

MOORE COUNTY BOARD OF COMMISSIONERS

MONDAY, DECEMBER 5, 2022, 10:30 A.M.

REGULAR MEETING

CALL TO ORDER – Chairman

INVOCATION – Rev. Thomas Wesley Moore, West End Presbyterian Church

PLEDGE OF ALLEGIANCE – Misty Leland, County Attorney

I. PUBLIC COMMENT PERIOD (procedures 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: November 15, 2022, Regular Meeting

B. Minutes: November 29, 2022, Special Meeting

C. Budget Amendments

IV. RECOGNITIONS

V. PRESENTATIONS

A. Public Works – Vass Project Update (Randy Gould, Public Works Director)

VI. PUBLIC HEARINGS

VII. OLD BUSINESS

VIII. NEW BUSINESS

A. Property Management – Request for Approval of Sole Source Purchase from Johnson Controls for Network Automation Engines Upgrade for County Facilities (Gene Boles, Property Management Director)

B. Airport – Request for Approval of Project Budget Ordinance and Resolution for Taxilane Extension and Hangar Site Prep (Ron Maness, Airport Director)

C. Airport – Request for Approval of Project Budget Ordinance and Resolution to Construct Hangar Taxiways and Internal Airfield Service Road (Ron Maness, Airport Director)

IX. APPOINTMENTS

A. Foxfire Village Planning & Zoning Board ETJ

B. Sandhills Regional Library System Board of Trustees

C. Transportation Advisory Board

X. ADDITIONAL AGENDA

XI. MANAGER'S REPORT

XII. COMMISSIONERS' COMMENTS

ADJOURNMENT

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

TUESDAY, NOVEMBER 15, 2022

REGULAR MEETING

The Moore County Board of Commissioners convened for a Regular Meeting at 5:30pm, Tuesday, November 15, 2022, in the Commissioners' Meeting Room of the Historic Courthouse, One Courthouse Square, Carthage, North Carolina.

Commissioners Present:

Chairman Frank Quis, Vice Chair Catherine Graham, Jerry Daeke, Nick Picerno, Otis Ritter

Chairman Quis called the meeting to order and welcomed everyone. Reverend Arnold Comer of Summer Hill Baptist Church offered the invocation and Register of Deeds Judy Martin led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

There were no speakers.

ADDITIONAL AGENDA

Upon motion made by Commissioner Ritter, seconded by Commissioner Graham, the Board voted 5-0 to remove from the agenda Item E under New Business, Public Works – Request for Determination of Surplus Property for a Portion of Well Site 2A.

Chairman Quis 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 Ritter, seconded by Commissioner Daeke, the Board voted 5-0 to approve the following consent agenda items:

Minutes: November 1, 2022, Special Meeting

Minutes: November 1, 2022, Regular Meeting and Closed Session Tax Releases/Refunds – October 2022 Budget Amendments Deed of Dedication for Village Chapel

***Board Order: Preliminary Plat for Major Conservation Subdivision – Union Church Road

III.A.

12/05/2022

Transportation Services Policy Revision

Revised Rules of Procedure for the Board of Commissioners

The tax releases/refunds resolutions, budget amendments, transportation policy revision, and revised Rules of Procedure are hereby incorporated as a part of these minutes by attachment as Appendices A, B, C, and D, respectively.

***See Additional Agenda section on page 4 for further details regarding approval of the board order.

RECOGNITIONS

Rep. Jamie Boles presented Commissioners Catherine Graham, Otis Ritter, and Jerry Daeke with the Order of the Long Leaf Pine. This highest honor awarded by the Governor is reserved for persons who have made significant contributions to the state and their communities through their exemplary service and exceptional accomplishments. Chairman Quis presented retiring Commissioners Graham, Ritter, and Daeke with an engraved clock commemorative of their service to Moore County. Sheriff Ronnie Fields presented to retiring Commissioners Graham, Ritter, and Daeke a plaque in appreciation of their support for the Moore County Sheriff's Office. Chairman Quis presented retiring Register of Deeds Judy Martin with a plaque in appreciation of her service to Moore County for over thirty-three years in the Register of Deeds office, including almost twenty-two years as the elected Register of Deeds. PRESENTATIONS Citizens Pet Responsibility Committee Citizens Pet Responsibility Committee representatives Angela Zumwalt and Dr. Tom Daniel provided a presentation to update the Board on the activities of the Committee (now a nonprofit organization). The

presentation is hereby incorporated as a part of these minutes by attachment as Appendix E. PUBLIC HEARINGS Public Hearing/Planning – Amendments to the Moore County Unified Development Ordinance

Planning Director Debra Ensminger presented proposed amendments to the Moore County Unified Development Ordinance (UDO), including changes required by N.C.G.S. 160D and other laws and staff recommended changes. Chairman Quis opened the duly advertised public hearing regarding this matter.

The following citizens spoke in support of the changes required by law, but against the staff recommended changes: Nick LaSala, Matthew Parker, Angela Vacek, Stephan Athens, Carol Parker, Terry Bryant, Michael Parker, and John David Stinnet, Jr. There being no further speakers, Chairman Quis closed the public hearing. Commissioner Picerno noted he had questions for one of the speakers. Chairman Quis reopened the public hearing.

Commissioner Picerno asked Mr. LaSala if his organization, Moore Family Farms, had a mission statement and Mr. LaSala shared the mission statement. Commissioner Picerno asked if they had a website address and Mr. LaSala shared that as well. There being no further questions, Chairman Quis closed the public hearing.

Chairman Quis asked for commissioners' comments regarding this matter. Commissioner Ritter made a motion to table it until the new Board of Commissioners was convened. Commissioner Graham noted the need to pass the 160D changes but stated her agreement that it was important that the people and also the new Board have a voice in the process. After further discussion, Commissioner Ritter withdrew his original motion. Upon motion made by Commissioner Ritter, seconded by Commissioner Picerno, the Board voted 5-0 to adopt the Board of Commissioners Land Use Plan Consistency Statement and authorize the Chairman to execute the document as required by N.C.G.S. 160D-605. Upon motion made by Commissioner Picerno, seconded by Commissioner Graham, the Board voted 5-0 to approve the proposed amendments as required and provided to the Board in congruency with 160D and the other legal updates that the General Assembly has put into place regarding the UDO but excluding the staff recommended revisions of the UDO. The staff report is hereby incorporated as a part of these minutes by attachment as Appendix F and the amended UDO is incorporated by reference.

The Chairman called for a brief recess. **NEW BUSINESS Administration – Request for Consideration of Pandemic Recovery Capital Project Fund 437 Revision 3 and Funding for Habitat for Humanity**

Ms. Farrah Newman, General Contractor for Habitat for Humanity presented information regarding a request from Habitat for Humanity for \$100,000 to use in matching grant opportunities through Housing and Urban Development's Self Help Home Ownership Program. The funding would be used for a planned Habitat development in the Addor community. Discussion followed. Upon motion made by Commissioner Picerno, seconded by Commissioner Daeke, the Board voted 5-0 to approve the Pandemic Recovery Capital Project Fund Revision 3 and authorize the Chairman to sign. Upon motion made by Commissioner Picerno, seconded by Commissioner Graham, the Board voted 5-0 to approve a contract in the amount not to exceed \$100,000 to Habitat for Humanity for the organization to use in matching grant opportunities through Housing and Urban Development's Self Help Home Ownership Program with the funding used to install water and sewer infrastructure as well as roads in the planned Habitat development in the Addor community, and to authorize the County Manager to sign the contract once Legal has developed and approved the contract. The capital project revision is hereby incorporated as a part of these minutes by attachment as Appendix G.

Administration – Request for Additional FY23 Funding for Forestry Services

District Forester Don Watson requested an additional funding allocation of \$13,200 for forestry services for FY23 to be used toward purchase of a new fire control truck. Discussion followed. Upon motion made by Commissioner Picerno, seconded by Commissioner Graham, the Board voted 5-0 to approve the funding request allocating an additional \$13,200 for forestry services for the FY23 budget and approve the budget amendment. The budget amendment is hereby incorporated as a part of these minutes by attachment as Appendix H. **Administration – Request for Approval of Change Order for Courthouse Project**

Capital Projects Manager Rich Smith requested approval of a change order for the new courthouse project. The change order would include an electrical turnstile clarification credit, aluminum feeder credit, and fire pump and generator upsize extra cost. The contract sum would be changed by \$228,982. Discussion followed. Upon motion made by Commissioner Picerno, seconded by Commissioner Graham, the Board voted 5-0 to approve the Change Order # 1 – Standard Form of Change Order Between Owner and Contractor and have the Chairman execute the same.

Public Works – Request for Approval of Bond Order and Interim Financing Resolution for Vass Sewer Phase 2 Project

Public Works Director Randy Gould and Finance Director Caroline Xiong requested the Board's approval of a bond order and resolution for interim financing for the Vass Sewer Phase 2 project and also revision 6 to the capital project ordinance. It was reported that Truist had the lowest rate at 4.68%. Mr. Gould acknowledged the attendance of Mr. Bob Jessup, bond counsel, at the meeting. Upon motion made by Commissioner Graham, seconded by Commissioner Daeke, the Board voted 5-0 to adopt the Bond Order and the Interim Financing Resolution in the forms presented. Upon motion made by Commissioner Graham, seconded by Commissioner Daeke, the Board voted 5-0 to authorize the County Manager to sign the term sheet and any rate-locking document provided by the bank. Upon motion made by Commissioner Graham, seconded by Commissioner Daeke, the Board voted 5-0 to approve the Vass Phase 2 Sewer System Improvements Capital Project Ordinance Revision 6. The resolution and project ordinance are hereby incorporated as a part of these minutes by attachment as Appendix I. **APPOINTMENTS**

Sandhills Center Board of Directors Upon motion made by Commissioner Graham, seconded by Commissioner Daeke, the Board voted 5-0 to appoint Commissioner Picerno to fill Commissioner Graham's unexpired term on the Sandhills Center Board of Directors.

ADDITIONAL AGENDA Commissioner Graham noted that the Board Order for the Preliminary Plat for Major Conservation Subdivision – Union Church Road was included on the consent agenda. However, Commissioner Picerno had been recused

from that matter and should not have voted on the board order. County Attorney Misty Leland concurred and indicated this was an oversight and she guided the Board procedurally through correcting this matter. Upon motion made by Commissioner Graham, seconded by Commissioner Daeke, the Board voted 5-0 to reconsider the consent agenda approval. Upon motion made by Commissioner Graham, seconded by Commissioner Daeke, the Board voted 5-0 to approve the consent agenda without the Board Order. Upon motion made by Commissioner Graham, seconded by Commissioner Daeke, the Board voted 5-0 to recuse Commissioner Picerno from voting on the Board Order. Upon motion made by Commissioner Graham, seconded by Commissioner Daeke, the Board voted 4-0 to approve the Board Order for the Preliminary Plat for Major Conservation Subdivision – Union Church Road. The Board Order is hereby incorporated as a part of these minutes by attachment as Appendix J.

COMMISSIONERS' COMMENTS Commissioner Graham expressed her gratitude for a reception held the previous day in honor of the retiring commissioners, as well as for everything during this meeting, and said it had been a pleasure to serve.

Commissioner Picerno shared that he had really enjoyed working with the outgoing commissioners and would miss them.

ADJOURNMENT

There being no further business, upon motion made by Commissioner Ritter, seconded by Commissioner Daeke, the Board voted 5-0 to adjourn the November 15, 2022, Regular Meeting of the Moore County Board of Commissioners at 9:59pm.

_____ Chairman

_____ Clerk to the Board

MOORE COUNTY BOARD OF COMMISSIONERS SPECIAL MEETING TUESDAY, NOVEMBER 29, 2022, 10:00 A.M.

The Moore County Board of Commissioners convened for a Special Meeting at 10:00am, Tuesday, November 29, 2022, in the Commissioners' Meeting Room of the Historic Courthouse at 1 Courthouse Square, Carthage, North Carolina. The purpose of the meeting was to hold a public hearing regarding approval of an annual funding agreement with Moore County Partners in Progress.

Commissioners Present: Vice Chair Catherine Graham, Jerry Daeke, Otis Ritter Commissioners Absent: Chairman Frank Quis, Nick Picerno

Vice Chair Graham called the meeting to order and gave the floor to County Attorney Misty Leland. Ms. Leland presented for the Board's consideration an annual funding agreement with Moore County Partners in Progress totaling \$172,500 including \$67,500 to cover 90% of the expense for a new staff person. A new statute required any board member associated with a nonprofit to recuse himself from voting upon matters of funding for the nonprofit and as Chairman Quis and Commissioner Picerno both served on the Partners in Progress Board of Directors, they recused themselves from this matter. While they were absent from the meeting, Ms. Leland advised that the Board should still vote to recuse them in strict adherence to the statute. Ms. Leland noted that the requested funding was budgeted.

Vice Chair Graham opened the duly advertised public hearing regarding this matter. There were no speakers. Vice Chair Graham closed the public hearing.

Upon motion made by Commissioner Daeke, seconded by Commissioner Ritter, the Board voted 3-0 to recuse Chairman Quis and Commissioner Picerno. Upon motion made by Commissioner Daeke, seconded by Commissioner Ritter, the Board voted 3-0 to approve the annual funding agreement with Partners in Progress for an amount not to exceed \$172,500 which includes \$67,500 for an additional staff person.

There being no further business, upon motion made by Commissioner Daeke, seconded by Vice Chair Graham, the Board voted 3-0 to adjourn the November 29, 2022, Special Meeting of the Moore County Board of Commissioners at 10:05am.

III.B.

12/5/22

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM:

DATE:

SUBJECT:

PRESENTER:

REQUEST:

Caroline L. Xiong, Finance Director

11/28/2022

Budget Amendments

Caroline L. Xiong

Agenda Item:

Meeting Date: 12/05/2022

Approve the attached budget amendments and accept any grant funds awarded to the County associated with the budget amendment.

BACKGROUND: The NC General Statutes provide for the County to make amendments to the budget during the fiscal year. The budget should be amended to reflect the changing financial opportunities and adjustments that occur after the budget is adopted. Attached are detailed explanations of each amendment. The amendments are:

Department/ Amount Sources of Revenue Justification Journal

Fund

1. Fund 215 Fire \$10,128 Appropriated Fund Add dayroom, restroom and additional 60001

Protection Service mcrease Balance -Building storage space District Fund Allowance

2. Fund 215 Fire \$56,360 Appropriated Fund Replace current Brush 228 2001 Ford 60002

Protection Service mcrease Balance -Apparatus District Fund Allowance

3. Cooperative \$1,970 4-H Programs and 4-H Programs and Livestock Shows 60003

Extension mcrease Livestock Shows

4. Aging \$974 State of North Carolina Increase in the SHIP Grant 60004

mcrease Department of Insurance

IMPLEMENTATION PLAN:

NIA

FINANCIAL IMPACT STATEMENT:

The overall effect is to increase/decrease the revenue and expenditures in the General Fund for \$974, Multi-Year Grants Fund for \$1,970, Fire Protection SVC District Fund for \$66,488 and to authorize the County Manager to proceed with the amendments and any actions required as a result.

RECOMMENDATION SUMMARY: Recommend a motion to approve the following budget amendments as stated and accept any grant funds awarded to the County associated with the budget amendment.

SUPPORTING ATTACHMENTS:

The following budget amendments and supporting information are attached:

III.C.

Fiscal Year 2022/2023

Budget Line Item

Number

Budgeted

Amount Increase/

(Decrease)

Fund 215 Fire Commission/Westmoore Fire Department -Appropriated Fund

Balance

Revenue 21519000 32950 Appropriated Fund Balance

Expense 21555500 56062 Westmoore Fire Current Year Tax

158,280

230,222

10,128

10,128

Approved this _____ day of _____, 2022

Frank Quis

Moore County Board of Commissioners

Laura Williams

Clerk to the Board

60001

Revised

Budget

168,408

240,350

Budget Amendment Staff Report

Department: Fund 215 Fire Commission/Westmoore Fire Department

Increase or Decrease of Amount of Funding: Increase of \$10,128 from Building Allowance for the upfit of the lean to at the rear of the existing fire station. This was approved by the Fire Commission on November 10, 2022.

Source(s) of Funding:

21555500 56062 Westmoore Fire INCREASE \$10,128

21519000 32950 Appropriated Fund Balance-Building Allowance INCREASE \$10,128

Justification (please be specific):

Minutes from November 10, 2022, meeting for approval by the Fire Commission:

Westmoore Volunteer Fire Department presented a letter of intent at the September 8, 2022 meeting to upfit the existing lean to of 26'x 43' located on the rear of the existing fire station to add a dayroom, restroom, and add additional storage space. Total price for the construction is \$145,937 of which \$45,937 will come from department funds, \$15,000 will come from grant funds and the remaining \$85,000 will be financed with First Bank for (10) years at an interest rate of 3.500 percent. Westmoore is requesting \$10,127.25 from capital escrow for the reoccurring annual payment. A motion was made and seconded to approve the reoccurring debt request. Motion carried unanimously.

The balance left in reserve in Fund 215 for Westmoore is as follows (after this transaction): \$34,544 in Building Reserve \$183,851 in Apparatus Reserve Total in Reserve for Westmoore Fire \$218,395

Fiscal Year 2022/2023

Budget Line Item

Number

Budgeted

Amount Increase/

(Decrease)

Fund 215 Fire Commission/Cypress Pointe Fire Department -Appropriated Fund

Balance

Revenue 21519000 32950 Appropriated Fund Balance

Expense 21555500 56085 Cypress Pointe Fire CY Tax

158,280

857,736

56,360

56,360

Approved this _____ day of _____ 2022

Frank Quis

Moore County Board of Commissioners

Laura Williams

Clerk to the Board

60002

Revised

Budget

214,640

914,096

Budget Amendment Staff Report

Department: Fund 215 Fire Commission/Cypress Pointe Fire Department

Increase or Decrease of Amount of Funding: Increase of \$56,360 from Apparatus Reserves for the purchase of a brush truck. This was approved by the Fire Commission on November 10, 2022. The total request is for \$119,974, of which \$56,360 will come from the Fund Balance in Apparatus Reserves and the balance of \$63,614 will be a budget transfer from the current fiscal year 2023 budget. The BT will be completed once the BA is approved.

Source(s) of Funding:

21555500 56085 Cypress Pointe Fire INCREASE \$56,360

21519000 32950 Appropriated Fund Balance-Apparatus Reserves INCREASE \$56,360

Justification (please be specific):

Minutes from November 10, 2022, meeting for approval by the Fire Commission:

Cypress Pointe Fire and Rescue presented a letter of intent to replace their current Brush 228 which is a 2001 Ford with a new truck at the estimated cost of \$129,974. The intent is to sell the current Brush 228 at an estimated cost of \$10,000 and request a one-time withdrawal of \$119,974 from their capital escrow account. A motion was made and seconded to approve the letter of intent request. Motion carried unanimously.

The balance left in reserve in Fund 215 for Cypress Pointe is as follows (after this transaction): \$0.00 in Building Reserve \$127,210 in Apparatus Reserve Total in Reserve for Cypress Pointe Fire \$127,210

Fiscal Year 2022/2023

Budget Line Item

Number

Budgeted

Amount Increase/

(Decrease)

Cooperative Extension -4-H Programs and Livestock Shows

Revenue 24024020 32519 4-H

Expense 24025020 53253 4-H

Revenue 24024020 32521 Livestock

Expense 24025020 53255 Livestock

14,470

15,770

7,305

13,305

380

380

1,590

1,590

Approved this _____ day of _____ 2022

Frank Quis

Moore County Board of Commissioners

Laura Williams

Clerk to the Board

60003

Revised

Budget

14,850

16,150

8,895

14,895

Budget Amendment Staff Report

Department:

Cooperative Extension

Increase or Decrease of Amount of Funding:

- 1.Fee for 4-H camp programs \$380.00 increase
- 2.Donation for Livestock 4-H Show \$1590.00 increase

Source(s) of Funding:

- 1.24024020 32519 -4-H
24025020 53253 -4-H
- 2.24024020 32521 -Livestock
24025020 53255 -Livestock

Justification (please be specific):

- 1.Funds allocated from Fees for 4-H Camp
- 2.Funds allocated from Donation for Livestock Show

Revenue

Expense

Expense

Fiscal Year 2022/2023

Budget Line Item Number

Aging -State of North Carolina Department of Insurance

10032024 32608 Aging SHIIP Grant

10030058 51200 Salaries

10030058 51810 FICNMedicare

Budgeted

Amount Increase/

7,660

7,023

537

(Decrease)

974

670

304

Approved this _____ day of _____, 2022

Frank Quis

Moore County Board of Commissioners

Laura Williams

Clerk to the Board

60004

Revised

Budget

8,634

7,693

841

Department: Aging Budget Amendment Staff Report

Increase or Decrease of Amount of Funding:

Seniors Health Insurance Information Program (SHIIP) Decrease \$974 Revenue Account #10032024 32608 \$974
Expense Account #10030058 51200 \$670Aging SHIIP Salaries #10030058 51810 \$304 FICA/Medicare Source(s) of
Funding: State of North Carolina Department of Insurance Justification (please be specific): The Seniors' Health
Insurance Information Program (SHIIP) counsels Medicare beneficiaries and caregivers about Medicare, Medicare
supplements, Medicare Advantage, Medicare Part D, and long-term care insurance. Our counselors offer free and
unbiased information regarding Medicare health care products. This grant provides a portion of salary and fringe
benefits for personnel and materials needed to counsel the public. There was a slight increase in the grant allocation
to Moore County for FY '23.

Agenda Item: Meeting Date: November 15, 2022

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Gene Boles, Property Management Director

DATE: November 9, 2022

SUBJECT: To Upgrade HVAC software from Network Automation Engines (NAE) to Series Network Engines (SNE).

PRESENTER: Gene Boles

REQUEST:

Request the Board of Commissioners approve a sole source purchase between the County of Moore and Johnson Controls in the amount of \$39,955.90 for Network Automation Engines upgrade for county facilities.

BACKGROUND:

Labor services for installation from Johnson Controls. Services will include upgrading all NAE engines to the new SNE engines. HVAC software controls and equipment upgrades, to be able to monitor and control all systems remotely for the following facilities:

- Agricultural Building
- Health Department
- Court Facility
- RRPS
- Parks & Rec. Gymnasium

IMPLEMENTATION PLAN: Upon approval by the Board of Commissioners will forward service contract to Johnson Controls.

FINANCIAL IMPACT STATEMENT:

Total cost to the County of Moore is \$39,955.90. It will be coming out of building improvement funds account number 10047055 55801.

RECOMMENDATION SUMMARY:

Make a motion to approve a sole source purchase between the County of Moore and Johnson Controls in the amount of \$39,955.90 for the software upgrades and labor costs and authorize the Chairman to sign.

SUPPORTING ATTACHMENTS:

Sole Source Justification Form

Johnson Controls Proposal Contract

VIII.A.

STATE OF NORTH CAROLINA CONTRACT FOR SERVICES COUNTY OF MOORE This Contract is entered into the 10th day of November, 2022, between the County of Moore, a political subdivision of the State of North Carolina (the "County"), and Johnson Controls, Inc. (the "Contractor"). 1. SERVICES TO BE PROVIDED AND AGREED CHARGES The Contractor agrees to provide services ("Services") pursuant to the provisions and specifications identified in Attachments 1 and 2, which are incorporated by reference in this Contract. Pursuant to Section 3 of this Contract, the County agrees to pay for Services contained in Attachments 1 and 2. 2. TERM OF CONTRACT

The term of this Contract is from November 10, 2022 through June 30, 2023.

This Contract is subject to the availability of funds to purchase the specified Services and may be terminated at any time during the term upon thirty (30) days' notice if such funds become unavailable. 3. PAYMENT TO CONTRACTOR During the term of this Contract, the Contractor will receive from the County an amount not to exceed \$39,955.90 as full compensation for the provision of services as provided herein. The County agrees to pay at the rates specified for Services, satisfactorily performed or provided, in accordance with this Contract. Unless otherwise specified, the Contractor will submit an itemized invoice to the County by the end of the month during which Services are performed or provided. Payment will be processed promptly upon receipt and approval of the invoice by the County.

4. INDEPENDENT CONTRACTOR

The County and Contractor agree that the Contractor is an independent contractor and will not represent itself as an agent or employee of the County for any purpose in the performance of the Contractor's duties under this Contract. Accordingly, the Contractor will be responsible for payment of all federal, state and local taxes as well as business license fees arising out of the Contractor's activities in accordance with this Contract. For purposes of this Contract taxes will include, but not be limited to, Federal and State Income, Social Security and Unemployment Insurance taxes. The Contractor, as an independent contractor, will perform all services in a professional manner and in accordance with the standards of applicable professional organizations and licensing agencies. 5. INSURANCE The Contractor will maintain Workers' Compensation Insurance for all of the Contractor's employees. The Workers' Compensation Insurance will be in the amounts prescribed by the laws of the State of North Carolina. The Contractor will maintain, at its expense, the following minimum insurance coverage:

Bodily Injury \$1,000,000.00 per occurrence Property Damage \$100,000.00 per occurrence

Bodily Injury/Property Damage \$1,000,000.00 combined single limit per occurrence Professional liability insurance will be required whenever the Contractor is required to be certified, licensed, or registered by a regulatory entity or where the Contractor's error in judgment, planning, design, or etc. could result in economic loss to the County. If professional liability insurance is required, the coverage must provide for no less than \$1,000,000.00 combined single limit per occurrence. The Contractor agrees to furnish the County proof of compliance with the insurance coverage requirements of this Contract upon request. The Contractor, upon request by the County, will furnish a certificate of insurance from an insurance company, licensed to do business in the State of North Carolina and acceptable to the County, verifying the existence of the insurance coverage required by the County. The certificate will provide for sixty (60) days advance notice in the event of termination or cancellation of coverage.

6. INDEMNIFICATION To the fullest extent permitted by law, the Contractor will indemnify and hold harmless the County, its

officials, agents, and employees from and against all claims, damages, losses, and expenses, direct, indirect, or consequential (including but not limited to fees and charges of engineers or architects, attorneys, and other professionals and costs related to court action or arbitration) arising out of or resulting from the performance of this Contract or the actions of the Contractor, its officials, employees, or contractors under this Contract or under the contracts entered into by the Contractor in connection with this Contract. This indemnification will survive the termination of this Contract. 7. HEALTH AND SAFETY The Contractor will be responsible for initiating, maintaining and supervising all safety precautions and programs required by OSHA and all other regulatory agencies while providing Services under this Contract. 8. E-VERIFY Pursuant to North Carolina General Statute § 143-133.3, E-verify Compliance, the County may not enter into a contract unless the contractor, and the contractor's subcontractors under the contract, comply with the requirements of Article 2 of Chapter 64 of the General Statutes. The Contractor represents and

warrants that it is in compliance with the requirements of Article 2 of Chapter 64 of the General Statutes. Further, the Contractor warrants that any subcontractors used by the Contractor will be in compliance with the requirements of Article 2 of Chapter 64 of the General Statutes. 9. IRAN DIVESTMENT ACT

The Contractor certifies that: (i) the Contractor is not listed on the Final Divestment List created by the State Treasurer pursuant to N.C.G.S. § 147-86.58 (the "Final Divestment List"). The Final Divestment List can be found on the State Treasurer's website at the address <https://www.nctreasurer.com/office-state-treasurer/divestment-and-do-not-contract-rules>. Any contract in violation of this Act is void. 10. DIVESTMENT FROM COMPANIES

BOYCOTTING ISRAEL ACT

This Contractor certifies that the Contractor is not identified as an entity by the North Carolina Secretary of State that is engaged in a boycott of the State of Israel pursuant to NCGS, Article 6G, Chapter 147. The

Final Divestment List can be found on the State Treasurer's website at <https://www.nctreasurer.com/office-state-treasurer/divestment-and-do-not-contract-rules>. Any contract in violation of this Act is void. 11. NON-

DISCRIMINATION IN EMPLOYMENT The Contractor will not discriminate against any employee or applicant for employment because of age, sex, race, creed, national origin, or disability. In the event the Contractor is determined by the final order of an appropriate agency or court to be in violation of this provision or any non-discrimination provision of federal, state or local law, this Contract may be suspended or terminated, in whole or in part, by the County. In addition, the Contractor may be declared ineligible for further contracts with the County. 12.

GOVERNING LAW The validity of this Contract and any of its terms or provisions, as well as the rights and duties of the

parties to this Contract, are governed by the laws of the State of North Carolina. All actions relating to this Contract in any way will be brought in the General Courts of Justice in the County of Moore and the State of North Carolina.

13. TERMINATION OF AGREEMENT

This Contract may be terminated, without cause, by either party upon thirty (30) days written notice to the other party. This termination notice period will begin upon receipt of the notice of termination. Such a termination does not bar either party from pursuing a claim for damages for breach of the Contract. This Contract may be terminated, for cause, by the non-breaching party notifying the breaching party of a substantial failure to perform in accordance with the provisions of this Contract and if the failure is not corrected within ten (10) days of the receipt of the notification. Upon such termination, the parties will be entitled to such additional rights and remedies as permitted by law. Termination of this Contract, either with or without cause, will not form the basis of any claim for loss of anticipated profits by either party. 14. SUCCESSORS AND ASSIGNS

The Contractor will not assign its interest in this Contract without the written consent of the County. The Contractor has no authority to enter into contracts on behalf of the County. 15. COMPLIANCE WITH LAWS The Contractor represents that it is in compliance with all Federal, State, and local laws, regulations or orders, as amended or supplemented. The implementation of this Contract will be carried out in strict compliance with all Federal, State, or local laws regarding discrimination in employment. 16. NOTICES All notices which may be required by this Contract or any rule of law will be effective when received

by certified mail sent to the following addresses: COUNTY OF MOORE: MOORE COUNTY PROPERTY MANAGEMENT

ATTN: GENE BOLES, DIRECTOR P.O. BOX 905

CARTHAGE, NC 28327 CONTRACTOR: JOHNSON CONTROLS, INC. ATTN: LEGAL 160 MINE LAKE CT

STE 200 RALEIGH, NC 27615 17. AUDIT RIGHTS For all Services being provided under this Contract, the County has the right to inspect, examine, and make copies of any and all books, accounts, invoices, records and other writings relating to the performance of those Services. Audits will take place at times and locations mutually agreed upon by both parties. The Contractor must make the materials to be audited available within one (1) week of the request for them.

18. COUNTY NOT RESPONSIBLE FOR EXPENSES

The County will not be liable to the Contractor for any expenses paid or incurred by the Contractor unless otherwise agreed in writing. 19. EQUIPMENT The Contractor will supply, at its sole expense, all equipment, tools, materials, and supplies required to provide contracted Services unless otherwise agreed in writing. 20. PRIORITY OF DOCUMENTS In the event of any inconsistency between the Contract and any attachment to the Contract, the Contract will have priority. 21. SEVERABILITY If any provision of this Contract shall be determined to be unenforceable by a court of competent jurisdiction, such determination will not affect any other provision of this Contract.

22. NON-WAIVER

The failure by one party to require performance of any provision of this Contract will not affect that party's right to require performance at any time thereafter or to enforce other remedies available to it by law or under this Contract. In addition, no waiver of any breach or default of this Contract will constitute a waiver of any subsequent breach or default or a waiver of the provision itself. 23. ENTIRE AGREEMENT This Contract and Attachments 1 & 2 constitute the entire understanding between the parties and supersedes all prior understandings and agreements, whether oral or written, relating to the subject matter hereof.

24. AMENDMENT

This Contract may only be amended by the written mutual agreement of the parties. 25. DRAFTED BY BOTH PARTIES This Contract is deemed to have been drafted by both parties and no interpretation will be made to the contrary. 26. HEADINGS Subject headings are for convenience only and will not affect the construction or interpretation of any provision. The parties have expressed their agreement to these terms by causing this Contract to be executed by

their duly authorized officers or agents. This Contract is effective as of the date first written above. COUNTY OF MOORE _____ J. Wayne Vest County Manager
JOHNSON CONTROLS, INC.

Michael Green Service Manager PREAUDIT CERTIFICATE

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act. \s3\ Finance Officer

ATTACHMENT 1

FN 22-0532 Page 6 of 6

SCOPE OF SERVICES

The Contractor will provide all necessary supervision, labor, materials, and equipment required to complete the NAE upgrade on Moore County facilities. Attachment 2 contains additional specifications regarding this service.

AGENDA ITEM _____

MEETING DATE 12/5/2022

MEMORANDUM TO MOORE COUNTY BOARD OF COMMISSIONERS

FROM: Ron Maness, Airport Director

DATE: 11/18/2022

SUBJECT: Taxilane Extension and Hangar Site Prep

REQUEST:

1. Approve Project Budget Ordinance & Resolution for Project #36237.67.12.1, Taxilane Extension and Hangar Site Prep

BACKGROUND:

The Taxilane Extension and Hangar Site Prep has a proposed budget of \$75,335 (\$75,335 Federal and \$0 Local). This project will be funded with the Federal 2020 NPE Grant (\$54,540) and the Federal 2021 NPE Grant (\$20,795).

IMPLEMENTATION PLAN:

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

FINANCIAL IMPACT:

There is no financial impact to the County, or to the Airport. There is no local match required for these grant funds.

RECOMMENDATION SUMMARY:

Approve Project Budget Ordinance and Resolution for Project #36237.67.12.1 Taxilane Extension and Hangar Site Prep

SUPPORTING ATTACHMENTS:

Project Budget Ordinance for Taxilane Extension and Hangar Site Prep

Project Resolution for Taxilane Extension and Hangar Site Prep

VIII.B.

PROJECT BUDGET ORDINANCE
TAXILANE EXTENSION AND HANGAR SITE PREP
PROJECT # 36237.67.12.1

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 Taxilane Extension and Hangar Site Prep Project # 36237.67.12.1. This project will utilize Federal funds from the Federal 2020 NPE Grant (\$54,540), and the Federal 2021 NPE Grant (\$20,795). The total amount of the project will be \$75,335 (\$75,335 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 Taxilane Extension and Hangar Site Prep Project:

Funding Source	Current
Federal 2020 NPE Grant	\$54,540
Federal 2021 NPE Grant	\$20,795
Total	\$75,335

Section 4: The following amount is an estimate of appropriation for the Taxilane Extension and Hangar Site Prep Project:

Current
Total \$75,335

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.

Adopted on this day _____ of December, 2022.

Frank Quis, Chairman

Moore County Board of Commissioners

Laura M. Williams

Clerk to the Board

RESOLUTION AUTHORIZING THE
ACCEPTANCE OF FUNDS FOR
TAXILANE EXTENSION AND HANGAR SITE PREP
PROJECT # 36237.67.12.1

WHEREAS, the Moore County Airport Authority is eligible for Federal funds under the State Aid to Airports Block Grant Program in the amount of \$75,335 in federal funds requiring no local match for the Taxilane Extension and Hangar Site Prep Project; and

WHEREAS, the North Carolina Department of Transportation-Division of Aviation has notified the Moore County Airport Authority that state funds are awarded for Taxilane Extension and Hangar Site Prep in the amount of \$75,335 (Federal) and requiring no local match; and

WHEREAS, such allocation of funds will be approved in consideration of no local match being required, which was approved by the Moore County Airport Authority at their November 9, 2022 meeting; and total cost of the project will be \$75,335 (\$75,335 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: Taxilane Extension and Hangar Site Prep in the proposed amount of \$75,335.

FURTHER, the County's Finance Director is authorized to request payment under said Federal and/or State 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.

Adopted this the _____ day of December, 2022.

Frank Quis, Chairman

Moore County Board of Commissioners

Laura M. Williams, Clerk to the Board

AGENDA ITEM _____

MEETING DATE 12/5/2022

MEMORANDUM TO MOORE COUNTY BOARD OF COMMISSIONERS

FROM: Ron Maness, Airport Director

DATE: 11/9/2022

SUBJECT: Construct Hangar Taxiways & Internal Airfield Service Road Revision #2

REQUEST:

1. Approve Project Budget Ordinance & Resolution for Project #47208.3.1, Revision #2

Construct Hangar Taxiways & Internal Airfield Service Road

BACKGROUND:

The Construct Hangar Taxiways & Internal Airfield Service Road Project #47208.3.1 has a proposed additional budget of \$388,555 (\$3,121,672 State and \$0 Local). This amount will be added to the already approved amount of 2,733,117, which will bring the total project budget to \$3,121,672. This project will be funded with the Aviation State Aid Grant #DOT-8.

IMPLEMENTATION PLAN:

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

FINANCIAL IMPACT:

There is no financial impact to the County, or to the Airport. There is no local match required for these grant funds.

RECOMMENDATION SUMMARY:

Approve Project Budget Ordinance and Resolution for Project #47208.3.1, Revision #2

Construct Hangar Taxiways & Internal Airfield Service Road

SUPPORTING ATTACHMENTS:

Project Budget Ordinance for Construct Hangar Taxiways & Internal Airfield Service Road, Revision #2

Project Resolution for Construct Hangar Taxiways & Internal Airfield Service Road, Revision #2

VIII.C.

PROJECT BUDGET ORDINANCE
CONSTRUCT HANGAR TAXIWAYS & INTERNAL AIRFIELD SERVICE ROAD
PROJECT # 47208.3.1
Revision #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 Construction of Hangar Taxiways and Internal Airfield Service Road Project # 47208.3.1. This project will utilize additional State funds from the State Aid to Airports grant of \$388,555. The total amount of the project will be \$3,121,672 (\$3,121,672 state; \$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 Construction of Hangar Taxiways and Internal Airfield Service Road Project:

Funding Source	Current	Increase	Revised Amounts
State Aid to Airports	\$2,733,117	\$388,555	\$3,121,672
Total	\$2,733,117	\$388,555	\$3,121,672

Section 4: The following amount is an estimate of appropriation for the Construction of Hangar Taxiways and Internal Airfield Service Road Project:

	Current	Increase	Revised Amount
Total	\$2,733,117	\$388,555	\$3,121,672

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 November 16, 2021, with Revision No. 1 adopted on the January 18, 2022, and Revision No. 2 adopted on this day _____ of December, 2022.

Frank Quis, Chairman
Moore County Board of Commissioners

Laura M. Williams
Clerk to the Board

RESOLUTION AUTHORIZING THE
ACCEPTANCE OF FUNDS FOR
CONSTRUCT HANGAR TAXIWAYS & INTERNAL AIRFIELD SERVICE ROAD
PROJECT # 47208.3.1 - REVISION #2

WHEREAS, the Moore County Airport Authority is eligible for State funds under the State Aid to Airports Block Grant Program in the amended amount of \$3,121,672 in state funds requiring no local match for construction of hangar taxiways and internal airfield service road; and

WHEREAS, the Moore County Airport Authority has already been granted State funds of \$2,733,117 requiring no local match for construction of hangar taxiways and internal airfield service road; and

WHEREAS, the North Carolina Department of Transportation-Division of Aviation has notified the Moore County Airport Authority that state funds are awarded for construction of hangar taxiways and internal airfield service road in the additional amount of \$388,555 State and requiring no local match; and

WHEREAS, such allocation of funds will be approved in consideration of no local match being required, which was approved by the Moore County Airport Authority at their November 9, 2022 meeting; and total cost of the project will be \$3,121,672 (\$3,121,672 state; \$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: Construction of Hangar Taxiways and Internal Airfield Service Road in the proposed amount of \$3,121,672.

FURTHER, the County's Finance Director is authorized to request payment under said Federal and/or State 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 on November 16, 2021, with Revision No. 1 adopted January 18, 2022, with Revision No. 2 adopted this the _____ day of December, 2022.

Frank Quis, Chairman
Moore County Board of Commissioners

Laura M. Williams, Clerk to the Board

Agenda Item: Meeting Date: 12/05/2022

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Laura M. Williams, Clerk

DATE: 11/29/2022

SUBJECT: Appointments / Foxfire Village Planning & Zoning Board ETJ

REQUEST:

Appoint extraterritorial jurisdiction (ETJ) member to the Foxfire Village Planning and Zoning Board.

BACKGROUND:

The Foxfire Village Council has requested the appointment of Tashe Jarusinski of 2200 Foxfire Road, Jackson Springs as an ETJ member of the Village's Planning and Zoning Board.

IMPLEMENTATION PLAN:

Clerk will make notification of appointment.

RECOMMENDATION SUMMARY:

Make a motion to appoint Tashe Jarusinski as an ETJ member of the Foxfire Village Planning and Zoning Board for a four-year term.

IX.A.

Agenda Item: Meeting Date: 12/05/2022

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Laura M. Williams, Clerk

DATE: 11/29/2022

SUBJECT: Appointments / Sandhills Regional Library System Board of Trustees

REQUEST:

Appoint member to the Sandhills Regional Library System Board of Trustees.

BACKGROUND:

There is currently a vacancy on the Sandhills Regional Library System Board of Trustees, which must be filled by a current member of the Moore County Library Board of Trustees. Mrs. Theron Bell has agreed to accept this position and has been recommended for appointment by the Sandhills Regional Library System Director.

IMPLEMENTATION PLAN:

Clerk will make notification of appointment and update records.

RECOMMENDATION SUMMARY:

Make a motion to appoint Theron Bell to the Sandhills Regional Library System Board of Trustees for a six-year term expiring November 30, 2028.

ATTACHMENTS:

Request from SRLS Director

IX.B.

Agenda Item: Meeting Date: 12/05/2022

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Laura M. Williams, Clerk

DATE: 11/29/2022

SUBJECT: Appointments / Transportation Advisory Board

REQUEST:

Appoint member to the Moore County Transportation Advisory Board.

BACKGROUND:

Transportation Advisory Board member Bob Huber, representing the Monarch agency, has accepted another position of employment with Monarch and his colleague, Megan Tomestic has applied and been recommended for appointment by the Transportation Director.

IMPLEMENTATION PLAN:

Clerk will make notification of appointment and update records.

RECOMMENDATION SUMMARY:

Make a motion to appoint Megan Tomestic to the Transportation Advisory Board to fill Bob Huber's unexpired term through June 30, 2024.

ATTACHMENTS:

Appointment Application

IX.C.

11-17-2022

Community Engagement Team Lead at Monarch's Creative Arts and Community Center

Megan Tomestic

PO Box 574 Southern Pines NC 28388

4136267021 megan.tomestic@monarchnc.org