	\$.32/\$100 valuation
200	Public Safety/Emergency Mgmt	Special Revenue	\$13,312,160	-\$2,038,268	\$11,273,892	\$.0375/\$100 valuation
210	E911 Telephone	Special Revenue	\$211,428	\$0	\$211,428	PSAP Funding
215	Fire - Rescue District	Special Revenue	\$7,529,684	-\$1,057,807	\$6,471,877	\$.0875/\$100 valuation
216	Fire - Rescue District Debt	Special Revenue	\$1,057,807	\$0	\$1,057,807	Fire Debt Service
220	Soil Water Conservation District	Special Revenue	\$33,753	\$0	\$33,753	Rental Fees/State
230	Transportation Services	Special Revenue	\$1,540,197	-\$378,056	\$1,162,141	Fees/Grants
280	DSS Charitable	Special Revenue	\$15,000	\$0	\$15,000	Fees
281	DSS Rep Payee	Special Revenue	\$420,000	\$0	\$420,000	Fees
290	Opioid Settlement Funds	Special Revenue	\$25,000	\$0	\$25,000	State Funded (Settlement)
600	Water Pollution Control Plant	Enterprise	\$9,239,277	-\$350,160	\$8,889,117	User Fees
610	Public Utilities - Water & Sewer	Enterprise	\$17,414,127	-\$1,244,740	\$16,169,387	User Fees
620	East Moore Water District	Enterprise	\$3,472,081	\$0	\$3,472,081	User Fees
810	Risk Management	Internal Service	\$12,233,754	-\$10,000	\$12,223,754	Internal (transfers)
	Total County Funds		\$218,911,868	-\$12,145,466	\$206,766,402	
260	Convention & Visitor's Bureau	Comp Unit/Spec Rev	\$3,806,500	-\$52,500	\$3,754,000	3% Occupancy Tax
640	Airport Authority	Comp Unit/Enterprise	\$6,227,103	-\$94,500	\$6,132,603	User Fees
	Total Component Units		\$10,033,603	-\$147,000	\$9,886,603	
	Totals		\$228,945,471	-\$12,292,466	\$216,653,005	

A penny on the County General Fund tax rate is anticipated to generate \$2,230,773 in revenue

A penny on the ALS tax rate is anticipated to generate \$2,215,665 in revenue

A penny on the Fire Service District tax rate is anticipated to generate \$764,354 in revenue

Fiscal Year 2025 Budget

Key Points of Each Fund: General Fund 100

General Fund Revenues

Source	FY25 Budget	%
Property Tax	\$71,634,734	47.0021%
Sales Tax Article 39, 40, 42	\$27,825,000	18.2570%
Sales Tax Article 46	\$5,355,000	3.5136%
Medicaid Hold Harmless	\$4,998,417	3.2796%
Grants	\$10,627,428	6.9730%
Departmental Fees	\$15,868,915	10.4122%
Other Taxes	\$840,000	0.5512%
Interest	\$5,500,000	3.6087%
Transfers in App Restricted FB	\$730,715	0.4794%
Transfers in Re-Appropriation FB	\$1,430,475	0.9386%
Transfers In	<u>\$7,596,916</u>	<u>4.9846%</u>
Total Revenues - GF	\$152,407,600	100.0000%

- Property and sales tax comprise nearly 70% of the General Fund (Including Article 46 transfer-in)
- Article 46 sales tax is committed by resolution to funding school capital construction projects

Fiscal Year 2025 Budget

Key Points of Each Fund: General Fund 100

Prioritize Education, Public Safety and Public Health and Human Services:

General Fund Expenditures		
GF Expenditures	FY25 Budget	%
Education (including debt)	\$61,448,125	40.3183%
Human Services	\$21,368,683	14.0207%
Public Safety	\$23,432,013	15.3746%
General Government	\$23,376,083	15.3379%
Environmental	\$11,311,014	7.4216%
Debt (excluding education)	\$5,451,055	3.5766%
Non-Departmental	\$3,773,772	2.4761%
Cultural	\$1,846,855	1.2118%
Transfers to Other Funds	<u>\$400,000</u>	<u>0.2625%</u>
Total	\$152,407,600	100.0000%

- Education, Safety, and Human Services comprise nearly 70% of the General Fund

Fiscal Year 2025 Budget

Key Points of Each Fund:

General Fund 100:

Education Funding

Total Moore County Schools Funding										
FY	Student Enrollment (Final ADM Enrollment-DPI)	Current Expense	Capital Outlay	Digital Learning	Sub Total: Current, Capital, Digital	Existing Debt Prior to New Schools	Debt -all new debt for new schools	School Funding from Health Department - Nurse	Pass Through Sandhills Mental Health	Total Funding
FY23/24	12,931	\$36,551,623	\$800,000	\$0	\$37,351,623	\$4,359,370	\$11,482,468	\$50,000	\$284,000	\$53,527,461
FY24/25	12,931	\$37,345,748	\$800,000	\$0	\$38,145,748	\$4,195,768	\$11,172,247	\$50,000	\$0	\$53,563,763

Total Sandhills Community College Funding			
FY	Current Expense	Debt Service	Total Funding
FY23/24	\$5,217,256	\$2,733,282	\$7,950,538
FY24/25	\$5,287,879	\$2,646,483	\$7,934,362

Education Funding of \$61,498,125 Comprises 40% of General Fund

Fiscal Year 2025 Budget

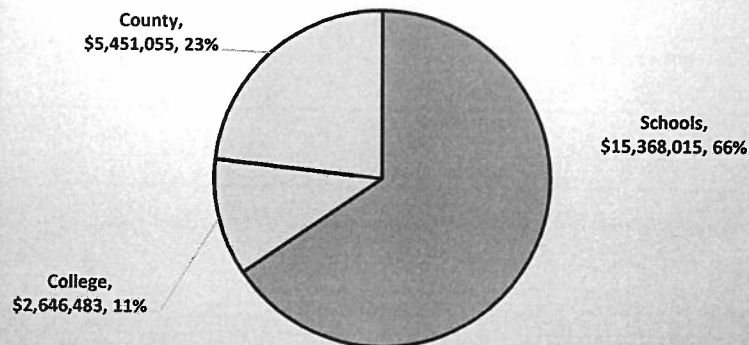
Key Points of Each Fund: General Fund 100 Debt Service

- Total Debt Service is \$26,969,549 (Includes Enterprise and EMS (24,338) Funds Debt Service)
- Total General Fund Debt Service is \$23,465,553

General Fund Debt Service Graph (P&I) FY25

	Amount	%	Type
Schools	\$15,368,015	65.49%	GO Bond/Bank Finance
College	\$2,646,483	11.28%	GO Bond
County	<u>\$5,451,055</u>	<u>23.23%</u>	LOB
Total	\$23,465,553	100.00%	

General Fund Debt Service FY25



Fiscal Year 2025 Budget

KEY POINTS REGARDING EACH FUND

Fund 100: General Fund

End of General Fund Key Points

Fiscal Year 2025 Budget

Key Points of Each Fund:

Fund 200: Public Safety/Emergency Management

- Balanced at \$13,312,160 in Revenues and Expenditures
- Supported by Advanced Life Support (ALS) tax revenue, fees, and other revenue
- ALS Tax Rate proposed at **.0375/\$100** of valuation, applies to all properties
- Adds 8 Full-Time Paramedic Positions (4@1/2 Year)

Fund 210: E911

- Balanced at \$211,428 in Revenues and Expenditures
- Funds generated by E911 surcharge on phone bills and appropriated fund balance
- E911 surcharge revenues are regulated by the State
- FY 23/24 projected calls: 106,000+

Fiscal Year 2025 Budget

Key Points of Each Fund:

Fund 215: Moore County Fire Protection and Rescue Service District

Rural Fire Protection Service Tax Fund 215 (Operations) Fund 216 (Debt Service)

FY2024-2025 - Unified Tax Rate @ .0875/\$100 Valuation

<u>Rural Fire Service District</u>	<u>Operations Distribution Fund 215 Expense</u>	<u>Debt Service Distribution Fund 216 Expense</u>
Aberdeen	\$287,960	\$32,991
Carthage	\$343,095	\$62,040
Crains Creek	\$362,932	\$61,614
Cypress Pointe	\$1,042,933	\$57,414
Eagle Springs	\$342,174	\$36,120
Eastwood	\$225,781	\$21,128
High Falls	\$351,587	\$155,460
Pinebluff	\$433,841	\$70,298
Pinehurst	\$399,779	\$0
Robbins	\$470,781	\$80,360
Seven Lakes	\$504,558	\$33,895
Southern Pines	\$537,613	\$8,148
West End	\$558,609	\$105,445
Westmoore	\$259,079	\$47,927
Whispering Pines	\$329,155	\$46,744
Station X	\$0	\$0
Allocated Debt for FY25	\$0	\$238,223
Subtotal Fund 215 and 216	\$6,449,877	\$1,057,807
Audit - Professional Services (app FB)	\$22,000	\$0
- Transfer to Capital Debt Fund 216	\$238,223	\$0
Transfer to Capital Debt Fund 216 Debt	\$819,584	\$0
Grand Total Fund 215/216	\$7,529,684	\$1,057,807

<u>Total Manager Recommendation Fund 215 and Fund 216</u>
\$320,951
\$405,135
\$424,546
\$1,100,347
\$378,294
\$246,909
\$507,047
\$504,139
\$399,779
\$551,141
\$538,453
\$545,761
\$664,054
\$307,006
\$375,899
\$0
\$238,223
\$7,507,684
\$22,000
\$0
\$0
\$7,529,684

Fiscal Year 2025 Budget

Key Points of Each Fund:

Fund 220: Soil and Water Conservation District

- Balanced at \$33,753 in Revenues and Expenditures
- Revenues generated by fees from services and matching State Grant Funds

Fund 230: Moore County Transportation Services

- Balanced at \$1,540,197 in Revenues and Expenditures
- \$14,139 decrease from fiscal year 2024 budget
- Revenues generated by user fees, grants, sale of assets
- Vital service for Department of Aging and Social Services clients
- Services for elderly, disabled, transport for employment & education

Fiscal Year 2025 Budget

Key Points of Each Fund:

Required Department of Social Service Funds

- Fund 280: DSS Charitable: \$15,000
 - Donations to DSS to be used for specific purpose based on needs of individuals
- Fund 281: DSS Payee Trust Fund: \$420,000
 - Funds that belong to individuals that cannot, for whatever reason, manage their expenses
- Fund 290: Opioid Settlement Funds
 - Provides for \$25,000 allocation for Bridge to Recovery contract
 - Funding used for Option A, which allows for funding across 12 Strategies
 - Strict use and reporting requirements

Fiscal Year 2025 Budget

Key Points of Each Fund: Enterprise Operations

Funds 600, Water Pollution Control Plant; 610, Public Utilities; 620 East Moore Water District

Enterprise Funds

Public Works Division	FY2023-24 Approved Budget	FY2024-25 Recommended Budget	Difference (%)
Water Pollution Control Plant	\$7,458,460	\$9,239,277	23.88%
Moore County Public Utilities	\$16,094,240	\$17,414,127	8.20%
East Moore Water District	\$3,711,339	\$3,472,081	-6.45%
Total	\$27,264,039	\$30,125,485	10.50%

Fee Schedule Recommendations

- Increases to 600, 610 and 620 flow rates, connection fees, base rates, usage rates:
Tab 6, page 34 to 38

Transfers into Capital Reserve: Total of \$324,634

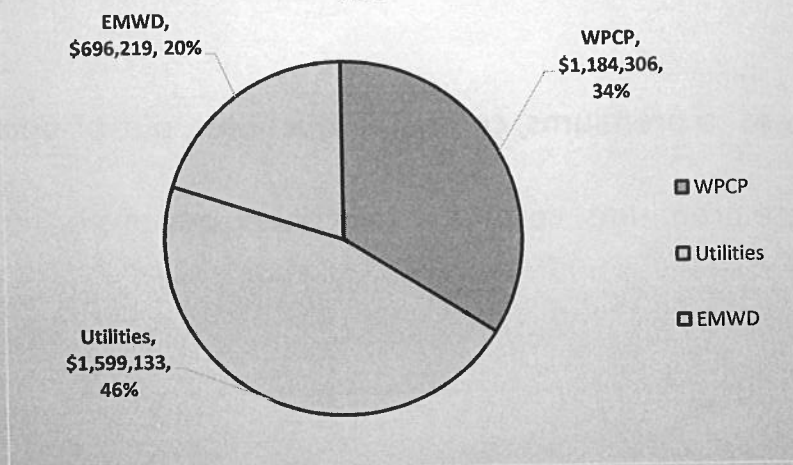
- WPCP @ \$0
- Public Utilities @ \$0
- EMWD @ \$324,634

Fiscal Year 2025 Budget

Key Points of Each Fund: Enterprise Operations Debt Service

Enterprise Funds Debt Service Graph (P&I) FY25

Fund	Amount	%
WPCP	\$1,184,306	34.04%
Utilities	\$1,599,133	45.96%
EMWD	<u>\$696,219</u>	<u>20.00%</u>
Total	\$3,479,658	100.00%

Enterprise Funds
Debt Service

Fiscal Year 2025 Budget

Key Points of Each Fund:

Fund 810: Risk Management

- Balanced at \$12,233,754
- Treated as an Internal Service Fund
- Expenditures include costs for Health Insurance, Wellness Works, Worker's Compensation, Unemployment, and Unemployment Insurance, Liability and Property Insurance
- No proposed changes to premiums, copays, deductibles, out-of-pocket limits
- Continue to evaluate premiums, co-pays, deductibles, out-of-pockets for employee and dependent coverage

Fiscal Year 2025 Budget

Key Points of Each Fund:

Fund 260: Convention and Visitor's Bureau

- Balanced at \$3,806,500
- Decrease of \$295,585 compared to fiscal year 2024
- Includes \$300,000 appropriation from fund balance

Fund 640: Airport

- Balanced at \$6,227,103
- Increase of \$333,162 Compared to fiscal year 2024
- Includes an appropriation from retained earnings of \$706,353

Fiscal Year 2025 Budget

REMAINING SCHEDULE

BUDGET WORK SESSIONS

- May 28, 2024
- Others TBD if necessary

REQUIRED PUBLIC HEARING

- June 18, 2024 @ 5:30 PM at the Regularly Scheduled Board of Commissioner's Meeting

ADOPTION

- June 20, 2024 @ 10:00 AM at Special Called Board of Commissioners' Meeting

Fiscal Year 2025 Budget

SUMMARY

- The fiscal year 2025 proposed budget is **balanced** at \$228,945,471 in revenues and expenditures
- The proposed budget provides a **fiscally sound** and responsible **blueprint** for administering the revenues and expenditures for fiscal year 2025
- The proposed budget allows for the continued operations of the County and **for providing the highest level of services** in an efficient and effective manner
- **Thanks to everyone** who allocated time, effort, and expertise in developing the proposed budget
- The proposed budget is respectfully submitted

409

Fiscal Year 2025 Budget Fund 620: East Moore Water District

May 21, 2024

**PRESENTED BY
J. Wayne Vest, County Manager**

Fiscal Year 2025 Budget

FY2024-2025 Recommended Gross and Net Budget by Fund

Fund	Fund Name	Fund Type	Gross Budget	Less Transfers	Net Budget	Rate/Source
100	General	General	\$152,407,600	-\$7,066,435	\$145,341,165	\$.32/\$100 valuation
200	Public Safety/Emergency Mgmt	Special Revenue	\$13,312,160	-\$2,038,268	\$11,273,892	\$.0375/\$100 valuation
210	E911 Telephone	Special Revenue	\$211,428	\$0	\$211,428	PSAP Funding
215	Fire - Rescue District	Special Revenue	\$7,529,684	-\$1,057,807	\$6,471,877	\$.0875/\$100 valuation
216	Fire - Rescue District Debt	Special Revenue	\$1,057,807	\$0	\$1,057,807	Fire Debt Service
220	Soil Water Conservation District	Special Revenue	\$33,753	\$0	\$33,753	Rental Fees/State
230	Transportation Services	Special Revenue	\$1,540,197	-\$378,056	\$1,162,141	Fees/Grants
280	DSS Charitable	Special Revenue	\$15,000	\$0	\$15,000	Fees
281	DSS Rep Payee	Special Revenue	\$420,000	\$0	\$420,000	Fees
290	Opioid Settlement Funds	Special Revenue	\$25,000	\$0	\$25,000	State Funded (Settlement)
600	Water Pollution Control Plant	Enterprise	\$9,239,277	-\$350,160	\$8,889,117	User Fees
610	Public Utilities - Water & Sewer	Enterprise	\$17,414,127	-\$1,244,740	\$16,169,387	User Fees
620	East Moore Water District	Enterprise	\$3,472,081	\$0	\$3,472,081	User Fees
810	Risk Management	Internal Service	\$12,233,754	-\$10,000	\$12,223,754	Internal (transfers)
	Total County Funds		\$218,911,868	-\$12,145,466	\$206,766,402	
260	Convention & Visitor's Bureau	Comp Unit/Spec Rev	\$3,806,500	-\$52,500	\$3,754,000	3% Occupancy Tax
640	Airport Authority	Comp Unit/Enterprise	\$6,227,103	-\$94,500	\$6,132,603	User Fees
	Total Component Units		\$10,033,603	-\$147,000	\$9,886,603	
	Totals		\$228,945,471	-\$12,292,466	\$216,653,005	

A penny on the County General Fund tax rate is anticipated to generate \$2,230,773 in revenue

A penny on the ALS tax rate is anticipated to generate \$2,215,665 in revenue

A penny on the Fire Service District tax rate is anticipated to generate \$764,354 in revenue

Fiscal Year 2025 Budget

Key Points of Each Fund: Enterprise Operations

Funds 600, Water Pollution Control Plant; 610, Public Utilities; 620 East Moore Water District

Enterprise Funds

Public Works Division	FY2023-24 Approved Budget	FY2024-25 Recommended Budget	Difference (%)
Water Pollution Control Plant (600)	\$7,458,460	\$9,239,277	23.88%
Moore County Public Utilities (610)	\$16,094,240	\$17,414,127	8.20%
East Moore Water District (620)	\$3,711,339	\$3,472,081	-6.45%
Total	\$27,264,039	\$30,125,485	10.50%

Fee Schedule Recommendations

- Increases to 600, 610 and 620 flow rates, connection fees, base rates, usage rates: Tab 6, page 34 to 38

Transfers into Capital Reserve: Total of \$324,634

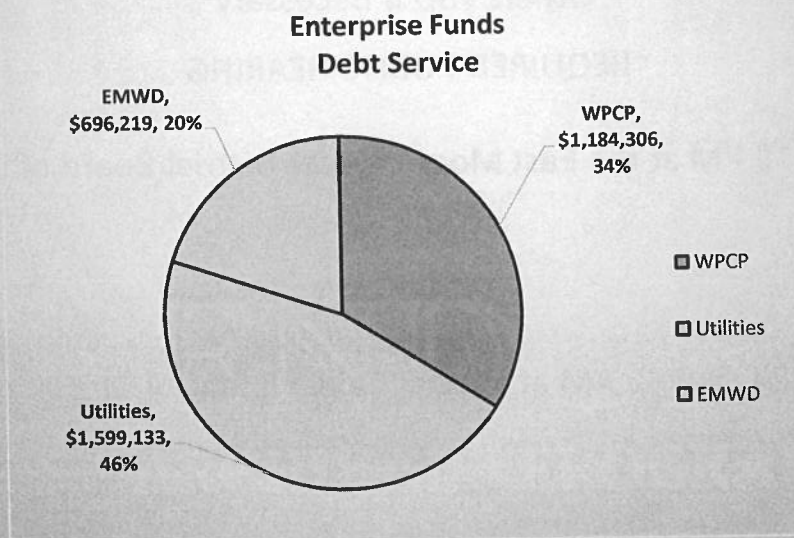
- WPCP @ \$0
- Public Utilities @ \$0
- EMWD @ \$324,634

Fiscal Year 2025 Budget

Key Points of Each Fund: Enterprise Operations Debt Service

Enterprise Funds Debt Service Graph (P&I) FY25

Fund	Amount	%
WPCP	\$1,184,306	34.04%
Utilities	\$1,599,133	45.96%
EMWD	<u>\$696,219</u>	<u>20.00%</u>
Total	\$3,479,658	100.00%



Fiscal Year 2025 Budget

REMAINING SCHEDULE

BUDGET WORK SESSIONS

- May 28, 2024
- Others TBD if necessary

REQUIRED PUBLIC HEARING

- June 18, 2024 @ 5:15 PM at the East Moore Water District Board of Directors' Meeting

ADOPTION

- June 20, 2024 @ 9:45 AM at Special Called Board of Directors' Meeting

Water and Wastewater System Development Fee Analysis Moore County, North Carolina Presentation to Board of Commissioners



May 21, 2024



Introductions/Objectives

- Robert Sills AICP
 - Nelsnick Enterprises, Inc.
 - 29 Years of Experience in Planning for Local Governments
 - Georgia, North Carolina, South Carolina and Alabama
 - Public Utility Financial Planning
 - Cost of Services Analysis (Rate Studies)
 - Connection Fees/System Development Fees (SDF)
 - Impact Fees (Roads, Libraries, Parks, Public Safety)
 - Comprehensive Plans (Land Use/Community Facility)
 - Capital Improvement Plans
- Tonight's Objectives
 - Address Comments Concerning the System Development Fee Analysis



What is a SDFA?

- **System Development Fee (SDF)**
 - Fee to recover the cost of water and/or wastewater infrastructure
 - Excludes operational costs
 - Excludes development specific costs
 - Based on capacity (dollars per equivalent dwelling unit)
- **System Development Fee Analysis (SDFA)**
 - A study required by North Carolina state law
 - Analysis of infrastructure cost per unit of capacity



SDFA Requirements

- **Public Water and Sewer Systems Development Fee Act.**
 - Establishes Procedures/Rules for System Development Fee (SDF) Calculations
 - What Can Be Included
 - Public Comment Period
 - Minimum 5-Year update
 - Provides minimum credit to the fee to account for future revenues from new development.
 - Outlines methods to calculate and SDF
 - Buy-in
 - Incremental
 - Hybrid
 - Identifies how collected funds can be used



SDFA Requirements

- Address Comments Received
 - Comment Summary SDFA Related
 - Public Summary Request
 - EMWD vs. MCPU
 - Infrastructure Value
 - Debt Usage
 - Comments Summary Non-SDFA related
 - Use of Funds/Tracking
 - Phasing of Fee
 - Cost of Housing



Recommendations

- Ongoing
 - Annually Update Financial Model
 - Verify Model Assumptions Using Actual Year-end Results
 - Use in Budget Preparation Process
 - Phase SDF over time, not exceeding maximum allowable
 - Five-Year Updates (Unless Conditions warrant earlier)
 - Update Cost of Services Analysis FY27
 - Update System Development Fee Analysis FY29



Bruce Geddes

LKC

Customer Growth since 2016

	7 Lakes Customers		EMWD/Vass/Hyland Hills Customers		Pinehurst Customers		Total	
Dec-16	2,617		3,209		8,290		14,116	
Dec-17	2,598	-0.7%	3,306	3.0%	8,438	1.8%	14,342	1.6%
Dec-18	2,664	2.5%	3,384	2.4%	8,631	2.3%	14,679	2.3%
Dec-19	2,715	1.9%	3,489	3.1%	8,787	1.8%	14,991	2.1%
Dec-20	2,787	2.7%	3,629	4.0%	8,928	1.6%	15,344	2.4%
Dec-21	2,843	2.0%	3,840	5.8%	9,109	2.0%	15,792	2.9%
Dec-22	2,966	4.3%	4,087	6.4%	9,113	0.0%	16,166	2.4%



January 18, 2023
Slide 6

Average is 2.28%
will be 31.7 K in 2052

Projecting Future Supply Needs

LKC

- Apply an annual growth rate to the 2022 customer counts
 - Pinehurst: 1.5% per year
 - Seven Lakes: 1.5% per year
 - EMWD / Vass / Hyland Hills: 3.0% per year
- Apply the historical average daily supply per customer to the projected customer base
 - Pinehurst: 219 gal/day per customer
 - Seven Lakes: 179 gal/day per customer
 - EMWD / Vass / Hyland: 150 gal/day per customer
- Apply the peaking factor to calculate peak day supply

Average is 182 gpd.



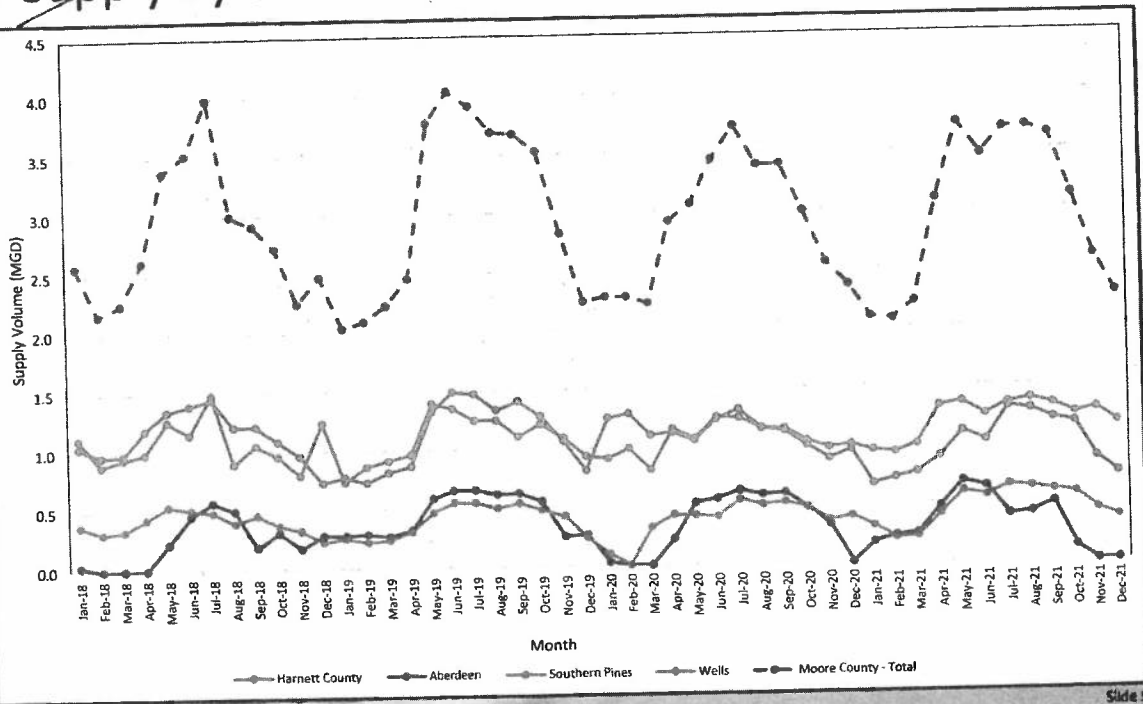
January 18, 2023
Slide 8

$$\begin{aligned} 182 \text{ gpd} * 31.7\text{K users} &= 5.8 \text{ MGD} \\ 5.8 \text{ MGD} + 15\% \text{ reserve} &= 6.7 \text{ MGD} \end{aligned}$$

Bruce Geddes

Water Supply by Source

LKC



Slide 5

Average demand is ~ 3.0 MGD
Average peak is ~ 4.0 MGD

$$\rightarrow \text{Peaking Factor} = \frac{4.0 - 3.0}{3.0} = \frac{1}{3}$$

i.e. how SWEA use P.F. = 2.0?

Scott Stanley

S. Stanley Comments
21 May 2024 SDFA Public Hearing

1. Capacity vs Demand (Long Term Water Supply Study)

- Per AWWA, a Comprehensive Water System Plan should be the basis for SDFA
- Projecting future water demand is notoriously difficult
- The current deterministic approach will likely overstate future demand

2. SDFA

- GS162A-205-5 requires SDFA to identify all assumptions and limiting conditions
 - + limits planning horizon to no more than 20 years

- Growth assumptions

- > rate of 2%/year for 25 years - vs. 1.6% historical rate
- > New 750,000 Industrial Capacity Reserve should not be scaled to peak
- > Infiltration and Inflow of 40% - should be fixed rather than capacitized
- > Should use the EPA guidelines for estimating I&I

- Why are assets with life spans < 10 years excluded from SDF

- > Not required by statute
- > Not industry best practice
- > Arbitrary shift of cost from developers to rate payers

- All computations should be clearly explained, including:

- > Peaking factor
- > Rate credit of 57% for new development vs. state minimum 25%

Moore County, North Carolina Water and Wastewater Rate Study



Questions/Comments?



Moore County Board of Commissioners
Land Use Plan Consistency Statement

Initial Zoning Request

Rural Equestrian (RE) Parcel ID 00037131, RJ Property Holdings, LLC

The Moore County Board of Commissioners finds that:

1. The zoning request is consistent with the following recommendation as listed in the 2013 Moore County Land Use Plan:

Recommendation 1.6: Preserve and maintain the rural character of Moore County, including historic sites and structures, crossroad communities, and other physical features that reflect the County's heritage.

- The zoning request, if approved, would designate the land for rural uses specifically in the equestrian industry.
2. The zoning request is reasonable and in the public interest due to the surrounding area being zoned Rural Equestrian (RE) and the fact that the property has never been zoned.

Therefore, the Moore County Board of Commissioners finds the initial zoning request to Rural Equestrian (RE) one parcel of approximately 13.81 acres located on Equestrian Road, owned by RJ Property Holdings, LLC, per Deed Book 5896, Page 163, Deed Book 5941, Page 310, and further described as Parcel ID 00037131 in Moore County Tax Records, is consistent with the 2013 Moore County Land Use Plan.



Nick Picerno, Chair

Moore County Board of Commissioners

5/21/2024
Date



Agenda Item: 6.C.
Meeting Date: May 21, 2024

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Debra Ensminger, Planning Director
DATE: 05/08/2024
SUBJECT: Public Hearing for an Initial Zoning Request to Rural Equestrian (RE) Parcel ID 00037131, Owner, RJ Property Holdings, LLC
PRESENTER: Debra Ensminger, Planning Director

REQUEST: A request to initially zone to Rural Equestrian (RE) one parcel of approximately 13.81 acres located on Equestrian Road, owned by RJ Property Holdings, LLC, per Deed Book 5896, Page 163, Deed Book 5941, Page 310, and further described as Parcel ID 00037131 in Moore County Tax Records.

BACKGROUND: The subject property is shown on Moore County GIS inside of Southern Pines Extra-Territorial Jurisdiction (ETJ); however, the Town of Southern Pines does not have any record the subject property is included in their ETJ boundary. The property owners would like the property to be located within the County of Moore planning and zoning jurisdiction. The property is surrounded by Rural Equestrian (RE) zoned properties. The property owners would like the property to be zoned to Moore County Rural Equestrian (RE) zoning district classification.

ZONING DISTRICT COMPATIBILITY

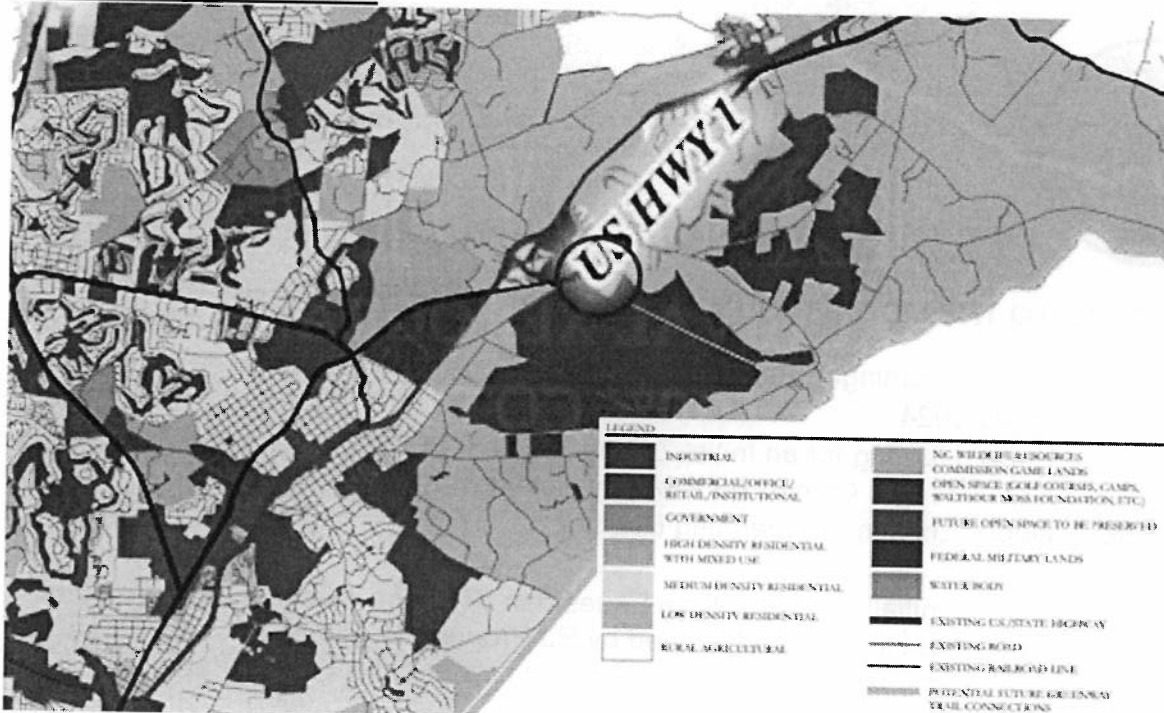
The surrounding area in Moore County's jurisdiction is zoned Rural Equestrian (RE) which is a district created to acknowledge what has become known as "Horse Country" in Moore County. The proposed zoning to RE is compatible with the surrounding land uses and zoning district.

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The Municipal Future Land Use Map identifies the property as Open Space (Golf Courses, Camps, Walthour Moss Foundation, Etc.) Classification. The surrounding area is zoned RE and owned by the Walthour Moss Foundation. The requested zoning of RE is compatible with the surrounding Land Use Classification.

The rezoning request is consistent with Recommendation 1.6 of the 2013 Moore County Land Use Plan: Preserve and maintain the rural character of Moore County, including historic sites and structures, crossroad communities, and other physical features that reflect the County's heritage. The zoning request, if approved, would designate the land for rural uses specifically in the equestrian industry.

MOORE COUNTY MUNICIPAL & COUNTY PLANNING JURISDICTION FUTURE LAND USE COMPARISON MAP



PLANNING BOARD RECOMMENDATION:

The Planning Board met on April 4, 2024, and voted 7-0 the requested initial zoning was consistent with the Moore County Land Use Plan and voted 7-0 to recommend approval of the initial zoning request.

FINANCIAL IMPACT: None

IMPLEMENTATION PLAN: Hold a Public Hearing on May 21, 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 **Consistent or Inconsistent** 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.

Motion #2: Make a motion to **Approve or Deny** the initial zoning to Rural Equestrian (RE) one parcel of approximately 13.81 acres located on Equestrian Road, owned by RJ Property Holdings, LLC, per Deed Book 5896, Page 163, Deed Book 5941, Page 310, and further described as Parcel ID 00037131 in Moore County Tax Records.

ATTACHMENTS:

1. Pictures of the Subject Property and Adjacent Properties
2. Vicinity Map
3. Land Use Map
4. Municipal Zoning Map
5. Rezoning Map

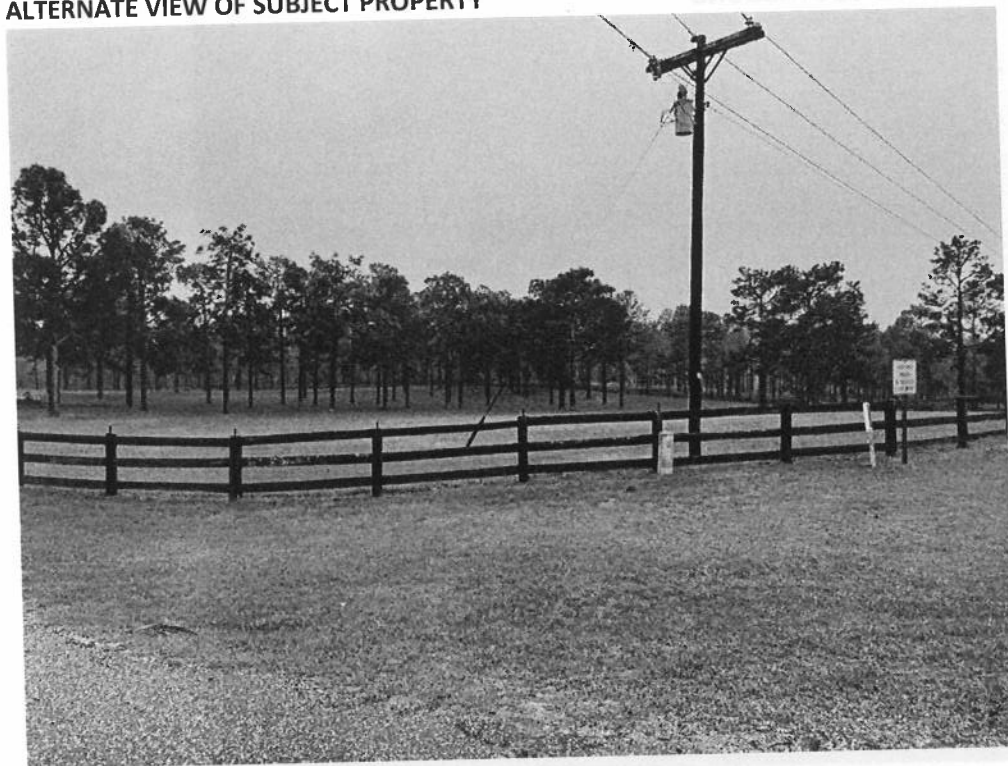
6. Deed Book 5896, Page 163
7. Deed Book 5941, Page 310
8. Deed Book 20, Page 365
9. Email from the Town of Southern Pines
10. Email from the Property Owner
11. Board of Commissioners Consistency Statements
(Consistent/Inconsistent)

VIEW OF THE SUBJECT PROPERTY



VIEW ACROSS EQUESTRIAN ROAD AND US 1 HIGHWAY FROM THE SUBJECT PROPERTY



ALTERNATE VIEW OF SUBJECT PROPERTY**VIEW OF ADJACENT VETERINARY FACILITY FROM EQUESTRIAN ROAD**

VIEW OF EQUESTRIAN ROAD SOUTHBOUND



VIEW OF EQUESTRIAN ROAD AND US 1 HIGHWAY NORTHBOUND



Vicinity Map

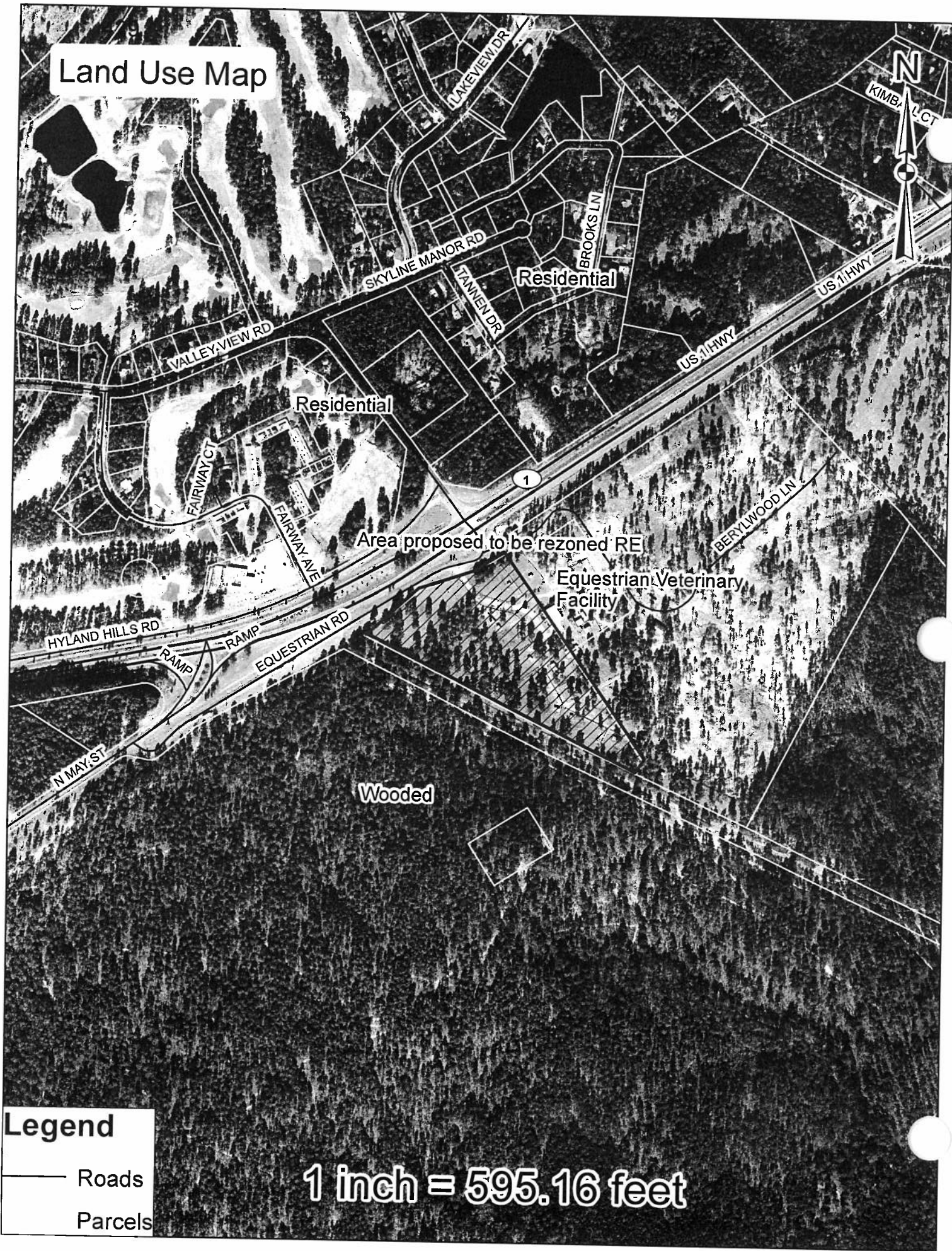
Legend

-  Roads
-  Parcels
-  Highway Corridor
-  ETJ
-  Cities

1 inch = 3,627.65 feet



Land Use Map

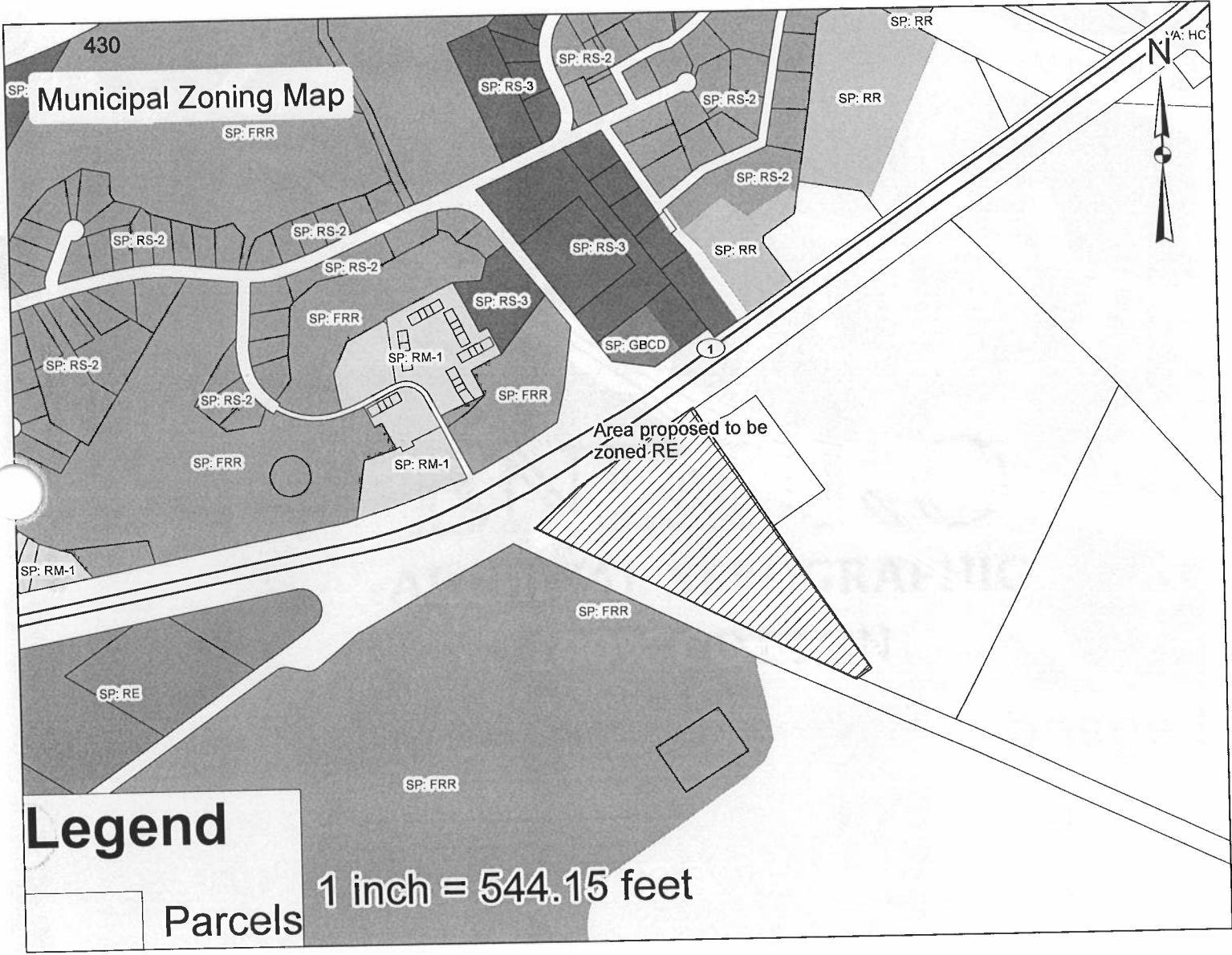


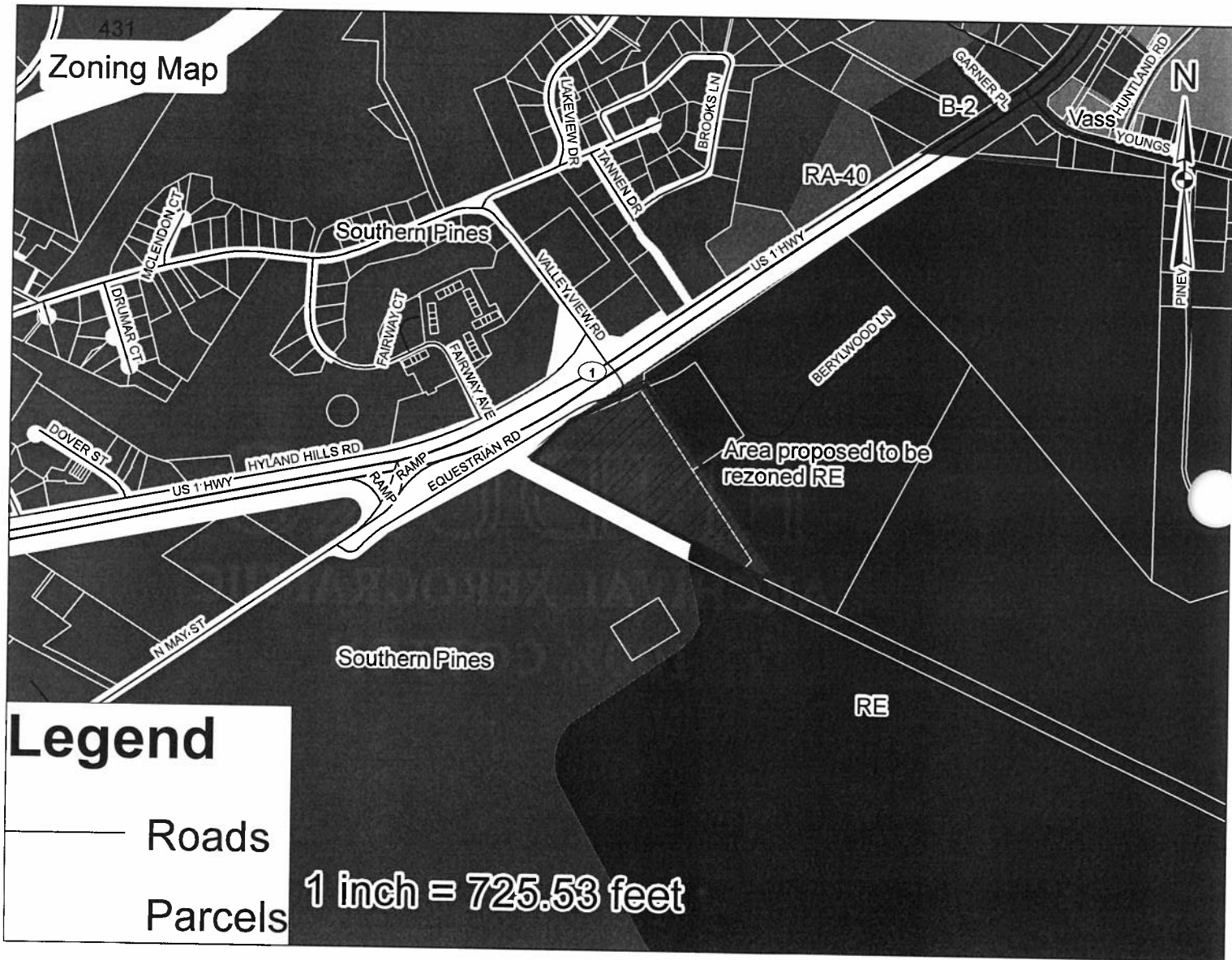
Legend

— Roads

▭ Parcels

1 inch = 595.16 feet





Zoning Map

Legend

— Roads

▭ Parcels

1 inch = 725.53 feet

ORIGINAL

For Registration Register of Deeds
Judy D. Martin

Moore County, NC
Electronically Recorded

August 12, 2022 9:31:48 AM

Book: 5896 Page: 163 - 167 #Pages: 5

Fee: \$26.00 NC Rev Stamp: \$4,540.00

Instrument # 2022013912

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$4,540.00

Parcel Identifier No. 00037131, 97000423, and 97000424 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: Grantee

This instrument was prepared by: Adams, Howell, Sizemore & Adams, P.A., 1600 Glenwood Ave., Suite 101, Raleigh, NC 27608, without the benefit of title or tax review

Brief description for the Index: Three Tracts: US Highway 1, Southern Pines, North Carolina

THIS DEED made this _____ day of _____, 2022, by and between

GRANTOR

**THE BOARD OF TRUSTEES OF THE
ENDOWMENT FUND OF NORTH CAROLINA
STATE UNIVERSITY**

c/o University Real Estate and Development
Campus Box 7408
Raleigh, NC 27695

GRANTEE

**RJ PROPERTY HOLDING, LLC, a Delaware
limited liability company**

8525 East Pinnacle Peak Road, Suite 135
Scottsdale, AZ 85255

Enter in appropriate block for each Grantor and Grantee: name, mailing 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 Moore County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

All proceeds from the sale and conveyance of this property to the Grantee shall be used for the support of veterinary medicine at North Carolina State University in Raleigh.

The property hereinabove described was acquired by Grantor by instruments recorded in Book 441, Page 757, Book 441, Page 753, and Book 3946, Page 347.

NC Bar Association Form No. 6 © 1977, 2002
Printed by Agreement with the NC Bar Association - 1981

Submitted electronically by "Lorenz & Creed Law Firm PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Moore County Register of Deeds.

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$4,540.00

Parcel Identifier No. 00037131, 97000423, and 97000424 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: Grantee

This instrument was prepared by: Adams, Howell, Sizemore & Adams, P.A., 1600 Glenwood Ave., Suite 101, Raleigh, NC 27608, without the benefit of title or tax review

Brief description for the Index: Three Tracts; US Highway 1, Southern Pines, North Carolina

THIS DEED made this _____ day of _____, 2022, by and between

GRANTOR

**THE BOARD OF TRUSTEES OF THE
ENDOWMENT FUND OF NORTH CAROLINA
STATE UNIVERSITY**

c/o University Real Estate and Development
Campus Box 7408
Raleigh, NC 27695

GRANTEE

**RJ PROPERTY HOLDING, LLC, a Delaware
limited liability company**

8525 East Pinnacle Peak Road, Suite 135
Scottsdale, AZ 85255

Enter in appropriate block for each Grantor and Grantee: name, mailing 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 Moore County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

All proceeds from the sale and conveyance of this property to the Grantee shall be used for the support of veterinary medicine at North Carolina State University in Raleigh.

The property hereinabove described was acquired by Grantor by instruments recorded in Book 441, Page 757, Book 441, Page 753, and Book 3946, Page 347.

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

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 furthermore the Grantor hereby covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

1. Ad valorem taxes for the year 2022 and subsequent years.
2. Any matters that would be disclosed by an updated survey.
3. All other easements, covenants, declarations, restrictions, maps and rights-of-way of record and affecting the property described herein.

THE REMAINDER OF THIS PAGE INTENTIONALLY BLANK

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

GRANTOR:

**THE BOARD OF TRUSTEES OF THE ENDOWMENT
FUND OF NORTH CAROLINA STATE UNIVERSITY**

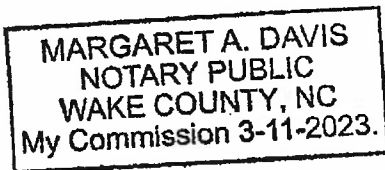
By: Charles A. Maimone
Charles A. Maimone, Treasurer

State of North Carolina - County of Wake

I, the undersigned Notary Public of the County and State aforesaid, certify that Charles A. Maimone personally came before me this day and acknowledged that he is Treasurer of THE BOARD OF TRUSTEES OF THE ENDOWMENT FUND OF NORTH CAROLINA STATE UNIVERSITY, and that by authority duly given and as the act of such entity he signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and Notarial stamp or seal, this 10 day of August, 2022.

(Affix Seal)



Margaret A. Davis, Notary Public
Notary's Printed or Typed Name
My Commission Expires: 3-11-2023

EXHIBIT A**Legal Description****Tract 1:**

BEGINNING at a concrete monument in the southeast right of way line of Highway No. 1, 50 feet from the center of the pavement, said beginning monument being in the northeast line of Lot 156, Edgemore Heights, running thence from the beginning monument with the northeast line of Lot 156, S 32-50 E 1465.15 feet to a concrete monument in the west line of Carroll's Road; thence with the line of Carroll's Road S 44-32 W 71 feet to a concrete monument in the north edge of a fire lane; thence along the north edge of the fire lane N 62-45 W 1707.8 feet to a concrete monument in the southeast line of Highway No. 1; thence with the line of Highway No. 1, N 57-10 E 920.87 feet to the beginning, containing 16.84 acres, more or less, and being a part of Lot 156 and a small part of Lot 155, as shown on a map of "Edgemore Heights", made by Francis Deaton, dated march 28, 1921, and recorded in the Office of the Register of Deeds for Moore County.

The above tract being the same conveyed to The Board of Trustees of the Endowment Fund of North Carolina State University by deed recorded in Book 441, Page 753, Moore County Public Registry.

Tract 2:

BEGINNING at a concrete monument in the northwest line of Carroll's Road, said monument being a common corner of Lots 156 and 157, as shown on a map of Edgemore Heights, made by Francis Deaton, C. E., and recorded in the Office of the Register of Deeds for Moore County, N. C., said monument being the east corner of The N. C. Veterinary Research Foundation 16.84 acre tract, running thence from the beginning with the common line of Lots 156 and 157, N 32-50 W 1272.41 feet to a stake in the south right of way line of Highway Number One; thence N 57-09 E 18.61 feet to a concrete monument, a corner of the right of way; thence continuing with the right of way, a chord of N 00-47 W 94.33 feet to a concrete monument in the right of way; thence with the highway right of way N 57-13 E 151.36 feet to an iron stake, thence S 64-24 E 966.0 feet to a concrete monument in the west line of Carroll's Road; thence with Carroll's Road S 47-50 W 150.0 feet to a point of curve; thence with the curve to the left in a southwesterly direction, having a radius of 358.1 feet and an arc distance of 331.2 feet to its point of tangency; thence S 5-10 E 95.8 feet to a point of curve; thence with the curve to the right in a southwesterly direction a distance along the arc of 366.38 feet with a chord of S 16-45 W 359.33 feet to the beginning, containing 12.46 acres, more or less, being a part of Lot 157, Edgemore Heights, Southern Pines, North Carolina.

The above tract being the same conveyed to The Board of Trustees of the Endowment Fund of North Carolina State University by deed recorded in Book 441, Page 757, Moore County Public Registry.

Tract 3:

BEGINNING at a concrete monument in the northwest edge of Carroll's Road (30 feet wide),

about 300 yards South of U.S. Highway No. 1, said monument being the East corner of a 12.46 acre tract deeded to the Veterinary Research Foundation, running thence from the beginning as the northeast line of the 12.46 acre tract, North 64 degrees 24 minutes West 1098.45 feet to a corner in the right-of-way of U.S. Highway No. 1; thence North 57 degrees 10 minutes East 1551.7 feet to a corner in the right-of-way of U.S. Highway No. 1; thence leaving the said highway, a new line South 42 degrees 52 minutes East 1111.85 feet to a concrete monument; thence South 27 degrees 46 minutes West 1895.89 feet to a concrete monument in the northeast edge of a firelane; thence as the edge of the firelane, North 62 degrees 43 minutes West 629.0 feet to a concrete monument in the northwest line of Carroll's Road; thence as the West line of Carroll's Road, the following calls: North 44 degrees 32 minutes East 71.0 feet to a concrete monument; thence as the West edge of the road as it curves to the left in a northerly direction, a chord of North 16 degrees 45 minutes East 359.33 feet, an arc distance of 366.38 feet to an iron pin in the West line of Carroll's Road; thence continuing as the West edge of the road North 5 degrees 10 minutes West 95.80 feet to an iron pin, a point of curve in the road; thence as the West edge of the road as it curves to the right in a northerly direction, having a radius of 358.10 feet, an arc distance of 331.2 feet to an iron pin; thence continuing as the northwest edge of the road North 47 degrees 50 minutes East 150.00 feet to the beginning, containing 54.01 acres, more or less.

The above tract being the same conveyed to The Board of Trustees of the Endowment Fund of North Carolina State University by deed recorded in Book 3946, Page 347, Moore County Public Registry.

For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

November 21, 2022 10:41:51 AM

Book: 5941 Page: 310 - 312 #Pages: 3

Fee: \$26.00 NC Rev Stamp: \$0.00

Instrument# 2022019086

QUIT CLAIM DEED**THIS INSTRUMENT PREPARED BY:**

Margaret A. Lorenz, Esq.
 Lorenz Law Firm, PLLC
 230 N. Bennett Street
 Southern Pines, NC 28387

TO BE RECORDED IN THE
 DEED RECORDS OF
 MOORE COUNTY, NC

Excise Tax: \$ NTCTHIS DEED made this 18 day of Nov, 2022, by and between:

<u>GRANTOR</u>	<u>GRANTEE</u>
RJ Property Holding, LLC, a Delaware Limited Liability Company	RJ Property Holding, LLC, a Delaware Limited Liability Company Tax Address: 8525 East Pinnacle Road, Suite 135, Scottsdale, AZ 85255

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, the Grantor, for valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does remise, release, and forever quitclaim unto Grantee all right, title and interest of Grantor, if any, in and to all that certain lot or parcel of land (referred to in the singular, whether one or more) situated in Moore County, North Carolina, and more particularly described as follows:

See Exhibit "A" attached hereto and incorporated herein by reference for a description of the real property hereby conveyed. The real property described on Exhibit "A" attached hereto is hereby incorporated herein by reference to the same extent as if set forth herein in its entirety.

Submitted electronically by "Lorenz & Creed Law Firm PLLC"
 in compliance with North Carolina statutes governing recordable documents
 and the terms of the submitter agreement with the Moore County Register of Deeds.

And being the same property conveyed to Grantor as Tract 1 in instrument recorded in Book 5896, Page 163, in the Moore County, North Carolina, Register of Deeds. THIS DEED IS BEING EXECUTED AND RECORDED TO CONFIRM THE ACREAGE OF THE AFORESAID TRACT IN LIGHT OF UPDATED SURVEYING OF THE PROPERTY. The attorney preparing this instrument has not searched the title to the real property hereby conveyed and makes no opinion relative to the status of the title to the real property hereby conveyed.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee free and discharged from all right, claim or interest of Grantor, if any.

The Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

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 by its duly authorized officers by authority of its Board of Directors as of the day and year first above written.

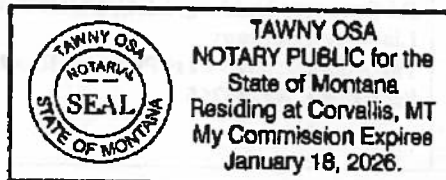
RJ PROPERTY HOLDING, LLC, a Delaware
Limited Liability Company

By: Gerald A. Schwalbach (SEAL)
GERALD A. SCHWALBACH, MANAGER

STATE OF Montana
COUNTY OF Corvallis

I, Tawny Osa, a Notary Public of the County and State aforesaid, certify that Gerald A. Schwalbach, either being personally known to me or proven by satisfactory evidence (said evidence being Florida Driver License), who is the Manager of RJ Property Holding, LLC, a Delaware limited liability company, personally appeared before me this day and acknowledged that he is Manager of RJ Property Holding, LLC and that as Manager being duly authorized to do so, voluntarily executed the foregoing instrument on behalf of said company for the purposes stated therein.

Date: 11-18-2022



Tawny Osa
Notary Public

Tawny Osa
Printed or typed name of Notary Public

My commission expires: 01-18-2026

NOTARY PUBLIC: Please place an (X) in the space that describes the method of identifying the principal and (--) in the spaces that do not apply.

Property of RJ Property Holding, LLC

All that certain piece or parcel of land situated in the Town of Southern Pines ETJ, County of Moore, and State of North Carolina depicted as "N/F RJ Property Holding, LLC, Book 5896 Page 163, Tract 1, Parcel ID 00037131, PIN 859200896310, U.S. Highway 1, Southern Pines FRR Zone, Area 601,633 sq.ft. or 13.81 Acres" on a map entitled "Boundary Survey Land of RJ Property Holding, LLC, U.S. Highway 1, Southern Pines, McNeill Township, Moore County, North Carolina, dated 09-20-2022, Sheet 1 of 1 by Craig Foster P.L.S., PLLC", and more particularly described as follows:

Beginning at a monument found on the southeasterly highway line of Equestrian Road (S.R. 2124) marking the northwesterly corner of property now or formerly of RJ Property Holding, LLC and the northeasterly corner of land now or formerly of The Walthour Moss Foundation fronting on Equestrian Road.

Thence, N 49°46'48" E a distance of 351.78 feet to a NCDOT ROW Monument.

Thence, N 66°13'07" E a distance of 410.53 feet to a NCDOT ROW Monument.

Thence, N 55°21'42" E a distance of 81.39 feet to a point. The last 3 courses being along the southeasterly right of way of Equestrian Road (S.R.2124).

Thence, S 34°44'51" E a distance of 1272.23 feet to a point.

Thence, S42°39'49" W a distance of 71.00 feet to a point marked by a broken monument. The last two courses being along other land of RJ Property Holding, LLC.

Thence, N64°37'11" W along the northeasterly boundary of land now or formerly of The Walthour Moss Foundation a distance of 1536.55 feet to the point and place of beginning

Said parcel area contains 601,663 square feet or 13.81 acres more or less.

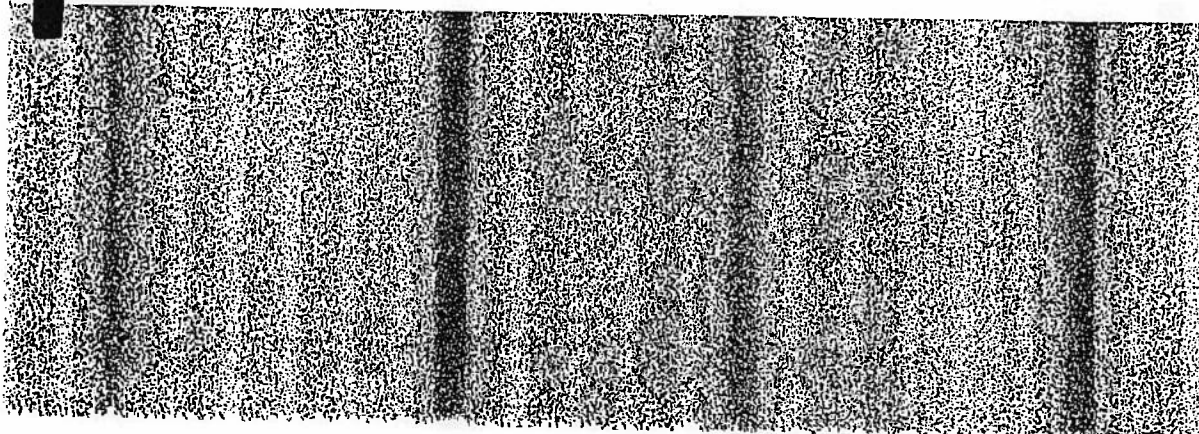
BOUNDARY DESCRIPTION
EXTRATERRITORIAL EXTENSION
MAY 1985

BEGINNING at the intersection of the Mineral Springs-McNeill Township line with the Pinecrest High School and Otter Pond Properties property line approximately 500 feet northeast of the US 15-501 right-of-way; then, following the Mineral Springs-McNeill Township line in a northerly direction through the Otter Pond Properties property approximately 5,150 feet to the Otter Pond Properties and Carrick property line; then, following the property line of Carrick in an easterly direction approximately 1,270 feet to the common corner of the Fields and the G and G (Midland Crafters) properties; then, following the Fields and the G and G property line approximately 1,000 feet in a northerly direction to the right-of-way of Midland Road (SR 2); then, crossing the Midland Road right-of-way (approximately 120 feet) to the property line of Pinehurst Area Realty (Midland Country Club); then, following the Pinehurst Area Realty property line in an westerly direction along the Midland Road right-of-way approximately 640 feet to the intersection of the Midland Road right-of-way and Midland Trail (private road); then, following Midland Trail in a northerly direction approximately 1,788 feet to the common corner of the Cook and Meincer properties; then, following the Cook and Meincer property line in a northwesterly direction approximately 142 feet then, in a northeasterly direction approximately 110 feet to the common corner of Cook and Williams; then, following the Cook and Williams property line in a northwesterly direction approximately 208 feet to the Airport Road (SR 1843) right-of-way; then, crossing the Airport Road right-of-way (approximately 60 feet) to the Morrison property line; then, following the Morrison property line approximately 376 feet in a westerly direction paralleling the Airport Road right-of-way to the common corner of Morrison and Moorman and Kizer, Inc.; then, following the Morrison and Moorman and Kizer, Inc. property line in a northerly direction approximately 1,150 feet to the common corner of Moorman and Kizer, Inc. and Morrison; then, in an easterly direction 400 feet following the Pinehurst, Inc. and Morrison property line to the common corner of the Pinehurst, Inc. and Meyer; then, in a northerly direction approximately 470 feet to a point where the Pinehurst, Inc. and Meyer property boundary turns in an easterly direction; then, from that point in a northerly direction 400 feet across the Pinehurst, Inc. property to the Pinehurst, Inc. and Meyer boundary line; then, approximately 860 feet in a northerly direction across the Meyer property to the Pinehurst, Inc. and Meyer common corner (approximately 1,120 feet east of the Mineral Springs and McNeill Township line); then, following the Pinehurst, Inc. and Meyer property line in a northerly direction approximately 2,670 feet; then, following the same property line 1,070 feet in an easterly direction; then, following the same property line 1,150 feet in a northerly direction to a southwest fork of Black Branch; then, following Black Branch in a general northeasterly direction approximately 6,000 feet to the confluence of a southeast branch of Black Creek; then, following the southeast branch of Black Creek approximately 1,600 feet to common boundary of Ross and Meyer; then, approximately 200 feet in a northerly direction to the Ross and Meyer common boundary line; then, approximately 670 feet in an easterly direction to the common boundary of Ross and R.L. Chandler; then, in a northeasterly direction approximately 610 feet following the R.L. Chandler and Ross common property line to the common corner of Ross and L.F. Chandler; then, 470 feet in a northerly direction to the common corner of Jones and L.F. Chandler; then, 270 feet in a easterly direction to the common corner of Hardy and L.F. Chandler; then, in southeasterly direction 200 feet to the common corner of Hardy and Goode; then, following the common property line of Hardy and Goode approximately 420 feet in an easterly direction to the SR 1897

right-of-way; then, across the SR 1897 right-of-way (approximately 60 feet) to the common corner of Priest and M. L. Clark; then, following the Priest and M. L. Clark common property line approximately 1,100 feet in an easterly direction to the common corner of Wakeman and M. L. Clark; then, following the common property line of Wakeman and M. L. Clark approximately 200 feet in an easterly direction to the SR 22 right-of-way; then, crossing the SR 22 right-of-way (approximately 60 feet) to the Whispering Pines Extraterritorial Jurisdiction boundary on the east side of the right-of-way; then, following the Whispering Pines Extraterritorial Jurisdiction boundary line on the east side of the SR 22 right-of-way in a southerly direction approximately 2,350 feet to a point where the Whispering Pines Extraterritorial Boundary turns in an easterly direction, crosses the Moore County Airport property, and intersects with the north right-of-way line of SR 1843; then, crossing SR 1843 to the south right-of-way line in a south easterly direction; then, following the Whispering Pines Extraterritorial Boundary on the south side of SR 1843 for a distance of approximately 1,200 feet; then, following the Whispering Pines Extraterritorial Boundary in a southeasterly direction across the Blue property to Mill Creek; then, following Mill Creek in an easterly direction approximately 1,400 feet to the common corner of the Easter Seal Society and Ross; then, following said property line in a southwesterly direction approximately 480 feet to the common corner of Ross and Williams; then, following said property line in an easterly direction approximately 200 feet to the common corner of Williams and Ross; then, in a southeasterly direction approximately 1,250 feet to the common corner of Williams and Batchelor; then, following said property line in a southerly direction approximately 350 feet to a common corner of Batchelor and Williams; then, following said property line an easterly direction approximately 50 feet to the west right-of-way of George Blue Road (SR 1853); then, approximately 820 feet in a southerly direction on the west side of SR 1853 to the existing Southern Pines Extraterritorial Jurisdiction at the common corner of Alsup and the Easter Seal Society; then, following the existing Southern Pines Extraterritorial Jurisdiction Boundary from SR 1853 to a point where said boundary line crosses the property line of Ollie McNair Heirs; then, following the McNair Heirs property line in an easterly direction approximately 400 feet to common corner of McNair Heirs and D. Shields; then, in an easterly direction 550 feet to the common corner of D. Shields and Garner; then, in an easterly direction following the D. Shields and Garner property line approximately 950 feet to the Seaboard Railroad right-of-way; then, crossing the Seaboard Railroad right-of-way (approximately 150 feet) and following the property line of Robson approximately 170 feet to the west right-of-way of Niagara Road (SR 1857); then, crossing Niagara Road right-of-way (approximately 50 feet) to the common corner of Robson and Thompson; then, approximately 470 feet in a southeasterly direction following the Robson and Thompson property line to the north right-of-way of US Highway 1; then, crossing the US Highway right-of-way (approximately 250 feet) to the Boyce property line; then, in a westerly direction along the south right-of-way of US 1 approximately 900 feet to a corner of the Boyce property (29.02 ac. tract); then, approximately 1,350 feet in a southeasterly direction to a common corner of Boyce and Sheppard; then, approximately 890 feet in a southwesterly direction to common corner of Boyce and Brandt; then, approximately 430 feet in a southeasterly direction to the May Street (SR 2080) northern right-of-way; then, following the northern right-of-way of May Street in a southwesterly direction approximately 460 feet to a point in the Dwight property; then, crossing the right-of-way of May Street (approximately 50 feet) to the common corner of Moss and Mile-A-Way Farm; then, in a southeasterly direction approximately 1,600 feet to a point in the Moss and Mile-A-Way Farm property line; then, approximately 550 feet in a westerly direction to the Carroll Road right-of-way; then, following the eastern right-of-way of Carroll

Road in a southeasterly direction approximately 230 feet to a point in the Moss property line; then, crossing the Carroll Road right-of-way (approximately 30 feet) in a southerly direction to the common corner of lots 25 and 26 of the Moss property; then, approximately 950 feet in a southwesterly direction to Carroll Branch; then, following Carroll Branch in a westerly direction approximately 700 feet to the intersection of the existing Southern Pines Extraterritorial Jurisdiction Boundary and Carroll Branch; then, following the existing Southern Pines Extraterritorial Jurisdiction Boundary to the northern right-of-way of Youngs Road (SR 2026); then, crossing the Youngs Road right-of-way (approximately 60 feet) to a point in the Scott property (approximately 1,550 feet east of the intersection of Youngs Road and Tremont Road); then, in a southerly direction approximately 930 feet to a point in the Scott property; then, approximately 170 feet in a westerly direction to a point in the Scott property; then, in a southerly direction approximately 200 feet to a point in the Scott property; then, in a northwesterly direction approximately 300 feet to the existing Southern Pines Extraterritorial Jurisdiction Boundary (approximately 400 feet northeast of Tremont Road, SR 2028); then, following the existing Southern Pines Extraterritorial Jurisdiction Boundary to the common corner of Bryan and Scott; then, in a southeasterly direction approximately 1,250 feet to the western right-of-way of Cross Country Lane; then, following the western right-of-way of Cross Country Lane in a southerly direction approximately 4,000 feet to the northern right-of-way of Connecticut Avenue (SR 2033); then, following the northern right-of-way of Connecticut Avenue in a westerly direction approximately 450 feet to the common corner of Babcock and Moss and the existing Southern Pines Extraterritorial Jurisdiction Boundary; then, following the existing Southern Pines Extraterritorial Jurisdiction at Connecticut Avenue around the southern and western portions of the Town of Southern Pines to the intersection of the Mineral Springs - McNeill Township line with the Pinecrest High School property and the point of Beginning.

May 30, 1985



ALL OR PART OF PROPERTIES INCLUDED IN THE EXTENSION
OF THE EXTRATERRITORIAL PLANNING AND ZONING
JURISDICTION OF THE TOWN OF SOUTHERN PINES
BY ZONING CLASSIFICATION
MAY 30, 1985

1. RA - Residential & Agricultural

TOWNSHIP	MAP #	BLOCK	LOT
McNeill Out	70	1	1
McNeill Out	70	2	1, 1A, 1B, 3, 3B, 3C, 4
McNeill Out	70	3	1-4
McNeill Out	51	1	1-5, 7-8
Mineral Springs	66	5	1, 2
McNeill Out	79	1	1-5, 11
McNeill Out	79	2	6A, 7, 8
McNeill Out	79	4	1-3
McNeill Out	79A	1	1-17
McNeill Out	79A	2	1-15
McNeill Out	79B	1	1-11
McNeill Out	79B	2	1-4
McNeill Out	79B	3	1-3
McNeill Out	80	3	1-7
McNeill Out	80	4	1, 3, 4A, 5-8
McNeill Out	80	5	9-12
McNeill Out	52	1	1, 2A, 4A, 5-8, 8A, 9, 10, 14, 14A, 14B, 15-18
McNeill Out	35	3	1, 2, 3, 4, 4A, 5A, 5B, 6, 6A, 7-9, 11, 12
McNeill Out	57	1	2, 9, 10, 10A, 11-15
McNeill Out	87	1	1
McNeill Out	87	3	1
McNeill Out	93	1	4
McNeill Out	96	3	2-6
McNeill Out	73	1	21-33, 33A, 34-44
McNeill Out	74	1	16
McNeill Out	74	2	2-4, 15, 16
McNeill Out	38	1	1

2. RS-1 - Residential Single-Family I

McNeill Out	70	2	2
McNeill Out	79	1	9-10, 10A

3. RS-3 - Residential Single-Family III

McNeill Out	70	1	3
-------------	----	---	---

TOWNSHIP MAP # BLOCK LOT

4. RS-4 - Residential Single-Family IV

McNeill Out	53	1	4-9
McNeill Out	53	2	1, 5
McNeill Out	53	3	1, 3
McNeill Out	56	1	1
McNeill Out	56	2	1-3

5. RM-2 Residential Multiple-Unit II

McNeill Out	52	1	2-4
McNeill Out	35	3	2
McNeill Out	57	1	1, 2A-2I

6. OP-1 - Office and Professional I

McNeill Out	51	1	6
McNeill Out	35	3	2

7. NS - Neighborhood Shopping

McNeill Out	79	1	6-8
McNeill Out	79	4	1-3
McNeill Out	80	4	2-3

8. OC - Office and Commercial

McNeill Out	3	3	2
-------------	---	---	---

9. SC - Suburban Commercial

McNeill Out	57	1	1
-------------	----	---	---

10. PC - Public and Conservation

McNeill Out	35	3	2A, 2B, 3A
McNeill Out	35	4	1, 2



Craig Foster <craigfoster15@gmail.com>

Fwd: Public Information Request PIR-2023-139

1 message

Mia Lorenz <mlorenz@lorenzcreedlaw.com>

Tue, Jan 9, 2024 at 3:57 PM

To: Jerry Schwalbach <jerry@spensagroup.com>, Rod Lynch <knowbrookfarm@yahoo.com>

Cc: Craig Foster <craigfoster15@gmail.com>

Hi! I can't call you today but take a look! The patient and nice approach has worked.

Sent via the Samsung Galaxy Z Flip5, an AT&T 5G smartphone
Get Outlook for Android

From: Beth Robertson <BRobertson@southernpines.net>**Sent:** Tuesday, January 9, 2024 11:47:41 AM**To:** Mia Lorenz <mlorenz@lorenzcreedlaw.com>**Subject:** Public Information Request PIR-2023-139

Ms. Lorenz,

In response to your public information request for Town of Sothem Pines Resolutions *that include extraterritorial extensions of Town of Southern Pines, NC to encompass portion of Moore County parcel identified as Parcel ID 00037131 and PIN 859200896224 and a Portion of Parcel ID 97000424 and PIN 859200997642* I regret to inform you that no such resolutions have been located.

As of this time without any further proof otherwise the Town does not consider the subject property to be included in our ETJ boundary.

Please let me know if you have any further questions.

Sincerely,

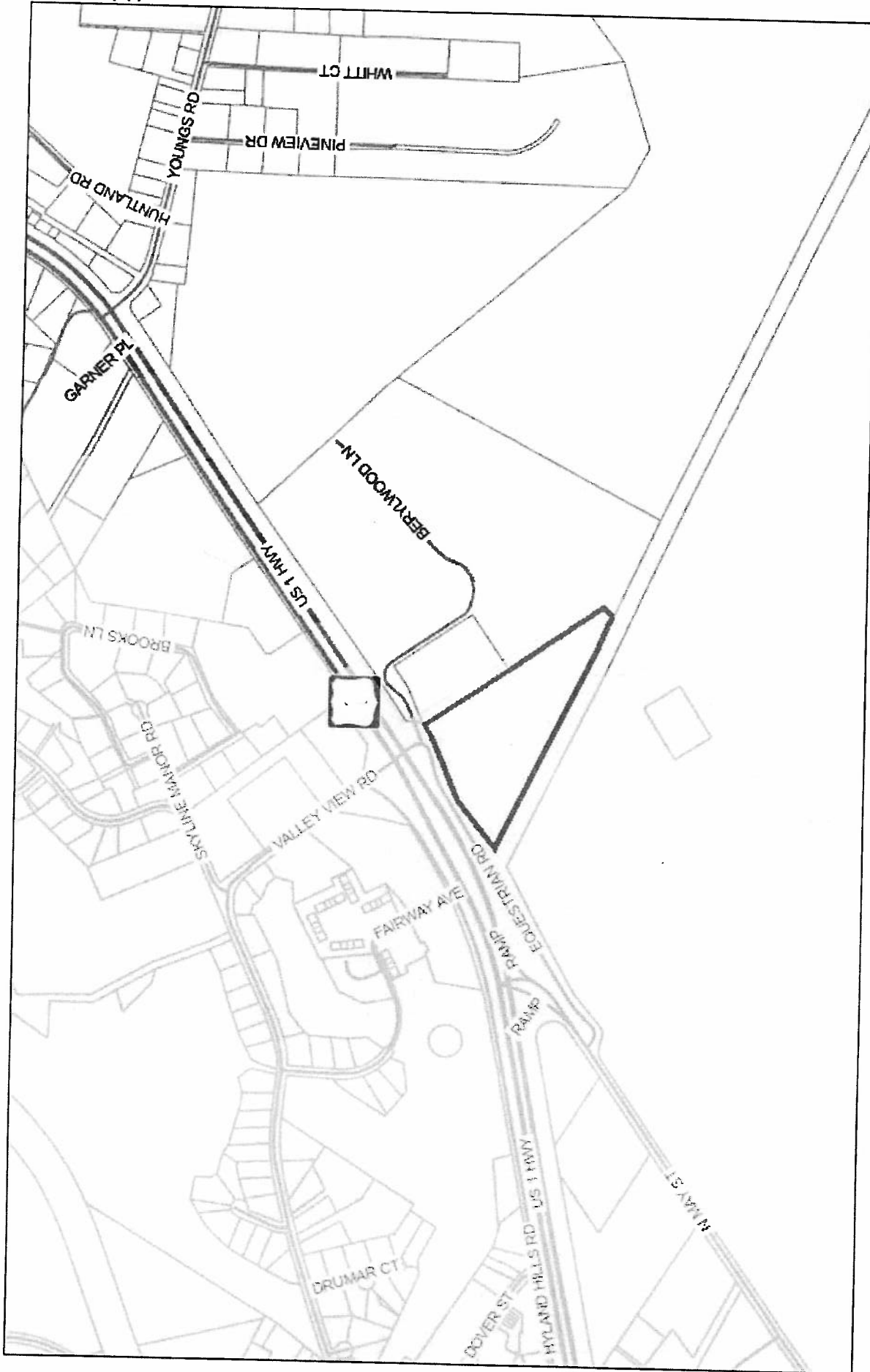
Beth Robertson
Town Clerk



125 SE Broad Street
Southern Pines, NC 28387
Phone: 910-692-7021

brobertson@southernpines.net

447



1 inch = 800 feet

January 19, 2024

0 345 690 1,380 Feet

Name: RJ PROPERTY HOLDINGS, LLC

Parcel ID: 00037131

Deeded Area: 13.81

Ruth Pedersen

From: Jerry Schwalbach <jerry@spensagroup.com>
Sent: Thursday, February 29, 2024 3:28 PM
To: Ruth Pedersen
Subject: Fwd: 22716 - Berylwood
Attachments: Warranty Deed.pdf

Ruth
Here is a copy of the deed.
Will this copy work?
Also yes we want to zone it RE
Jerry

----- Forwarded message -----

From: Kathy Weber <kathy@spensagroup.com>
Date: Thu, Feb 29, 2024 at 3:19 PM
Subject: Re: 22716 - Berylwood
To: Jerry Schwalbach <jerry@spensagroup.com>
Cc: Nancy Chaffee Aiken <NAiken@taftlaw.com>

Attached is pdf of the deed. I do not know that I have the original but can look when I'm home in MN mid-March. Wondering if Lorenz has firm might have it if original is needed.

Kathy

On Thu, Feb 29, 2024 at 12:02 PM Jerry Schwalbach <jerry@spensagroup.com> wrote:

Nancy
Do you have the current deed or does Kathy?

----- Forwarded message -----

From: Ruth Pedersen <rpetersen@moorecountync.gov>
Date: Thu, Feb 29, 2024 at 2:41 PM
Subject: RE: 22716 - Berylwood
To: Craig Foster <craigfoster15@gmail.com>, Jerry Schwalbach <jerry@spensagroup.com>, Mia Lorenz <mlorenz@lorenzcreedlaw.com>, Craig Foster <cfoster@fahesketh.com>, Rod Lynch <knowlbrookfarm@yahoo.com>

Jerry,

I apologize I meant to include this in my initial email. Could you also send me the current deed for the property?

449

Thank you,

Ruth Pedersen, MPA, CZO, CFM

Senior Planner

Moore County Planning & Inspections

rpetersen@moorecountync.gov

910-947-5010 (phone)

910-947-1303 (fax)

From: Craig Foster <craigfoster15@gmail.com>

Sent: Thursday, February 29, 2024 2:25 PM

To: Jerry Schwalbach <jerry@spensagroup.com>; Mia Lorenz <mlorenz@lorenzcreedlaw.com>; Ruth Pedersen <rpetersen@moorecountync.gov>; Craig Foster <cfoster@fahesketh.com>; Craig Foster <craigfoster15@gmail.com>; Rod Lynch <knowlbrookfarm@yahoo.com>

Subject: 22716 - Berylwood

Hi Jerry,

Ruth Pedersen from the Moore County planning department will be contacting you about the rezoning application. She is CC'd on this email.

Thank you

Craig

--

Craig Foster P.L.S., PLLC

395 Furr Road, Vass, NC 28394

910-691-1348

--

Kathy Weber

450

Spensa Development Group, LLC
PO Box 440
Victoria, MN 55386
612-644-0639

Moore County Board of Commissioners
Land Use Plan Consistency Statement

Initial Zoning Request

Rural Equestrian (RE) Parcel ID 00037131, RJ Property Holdings, LLC

The Moore County Board of Commissioners finds that:

1. The zoning request is consistent with the following recommendation as listed in the 2013 Moore County Land Use Plan:

Recommendation 1.6: Preserve and maintain the rural character of Moore County, including historic sites and structures, crossroad communities, and other physical features that reflect the County's heritage.

- The zoning request, if approved, would designate the land for rural uses specifically in the equestrian industry.
2. The zoning request is reasonable and in the public interest due to the surrounding area being zoned Rural Equestrian (RE) and the fact that the property has never been zoned.

Therefore, the Moore County Board of Commissioners finds the initial zoning request to Rural Equestrian (RE) one parcel of approximately 13.81 acres located on Equestrian Road, owned by RJ Property Holdings, LLC, per Deed Book 5896, Page 163, Deed Book 5941, Page 310, and further described as Parcel ID 00037131 in Moore County Tax Records, is **consistent** with the 2013 Moore County Land Use Plan.

Nick Picerno, Chair
Moore County Board of Commissioners

Date

Moore County Board of Commissioners

Land Use Plan Consistency Statement

Initial Zoning Request

Rural Equestrian (RE) Parcel ID 00037131, RJ Property Holdings, LLC

The Moore County Board of Commissioners finds that:

1. The zoning request is not consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Recommendation 1.6: Preserve and maintain the rural character of Moore County, including historic sites and structures, crossroad communities, and other physical features that reflect the County's heritage.

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

Therefore, the Moore County Board of Commissioners finds the initial zoning request to Rural Equestrian (RE) one parcel of approximately 13.81 acres located on Equestrian Road, owned by RJ Property Holdings, LLC, per Deed Book 5896, Page 163, Deed Book 5941, Page 310, and further described as Parcel ID 00037131 in Moore County Tax Records, is **inconsistent** with the 2013 Moore County Land Use Plan.

Nick Picerno, Chair

Moore County Board of Commissioners

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Conventional Rezoning Request
from Residential Agricultural -5 (RA-5) to Residential and Agricultural-40 (RA-40)

The Moore County Board of Commissioners finds that:

1. The conventional rezoning is consistent with the following recommendation as listed in the 2013 Moore County Land Use Plan:
 - Recommendation 1.8: Discourage undesirable or unattractive land uses, especially within high visibility areas.
 - If approved, the rezoning to RA-40 would allow more residential land use types and fewer commercial/institutional land use types. For example, Civic, Social Club, Lodge, Organizations, Schools, and Religious Institutions are allowed in the current zoning district (RA-5), but not allowed in the proposed zoning district (RA-40).
2. The conventional rezoning request is reasonable and in the public interest because the surrounding is currently zoned RA-40, and it would create a consistency of land use within the surrounding area.

Therefore, the Moore County Board of Commissioners finds the conventional rezoning from Residential and Agricultural-5 (RA-5) and Residential and Agricultural-40 (RA-40) to Residential and Agricultural-40 (RA-40) of one parcel of approximately 14.74 acres located at 1675 Murdocksville Road, owned by Cynthia Cole Secura, per Deed Book 6117, Page 419 is **consistent** with the 2013 Moore County Land Use Plan.



Nick Picerno, Chair

Moore County Board of Commissioners

5/21/2024

Date



Agenda Item: 6.D.
Meeting Date: May 21, 2024

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Debra Enslinger, Planning Director
DATE: 05/08/2024
SUBJECT: Public Hearing for a Conventional Rezoning Request: Residential and Agricultural-5 (RA-5) and Residential and Agricultural-40 (RA-40) to Residential and Agricultural-40 (RA-40)
PRESENTER: Debra Enslinger, Planning Director

REQUEST: A request for a Conventional Rezoning from Residential and Agricultural-5 (RA-5) and Residential and Agricultural-40 (RA-40) to Residential and Agricultural-40 (RA-40) of one parcel of approximately 14.74 acres located at 1675 Murdocksville Road, owned by Cynthia Cole Secura, per Deed Book 6117, Page 419. This 14.74-acre tract is located east of Murdocksville Road and was subdivided from a larger tract located west of Murdocksville Road in Plat Cabinet 20, Slide 134, Moore County Registry. The upper portion of the tract is zoned RA-5, and the triangular portion at the bottom is already zoned RA-40.

BACKGROUND: The parcel is located on Murdocksville Road and is currently vacant and wooded. The parcel was recently subdivided off a larger parcel that was across Murdocksville Road. The Moore County GIS site currently shows the parcel as one approximately, 47.35-acres. The parcel identification numbers, and the GIS map will change once the Tax Department adjusts the parcel according to Deed Book 6117, Page 419. Adjacent properties include single-family dwellings, agricultural land, and wooded land. Adjacent zoning districts include RA-40, RA-5, and RA.

Review Criteria: Chapter 11.3.D

The advisability of approval of a text amendment or 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 requested rezoning to RA-40 is consistent with the existing uses located near the property including residential uses. Zoning districts adjacent to the property include Residential and Agricultural-40 (RA-40), Residential and Agricultural-5 (RA-5) and Rural Agricultural (RA). The bottom portion of the tract is already zoned RA-40.

The Unified Development Ordinance defines Residential and Agricultural-40 as a district 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.

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN:

The Future Land Use Map identifies the property as Rural Agricultural. The requested rezoning to Residential and Agricultural-40 (RA-40) is not compatible with the Rural Agricultural Land Use Classification. If the rezoning is approved, the Future Land Use map would be updated, and this property would be classified as Medium Density Residential.

The primary use of the Rural Agricultural Land Use Classification 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 Medium Density Residential Classification calls for two to four dwellings per acre, single family detached or attached. Housing may include a mixture of dwelling types, including single-family detached, duplex, patio home, semi-detached/attached dwelling, multi-family, or townhouse. This may also include certain non-residential neighborhood supportive uses such as schools, daycares, churches and others.

The rezoning request aligns with the following recommendation as included in the attached Land Use Plan Consistency Statement:

- Recommendation 1.8: Discourage undesirable or unattractive land uses, especially within high visibility areas.

If approved, the rezoning to RA-40 would allow more residential land use types and fewer commercial/institutional land use types. For example, Civic, Social Club, Lodge, Organizations, Schools, and Religious Institutions are allowed in the current zoning district (RA-5), but not allowed in the proposed zoning district (RA-40).

PLANNING BOARD RECOMMENDATION:

The Planning Board met on April 4, 2024, and voted 7-0 the requested rezoning was consistent with the Moore County Land Use Plan and voted 7-0 to recommend approval of the rezoning request.

FINANCIAL IMPACT: None

IMPLEMENTATION PLAN: Hold a Public Hearing on May 21, 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 **Consistent** or **Inconsistent** 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.

Motion #2: Make a motion to **Approve** or **Deny** the Conventional Rezoning from Residential and Agricultural-5 (RA-5) and Residential and Agricultural-40 (RA-40) to Residential and Agricultural-40 (RA-40) of one parcel of approximately 14.74 acres located at 1675 Murdocksville Road, owned by Cynthia Cole Secura, per Deed Book 6117, Page 419.

- ATTACHMENTS:**
1. Pictures of Property and Adjacent Properties
 2. Vicinity Map
 3. Land Use Map
 4. Rezoning Map
 5. Submitted Rezoning Application
 6. Submitted Rezoning Map
 7. Unified Development Ordinance Chapter 6: Table of Uses
 8. Deed Book 6117, Page 419
 9. Map Book 20, Page 134
 10. Comparison Table: RA-5 vs. RA-40
 11. Board of Commissioners Consistency Statements (Consistent/Inconsistent)

VIEW OF THE SUBJECT PROPERTY



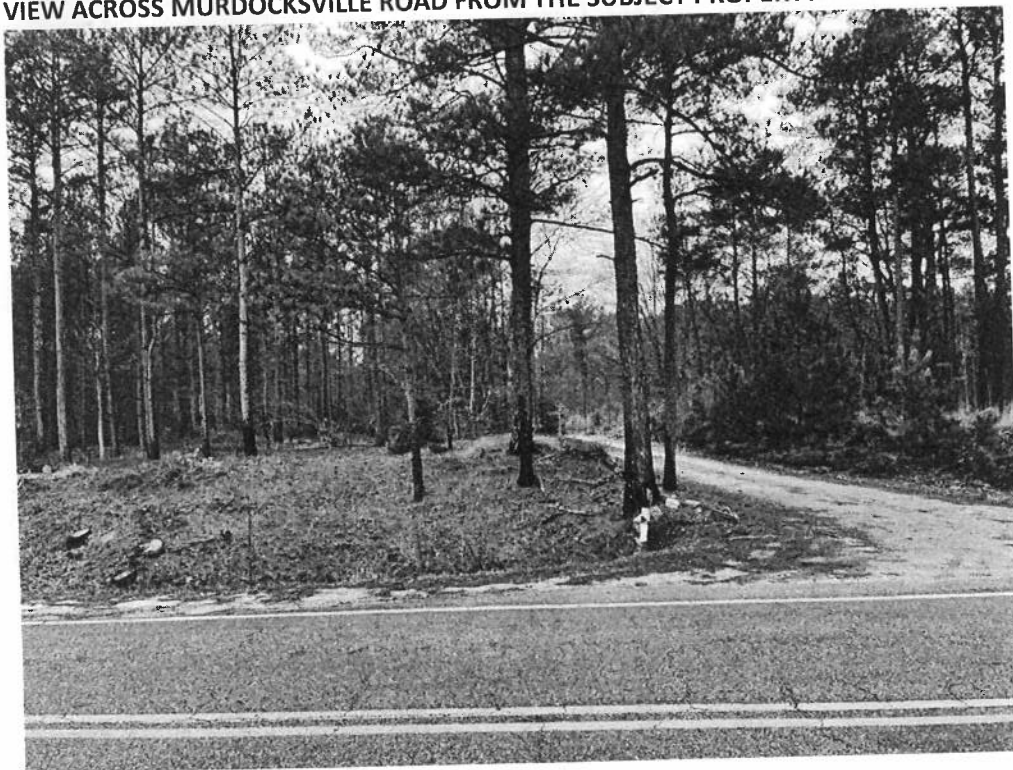
VIEW OF MURDOCKSVILLE ROAD NORTHBOUND



VIEW OF MURDOCKSVILLE ROAD SOUTHBOUND

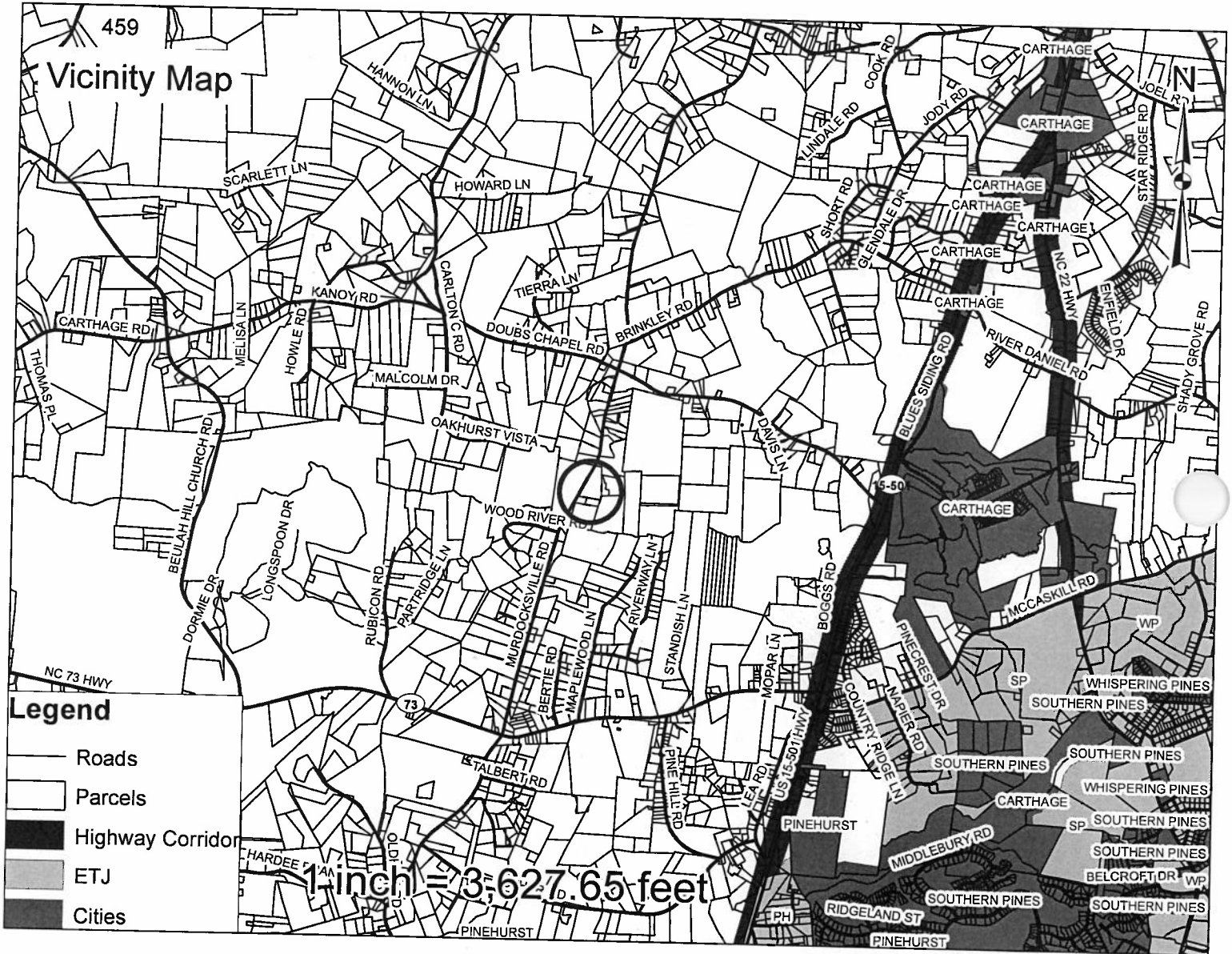


VIEW ACROSS MURDOCKSVILLE ROAD FROM THE SUBJECT PROPERTY



459

Vicinity Map



Land Use Map



HILLWOOD LN

DOUBS CHAPEL RD

Residential LN

Residential

Wooded

Residential

Area proposed to be rezoned RA-40

Wooded

Residential

MURDOCKSVILLE RD

Residential

WOOD RIVER RD

Legend

— Roads

— Parcels

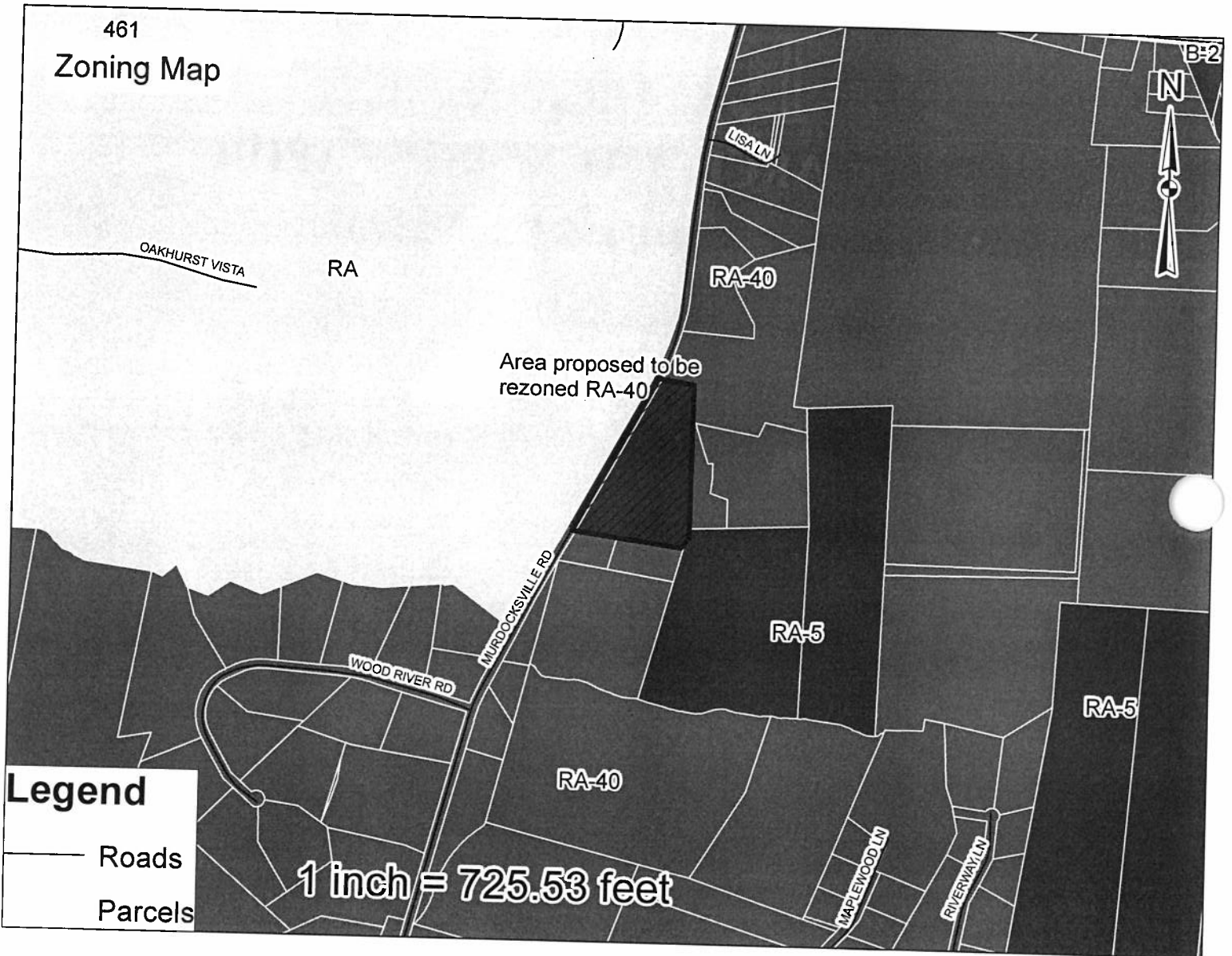
1 inch = 714.19 feet

WOOD LN

RIVERWAY LN

461

Zoning Map



462
Application Date

02/12/2024

#49489

Location/Address of Property

1665 Murdocksville Road West End
It is a new map including 14 acres that connects to my current property at above mentioned address.

Applicant

Cynthia Secura

RECEIVED

Email

secura.cyndi@gmail.com

FEB 12 2024

Phone Number

910-585-1912

Applicant Address

1665 Murdocksville Rd

City

West End

State

NC

Zip

27376

Owner

Cynthia C Secura

Phone Number

910-585-1912

Owner Address

1665 Murdocksville Rd

City

West End

State

NC

Zip

27376

Current Zoning District

RA 5

Proposed Zoning District

RA 40

Comments

Attached Map. The proposed area to be rezoned (14.74 acres) connects to my property (Cynthia C Secura) and contains my entrance/dirt road that is used to get to my home. I also purchased the rest of my dirt road and the other half of my field which is on the additional attachment so that my access to my home will not be interrupted in the future. All property surrounding my home and including my home and other homes are also RA 40. A large parcel that is up for sale was all rezoned to RA 5. I was able to purchase the 14 acre parcel and I am asking that it be rezoned back to the original RA 40 to match my home and surrounding property zoning.

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

Cynthia C. Secura

463

Print Applicant/Owner Name Cynthia C Secura

Date 02/12/2024

Detailed Rezoning Map

 14acresurvey.pdf

 Fieldanddirtroad.pdf

Office Use Only:

PAR ID: 00016095

Received By: 

Date: 2/15/2024

CHAPTER 6. TABLE OF USES

SECTION 6.1. PRINCIPAL USE TABLE

The use table below lists the range of allowable principal uses, the zoning districts where they are permitted, and the type of application approval necessary from the County for the use to be established. The following application types are listed in the table:

A. PERMITTED USES

A "P" in a cell of the table indicates that the specific use type is permitted in the corresponding zoning district, subject to any referenced use standards identified in the table and issuance of a zoning permit (see Chapter 4) by the Administrator.

B. SPECIAL USES

An "S" in a cell of the table indicates that the specific use type may only be permitted in the corresponding zoning district following approval of a special use permit by the Board of Commissioners (see Chapter 12). Special uses are subject to any referenced use standards identified in the table and may be subject to additional conditions deemed necessary by the Board of Commissioners.

C. CONDITIONAL ZONING

A "Z" in a cell of the table indicates that the specific use type may only be permitted within a conditional zoning district that is parallel to the listed underlying zoning district (see Chapter 11). The conditional zoning district designation must be in place before the use type may be established.

D. PLANNED DEVELOPMENT DISTRICT

1. An "A" in a cell of the principal use table indicates that the specific use type is permitted in a planned development district, provided the specific use type is included in the list of potential use types in the master plan or terms and conditions document.
2. If a use type is listed as prohibited in a planned development district it may not be included in a master plan or terms and conditions document.

E. USE NOT PERMITTED

An "•" symbol in a cell of the summary use table indicates that the specific use type is not permitted in the corresponding zoning district.

F. BUILDING CODE CLASSIFICATION

1. The "Bldg. Code Group" column in the use table is intended for reference purposes only. Classifications will be verified by the Building Inspector and should follow the regulations of the applicable "Use & Occupancy Classification" in accordance with NC State Building Code.
2. Changes of use from one building code classification to a different building code classification within an existing building require approval of sealed plans by the Building Inspector.
3. The different kinds of building code classifications are set out in the table below.

BUILDING CODE CLASSIFICATIONS			
ABBREVIATION	CLASSIFICATION TYPE	ABBREVIATION	CLASSIFICATION TYPE
A	Assembly	M	Mercantile
B	Business	R	Residential
E	Education	S	Storage
F	Factory Industrial	U	Utility & Miscellaneous
H	Hazardous	Mix	Mixed Uses [1]
I	Institutional		
NOTES:			

BUILDING CODE CLASSIFICATIONS			
ABBREVIATION	CLASSIFICATION TYPE	ABBREVIATION	CLASSIFICATION TYPE
[1] Separation standards may apply.			

G. UNLISTED USES

1. In the event that a proposed principal use type is not listed in principal use table and provided such land use is not listed as prohibited use in this Chapter, the Administrator shall determine whether a materially similar land use exists in this Ordinance.
2. The Zoning Administrator shall determine whether or not an unlisted use is similar to an existing use type based on the standards in Section 4.3.C of this Ordinance.
3. Nothing shall limit the Administrator from seeking input from County staff, the Planning Board, or Board of Commissioners in making a determination of how to categorize an unlisted use.
4. Should the Administrator determine that a materially similar land use does exist, the regulations governing that land use shall apply to the unlisted use type and the Administrator's determination shall be recorded in writing.
5. In cases where a proposed unlisted use type is not found to be similar to an existing use type, the Administrator may, but shall not be required to, initiate a text amendment application to revise the text of this Ordinance to add the use type in accordance with (see Chapter 10).

H. CHANGE OF USE

1. Several of the provisions in this Ordinance are applied at the time of a change in use. For the purposes of this Ordinance, each of the following shall constitute a "change in use:"
 - i. When an existing principal use is replaced by a new principal use that is of a different use classification, use category, or use type designation;
 - ii. When an existing principal use that is conducted entirely indoors becomes conducted entirely outdoors, or vice versa;
 - iii. When an existing use type that is a nonconforming use changes to a different use type that is also nonconforming, regardless of whether the newer nonconforming use is more intense than the prior nonconforming use;
 - iv. Any change in an existing use or development site that triggers the application of a differing set of building code requirements, such as the switch from residential requirements to non-residential or combined use requirements;
 - v. When an existing principal use intensifies or expands (with or without a shift in the use type) in a manner that increases the average daily trips associated with the use by 100 percent or more; and
 - vi. If a combined or multiple principal use is changed in ways where the mixture of use types changes or where the relative proportion of floor area devoted to one of the existing use types is modified to the extent that the total minimum off-street parking standards for the entire development are changed.
2. Conversion from one use type to the same use type under the same or a different owner is not a change in use. Additions or expansions of an existing use may require the need for compliance with development or design standards in this Ordinance.
3. Changes of use type within a planned development district do not constitute a change in use provided the new use types is identified in the planned development terms and conditions document. The addition of a new or unlisted use types within a planned development shall require an amendment to the planned development district.
4. Addition or conversion of secondary uses or the operation of a temporary use does not constitute a change in principal use.

CHAPTER 6. TABLE OF USES

SECTION 6.1. PRINCIPAL USE TABLE

I. COMBINATION OR MULTIPLE PRINCIPAL USES

Developments with combination or multiple principal uses, such as shopping centers, shall:

1. Incorporate only those use types allowed in the applicable zoning district;
2. Comply with all the use standards that apply to each use type in the development; and
3. Comply with the required method of establishment for the use type identified in the principal use table.

J. MAJOR SUBDIVISION

The principal use table lists residential and non-residential major subdivisions and the zoning districts where these kinds of subdivisions are permitted in accordance with the applicable standards in Chapter 19. Minor, expedited, and family subdivisions are not required to obtain special use permit approval and are not prohibited in any zoning districts.

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	L	MF-CZ	PD-CZ		
AGRICULTURAL USES																		
Agricultural Uses and Buildings (Not in a Bona Fide Farm)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Z	A	8.7	U
Bona Fide Farm	Bona Fide Farm exemption status is obtained through the Moore County Planning Department																8.20	S, U
RESIDENTIAL USES																		
Single-Family Household																		
Dwellings, Single Family	P	P	P	P	P	P	P	P	P	•	•	•	•	•	Z	A	8.44	R-3
Dwellings, Duplex	•	P	P	•	•	•	P	•	P	•	•	•	•	•	Z	A	8.43	R-3
Family Care Home (6 or less)	P	P	P	P	P	P	P	P	P	•	•	•	•	•	Z	A	8.46	I, R
Manufactured Home	P	P	P	P	P	P	P	•	•	•	•	•	•	•	Z	A	8.66	R-3
Manufactured Home Park	Z	•	•	•	•	•	•	•	•	•	•	•	•	•	•	A	8.67	Mix
Multi-Family Residential																		
Group Care Facility	Z	•	•	•	•	•	•	•	•	•	S	P	•	•	•	A	8.56	I, R
Multi-family Dwelling (3 or more units per lot)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	Z	A	8.76	R-2
Nursing Home	S	S	S	S	S	•	•	•	•	•	P	P	•	•	Z	A	8.79	B, I
COMMERCIAL USES																		
Animal Services																		
Animal Shelter	Z	•	•	•	•	•	•	•	•	•	•	•	•	P	•	•	8.11	B
Animal Training Facility, Military	Z	•	•	•	•	•	•	•	•	•	•	•	•	P	•	•	8.12	B
Kennels, Overnight	Z	•	•	•	•	•	•	•	•	•	Z	Z	•	P	•	A	8.63	B
Pet Day Care, Grooming, Obedience Training	Z	•	•	•	•	•	•	•	•	•	P	P	P	•	•	A	8.84	B
Veterinary Clinic	Z	•	•	•	•	•	P	•	•	•	P	P	P	•	•	A	8.112	B

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	L	MF-CZ	PD-CZ		
Offices and General Services																		
Beauty / Barber Shop / Nail Salon	•	•	•	•	•	•	•	•	P	•	•	P	P	P	•	A	8.17	B
Bed and Breakfast	Z	Z	Z	Z	Z	Z	•	•	•	•	•	P	P	P	P	•	A	8.18
Commissary Kitchen	P	•	•	•	•	•	•	•	•	P	•	P	P	P	P	•	A	8.33
Dry Cleaning and Laundromat	•	•	•	•	•	•	•	•	•	P	•	P	P	P	P	•	A	8.42
Equestrian Cottage	•	•	•	•	•	•	Z	•	•	•	•	•	•	•	•	•	A	8.45
Hotel and Motel	•	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	A	8.61
Office	•	•	•	•	•	•	•	•	•	•	•	P	P	P	P	•	A	8.80
Small Appliance Repair Shop	•	•	•	•	•	•	•	•	•	•	•	P	P	P	P	•	A	8.101
Trade Contractor Office and Workshop	•	•	•	•	•	•	•	•	•	•	•	Z	P	P	P	•	A	8.108
Retail Services																		
Auction House	•	•	•	•	•	•	•	•	•	•	•	P	P	•	P	•	A	8.14
Convenience Store	S	•	•	•	•	•	•	•	P	•	•	P	P	P	P	•	A	8.36
Feed and Seed Sales	S	•	•	•	•	•	S	•	•	•	•	P	P	•	P	•	A	8.47
Florist	P	•	•	•	•	•	•	•	•	•	•	P	P	P	P	•	A	8.49
Flea Market	S	•	•	•	•	•	•	•	•	•	•	Z	P	•	•	•	•	8.48
Garden Center	•	•	•	•	•	•	•	•	•	•	•	P	P	P	•	•	A	8.52
Manufactured or Modular Home Sales	•	•	•	•	•	•	•	•	•	•	•	•	P	•	P	•	•	8.68
Restaurant	•	•	•	•	•	•	•	•	P	•	•	P	P	P	P	•	A	8.92
Retail	•	•	•	•	•	•	•	•	•	•	•	P	P	P	•	•	A	8.93
Shopping Centers	•	•	•	•	•	•	•	•	•	•	•	•	Z	•	S	•	A	8.100
Wholesales	•	•	•	•	•	•	•	•	•	•	•	•	P	S	P	•	A	8.114
Vehicle Services																		
Boat & RV Storage	•	•	•	•	•	•	•	•	P	•	•	•	Z	Z	•	•	•	8.19
Car Wash or Auto Detailing	•	•	•	•	•	•	•	•	•	•	•	P	P	P	P	•	A	8.25
Commercial Truck Wash	•	•	•	•	•	•	•	•	•	•	•	S	P	•	P	•	A	8.32
Parking Lot as a Principal Use	•	•	•	•	•	•	•	•	•	•	•	P	P	P	P	Z	A	8.81
Taxi Service	•	•	•	•	•	•	•	•	•	•	•	Z	P	•	P	•	A	8.105
Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV – Sales, Rental, or Service	•	•	•	•	•	•	•	•	•	•	•	P	P	P	P	•	A	8.109
Vehicle Service Station (Gas Stations)	•	•	•	•	•	•	•	•	•	•	•	P	P	Z	P	•	A	8.110

CHAPTER 6. TABLE OF USES

SECTION 6.1. PRINCIPAL USE TABLE

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	MF-CZ	PD-CZ		
Vehicle Wrecker Service	•	•	•	•	•	•	•	•	•	•	Z	Z	•	P	•	8.111	S-1
Adult Uses																	
Adult Gaming Establishment	•	•	•	•	•	•	•	•	•	•	•	•	•	S	•	8.6	B
Bar / Tavern	•	•	•	•	•	•	•	•	•	•	•	P	S	•	•	8.16	A-2
Brewery / Winery	S	•	•	•	•	•	•	•	•	•	•	P	P	P	•	8.21	A-2, F
Dance Club / Night Club / Billiards	•	•	•	•	•	•	•	•	•	•	•	P	Z	•	•	8.38	A-2, A-3
Distillery	•	•	•	•	•	•	•	•	•	•	•	•	•	P	•	8.40	F-1
Massage & Bodywork Therapy	•	•	•	•	•	•	•	•	•	•	P	P	P	P	•	8.73	B
Pawn Shop	•	•	•	•	•	•	•	•	•	•	•	P	Z	P	•	8.82	B
Sexually Oriented Business	•	•	•	•	•	•	•	•	•	•	•	•	•	S	•	8.97	A-2, M
Tattoo Parlor, Body Piercing	•	•	•	•	•	•	•	•	•	•	•	P	•	•	•	8.104	B
EDUCATIONAL & INSTITUTIONAL USES																	
Cemetery or Mausoleum, Commercial	S	•	S	S	•	•	S	•	•	•	P	•	•	•	•	8.26	n/a
Child Care Facility	S	S	S	S	P	S	S	•	S	•	P	P	S	•	•	8.28	E, I
College / Business & Trade School	S	•	•	•	•	•	•	•	•	•	•	P	•	P	•	8.31	B
Funeral Home with Crematorium	•	•	•	•	•	•	•	•	•	•	P	P	P	P	•	8.51	A-3, B
Government Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Z	8.55	B
Hospital	•	•	•	•	•	•	•	S	S	•	•	•	•	•	•	8.60	I
Museum / Art Gallery	S	•	•	•	•	•	•	•	•	•	P	P	P	•	•	8.77	A-3
Religious Institution	S	•	•	P	P	P	•	S	S	•	P	P	P	•	•	8.91	A-3, E
Security Training Facility	S	•	•	•	•	•	•	•	•	•	•	•	•	•	•	8.96	B
School, Elementary / Middle / High	S	•	•	P	P	P	•	S	S	•	P	P	P	•	•	8.95	E
RECREATION USES																	
Airport, Public or Private	S	•	•	•	•	•	•	•	•	•	•	•	•	Z	•	8.8	A-3, B
Airstrip, Small Private	S	•	•	•	•	•	•	•	•	•	P	•	•	•	•	8.9	B
Assembly Hall	Z	•	•	•	•	•	•	Z	•	•	Z	Z	P	•	•	8.13	A-4, A-5

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		
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	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	8.98	A-5
Shooting Range, Outdoor	Z	•	•	•	•	•	•	•	•	•	•	P	•	•	•	•	8.99	A-5
Zoo / Petting Zoo	Z	•	•	•	•	•	•	•	•	•	•	P	•	•	•	•	8.117	A-5, U
INDUSTRIAL USES																		
Production																		
Manufacturing & Sales, Pottery	P	•	•	•	•	•	•	•	•	•	P	P	P	P	•	•	8.85	F
Manufacturing, Light (no odors or smoke)	•	•	•	•	•	•	•	•	•	•	•	•	•	P	•	A	8.70	F
Manufacturing, General	•	•	•	•	•	•	•	•	•	•	•	•	•	Z	•	•	8.71	F-1, F-2
Utilities / Services																		
Contractors Storage Yard and Office	Z	•	•	•	•	•	•	•	•	•	•	P	•	P	•	•	8.35	S-1, U
Crematorium Facility	•	•	•	•	•	•	•	•	•	•	•	Z	•	P	•	•	8.37	B
Freight Terminal	Z	•	•	•	•	•	•	•	•	•	•	S	•	S	•	•	8.50	S-1, S-2
Public & Private Utility Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Z	A	8.86	U
Solar Collector Facility	•	•	•	•	•	•	•	•	•	•	•	•	•	S	•	•	8.102	U
Antenna Collocation, Major	S	S	S	P	P	P	P	•	•	•	P	P	P	P	Z	A	8.115	U
Antenna Collocation, Minor	P	P	P	P	P	P	P	P	P	•	P	P	P	P	Z	A	8.115	U
Small Wireless Facility	S	S	S	P	P	S	P	P	P	•	P	P	P	P	Z	A	8.115	U

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		
Telecommunications Tower, Major	Z	•	•	•	•	•	•	•	•	•	•	Z	•	Z	•	A	8.115	U
Telecommunications Tower, Minor	S	•	•	•	•	•	•	•	•	•	P	P	S	P	Z	A	8.115	U
Warehousing																		
Mini-Warehouse (self service)	•	•	•	•	•	•	•	•	P	•	Z	Z	Z	Z	•	A	8.74	S
Warehousing or Distribution Center	Z	•	•	•	•	•	•	•	•	•	•	S	•	P	•	•	8.113	S-1, S-2
Waste-Related Services																		
Debris Management Facility	Z	•	•	•	•	•	•	•	•	•	Z	•	•	P	•	•	8.39	U
Hazardous Waste / Toxic Chemical Disposal or Processing	•	•	•	•	•	•	•	•	•	•	•	•	•	S	•	•	8.57	U
Landfill	•	•	•	•	•	•	•	•	•	•	•	•	•	S	•	•	8.65	U
Mining / Quarry Operation	Z	•	•	•	•	•	•	•	•	•	•	•	•	S	•	•	8.75	U
Salvage Yard	•	•	•	•	•	•	•	•	•	•	•	•	•	S	•	•	8.94	U
MAJOR SUBDIVISIONS																		
Residential Major Subdivision	•	S	S	•	•	S	•	•	•	•	•	•	•	•	•	•	Ch. 19	
Non-residential Major Subdivision	•	•	•	•	•	•	•	•	•	•	•	S	•	S	•	•	Ch. 19	
NOTES																		

NOTES:

[1] Land located within the Highway Corridor Overlay District shall be subject to the sub-district-based use related provisions in Section 7.11 of this Ordinance.

SECTION 6.2. ACCESSORY USES**A. DEFINITION**

An accessory use or building shall be incidental and subordinate to the principal use or building and shall be conducted or located on the same lot. Examples of accessory buildings may include garages, carports, barns, and storage buildings.

B. PROCEDURE FOR ESTABLISHMENT

Accessory uses or structures may be approved in conjunction with the approval of the principal use or subsequently following the establishment of the principal use through the approval of a zoning permit or special use permit, as appropriate. Except for personal workshop/storage buildings, no accessory use or structure shall be approved, established, or constructed before a principal use is approved in accordance with this Ordinance.

C. GENERAL STANDARDS FOR ALL SECONDARY USES AND STRUCTURES**1. PERMITTED ACCESSORY USES AND STRUCTURES**

- i. Indoor athletic courts (pickleball, basketball, tennis, etc.) shall be allowed as accessory uses to existing and proposed major subdivisions when they are clearly incidental to the subdivision and intended to serve the residents of the subdivision.
- ii. Except for accessory dwellings, permitted accessory uses and structures shall:
 01. Be clearly incidental to an allowed principal use or structure;
 02. Be subordinate to and serve an allowed principal use or structure;
 03. Be subordinate in area, extent, and purpose to the principal use or structure; and
 04. Contribute to the comfort, convenience, or needs of occupants associated with the principal use or structure.

2. LOCATION OF ACCESSORY USES AND STRUCTURES

- i. Except on lots in the RA district, accessory buildings shall be located in the rear or side yard. Accessory uses and structures in the RA zoning district may also be located in the front yard, subject to the required accessory building setbacks.
- ii. Accessory horse stables are permitted in the front or side yard in the RA and RE zoning districts.
- iii. Except for fences and walls contributing to the screening function of a landscaping buffer, no accessory structure shall be located within a required landscaping area.
- iv. No accessory use or structure may be located in a required setback except as permitted by this Ordinance.
- v. No accessory use or structure shall:
 01. Be located within a designated fire lane;
 02. Obstruct required sight distance triangles;
 03. Impede ingress or egress to a lot, site, or principal structure;
 04. Be located above or beneath public utilities (except for fences or walls);
 05. Interfere with drainage or stormwater control measures; or
 06. Be within an emergency access route designated on an approved site plan.
- vi. Except for authorized stormwater control measures within a drainage easement, no accessory use or structure shall be located within any platted or recorded easement without the prior written consent of the landowner.

3. STRUCTURE HEIGHT

- i. Accessory structures shall comply with the height requirements for the zoning district where located.
- ii. Except for agricultural uses, no accessory structure's height shall exceed the height of the principal use.

4. MAXIMUM STRUCTURE SIZE

- i. No accessory use or structure shall exceed the floor area associated with the principal use or structure it serves.

D. COMPLIANCE WITH OTHER ORDINANCE REQUIREMENTS

Accessory uses and structures shall conform to the applicable requirements of this Ordinance, including this section, the district standards, the applicable use standards, and the development standards.

E. ACCESSORY USE TABLE

1. If a specific accessory use is allowed by-right, the cell underneath the zoning district is marked with a "P".
2. If a specific accessory use is allowed subject to a special use permit, the cell underneath the zoning district is marked with a "S".
3. A "Z" in a cell of the table indicates that the specific accessory use may only be permitted within a conditional zoning district that is parallel to the listed underlying zoning district (see Chapter 11). The conditional zoning district designation must be in place before the use type may be established.
4. If the accessory use or structure is not allowed in a zoning district, the cell is marked with an "O".
5. In the case of planned development districts, if an accessory use is allowable, it is marked with an "A", and the accessory use must be set out in the approved master plan or terms and conditions document.
6. If there is a reference contained in the column entitled "Specific Use Standards," refer to the cited section(s) for additional standards that apply to the specific accessory use.
7. The accessory use table below may not be inclusive of all possible accessory uses, and in the event an accessory use is proposed that is not listed in the table, the Administrator shall consult the principal use table to determine if the proposed accessory use corresponds to a listed principal use. Any permitted principal use in a zoning district is also permitted as an accessory use. In no instance shall an accessory use be permitted in a zoning district where it is prohibited as a principal use.
8. In the event a proposed accessory use is not listed in the table below and there is no corresponding principal use, the Administrator shall determine how to treat the accessory use in accordance with the standards for unlisted uses (see Section 6.1.G).

ACCESSORY USE TABLE																		
Accessory Use Type	RA	RA-20	RA-40	RA-2	RA-5	RA-USB	RE	GC-SL	GC-WL	PC	B-1	B-2	VB	L	MF-CZ	PD-CZ	Specific Use Standards	Bldg. Code Class.
RESIDENTIAL USES																		
Accessory Dwelling Located within Stick-Built Dwelling	P	P	P	P	P	P	P	•	•	•	•	•	•	•	Z	A	8.1	R
Accessory Dwelling Located within Non-Residential Building	•	•	•	•	•	•	•	•	•	•	P	P	P		Z	A	8.2	Mix
Accessory Manufactured Home	P	P	P	P	P	P	P	•	•	•	•	•	•	•	Z	A	8.3	R
Accessory Stick-Built Dwellings	P	P	P	P	P	P	P	•	•	•	•	•	•	•	Z	A	8.4	R
Carport or Garage	P	P	P	P	P	P	P	P	P	•	P	P	P	P	Z	A	6.2	R,S
Home Occupation, Level 1	P	P	P	P	P	P	P	P	P	•	•	•	•	•	Z	A	8.58	R
Home Occupation, Level 2	Z	•	•	Z	Z	•	Z	•	•	•	•	•	•	•	Z	A	8.59	R
Personal Workshop / Storage Building	P	P	P	P	P	P	P	•	•	•	•	•	•	•	Z	A	8.83	R, S
Family Health Care Structure	P	P	P	P	P	P	P	P	P	•	•	•	•	•	•	A		R
COMMERCIAL USES																		
Automatic Teller Machine (ATM)	•	•	•	•	•	•	•	•	•	•	P	P	P	P	•	A	8.15	U
EDUCATIONAL AND INSTITUTIONAL USES																		

ACCESSORY USE TABLE

Accessory Use Type	RA	RA-20	RA-40	RA-2	RA-5	RA-USB	RE	GC-SL	GC-WL	PC	B-1	B-2	VB	L	MF-CZ	PD-CZ	Specific Use Standards	Bldg. Code Class.
Cemetery, Family	P	P	P	P	P	P	P	P	P	•	•	•	•	•	•	A	8.27	n/a
Child Care Home Facility	P	S	P	P	P	S	S	•	•	•	•	•	•	•	•	A	8.29	E, R
RECREATION USES																		
Accessory Swimming Pool	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Z	A	8.5	A, R
Accessory Indoor Athletic Courts	Only allowed as an accessory use when clearly incidental to a major subdivision.																6.2.C	A, R
INDUSTRIAL USES																		
Amateur Radio and Receive-only Antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Z	A	8.10	U
Solar Collectors, On-Site Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Z	A	8.103	U

SECTION 6.3. TEMPORARY USES**A. APPLICABILITY**

The standards in this section apply to non-permanent uses that take place on a temporary basis whether on the same site or in different locations across the County's planning jurisdiction.

B. PROCEDURE FOR ESTABLISHMENT

Temporary uses or structures may be approved in conjunction with the approval of the principal use or subsequently following the establishment of the principal use through the approval of a zoning permit or special use permit, as appropriate. Temporary uses may take place on vacant lots.

C. GENERAL STANDARDS FOR ALL TEMPORARY USES AND STRUCTURES

All temporary uses and structures shall comply with the following general standards, unless otherwise specified in this Ordinance:

1. GENERAL REQUIREMENTS

An applicant proposing a temporary use or structure shall:

- i. Secure written permission from the landowner;
- ii. Obtain the appropriate permits and licenses from the County and other agencies;
- iii. Comply with the applicable requirements for signs if signage is proposed;
- iv. Meet public utility requirements for proper connection to water, sewer, electrical and other utility service connections, as applicable;
- v. Not violate the applicable conditions of approval that apply to a site or use on the site;
- vi. Not result in a situation where the principal use, if present, fails to comply with the standards of this Ordinance;
- vii. Ensure the site of a temporary use or structure contains sufficient land area for the temporary use and for the parking and traffic movement associated with the temporary use, without impacting environmentally sensitive lands; and
- viii. Ensure temporary uses remain in place no longer than 90 days if located within a special flood hazard area.

2. GENERAL CONDITIONS

In approving a zoning permit for temporary uses or structures, the Administrator is authorized to impose any of the following general conditions upon the premises benefited by the permit as may be necessary to

reduce or minimize any potential adverse impacts upon other property in the area, as long as the condition relates to a situation created or aggravated by the proposed temporary use. The Administrator is authorized, where appropriate, to require:

- i. Provision of temporary parking facilities, including vehicular access and egress;
- ii. Control of nuisance factors, such as but not limited to, the prevention of glare or direct illumination of adjacent properties, noise, vibrations, smoke, dust, dirt, odors, gases, and heat;
- iii. Prohibition of the storage or use of hazardous materials;
- iv. Regulation of placement, height, size, and location of equipment;
- v. Provision of sanitary and medical facilities;
- vi. Provision of solid waste collection and disposal;
- vii. Provision of security and safety measures;
- viii. Use of an alternate location or date;
- ix. Modification or elimination of certain proposed activities; and
- x. Regulation of operating hours and days, including limitation of the duration to a shorter time period than requested or specified in this subsection.

D. TEMPORARY USE TABLE

1. If a specific temporary use is allowed by-right, the cell underneath the zoning district is marked with a "P".
2. If a specific temporary use is allowed subject to a special use permit, the cell underneath the zoning district is marked with a "S".
3. If the temporary use or structure is not allowed in a zoning district, the cell is marked with an "O".
4. In the case of planned development districts, if an temporary use is allowable, it is marked with an "A", and the temporary use must be set out in the approved master plan or terms and conditions document.
5. If there is a reference contained in the column entitled "Specific Use Standards," refer to the cited section(s) for additional standards that apply to the specific temporary use.
6. The temporary use table below may not be inclusive of all possible temporary uses, and in the event an temporary use is proposed that is not listed in the table, the Administrator shall consult the principal and accessory use tables to determine if the proposed temporary use corresponds to a listed principal or accessory use. In no instance shall an temporary use be permitted in a zoning district where it is prohibited as a principal or accessory use.
7. In the event a proposed temporary use is not listed in in the table below and there is no corresponding principal or accessory use, the Administrator shall determine how to treat the temporary use in accordance with the standards for unlisted uses (see Section 6.1.G).

TEMPORARY USE TABLE																		
Temporary Use Type	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	Specific Use Standards	Bldg. Code Class.
Construction Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Z	A	8.34	S-1
Drop-In Child Care Facility	•	•	•	•	•	•	•	•	•	•	P	P	P	•	•	A	8.41	
Itinerant Merchant	•	•	•	•	•	•	•	•	•	•	P	P	P	P	•	A	8.62	n/a
Land Clearing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Z	A	8.64	F-1
Manufactured Home or RV, Temporary	P	P	P	P	P	P	P	•	•	•	•	•	•	•	•	A	8.69	R-3
Real Estate Offices, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Z	A	8.87	S-1
Temporary Events (Special Event)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Z	A	8.106	n/a

TEMPORARY USE TABLE

Temporary Use Type	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	Specific Use Standards	Bldg. Code Class.
Temporary Family Health Care Structure	P	P	P	P	P	P	P	P	P	•	•	•	•	•	Z	A	8.107	R, I
Yard Sales, Residential and Civic	P	P	P	P	P	P	P	P	P	•	P	P	•	•	•	A	8.116	n/a

SECTION 6.4. PROHIBITED USES

A. USES PROHIBITED COUNTYWIDE

1. The following use types are not listed in the principal use table, and are prohibited throughout the County's planning jurisdiction in all zoning districts.
2. In cases where one or more of these uses is lawfully established and in operation prior to November 15, 2022, the use shall be subject to the provisions in Chapter 9.
 - i. Outdoor advertising or billboards, except where prohibition is preempted by State or federal law. Outdoor advertising lawfully established prior to November 15, 2022, may be permitted to continue as a nonconforming use only in accordance with Article 5. Nonconformities, and NCGS Section 160D-912.
 - ii. Acetylene gas manufacture;
 - iii. Acid manufacture;
 - iv. Ammonia, bleaching powder, or chlorine manufacture;
 - v. Biohazard or infectious waste storage or incineration;
 - vi. Cellophane manufacture;
 - vii. Creosote manufacture or treatment plants;
 - viii. Distillation of bones, coal, petroleum, refuse, tar, or wood;
 - ix. Glue and size manufacture;
 - x. Nitrogenous tankage, fish meal or manufacture of any fertilizer materials carrying an objectionable odor;
 - xi. Oilcloth or linoleum manufacture;
 - xii. Ore reduction;
 - xiii. Vinegar manufacturing.
 - xiv. Use of a boat, houseboat, or other floating structure as a temporary or permanent residence (this shall not prevent the overnight occupancy of a vessel temporarily moored while in transit on navigable waters); and
 - xv. Use of a recreational vehicle as a permanent residence.

B. USES PROHIBITED IN SPECIAL FLOOD HAZARD AREAS

1. The following uses are prohibited in designated floodways:
 - i. Buildings, including manufactured homes; and
 - ii. Any use that would cause any increase in base flood levels.
2. The following development is prohibited in designated floodplains due to the North Carolina Flood Act of 2000:
 - i. New solid waste disposal facilities;
 - ii. New hazardous waste management facilities;
 - iii. New salvage or junkyards; and
 - iv. New chemical storage facilities.

478

For Registration Register of Deeds
William Britton

Moore County, NC

Electronically Recorded

January 12, 2024 2:37:50 PM

Book: 6117 Page: 419 - 421 #Pages: 3

Fee: \$26.00 NC Rev Stamp: \$230.00

Instrument # 2024000498

Brief description for the Index:

Stamps: \$230.00

TRACT, 14.74 ACRES +/-, MCKENZIE LAND, MINERAL SPRINGS TOWNSHIP

This instrument was prepared by: **The Gorenflo Law Firm, PLLC**

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 11th day of January, 2024, by and between,

GRANTOR	GRANTEE
C & M Carriers, Inc. a NC corporation <u>Mailing Address:</u> 740 Doubs Chapel Road West End, NC 27376	Cynthia Cole Secura unmarried <u>Mailing Address:</u> PO BOX 354 West End, NC 27376 <u>Property Address:</u> TBD 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:

Being all of that certain Tract containing 14.74 acres, more or less, as shown on plat entitled "Survey for: C & M Carriers, Inc., 14.74 & 35.26 Acres, McKenzie Land" prepared by Ryan McBryde Land Surveying & Planning on January 2, 2024, and recorded in Plat Cabinet 20, Slide 134, Moore County Registry.

Submitted electronically by "The Gorenflo Law Firm PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Moore County Register of Deeds.

Subject to that certain 40' Access Easement for the benefit of the Coy A. McKenzie, Jr. (Parcel ID#00022758) shown on the above referenced Plat.

Subject to that certain 40' Access Easement previously shown on Plat Cabinet 15, Slide 833, Moore County Registry, and further described in Book 4160, Page 531, Moore County Registry.

The property hereinabove described being a portion of the property acquired by Grantor by instrument recorded in Book 1977, Page 142, 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 *****

480

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.

C & M Carriers, Inc.

Coy A. McKenzie Jr. (SEAL)
Coy A. McKenzie, Jr., President

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: Coy A. McKenzie, Jr., President of C & M Carriers, Inc., a NC corporation, being so authorized.

Witness my hand and notarial seal this 11th day of January, 2024.

PLACE NOTARY SEAL INSIDE THIS BOX ONLY!

MICHAEL G. GORENFLO
NOTARY PUBLIC
Moore County
North Carolina
My Commission Expires 1/14/25

Notary Public

Michael G. Gorenflo
(Printed Name of Notary)

My Commission Expires: January 14, 2025

Allowed Uses in Residential and Agricultural – 5 (RA-5)	Allowed Uses in Residential and Agricultural-40 (RA-40)
Agricultural Uses and Buildings (Not a Bona Fide Farm)	Agricultural Uses and Buildings (Not a Bona Fide Farm)
Dwellings, Single Family	Dwellings, Single Family;
Family Care Home (6 or less)	Dwellings, Duplex
Manufactured Home	Family care Home (6 or less)
Nursing Home (Special Use Permit)	Manufactured Home
Bed and Breakfast (Conditional Rezoning)	Nursing Home (Special Use Permit)
Child Care Facility	Bed and Breakfast (Conditional Rezoning)
Government Facility	Cemetery or Mausoleum, Commercial (Special Use Permit)
Religious Institution	Child Care Facility (Special Use Permit)
School, Elementary/Middle/High	Government Facility
Civic/Social Club, Lodge and Organization	Neighborhood Park
Neighborhood Park	Recreation, Low Impact Outdoor
Recreation, Low Impact Outdoor	Public & Private Utility Facilities
Public and Private Utility Facilities	Antenna Colocation, Major (Special Use Permit)
Antenna Colocation, Major	Antenna Colocation, Minor
Antenna Colocation, Minor	Small Wireless Facility (Special Use Permit)
Small Wireless Facility	Residential Major Subdivision (Special Use Permit)

Moore County Board of Commissioners
Land Use Plan Consistency Statement

Conventional Rezoning Request

from Residential Agricultural -5 (RA-5) to Residential and Agricultural-40 (RA-40)

The Moore County Board of Commissioners finds that:

1. The conventional rezoning is consistent with the following recommendation as listed in the 2013 Moore County Land Use Plan:
 - Recommendation 1.8: Discourage undesirable or unattractive land uses, especially within high visibility areas.
 - If approved, the rezoning to RA-40 would allow more residential land use types and fewer commercial/institutional land use types. For example, Civic, Social Club, Lodge, Organizations, Schools, and Religious Institutions are allowed in the current zoning district (RA-5), but not allowed in the proposed zoning district (RA-40).
2. The conventional rezoning request is reasonable and in the public interest because the surrounding is currently zoned RA-40, and it would create a consistency of land use within the surrounding area.

Therefore, the Moore County Board of Commissioners finds the conventional rezoning from Residential and Agricultural-5 (RA-5) and Residential and Agricultural-40 (RA-40) to Residential and Agricultural-40 (RA-40) of one parcel of approximately 14.74 acres located at 1675 Murdocksville Road, owned by Cynthia Cole Secura, per Deed Book 6117, Page 419 is **consistent** with the 2013 Moore County Land Use Plan.

Nick Picerno, Chair

Moore County Board of Commissioners

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
Conventional Rezoning Request
from Residential Agricultural – 5 (RA-5) to Residential and Agricultural-40 (RA-40)

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 request is not reasonable and not in the public interest because:
 - This rezoning is not consistent with the current FLUM designation of RA.
 - The proposed conventional rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board finds the conventional rezoning from Residential and Agricultural-5 (RA-5) and Residential and Agricultural-40 (RA-40) to Residential and Agricultural-40 (RA-40) of one parcel of approximately 14.74 acres located at 1675 Murdocksville Road, owned by Cynthia Cole Secura, per Deed Book 6117, Page 419 is **inconsistent** with the 2013 Moore County Land Use Plan.

Nick Picerno, Chair
Moore County Board of Commissioners

Date

Moore County Board of Commissioners
Land Use Plan Consistency Statement
**Chapter 19 (Subdivisions) Section 19.11.C.2 (Major Subdivision – Construction
Process – Soil Evaluation Report)**
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 ensures standards in the Unified Development Ordinance accurately reflect Article II, Chapter 130A of 15A NCAC 18E “Laws and rules for Sewage treatment and Disposal Systems” enforced by Environmental Health regarding sewage treatment and disposal systems.

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

5/21/2024
Date



Agenda Item: 6.E.
Meeting Date: May 21, 2024

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Debra Ensminger, Planning Director
DATE: 05/08/2024
SUBJECT: Public Hearing for Unified Development Ordinance Amendments to Chapter 19 – Subdivisions, Section 19.11.C.2 (Major Subdivision – Construction Process – Soil Evaluation Report)
PRESENTER: Debra Ensminger, Planning Director

REQUEST: A request to amend Chapter 19 (Subdivisions) – and amend Section 19.11.C.2. (Major Subdivision – Construction Process – Soil Evaluation Report) of the Moore County Unified Development Ordinance to correct the legal reference for individual lot soil evaluations in major subdivisions.

BACKGROUND: Section 19.11.C.2. (Subdivisions) (Major Subdivision – Construction Process – Soil Evaluation Report) states:

2. The report must show that each proposed lot has been evaluated under the current provisions of Title 15A NCAC 18A.1900 et seq.

This regulation has been replaced with new regulation that requires the Unified Development Ordinance be updated to reflect the correct reference for individual lot soil evaluation for major subdivisions.

PROPOSED TEXT AMENDMENT LANGUAGE TO BE ADDED

Bold Text – additions to the ordinance

~~Strikethrough Text~~ – deletions from the ordinance

1. Amend Chapter 19 (Subdivisions), Section 19.11.C.2. (Major Subdivision – Construction Process – Soil Evaluation Report) to update the current Unified Development Ordinance by replacing updated legal reference for individual lot soil evaluation.

Section 19.11.C.2. (SUBDIVISIONS) (MAJOR SUBDIVISION – CONSTRUCTION PROCESS – SOIL EVALUATION REPORT)

1. Prior to final plat approval, the subdivider shall submit a report including a lot-by-lot evaluation, signed, sealed, and dated from a licensed soil scientist, for septic system capacity.

2. The report must show that each proposed lot has been evaluated per ~~under the current provisions of Title 15A NCAC 18A.1900 et seq~~ **Article II, Chapter 130A of 15A NCAC 18E "Laws and rules for Sewage treatment and Disposal Systems."**

3. The evaluation should note whether there is adequate space for an on-site individual private water source and an on-site subsurface sewage treatment and disposal system, if needed.
4. If the developer proposes a system that would treat a flow of 3,000 GPD or greater, and therefore would require state approval, a letter from the State would also be required to be submitted for final plat approval.
5. Moore County Environmental Health will develop guidelines for the Soil Scientist reports and evaluations as well as review reports submitted by developers.

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 April 4, 2024, and voted 7-0 the requested text amendment was consistent with the Moore County Land Use Plan and voted 7-0 to recommend approval of the text amendment.

FINANCIAL IMPACT: None

IMPLEMENTATION PLAN: Hold a Public Hearing on May 21, 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 **Consistent** or **Inconsistent** 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.

Motion #2: Make a motion to **Approve** or **Deny** the request to amend Chapter 19 (Subdivisions) – and amend Section 19.11.C.2. (Major Subdivision – Construction Process – Soil Evaluation Report) of the Moore County Unified Development Ordinance to correct the legal reference for individual lot soil evaluations in major subdivisions.

ATTACHMENTS:

1. Response from RLUAC
2. Board of Commissioners Consistency Statements (Consistent/Inconsistent)

From: RLUAC Executive Director
To: Ruth Pedersen
Subject: RE: Moore County Text Amendments
Date: Thursday, March 28, 2024 11:43:53 AM

Ruth,

I have a review letter almost finished for the telecom tower amendment. I'll get it to you as soon as everyone on the team has had a chance to go over it. There aren't any comments on the onsite wastewater 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: Ruth Pedersen <rpedersen@moorecountync.gov>
Sent: Thursday, March 21, 2024 5:10 PM
To: director@rluac.com
Subject: Moore County Text Amendments

Vagn,

Moore County will be taking two staff reports to the Board of Commissioners on May 21, 2024, and we are seeking review/comments from RLUAC. I have attached the staff reports for the two amendments. Please let me know if you have any questions or need more information about either item.

Thank you,

Ruth Pedersen, MPA, CZO, CFM
Senior Planner
Moore County Planning & Inspections
rpedersen@moorecountync.gov
910-947-5010 (phone)
910-947-1303 (fax)

Moore County Board of Commissioners
Land Use Plan Consistency Statement
**Chapter 19 (Subdivisions) Section 19.11.C.2 (Major Subdivision – Construction
Process – Soil Evaluation Report)**
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 ensures standards in the Unified Development Ordinance accurately reflect Article II, Chapter 130A of 15A NCAC 18E “Laws and rules for Sewage treatment and Disposal Systems” enforced by Environmental Health regarding sewage treatment and disposal systems.

The proposed text amendment is reasonable and in the public interest because 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 19 -Subdivisions, Section 19.11.C.2 (Major Subdivision – Construction

Process – Soil Evaluation Report)

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:

- 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 development of major subdivisions within Moore County planning jurisdiction.

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

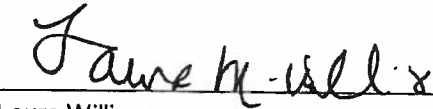
Fiscal Year 2023/2024

Budget Line Item Number				Budgeted Amount	Increase/ (Decrease)	Revised Budget
Public Safety - Department of Homeland Security Grant						
Revenue	24032010	36177	PS222 Homeland SEC Grant	40,000	14,894	54,894
Expense	24021010	53937	PS222 Homeland SEC Grant	40,000	14,894	54,894

Approved this 21 day of May, 2024



Nick Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board

