



MOORE COUNTY BOARD OF COMMISSIONERS

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

REGULAR MEETING

The Moore County Board of Commissioners convened for a Regular Meeting at 10:30am, Tuesday, February 7, 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 Lee McKinney of New Covenant Fellowship Church offered the invocation and Property Management Director Gene Boles led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

There were no comments.

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 Quis, seconded by Commissioner Von Canon, the Board voted 5-0 to approve the following consent agenda items:

- Minutes: January 18 and 19, 2023, Special Meeting
- Minutes: January 24, 2023, Regular Meeting
- Budget Amendments
- Advertisement of Tax Liens on Real Property
- Resolution Accepting Offer for Surplus Property: Portion of Well Lot 2A
- Project Budget Ordinance and Resolution for Project 36237.67.12.2: Terminal Building Concept Design and Plan

The budget amendments, resolution accepting the offer for the surplus property, and project budget ordinance and resolution for the Airport are hereby incorporated as a part of these minutes by attachment as Appendices A, B, and C, respectively.

QUASI-JUDICIAL HEARINGS

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

Planning Director Debra Ensminger requested the Board call for a quasi-judicial hearing regarding a Special Use Permit request. Upon motion made by Commissioner Ritter, seconded by Commissioner Von Canon, the Board voted 5-0 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.

PUBLIC HEARINGS

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

Planning Director Debra Ensminger requested the Board call for a public hearing regarding a conventional rezoning request at Juniper Lake Road. Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 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.

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

Planning Director Debra Ensminger requested the Board call for a public hearing regarding a conventional rezoning request at Vass Carthage Road. Chairman Picerno asked Ms. Ensminger to explain the effect of rezoning from RA-40 to RA and Ms. Ensminger reviewed that RA-40 was medium density and RA required an acre lot size. Commissioner Cook inquired about the number of houses that would be placed and Ms. Ensminger explained that the use for this property was actually a security training facility, but that item would later come to the Board as a special use permit request. County Attorney Misty Leland reminded the Board that when rezoning, they should consider every possible use that would be allowable in that zoning district. Upon motion made by Commissioner Cook, seconded by Commissioner Von Canon, the Board voted 5-0 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.

Call to Public Hearing/Partners in Progress – Proposed Economic Development Joint Agreement for Purchase of Land for an Industrial Park

Partners in Progress Executive Director Natalie Hawkins requested the Board call for a public hearing regarding a proposed economic development joint agreement between Moore County and Partners in Progress for the purchase of land in the Iron Horse Industrial Park. Ms. Hawkins reviewed information about the project. Chairman Picerno congratulated Ms. Hawkins on her efforts. Ms. Hawkins thanked County Manager Wayne Vest and County Attorney Misty Leland for all their help in working through the terms of the agreement. Upon

motion made by Commissioner Ritter, seconded by Commissioner Cook, the Board voted 5-0 to call for a 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.

NEW BUSINESS

Property Management – Request for Approval of Contract Amendment # 1 with Piedmont Trucks Center

Property Management Director Gene Boles requested the Board approve an amendment to a contract with Piedmont Trucks Center. Upon motion made by Commissioner Von Canon, seconded by Commissioner Cook, the Board voted 5-0 to approve Contract Amendment No. 1 with Piedmont Trucks Center reducing the contract amount from \$133,449.30 to \$44,483.10, reducing the quantity of vehicles from three to one, and authorize the Chairman to sign.

Legal – Request for Adoption of Resolution in Support of House Bill 13

County Attorney Misty Leland, on behalf of Chairman Picerno, presented for the Board's consideration a resolution supporting House Bill 2023-13. Chairman Picerno further reviewed this bill regarding the tier system and discussed the inequities of that system. Commissioner Ritter made a motion, seconded by Commissioner Quis, to approve the 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. Chairman Picerno noted that the resolution should be sent to the legislators as well as the North Carolina Association of County Commissioners. The motion to approve the resolution carried 5-0. The resolution is hereby incorporated as a part of these minutes by attachment as Appendix D.

Legal – Request for Adoption of Resolution in Support of Senate Bill 49

County Attorney Misty Leland, on behalf of Chairman Picerno, presented for the Board's consideration a resolution supporting Senate Bill 2023-49. Chairman Picerno further reviewed this bill regarding the enumeration of the rights of parents, noting it was unfortunate to need to tell parents they had the right to oversee the upbringing of their children. Commissioner Quis stated his agreement. Commissioner Von Canon made a motion, seconded by Commissioner Cook, to approve the 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. Chairman Picerno read the rights of parents as provided in the bill. The motion to approve the resolution carried 5-0. The resolution is hereby incorporated as a part of these minutes by attachment as Appendix E.

APPOINTMENTS

Board of Health

Upon motion made by Commissioner Cook, seconded by Commissioner Von Canon, the Board voted 5-0 to appoint Dr. Julie Baugher as the physician member of the Moore County Board of Health for a three-year term expiring January 31, 2026.

Economic Task Force

Upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted 5-0 to appoint Commissioner Von Canon to the Economic Task Force in place of Commissioner Picerno.

COMMISSIONERS' COMMENTS

Commissioner Ritter thanked everyone for their attendance and said he was thankful to be a resident of Moore County. Commissioner Von Canon reiterated those comments and said the County staff was great, patient, and helpful, and he enjoyed hearing from citizens also. Commissioner Quis shared that he and his wife had recently attended a brunch for Moore Free Care Clinic and he shared information on the services provided by the clinic and the estimated value of those services. Commissioner Cook offered positive comments regarding Aberdeen as the location for the industrial park and thanked Partners in Progress Executive Director Natalie Hawkins, noting that the project would benefit everyone. Chairman Picerno stated his agreement with Commissioner Quis' positive remarks regarding the Moore Free Care Clinic and offered compliments for its executive director, Tony Price.

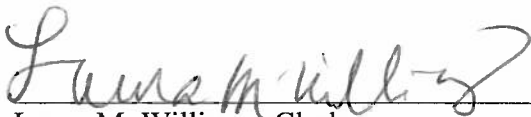
Chairman Picerno discussed misconceptions provided via a recent article in The Pilot newspaper regarding the commissioners' recent at-large appointment to the Board of Health. He asked Clerk to the Board Laura Williams to clarify the process by which appointment applications were provided to the Board and she did so. Chairman Picerno criticized the article's author for his poor reporting and personal attack of the Board's appointee.

ADJOURNMENT

There being no further business, upon motion made by Commissioner Von Canon, seconded by Commissioner Ritter, the Board voted 5-0 to adjourn the February 7, 2023, Regular Meeting of the Moore County Board of Commissioners at 11:12am.



Nick Picerno, Chairman



Laura M. Williams, Clerk



Appendix A
02/07/2023

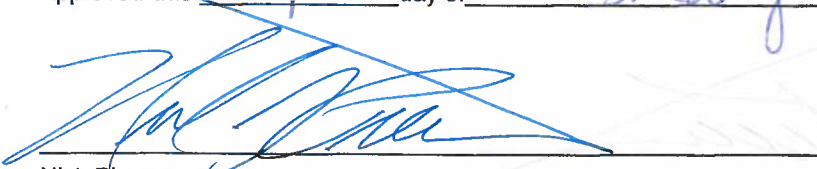
Fiscal Year 2022/2023

Budget Line Item Number	Budgeted Amount	Increase/ (Decrease)	Revised Budget
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Health - ELC Enhancing Detection Expansion Grant

Revenue	10019056 32969 543EL	Transfer from Multi-Yr Grant	85,998	17,287	103,285
Expense	10039061 51201	Salaries - Overtime	856	77	933
Expense	10039061 51203	Salaries - Resource	13,282	1,985	15,267
Expense	10039061 51218	Salaries Resource - COVID	66,692	15,225	81,917

Approved this 7 day of February, 2023



Nick Picerno
Moore County Board of Commissioners



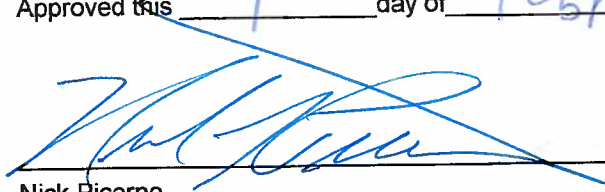
Laura Williams
Clerk to the Board

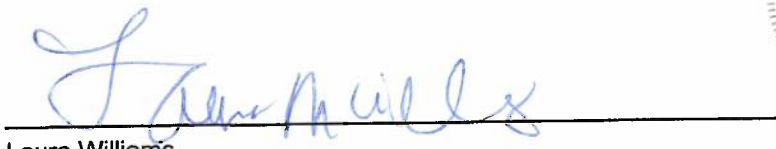


2022/2023
Fiscal Year 2022/2023

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Sheriff - Grant funds from AKC Reunite/Moore County Kennel Club					
Revenue	24018005 30505	Law Enforcement Donations	24,155	11,518	35,673
Expense	24019505 53922	Donations	24,155	11,518	35,673

Approved this 7 day of February, 2023


Nick Picerno
Moore County Board of Commissioners


Laura Williams
Clerk to the Board



Appendix B
02/09/2023

**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;

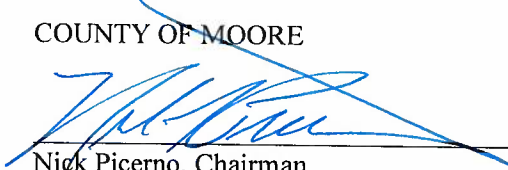
WHEREAS, the bid period expired at 5:00 p.m. on January 25, 2023, and no upset bids were received.

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



Appendix C
02/07/2023

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:

<u>Funding Source</u>	<u>Current</u>
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:

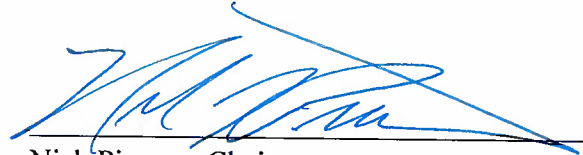
	<u>Current</u>
Total	\$94,885

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.

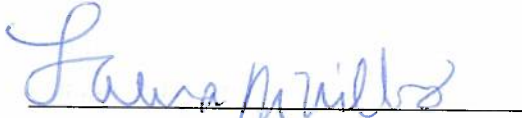
Section 6: The Finance Director is directed to report the financial status of the project as requested by the Board.

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

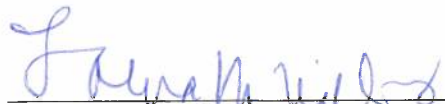
WHEREAS, such allocation of funds will be approved, which was approved by the Moore County Airport Authority at their January 11, 2023 meeting; and total cost of the project will be \$94,885 (\$94,885 Federal; \$0 local).

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.



Laura M. Williams, Clerk to the Board



Nick Picerno, Chairman
Moore County Board of Commissioners



Appendix D
02/07/2023

Resolution Requesting the North Carolina General Assembly to Ratify House Bill 2023-13

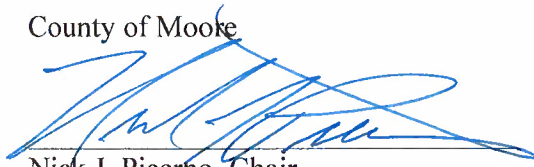
WHEREAS, North Carolina Representative Ben Moss introduced House Bill 2023-13. House Bill 13 is an act requiring the Joint Legislative Economic Development and Global Engagement Oversight Committee to study and evaluate the three-tier system for county economic status designations; and

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.

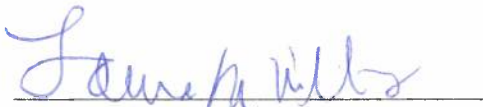
This the 7th day of February 2023.

County of Moore



Nick J. Picerno, Chair
Moore County Board of Commissioners

Attest:



Laura M. Williams
Clerk to the Board



Appendix E
02/07/2023

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.

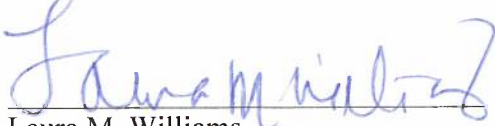
This the 7th day of February 2023.

County of Moore



Nick J. Picerno, Chair
Moore County Board of Commissioners

Attest:



Laura M. Williams
Clerk to the Board

