

MOORE COUNTY BOARD OF COMMISSIONERS

TUESDAY, FEBRUARY 7, 2023, 10:30 A.M.

REGULAR MEETING

CALL TO ORDER

INVOCATION – Pastor Lee McKinney, New Covenant Fellowship Church

PLEDGE OF ALLEGIANCE – Gene Boles, Property Management Director

I.PUBLIC COMMENT PERIOD (Procedures are attached to agenda.)

II.ADDITIONAL AGENDA

CHAIRMAN – Does any Commissioner have a conflict of interest concerning agenda items the Board will address in this meeting?

III.APPROVAL OF CONSENT AGENDA

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except on request of a member of the Board of Commissioners.

A.Minutes: January 18 and 19, 2023, Special Meeting

B.Minutes: January 24, 2023, Regular Meeting

C.Budget Amendments

D.Advertisement of Tax Liens on Real Property

E.Resolution Accepting Offer for Surplus Property: Portion of Well Lot 2A

F.Project Budget Ordinance and Resolution for Project 36237.67.12.2: Terminal Building
Concept Design and Plan

IV.RECOGNITIONS

V.PRESENTATIONS

VI.QUASI-JUDICIAL HEARINGS

A.Call to Quasi-Judicial Hearing/Planning – Special Use Permit Request: Recreation,
Indoor – Grant St. and MacDougall Dr., Seven Lakes (Debra Ensminger, Planning
Director)

VII.PUBLIC HEARINGS

A.Call to Public Hearing/Planning – Conventional Rezoning Request: Residential and Agricultural – 5 (RA-5) to Residential and Agricultural – 2 (RA-2), Juniper Lake Rd. (Debra Ensminger, Planning Director)

B.Call to Public Hearing/Planning – Conventional Rezoning Request: Residential and Agricultural – 40 (RA-40) to Rural Agricultural (RA), Vass Carthage Rd. (Debra Ensminger, Planning Director)

C.Call to Public Hearing/Partners in Progress – Proposed Economic Development Joint Agreement for Purchase of Land for an Industrial Park (Natalie Hawkins, Executive Director)

VIII.OLD BUSINESS

IX.NEW BUSINESS

A.Property Management – Request for Approval of Contract Amendment # 1 with Piedmont Trucks Center (Gene Boles, Property Management Director)

B.Legal – Request for Adoption of Resolution in Support of House Bill 13 (Misty Leland, County Attorney, on behalf of Chairman Picerno)

C.Legal – Request for Adoption of Resolution in Support of Senate Bill 49 (Misty Leland, County Attorney, on behalf of Chairman Picerno)

X.APPOINTMENTS

A.Board of Health

B.Economic Task Force

XI.ADDITIONAL AGENDA

XII.MANAGER'S REPORT

XIII.COMMISSIONERS' COMMENTS

XIV.CLOSED SESSION – if necessary

ADJOURNMENT

COMMISSIONERS' UPCOMING MEETINGS/EVENTS:

Parks & Recreation Advisory Board, Tuesday, February 7, 12:00pm (Cook)

Water/Sewer Task Force, Tuesday, February 7, 2:00pm (Cook/Picerno)

Special Meeting (Work Session), Thursday, February 9, 9:00am

Local Emergency Planning, Thursday, February 9, 11:00am (Von Canon)

Sandhills Center Board, Tuesday, February 14, 7:00pm (Picerno)

Pre-Agenda Meeting, Wednesday, February 15, 9:30am (Cook/Picerno)

Transportation Advisory Board, Wednesday, February 15, 3:00pm (Quis)

Regular Meeting, Tuesday, February 21, 5:30pm

PUBLIC COMMENT PROCEDURES
MOORE COUNTY BOARD OF COMMISSIONERS

The Moore County Board of Commissioners is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:

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

respectful

and courteous in their remarks and must refrain from personal attacks and the use of profanity.

7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get

to speak, those names will be carried over to the next Public Comment Period.

8. Any applause will be held until the end of the Public Comment Period.

9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks

and documents with the Clerk to the Board.

10. Speakers shall not discuss any of the following: matters which concern the candidacy of any person seeking public

office, including the candidacy of the person addressing the Board; matters which are closed session matters, including

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

11. Information sheets outlining the process for the public's participation in Board meetings will also be available in the

rear of the Commissioner's Meeting Room.

12. Action on items brought up during the Public Comment Period will be at the discretion of the Board.

Adopted on the 5th day of March 2007 by a 5 to 0 vote of the Moore County Board of Commissioners.

Revised on the 7th day of April 2015.

Revised on the 7th day of February 2017.

MOORE COUNTY BOARD OF COMMISSIONERS SPECIAL MEETING WEDNESDAY AND THURSDAY,
JANUARY 18 AND 19, 2023

The Moore County Board of Commissioners convened for a Special Meeting beginning at 9:30am, Wednesday, January 18, 2023, at the Moore County Senior Enrichment Center, 8040 US HWY 15, West End, North Carolina. The purpose of the meeting was for a work session on a variety of issues as provided in the minutes.

Commissioners Present:

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

Wednesday, January 18, 2023

Chairman Picerno called the meeting to order. County Manager Wayne offered the invocation and Vice Chairman Frank Quis led the Pledge of Allegiance. Chairman Picerno offered opening remarks and noted that of the many times the Board had sat in these meetings, he felt this would be one of the most important the commissioners had embarked on. He said they needed to really plan and talk about where they were as a county and shared an applicable quote he had recently heard that, "a goal without a plan is just a wish." Mr. Vest reviewed that the "theme" of the work session was where we are, where we are going, and how we will get there. He said that each presentation the Board would receive would have two components, the first of which would establish the fundamentals, followed by opportunity for the Board to provide direction on the various issues that would be discussed. Copies of presentations are hereby incorporated as a part of these minutes by attachment as Appendix A.

Veterans Services

Veterans Services Director Kelly Greene provided a presentation and fielded questions by the commissioners. She explained the claims process which was slow and shared that the recent PACT Act had delayed it further. Chairman Picerno asked who they could talk to to speed it up and she suggested that the Secretary of Veterans Affairs could be contacted to affect change in the process. Commissioner Cook inquired regarding whether you could speak to the VA prior to having a DD214 form and Ms. Greene explained that you could, within a certain timeframe. Commissioner Von Canon shared that there were over 10,000 veterans in Moore County, amounting to at least 10% of its population. He shared the story of a local veteran's mental health crisis and failures at the federal and state levels that cost him his life. He told Ms. Greene the Board of Commissioners III.A.

02/07/2023

wanted to be aware any time she met resistance at the federal and/or state levels. Ms. Greene indicated she would provide additional information for the second day of the Board's work session.

Special Funding

American Rescue Plan Funding Basics:

American Rescue Plan funding information was reviewed by Budget Manager/Internal Auditor Tami Golden. Upon inquiry by Chairman Picerno, Mr. Vest provided background information on a proposed new fire station, Station X. Chairman Picerno noted that the funding assignments were made by the previous Board and asked if anyone had any questions. There were none, and Mr. Vest noted that the Board may be able to reassign some of the funds.

Opioid Funding Basics:

County Attorney Misty Leland provided background regarding the County's receipt of opioid settlement funds. Chairman Picerno said this was important because the following day the Board would go over some possible solutions that could be addressed by the funding. He asked his fellow board members to please review the information and get up-to-speed on it quickly.

Chairman Picerno called for a five-minute break.

Budget/Finance

Mr. Vest provided a budget summary and explained the budget amendment process.

Ms. Golden reviewed all funds for the Board and answered questions regarding how much was in capital projects and also the Article 46 sales tax that was applied to the Schools. Commissioner Quis asked what overall grade staff would assign the County's financial health and Mr. Vest said he would give the County a AAA personally, and the ratings agencies had given the County just one notch under that.

Finance Director Caroline Xiong explained project ordinances and reviewed examples. Mr. Vest explained that the budget could change, but only with the Board's approval.

Tax

Tax Administrator Gary Briggs provided background information regarding the upcoming tax revaluation and preparation for it. Chairman Picerno noted that an increase in value did not necessarily mean everyone's taxes would go up.

Property Management

Property Management Director Gene Boles provided an overview of County properties.

The Board took a break for lunch from 12:15pm until 1:00pm.

Growth/Development/Infrastructure

Public Safety:

Major Andy Conway reviewed the organizational chart for the Sheriff's Office.

Public Safety Director Bryan Phillips provided background on EMS/911 services and briefly answered questions regarding hospital wait times, indicating he would share more the following day.

Major Conway updated the Board on new training standards that would be required for telecommunicators and potential impacts to Moore County. Chairman Picerno asked if these changes were due to statutory changes and Major Conway said no, it was from state level changes to training and standards.

Moore County Schools:

Dr. Tim Locklair was present with Jenny Purvis, Executive Officer for Operations, and provided information on the Schools and feeder patterns. Upon inquiry regarding some of the patterns by Commissioner Von Canon, Dr. Locklair explained overcrowding issues and shifts of attendance lines to maximize and balance capacity. Tina Edmonds, Executive Officer for Budget and Finance, provided information on State allotments versus the positions report and Ms. Purvis further reviewed current capital allocations. Chairman Picerno asked when the Board approved the bond premium to go to the Schools and Mr. Vest explained that part of bond premium was approved about this time the previous year to go toward school gymnasium renovations. Regarding a new facilities committee formed by the Board of Education, Chairman Picerno asked if a commissioner member could also be appointed or if they could at least sit in and listen. Dr. Locklair indicated the commissioner attendance would be welcome and he could look into a formal appointment. He explained regarding the bond premium for the gyms that the committee would be reviewing the design, value engineering, etc. Ms. Xiong shared that the approval of the bond premium for these projects was made by the Board on February 15, 2022.

The Chairman called for a five-minute break.

Planning/Permitting/Environmental Health:

Planning Director Debra Ensminger shared historical information regarding zoning, land use, urban service boundaries, etc. She discussed pressure points which included major subdivisions development and noted staff recommended revisions to the Unified Development Ordinance that were presented but not approved in November. She explained the process for approval of major subdivisions, currently quasi-judicial, which developers said was very costly to them. Upon conclusion of the discussion, Chairman Picerno asked the commissioners to do their homework on these issues as there were several items in conflict and they needed to make decisions regarding what they wanted Moore County to look like.

Interim Health Director Matt Garner provided updates regarding septic permits and backlogs.

Public Works:

Public Works Director Randy Gould and Mr. Adam Kiker, Principal with LKC Engineering, provided background regarding water and sewer in Moore County. Upon inquiry by Commissioner Ritter regarding logical future water resources the County might pull from, Mr. Kiker shared options were Harnett County, Drowning Creek, Deep River, and the City of Sanford (Cape Fear River). Commissioner Quis asked about Montgomery County and Mr. Kiker indicated they did not have robust infrastructure or treatment capacity to satisfy the County's needs, and an interbasin transfer would almost certainly be necessary. Chairman Picerno asked if these were still hard to get and Mr. Kiker said yes, that it was one of the most difficult environmental processes in the State.

This concluded the day's business and it was noted that sewer would be a larger part of the next day's discussion. Chairman Picerno asked the Board to think about housing an economic development department within the County's structure as the Board had legal issues with involvement with Partners in Progress, etc. At 3:55pm, upon motion made by Commissioner Quis, seconded by Commissioner Von Canon, the Board voted 5-0 to recess the meeting until 9:30am the following day, January 19, 2023.

Thursday, January 19, 2023

The Board reconvened at 9:30am on Thursday, January 19, 2023. After calling the meeting to order, Chairman Picerno called upon County Manager Wayne Vest to lead the invocation and Vice Chairman Frank Quis to lead the Pledge of Allegiance. Mr. Vest provided opening comments regarding the groundwork that was laid the previous day.

Veterans Services

Veterans Services Director Kelly Greene followed up regarding the Board's inquiry as to who could help improve processes and she said it would be United States senators and congressmen, and she noted that Rep. Richard Hudson had been very helpful. She shared information regarding reports that could be obtained online. Chairman Picerno asked who she suggested the Board contact regarding how little money the State put in to veterans affairs and how she saw the State's role. Ms. Greene explained that the State supported their training and said the Governor or the Secretary of Veterans Affairs controlled the money. Commissioner Von Canon asked Ms. Greene several questions regarding processes in her office and turnaround times, age of clients, hours the phone could not be manned, etc. He noted she and her staff were doing an excellent job and with very few resources. Ms. Greene shared that she would be asking for a new full-time front desk position in the upcoming budget cycle. Commissioner Von Canon asked about how many distress calls her office got and she said it was not as many as you would think with the last being probably a couple of years prior. She said in those cases they would not get off the phone and would connect with other resources such as the Sheriff's Office, the VA crisis line, etc. to get the person help. Commissioner Von Canon asked if there was a method to get in touch with veterans in assisted living and Ms. Greene explained that they did outreach events, which were restricted during COVID, but did not have the staff to do individual visits. Commissioner Von Canon noted the number of reservists and national guard and said the State should be reaching out. Commissioner Kurt shared his experience in going through the process and said whatever the

Board could do to support Ms. Greene, they would be 100% behind her. He said she did an amazing job. Commissioner Von Canon said now would be a good time to hit veterans issues hard with the local legislative delegation all being on board. Chairman Picerno said it would be good for the Board to create a veterans task force and with Commissioners Cook and Von Canon on it, they could move mountains. He said Ms. Greene had opened a lot of eyes regarding the County's function. Commissioner Cook said they could use what they found to assist law enforcement and other first responders as well. Commissioner Von Canon asked Ms. Greene how long it took a new veterans service officer to be qualified to work alone once hired and she said about 4-5 months.

Special Funding

Opioid Settlement Funding:

Mr. Vest reviewed funding already received and what was anticipated to be received. He shared that the County had distributed a survey to key stakeholders and introduced Assistant Budget Manager/Internal Auditor Kris Klug to share the results. She said that of 38 who received the survey, there were 32 respondents, and she reviewed the results. Commissioner Cook inquired regarding tracking of patients and it was explained that the County did not have the resources to do that but other organizations did follow such processes. Interested stakeholders in attendance at the meeting introduced themselves and briefly shared about their organizations: Maggie Sergio – Samaritan Colony, Roxanne Elliott – Sandhills Opioid Response Consortium, Dr. William Johnstone – The TIDES, Brian Decker/Stephen Coleman/Russell Cambria – Adult and Teen Challenge, Charay Dupree-Smith – Drug Free Moore County, Victoria Whitt/Anthony Ward – Sandhills Center for Mental Health/Developmental Disabilities/Substance Abuse Services, Dr. Tim Locklair – Moore County Schools, Annette McGraw – Juvenile Crime Prevention Council. Mr. Vest explained that now they were moving into the next steps with the funding and discussed considerations for allocation. Chairman Picerno suggested creation of a task force of Commissioners Quis and Ritter to be given 30 days to determine the distribution and bring it back to the Board. He said they could call another special meeting if needed. Commissioner Von Canon noted he would like to see expenditures and success rates for programs. Mr. Vest discussed the process and reporting requirements for the funding. Commissioner Quis suggested the task force be given until the end of February instead of 30 days. Sheriff Ronnie Fields discussed his office's response to the opioid crisis and work with community partners. He shared information regarding an arrest the day prior that involved five kilos of fentanyl. He discussed the importance of space to help with females, especially pregnant females. Major Andy Conway discussed issues with inmates and identifying addiction. Chairman Picerno said he would like for the Sheriff to put someone on the opioid task force, too, and the Sheriff agreed. Commissioner Von Canon said there also needed to be a focus on the schools and prevention with testimonials. He said also that Narcan should be supplied to the schools, and he reminded everyone that the drug problem was also sometimes a mental health issue. Chairman Picerno called for a five-minute break.

Tax

Tax Administrator Gary Briggs presented additional information regarding the upcoming tax revaluation, continuing his presentation from the previous day. Chairman Picerno asked when he would be ready to show the Board what he needed regarding new software, etc. and Mr. Briggs shared that his staff was in a meeting this day about it. He said a request for proposals had been submitted and he hoped to have it all quantified in the next two months. County Manager Wayne Vest offered comments regarding the process for delinquent taxes and an upcoming advertisement of tax liens. There was additional discussion on options for online payments.

Property Management

Property Management Director Gene Boles continued his presentation from the previous day and there was lengthy discussion regarding equipment needed and available landfill space, and the potential for a land swap. Commissioner Quis inquired regarding other options for the upgrade of the Aberdeen collection site that had been designed. Chairman Picerno suggested that a task force be created to address Solid Waste issues such as the new compactor site, landfill, etc. and recommended that he and Commissioner Von Canon serve. The Board recessed for lunch at 11:50am and reconvened at 12:30pm.

Growth / Development / Infrastructure Considerations

Public Safety:

Sheriff Ronnie Fields presented information on issues for his office and shared details of a significant drug seizure and arrest that had occurred the day prior. He made note of drugs, firearms, jewelry, cash, etc. that had been seized in the last year. He said there had been a lot of overdose deaths and he would be asking for an additional detective sergeant position for narcotics. He addressed a discrepancy in response times that had been reported and Chief Deputy Richard Maness explained further an error in reporting which had been corrected. Regarding new training standards discussed the previous day and discussion that continued this day, Chairman Picerno asked Sheriff Fields to have someone send wording for a resolution that that Board could send to the General Assembly. Chairman Picerno asked about an increase in traffic accidents and Sheriff Fields indicated that preventative patrol was needed but there were not enough resources.

Public Safety Director Bryan Phillips continued his presentation from the previous day. Chairman Picerno asked for more information regarding Station X. Mr. Phillips explained that it would be in partnership with Robbins. Commissioner Von Canon asked how much more it would cost to provide sleeping quarters and showers for the Pinehurst station redesign and Mr. Phillips indicated that what was currently available was sufficient. Commissioner Von Canon asked about the possibility of building up and Mr. Phillips discussed limitations due to the sprinkler system, etc.

Commissioner Von Canon asked staff to share a spreadsheet of wait times for ambulances at the hospital and EMS Chief Grant Hunsucker discussed this issue in detail. He said there had been some improvement in

wait times since the same time the last year. There was discussion regarding rules governing wait times and Chairman Picerno said it may be a good idea to draft a letter to FirstHealth and copy legislators.

Mr. Phillips discussed the narrowbanding project, the deadline, and the cost. He and Mr. Hunsucker concluded their presentation with additional information on the yellow dot program, the RACECARS study, the unified tax rate, and equipment.

The Chairman called for a five-minute break.

Moore County Schools:

Dr. Tim Locklair continued his presentation from the previous day. Chairman Picerno asked how Union Pines and Pinecrest High Schools were operating daily being way over capacity and Dr. Locklair said with modular units and creative things. Chairman Picerno asked for an example of a creative thing and Dr. Locklair said teachers may float, or they may have four lunch periods instead of two, and he said it helped that some students also went to Sandhills Community College for some periods of the day. Chairman Picerno asked if there had been any discussion on an additional high school and Dr. Locklair said yes, but it also would not take away the renovation needs at the existing schools. Chairman Picerno asked what modernization of the schools would encompass and Dr. Locklair explained that it could include rearrangement to better meet needs, modernization of fixtures, etc. Executive Officer for Operations Jenny Purvis added it would also include ADA compliance. There was discussion regarding large versus small school benefits. Chairman Quis asked if the ADM of 12,891 provided the previous day included charter students and Dr. Locklair said no and said there were about 1,295 charter students. Chairman Quis asked from where the data came and Dr. Locklair said it was from the Institution for Transportation Research and Education, Operations Research and Education Laboratory. Chairman Quis inquired as to whether the announcement of three large manufacturers north of Moore County had been factored into the data and Dr. Locklair indicated he was not sure if they had that data and its impacts. Commissioner Quis said he was glad they were looking ten years out. Chairman Picerno observed that attendance was up to about where it was when he first served on the Board in prior years.

Planning/Permitting/Environmental Health:

Planning Director Debra Ensminger continued her presentation from the previous day. Discussion ensued regarding whether revisions should be made first to the Unified Development Ordinance (UDO) or to the Land Use Plan. Ms. Ensminger explained how changes to the UDO came about and County Manager Wayne Vest also offered background information. County Attorney Misty Leland offered legal insight. Chairman Picerno asked Ms. Ensminger what she recommended the Board do to get the County to the point that developers knew where they could develop and the people had a say, but developers did not have to spend \$100,000. Ms. Ensminger said the UDO needed to mirror the Land Use Plan. Chairman Picerno asked if that was as is, or changed. Ms. Ensminger discussed that if the UDO was changed it would be to meet a pressure point need, but the Land Use Plan needed to be updated regardless. Chairman Picerno asked if she liked the steering committee process, and she said yes. He asked if Ms. Ensminger could outline a steering committee. Commissioner Quis said this was an excellent idea and it was critical to hear how the people of

Moore County wanted to grow, not just the five commissioners, and he suggested some professional land use planners could be engaged. He noted it was important also to partner with the communities, particularly the smaller communities, and commented that adding the professional component might speed the process up. Ms. Ensminger noted that a consultant could take a while because that person would have to earn trust and be educated on the County, etc. Chairman Picerno asked Ms. Ensminger to put together an outline and involve anyone needed, including Public Works Director Randy Gould, Public Safety Director Bryan Phillips, Moore County Schools Superintendent Dr. Tim Locklair, etc., and the Board would make sure people got a chance to speak. Ms. Ensminger discussed that everyone needed to share information and get on the same page, not just the County but also the towns, regarding how they wanted Moore County to look and how it should grow. Commissioner Von Canon discussed that people were saying they would like to see developments go closer to the towns, not all out in the country, and he discussed the importance of affordable housing. Chairman Picerno discussed fixing the Land Use Plan first and Ms. Leland commented regarding inconsistencies in the Plan and the UDO. Chairman Picerno asked staff to provide a list of inconsistencies in the Land Use Plan and the UDO within thirty days. Mr. Vest noted a request for central permitting to also be considered and Chairman Picerno asked Ms. Ensminger to provide information on implementation of central permitting as well.

Public Works:

Public Works Director Randy Gould and Adam Kiker, Principal with LKC, continued their presentations from the previous day. Chairman Picerno inquired about Robbins as an option for water and Mr. Kiker said it had been looked at conceptually. Chairman Picerno said the county had tried his first time on the Board to incorporate Robbins because they were a local municipality. He said there would be a lot of growth north because of the plants that were coming. Robbins Town Manager Clint Mack joined the discussion and inquired regarding interbasin transfers and Mr. Kiker offered explanation. Commissioner Cook made note that another factor that needed to be considered was security and Mr. Gould concurred. Chairman Picerno asked staff to get a price for cameras. The presentation continued and Commissioner Quis asked about selling to Carthage and Mr. Kiker said he would get an answer on that. Commissioner Ritter inquired regarding sewer and also interbasin transfer thresholds and Mr. Kiker indicated that transfers were tied to the source. Commissioner Ritter asked Mr. Mack asked how much excess water Robbins had from Montgomery County and he said close to 3M gallons. He asked how long the contract was with Montgomery County and Mr. Mack said it was near its one-year anniversary, and he noted the biggest issue was water quality. Commissioner Ritter asked for further clarification regarding sewer and Mr. Kiker explained. Chairman Picerno asked if Robbins could be analyzed, and Mr. Kiker indicated it would be included. There was discussion regarding distance from the water source and Mr. Gould explained that quality was fine for Harnett County despite the distance and the issue with Montgomery County quality was organics and disinfectant. Mr. Gould asked the commissioners if they would eliminate any option, add any option, or if LKC was on track. Chairman Picerno said he would eliminate the City of Sanford as an option. County Manager noted that at some point, the County would have to look at an expansion for Addor.

Wrap-Up / Board and Committee Assignments / Closing Comments

Chairman Picerno recapped the theme of the work session, “Where We Are, Where We Are Going, and How We Will Get There,” and noted there were still pieces of the puzzle to put together such as the Land Use Plan and the water/sewer study so the commissioners were not quite ready to make any determinations yet.

Chairman Picerno recommended the following commissioner board/committee assignments: Quis – Convention and Visitors Bureau Board, Moore County Transportation Committee, Transportation Advisory Board; Von Canon – Fire Commission and Local Emergency Planning Committee; Cook – Board of Health and Parks and Recreation Advisory Board; Ritter – Juvenile Crime Prevention Council, Library Board of Trustees, Nursing and Adult Care Home Community Advisory Committee. He asked if there was a motion for approval or any discussion. Commissioner Quis discussed the Board of Health appointment and noted the Health Department was in transition looking for a director, and there were upcoming term expirations on the Board of Health, and the opioid issue. He asked Commissioner Cook how he felt about it and Commissioner Cook indicated he was fine with the appointment and had background both as a patient and in college. Upon motion made by Commissioner Ritter, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the appointments.

The Board then addressed newly created Task Force appointments. Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to approve the following appointments: Law Enforcement/Veterans Task Force – Commissioners Cook and Von Canon, Budget Task Force – Commissioners Picerno and Quis, Water/Sewer Task Force – Commissioners Picerno and Cook, Opioid Task Force – Commissioners Quis and Ritter, Schools Liaison – Commissioner Cook, Solid Waste Task Force – Commissioners Von Canon and Picerno.

Chairman Picerno opened the floor for closing comments. Commissioner Cook said he found the work session extremely educational and professional. He complimented everyone and said this was the reason he moved here and he loved Moore County. Commissioner Von Canon said this was a great bunch of people working together and he said he was proud to be on the Board and proud to be a citizen. Commissioner Ritter thanked Chairman Picerno and County Manager Wayne Vest for organizing the meeting and thanked all the staff who took part. He said it showed how hard they all worked every day. Commissioner Quis thanked staff and said they did a great job putting all the information together. He said though he had been on the Board six years, he still learned a lot. He noted that everyone seemed to be on the same page with planning/development/infrastructure and the commissioners and staff were all on board with listening to the citizens and getting data and advice. Chairman Picerno thanked everyone and said this was the best staff and they would execute the plan.

There being no further business, upon motion made by Commissioner Quis, seconded by Commissioner Von Canon, the Board voted 5-0 to adjourn the January 18 and 19, 2023, Special Meeting of the Moore County Board of Commissioners on Thursday, January 19, 2023, at 4:35pm.

Chairman

Clerk

MOORE COUNTY BOARD OF COMMISSIONERS

TUESDAY, JANUARY 24, 2023

REGULAR MEETING

The Moore County Board of Commissioners convened for a Regular Meeting at 5:30pm, Tuesday, January 24, 2023, in the Commissioners' Meeting Room of the Historic Courthouse, One Courthouse Square, Carthage, North Carolina.

Commissioners Present:

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

Chairman Picerno called the meeting to order. Pastor David Reynolds of Middle Cross Baptist Church offered the invocation and Transportation Director Sonia Biggs led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

The following offered comment: John Misiaszek and Vic Allen.

ADDITIONAL AGENDA

Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to remove item D (loader purchase for Water Pollution Control Plant) under New Business from the agenda.

Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to add to New Business as item G new task force assignments.

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

CONSENT AGENDA

Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to approve the following consent agenda items:

Minutes: January 10, 2023, Regular Meeting & Closed Session Tax Releases/Refunds – November 2022 Tax Releases/Refunds – December 2022 Budget Amendments

Amendment to FY23 Budget Ordinance, Section 10: Trust & Custodial Funds (Sheriff)

III.B.

02/07/2023

Local Educational Bonds – 2018 Bond Referendum – Revision 20

FY 22-23 Rural Operating Assistance Program Additional Allocation

LENCO “Bearcat” Sole Source 2023 Duke Energy Foundation Grant and Budget Amendment The November tax releases/refunds resolutions, December tax releases/refunds resolutions, budget amendments, amendment to the budget ordinance, bond referendum revision, Lenco sole source, and Duke grant budget amendment are hereby incorporated as a part of these minutes by attachment as Appendices A, B, C, D, E, F, and G, respectively. PUBLIC HEARINGS

Public Hearing/Planning – Conditional Rezoning Request: Rural Agricultural (RA) to Rural Agricultural-Conditional Zoning (RA-CZ) – NC 705 HWY Planning Director Debra Ensminger presented a request for a conditional rezoning for construction of an antenna support structure for a wireless communication facility. Chairman Picerno opened the duly advertised

public hearing regarding this matter. Mr. Ralph Wyngarden with Faulk & Foster, on behalf of Verizon, briefly reviewed the need for the site and its benefits. Commissioner Cook asked if it would have generator back-up and Mr. Wyngarden said yes. Commissioner Quis inquired regarding the type of equipment that would be installed and Mr. Wyngarden offered explanation. There being no further speakers, Chairman Picerno closed the public hearing. Upon motion made by Commissioner Cook, seconded by Commissioner Von Canon, the Board voted 5-0 to adopt the approval Land Use Plan Consistency Statement and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605. Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the Conditional Rezoning from Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) to construct a 255' antenna support structure for a Wireless Communication Facility on an approximately 0.23-acre portion of one parcel of approximately 38.19 acres located on NC 705 Highway, owned by Harold & Catherine Hussey, per Deed Book 4901 Page 210 and further described as ParID 20170458 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.

Public Hearing/Transportation – FY 2023/2024 5311 Community Transportation Program Grant Application

Transportation Director Sonia Biggs presented a request for approval to submit an application for the FY 2023-2024 Community Transportation Program Grant for administrative and capital costs. Regarding a local share match that would be funded through contract revenues, Chairman Picerno asked what contract revenue was and Ms. Biggs explained that it came from contracts with agencies like Monarch and the Department of Aging. Chairman Picerno asked if any citizen could call and request service from Moore County Transportation Services and Ms. Biggs said yes, through the Rural Operating Assistance Program, for \$4.00 each way, transportation could be provided to medical appointments, for groceries, to the pharmacy, to work, and for education. Chairman Picerno shared that his granddaughter had asked about this and said the County needed to get the word out. Chairman Picerno opened the duly advertised public hearing regarding this matter. There were no speakers. Chairman Picerno closed the public hearing. Upon motion made by Commissioner Ritter, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the submittal of the FY 2023-2024 Community Transportation Program Grant Capital Application documents to the North Carolina Department of Public Transportation and allow the Chairman to sign all documents associated with this request.

Public Hearing/GIS – Amendment to the Moore County Road Name and Addressing Ordinance to Add Two Roads

GIS Manager Rachel Patterson presented a request for amendment to the Moore County Road Name and Addressing Ordinance to add two roads: Berylwood Ln and Flynn Hills. 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 Quis, seconded by Commissioner Von Canon, the Board voted 5-0 to add two roads to the Moore County Road Name and Addressing Ordinance as proposed. The amendment is hereby incorporated as a part of these minutes by attachment as Appendix I. **NEW BUSINESS**

Public Safety – Request for Approval of Sole Source Radio Communications Contract Public Safety Director Bryan Phillips requested the Board's approval of a sole source contract with Radio Communications Company. Upon motion made by Commissioner Quis, seconded by Commissioner Cook, the Board voted 5-0 to approve a contract with Radio Communications Company for the ongoing annual preventative maintenance and emergency response for major system outages for the Zetron 911 Dispatch Operator and Call Taking System Equipment, software/firmware installations, and routine product, software, and operational support for the primary and back-up 911 center via sole source vendor for the cost of \$54,877 and authorize the Chairman to sign the sole source document. Upon motion made by Commissioner Von Canon, seconded by Commissioner Ritter, the Board voted 5-0 to approve a contract with Radio Communications Company for the ongoing annual preventative maintenance and emergency response for major system outages for the Zetron 911 Dispatch Operator and Call Taking System Equipment, software/firmware installations, and routine product, software, and operational support for the primary and back-up 911 center via sole source vendor for the cost of \$54,877 and authorize the County Manager to execute all necessary documents upon legal and financial approval. The sole source form is hereby incorporated as a part of these minutes by attachment as Appendix J. **Sheriff's Office - Request for Approval of Detention Center Communications Contract Amendment** Captain Bill Flint requested the Board's approval of an amendment to the telephone system and service agreement with Network Communications International Corporation for the detention center. Commissioner Cook inquired regarding revenue for voicemails and Captain Flint further discussed pricing details. Commissioner Quis asked how video visitation worked and if it was used a lot and Captain Flint indicated that it was and that it was increasingly so during and post-Covid. He discussed how it worked and the cost. Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the amendment with Network Communications International Corporation and authorize the Chairman to sign the amendment. **Public Works – Request for Approval of Vass Sewer Phase 2 Pipe Procurement Notices of Award and Contracts**

Public Works Director Randy Gould requested approval for notices of award and contracts for the pipe procurement for the Vass Phase 2 Sewer Extension Project. Commissioner Quis asked inquired regarding whether this was part of the four contract project Mr. Gould had presented to the Board about previously and Mr. Gould confirmed that it was and offered further information. County Manager Wayne Vest asked Mr. Gould to explain the notice of award process and Mr. Gould did so. Upon motion made by Commissioner Ritter, seconded by Commissioner Von Canon, the Board voted 5-0 to award construction contracts for the pipe procurement for the Vass Phase 2 Wastewater Collection System Expansion Project to the following vendors in

the following amounts: Contract 1 to Ferguson Enterprises in the amount not to exceed \$166,462.25, Contract 2 to Ferguson Enterprises in the amount not to exceed \$88,483.61; and authorize the Chairman to sign the Notices of Award and execute the construction contracts when complete contingent upon approval by the County Attorney and USDA. Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to authorize the County Manager or his designee to sign construction change orders up to \$30,000 for each change contingent upon approval by the County Attorney.

Administration – Request for Approval of FY24 Budget Adoption Schedule County Manager Wayne Vest presented a proposed schedule for adoption of the FY 24 budget ordinance. Commissioner Von Canon made a motion, seconded by Commissioner Ritter, to approve the budget schedule which included the statutory requirement for a public hearing to be held on Tuesday, June 20, 2023, and to adopt the County of Moore FY 24 budget at a special called meeting by the Board prior to July 1, 2023. Chairman Picerno asked the Board to keep June 22, 2023, open on the calendar as the date to adopt the budget in a special meeting. The motion to approve the budget schedule carried 5-0. **Legal – Request for Adoption of Resolution Requesting N.C.G.A. to Authorize an Exception to G.S. 14-234.3**

Regarding Local Government Board Member Service on Local Non-Profit Economic Development Boards County Attorney Misty Leland presented a resolution for the Board's consideration regarding an exception to N.C.G.S. 14-234.3 to permit local government board members to serve on nonprofit economic development boards without a legal conflict of interest. Upon motion made by Commissioner Ritter, seconded by Commissioner Cook, the Board voted 5-0 to approve the Resolution requesting the North Carolina General Assembly to authorize an exception to G.S. 14-234.3 allowing local government board members to serve on local nonprofit economic development boards. The resolution is hereby incorporated as a part of these minutes by attachment as Appendix K.

Governing Body – Additional Task Force Assignments Chairman Picerno shared that upon giving further thought to task force creation and assignments from the Board's work session held the prior week, he determined additional task forces that he desired to implement. Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to appoint Commissioners Picerno and Ritter as the Land Use Plan/Unified Development Ordinance Task Force. Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to appoint Commissioners Picerno and Quis as the Economic Task Force. Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to appoint Commissioners Ritter and Cook as the Legislative Task Force.

APPOINTMENTS Board of Health

Commissioner Von Canon made a motion, seconded by Commissioner Cook, to appoint Tom LoSapio to the Board of Health to fill the unexpired term of at-large member Paul Kuzma through April 30, 2023. Commissioner Quis expressed concern regarding the lack of collaboration with the Board of Health chairman regarding potential appointees. His concerns were noted. The motion to appoint Mr. LoSapio carried 4-1 (Von Canon, Cook, Picerno, Ritter – for; Quis – opposed).

Local Emergency Planning Committee

Upon motion made by Commissioner Ritter, seconded by Commissioner Quis, the Board voted 5-0 to appoint Jonathan Bym as the local media representative member on the Local Emergency Planning Committee for a three-year term commencing February 1, 2023, and expiring January 31, 2026.

Parks and Recreation Advisory Board

Upon motion made by Chairman Picerno, seconded by Commissioner Von Canon, the Board voted 5-0 to reappoint Randy Saunders to the Parks and Recreation Advisory Board for a three-year term commencing February 1, 2023, and expiring January 31, 2026, waiving the term limit.

Transportation Advisory Board Upon motion made by Commissioner Quis, seconded by Commissioner Von Canon, the Board voted 5-0 to appoint Rebecca Kimbrell to the Transportation Advisory Board to fill the unexpired term of Maria Motto through June 30, 2025.

Southern Pines Planning Board ETJ Upon motion made by Commissioner Quis, seconded by Commissioner Ritter, the Board voted 5-0 to appoint Monica Harvey as an ETJ member of the Town of Southern Pines Planning Board for a term commencing

January 10, 2023, and expiring January 9, 2026. **COMMISSIONERS' COMMENTS** Commissioner Ritter thanked everyone for coming and wished them a good night.

Chairman Picerno asked the commissioners to check their schedules and reserve February 9, 2023, as a work session day. He said he wanted to take all the task forces that had been created and set goals and plans for them. He said to let the clerk or manager know as soon as possible if they had a conflict with the proposed date.

Chairman Picerno commented regarding public comments made earlier in the meeting on potentially bringing economic development in-house, noting that Moore County was a special and unique place and had historically had a lower unemployment rate than that reported at the statewide or nationally. He reminded everyone of the Board's work session theme, "Where We Are and Where We Are Going," and said it was a critical time for Moore County and he wanted everyone to give that deep thought. **ADJOURNMENT** There being no further business, upon motion made by Commissioner Quis, seconded by Commissioner Cook, the Board voted 5-0 to adjourn the January 24, 2023, Regular Meeting of the Moore County Board of Commissioners at 6:39pm.

Nick Picerno, Chairman

Laura M. Williams, Clerk to the Board

Agenda Item: Meeting Date: 2/7/23 MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Randy Gould, Public Works Director

DATE: January 25, 2023

SUBJECT: Resolution Accepting the Final Offer to Purchase Surplus Property – Portion of Well Site 2A (4,223 Square Feet), located at 175 McKenzie Road West, Pinehurst, NC, LRK # TBD

REQUEST: Adopt a resolution accepting the final high offer to purchase surplus property a “Portion of Well Site 2A (4,223 Square Feet)”, located at 175 McKenzie Road West, Pinehurst and authorize the offer to purchase for \$12,035.00.

BACKGROUND: The County owns Well Lot 2A which contains an active well the County wishes to retain in service. The well lot is oversized and contains property in excess of that needed to sustain the 100 ft. well radius, site access and potential well replacement area.

An adjacent property owner wishes to purchase approximately 4,223 SF along the back property line to allow desired improvements to their property. As such the adjacent owner obtained a property survey of the desired property and an appraisal. The appraisal states the Indicated Value by Sales Comparison Approach is \$12,035.

On October 26, 2022, an offer to purchase a “Portion of Well Site 2A, (4,223 SF)” was received from Mr. Clyde H. Biddle, Jr., and Judy Biddle. The offer was in the amount of \$12,035.00 and Mr. and Mrs. Biddle have submitted the required 5% deposit.

On January 10, 2023, the Moore County Board of Commissioners approved the resolution authorizing the upset bid process. The Public Notice was published in The Pilot newspaper on January 15, 2023, for a 10-day period. The bid period ended on Wednesday, January 25, 2023, and no upset bids were received.

IMPLEMENTATION PLAN:

After adopting the Resolution, the County will begin the closing process to occur within 90 days of approval of the final high offer.

FINANCIAL IMPACT STATEMENT: Selling the property will generate additional funds for Moore County Public Utilities. The revenue

from the sale of the lot will be deposited to Public Utilities Well Site Disposition account 61018000 36860.

III.E.

RECOMMENDATION SUMMARY: Request the Board make a motion to adopt the resolution accepting the final high offer of \$12,035.00

to purchase surplus property for a "Portion of Well Site 2A (4,223 SF)", located at 175 McKenzie Road West, Pinehurst, NC and authorize the Chairman to sign all necessary documents. SUPPORTING ATTACHMENTS:

1. Resolution Authorizing the Final High Offer for a Portion of Well Site 2A (4,223 SF) 2. Map of Property 3. Appraisal

RESOLUTION ACCEPTANCE OF THE FINAL HIGH OFFER TO PURCHASE MOORE COUNTY PROPERTY FOR "PORTION OF WELL SITE 2A", LRK TBD WHEREAS, the County of Moore owns certain real property located at 175 McKenzie Road West, Pinehurst, Moore County, North Carolina, being known and more particularly described as "PORTION OF WELL SITE 2A, (4,223 Square Feet)" LRK# TBD; and WHEREAS, the property was acquired by the Moore Water and Sewer Authority ("MOWASA"), for the purposes of operating a water system; and WHEREAS, the property was transferred to the County by MOWASA on October 1, 1999; and

WHEREAS, since that time, the County operates an active well on a well lot that is oversized and contains property in excess of that needed to sustain the 100 ft. well radius, site access and potential well replacement area; and WHEREAS, an adjacent property owners, Clyde H. Biddle, Jr., and Judy Biddle, have obtained a survey and appraisal and offered to purchase 4,223 SF for \$12,035.00, to allow desired improvements to their property; and WHEREAS, North Carolina General Statute 160A-269 permits the County to sell real property by negotiated offer and upset bid; and

WHEREAS, on October 26, 2022, the Board of Commissioners acknowledges receipt of an offer from Clyde H. Biddle, Jr and Judy Biddle in the amount of \$12,035.00 for the 4,223 SF property described above; and

WHEREAS, Clyde H. Biddle Jr and Judy Biddle have paid the required five percent deposit on this offer;

WHEREAS, on January 10, 2023, the Board of Commissioners approved the resolution authorizing the upset bid process;

WHEREAS, the Public Notice was published in THE PILOT Newspaper on January 15, 2023, for a 10-day period; WHEREAS, the bid period expired at 5:00 p.m. on January 25, 2023, and no upset bids were received.

NOW, THEREFORE, the Board of Commissioners of the County of Moore resolves that: 1. The Board of Commissioners authorized sale of the property described above through the upset bid procedure of North Carolina General Statute 160A-269; and

2. The offer from Mr. Clyde H. Biddle, Jr and Judy Biddle in the amount of \$12,035.00 be accepted under the terms and conditions as set forth in the advertisement for Sale of the 4,223 SF Property and that the Chairman of the Board of Commissioners is authorized to execute the deed and transfer title to the purchaser under the terms and conditions set forth in the Advertisement for the Sale of the Property Agreement referenced herein.

ADOPTED this the 7th day of February 2023, 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

AGENDA ITEM _____

MEETING DATE 2/7/2023

MEMORANDUM TO MOORE COUNTY BOARD OF COMMISSIONERS

FROM: Ron Maness, Airport Director

DATE: 1/17/2023

SUBJECT: Terminal Building Concept Design and Plan

REQUEST:

1. Approve Project Budget Ordinance & Resolution for Project #36237.67.12.2, Terminal Building Concept Design and Plan

BACKGROUND:

The Terminal Building Concept Design and Plan Project #36237.67.12.2 has a proposed budget of \$94,885 (\$94,885 Federal and \$0 Local). This project will be funded with Federal (Federal 2021 NPE Grant and ARPA Match funds).

IMPLEMENTATION PLAN:

County Finance Staff will set up the appropriate budget accounts for the project.

FINANCIAL IMPACT:

There is no local match required for this grant.

RECOMMENDATION SUMMARY:

Approve Project Budget Ordinance and Resolution for Project #36237.67.12.2 Terminal Building Concept Design and Plan

SUPPORTING ATTACHMENTS:

Project Budget Ordinance for Terminal Building Concept Design and Plan

Project Resolution for Terminal Building Concept Design and Plan

III.F.

PROJECT BUDGET ORDINANCE
TERMINAL BUILDING CONCEPT DESIGN AND PLAN
PROJECT # 36237.67.12.2

BE IT ORDAINED, by the Moore County Board of Commissioners, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant ordinance is hereby adopted:

Section 1: The project authorized is for the Terminal Building Concept Design and Plan Project # 36237.67.12.2. This project will utilize Federal 2021 NPE and ARPA Match funds of \$94,885.00. The total amount of the project will be \$94,885.00 (\$94,885 Federal; \$0 local).

Section 2: The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents, the rules and regulations of the North Carolina Department of Transportation-Division of Aviation and the Federal Aviation Administration, and the budget contained herein.

Section 3: The following revenues are anticipated to be available to complete the Terminal Building Concept Design and Plan Project:

Funding Source Current
Federal Aid to Airports \$94,885
Total \$94,885

Section 4: The following amount is an estimate of appropriation for the Terminal Building Concept Design and Plan Project:

Current
Total \$94,885

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

Section 6: The Finance Director is directed to report the financial status of the project as requested by the Board.

Section 7: This Project Ordinance shall be entered in the minutes of the Moore County Board of Commissioners meeting after adoption of this Ordinance and copies shall be filed with the Finance Officer.

First adopted on this 7th day of February 2023.

Nick Picerno, Chairman

Moore County Board of Commissioners

Laura M. Williams

Clerk to the Board

RESOLUTION AUTHORIZING THE
ACCEPTANCE OF FUNDS FOR
TERMINAL BUILDING CONCEPT DESIGN AND PLAN
PROJECT # 36237.67.12.2

WHEREAS, the Moore County Airport Authority is eligible for Federal funds under the Non-Primary Entitlement Block Grant and ARPA Match Funds in the amount of \$94,885 for the Terminal Building Concept Design and Plan project; and

WHEREAS, the Moore County Airport Authority has been granted Federal funds of \$94,885 for the Terminal Building Concept Design and Plan project; and

WHEREAS, the North Carolina Department of Transportation-Division of Aviation has notified the Moore County Airport Authority that Federal funds are awarded for the Terminal Building Concept Design and Plan project in the amount of \$94,885 Federal funds; and

WHEREAS, such allocation of funds will be approved, which was approved by the Moore County Airport Authority at their January 11, 2023 meeting; and total cost of the project will be \$94,885 (\$94,885 Federal; \$0 local).

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED THAT the Airport Authority Chairman, Representative of the Moore County Airport Authority, is hereby authorized and empowered to enter into a Grant Agreement and all associated documents and amendments for the following amounts, which will consist of the following work elements: Terminal Building Concept Design and Plan in the proposed amount of \$94,885.

FURTHER, the County's Finance Director is authorized to request payment under said Federal Grant, using the State's Partner on-line program. The Finance Director is also authorized to approve electronically the AV-502 Quarterly Project Status Reports; and

FURTHER, the Moore County Airport Authority is authorized to administer the Grant and any associated State Grant Agreements in accordance with guidelines set out in the said grant agreements and to enter into any associated contracts and agreements as it relates to the project.

First adopted this 7th day of February 2023.

Nick Picerno, Chairman
Moore County Board of Commissioners

Laura M. Williams, Clerk to the Board

Call To – Special Use Permit – Grant St & MacDougall Dr – Staff Report

Agenda Item: _____ Meeting Date: February 7, 2023

MEMORANDUM TO THE BOARD OF COMMISSIONERS

FROM: Debra Ensminger Planning Director

DATE: January 9, 2023

SUBJECT: Call to a Quasi-Judicial Hearing for a Special Use Permit Request: Recreation, Indoor (Grant Street & MacDougall Drive, Seven Lakes)

PRESENTER: Debra Ensminger

REQUEST

Lisa Mace is requesting a Special Use Permit for Recreation, Indoor to operate a dance studio on 0.68 acres, located on Grant Street and MacDougall Drive, owned by KGM Investments, per Deed Book 1597 Page 223, Plat Cabinet 19 Slide 429 and further described as ParID 00028621 and ParID 00028622 in Moore County Tax Records.

BACKGROUND

Lisa Mace has applied for a Special Use Permit to operate a dance studio on the subject property located at the corner of Grant Street and MacDougall Drive. Presently, the subject property is vacant and is zoned Village Business District (VB) which requires a Special Use Permit for the Recreation, Indoor use. The submitted application and site-specific development plan meet the requirements of section 8.86 (Recreation, Indoor) of the Moore County Unified Development Ordinance.

Adjacent land uses include a plumbing contractor, vacant property, restaurant, vehicle repair and a medical office. The Village Business (VB) Zoning District is intended to acknowledge the developed business are surrounding the Gated Community of Seven Lakes zoning district.

IMPLEMENTATION PLAN

Call for a Quasi-Judicial Hearing on February 21, 2023, at 5:30pm.

REQUIRED FINDINGS In recommending the Special Use Permit the following findings must be met: 1.The use will not materially endanger the public health or safety;
2.The use meets all required conditions and specifications;
3.The use will not substantially injure the value of adjoining property unless the use is a public necessity;4. The use will be in harmony with the surrounding area and compatible with the surrounding neighborhood; and
VI.A.

Call To – Special Use Permit – Grant St & MacDougall Dr – Staff Report

5. The use will be in general conformity with the approved Moore County Land Use Plan.

APPLICATION REVIEW COMMENTS

The proposed site plan meets all requirements of the Moore County Unified Development Ordinance, including Section 8.86 (Indoor Recreation) A. Definition

1. Generally

A fully enclosed facility providing for one or several recreational uses including sport auditoriums (basketball, dance, martial arts, soccer, swimming, tennis, wrestling), batting cages bowling alleys, skating rinks, and other recreational uses such as non-profit community centers, non-profit youth facilities, health and fitness clubs, gyms, movie theaters, and general gaming establishments.

B. Standards 1. All buildings and parking shall be located a minimum 50 feet from any residentially zoned property line.

2. Indoor recreation uses shall provide at least one off-street parking space for every two participants at full capacity.

FINANCIAL IMPACT STATEMENT

No financial impact to the County's FY 2022-2023 budget. RECOMMENDATION SUMMARY Make a motion to call for a Quasi-Judicial Hearing on February 21, 2023, at 5:30pm for Special Use Permit for Recreation, Indoor to operate a dance studio on 0.68 acres, located on Grant

Street and MacDougall Drive, owned by KGM Investments, per Deed Book 1597 Page 223, Plat Cabinet 19 Slide 429 and further described as ParID 00028621 and ParID 00028622 in Moore County Tax Records.

SUPPORTING ATTACHMENTS

- Photos of Property
- Vicinity Map, Land Use Map, Zoning Map
- Special Use Permit Application
- Submitted Site Specific Development Plan
- Deed Book 1597, Page 223
- Plat Cabinet 19, Slide 429

Call To – Special Use Permit – Grant Street & MacDougall Drive – Staff Report

View of subject property (from Grant Street)

View of subject property (from MacDougall Drive)

Call To – Special Use Permit – Grant Street & MacDougall Drive – Staff Report

View of adjacent property (135 MacDougall Drive)

View of adjacent property (144 MacDougall Drive)

Call To – Special Use Permit – Grant Street & MacDougall Drive – Staff Report

View of adjacent property (169 MacDougall Drive)

View of adjacent property (241 Grant Street)

Call To – Special Use Permit – Grant Street & MacDougall Drive – Staff Report
View of adjacent property (196 MacDougall Drive)

NC

2

1

1

NC 73NC 705NC 73Text

Vicinity Map

Urban Transition HCOD

(400' from ROW line
on each side)

Plumbing Contractor

Vacant

Medical Office

Restaurant

Vehicle Repair

Shaded area proposed

Recreation, Indoor

Recreational Vehicle Repair

Land Use Map

Medical Office

Zoning Map

VB

GC-SL

Shaded area proposed

Recreation, Indoor

Juniper Lake Rd – Conventional Rezoning – Call To Staff Report

Agenda Item: ____ Meeting Date: February 7, 2023

MEMORANDUM TO THE BOARD OF COMMISSIONERS

FROM: Debra Ensminger Planning Director

DATE: January 6, 2023

SUBJECT: Conventional Rezoning Request: Residential and Agricultural-5 (RA-5) to Residential and Agricultural 2 (RA-2) – Juniper Lake Rd.

PRESENTER: Debra Ensminger Planning Director

REQUEST

Ken Loyd is requesting a Conventional Rezoning from Residential and Agricultural-5 (RA-5) to Residential and Agricultural-2 (RA-2) of an approximately 3.86-acre portion of one parcel of approximately 8.76 acres, located on Juniper Lake Rd, owned by Kenton and Judith Loyd, per Deed Book 5887 Page 140 and further described as ParID 00027965 in Moore County Tax Records.

BACKGROUND The property consists of two sections on the North and South sides of Juniper Lake Rd. The portion of the subject property to be rezoned (3.86 acres) is on the South side of the road and is currently wooded and a single-family dwelling is being constructed on the lot, while the other portion of the parcel (4.9 acres) North of Juniper Lake Rd. is clear cut. Adjacent properties include single-family dwellings, wooded areas, and clear-cut areas.

The northern piece of the parcel is already zoned RA-2. The applicant is requesting a rezoning to consistently zone the entire parcel which would allow them the option to subdivide the land.

The parcel is within a half-mile of a Voluntary Agricultural District. The parcel is within the Nicks Creek WS-IIIP watershed (average of 2 dwelling units / 1 acre per project).

IMPLEMENTATION PLAN Call for a Public Hearing on February 21, 2023, at 5:30 p.m.

FINANCIAL IMPACT STATEMENT

No financial impact to the County's FY 2022-2023 budget.

PLANNING BOARD RECOMMENDATION The Planning Board met on January 5, 2023, and unanimously recommended approval of the rezoning request (6-0).

VII.A.

Juniper Lake Rd – Conventional Rezoning – Call To Staff Report

ZONING DISTRICT COMPATIBILITY The requested rezoning to RA-2 is consistent with the existing uses located near the property

including residential and agricultural uses. The surrounding area is zoned Residential and Agricultural-2 (RA-2). **CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN** The Future Land Use Map identifies the property as the Rural Agricultural Classification. The requested rezoning to Residential and Agricultural-2 (RA-2) is compatible with the Rural Agricultural Land Use Classification as defined in the Moore County Land Use Plan. The Land Use Plan states the Rural Agricultural Classification's primary use of the land is to support rural residential life associated with agricultural uses (e.g. row crops, forestry, horticulture, grazing, poultry, dairy, swine operations, and intensive agricultural uses in certain areas) and other rural activities. Major subdivisions of land are strongly discouraged; however, family subdivisions and subdivisions of four or less lots would be considered. The Moore County Unified Development Ordinance states the Residential and Agricultural-2 (RA-2) district is where the principal use of the land is for low-density residential and agricultural purposes and to discourage any use which would generate traffic on minor streets other than normal traffic to serve the residences and farms on those streets. The applicant is seeking a conventional rezoning to uniformly zone the entire parcel which would allow them the possibility to subdivide the land if desired.

The rezoning request aligns with the following Goals, Recommendations and Actions as included in the attached Land Use Plan Consistency Statement, including:

- Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities). The Residential and Agricultural-2 District is a low density residential and agricultural uses district that requires a 2-acre minimum lot size. This preserves and protects the ambiance and heritage of the County providing a rural setting which fits right in line with the Rural Agricultural Classification located on Page 82 of the 2013 Land Use Plan.

Juniper Lake Rd – Conventional Rezoning – Call To Staff Report
MOORE COUNTY FUTURE LAND USE MAP

RECOMMENDATION SUMMARY Make a motion to call for a Public Hearing on February 21, 2023, at 5:30 p.m. for a Conventional Rezoning from Residential and Agricultural-5 (RA-5) to Residential and Agricultural-2 (RA-2) of an approximately 3.86-acre portion of one parcel of approximately 8.76 acres located on Juniper Lake Rd, owned by Kenton and Judith Loyd, per Deed Book 5887 Page 140 and further described as ParID 00027965 in Moore County Tax Records. ATTACHMENTS

- Pictures of the property and adjacent properties
- Vicinity Map
- Land Use Map
- Zoning Map
- Municipal Zoning Map
- Rezoning Map
- Submitted Rezoning Application
- UDO – Chapter 6. Table of Uses
- Deed Book 5887 Page 140

Juniper Lake Rd – Conventional Rezoning – Call To Staff Report

VIEW OF PORTION OF PROPERTY TO BE REZONED RA-2

VIEW OF REMAINDER OF SUBJECT PROPERTY ACROSS JUNIPER LAKE RD

Juniper Lake Rd – Conventional Rezoning – Call To Staff Report

VIEW OF JUNIPER LAKE RD (WESTBOUND) FROM SUBJECT PROPERTY

VIEW OF JUNIPER LAKE RD (EASTBOUND) FROM SUBJECT PROPERTY

Juniper Lake Rd – Conventional Rezoning – Call To Staff Report

VIEW OF ADJACENT PROPERTY AT 484 JUNIPER LAKE RD

VIEW OF ADJACENT PROPERTY AT 515 JUNIPER LAKE RD

Juniper Lake Rd – Conventional Rezoning – Call To Staff Report
VIEW OF ADJACENT PROPERTY AT 427 JUNIPER LAKE RD

NC 211

NC 5 NC 2 US 15-501NC 73

NC 2

U

S

1

5

-

5

0

1

N

C

2

2

US 1

Pinehurst

Taylortown Southern Pines

Whispering Pines

Foxfire

Carthage

Vicinity Map

Land Use Map

ResidentialResidential

Shaded area proposed

to be rezoned RA-2

Residential Clear-cut

Wooded

Outlined area is part of subject property

and is already zoned RA-2

Shaded area proposed to
be rezoned RA-2

RA-2

RA-40

RA-5

RA-5

RA-40RA-20

Pinehurst Zoning

Pinehurst Zoning

RA-5

RA-5

RA-40RA-20

B-1

B-2

RA-5

Zoning Map

Shaded area proposed
to be rezoned RA-2

TT: R-20

PH: R10

PH: PC

PH: R30

PH: RD PH: R30

PH: R8

PH: R-10

PH: R8

PH: R10

PH: R5

PH: RD

PH: R10

PH: R20

PH: OP

PH: R5

SP: RS-3

PH: OP

TT: WS

Municipal Zoning Map

CHAPTER 6. TABLE OF USES

SECTION 6.1. PRINCIPAL USE TABLE

Moore County UDO Page 53 Last Updated: 11.15.22

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

= 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 AGRICULTURAL USES

Agricultural Uses and Buildings

(Not in a Bona Fide Farm) 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 Z A 8.43 R-3

Dwellings, Duplex P P P P Z A 8.42 R-3

Family Care Home (6 or less) P P P P P P P P Z A 8.45 I, R

Manufactured Home P P P P P P P Z A 8.64 R-3

Manufactured Home Park Z A 8.65 Mix

Multi-Family Residential

Group Care Facility Z S P A 8.54 I, R

Multi-family Dwelling

(3 or more units per lot) Z A 8.74 R-2

Nursing Home S S S S S P P Z A 8.77 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 8.61 B
Pet Day Care, Grooming,
Obedience Training Z P P P A 8.82 B
Veterinary Clinic Z P P P P A 8.110 B

CHAPTER 6. TABLE OF USES
SECTION 6.1. PRINCIPAL USE TABLE

Moore County UDO Page 54 Last Updated: 11.15.22

PRINCIPAL USE TABLE

P = Permitted by-Right

S = Requires Special Use Permit

Z = Permitted in Conditional Zoning District

A = Allowed in PD District

= 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 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 Z A 8.18

Dry Cleaning and Laundromat P P P P P A 8.41 B

Equestrian Cottage Z A 8.44

Hotel and Motel P A 8.59 R-1

Office P P P P A 8.78 B

Small Appliance Repair Shop P P P P A 8.99 B

Trade Contractor Office and

Workshop Z P P P A 8.106 B, S

Retail Services

Auction House P P P A 8.14 A-3,
B

Convenience Store S P P P P P A 8.35 M

Feed and Seed Sales S S P P P A 8.46 B, M

Florist P P P P P A 8.48 B

Flea Market S Z P 8.47 B, M

Garden Center P P P A 8.50 M, U

Manufactured or Modular Home

Sales P P 8.66 B

Restaurant P P P P P A 8.90 A-2

Retail P P P A 8.91 M

Shopping Centers Z S A 8.98 M

Wholesales P S P A 8.112 M

Vehicle Services

Boat & RV Storage P Z Z 8.19 S-1

Car Wash or Auto Detailing P P P P A 8.25 B

Commercial Truck Wash S P P A 8.32 B

Parking Lot as a Principal Use P P P P Z A 8.79 S-2

Taxi Service Z P P A 8.103 B, A-

3

Vehicle, Auto Parts, Tires, Farm

Equipment, Boat, RV – Sales,
Rental, or Service

P P P P A 8.107 B, S-1

Vehicle Service Station

(Gas Stations) P P Z P A 8.108 M

Vehicle Wrecker Service Z Z P 8.109 S-1

CHAPTER 6. TABLE OF USES
SECTION 6.1. PRINCIPAL USE TABLE

Moore County UDO Page 55 Last Updated: 11.15.22

PRINCIPAL USE TABLE

P = Permitted by-Right

S = Requires Special Use Permit

Z = Permitted in Conditional Zoning District

A = Allowed in PD District

= 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 Adult Uses

Adult Gaming Establishment S 8.6 B

Bar / Tavern P S A 8.16 A-2

Brewery / Winery S P P P A 8.21 A-2,

F

Dance Club / Night Club /

Billiards P Z 8.37 A-2,

A-3

Distillery P A 8.39 F-1

Massage & Bodywork Therapy P P P P A 8.71 B

Pawn Shop P Z P 8.80 B

Sexually Oriented Business S 8.95 A-2,

M

Tattoo Parlor, Body Piercing P 8.102 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 A 8.28 E, I

College / Business & Trade School S P P A 8.31 B

Funeral Home with Crematorium P P P P A 8.49 A-3,

B

Government Facility P P P P P P P P P P P P Z A 8.53 B

Hospital S S A 8.58 I

Museum / Art Gallery S P P P A 8.75 A-3

Religious Institution S P P P S S P P P A 8.89 A-3,

E

Security Training Facility S 8.94 B

School, Elementary / Middle /

High S P P P S S P P P A 8.93 E

RECREATION USES

Airport, Public or Private S Z A 8.8 A-3,

B

Airstrip, Small Private S P A 8.9 B
Assembly Hall Z Z Z Z P A 8.13 A-4,
A-5
Camp or Care Center P A 8.22 A-3,
R-1

CHAPTER 6. TABLE OF USES
SECTION 6.1. PRINCIPAL USE TABLE

Moore County UDO Page 56 Last Updated: 11.15.22

PRINCIPAL USE TABLE

P = Permitted by-Right

S = Requires Special Use Permit

Z = Permitted in Conditional Zoning District

A = Allowed in PD District

= 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 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 8.52 A-3

Golf Course (including par 3) S S P P A 8.51 U

Marina (fuel & supplies) P P A 8.70 M

Neighborhood Park P P P P P P P P P P P P Z A 8.76 U

Recreation, Indoor S P S A 8.86 A-5

Recreation, Low Impact Outdoor P P P P P P P P P S A 8.87 A-5

Recreation, High Impact Outdoor Z Z P 8.88

Shooting Range, Indoor Z P 8.96 A-5

Shooting Range, Outdoor Z P 8.97 A-5

Zoo / Petting Zoo Z P 8.115 A-5,

U

INDUSTRIAL USES

Production

Manufacturing & Sales, Pottery P P P P P 8.83 F

Manufacturing, Light

(no odors or smoke) P A 8.68 F

Manufacturing, General Z 8.69 F-1,

F-2

Utilities / Services

Contractors Storage Yard and

Office Z P P 8.34 S-1,

U

Crematorium Facility Z P 8.36 B

Public & Private Utility Facilities P P P P P P P P P P P P P Z A 8.84 U

Solar Collector Facility S 8.100 U

Antenna Collocation, Major S S S P P P P P P P P Z A 8.113 U

Antenna Collocation, Minor P P P P P P P P P P P P Z A 8.113 U

Small Wireless Facility S S S P P S P P P P P P P Z A 8.113 U

Telecommunications Tower,

Major Z Z Z A 8.113 U

Telecommunications Tower,

Minor S P P S P Z A 8.113 U

Warehousing

CHAPTER 6. TABLE OF USES
SECTION 6.1. PRINCIPAL USE TABLE

Moore County UDO Page 57 Last Updated: 11.15.22

PRINCIPAL USE TABLE

P = Permitted by-Right

S = Requires Special Use Permit

Z = Permitted in Conditional Zoning District

A = Allowed in PD District

= 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 Mini-Warehouse (self service) P Z Z Z Z A 8.72 S

Warehousing or Distribution

Center Z S P 8.111 S-1,
S-2

Waste-Related Services

Debris Management Facility Z Z P 8.38 U

Hazardous Waste / Toxic

Chemical Disposal or Processing S 8.55 U

Landfill S 8.63 U

Mining / Quarry Operation Z S 8.73 U

Salvage Yard S 8.92 U

MAJOR SUBDIVISIONS

Residential Major Subdivision S S S Ch. 19

Non-residential Major Subdivision S S Ch. 19

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.

CHAPTER 6. TABLE OF USES
SECTION 6.2. ACCESSORY USES

Moore County UDO Page 59 Last Updated: 11.15.22

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 "".
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 I 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 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 Z A 8.3 R

Accessory Stick-Built Dwellings P P P P P P Z A 8.4 R

Carport or Garage P P P P P P P P P P Z A 8.81 R,S

Home Occupation, Level 1 P P P P P P P P Z A 8.56 R

Home Occupation, Level 2 Z Z Z Z Z A 8.57 R

Personal Workshop / Storage

Building P P P P P P Z A 8.81 R, S

Family Health Care Structure 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
Cemetery, Family 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

CHAPTER 6. TABLE OF USES
SECTION 6.3. TEMPORARY USES

Moore County UDO Page 60 Last Updated: 11.15.22

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 I MF-CZ PD-CZ

Specific Use Standards Bldg. Code Class. RECREATION USES

Accessory Swimming Pool P P P P P P P P P P P P Z A 8.5 A, R

INDUSTRIAL USES

Amateur Radio and Receive-only

Antennas 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 Z A 8.101 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;

Moore County UDO Page 61 Last Updated: 11.15.22

- #### D. TEMPORARY USE TABLE

- ## 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 Z A 8.33 S-1
Drop-In Child Care Facility	P P P A 8.40
Itinerant Merchant	P P P P A 8.60 n/a
Land Clearing	P P P P P P P P P P P P Z A 8.62 F-1
Manufactured Home or RV,	
Temporary	P P P P P P P A 8.67 R-3
Real Estate Offices, Temporary	P P P P P P P P P P P P Z A 8.85 S-1

Temporary Events (Special Event) P P P P P P P P P P P P Z A 8.104 n/a
Temporary Family Health Care
Structure P P P P P P P P Z A 8.105 R, I
Yard Sales, Residential and Civic P P P P P P P P P P A 8.114 n/a

Vass-Carthage Road – Conventional Rezoning – Call To Staff Report

Agenda Item: ____ Meeting Date: February 7, 2023

MEMORANDUM TO THE BOARD OF COMMISSIONERS

FROM: Debra Ensminger Planning Director

DATE: January 9, 2023

SUBJECT: Conventional Rezoning Request: Residential and Agricultural-40 (RA-40) to Rural Agricultural (RA) – Vass-Carthage Road

PRESENTER: Debra Ensminger Planning Director

REQUEST

Tough Stump Technologies, LLC is requesting a Conventional Rezoning from Residential and Agricultural-40 (RA-40) to Rural Agricultural (RA) of approximately 75.54 acres of two parcels located on Vass-Carthage Rd, owned by Tough Stump Technologies LLC, per Deed Book 5868 Page 385, Plat Cabinet 19 Slide 439 (Tracts 1 & 2) and further described as ParID 20120062 and ParID 20170361 in Moore County Tax Records.

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

BACKGROUND

The subject property is currently used for residential and farming purposes. Adjacent properties include single-family dwellings, farmland, and an event venue. The proposed rezoning area is approximately .82 miles from the Whispering Pines ETJ.

While the parcel does appear to have some freshwater forested wetlands, none are located within the proposed development area. The property is located within the WS- IIIP Watershed is within a half-mile of a Voluntary Agricultural District.

IMPLEMENTATION PLAN

Call for a Public Hearing on February 21, 2023, at 5:30 p.m.

FINANCIAL IMPACT STATEMENT No financial impact to the County's FY 2022-2023 budget.

PLANNING BOARD RECOMMENDATION The Planning Board met on January 5, 2023, and unanimously recommended approval of the rezoning request (6-0).

VII.B.

Vass-Carthage Road – Conventional Rezoning – Call To Staff Report

ZONING DISTRICT COMPATIBILITY The requested rezoning to Rural Agricultural (RA) is consistent with the existing zoning located

near the property as both the RA and RA-40 zoning districts allow similar agricultural and single-family residential uses. The surrounding area is zoned Residential and Agricultural-40 (RA-40). The nearest RA zoned property is approximately 3,760 feet (0.68 miles) from the subject property.

The inconsistency with the RA and RA-40 is that the RA encourages the continuance of agricultural uses as well as to ensure that residential development of appropriate intensities that are consonant with the suitability of land, availability of public services, and that are compatible with surrounding development, will occur at appropriate densities to provide a healthful environment. The RA District is also intended to accommodate rural commercial activities where the use, vegetative buffers, larger lots, and the compatibility of adjacent land uses are considered to provide suitable locations for rural commerce and other rural activities. The RA-40 discourages 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 Classification. The requested zoning to Rural Agricultural (RA) is compatible with the Rural Agricultural Land Use Classification.

The Land Use Plan states 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 Moore County Unified Development Ordinance states the Rural Agricultural (RA) district is intended to encourage the continuance of agricultural uses as well as to ensure that residential development of appropriate intensities that are consonant with the suitability of land, availability of public services, and that are compatible with surrounding development, will occur at appropriate densities to provide a healthful environment. The RA District is also intended to accommodate rural commercial activities where the use, vegetative buffers, larger lots, and the compatibility of adjacent land uses are considered to provide suitable locations for rural commerce and other rural activities.

The rezoning request aligns with the following Goals, Recommendations and Actions as included in the attached Land Use Plan Consistency Statement, including:

- Goal 1: Preserve and protect the ambiance and heritage of the County of Moore (inclusive of areas around municipalities). Most of the property will remain pastureland, preserving most of the property as pasture will align with Goal 1, continuing the rural setting which aligns with the Rural Agricultural Land Use Classification located on Page 82 of the 2013 Land Use Plan.

Vass-Carthage Road – Conventional Rezoning – Call To Staff Report

- Goal 3: Optimize the Uses of Land Within the County of Moore. Recommendation 3.2: Assure an adequate quality & quantity of water is available to support the desired growth

of the County. Action 3.2.6: Continue to monitor development densities and encourage the limitation of impervious surfaces in Public Water Supply Watershed areas through the Watershed Protection Ordinance. - The property is located within the Little River (Vass) WS-III watershed with an average of 2 dwelling units per acre. The Rural Agricultural District minimum lot size

requirement of 1 acre protects the integrity of the Little River (Vass) watershed. Protection of the integrity of the watersheds within the County promotes the public health, safety, and general welfare of residents and visitors to Moore County. The Little River (Vass) watershed will be protected based upon Chapter 16. Watershed Overlay Districts of the Moore County Unified Development Ordinance.

The rezoning request does not align with the following Goals, Recommendations and Actions as included in the attached Land Use Plan Consistency Statement, including:

- Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities).
 - o Recommendation 1.3: Preserve large tracts of prime agricultural land to ensure that farming remains a viable part of the local economy.

- o Recommendation 1.8: Discourage undesirable or unattractive land uses, especially within high visibility areas. - RA zoning district could add land intended to accommodate rural commercial activities to a surrounding area of RA-40 that discourages any use which would generate traffic on minor streets other than normal traffic to serve residences on those streets.

Vass-Carthage Road – Conventional Rezoning – Call To Staff Report
MOORE COUNTY FUTURE LAND USE MAP

RECOMMENDATION SUMMARY

Make a motion to call for a Public Hearing on February 21, 2023, at 5:30 p.m. for a Conventional Rezoning from Residential and Agricultural-40 (RA-40) to Rural Agricultural (RA) of approximately 75.54 acres of two parcels located on Vass-Carthage Rd, owned by Tough Stump Technologies LLC, per Deed Book 5868 Page 385, Plat Cabinet 19 Slide 439 (Tracts 1 & 2) and further described as ParID 20120062 and ParID 20170361 in Moore County Tax Records.

Vass-Carthage Road – Conventional Rezoning – Call To Staff Report

ATTACHMENTS

- Pictures of Property and Adjacent Properties
- Vicinity Map
- Land Use Map
- Zoning Map
- Municipal Zoning Map
- Submitted Conventional Rezoning Application
- UDO – Chapter 6. Table of Uses
- Deed Book 5868 Page 385
- Plat Cabinet 19 Slide 439

Vass-Carthage Road – Conventional Rezoning – Call To Staff Report

View of subject property

Vass-Carthage Road – Conventional Rezoning – Call To Staff Report

View from subject property toward Vass-Carthage Road

View of existing SFD on subject property (2173 Vass-Carthage Road)

Vass-Carthage Road – Conventional Rezoning – Call To Staff Report

View of existing structures on subject property (2187, 2189 & 2193 Vass-Carthage Road)

Vass-Carthage Road – Conventional Rezoning – Call To Staff Report

View of adjacent property (Across Vass-Carthage Road)

Vass-Carthage Road – Conventional Rezoning – Call To Staff Report

View of adjacent property (2151 Vass-Carthage Road)

US 1US 15-501NC 22NC 73 US 1 BYPASSNC

2

4

-

2

7

NC 211 MCNEILLLOB

E

L

I

A

CENTRALMO

N

R

O

E

MAI

N

NC

2

4

-

2

7

US 1 BYPASSVicinity Map

Carthage

VassWhispering Pines

PinehurstTaylortown

Southern Pines

Cameron

Land Use Map
Shaded area proposed
to be rezoned RA
Farmland
Residential
Residential/
Event Venue

Zoning Map

RA-40

RA

Whispering Pines Zoning

B-1

Shaded area proposed
to be rezoned RA

Municipal Zoning Map

WP: RA

Shaded area proposed
to be rezoned RA

Agenda Item:

Meeting Date: February 7, 2023

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Natalie Hawkins

Executive Director, Moore Co. Partners in Progress

DATE: February 3, 2023

SUBJECT: Call to Public Hearing – Iron Horse Industrial Park

PRESENTER: Natalie Hawkins

Executive Director, Moore Co. Partners in Progress

REQUEST:

This agenda item is to request the Moore County Board of Commissioners to call a Public Hearing at 5:30 P.M. on Tuesday, February 21, 2023 to invite public comment on a proposed Economic Development Joint Agreement between Moore County and Moore County Partners in Progress (PIP) for the purchase of approximately 73 acres of land in the Iron Horse Industrial Park located near NC Hwy 211 and Carolina Road in Aberdeen, NC (PAR ID 0005121, Deed Book 406, Page 902).

BACKGROUND:

PIP is requesting Moore County make a \$200,000 investment, as a loan to PIP at 4% (simple, non-compounding) interest over 15 years, to pay for a portion of the \$584,000 cost to acquire land in Iron Horse Industrial Park. The proposed Economic Development Joint Agreement describes the terms of the loan, indicates the responsibilities of PIP to develop the property, and includes a Deed of Trust and Promissory Note.

PIP is requesting the Town of Aberdeen also contribute \$200,000 for the acquisition of the property and enter into an Economic Development Joint Agreement with PIP that is similar to the agreement proposed with Moore County.

Over the last year, PIP has worked diligently to secure a significant amount of funding to get the Iron Horse Industrial Park ready for potential clients. In addition to trying to get the site under public control, PIP has obtained funding to construct an industrial access road and clear/grade a portion of the 73-acre site. Land acquisition and site development costs are estimated at \$1,770,300. PIP has obtained three grants totaling \$609,300 for the project; PIP plans to spend \$713,000 of the \$1.2 million FY2023 state appropriation on land acquisition and site development; and PIP is asking Moore County and the Town of Aberdeen to each contribute \$200,000 for land acquisition.. The remaining \$48,000 for the project will be funded from timber sales when the property is cleared. For over 20 years, PIP has marketed the 73-acre parcel, but has been unsuccessful at recruiting a client to the property to date. This is despite this site being Moore County's best industrial site with VII.C.

immediate access to critical infrastructure including natural gas, rail, water, and wastewater. Moore County and Town of Aberdeen investments to acquire the property will allow PIP to develop the site to make it more attractive to potential clients by shortening their development timelines. The project will benefit Moore County and its citizens by attracting additional businesses, providing additional property, business, and sales tax revenues, expanding employment opportunities, and stimulating the overall economy within the County.

FINANCIAL IMPACT:

Under the terms of the Economic Development Joint Agreement, Moore County's financial investment would be \$200,000. Moore County will accrue 4% (simple, non-compounding) interest annually, with repayment of principal and accrued interest due in 15 years or as property is sold to an industrial client(s).

IMPLEMENTATION PLAN:

Execute the documents if approved.

RECOMMENDATION SUMMARY:

My recommendation is for the Moore County Board of Commissioners to make a motion to approve a call to public hearing at 5:30 P.M. on Tuesday, February 21, 2023, to invite public comment on the proposed Economic Development Joint Agreement, which includes a Deed of Trust and Promissory Note between Moore County and Moore County Partners in Progress.

ATTACHMENTS:

Economic Development Joint Agreement

Agenda Item:

Meeting Date: 2/7/23

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Misty Leland, County Attorney on behalf of Chair Nick Picerno

DATE: 2/2/23

SUBJECT: Support of House Bill 2023-13

PRESENTER: Misty Leland, County Attorney/Chair Nick Picerno

REQUEST:

This is a request for the North Carolina General Assembly to support and ratify House Bill 2023-13.

BACKGROUND:

North Carolina Representative Ben Moss introduced House Bill 2023-13. House Bill 13 is an act requiring the Joint Legislative Economic Development and Global Engagement Oversight Committee to study and evaluate the three-tier system for county economic status designations.

IMPLEMENTATION PLAN:

Effective immediately upon adoption of the motion.

FINANCIAL IMPACT STATEMENT:

None.

RECOMMENDATION SUMMARY:

Make a motion to approve the attached Resolution requesting the NC General Assembly to support and ratify House Bill 2023-13 requiring the Joint Legislative Economic Development and Global Engagement Oversight Committee to study and evaluate the three-tier system for county economic status designations.

SUPPORTING ATTACHMENTS:

Resolution

House Bill 2023-13

IX.B.

Resolution Requesting the North Carolina General Assembly to Ratify House Bill 2023-13
WHEREAS, North Carolina Representative Ben Moss introduced House Bill 2023-13. House Bill 13 is an act requiring the Joint Legislative Economic Development and Global Engagement Oversight Committee to study and evaluate the three-tier system for county economic status designations; and

WHEREAS, the Moore County Board of County Commissioners supports HB 13 and requests its ratification by the General Assembly.

NOW, THEREFORE BE IT RESOLVED, the Moore County Board of County Commissioners requests the North Carolina General Assembly to support and ratify House Bill 2023-13 requiring the Joint Legislative Economic Development and Global Engagement Oversight Committee to study and evaluate the three-tier system for county economic status designations.

This the 7th day of February 2023.

County of Moore

Nick J. Picerno, Chair

Moore County Board of Commissioners

Attest:

Laura M. Williams

Clerk to the Board

Agenda Item:

Meeting Date: 2/7/23

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Misty Leland, County Attorney on behalf of Chair Nick Picerno

DATE: 2/2/23

SUBJECT: Support of Senate Bill 49

PRESENTER: Misty Leland, County Attorney/ Chair Nick Picerno

REQUEST:

This is a request for the North Carolina General Assembly to support and ratify Senate Bill 2023-49, an act to enumerate the rights of parents regarding the upbringing, education, health care, and mental health of their minor children.

BACKGROUND:

North Carolina Senators Galey, Lee, and Barnes introduced Senate Bill 49 is a comprehensive bill that would do the following:

- Establish a Parents' Bill of Rights enumerating certain rights of parents related to the education, health, privacy, and safety of their child; and
- Require public school units to provide parents with information related to parental involvement in schools, legal rights for their child's education, and guides for student achievement; and
- Require public school units to provide notifications on student physical and mental health, require age-appropriate instruction on certain topics in kindergarten – 4th grade, and create remedies for parents to address concerns over implementation of these requirements; and
- Require health care practitioners to obtain written consent from the parent of a minor child before providing treatment. enumerate the rights of parents to direct the upbringing, education, health care, and mental health of their minor children.

IMPLEMENTATION PLAN:

The Resolution will be effective immediately upon adoption of the motion.

FINANCIAL IMPACT STATEMENT:

None.

RECOMMENDATION SUMMARY:

Make a motion to approve the attached Resolution requesting the North Carolina General Assembly to support and ratify Senate Bill 2023-49, an act to enumerate the rights of parents regarding the upbringing, education, health care, and mental health of their minor children.

SUPPORTING ATTACHMENTS:

Resolution

Senate Bill 2023-49

IX.C.

Resolution Requesting the North Carolina General Assembly to Support and Ratify Senate Bill 2023-49

WHEREAS, North Carolina Senators Galey, Lee, and Barnes introduced Senate Bill 2023-49 entitled Parents' Bill of Rights.

WHEREAS, Senate Bill 49 is a comprehensive bill that would do the following:

- Establish a Parents' Bill of Rights enumerating certain rights of parents related to the education, health, privacy, and safety of their child; and
- Require public school units to provide parents with information related to parental involvement in schools, legal rights for their child's education, and guides for student achievement; and
- Require public school units to provide notifications on student physical and mental health, require age-appropriate instruction on certain topics in kindergarten – 4th grade, and create remedies for parents to address concerns over implementation of these requirements; and
- Require health care practitioners to obtain written consent from the parent of a minor child before providing treatment. enumerate the rights of parents to direct the upbringing, education, health care, and mental health of their minor children.

WHEREAS, the Moore County Board of County Commissioners supports Senate Bill 49 and requests its ratification by the General Assembly.

NOW, THEREFORE BE IT RESOLVED, the Moore County Board of County Commissioners requests the North Carolina General Assembly to support and ratify Senate Bill 2023-49, an act to enumerate the rights of parents regarding the upbringing, education, health care, and mental health of their minor children.

This the 7th day of February 2023.

County of Moore

Nick J. Picerno, Chair

Moore County Board of Commissioners

Attest:

Laura M. Williams

Clerk to the Board

Agenda Item: Meeting Date: 02/07/2023

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Laura M. Williams, Clerk

DATE: 01/30/2023

SUBJECT: Appointments / Board of Health

REQUEST:

Appoint physician member to the Moore County Board of Health.

BACKGROUND:

Dr. Mark Brenner's term on the Moore County Board of Health expired January 31, 2023. The physician position is vacant.

IMPLEMENTATION PLAN:

Clerk will make notification of appointment and update records.

RECOMMENDATION SUMMARY:

Make a motion to appoint a physician member to the Moore County Board of Health for a three-year term expiring January 31, 2026.

X.A.

Agenda Item: Meeting Date: 02/07/2023

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Laura M. Williams, Clerk

DATE: 01/30/2023

SUBJECT: Appointments / Economic Task Force

REQUEST:

Appoint new commissioner member to the Economic Task Force.

BACKGROUND:

The Economic Task Force was created by action of the Board during the January 24, 2023, Regular Meeting, and Commissioners Picerno and Quis were appointed as the members. The Chairman has requested that Commissioner Von Canon be appointed in his stead.

IMPLEMENTATION PLAN:

Clerk will update records.

RECOMMENDATION SUMMARY:

Make a motion to appoint Commissioner Von Canon to the Economic Task Force in place of Commissioner Picerno.

X.B.