



MOORE COUNTY BOARD OF COMMISSIONERS

TUESDAY, JANUARY 19, 2016

REGULAR MEETING

CALL TO ORDER

4:30 P.M. – CLOSED SESSION – *if needed*

5:30 P.M. – INVOCATION – *Rev. Randy Thornton, Grace Church*

PLEDGE OF ALLEGIANCE – *Bobby Lake, Property Management Director*

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

I. PUBLIC COMMENT PERIOD (*Procedures are attached*)

II. ADDITIONAL AGENDA

III. RECOGNITIONS

IV. PRESENTATIONS

A. Sandhills Community Action Program – FY16-17 Community Services Block Grant Application Review (*Karen Ray-Thomas*)

V. 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 5, 2016 Regular Meeting

B. Minutes: January 7, 2016 Special Meeting

C. Tax Releases/Refunds – December 2015

VI. PUBLIC HEARINGS

A. Public Hearing/Planning – Rezoning Request: Residential and Agricultural 40 (RA-40) to Rural Agricultural (RA) (*Debra Ensminger*)

B. Public Hearing/Planning – Rezoning Request: Residential and Agricultural 40 (RA-40) to Residential and Agricultural 20 (RA-20) (*Debra Ensminger*)

VII. OLD BUSINESS

VIII. NEW BUSINESS

- A. Planning – Approval of Request to Submit Application to the NC Housing Finance Agency through the FY16 Urgent Repair Program (*Debra Ensminger*)
- B. Moore County Schools – Approval of Public School Building Capital Fund NC Education Lottery Application: Area 1 Elementary School (*John Birath*)
- C. Moore County Schools – Approval of Public School Building Capital Fund NC Education Lottery Application: Southern Pines Elementary School (*John Birath*)
- D. Moore County Schools – Approval of Public School Building Capital Fund NC Education Lottery Application: Advanced Career Center (*John Birath*)
- E. Legal – Approval of Resolution Concerning the New Sales Tax Redistribution Plan and Senate Bill 605 (*Misty Leland*)
- F. Public Safety – Approval of Public Safety Ordinance (*Bryan Phillips*)

IX. APPOINTMENTS

- A. Whispering Pines Firefighters’ Relief Fund
- B. Planning Board
- C. Board of Health
- D. Animal Operations Advisory Board

X. ADDITIONAL AGENDA

XI. MANAGER’S REPORT

XII. COMMISSIONERS’ COMMENTS

ADJOURNMENT

COMMISSIONERS' UPCOMING MEETINGS/EVENTS:

- **Utilities Task Force**, Wednesday, January 20, 9:00am (Daeke & Ritter)
- **Budget Task Force**, Wednesday, January 20, 1:30pm (Picerno & Saunders)
- **DSS Board**, Wednesday, January 20, 3:00pm (Graham)
- **Aging Advisory Council**, Tuesday, January 26, 8:30am (Saunders)
- **Pre-Agenda Meeting**, Wednesday, January 27, 9:00am (Saunders & Picerno)
- **Court Facilities Advisory Committee**, Wednesday, January 27, 2:00pm (Graham & Daeke)
- **Animal Operations**, Thursday, January 28, 6:00pm (Picerno)
- **JCPC**, Tuesday, February 2, 8:30am (Graham)
- **RSVP Advisory Council**, Thursday, February 4, 3:00pm (Daeke)
- **Airport Authority**, Tuesday, February 9, 10:00am (Ritter)
- **Pre-Agenda Meeting**, Wednesday, February 10, 9:00am (Ritter & Picerno)
- **Drug Free Moore County**, Thursday, February 11, 8:30am (Ritter)
- **Local Emergency Planning**, Thursday, February 11, 11:00am (Ritter)
- **Fire Commission**, Thursday, February 11, 6:00pm (Ritter)
- **Chamber Annual Banquet**, Thursday, February 11, 6:00pm
- **DSS Board**, Wednesday, February 17, 3:00pm (Graham)
- **CVB Board**, Thursday, February 18, 4:00pm (Saunders)
- **Aging Advisory Council**, Tuesday, February 23, 8:30am (Saunders)
- **Pre-Agenda Meeting**, Wednesday, February 24, 9:00am (Graham)
- **Animal Operations**, Thursday, February 25, 6:00pm (Picerno)

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. However, Board members may, in their discretion and after being recognized by the Board Chairperson, respond to speakers' comments. Any response by a commissioner to a speaker during the public comment period does not open discussion between the commissioner and speaker. 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.

IV. A.

Agenda Item: Sandhills CAP's 2016-2017 Community Services Block Grant Application
Meeting Date: Jan. 19, 2016

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Sandhills Community Action Program, Inc.

DATE: January 11, 2016

SUBJECT: FY 2016-2017 Community Services Block Grant Application Review

PRESENTER: Karen Ray-Thomas, CSBG (STARS Self-sufficiency) Program Coordinator

REQUEST: Review and comment (if applicable) on Sandhills CAP's FY 2016-2017 CSBG Application

BACKGROUND: The NC Administrative Code [10A NCAC 97C.0111 (b) (1) (a) requires that each CSBG grant recipient submit its community anti-poverty plan to each county commissioner Board it serves. The anti-poverty plan is included with this document and Sandhills CAP would like to provide a summary of the plan and take questions and comments from the board at the January 19, 2016 meeting.

FINANCIAL IMPACT:

\$161,129.00 has been allocated for use in Moore County. Anti-poverty services will be provided to low-income persons.

IMPLEMENTATION PLAN:

Sandhills CAP will provide intensive case management services to empower participants to become self-sufficient. Education assistance, employment assistance/job training, entrepreneur start-up assistance, budgeting and credit counseling and work supports are the platforms used to move participants toward self-sufficiency.

RECOMMENDATION SUMMARY:

Included with this document is a form entitled "*Community Services Block Grant Documentation of Submission to County Commissioners*". Sandhills CAP requests the signature of the Clerk to the Board certifying that the board of commissioners received and reviewed the plan and had an opportunity to ask questions or make comments.

ATTACHMENTS:

Sandhills CAP's 2016-2017 Community Services Block Grant (CSBG) Work Plan
Community Services Block Grant Documentation of Submission to County Commissioners form.

Sandhills Community Action Program, Inc.



POST OFFICE BOX 937
103 SAUNDERS STREET
AN EQUAL OPPORTUNITY PROGRAM

CARTHAGE, NORTH CAROLINA 28327-0937

PHONE 947-5675—AREA CODE 910

For The Hearing Impaired NC Relay System 1-800-735-8262

FAX NO.: (910) 947-5514
www.sandhillscap.org

January 11, 2016

Mr. Nick Picerno, Chairman
MOORE COUNTY COMMISSIONERS
PO Box 905
Carthage, NC 28327

Dear Mr. Picerno:

Enclosed, for the Moore County Commissioners review, is Sandhills Community Action Program, Inc.'s Community Services Block Grant application (Anti-poverty plan), for the 2016-2017 fiscal year.

As part of the application process, this organization is required to provide the enclosed document for your review and comment, at least 30 days prior to the application submission date, which is February 12, 2016.

If you require additional information, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Nina Walker". The signature is fluid and cursive.

Nina Walker
Executive Director

OFFICE of
ECONOMIC OPPORTUNITY

**Community Services Block Grant [CSBG]
Documentation of Submission to County Commissioners**

Background: The North Carolina Administrative Code [10A NCAC 97C.0111 (b)(1)(A)] requires that each CSBG grant recipient submit its Community Anti-Poverty Plan [grant application] to each County Commissioner Board that it serves.

Instructions: This form is to be completed and notarized by the Clerk to the Board.

Agency Name: Sandhills community Action Program, Inc

County: Moore

Date of Application Submission: January 8, 2016

[Note: This application should be submitted to the County Commissioners at least thirty [30] days prior to application submission to the Office of Economic Opportunity [OEO]. The grant application is due to OEO **February 12, 2016**

Clerk to the Board should initial all items below.

 The agency submitted a complete grant application for Commissioner review.

 The Clerk to the Board will be responsible for assuring that the application is distributed to the Commissioners.

 Commissioners' comments provided those to the agency. (If applicable)

Clerk to the Board

Date

Witness/Notary

Date

**Community Services Block Grant Program
Fiscal Year 2016-17 Application for Funding
One-Year Work Program
OEO Form 212**

Section I: Project Identification							
1. Project Name:	(STARS) Soaring To Achieve Realistic Success) Self-Sufficiency Program						
2. Poverty Cause Name:	Lack of employment skills, low education levels and underutilization of public support services necessary for low-income families to become Self-Sufficient.						
3. Long-Range Goal:	To empower 75 low-income families to rise above 100% of the Federal Poverty Income Guidelines by June 30, 2018						
4. Selected Strategy:	To provide intensive case management to empower participants to become self-sufficient by providing, Educational/Career Skill Assistance, Employment Skills Training, Entrepreneur Start-up Program Guidance, Budget/Credit Counseling, parenting classes, childcare assistance, transportation assistance and other services to achieve self-sufficiency and safe /standard housing.						
5. Project Period:	July 1, 2016	To	June 30, 2017	Plan Year	1	of	3
6. CSBG Funds Requested for this Project:	472,779						
7. Total Number Expected to Be Served:	350						
a. Expected Number of New Clients	175						
b. Expected Number of Carryover Clients	175						
8. Percentage of Long-Range Goal Expected to be Met this Year	33%						

Section II: One-Year CSBG Program Objective and Activities					
Activities	Position Title(s)	Implementation Schedule			
		First Quarter	Second Quarter	Third Quarter	Fourth Quarter
Objective: Provide comprehensive support services to 350 low-income program participants from July 1, 2016 to June 30, 2017 to enable them to overcome barriers to rising above the Federal Poverty Income Guidelines.		175 (30)	205 (49)	254 (45)	325 (46)
Process new client applications, verify household income, and identify participant's anticipated goals plan to achieve self-sufficiency or obtain standard housing.		155 (30)	185 (49)	279 (45)	325 (46)
Enroll new program participants into the (STARS) Self-Sufficiency Program. Enter participants into the CSBG AR4CA Tracking system.		155 (30)	185 (49)	279 (45)	325 (46)

**Community Services Block Grant Program
Fiscal Year 2016-17 Application for Funding
One-Year Work Program
OEO Form 212 (continued)**

Section II: One-Year CSBG Program Objective and Activities (continued)					
Activities	Position Title(s)	Implementation Schedule			
		First Quarter	Second Quarter	Third Quarter	Fourth Quarter
Supportive Services:		7/1/16- 9/30/16	10/1/16- 12/31/16	1/11/17- 3/31/17	4/1/17- 6/30/17
<i>Supportive Services may include but are not limited to:</i>					
A. Educational Support: (Tuition, Books, Transportation vouchers, immunizations.....etc.)		15	34 (19)	60 (26)	75 (15)
B. Parenting – Counseling					
C. Budgeting Seminars –Six (6) hours certification Classes to include budget package (\$50.00 stipend when hours are complete.					
D. Credit Counseling –Understand & improve credit					
E. Transportation Voucher Assistance		8	15 (7)	28 (13)	40 (12)
F. Food Referral and Assistance					
G. Standard Housing Placement and Referral					
H. Child Care Assistance and Referral					
I. Basic & Independent Living Skills Seminars					
J. Emergency Assistance Funds		5	10 (10)	15 (15)	40 (10)
K. Legal Services Referral					
L. Rent/Utility Deposit Assistance		5	15 (10)	25 (10)	40 (15)
M. Medical/Immunization Assist. & Referral					
N. Entrepreneurship Start-up Program Assistance/Referral					
O. Counseling/Services to remove any barrier or obstacle that may hinder the progression of Self-Sufficiency.					
P. Homeownership Counseling					

<p>Q. Upon the Successful graduation and certification of a Job Training Program participants will receive a one-time stipend of \$175.00. (Programs are: Truck Driving Academy, CNA, Basic Law Enforcement, Dental Assistant Educational Degree/diploma, Cosmetology, Welding Certification and Culinary Arts, .etc.</p>		5	10 (10)	25 (7)	30 (8)
<p>R. Upon the Successful graduation and certification of a Job Training Program. participants will receive a one-time stipend of \$175.00. (Programs are: Truck Driving Academy, CNA, Basic Law Enforcement, Dental Assistant Educational Degree/diploma, Cosmetology, Welding Certification and Culinary Arts, .etc.)</p> <p>S. Employment Support: (Uniforms, Vaccinations, transportation voucher, background check, physicals... etc.)</p>		3	12 (9)	24 (12)	30 (6)
<p>T. Job Retention Stipend: (Participants that obtain and maintain new employment/or obtain better employment for 90 days @ a rate of \$8.00 hrly @ 32 hours per week will receive a one-time stipend of \$100.00, employment with medical benefits: (\$150.00).</p>					
<p><u>Program Administration:</u></p> <p>A. Conduct two staff training sessions on all programs administered by this agency.</p> <p>B. Inform community within the Service area of all available services</p>		7/31/16		2/28/16	
		7/31/16	12/31/16	3/31/17	6/30/17

<p>C. Provide opportunities to CSBG Case Managers and staff to attend local, state and national conferences, workshops and seminars related to providing information to assist participants in their mission of reaching self-sufficiency.</p> <p>D. Provide information for and/or conduct monthly management team meetings in order to assess progress toward meeting program and budget goals. make analysis and adjustment as necessary.</p> <p>E. Conduct monthly staff meeting with all Case Managers to discuss progress of program participants</p> <p>F. Provide programmatic and financial oversight of the CSBG Contract.</p>		<p>7/1/16-9/30/16</p> <p>7/168/16 & 9/15</p> <p>7/16, 8/16& 9/16</p> <p>7/1/16-9/30/16</p> <p>8/18/16</p>	<p>10/1/16-12/31/16</p> <p>10/15, 11/15 & 12/15</p> <p>10/16, 11/16 & 12/16</p> <p>10/1/16-12/31/16</p> <p>10/12/16 12/15/15</p>	<p>1/1/17-3/31/17</p> <p>1/17, 2/16& 3/17</p> <p>1/17, 2/17 & 3/17</p> <p>1/1/16-3/31/16</p> <p>2/16/16</p>	<p>4/1/17-6/30/17</p> <p>4/16, 5/16 & 6/16</p> <p>4/17, 5/17 & 6/17</p> <p>4/1/16-6/30/16</p> <p>4/12/16 6/14/16</p>
<p><u>Case Management Services</u></p>					
<p>A. Identify barriers to self-sufficiency and/or standard housing and mutually develop a plan of action to address client needs. Determine need for supportive services and process requisition as needed.</p> <p>B. Complete and develop in conjunction with participants long and short-term goals.</p> <p>C. Link and assist participants to obtain needed services Example: budgeting, parenting/skills training, credit repair seminars, Section VIII Housing, Public Housing and homeownership Programs.</p> <p>D. Encourage participants to be actively involved in moving towards self-sufficiency.</p>		<p>155 (30)</p> <p>7/1/16-9/30/16</p> <p>7/1/16-9/30/16</p> <p>7/1/16-9/30/16</p>	<p>185 (49)</p> <p>10/1/16-12/31/16</p> <p>10/1/16-12/31/16</p> <p>10/1/16-12/31/16</p>	<p>279 (45)</p> <p>1/1/17-3/31/17</p> <p>1/1/17-3/31/16</p> <p>1/1/17-3/31/17</p>	<p>325 (46)</p> <p>4/1/17-6/30/17</p> <p>4/1/17-6/30/17</p> <p>4/1/17-6/30/17</p>

E. Follow-up on all referrals on behalf of participants		7/1/16-9/30/16	10/1/16-12/31/16	1/1/17-3/31/17	4/1/17-6/30/17
F. Document all contact with participants on participants contact form and key all information into AR4CA Tracking System.		7/1/16-9/30/16	10/1/16-12/31/16	1/1/17-3/31/17	4/1/17-6/30/17
G. Provide quarterly follow-ups to all participants to monitor their goals.		9/30/16	12/30/16	3/31/17	12/31/16
H. At year-end determine program participants to be carried over and participants to be closed out. KEY data into the AR4CA Tracking system.		7/1/16-9/30/16	10/1/16-12/31/16	1/1/17-3/31/17	6/30/17
I. Submit monthly and quarterly reports as required by OEO.		7/1/16-9/30/16	10/1/16-12/31/16	1/1/17-3/31/17	4/1/17-6/30/17



V. A.
1/19/2016

MOORE COUNTY BOARD OF COMMISSIONERS

TUESDAY, JANUARY 5, 2016

REGULAR MEETING

The Moore County Board of Commissioners met for a Regular Meeting at 5:30 p.m., Tuesday, January 5, 2016 in the Commissioners' Meeting Room, Second Floor, Historic Courthouse in Carthage, North Carolina.

Commissioners Present: Chairman Nick Picerno, Vice Chairman Randy Saunders, Jerry Daeke, Catherine Graham, Otis Ritter

Commissioners Absent: None

REGULAR MEETING

Chairman Picerno called the meeting to order at 5:30 p.m.

Commissioner Graham introduced her pastor, Dr. Curtis Barbery of First Baptist Church of Carthage, who delivered the invocation. The Pledge of Allegiance was led by Tax Administrator Gary Briggs.

The Chairman asked whether any commissioner had a conflict of interest concerning agenda items the Board would address during the meeting and no conflicts were stated.

Chairman Picerno announced that it was Vice Chairman Saunders' birthday and everyone sang the "Happy Birthday" song to him.

PUBLIC COMMENT PERIOD

Ms. Patsy Kinyoun expressed concerns about animals running loose. County Manager Wayne Vest shared that he and possibly also Animal Operations Director Brenda Sears had spoken previously with Ms. Kinyoun about this issue. Ms. Kinyoun also indicated concern about a couple of homes on her road (White Rock Road) that could possibly be involved in drug activity. Sheriff Neil Godfrey said his office would follow up on this. Lastly, Ms. Kinyoun expressed disappointment with the upkeep of some homes in Moore County. Chairman Picerno suggested she contact the County Manager.

Mr. Marsh Smith shared that he was concerned about one of the last areas of Moore County that had several thousand acres of unbroken blocks of wild land. He said he served on the Board for the Moore County Wildlife and Conservation Club, which sat in the midst of this property. Regarding a proposed rezoning of the property, he said he hoped some members of the Club could be present for the public hearing at the commissioners' January 19, 2016 meeting.

RECOGNITIONS

Sheriff's Office Retirees: Major Ricky Whitaker, Lieutenant Cathy Williams, Lieutenant Victor Moore

Chairman Picerno, joined by the Board, read resolutions honoring recent Sheriff's Office retirees Major Ricky Whitaker, Lieutenant Cathy Williams, and Lieutenant Victor Moore, and presented a resolution to each with much gratitude for their service. A copy of the resolutions is hereby incorporated as a part of these minutes by attachment as Appendix A.

Award for Public Safety Employee

Public Safety Director Bryan Phillips recognized the service of recent Public Safety Department retiree Wilda Hussey, who served for 30 years as a telecommunicator. Mr. Phillips, joined by Deputy Director of Public Safety/Emergency Manager Scot Brooks and E-911 Communications Manager Kris Sheffield, presented Ms. Hussey with the Cardinal Award from the office of the Governor. The commissioners congratulated Ms. Hussey and thanked her for her service.

Chairman Picerno noted he wanted to recognize these retirees particularly because of the current national spotlight on law enforcement. He said he admired these servants and was so grateful that they put themselves at risk on behalf of everyone else. Commissioner Graham said it was a pleasure to be a part of recognizing Major Whitaker, Lieutenant Williams, and Lieutenant Moore, all of whom she had worked with over her years of service as Clerk of Court. Vice Chairman Saunders discussed a house fire that claimed a life in Moore County on Christmas Eve and noted the impact it had on his family's Christmas and how he appreciated those who served in these emergency situations even on holidays. Commissioner Ritter said he knew all four of the retirees as friends and that they had suffered through the years taking care of everyone else. Commissioner Daeke said thank you to all who enforce the law to keep everyone safe. He said not everything that law enforcement officers did for citizens was made public, but they spent 24 hours a day protecting them.

New Website Design Staff and Volunteers

Information Technology Director Chris Butts recognized members of a committee that helped to develop the County's new website, as well as departments, web editors, the Sandhills Photography Club, and IT staff, particularly Vondia Smith. Very special recognition was given to intern Preston Robinson, who started and led the project and completed it at no cost to the County. On behalf of the Board of Commissioners, Mr. Butts presented Mr. Robinson a \$100 gift card to Best Buy and on behalf of the IT Department, he presented to him a plaque. Mr. Butts thanked the Board and County Manager for their support of IT projects. Chairman Picerno praised and congratulated Mr. Robinson on his work. Commissioner Graham also thanked Mr. Butts for his leadership.

PRESENTATIONS

Comprehensive Annual Financial Report for Fiscal Year 2015

Ms. Crystal Roberts with Martin, Starnes and Associates presented the County's Comprehensive Annual Financial Report for Fiscal Year 2015. Ms. Roberts' presentation is hereby incorporated as a part of these minutes by attachment as Appendix B. Chairman Picerno noted that of the top revenues, property taxes comprised 62% while sales taxes comprised only 16%. Vice Chairman Saunders noted on the expenditure side that the County's number one expenditure by far was education. Upon motion made by Vice Chairman Saunders, seconded by Commissioner Ritter, the Board voted 5-0 to accept the CAFR.

CONSENT AGENDA

Upon motion made by Vice Chairman Saunders, seconded by Commissioner Graham, the Board voted 5-0 to approve the following consent agenda items:

Minutes: December 8, 2015 Organizational/Regular Meeting and Closed Session
Budget Amendments
Updated Disbursing Signature Card
Sandhills Community College Request for Capital Project Loan Disbursement
Health Department “Radon Action Month” Resolution
Revised Records Retention and Disposition Schedule for Sheriff’s Office
Position Classification and Pay Plan
Settlement Agreement Amendment #1 with Progressive Contracting

The budget amendments, “Radon Action Month” resolution, and signature page for the Sheriff’s Office Records Retention and Disposition Schedule are hereby incorporated as a part of these minutes by attachment as Appendices C, D, and E, respectively.

PUBLIC HEARINGS

Call to Public Hearing/Planning – Rezoning Request: Residential and Agricultural 40 (RA-40) to Rural Agricultural (RA)

Planning Director Debra Ensminger requested the Board call a public hearing regarding a rezoning request and she briefly described the request. Upon motion made by Vice Chairman Saunders, seconded by Commissioner Graham, the Board voted 5-0 to call a public hearing on January 19, 2016 at 5:30 p.m. to solicit public participation relative to a General Use Rezoning of ParID 00022606.

Call to Public Hearing/Planning – Rezoning Request: Residential and Agricultural 40 (RA-40) to Residential and Agricultural 20 (RA-20)

Planning Director Debra Ensminger requested the Board call a public hearing regarding a rezoning request and she briefly described the request. Upon motion made by Commissioner Ritter, seconded by Commissioner Graham, the Board voted 5-0 to call a public hearing on January 19, 2016 at 5:30 p.m. to solicit public participation relative to a General Use Rezoning of ParID 00031790.

NEW BUSINESS

Sheriff’s Office:

Approval of Governor’s Crime Grant Proposals

Sheriff Neil Godfrey requested approval for the Sheriff’s Office to apply for two grants, a Local Law Enforcement Block Grant in the amount of \$24,500 that would be used for law enforcement equipment, and a Statewide Infrastructure and Technology Improvement Grant in an amount of up to \$200,000 which would be used to upgrade the Automated Fingerprint Identification System and to replace the security camera and door computers at the Detention Center. Neither grant would require a match. Upon motion made by Commissioner Daeke, seconded by Commissioner Ritter, the Board voted 5-0 to approve the Sheriff’s Office to apply for both the North Carolina Governor’s Crime Commission Local Law Enforcement Block Grant and the Statewide Infrastructure and Technology Improvement Initiative Grant.

Aging:

Approval of Revision of DAAS 732 Provider Services Summary

On behalf of Department of Aging Director Terri Prots, County Manager Wayne Vest requested the Board's acceptance of a revision to the DAAS 732 Provider Services Summary due to an increase in Home and Community Care Block Grant funds. These funds would be allocated to nutrition programs. Upon motion made by Vice Chairman Saunders, seconded by Commissioner Graham, the Board voted 5-0 to accept the revision of DAAS 732 which increases Home and Community Care Block Grant funds by \$13,166 for a total of \$723,328.

Public Works:

Approval of Amendment # 1 to Chatham County Water Purchase Agreement

Public Works Director Randy Gould requested an amendment to the County's water purchase agreement with Chatham County. The amendment would provide for automatic renewals of the agreement and also clarify that the water delivered at the point of delivery would meet the applicable water purity standards of the North Carolina Department of Environmental Quality, not the Division of Environmental Health. Upon motion made by Vice Chairman Saunders, seconded by Commissioner Ritter, the Board voted 5-0 to approve amendment # 1 to the water purchase agreement with Chatham County and authorize the Chairman to sign.

Approval of Revisions to Fee Schedule

Mr. Gould reviewed proposed revisions to the fee schedule for Public Works and requested the Board's approval. Upon motion made by Commissioner Graham, seconded by Vice Chairman Saunders, the Board voted 5-0 to approve revisions to the fee schedule to include the developer discounted tap fees for meters 2" and larger effective immediately.

Public Safety:

Approval of Resolution to Adopt Regional Hazard Mitigation Plan

Public Safety Director Bryan Phillips asked the Board to approve a resolution to adopt the Cape Fear Regional Hazard Mitigation Plan. Upon motion made by Vice Chairman Saunders, seconded by Commissioner Ritter, the Board voted 5-0 to approve the resolution to adopt the Cape Fear Regional Hazard Mitigation Plan. The resolution is hereby incorporated as a part of these minutes by attachment as Appendix F.

FY 15 Homeland Security Grant Program: Approval for Purchase of Fold-Out Shelter

Mr. Phillips requested the Board's approval to accept grant funds to be utilized for the purchase of a fold-out shelter system. Upon motion made by Commissioner Graham, seconded by Vice Chairman Saunders, the Board voted 5-0 to approve for Moore County to enter into a Memorandum of Understanding with the NC Department of Crime Control and Public Safety, Division of Emergency Management for the acceptance of grant funds to be utilized for the purchase of a fold-out shelter system and to allow the Chairman to sign all associated documents pending the Moore County Attorney and Finance Officer approval. Commissioner Graham made a motion, seconded by Vice Chairman Saunders, to approve an attached budget amendment and allow the Chairman to sign all associated documents pending the Moore County Attorney and Finance Officer approval. Commissioner Ritter asked if it was clear that the responsibility for the equipment belonged to all counties involved and Mr. Phillips said yes. Commissioner Ritter said the equipment needed to be monitored to ensure it was not abused. Chairman Picerno inquired about the estimated operating expense for the equipment

and Mr. Phillips said there really was none other than keeping it road worthy and secure. The motion to approve the budget amendment carried 5-0. The budget amendment is hereby incorporated as a part of these minutes by attachment as Appendix G.

FY 15 Homeland Security Grant Program: Approval for Upgrade of Regional Communications Trailer

Mr. Phillips requested the Board's approval to accept \$20,000 in grant funds to be utilized for the upgrade of a regional communications trailer. Upon motion made by Vice Chairman Saunders, seconded by Commissioner Graham, the Board voted 5-0 to approve for Moore County to enter into a Memorandum of Understanding with the NC Department of Crime Control and Public Safety, Division of Emergency Management for the acceptance of \$20,000 in grant funds to be utilized for the upgrade of a regional communications trailer and allow the Chairman to sign all associated documents pending the Moore County Attorney and Finance Officer approval. Upon motion made by Commissioner Graham, seconded by Vice Chairman Saunders, the Board voted 5-0 to approve an attached budget amendment and allow the Chairman to sign all associated documents pending the Moore County Attorney and Finance Officer approval. The budget amendment is hereby incorporated as a part of these minutes by attachment as Appendix H.

Administration:

Approval of FY 17 Budget Calendar

County Manager Wayne Vest requested the Board's approval of a proposed Fiscal Year 2017 budget calendar/schedule, which he reviewed. Chairman Picerno made a motion, seconded by Vice Chairman Saunders, to approve the budget schedule. Chairman Picerno noted that a budget work session had not been needed in recent years and that one would again, hopefully, not be needed, though it could be scheduled if necessary. He said the Budget Task Force (himself and Vice Chairman Saunders) would keep the Board thoroughly updated throughout the process. The motion to approve the schedule carried 5-0.

MANAGER'S REPORT

County Manager Wayne Vest wished everyone a happy new year. He said he was looking forward to the Board's special meeting, the Winter Summit, scheduled for the coming Thursday, January 7th.

COMMISSIONERS' COMMENTS

Vice Chairman Saunders thanked everyone for the birthday wishes he had received. He shared that he would be participating in an upcoming Moore County Schools meeting regarding the proposed Advanced Career Center and that he would bring information back to his fellow commissioners.

Commissioner Graham discussed that the heating system was not working properly at the Court facility. County Manager Wayne Vest said that the thermostat was out of calibration and that some testing and balancing was being done, and some corrective measures had been identified which may have been put in place by this time. Commissioner Graham wished everyone a happy new year.

Commissioner Ritter wished everyone a happy new year.

Commissioner Daeke wished everyone a happy new year. He thanked The Pilot for an editorial in the Sunday paper which he thought was well written. He said he looked forward to working with the Board of Education regarding the Schools' capital needs.

Commissioner Graham expressed sympathy to staff at The Pilot upon the loss of their team member, Tom Embrey.

Chairman Picerno asked commissioners to come well-prepared to the Board's Winter Summit meeting scheduled for the coming Thursday and to think about three major issues: 1) The need to convince State legislators to give counties back their 40% share of the State Education Lottery proceeds; 2) The need for equitable distribution of teacher funding by the State. (Chairman Picerno noted that the Manager would be working with the school system on an audit to determine what it was actually costing taxpayers to plug an identified hole in the State's funding of teaching positions); 3) The omission of Moore County from the distribution of sales tax that 79 other counties were receiving. Chairman Picerno shared that he would attend a Board of Directors meeting for the North Carolina Association of County Commissioners on January 13th and that he would pass along any message or resolution the commissioners desired. He wished a happy new year to everyone.

ADJOURNMENT

With no further business, upon motion made by Commissioner Ritter, seconded by Commissioner Graham, the Board voted 5-0 to adjourn the January 5, 2016 regular meeting of the Moore County Board of Commissioners at 6:46 p.m.

Nick J. Picerno, Chairman

Laura M. Williams, Clerk to the Board



MOORE COUNTY BOARD OF COMMISSIONERS

THURSDAY, JANUARY 7, 2016

SPECIAL MEETING

The Moore County Board of Commissioners met for a Special Meeting (“Winter Summit”) at 8:30 a.m., Thursday, January 7, 2016 in the Community Room on the second floor of the Rick Rhyne Public Safety Center, 302 S. McNeill St., Carthage, North Carolina.

Commissioners Present: Chairman Nick Picerno, Vice Chairman Randy Saunders, Jerry Daeke, Catherine Graham, Otis Ritter

Commissioners Absent: None

Chairman Picerno called the meeting to order at 8:30 a.m. County Manager Wayne Vest provided the invocation and Vice Chairman Saunders led the Pledge of Allegiance.

OPENING REMARKS

Chairman Picerno shared that the Board had received the County’s Comprehensive Annual Financial Report for Fiscal Year 2015 during a regular meeting on January 5, 2016 and that the County’s financial status was very good even with three major capital projects being taken on, including renovations to the Court facility, renovations to the Currie Building, and the purchase of several vehicles for the Sheriff’s Office. Chairman Picerno noted that citizens were at the top of the County’s organizational chart and commissioners and staff were there to serve citizens. Chairman Picerno said that when he first joined the Board eight years earlier, the major headline in the newspaper was who would be chairman. He said this year, however, the selection of chairman barely made the news while how to improve the County’s situation regarding capital needs was the big headline, and he said this was the way it should be. Chairman Picerno said the Board had several tough issues to address, including how to fund the Schools’ capital needs as well as economic development considerations. He said he hoped at the end of the day the Board would have a good understanding of plans and priorities. Chairman Picerno then gave the floor to Manager Vest.

ECONOMIC DEVELOPMENT

Manager Vest recognized Caleb Miles, Executive Director for the Convention and Visitors’ Bureau (CVB), George Little, Chair of the CVB Board, and Pat Corso, Executive Director of

Moore County Partners in Progress to discuss a proposed sports complex and other economic development issues.

Mr. Little discussed strategies to build more products and generate more business in Moore County. He said areas like Myrtle Beach, South Carolina were finding immediate success with sporting venues/events and discussed how something similar could benefit Moore County. During the discussion, Mr. Little stated his support for raising the room occupancy tax in Moore County to 6%. He also discussed the County's growth and how much of the growth could be attributed to the military. He said the County was hosting more corporate events and government groups, had an active construction industry, had added several new restaurants and had more announcements forthcoming, including for a new hotel. Mr. Little then introduced Mr. Miles to present further information on the sports complex.

Mr. Miles provided a presentation, which is hereby incorporated as a part of these minutes by attachment as Appendix A. (Mr. Corso also commented during the presentation regarding talent recruitment and community development). Following the presentation, Commissioner Daeke asked whether the proposed sports complex would be outside town limits and whether there was intent to incorporate it into town limits. Mr. Miles confirmed that the subject property was currently outside town limits and would need water and sewer. He said, to his understanding, there was already an agreement between the towns of Aberdeen and Pinebluff regarding which parcels would be incorporated into which town. Chairman Picerno noted that the CVB Board did not have a unanimous vote regarding the recommendation for a sports complex and asked why two of the biggest players in such a venture would vote against it. Mr. Miles said it was very seldom that projects such as these passed unanimously. Mr. Little noted that the vote to start the CVB years before was not unanimous either. Chairman Picerno said he had brought up the vote only in the interest of transparency.

Chairman Picerno asked why funding for the sports complex was being laid at the public's feet when area hotels stood to benefit from it. Mr. Miles said it was difficult to put together and fund on the front end and most companies got involved in projects like these on a sponsorship level. He said projects such as this usually ran a deficit in the first five years but then made money. Chairman Picerno wondered if there was a mechanism to directly tax hotels and restaurants for the project, if they would still support it.

Vice Chairman Saunders said he heard there was another sports complex currently under construction in the area and he wondered if the CVB was too late with its proposal. Mr. Miles said that particular project was membership and sponsorship driven and was being built primarily for members. He said the complex proposed by the CVB was the only one that could produce the kind of revenues that had been discussed. Chairman Picerno said there would be further discussion in the near future and suggested scheduling another meeting.

Mr. Corso shared an update on economic development. He said Partners in Progress (PIP) did not want to compete with the Chamber of Commerce and that PIP's job was to recruit new businesses and retain existing ones. He said this was harder to do with limited funds and the lack of travel funds was especially a concern. Mr. Corso requested consideration for \$21,000 more annually than was currently being provided by the County, saying there had not been an increase

in funding since PIP began. Mr. Corso then discussed the County's average wage, workforce, and places for companies to locate. He said there was no problem with interest in Moore County, but there was a problem with the availability of product. He said overall, the County was doing great and was a desirable place to live, and areas of opportunity would be skilled labor and growth in manufacturing.

There was a break in the meeting from 10:15 a.m. to 10:40 a.m.

CITIZEN SERVICES

The following departments provided presentations on their services:

Aging (presentation by Terri Prots)

Transportation Services (presentation by Lydia Cleveland and Tawanna Williams)

Veterans (presentation by Jim Pedersen)

Animal Operations (presentation by Brenda Sears)

The presentations are hereby incorporated as a part of these minutes by attachment as Appendices B, C, D, and E, respectively. The Board congratulated each of these departments on their successes.

The Board took a break for lunch from 12:10 p.m. – 1:00 p.m. County Manager Wayne Vest asked the blessing. The meal was served in the training room on the first floor and was catered by Board of Elections Director Glenda Clendenin and staff.

Following lunch, all offered appreciation to Ms. Clendenin and staff.

ELECTIONS

Board of Elections Director Glenda Clendenin provided a presentation on issues regarding the 2016 elections. Discussion followed. A copy of the presentation is hereby incorporated as a part of these minutes by attachment as Appendix F. Ms. Clendenin shared that she was celebrating her 30th year of employment as the Elections Director and she noted the longevity of her staff as well. She expressed how honored she felt to serve in this capacity.

PROPERTY MANAGEMENT

Property Management Director Bobby Lake, joined by Sheriff Neil Godfrey, provided an update on research into County facilities security and reviewed responses received from various firms for improving security as well as recommendations from the Sheriff's office. It was determined that discussion would continue at a later date as more information was obtained.

Mr. Lake then provided an update on projects, beginning with renovations to the Currie Building, the location of the offices of the District Attorney. District Attorney Maureen Krueger was present to provide comment and said it was now a high functioning, professional building that was working perfectly. Commissioner Graham referenced an email she had recently

received from Ms. Krueger regarding a Grand Jury report and building safety and asked Ms. Krueger to confirm that her email was not in reference to the Currie Building. Ms. Krueger said the email regarded the Court facility and she shared areas of concern that Grand Jurors had pointed out in the report. She particularly noted their concern with the vulnerability of District Attorney employees walking back and forth between the Currie Building and the Court facility.

Mr. Lake and Sheriff Godfrey reviewed the Grand Jury report regarding renovations to the Court facility. Chairman Picerno inquired about the timeframe between the renovations completion date and the report being received. Commissioner Graham said the Courthouse Facilities Advisory Committee, which she chaired, would meet later in January and would report to the commissioners in February, which would be a better time for discussion. Vice Chairman Saunders said he wanted the commissioners to read the Chinn space study (2012) before that time as he personally had four pages of notes from that study on the Court facility alone. He questioned the amount of space recommended and Sheriff Godfrey said it was planned with anticipated growth over the next many years. Vice Chairman Saunders said he still had serious questions. Chairman Picerno said he hoped Commissioner Graham would take the Committee through the list of issues presented by the Grand Jury compared to what the County was able to accomplish through the renovations, and determine whether there were still deficiencies. He said the County did spend \$1.5 million on the facility based upon the Committee's recommendations, so he hoped there would be some return on that. Commissioner Graham said she would do that. Commissioner Ritter said the Committee signed off on the renovations and now there was a list of things that were not acceptable. He said he was an advocate for the Court system, but stressed the importance of understanding necessities versus niceties. Commissioner Graham said there was a committee in place to consider these issues, and it was premature to discuss space needs at this time since they were not at that point in discussion. She said the Grand Jury did provide some inside information that should not be disregarded because it was provided by independent citizens. Commissioner Graham said there were good decisions made regardless such as the addition of an elevator to the building, which would be of benefit no matter the use of the building. She said the Board did have to consider the future, though.

Mr. Lake continued his review of County facility projects. Information provided by Mr. Lake is hereby incorporated as a part of these minutes by attachment as Appendix G.

LEGISLATIVE UPDATES

NCACC

Manager Vest introduced staff from the North Carolina Association of County Commissioners (NCACC) present to provide legislative updates on budget/finance: Johanna Reese, Director of Government Relations; Cassandra Hoekstra, Legislative Counsel; Hugh Johnson, Government Relations Coordinator; and Amber Harris, Grassroots Coordinator. Ms. Reese, Ms. Hoekstra, and Mr. Johnson provided a presentation which is hereby incorporated as a part of these minutes by attachment as Appendix H. Following the presentation, Chairman Picerno thanked the NCACC for all the Association did on counties' behalf. Chairman Picerno noted that there were some holes in educational funding from the State and said he wanted the Association to help provide education on and illumination of those issues. He shared that the Association website

had recently been very helpful to him as he researched information on tax rates versus tax burden.

Tier System

Partners in Progress Executive Director Pat Corso provided an update on the status of the economic tier ranking system of counties in North Carolina. His summary of this issue was that everyone (including at State level) disliked the tier system, but no one had any idea of what could replace it. He indicated State committees studying this issue would meet again on February 4th. Chairman Picerno asked what the source of funding was for the tier system and Mr. Corso presumed the State's General Fund. Chairman Picerno said counties originally ranked as tier 1 were still tier 1, so the system was not working. He said he represented Moore County and did not like to see Moore's citizens' money taken from them and given to someone else. He said he would like to see economic development incentives eliminated altogether. Mr. Corso said he wished there would be an edict that there would be no more incentives, but said he had to get what he could get for Moore County and needed the Board's full support for that. The commissioners said he had their full support.

BUDGET/FINANCE

Finance Officer Caroline Xiong reviewed information on the County's revenues, expenditures, balances and projections. Tax Administrator Gary Briggs shared information on property taxes and discussed the impact of House Bill 168. Internal Auditor Tami Golden provided a sales tax update. Handouts shared related to these topics are hereby incorporated as a part of these minutes by attachment as Appendix I.

Manager Vest introduced Mitch Brigulio and Ted Cole with Davenport and Associates who provided a presentation on funding for Moore County Schools capital projects. The presentation is hereby incorporated as a part of these minutes by attachment as Appendix J. Discussion of the various options followed.

Manager Vest then reviewed information on a tax rate chart, hereby incorporated as a part of these minutes by attachment as Appendix K.

CLOSING COMMENTS/ADJOURNMENT

Chairman Picerno commended Manager Vest and staff for putting together information that provided much insight into the topics discussed during the meeting. Chairman Picerno congratulated Property Management Director Bobby Lake on getting recent renovations projects completed under budget. He said the buildings would be used for years to come even if not for their current purposes. He said the Budget Team would get to work on the FY 17 budget.

Commissioner Daeke said the presentations during the meeting had been great and said he appreciated the effort put forth. He said this was a good start to the new year. Commissioner Graham thanked Manager Vest and staff for all the information covered. She also thanked reporters from the Seven Lakes Times and The Pilot for covering the entire meeting.

She thanked commissioner candidates for being present also. Commissioner Graham said these were challenging times but also exciting times. She expressed appreciation for staff and she said the Board was striving to keep taxes low.

Upon motion made by Commissioner Graham, seconded by Commissioner Ritter, the Board voted 5-0 to adjourn the January 7, 2016 Special Meeting of the Moore County Board of Commissioners at 4:36 p.m.

Nick J. Picerno, Chairman

Laura M. Williams, Clerk to the Board

Agenda Item: V. C.
Meeting Date: 1/19/2016

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Gary E. Briggs, Tax Administrator 
DATE: January 13, 2016
SUBJECT: Tax Releases/Refunds – Month of December 2015
PRESENTER: Gary Briggs

AGENDA PLACEMENT: Consent Agenda

REQUEST:

2 real/personal/motor vehicle releases totaling \$106.34
36 real/personal/motor vehicle relief-refunds totaling \$15,410.44

159 releases/refunds of less than \$100 each totaling \$5,364.30 were sent to the County Finance Officer for approval.

BACKGROUND:

The records have been checked and these releases/refunds verified; therefore, the Tax Administrator is asking for approval of the release/refund requests. According to General Statute 105-381, a taxpayer who has paid his taxes may request a refund (in writing) for the amount that was paid or billed through error. Additionally, General Statute 105-330 allows for a refund/release of certain motor vehicle bills. The attached sheets give the information for the taxpayers' reasons for their release/refund requests.

IMPLEMENTATION PLAN:

Through month-end procedures and by Tax Department Staff.

FINANCIAL IMPACT STATEMENT:

Total - \$15,516.78 (breakdown attached)

RECOMMENDATION SUMMARY:

These release/refund requests are approved as shown on the attached sheets.

SUPPORTING ATTACHMENTS:

Release/Refund Requests
Resolutions

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

WHEREAS, Gary E. Briggs, Moore County Tax Administrator, has certified a list comprised of delinquent taxes illegally due by the taxpayer and therefore should be released or refunded in accordance with General Statute 105-381.

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

Adopted this the _____ day of _____, 2016.

Nicholas J. Picerno, Chairman

ATTEST:

Laura M. Williams
Clerk to the Board

**REAL ESTATE / PERSONAL PROPERTY / MOTOR VEHICLE
RELEASES
OVER - \$100
December-15**

<u>YEAR</u>	<u>BILL NUMBER</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
2015	1001180	BEHRMANN, RICHARD J	INCORRECT VALUE	227.44
2010	10005075	JONES, LIBBY AIMEE	MILITARY	-121.10
			TOTAL	106.34

**VTS/MUNIS MOTOR VEHICLES
RELIEF - REFUNDS
OVER - \$100
December-15**

<u>Bill Year</u>	<u>Bill Number</u>	<u>Name</u>	<u>Reason</u>	<u>Refund Amount</u>
2014	VTS - 0008466835	BOTNICK, MATTHEW & GLORIA	SUBMITTED TAG TO DMV	111.70
2015	10348	CAGLE, WILLIAM EVERETTE SR & LYDIA	PARCEL MERGED & BILLED WITH ANOTHER PAR ID	163.12
2015	VTS - 0028692841	ESTES EXPRESS LINES	BILLED AS UTILITY	237.56
2015	VTS - 0028914813	GADDY, CHARLES	SUBMITTED TAG TO DMV	101.90
2015	37823	MANOR CARE OF PINEHURST	ORDER OF PROPERTY TAX COMMISSION	3,751.30
2015	37578	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	146.71
2015	41263	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	256.90
2015	41264	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	190.22
2015	41265	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	257.34
2015	41266	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	214.09
2015	992137	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	115.39
2015	41308	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	350.76
2015	41309	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	256.90
2015	41310	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	219.97
2015	41311	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	269.45
2015	41312	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	142.72
2015	41313	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	291.24
2015	41314	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	472.29
2015	41315	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	261.92
2015	41333	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	423.07
2015	41334	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	184.68
2015	41335	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	185.72
2015	41336	PINE NEEDLES COUNTRY CLUB INC	ORDER OF PROPERTY TAX COMMISSION	260.71
2015	37785	PINENEEDLES CO CLUB INC	ORDER OF PROPERTY TAX COMMISSION	492.45
2015	37788	PINENEEDLES CO CLUB INC	ORDER OF PROPERTY TAX COMMISSION	3,483.52

**VTS/MUNIS MOTOR VEHICLES
RELIEF - REFUNDS
OVER - \$100
December-15**

<u>Bill Year</u>	<u>Bill Number</u>	<u>Name</u>	<u>Reason</u>	<u>Refund Amount</u>
2015	37794	PINENEEDLES CO CLUB INC	ORDER OF PROPERTY TAX COMMISSION	256.90
2015	37795	PINENEEDLES CO CLUB INC	ORDER OF PROPERTY TAX COMMISSION	397.90
2015	37796	PINENEEDLES CO CLUB INC	ORDER OF PROPERTY TAX COMMISSION	520.99
2015	37797	PINENEEDLES CO CLUB INC	ORDER OF PROPERTY TAX COMMISSION	326.45
2015	51645	RASANAKE, LOUVENE	OWNER QUALIFIES FOR HOMESTEAD EXEMPTION	141.25
2014	VTS - 0018649037	RONALTER, WILLIAM C	SUBMITTED TAG TO DMV	122.03
2015	VTS - 0028137522	RUSH, LESTER F	SUBMITTED TAG TO DMV	211.87
2014	VTS - 0025358220	SHARON, SHERRY	SUBMITTED TAG TO DMV	106.31
2015	VTS - 0027404397	STRAUB, DARLENE	MILITARY	216.25
2015	VTS - 0027422853	TOROK, LINDA M	SUBMITTED TAG TO DMV	143.05
2015	VTS - 0027018260	UPTON, GEORGE JR	SUBMITTED TAG TO DMV	125.81
TOTAL				15,410.44

MEMORANDUM TO THE BOARD OF COMMISSIONERS

FROM: Debra Ensminger
Planning & Transportation Director

DATE: December 18, 2015

SUBJECT: General Use Rezoning Request: Residential and Agricultural-40 (RA-40) to Rural Agricultural (RA)

PRESENTER: Debra Ensminger

REQUEST

Pine Valley Solar Farm, LLC is requesting a General Use Rezoning of a portion of ParID 00022606, owned by McDonald Family Farms as identified in Moore County tax records; the overall parcel is approximately 89.44 acres. The request is to rezone approximately 65 acres located south of the Norfolk Southern - Aberdeen Carolina and Western Railroad Right-of-Way and outside of the existing RA-CUD area from Residential and Agricultural-40 (RA-40) to Rural Agricultural (RA). The parcel is located south of NC Highway 211.

BACKGROUND

- The central portion of this property (approximately 14.39 acres) was rezoned to RA-CUD (Rural Agricultural – Conditional Use District) on February 18, 2014 for the specific use of sand mining. The northern portion of this property (approximately 6.82 acres) was rezoned on June 4, 2014 to B-2 (Highway Commercial District).
- Access – The proposed rezoning area is currently undeveloped and has access from NC Hwy 211 at the northwest corner of the parcel. A 60’ access easement is located along the northern border of this portion of the property to provide access to the sand mine and other areas of the parcel.
- Adjacent Uses – Adjacent properties comprise of a mixture of zoning districts including RA-40, RA-20, B-2, PUD-H, and Foxfire’s RA (Residential Agriculture) zoning district. Adjacent uses include a proposed solar collector facility (inside of Foxfire’s zoning jurisdiction, single family homes, and a sand mine (located within property).
- Utilities – The property is currently served by County Water (with permission by Norfolk Southern - Aberdeen Carolina and Western Railroad). The property is not currently served by County sewer.
- Watershed – The property is located in WS-II-BW Drowning Creek Watershed.
- Wetlands – The property is located within a wetland per the National Wetland Inventory.
- Red Cockaded Woodpecker – The property is located in a RCW District.
- Highway Corridor Overlay District – A small portion of the property is located within the Rural Highway and the Urban-Village Highway Corridor Overlay Districts.
- Voluntary Agricultural District – The property is within one-half mile of a VAD.

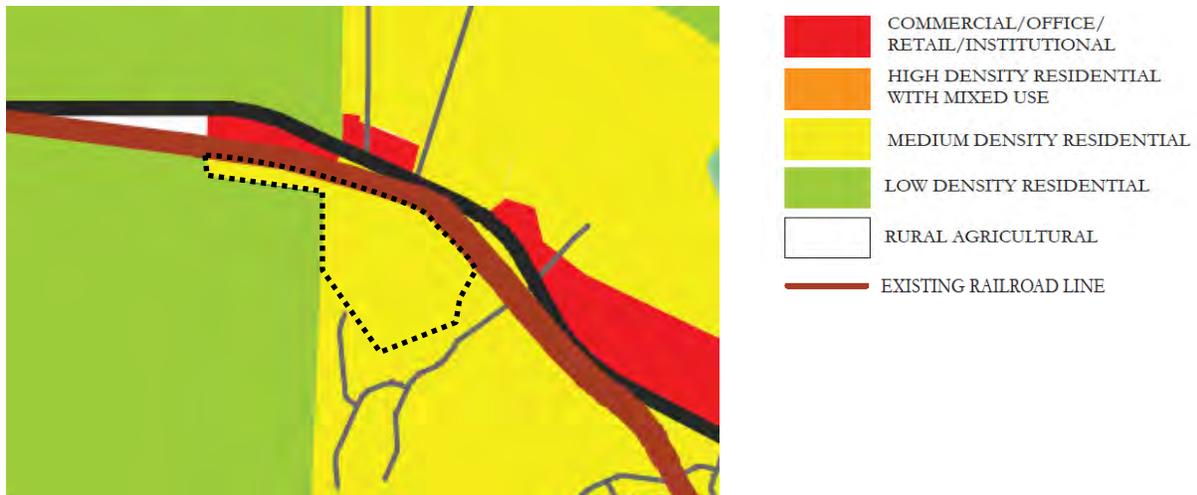
ZONING DISTRICT COMPATIBILITY

The requested zoning to RA will place generally compatible uses within the area and neighboring zoning districts. The following is a summary list of general uses. For specific permitted uses refer to the Permitted Use Table, which is attached.

<u>GENERAL USE CATEGORIES</u>	<u>EXISTING RA-40</u>	<u>REQUESTED RA</u>
Agricultural	X	X
Recreational	X	X
Single Family	X	X
Multi-Family		
Retail		
Commercial Services		
Institutional	X	X
Industrial		

CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN

The requested zoning to RA is generally compatible with the Medium Density Residential Land Use Classification. The MDR LUC encourages a mixture of housing types and may also include certain non-residential neighborhood supportive uses such as schools, daycares, churches, and others. The intent of the RA Zoning District is to reflect the pattern of development in rural Moore County by preserving and protecting current uses and way of life while also protect property rights. A Planning Board Consistency Statement is included for the Board’s review and consideration.



IMPLEMENTATION PLAN

Hold the public hearing and approve/deny the general use rezoning request.

FINANCIAL IMPACT STATEMENT

No financial impact to the County’s FY 2015-2016 budget.

PLANNING BOARD RECOMMENDATION

The Planning Board met on December 3, 2015 and recommended approval on a 5-1 vote of the rezoning request. One (1) citizen who resides in the adjacent Pine Valley neighborhood spoke in opposition of the request.

RECOMMENDATION SUMMARY

Staff recommends the Moore County Board of Commissioners make two separate motions:

Motion #1: Make a motion to adopt the attached Moore County Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to approve/deny the general use rezoning of the parcel known as ParID 00022606 as identified in Moore County tax records from Residential and Agricultural-40 (RA-40) to the Rural Agricultural District (RA) as proposed.

ATTACHMENTS

- Land Use Map and Adjacent Properties
- Rezoning Application
- Submitted Boundary Map
- Rezoning Map
- UDO Article 7. Table of Uses
- Land Use Plan Consistency Statement

LAND USE MAP



View of property from NC Hwy 211



View of driveway from NC Hwy 211



View of internal rail road



View of Interior Systems Inc. business (located across NC Hwy 211)



View of Carolina Power & Light Co. substation from NC Hwy 211



View from the end of Carolina Pines Drive (property located beyond the trees).



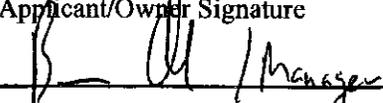
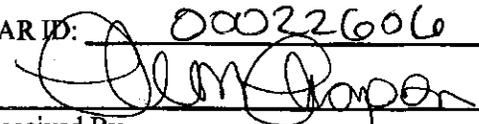


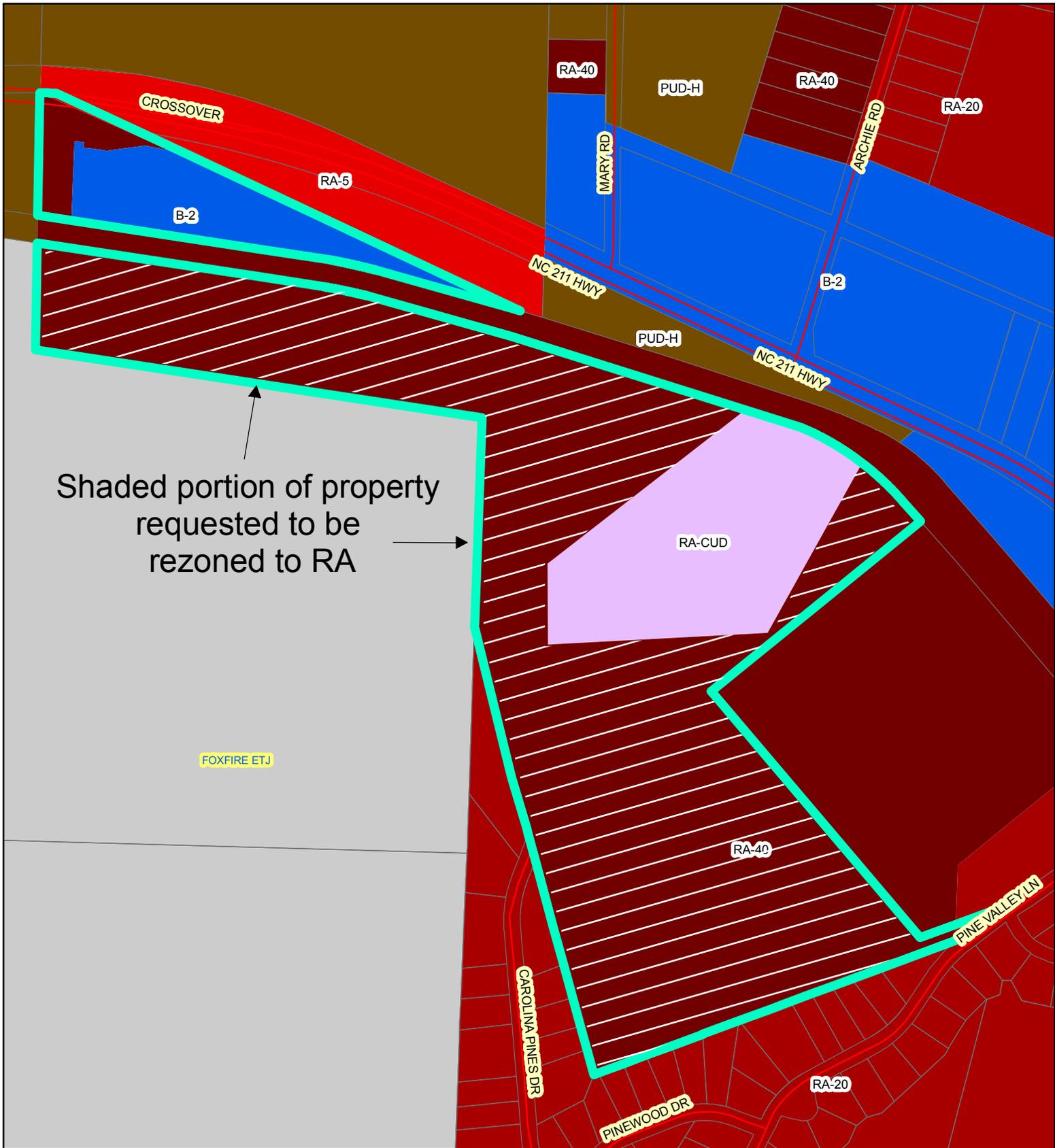
PLANNING & COMMUNITY DEVELOPMENT



P.O. Box 905
 1048 Carriage Oaks Drive
 Carthage, NC 28327
 Planning: 910.947.5010
 Central Permitting: 910.947.2221
 Fax: 910.947.1303
 www.moorecountync.gov

General Use Rezoning Application

Application Date: 10/08/2015			
Location/Address of Property: 100 Pine Valley Lane, West End, NC 27376			
Applicant: Pine Valley Solar Farm, LLC		Phone:	
Applicant Address: 12921 Buckeye Drive	City: Gaithersburg	St: MD	Zip: 20878
Owner: McDonald Family Farms, LLC		Phone:	
Owner Address: 3286 NC 73 Highway PO Box 349	City: West End	St: NC	Zip: 27376
Current Zoning District: RA-40	Proposed Zoning District: RA		
Comments: <u>Pine Valley Solar Farm, LLC is requesting to rezone the current zoning district of RA-40 to RA which will allow use for a solar farm. The use and or development will be in harmony with the area in which it is located and will be in general conformity with the plan of development in the County.</u>			
Application Submittal			
The applicant must submit a complete application packet on or before the submittal deadline. This includes:			
<input checked="" type="checkbox"/> Completed Moore County General Use Rezoning Application. <input checked="" type="checkbox"/> Application Fee (\$300). <input checked="" type="checkbox"/> Postage sufficient to notify all adjacent landowners FOR TWO MAILINGS . (One for Planning Board meeting, and one for Board of Commissioners meeting.) The rate for postage FOR EACH CERTIFIED MAIL LETTER is \$6.49. This includes \$3.30 (certified mail) plus \$2.70 (return receipt) plus \$0.49 (first class stamp).			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
McDONALD FAMILY FARM, LLC Christina McDonald, Gen. Mgr.		10/7/15	
Applicant/Owner Signature		Date	
		10/20/15	
Applicant/Owner Signature		Date	
Office Use Only:			
PAR ID: 00022606			
		10/29/15	
Received By		Date	



Shaded portion of property requested to be rezoned to RA

FOXFIRE ETJ

1 inch = 480 feet



Moore County GIS Disclaimer:
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 Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).

Vicinity Map

Owner: McDonald Family Farms, LLC

General Use Rezoning

(App. 65 Acres Portion of Overall Parcel)

ParID 00022606

Legend					
	B-1		PUD/CUD		RA-40
	B-1-CUD		PUD-H		R-MH
	B-2		RA		RA-CUD
	GC-SL		RA-2		RA-USB
	GC-WL		RA-2-CUD		RE
	I		RA-5		VB
	P-C		RA-20		VB-CUD

G301 - Zoning Plan:

Description:

All area south of the Aberdeen, Carolina and Western Railroad (excluding mining area zoned RA-CUD) is to be rezoned to RA.

Zoning Acreage Calculations:

RA Rezoning (Solid Lines):

Area: 75.81 Acres

RA-CUD Mining Area (Cross Hatch):

Area: 12.01 Acres



NOTE
PRELIMINARY PROJECT PLANNING DRAWINGS SHEET SIZE AT FULL SCALE: 24' x 36'

REV.	DATE	REVISION DESCRIPTION	DRW.	CHK.	APP.	REV.	DATE	REVISION DESCRIPTION	DRW.	CHK.	APP.	REV.	DATE	REVISION DESCRIPTION	DRW.	CHK.	APP.
00	2015/01/02	SITE DEVELOPMENT	DC	DC	DC	01	2015/10/16	UPDATED LANDSCAPE	SM	DC	DC						
01	2015/06/11	DUKE INTERCONNECTION REQUEST	DC	DC	DC												
02	2015/06/20	INTEGRATE PRELIMINARY WETLAND DELINEATION	DC	DC	DC												
03	2015/06/26	INTEGRATE SURVEY	DC	DC	DC												
04	2015/09/09	UPDATED SURVEY, 20 DEG TILT OPTION	SM	DC	DC												
05	2015/09/28	UPDATED SURVEY	SM	DC	DC												
06	2015/10/09	UPDATED SURVEY, LANDSCAPE, AND PRESENTATION	SM	DC	DC												

LEGAL WARNING
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CALVERT ENERGY LLC
12921 Buckeye Drive
Gaithersburg, MD 20878
Phone: (301) 208-0153

REVISION	DRAWN	CHECKED	APPROVED
01	SM	DC	DC

ENGINEER: DAVID CLICK

PROJECT NAME: PINE VALLEY SOLAR FARM, LLC	SCALE: N/A
ADDRESS: 1200 Pine Valley Lane, West End, NC 27176	FORMAT: 24' x 36'
SHEET TITLE: ZONING PLAN	DRAWING N°: G301
	DATE: 2015/10/16

ARTICLE 7

TABLE OF USES

SECTION 7.1 PERMITTED LAND USES

7.1.1 Use Table

The use table is subject to the explanation as set forth below.

- 7.1.101 A “P” indicates that a use is permitted in the respective district subject to the specific use standards in **Article 9** (Specific Use Standards) of this Ordinance. Such uses are also subject to all other applicable requirements of this UDO.
- 7.1.102 A “C” indicates a use that may be permitted in the respective general use district only where approved by the Planning Board in accordance with **§3.9.6** (Conditional Use Permits). Conditional uses are subject to all other applicable requirements of this UDO, including the specific use standards contained in **Article 9** (Specific Use Standards).
- 7.1.103 The “Use Standard” column on the table is a cross-reference to any specific use standard listed in **Article 9** (Specific Use Requirements) of this Ordinance. Where no cross-reference is shown, no additional use standard shall apply.
- 7.1.104 A blank cell in the use table indicates that a use is not permitted in the respective district.

7.1.2 Table of Uses

- 7.1.201 The following table lists the principal uses permitted by this UDO for general use districts.
- 7.1.202 For parallel conditional use districts, see **§6.1.2** (Parallel Conditional Use Districts); for conditional zoning districts, see **§6.1.3** (Conditional Zoning Districts).

Accessory Uses	Residential Districts							Rural/Ag Districts			Commercial & Industrial Districts				Use Standards	
	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2		I
Accessory Uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Home Occupation, Standard	P	P	P	P	P	P	P	P	P	P						§9.2.1
Intensive Home Business			C	C				C		C						§9.2.2
Residential Solar Collectors	P	P	P	P	P	P	P	P	P	P						§9.2.3
Swimming Pools	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§9.2.4
Residential Uses	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Use Standards
Accessory Dwelling Unit	P	P	P	P			P	P	P	P						§9.1.1
Accessory Dwelling Unit (Manufactured Homes)	P	P	P	P			P	P	P	P						§9.1.2
Additional Dwelling (one for each 10 acres of land)								P	P	P						§9.1.3
Apartments & other Multi-Family Structures with three or more units	C	C				P										§9.1.4
Barn Apartments			P	P				P		P						
Dwellings, Duplexes	P	P				P		P								
Dwellings, Single Family	P	P	P	P	P	P	P	P	P	P						
Manufactured Homes	P	P	P	P			P	P	P	P						§9.1.5
Manufactured Home Parks							C		C	C						Article 15
Personal Workshop/Storage Building	P	P	P	P			P	P	P	P						§9.1.6
Commercial Uses	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Use Standards
Adult Entertainment															C	§9.3.1
Airfields, General Aviation													C		C	§9.3.2
Alcoholic Beverage Package Store												C	C	P		§9.3.3
Ambulance Services						C						P	P	P	P	§9.3.4
Animal Training Facility										C		C	C			§9.3.5
Animal Shelters and Kennels						C				C		C				§9.3.6
Antique Shops												P	P	P		
Appliance Sales and Service												P	P	P		
Arenas, Assembly and Exhibition Halls				C		P						C	P	P	P	§9.3.7
Auction House				C								C	P	P	P	§9.3.8
Automatic Teller Machine												P	P	P	P	
Automobile Parts Sales												P	P	P	P	
Automobile Rental or Leasing												P	P	P	P	

Commercial Uses	Residential Districts							Rural/Ag Districts				Commercial & Industrial Districts				Use Standards
	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	
Automobile Sales and Service												C	P	P	P	§9.3.9
Automobile Service												P	P	P	P	
Bakeries, commercial													P	P	P	
Bakeries, retail												P	P	P		
Banks, including drive-thru						P						P	P	P	P	
Beauty and Barber Shops						P						P	P	P		
Bed and Breakfast Operations	C	C	C	C									P			§9.3.10
Billboards															C	§9.3.11
Boat Sales and Service <i>(outdoor storage in rear/side yard only)</i>					P							P				
Building Material and Lawn and Garden Equipment Supplies												P	P	P		
Camp or Care Centers										P						
Campground, Public and Private				C									C		P	§9.3.12
Car or Truck Wash												P	P	P	P	
Cartage and Express Facilities															P	
Child Care Facility	C	C	C	P		C		C	C	P		C	P	P		§9.3.13
Child Care, Family	C	P	P	P				C	P	P						§9.3.13
Clothing and Apparel Stores												P	P	P		
Clubs and Places of Entertainment, and Billiard or Pool Hall									C	C		C	C	P		§9.3.14
Contractor/Construction Business												P	P	P	P	
Convenience Stores <i>(including self-service gas pumps)</i>						P		C				P	P	P		§9.3.15
Department Stores												P	P	P		
Drug Stores and Gift Shops												P	P	P		
Dry Cleaning and Laundries						P						P	P	P	P	
Electronic Stores												P	P	P	P	
Farm Equipment Sales and Services													P	P	P	
Feed and Seed Sales								C					P	P	P	§9.3.16
Flea Market										C			C	P	P	§9.3.17
Florist										P		P	P	P	P	
Funeral Homes												P	P	P	P	
Furniture and Home Furnishing Store												C	C	P		§9.3.18
Grocery Store												P	P	P		

Commercial Uses	Residential Districts							Rural/Ag Districts				Commercial & Industrial Districts				Use Standards
	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	
Gun and Ammunition Sales and Service												P	P	P		
Hobby, Toy and Game Stores												P	P	P		
Hotels and Motels						P						C		C	§9.3.19	
Ice Machine, Self Service												P	P	P	P	
Internet Sweepstakes Café												P	P	P		
Jewelry Stores												P	P	P		
Locksmith												P	P	P		
Manufactured or Modular Home Sales															P	
Mini-Warehouse / Storage Facilities						P						C	C	C	P	§9.3.20
Mixed Commercial and Residential												P	P	P		
Movie Theaters (including outdoor drive-in)												P		P	P	
Moving Companies															P	
Nursing & Convalescent Homes	C	C	C	C					C	C		C	P	P		§9.3.21
Offices - Business						C						P	P	P	P	§9.3.22
Offices - Professional and Medical						P						P	P	P	P	
Other Vehicle Equipment Sales and Services					P							C	P	P	P	§9.3.23
Pawn Shop												C	C	P	P	§9.3.24
Pet and Pet Supplies												P	P	P		
Printing, Publishing and Binding												P		P	P	
Private Utilities					P	P						P				
Radio and Television Studios														P	P	
Restaurants						P						P	P	P	P	
Restaurants (including drive-ins and fast food)												P	P	P	P	
Restaurants, Fast Food												P	P	P	P	
Retail, General Retail Store (includes retail trade not specifically listed in other uses)												P	P	P		
Road Side Stand										P		P	P	P		
Sawmill										C			C		P	§9.3.25
Sculpting													P		P	
Sculpting (no outdoor storage)												P				
Service Industries related to the Horse Industry								P				P	P	P	P	
Services not elsewhere listed												C	P	P		§9.3.26
Solar Collector Facility										C			C	C	C	§9.3.27

	Residential Districts							Rural/Ag Districts				Commercial & Industrial Districts				Use Standards
	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	
Industrial Uses																
Manufacturing, Plastics and Rubber Products															P	
Manufacturing, Pottery and Ceramics										P		P	P	P	P	
Manufacturing, Transportation Equipment (<i>vehicle & vehicle parts</i>)															P	
Marina (<i>fuel supplies</i>)					P	P										
Mining (<i>or Quarrying</i>)									C	C			C		C	§9.4.5
Mulching Business															P	
Research and Development Facility												C	C	P	P	§9.4.6
Salvage Yards										C			C	C	C	§9.4.7
Textile Products Manufacturing												C			P	§9.4.8
Toxic Chemicals Processing or Disposal															C	§9.4.9
Warehousing, Storage, and Distribution															P	
Welding												P	P		P	
Wineries												P	P	P	P	
Institutional Uses	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Use Standards
Cemeteries			C	C				C		C		P	P	P	P	§9.5.1
Clubs, Lodges and Community Centers (<i>Private Non-Profit</i>)			P	P	C	P			C	C		P	P	P		§9.5.2
Emergency Service Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Fairgrounds				C									C		P	§9.5.3
Family Care Home	P	P	P	P	P	P	P	P	P	P						
Group Care Facility	C	C	C	C			C	C	C	C	C		C	P		§9.5.4
Human Services Facility													P	P		§9.5.5
Libraries												P	P	P	P	
Museums and Art Galleries												P	C	P		§9.5.6
Post Offices, including Mail houses					P							P	P	P		
Public Facilities and Buildings						P			C	C			P	P	P	§9.5.7
Public Utility Substations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§9.5.8
Religious Institutions	C	P	P	P	C		P	P	P	P	C	P	P	P		§9.5.9
Schools, Academic	C	C	C	C		C				C				C		§9.5.10
Schools, Business or Trade	C	C	C	C						C		C		C	C	§9.5.11
Transportation and Freight Terminals													P	P	P	
	Residential Districts							Rural/Ag Districts				Commercial & Industrial Districts				

Agricultural Uses	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Use Standards
Agricultural Uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Greenhouses			C	C				P	P	P		P	P	P	P	§9.6.1
Horse Farms		P	P	P	P			P	P	P						
Intensive Swine Farms										C						Article 16
Produce Stands								P		P			P	P	P	
Recreational Uses	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Use Standards
Airstrips, Private									P	C					C	§9.3.2
Amusement Park														C	C	§9.7.1
Bowling Alley												P	P	P	P	
Driving Range					C	C						C		C	C	§9.7.2
Go Cart and Motor Cross Tracks										C					C	§9.7.3
Golf Courses, Par 3				C	C	C					P			P		§9.7.4
Golf Courses				C	C	C					P					§9.7.4
Golf Courses, miniature golf												P		P		
Health Clubs and Gyms												P	P	P		
Parks and Playgrounds	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Recreation, Indoor												C	P	P		§9.7.5
Recreation, Outdoor					P	P			P	P		C	C	C		§9.7.6
Skating Rinks and Facilities													P	P	P	
Zoos				C						C				P	P	§9.7.7
Temporary Uses	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Use Standards
Construction Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§9.8.1
Itinerant Merchant												P	P	P	P	§9.8.2
Manufactured Office as a Temporary Use												P	P	P	P	
Manufactured Home or Recreational Vehicle, Temporary Use	P	P	P	P			P	P	P	P						§9.8.3
Parking Lot, Temporary		P	P	P				P		P	P	P	P	P	P	
Secondary Temporary Dwelling (for hardship circumstances, usually family)									P	P						
Special Event	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§9.8.4
Temporary Construction Building (must be removed within 30 days or receiving Certificate of Occupancy)	P	P	P	P							P	P	P	P		

Moore County Board of Commissioners
Land Use Plan Consistency Statement
General Use Rezoning from
Rural and Agricultural-40 (RA-40) to Rural Agricultural (RA)
ParID: 00022606

The Moore County Board of Commissioners approves the request by Pine Valley Solar Farm, LLC for a General Use Rezoning of +/-65 acres of the parcel known as ParID 00022606 as identified in Moore County tax records from Rural and Agricultural (RA-40) to Rural Agricultural (RA) and advises that the request is reasonable and in the public interest because:

- the property is visually screened from NC Hwy 211 by wooded properties including a railroad right-of-way owned by Norfolk Southern – Aberdeen Carolina and Western Railroad; and
- high traffic generating land uses would not be able to utilize the property due to the limited access options and the close proximity to a sand mine located on the property limits the commercial development opportunities and lends well to a less intensive rural agricultural land use.

The rezoning request is consistent with the following goals in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.5.2: Support new developments that utilize existing or implement planned infrastructure that most economically preserves open space and important historical, natural and cultural features.

Nick Picerno, Chair
Moore County Board of Commissioners

Date

MEMORANDUM TO THE BOARD OF COMMISSIONERS

FROM: Debra Ensminger
Planning & Transportation Director

DATE: December 18, 2015

SUBJECT: General Use Rezoning Request: Residential and Agricultural-40 (RA-40) to Residential and Agricultural-20 (RA-20)

PRESENTER: Debra Ensminger

REQUEST

Bob Koontz is requesting a General Use Rezoning of ParID 00031790, owned by Camp Easter Management, LLC as identified in Moore County tax records; the overall parcel is approximately 108 acres. The request is to rezone the entire parcel from Residential and Agricultural-40 (RA-40) to Residential and Agricultural-20 (RA-20). The parcel is located south of Airport Road.

BACKGROUND

- A recombination plat was approved in November 12, 2014 to combine an approximate 10 acres located to the south of the parcel.
- Access – The proposed rezoning area is currently undeveloped and has direct access from Airport Road.
- Adjacent Uses – Adjacent properties are zoned RA-40 and Southern Pines Rural Residential (RR) zoning district. Adjacent land uses include single family homes, agricultural, and undeveloped land.
- Utilities – The property is currently served by County Water. The property can be served by County Sewer.
- Watershed – The property is located in WS-III-BW Little River (2) Watershed.
- Fort Bragg Zoning Overlay – The property is located in the FBZO District.
- Voluntary Agricultural District – The property is within one-half mile of a VAD.

ZONING DISTRICT COMPATIBILITY

The requested zoning to RA-20 will place generally compatible uses within the area and neighboring zoning districts. The following is a summary list of general uses. For specific permitted uses refer to the Permitted Use Table, which is attached.

GENERAL USE CATEGORIES	<u>EXISTING</u> RA-40	<u>REQUESTED</u> RA-20
Agricultural	X	X
Recreational	X	X
Single Family	X	X
Multi-Family		
Retail		
Commercial Services		
Institutional	X	X
Industrial		

CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN

The requested zoning to RA-20 is not in general compatibility with the Rural Agricultural Land Use Classification. The Land Use Plan states the primary use of the Rural Agricultural land is to support rural residential life associated with agricultural uses and other rural activities. It further states that major subdivisions of land are strongly discouraged; however family subdivisions and subdivision of four or less lots would be considered. Per the Moore County UDO, the RA-20 Zoning District was established as a district in which the principle use of land is for single family dwellings, duplexes, and agricultural uses.

Although this property is located within the RA Land Use Category which discourages major subdivisions, the site is consistent with several goals as including in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working, and shopping areas. This site is currently served by County Water and is located near the Village of Whispering Pines, the Town of Southern Pines, and the Town of Vass which would provide practicality, easy access, and reduced travel time to the towns.



Airport Road Rezoning – ParID 00031790 – General Use Rezoning

Therefore, staff recommends updating the Land Use Map to reclassify this area to the Medium Density Residential Land Use Classification which is categorized for density 2 to 4 dwellings per acre, single family detached or attached. Housing may include a mixture of dwelling types, including single-family detached, duplex, patio home, semi-detached/attached dwelling, multi-family, or townhouse. This may also include certain non-residential neighborhood supportive uses such as schools, daycares, churches and others. Density would require engineered sewerage disposal systems. Public infrastructure and facilities such as roads, water, sewer, schools, fire/rescue, open space, and must be adequate to accommodate the development. The public service providers in the proximity of these areas shown on the Future Land Use Map shall consider extending, upgrading and/or preserving infrastructure in these locations.

IMPLEMENTATION PLAN

Hold the public hearing and approve/deny the general use rezoning request.

FINANCIAL IMPACT STATEMENT

No financial impact to the County's FY 2015-2016 budget.

PLANNING BOARD RECOMMENDATION

The Planning Board met on December 3, 2015 and recommended denial on a 3-2 vote of the rezoning request. One (1) citizen who owns the adjacent chicken farm spoke in opposition of the request.

RECOMMENDATION SUMMARY

Staff recommends the Moore County Board of Commissioners make two separate motions:

Motion #1: Make a motion to adopt the attached Moore County Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to approve/deny the general use rezoning of the parcel known as ParID 00031790 as identified in Moore County tax records from Residential and Agricultural-40 (RA-40) to the Rural Residential and Agricultural-20 (RA-20) as proposed.

ATTACHMENTS

- Land Use Map and Adjacent Properties
- Recombination Plat (Cabinet 16, Slide 427)
- Rezoning Application
- Rezoning Map
- UDO Article 7. Table of Uses
- Regional Land Use Advisory Commission (RLUAC) Review Letter
- Land Use Plan Consistency Statement

LAND USE MAP

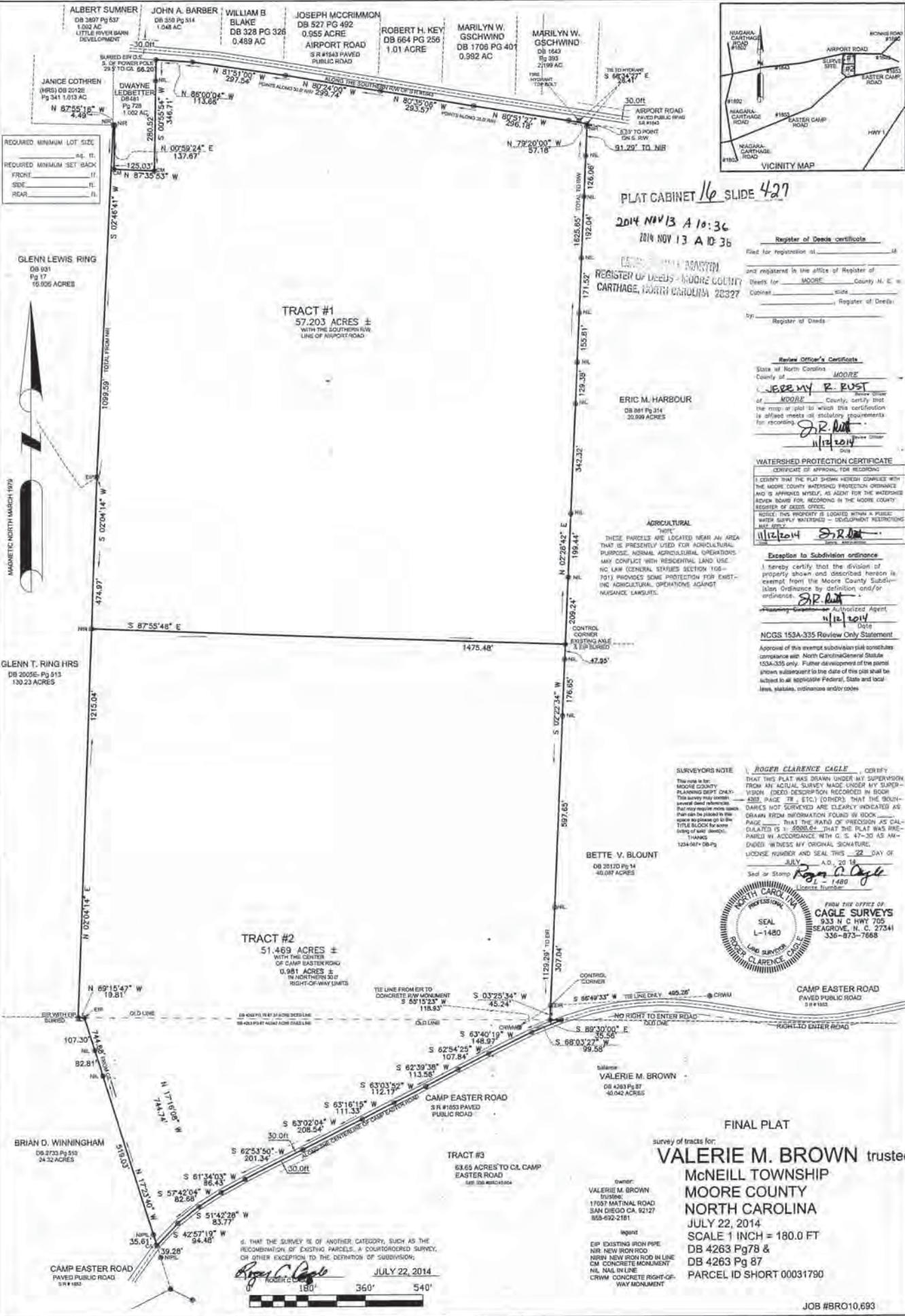


Forwar Facing view of Property from Airport Road

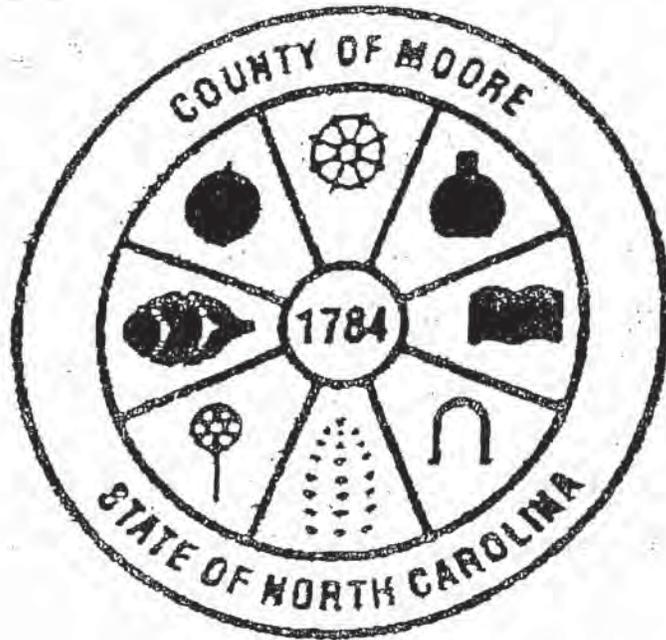


View of Property from Airport Road (Site on the right side of road)





C:\CAGLE SURVEY PROJECTS\14_BRO1 PAGE 1-11\012014 9:40:37 AM



Judy D. Martin
Register of Deeds
Moore County, North Carolina

PLAT

FOR REGISTRATION REGISTER OF DEEDS
Judy D. Martin
Moore County, NC
November 13, 2014 10:36:35 AM
Book 16 Page 427-427
FEE: \$21.00
INSTRUMENT # 2014013585



INSTRUMENT # 2014013585

12518

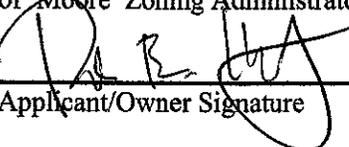
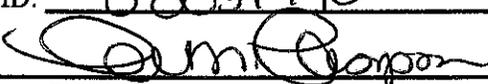


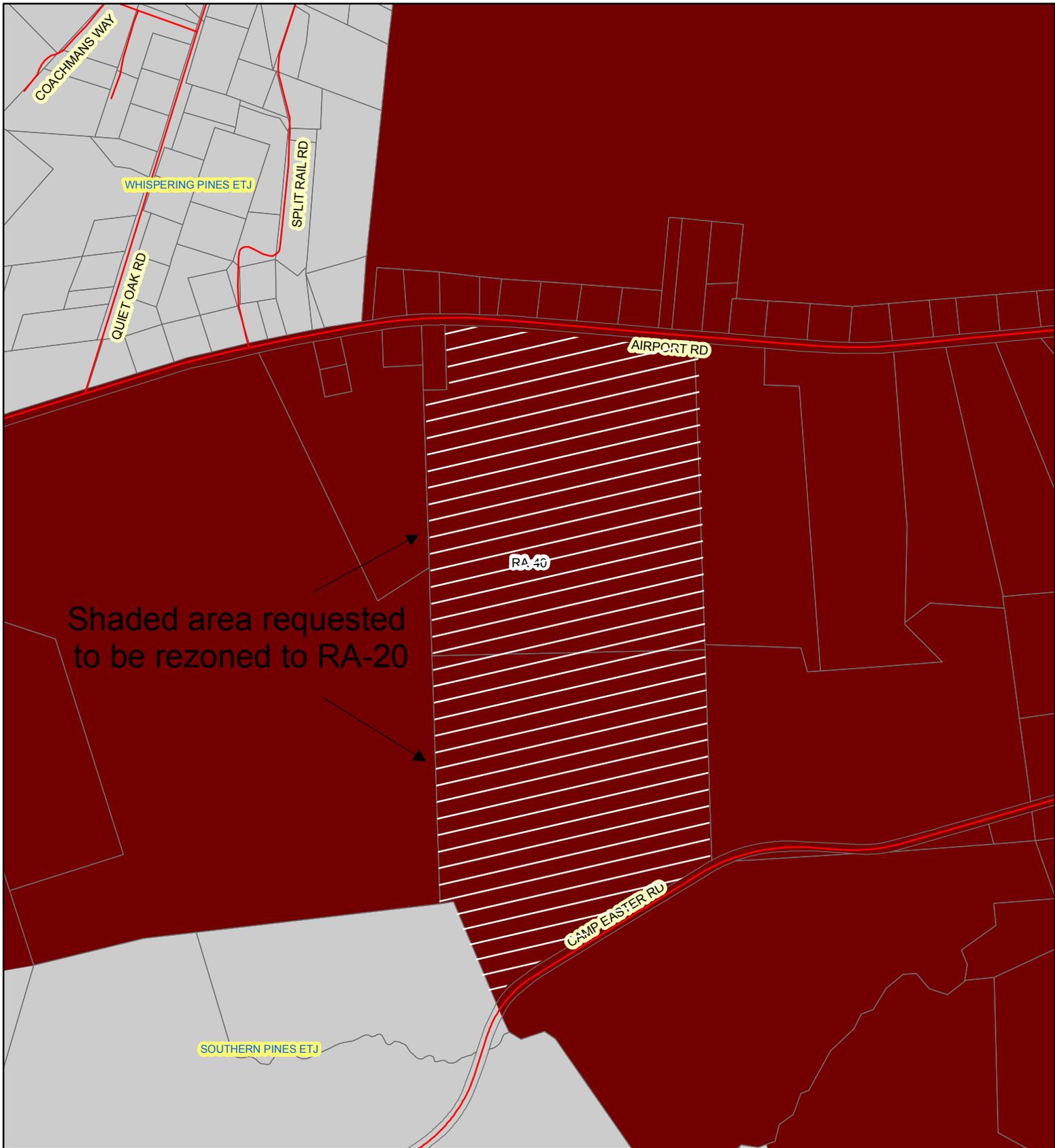
PLANNING & COMMUNITY DEVELOPMENT



P.O. Box 905
1048 Carriage Oaks Drive
Carthage, NC 28327
Planning: 910.947.5010
Central Permitting: 910.947.2221
Fax: 910.947.1303
www.moorecountync.gov

General Use Rezoning Application

Application Date: 11/2/15			
Location/Address of Property: 797 AIRPORT RD			
Applicant: BOB KOONTZ (BEHALF OF OWNER)		Phone: 910.639.4058	
Applicant Address: 275 SE BROAD ST	City: SOUTHERN PINES	St: NC	Zip: 28387
Owner: CAMP EASTER MANAGEMENT, LLC		Phone:	
Owner Address: 25 LYPPRESS POINT DR	City: PINEHURST	St: NC	Zip: 28374
Current Zoning District: RA-40	Proposed Zoning District: RA-20		
Comments: THE INTENT OF THIS REZONING IS TO ALLOW FOR THE DEVELOPMENT OF A NEW ELEMENTARY SCHOOL AND SINGLE-FAMILY DEVELOPMENT ON THE PROPERTY.			
Application Submittal			
The applicant must submit a complete application packet on or before the submittal deadline. This includes:			
<input checked="" type="checkbox"/> Completed Moore County General Use Rezoning Application. <input type="checkbox"/> Application Fee (\$300). <input type="checkbox"/> Postage sufficient to notify all adjacent landowners FOR TWO MAILINGS. (One for Planning Board meeting, and one for Board of Commissioners meeting.) The rate for postage FOR EACH CERTIFIED MAIL LETTER is \$6.49. This includes \$3.30 (certified mail) plus \$2.70 (return receipt) plus \$0.49 (first class stamp).			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
 Applicant/Owner Signature		11/3/2015 Date	
Applicant/Owner Signature		Date	
Office Use Only:			
PAR ID: 00031790			
 Received By		11/3/15 Date	



1 inch = 700 feet



Rezoning Map

Owner: Camp Easter Management, LLC

General Use Rezoning (App. 108 Acres)

ParID 00031790

Legend

 B-1	 PUD/CUD	 RA-40
 B-1-CUD	 PUD-H	 R-MH
 B-2	 RA	 RA-CUD
 GC-SL	 RA-2	 RA-USB
 GC-WL	 RA-2-CUD	 RE
 I	 RA-5	 VB
 P-C	 RA-20	 VB-CUD

Moore County GIS Disclaimer:
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ARTICLE 7

TABLE OF USES

SECTION 7.1 PERMITTED LAND USES

7.1.1 Use Table

The use table is subject to the explanation as set forth below.

- 7.1.101 A “P” indicates that a use is permitted in the respective district subject to the specific use standards in **Article 9** (Specific Use Standards) of this Ordinance. Such uses are also subject to all other applicable requirements of this UDO.
- 7.1.102 A “C” indicates a use that may be permitted in the respective general use district only where approved by the Planning Board in accordance with **§3.9.6** (Conditional Use Permits). Conditional uses are subject to all other applicable requirements of this UDO, including the specific use standards contained in **Article 9** (Specific Use Standards).
- 7.1.103 The “Use Standard” column on the table is a cross-reference to any specific use standard listed in **Article 9** (Specific Use Requirements) of this Ordinance. Where no cross-reference is shown, no additional use standard shall apply.
- 7.1.104 A blank cell in the use table indicates that a use is not permitted in the respective district.

7.1.2 Table of Uses

- 7.1.201 The following table lists the principal uses permitted by this UDO for general use districts.
- 7.1.202 For parallel conditional use districts, see **§6.1.2** (Parallel Conditional Use Districts); for conditional zoning districts, see **§6.1.3** (Conditional Zoning Districts).

Accessory Uses	Residential Districts							Rural/Ag Districts				Commercial & Industrial Districts				Use Standards
	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	
Accessory Uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Home Occupation, Standard	P	P	P	P	P	P	P	P		P						§9.2.1
Intensive Home Business			C	C				C		C						§9.2.2
Residential Solar Collectors	P	P	P	P	P	P	P	P	P	P						§9.2.3
Swimming Pools	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§9.2.4
Residential Uses	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Use Standards
Accessory Dwelling Unit	P	P	P	P			P	P	P	P						§9.1.1
Accessory Dwelling Unit (Manufactured Homes)	P	P	P	P			P	P	P	P						§9.1.2
Additional Dwelling (one for each 10 acres of land)								P	P	P						§9.1.3
Apartments & other Multi-Family Structures with three or more units	C	C				P										§9.1.4
Barn Apartments			P	P				P		P						
Dwellings, Duplexes	P	P				P		P								
Dwellings, Single Family	P	P	P	P	P	P	P	P	P	P						
Manufactured Homes	P	P	P	P			P	P	P	P						§9.1.5
Manufactured Home Parks							C		C	C						Article 15
Personal Workshop/Storage Building	P	P	P	P			P	P	P	P						§9.1.6
Commercial Uses	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Use Standards
Adult Entertainment															C	§9.3.1
Airfields, General Aviation													C		C	§9.3.2
Alcoholic Beverage Package Store												C	C	P		§9.3.3
Ambulance Services						C						P	P	P	P	§9.3.4
Animal Training Facility										C		C	C			§9.3.5
Animal Shelters and Kennels						C				C		C				§9.3.6
Antique Shops												P	P	P		
Appliance Sales and Service												P	P	P		
Arenas, Assembly and Exhibition Halls				C		P						C	P	P	P	§9.3.7
Auction House				C								C	P	P	P	§9.3.8
Automatic Teller Machine												P	P	P	P	
Automobile Parts Sales												P	P	P	P	
Automobile Rental or Leasing												P	P	P	P	

Commercial Uses	Residential Districts							Rural/Ag Districts				Commercial & Industrial Districts				Use Standards
	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	
Automobile Sales and Service												C	P	P	P	§9.3.9
Automobile Service												P	P	P	P	
Bakeries, commercial													P	P	P	
Bakeries, retail												P	P	P		
Banks, including drive-thru						P						P	P	P	P	
Beauty and Barber Shops						P						P	P	P		
Bed and Breakfast Operations	C	C	C	C									P			§9.3.10
Billboards															C	§9.3.11
Boat Sales and Service <i>(outdoor storage in rear/side yard only)</i>					P							P				
Building Material and Lawn and Garden Equipment Supplies												P	P	P		
Camp or Care Centers										P						
Campground, Public and Private				C									C		P	§9.3.12
Car or Truck Wash												P	P	P	P	
Cartage and Express Facilities															P	
Child Care Facility	C	C	C	P		C		C	C	P		C	P	P		§9.3.13
Child Care, Family	C	P	P	P				C	P	P						§9.3.13
Clothing and Apparel Stores												P	P	P		
Clubs and Places of Entertainment, and Billiard or Pool Hall									C	C		C	C	P		§9.3.14
Contractor/Construction Business												P	P	P	P	
Convenience Stores <i>(including self-service gas pumps)</i>						P		C				P	P	P		§9.3.15
Department Stores												P	P	P		
Drug Stores and Gift Shops												P	P	P		
Dry Cleaning and Laundries						P						P	P	P	P	
Electronic Stores												P	P	P	P	
Farm Equipment Sales and Services													P	P	P	
Feed and Seed Sales								C					P	P	P	§9.3.16
Flea Market										C			C	P	P	§9.3.17
Florist										P		P	P	P	P	
Funeral Homes												P	P	P	P	
Furniture and Home Furnishing Store												C	C	P		§9.3.18
Grocery Store												P	P	P		

Commercial Uses	Residential Districts							Rural/Ag Districts				Commercial & Industrial Districts				Use Standards
	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	
Gun and Ammunition Sales and Service												P	P	P		
Hobby, Toy and Game Stores												P	P	P		
Hotels and Motels						P						C		C		§9.3.19
Ice Machine, Self Service												P	P	P	P	
Internet Sweepstakes Café												P	P	P		
Jewelry Stores												P	P	P		
Locksmith												P	P	P		
Manufactured or Modular Home Sales															P	
Mini-Warehouse / Storage Facilities						P						C	C	C	P	§9.3.20
Mixed Commercial and Residential												P	P	P		
Movie Theaters <i>(including outdoor drive-in)</i>												P		P	P	
Moving Companies															P	
Nursing & Convalescent Homes	C	C	C	C					C	C		C	P	P		§9.3.21
Offices - Business						C						P	P	P	P	§9.3.22
Offices - Professional and Medical						P						P	P	P	P	
Other Vehicle Equipment Sales and Services					P							C	P	P	P	§9.3.23
Pawn Shop												C	C	P	P	§9.3.24
Pet and Pet Supplies												P	P	P		
Printing, Publishing and Binding												P		P	P	
Private Utilities					P	P						P				
Radio and Television Studios														P	P	
Restaurants						P						P	P	P	P	
Restaurants <i>(including drive-ins and fast food)</i>												P	P	P	P	
Restaurants, Fast Food												P	P	P	P	
Retail, General Retail Store <i>(includes retail trade not specifically listed in other uses)</i>												P	P	P		
Road Side Stand										P		P	P	P		
Sawmill										C			C		P	§9.3.25
Sculpting													P		P	
Sculpting <i>(no outdoor storage)</i>												P				
Service Industries related to the Horse Industry								P				P	P	P	P	
Services not elsewhere listed												C	P	P		§9.3.26
Solar Collector Facility										C			C	C	C	§9.3.27

	Residential Districts							Rural/Ag Districts				Commercial & Industrial Districts				Use Standards
	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	
Industrial Uses																
Manufacturing, Plastics and Rubber Products															P	
Manufacturing, Pottery and Ceramics									P			P	P	P	P	
Manufacturing, Transportation Equipment (<i>vehicle & vehicle parts</i>)															P	
Marina (<i>fuel supplies</i>)					P	P										
Mining (<i>or Quarrying</i>)									C	C			C		C	§9.4.5
Mulching Business															P	
Research and Development Facility												C	C	P	P	§9.4.6
Salvage Yards										C			C	C	C	§9.4.7
Textile Products Manufacturing												C			P	§9.4.8
Toxic Chemicals Processing or Disposal															C	§9.4.9
Warehousing, Storage, and Distribution															P	
Welding												P	P		P	
Wineries												P	P	P	P	
Institutional Uses	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Use Standards
Cemeteries			C	C				C	C			P	P	P	P	§9.5.1
Clubs, Lodges and Community Centers (<i>Private Non-Profit</i>)			P	P	C	P			C	C		P	P	P		§9.5.2
Emergency Service Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Fairgrounds				C									C		P	§9.5.3
Family Care Home	P	P	P	P	P	P	P	P	P	P						
Group Care Facility	C	C	C	C			C	C	C	C	C		C	P		§9.5.4
Human Services Facility													P	P		§9.5.5
Libraries											P	P	P	P		
Museums and Art Galleries												P	C	P		§9.5.6
Post Offices, including Mail houses					P							P	P	P		
Public Facilities and Buildings						P			C	C			P	P	P	§9.5.7
Public Utility Substations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§9.5.8
Religious Institutions	C	P	P	P	C		P	P	P	P	C	P	P	P		§9.5.9
Schools, Academic	C	C	C	C		C				C				C		§9.5.10
Schools, Business or Trade	C	C	C	C						C		C		C	C	§9.5.11
Transportation and Freight Terminals													P	P	P	
	Residential Districts							Rural/Ag Districts				Commercial & Industrial Districts				

Agricultural Uses	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Use Standards
Agricultural Uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Greenhouses			C	C				P	P	P		P	P	P	P	§9.6.1
Horse Farms		P	P	P	P			P	P	P						
Intensive Swine Farms										C						Article 16
Produce Stands								P		P			P	P	P	
Recreational Uses	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Use Standards
Airstrips, Private									P	C					C	§9.3.2
Amusement Park														C	C	§9.7.1
Bowling Alley												P	P	P	P	
Driving Range					C	C						C		C	C	§9.7.2
Go Cart and Motor Cross Tracks										C					C	§9.7.3
Golf Courses, Par 3				C	C	C					P			P		§9.7.4
Golf Courses				C	C	C					P					§9.7.4
Golf Courses, miniature golf												P		P		
Health Clubs and Gyms												P	P	P		
Parks and Playgrounds	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Recreation, Indoor												C	P	P		§9.7.5
Recreation, Outdoor					P	P			P	P		C	C	C		§9.7.6
Skating Rinks and Facilities													P	P	P	
Zoos				C						C				P	P	§9.7.7
Temporary Uses	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	R-MH	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Use Standards
Construction Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§9.8.1
Itinerant Merchant												P	P	P	P	§9.8.2
Manufactured Office as a Temporary Use												P	P	P	P	
Manufactured Home or Recreational Vehicle, Temporary Use	P	P	P	P			P	P	P	P						§9.8.3
Parking Lot, Temporary		P	P	P				P		P	P	P	P	P	P	
Secondary Temporary Dwelling (for hardship circumstances, usually family)									P	P						
Special Event	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§9.8.4
Temporary Construction Building (must be removed within 30 days or receiving Certificate of Occupancy)	P	P	P	P							P	P	P	P		



MOORE COUNTY REZONING REQUEST

Applicant: Bob Koontz – 797 Airport Road

PIN: 950403031105

November 22, 2015

Following a review of the rezoning request by the RLUAC staff and Board of Directors for the property listed above and recognizing that our findings are non-binding on Moore County, the RLUAC Board of Directors finds the parcel is identified as **IMPORTANT** to conserve on the 2003 and 2008 Joint Land Use Study (JLUS) maps. The reasons for this classification are as follows:

- According to recent aerial photography the parcel is currently wooded.
- The parcel is identified as having "high suitability" for working forests (8 out of a possible 9 points) and "natural values" (3 out of a possible 9 points).
- The property is not affected by any identified military impacts.

With the likelihood that the parcel contains red-cockaded woodpecker clusters, the developer is encouraged to request a US Fish and Wildlife Service survey of the site before any mature pine trees are removed. A link to the survey protocol for the red-cockaded woodpecker recovery plan can be accessed by linking onto the following website: http://www.fws.gov/rcwrecovery/files/RecoveryPlan/survey_protocol.pdf.

Thank you for allowing RLUAC to review this rezoning request.

Robert McLaughlin, Chairman

James Dougherty, Executive Director

Moore County Board of Commissioners
Land Use Plan Consistency Statement
General Use Rezoning from
Rural and Agricultural-40 (RA-40) to Rural and Agricultural-20 (RA-20)
ParID: 00031790

The Moore County Board of Commissioners approves the request by Bob Koontz for a General Use Rezoning of +/-108 acres of the parcel known as ParID 00031790 as identified in Moore County tax records from Rural and Agricultural-40 (RA-40) to Rural and Agricultural-20 (RA-20) and advises that the request is reasonable and in the public interest because:

- the property has access to two (2) existing highways which promotes interconnectivity and decreases traffic;
- the request is located in an area of the county that has access to water and sewer which supports higher density residential uses;
- the request is in close proximity to the Village of Whispering Pines, Town of Southern Pines, and the Town of Vass providing practicality, easy access, and reduced travel time to the towns; and
- the request places property in the area in appropriate complementary medium intensity residential categories.

The rezoning request is consistent with the following goals in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.5.2: Support new developments that utilize existing or implement planned infrastructure that most economically preserves open space and important historical, natural and cultural features.
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Recommendation 3.1: Maximize accessibility among living, working, and shopping areas.
- Action 3.1.1: Adopt policies that encourage development of mixed land uses, as appropriate, to provide easy access, reduce travel time, and improve convenience among uses surrounding the County's established towns and villages.

- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

Nick Picerno, Chair
Moore County Board of Commissioners

Date

MEMORANDUM TO THE BOARD OF COMMISSIONERS

FROM: Debra Ensminger
Planning & Transportation Director

DATE: January 5, 2016

SUBJECT: Request to submit an application to North Carolina Housing Finance Agency (NCHFA) for \$100,000 through the FY2016 Urgent Repair Program

PRESENTER: Debra Ensminger
Planning & Transportation Director

REQUEST:

This is a request to submit an application to the North Carolina Housing Finance Agency for \$100,000 through the FY 2016 Urgent Repair Program.

BACKGROUND:

The North Carolina Housing Finance Agency (NCHFA) annually offers a housing rehab program called the Urgent Repair Program (URP). This program's application process is extremely competitive. Moore County has applied annually since 2009 and has been awarded funding under the FY2010, 2012, 2013 and 2015 program cycles. This request is to apply for \$100,000 under the FY2016 program cycle.

The need for housing rehab assistance is great. The County received 201 applications for assistance from low-income homeowners for the FY2015 cycle of this grant and ultimately plan to serve 13 homes. Over the four years in which the County has operated this program 58 homes with 127 occupants will have been served. 46 of those served were disabled and 44 were elderly. 20 homes received accessibility modifications to their bathrooms, 16 received replacement of failing roof systems, others received new heating/cooling systems, had ramps installed, or had major floor repair.

One reason for the success of Moore County's 2010, 2012, 2013 and 2015 applications was the contribution of \$5,000 in matching funds allocated by the board toward this program. NCHFA has a competitive process for scoring grant applications and their staff has indicated that matching funds can be a critical determinant in making funding decisions. Accordingly, this request asks for \$5,000 in matching funds.

IMPLEMENTATION PLAN:

Allocate a \$5,000 match in the FY2017 budget.

FINANCIAL IMPACT STATEMENT:

If the application is successful a \$5,000 match commitment would need to be allocated in the County's upcoming FY2017 budget.

RECOMMENDATION SUMMARY:

Make a motion to direct staff to submit an application to the North Carolina Housing Finance Agency for \$100,000 through the FY2016 Urgent Repair Program and to allow the County Manager to execute all documentation related to this application. Furthermore, the county agrees to contribute \$5,000 for FY2017 to serve as a match for this grant if the application is successful.

SUPPORTING ATTACHMENTS:

Application, letter regarding matching funds

NORTH CAROLINA HOUSING FINANCE AGENCY

**Application for Funding
2016 Urgent Repair Program
(URP16)**

I. Program Applicant

A. Applicant Organization:

1. Legal Name	Moore County		
2. Street Address	1048 Carriage Oaks Dr		
3. Mailing Address	PO Box 905		
4. City	Carthage	ZIP	28327
5. Fax Number	910-947-1303	6. Federal Tax ID	56-6000322
7. DUNS Number	50988146		
8. Website address	www.moorecountync.gov		

B. Chief Administrative Official:

1. Name	Wayne Vest	2. Title	County Manager
3. Phone Number	910-947-6363	4. Email	wvest@moorecountync.gov

C. Contracted Administrator Information: *(Consulting firm, COG, etc., if applicable)*

1. Organization Name	N/A		
2. Mailing Address	_____		
3. City	_____	ZIP	_____
4. Fax Number	_____		
5. Chief Operating Officer	_____		

D. Project Contact Person: *(Who should NCHFA contact for URP project details?)*

1. Name	Stephanie Cormack	2. Title	CD Admin Assistant
3. Phone Number	910-947-5010	4. Email	scormack@moorecountync.gov

E. Type of Applicant:

1. Community Action Agency.	<input type="checkbox"/>	2. Other Nonprofit Corporation.	<input type="checkbox"/>
3. Public Housing Authority.	<input type="checkbox"/>	4. Other Public Agency.	<input type="checkbox"/>
5. Local Government.	<input checked="" type="checkbox"/>	6. Regional Council.	<input type="checkbox"/>

F. Brief Description of your Organization *(Non Government Organizations ONLY)*

G. Funding Requested:

1. Total amount of Program funds requested.	<input type="text" value="\$100,000"/>
2. Total number of dwelling units targeted for Program assistance.	<input type="text" value="13"/>

THIS SECTION FOR NCHFA USE ONLY

Date received	Ap. No.	Fee enclosed	No. copies	Thresh.	Score	Cap.

URP16 APPLICATION FOR FUNDING

II. Project Design

A. Service Area: In all cases, "service area" is defined as the geographic area or areas in which homeowners are equally eligible to apply for assistance. Recipients may choose to accept applications on a first-come, first-served basis from throughout the service area, while adhering to section 6 (Eligible households) of the Application Guidelines, or to allocate equitable portions of the grant to all eligible localities within the service area. Otherwise homeowners' applications must be rated and prioritized without regard to the applicant's specific locality within the service area.

1. Please define your service area in specific terms:

All of Moore County including all townships and municipalities within County borders

2. Complete the following matrix to define your proposed service area by county, population, number of dwelling units targeted for assistance and amount of Program funds projected to be spent in each county. *If the service area comprises an entire county or city use the July 2014 population estimates from the North Carolina State Data Center available at*

https://ncosbm.s3.amazonaws.com/s3fs-public/demog/countygrowth_cert_2014.html

Use the July 2014 population column. Applications for grants exceeding \$100,000 must serve multiple counties in their entirety.

County(s) in which service area is located	Population of service area	Proposed	
		# of units	Program funds
a. Moore	93,078	13	\$100,000
b.			
c.			
d.			
e.			
f.			
g.			
h.			
i. Totals =	93,078	13	\$100,000

3. If the service area contains other than an entire city or county, attach a map clearly delineating the proposed service area boundaries, and service area population. Label the map "Exhibit II A 2".

URP16 Application for Funding

II. Project Design *(continued)*

B. Beneficiary Targeting:

Do not submit your proposed project assistance policy with this application for funding. If your project is selected for funding, you will be requested to submit your assistance policy with the post approval documentation.

C. Client Relations:

Linking special needs households to services beyond housing is viewed as an integral part of the Urgent Repair Program. Explain in detail the system which will be used to screen and refer households for other needed services (list services) and describe the roles of those involved in the process. Be sure to explain the screening/referral roles of any URP project staff in detail. Please limit the narrative to one 8-1/2" x 11" attachment (min 11 font) labeled II. C in the upper right hand corner. Attachments should be attached in the order that they were requested, at the back of the application.

D. Proposed procurement and construction:

Indicate which of the following will be used to effect your URP-funded work.

	Yes	No
1. Private-sector construction contractors.	X	
2. Competitive sealed bids.	X	
3. Competitive negotiation.	X	
4. Telephone bid solicitation.	X	
5. Non-competitive negotiation.		X
6. Work crews employed by the applicant organization.		X
7. Weatherization contractor procured under WAP guidelines.		X

E. Other resources to be used with URP funds for Hard Costs only:

	Yes	No	Value/Amt.
1. Weatherization Assistance Program (WAP) funds.		X	
2. Heating Appliance Repair & Replacement Program (HARRP) funds. .		X	
3. Independent Living Center funds.		X	
4. Council on Aging funds.		X	
5. USDA-Rural Development Section 504 loans.		X	
6. Volunteer labor*.		X	
7. Donated materials*.		X	
8. Matching local funds*.	X		\$5,000
9. N/A			

**Attach documentation of matching contributions listed on lines 6, 7 and/or 8, above. Label as Exhibit II.E. Matching contributions on those lines must be used for eligible URP Hard Costs only. Other resources may be used for program support, but those contributions will provide no competitive advantage in URP application rankings.*

URP16 Application for Funding

II. Project Design *(continued)*

F. Project Schedule:

Assuming a maximum of 18 months from funding agreement until close-out and a hypothetical starting date of July 1, 2016, please indicate below your projected project progress, in terms of dwelling units repaired or modified with Program assistance during each calendar quarter. (Note: All Program funds must be obligated within 18 months. Recipient will have an additional forty-five (45) days to complete all units and submit closeout documentation). Please complete a proposed schedule for your project.

Quarter	Unit Completions	Quarter	Unit Completions
1. 7/1/16 - 9/30/16.....	0	4. 4/1/17 - 6/30/17.....	3
2. 10/1/16 - 12/31/16.....	0	5. 7/1/17 - 9/30/17.....	3
3. 1/1/17 - 3/31/17.....	3	6. 10/1/17 - 12/31/17.....	4
			Total = 13

III. Applicant Capacity

A. Rehabilitation/Repair Program Experience and Status:

For each home repair, urgent repair or comprehensive housing rehabilitation grant received by the applicant since July 1, 2011, provide the information indicated below. If more than six separate grants were received during this 5-year period, copy page 6 and attach as page 6 A. Funding sources to list here include Community Development Block Grant ("CDBG"), HOME Investment Partnership Program ("HOME") allocations from a local government or consortium, Single-Family Rehabilitation Program (SFR) grants, USDA-Rural Development Housing Preservation Grant Program ("HPG") funds, Weatherization Assistance Program ("WAP") funds, Urgent Repair Program grants, minor home repair project, local emergency repair programs, etc. *Please list the oldest grant first.*

B. We prefer that the following tables be used to record the applicants rehab/repair experience and current status of funding related to units which may be targeted for rehabilitation. However, for some applicants it may be more appropriate to provide a narrative which speaks to the capacity of the applicant to carry out comprehensive rehabilitation of owner-occupied units. If so, please limit the narrative to one 8-1/2" x 11" attachment (min 11 font) labeled III. B in the upper right hand corner. Attachments should be attached in the order that they were requested, at the back of the application. The narrative should detail the applicants housing rehabilitation experience including the number of units comprehensively rehabilitated in the past five years, (broken out by year), the average amount of funding per unit (including volunteer labor, materials and donated materials) and any other information relevant to documenting the applicants capacity to affectively perform comprehensive housing rehabilitation.

URP16 Application for Funding

III. Applicant Capacity *(continued)*

A. Rehabilitation/Repair Program Experience and Status: *(continued)*

1. Program name (use standard abbreviations as shown above).....	SFR11	
a. Funding cycle (2011, 2012, etc.).....	2011	
b. Date of award or project commencement date.....	08/30/11	
c. Grant/Funding Agreement number.....	SFRLP1118	
d. Project close-out date or deadline.....	12/31/13	
e. Total grant allocation amount.....	Loan Pool	
f. Matching funds/local contribution.....	\$0	
g. Program rehabilitation/repair budget (hard costs only).....	\$280,595	
h. Number of dwelling units targeted for rehabilitation/repairs.....	7	
i. Number of dwelling units completed to date.....	7	
j. Number of rehabilitation/repair jobs under contract at present.....	0	
k. Average hard cost per unit completed (all sources).....	\$42,882	
l. Current status of grant.....Closed-out.	<input checked="" type="checkbox"/>	or Active. . <input type="checkbox"/>
2. Program name (use standard abbreviations as shown above).....	URP12	
a. Funding cycle (2011, 2012, etc.).....	2012	
b. Date of award or project commencement date.....	08/01/12	
c. Grant/Funding Agreement number.....	URP1225	
d. Project close-out date or deadline.....	12/31/13	
e. Total grant allocation amount.....	\$76,000	
f. Matching funds/local contribution.....	\$5,000	
g. Program rehabilitation/repair budget (hard costs only).....	Approx \$80,000	
h. Number of dwelling units targeted for rehabilitation/repairs.....	13	
i. Number of dwelling units completed to date.....	14	
j. Number of rehabilitation/repair jobs under contract at present.....	0	
k. Average hard cost per unit completed (all sources).....	\$5,084	
l. Current status of grant.....Closed-out.	<input checked="" type="checkbox"/>	or Active. . <input type="checkbox"/>
3. Program name (use standard abbreviations as shown above).....	SSH12	
a. Funding cycle (2011, 2012, etc.).....	2012	
b. Date of award or project commencement date.....	04/29/13	
c. Grant/Funding Agreement number.....	12-C-2425	
d. Project close-out date or deadline.....	07/15/15	
e. Total grant allocation amount.....	\$225,000	
f. Matching funds/local contribution.....	\$0	
g. Program rehabilitation/repair budget (hard costs only).....	\$200,560	
h. Number of dwelling units targeted for rehabilitation/repairs.....	4	
i. Number of dwelling units completed to date.....	5	
j. Number of rehabilitation/repair jobs under contract at present.....	0	
k. Average hard cost per unit completed (all sources).....	\$0	
l. Current status of grant.....Closed-out.	<input checked="" type="checkbox"/>	or Active. . <input type="checkbox"/>

URP16 Application for Funding

III. Applicant Capacity (continued)

A. Rehabilitation/Repair Program Experience and Status: (continued)

4. Program name (use standard abbreviations as shown above).....	URP13
a. Funding cycle (2011, 2012, etc.).....	2013
b. Date of award or project commencement date.....	07/29/13
c. Grant/Funding Agreement number.....	URUP1324
d. Project close-out date or deadline.....	12/31/14
e. Total grant allocation amount.....	\$75,000
f. Matching funds/local contribution.....	\$5,000
g. Program rehabilitation/repair budget (hard costs only).....	Approx. \$75,000
h. Number of dwelling units targeted for rehabilitation/repairs.....	15
i. Number of dwelling units completed to date.....	14
j. Number of rehabilitation/repair jobs under contract at present.....	0
k. Average hard cost per unit completed (all sources).....	\$4,940
l. Current status of grant.....Closed-out.	<input checked="" type="checkbox"/> or Active. . <input type="checkbox"/>
5. Program name (use standard abbreviations as shown above).....	SFR14
a. Funding cycle (2011, 2012, etc.).....	2014
b. Date of award or project commencement date.....	04/14/14
c. Grant/Funding Agreement number.....	SFRLP1418
d. Project close-out date or deadline.....	06/30/17
e. Total grant allocation amount.....	Loan Pool
f. Matching funds/local contribution.....	\$0
g. Program rehabilitation/repair budget (hard costs only).....	\$170,000+
h. Number of dwelling units targeted for rehabilitation/repairs.....	3
i. Number of dwelling units completed to date.....	2
j. Number of rehabilitation/repair jobs under contract at present.....	1
k. Average hard cost per unit completed (all sources).....	\$11,690
l. Current status of grant.....Closed-out.	<input type="checkbox"/> or Active. . <input checked="" type="checkbox"/>
6. Program name (use standard abbreviations as shown above).....	URP15
a. Funding cycle (2011, 2012, etc.).....	2015
b. Date of award or project commencement date.....	08/04/15
c. Grant/Funding Agreement number.....	URP1522
d. Project close-out date or deadline.....	02/15/17
e. Total grant allocation amount.....	\$100,000
f. Matching funds/local contribution.....	\$5,000
g. Program rehabilitation/repair budget (hard costs only).....	Approx. \$100,000
h. Number of dwelling units targeted for rehabilitation/repairs.....	13
i. Number of dwelling units completed to date.....	0
j. Number of rehabilitation/repair jobs under contract at present.....	4
k. Average hard cost per unit completed (all sources).....	\$0
l. Current status of grant.....Closed-out.	<input type="checkbox"/> or Active. . <input checked="" type="checkbox"/>

URP16 Application for Funding

III. Applicant Capacity *(continued)*

C. Staff Qualifications and Experience:

Identify key personnel below according to their roles in implementing the URP project. Attach a current resume for each individual listed. Label resumes as "Exhibit III C". It is especially important that the resumes of technical staff - those responsible for the urgent repair management, work write-ups, etc. - list all relevant training workshops and seminars along with technical credentials such as building inspector certifications, contractor licenses, lead paint certification, etc.

Project Role	Name/Position Title	
1. URP project administration.	Name	Stephanie Cormack
	Title	CD Assistant
2. Financial management.	Name	Caroline Xiong
	Title	Finance Director
3. Construction oversight.	Name	Carlis Sweat
	Title	Housing Rehab Inspector
4. Work write-ups/cost estimates.	Name	Carlis Sweat
	Title	Housing Rehab Inspector
5. Interim inspections of work.	Name	Carlis Sweat
	Title	Housing Rehab Inspector
6. Final inspections of work.	Name	Carlis Sweat
	Title	Housing Rehab Inspector
7. Applicant intake/eligibility.	Name	Stephanie Cormack
	Title	CD Assistant
8. Client counseling/referrals.	Name	Stephanie Cormack
	Title	CD Assistant
9. Legal services, recording, etc.	Name	Misty Leland
	Title	County Attorney

Applicants proposing to act as general contractor and use member-employed work crews and/or volunteers to facilitate the related rehabilitation work must demonstrate satisfactory capacity to fulfill this role. To do this applicants must, in part, have capable construction supervisory personnel on the job site. If applicable, please identify key construction supervisory personnel below according to their roles. Attach a current resume, including a list of all relevant training, workshops, seminars, and technical credentials, for each individual listed below.

9. Construction Supervisor.	Name	N/A
	Title	N/A
10. Job Site Volunteer Foreman.	Name	N/A
	Title	N/A

URP16 Application for Funding

IV. Certifications

The applicant hereby certifies that:

- A. The information in this application is complete and accurate and the applicant possesses the legal authority to apply for and receive the Program funds and the person signing the application has the proper authority to do so; and,
- B. The applicant agrees that the Agency may conduct its own independent review of the information herein and the attachments, and may verify information from any source; and,
- C. The applicant understands that the North Carolina Housing Finance Agency will not be responsible for any costs incurred by the applicant in developing and submitting this application, and that all applications submitted become the property of the Agency; and,
- D. The applicant is under no administrative restrictions from federal, state or local sources to receive funding; and,
- E. The applicant, if funded, will comply with the applicable provisions of General Statute 143-6.1 related to conflicts of interest.

Attest (signature)

Laura Williams

Typed Name

Clerk to the Board of Commissioners

Title

Date

Chief Administrative Official (Signature)

Wayne Vest

Typed Name

County Manager

Title

Date

Applications must be received by the North Carolina Housing Finance Agency by 5:00 pm, January 25, 2016.
Mail or deliver to:

The Strategic Investment Group
North Carolina Housing Finance Agency
3508 Bush Street
Raleigh, NC 27609-7509

Submit one original signature version and one copy of your application. All applications must be accompanied by an application fee (\$50.00). Make checks payable to the N.C. Housing Finance Agency.

CLIENT RELATIONS

Community development staff developed a four page guide to link those in need with resources. The guide covers a broad variety of services including local housing/shelter, legal assistance and credit counseling, education, employment, and other services like emergency and food resources. Staff highlights resources that best suit the expressed needs of those in need. Guides are provided to walk in customers, mailed & emailed to those who call with questions, and are provided to housing rehab beneficiaries if additional needs are determined to exist.

Moore County Community Development staff members, including Carlis Sweat and Stephanie Cormack, counsel those needing assistance on the availability of these services.

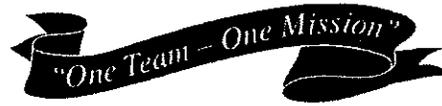
Moore County also maintains a database of over 543 low income homeowners who have completed a "Statement of Need." This statement requests name, mailing address, basic demographic information, total number of members of the household, income of each household member, age, and disability status. The mailing addresses are used to contact residents with information about community services for low income persons. This same mailing information is used to send grant applications to everyone on the list whenever a grant opportunity becomes available.

Mailings have referred residents to the following services: local Group WorkCamps mission activity, USDA Section 504, Weatherization Program, Habitat for Humanity Repair Ministry, Military Missions in Action, Benefit Bank sites, Independent Living Services, Special Assistance-In Home program offered through Medicaid/DSSVITA sites, PACE program, LIFE program, Providence Place locations (HUD Section 502 housing operated by St. Joseph of the Pines), and free legal services related to heirs property provided by the Land Loss Prevention Project and Southern Coalition for Social Justice.

Multiple agencies are alerted when we receive grant award notices. Among those agencies contacted are: Moore County Department of Social Services, Moore County Health Department, Moore County Department of Aging, Moore County Transportation, Moore County Veterans Affairs, Meals on Wheels, Northern Moore Family Resource Center, Boys and Girls Club, Sandhills Community Action Program, Friend to Friend (domestic violence shelter), Boys and Girls Club, Arc of Moore County, Salvation Army, Coalition for Human Care, Red Cross, local NAACP representative and staff and representatives from all local municipalities.



PLANNING & COMMUNITY DEVELOPMENT



P.O. Box 905
1048 Carriage Oaks Drive
Carthage, NC 28327
Planning: 910.947.5010
Central Permitting: 910.947.2221
Fax: 910.947.1303
www.moorecountync.gov

EXHIBIT II.E

January 19, 2016

The Strategic Investment Group
North Carolina Housing Finance Agency
3508 Bush Street
Raleigh, NC 27609-7509

Dear Application Review Committee:

This letter is to confirm Moore County's commitment of \$5,000 in matching funds toward the 2016 Urgent Repair Program should the County's application be successful. These funds will be committed in the County's FY17 budget.

Best regards,

Wayne Vest, Manager
County of Moore

STEPHANIE CORMACK

**PO Box 905
Carthage, NC 28327
(910)947-5010
scormack@moorecountync.gov**

EMPLOYMENT HISTORY (HOUSING)

Moore County Community Development & Planning
Community Development Assistant (2011-Present)

- Administration of housing grants serving low-income homeowners; including CDBG (2009 & 2012 Scattered Site Housing, 2010 Individual Development Account, 2010 Economic Recovery Program), USDA Urgent Repair (2010, 2012, 2013, 2015) and Single Family Rehab (2011 & 2014).
- Prepare financial documents to include requisition of funds, budgeting, quarterly & annual reporting, invoices and closeout documents.
- Prepare Assistant policy as well as Procurement policy for each new grant awarded.
- Provide client counseling and intake of new clients for low-income homeowners needing housing assistance. Promote aging in-place; educate clients about assistance programs & resources available to county residents.
- Provide assistance to Moore County staff in selecting homeowners to be served under a grant program. Selection involves applying rules set forth in Assistance policies or guidance provided by a selection committee. Ensure homeowners selected to be served under a grant are eligible on the basis of income and that the home is owner occupied.
- Ensure housing rehab contracts, loan agreements, deed of trust, service agreements, and estoppels are completed correctly and executed by all parties.
- Assist in work write-up specification for homes needing housing rehab assistance. Cost estimate work writeups. Research new materials and tools for use in housing rehab.
- Maintain all compliance documents under the CDBG programs. Ensure the county is current on all documents to include (Fair Housing, Section 504, Section 3, Language Access Plans, Section 519, Code of Conduct, Citizen Participation, Anti-Dislocation Plan, Signature of Resolution and Equal Employment & Procurement Plans).
- Extensive client communication through maintenance of the County's housing rehab mailing list, mailings to clients, and phone calls. Help coordinating the housing rehab process between the County, homeowner and contractor including scheduling of visits and ensuring all necessary documents are "in house" before invoices are paid.
- Generate invoices and track grant budgets at the department level. Coordinate with the Finance department to ensure all grants are properly audited.

Special Housing Related Projects Include:

- Providing assistance to the Christian youth mission Group Workcamps by mailing information and applications to over 542 homeowners countywide who have expressed a need to our office for housing assistance. Successful applicants received minor home repairs, painting or mobile home skirting from the Workcamps participants.
- Planned and organized a Fair Housing Fair for public attendance. Coordinated with other housing organizations for public outreach.
- Planned and organized a Fair Housing Workshop for organizations providing housing related services, property management companies, and Real Estate Brokers providing Fair Housing education.

ADDITIONAL TRAINING (HOUSING)

- **Notary Public State of North Carolina**
- **2012 NCCDA Fall Conference**
 - HOMES Income Verification System
 - Integrating Healthy Homes Housing with Lead Hazards Controls
 - Rehabilitation Key Chain

- Overview of Asbestos Hazards and Lead Based Paint Hazard Management
- Best practices in Housing Rehabilitation Roundtable
- HUD Partnerships in NC
- Marketing Your Community Development Success
- **2013 NC Department of Cultural Resources Division of Archives and Records-3 CEU's**
 - Confidentiality and Public Records
 - Files and Filing
- **2013 NCCDA Fall Training Conference**
 - HOME Regulations
 - New Affirmative Furthering Fair Housing Regulations
 - Impact of State CDBG Program Changes-Panel
- **2014 Land Records Workshop-8 CEU's**
 - Theory of Easements
 - Reading A Deed
 - Mineral Rights
 - Producing and Survey Plats
 - NC Geodetic Survey
 - Statewide GIS Data :Solving the Parcel Puzzle
 - NC Flood Mapping Program
 - Transfer of Property After Death

EDUCATION

Fort Collins High School, Fort Collins, CO

- Graduated 1990

Colorado State University, Fort Collins, CO

- Composition I, Speech (communications)

Front Range Community College, Fort Collins, CO

- Composition II

Caroline Ly Xiong

P.O. Box 905
Carthage, NC 28327
(910)947-7119

Career Goal To contribute the skills and education that I have acquired to achieve the goals set by Financial Services Department and to serve the County departments.

Academic Background

- Achieved Bachelor of Science Degree in Business Management with a concentration in Finance from the North Carolina State University, Raleigh, in the year 1999. (Magna Cum Laude)
- Achieved Associates in Applied Science Degree in Business Administration and Accounting from Sandhills Community College, Pinehurst, in the year 1997. (Magna Cum Laude)

Computer Programming Skills

- Knowing Office Package: Microsoft Word, Microsoft Excel, Microsoft Access, Microsoft PowerPoint and Microsoft Outlook Express.
- Knowing Operating Systems: Windows 2010, Windows XP and Windows Vista.
- Knowing financial softwares Logics, Munis and GoSystem Fund

Professional Background

Chief Finance Officer from November 1, 2014 to present for Moore County, NC. Responsible for accounting and financial management systems in accordance with North Carolina General Statutes.

- Manages accounts of the local government in accordance with generally accepted principles of governmental accounting and the rules and regulations of the Local Government Commission
- Coordinates fiscal year-end closing
- Manages cash and investments, capital assets, debt, payroll and timekeeping, procurement of goods and services for all County agencies.
- Grant administration – Health grants, Child support grants, DSS grants, MCTS grants, Airport grants and CDBG (2008 Urgent Needs, 2009 Capacity Building, 2009 & 2012 Scattered Site Housing, 2010 Individual Development Account, 2010 Economic Recovery Program), USDA (2009 Housing Preservation Grant), Urgent Repair (2010, 2012, 2013, 2015) and Single Family Rehab (2011 & 2014)
- Oversees the preparation of the Comprehensive Annual Financial Report
- Prepares various financial statements and reports.
- Organizes and directs the fiscal management system, which includes the receipt, deposit, disbursement and investment of County funds, payroll and the provision of financial information.

Assistant Finance Director from 2004 to October 31, 2014 for Moore County, NC. Assisted and advised other departments on accounting procedures. Completes day-to-day tasks timely and independently.

- Prepared and filed various monthly, quarterly and annual fiscal transaction documents and reports
- Reviewed reconciliation of bank and investments accounts
- Reviewed reconciliation of departmental grant reports with general ledger

EXHIBIT III.C

- Maintained debt records and assisted with debt payment and recording
- Prepared the Comprehensive Annual Financial Report (CAFR)

Accountant from 2000 to 2004 for Moore County, NC and was responsible for maintaining the general ledger, grants and debts.

- Prepared journal entries, prepared financial statements and assisted with preparation of Comprehensive Annual Financial Report (CAFR);
- Assisted in reconciliation of bank and investments accounts
- Reconciled all departmental grant reports with general ledger
- Maintained debt records and assisted with debt payment and recording
- Managed the Procurement Card program for the County
- Reviewed price quotations for purchase orders

Certification & Association

- Certified Local Governmental Finance Officer by the N.C. Government Finance Officers Association and N.C. Association of County Finance Officers since January 1, 2007
- Member of Government Finance Officer Association (GFOA) since February 2000
- Member of the North Carolina Government Finance Officer Association (NCGFOA)
- Member of the North Carolina Local Government Investment Association (NCLGIA)

Carlis P. Sweat

Moore County Community Development
P.O. Box 905, Carthage, NC 28327

(910) 947-5010

csweat@moorecountync.gov

PROFESSIONAL EXPERIENCE

- Oct. 2014 – Present **Certified Housing Rehabilitation Inspector**
Moore County Planning Department, Carthage, NC.
Perform duties of a Housing Rehabilitation Specialist in the Community Development division. Perform residential housing inspections to determine housing repair and improvements. Develop work write-ups of necessary repairs and cost estimates. Collect and qualify job bids. Work closely with county inspectors and environmental departments to determine work is completed according to state and local building codes and laws. Inspect jobs and work with general contractors to ensure that contract specifications are being followed. Authorize disbursements. Oversee project management of Urgent Repair Program. Serve as a staff liaison for homeowners who qualify for the housing rehabilitation program. Solicit homeowners needing home repairs. Recruit licensed contractors.
- Jan. 2000 – Oct. 2014 **Certified Housing Rehabilitation Specialist**
Cumberland County Community Development, Fayetteville, NC
Department of Housing and Urban Development
Perform inspections on housing to determine code violations, minimum housing violations, and general property improvements. Develop a work write-up of necessary repairs and cost estimate. Design and draw SFR blueprints with Energy Star specifications. Collect and qualify job bids. Supervise contractors. Work closely with county inspectors, zoning, and environmental departments to determine work is completed according to state and local building codes and laws. Authorize disbursements. Serve as a staff liaison for homeowners who qualify for the housing rehabilitation program. Solicit homeowners needing home repairs. Recruit licensed contractors. Oversee project management of Urgent Repair Program. Work with local non-profit agencies to inform the public and administer assistance programs.
- Oct. 1986 - Present **North Carolina Licensed General Contractor**
Sweat Home Improvements, Fayetteville, NC
Self-employed
Handle all phases of home improvement and repair, including new construction (spec and custom homes), room additions, interior trim, and termite repair. Consult with homeowner to determine design and project layout. Generate work write-ups and cost estimates. Obtain required permits and building materials. Supervise workers and determine work is completed according to local and state building codes.

CERTIFICATES AND LICENSES

North Carolina Licensed General Contractor #21060
Certified Housing Rehabilitation Specialist / Professional Housing Rehabilitation Association of NC
Housing Quality Standards Certification / Community Revitalization Training Center
EPA/HUD Renovate, Repair, & Paint Certification / Craven County Health Department
Renovate, Repair and Paint - EPA/HUD Rule October 2014 / Roy Consulting Group
Lead-Based Paint Training, Safe Work Practices, and Train The Trainer / ICF International
Lead-Based Paint Training Program for Remodelers and Renovators / Training and Development Associates, Inc.
Design and Specification for Rehabilitation Specialists / Neighborhood Reinvestment Training Institute
Cost Estimation for Rehabilitation Specialists / Neighborhood Reinvestment Training Institute
Construction Management - On Solid Ground / ICF International
Project Management / ICF International
Home Performance with Energy Star
Success with House Characterization
Understanding and Diagnosing HVAC Systems
Pressure Diagnostics / Advanced Energy
Electrical Systems in Housing Rehabilitation
Understanding and Diagnosing Plumbing Systems
Rehabilitation to Promote Aging in Place
Universal Design / North Carolina State University Center for Universal Design
Working with Difficult People in the Process of Housing Rehabilitation / Community Revitalization Training Center
Healthy Homes Specialist Certification / National Center for Healthy Housing
Asbestos Operations and Maintenance Class III Certification / The EI Group
Structural Pest Management / North Carolina State University Entomology Department
Mold, Mildew and Radon / Wiley Earp
North Carolina Housing Rehabilitation Codes / Jim Bartl, Mecklenburg County
Law and Administration / North Carolina Department of Insurance CEO Certification
Fair Housing Training / North Carolina Human Relations Commission

PROFESSIONAL DEVELOPMENT

Professional Housing Rehabilitation Association of NC
Board of Directors/President – 2007 - Present
Certification Task Force – 2002 – Present
Board of Directors/Education and Training Chairman - 2002-2006
North Carolina General Contractor Licensing Board
Residential Builder Exam Advisory Committee - 2004

Agenda Item: VIII. B.
Meeting Date: 1/19/2016

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: John Birath, Executive Director for Operations, Moore County Schools
DATE: January 19, 2016
SUBJECT: Public School Building Capital Fund NC Education Lottery Application – Area I Elementary School
PRESENTER: John Birath, Executive Director for Operations, Moore County Schools

REQUEST:

Funding for site analysis and negotiations related to possible acquisition of property for the new Area I Elementary School.

BACKGROUND:

At the December 7, 2015 Board of Education (BOE) Work Session, Moore County Schools (MCS) staff presented to the BOE a potential site for the new Area I Elementary School. The potential site for the new school is located on Camp Easter Road.

As was presented to the BOE at the December 12, 2015 Business Meeting, MCS staff requested that the BOE authorize the administration to proceed with analyses of the proposed site and with formal negotiations with the Seller to identify more detailed terms and conditions of a possible sale of the property. MCS Staff also requested that the BOE approve a Lottery Application for \$90,000 to support a due diligence investigation of the proposed property. The BOE approved the request for Lottery Funding as submitted.

FINANCIAL IMPACT:

No impact to local funds, this will be paid through the NC Lottery.

IMPLEMENTATION PLAN:

RECOMMENDATION SUMMARY:

Absent any questions or concerns from members of the Board of Commissioners, it is recommended that the Board approve the NC Education Lottery Application.

ATTACHMENTS:

Public School Building Capital Fund NC Education Lottery Application Form for the new Area I Elementary School.

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Moore

Contact Person: Dr. Robert P. Grimesey Jr.

LEA: Moore County Schools (630)

Title: Superintendent

Address: PO Box 1180, Carthage, NC 28327

Phone: (910) 947-2976

Project Title: Due Diligence for Potential Site of New Area I Elementary School

Location: Carthage, NC

Type of Facility: New 800 student elementary school

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No county shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. ***Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.***

Short description of Construction Project: Scope of work is to perform due diligence investigations of potential site including surveying, subsurface exploration, environmental investigation, etc.

Estimated Costs:

Purchase of Land _____	\$ _____
Planning and Design Services _____	90,000.00
New Construction _____	_____
Additions / Renovations _____	_____
Repair _____	_____
Debt Payment / Bond Payment _____	_____
TOTAL _____	\$ 90,000.00

Estimated Project Beginning Date: January 2016 Est. Project Completion Date: August 2018

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 90,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners) (Date)

(Signature — Chair, Board of Education) (Date)

Agenda Item: VIII. C.
Meeting Date: 1/19/2016

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: John Birath, Executive Director for Operations, Moore County Schools
DATE: January 19, 2016
SUBJECT: Public School Building Capital Fund NC Education Lottery Application – Southern Pines Elementary School
PRESENTER: John Birath, Executive Director for Operations, Moore County Schools

REQUEST:

Funding for site analysis and negotiations related to possible acquisition of property for the new Southern Pines Elementary School that will replace the existing Southern Pines Elementary and Primary Schools.

BACKGROUND:

At the December 7, 2015 Board of Education (BOE) Work Session, Moore County Schools (MCS) staff presented to the BOE a potential site for the new Southern Pines Elementary School. The potential site for the new school is located in the Morganton Park North Development.

As was presented to the BOE at the December 12, 2015 Business Meeting, MCS staff requested that the BOE authorize the administration to proceed with analyses of the proposed site and with formal negotiations with the Seller to identify more detailed terms and conditions of a possible sale of the property. MCS Staff also requested that the BOE approve a Lottery Application for \$90,000 to support a due diligence investigation of the proposed property. The BOE approved the request for Lottery Funding as submitted.

FINANCIAL IMPACT:

No impact to local funds, this will be paid through the NC Lottery.

IMPLEMENTATION PLAN:

RECOMMENDATION SUMMARY:

Absent any questions or concerns from members of the Board of Commissioners, it is recommended that the Board approve the NC Education Lottery Application.

ATTACHMENTS:

Public School Building Capital Fund NC Education Lottery Application Form for the new Southern Pines Elementary School.

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Moore

Contact Person: Dr. Robert P. Grimesey Jr.

LEA: Moore County Schools (630)

Title: Superintendent

Address: PO Box 1180, Carthage, NC 28327

Phone: (910) 947-2976

Project Title: Due Dillegence for Potential Site of New Area III Replacement Elementary School

Location: Southern Pines, NC

Type of Facility: New 800 student replacement elementary school

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No county shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. ***Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.***

Short description of Construction Project: Scope of work is to perform due dilligence investigations of potential site including surveying, subsurface exploration, environmental investigation, etc.

Estimated Costs:

Purchase of Land _____	\$ _____
Planning and Design Services _____	90,000.00
New Construction _____	_____
Additions / Renovations _____	_____
Repair _____	_____
Debt Payment / Bond Payment _____	_____
TOTAL _____	\$ 90,000.00

Estimated Project Beginning Date: January 2016 Est. Project Completion Date: August 2018

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 90,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners) (Date)

(Signature — Chair, Board of Education) (Date)

Agenda Item: VIII. D.
Meeting Date: 1/19/2016

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: John Birath, Executive Director for Operations, Moore County Schools
DATE: January 19, 2016
SUBJECT: Public School Building Capital Fund NC Education Lottery Application - Advanced Career Center

PRESENTER: John Birath, Executive Director for Operations, Moore County Schools

REQUEST:

Funding for site analysis and negotiations related to possible acquisition of property for Advanced Career Center.

BACKGROUND:

At the December 7, 2015 Board of Education (BOE) Work Session, Moore County Schools (MCS) staff presented to the BOE a potential site for the new Advanced Career Center. The potential site for the new school is located on Airport Road across from the Sandhills Community College (SCC). SCC owns the 43 acre parcel of land and has indicated that they are willing to subdivide a portion for the new facility.

As was presented to the BOE at the December 12, 2015 Business Meeting, MCS staff requested that the BOE authorize the administration to proceed with analyses of the proposed site and with formal negotiations with the Board of Trustees (BOT) to identify more detailed terms and conditions of a possible transfer or sale of the property. MCS Staff also requested that the BOE approve a Lottery Application for \$140,000 to support a due diligence investigation of the proposed property. The investigation will serve as the basis for further development, in collaboration with the SCC Board of Trustees, of a comprehensive site master plan that will define the property and all necessary easements. The BOE approved the request for Lottery Funding as submitted.

FINANCIAL IMPACT:

No impact to local funds, this will be paid through the NC Lottery.

IMPLEMENTATION PLAN:

RECOMMENDATION SUMMARY:

Absent any questions or concerns from members of the Board of Commissioners, it is recommended that the Board approve the NC Education Lottery Application.

ATTACHMENTS:

Public School Building Capital Fund NC Education Lottery Application Form for the Advanced Career Center.

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Moore

Contact Person: Dr. Robert P. Grimesey Jr.

LEA: Moore County Schools (630)

Title: Superintendent

Address: PO Box 1180, Carthage, NC 28327

Phone: (910) 947-2976

Project Title: Due Diligence for Potential Site of New Advanced Career Center

Location: Southern Pines, NC

Type of Facility: New 800 student (1,000 student core) Advanced Career Center

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No county shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. **Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.**

Short description of Construction Project: Scope of work is to perform due diligence investigations of potential site including surveying, subsurface exploration, environmental investigation, etc.

Estimated Costs:

Purchase of Land _____	\$ _____
Planning and Design Services _____	140,000.00
New Construction _____	_____
Additions / Renovations _____	_____
Repair _____	_____
Debt Payment / Bond Payment _____	_____
TOTAL _____	\$ 140,000.00

Estimated Project Beginning Date: January 2016 Est. Project Completion Date: January 2019

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 140,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners) (Date)

(Signature — Chair, Board of Education) (Date)

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Misty Randall Leland, County Attorney

DATE: January 15, 2016

SUBJECT: Resolution Concerning the New Sales Tax Redistribution Plan and Senate Bill 605 (2015-2016)

PRESENTER: Misty Randall Leland, County Attorney

REQUEST:

Approve the attached Resolution Requesting the Following: (1) Answers To The Questions Addressed in this Resolution Including Why Moore County was Omitted from the New Sales Tax Redistribution Plan; and (2) Support From the North Carolina General Assembly for the Passage of the Revisions of Article 46 of Chapter 105 of the North Carolina General Statutes Contained in Senate Bill 605 (2015-2016) Entitled an Act to Make Various Changes to the Revenue Laws” (the “Resolution”).

BACKGROUND:

During the 2015 session, the North Carolina General Assembly approved a revised sales tax distribution plan under the State budget that expands the sales tax base to include repair, maintenance, and installation services of motor vehicles and tangible personal property. The plan also combines these additional revenues from Articles 39, 40, and 42 with revenues from the state sales tax and then redistributes the revenues in such a way that only 79 of North Carolina’s 100 counties benefit. Of the 79, Moore County is not included.

Separately, Senate Bill 605, “An Act to Make Various Changes to the Revenue Laws,” is currently still pending in the North Carolina General Assembly. SB 605 will revise Article 46 of Chapter 105 to authorize an increase in the maximum rate of the local sales and use tax under Article 46 from one-quarter percent (1/4%) to one-half percent (1/2%). The County has previously requested that SB 605 be passed due to the revisions to Article 46.

By this Resolution the Board of Commissioners reaffirms its support of the changes to Article 46 and seeks answers as to why Moore County was not included among or in addition to the 79 counties that benefit from the sales tax distribution plan under the State budget.

IMPLEMENTATION PLAN:

None

FINANCIAL IMPACT STATEMENT:

None

RECOMMENDATION SUMMARY:

Make a motion to approve the attached Resolution and authorize the Chairman to sign the same.

SUPPORTING ATTACHMENTS:

1. Resolution Requesting the Following: (1) Answers To The Questions Addressed in this Resolution Including Why Moore County was Omitted from the New Sales Tax Redistribution Plan; and (2) Support From the North Carolina General Assembly for the Passage of the Revisions of Article 46 of Chapter 105 of the North Carolina General Statutes Contained in Senate Bill 605 (2015-2016) Entitled an Act to Make Various Changes to the Revenue Laws

MOORE COUNTY RESOLUTION REQUESTING THE FOLLOWING: (1) ANSWERS TO THE QUESTIONS ADDRESSED IN THIS RESOLUTION INCLUDING WHY MOORE COUNTY WAS OMITTED FROM THE NEW SALES TAX REDISTRIBUTION PLAN; AND (2) SUPPORT FROM THE NORTH CAROLINA GENERAL ASSEMBLY FOR THE PASSAGE OF THE REVISIONS OF ARTICLE 46 OF CHAPTER 105 OF THE NORTH CAROLINA GENERAL STATUTES CONTAINED IN SENATE BILL 605 (2015-2016) ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE REVENUE LAWS

WHEREAS, the North Carolina General Assembly, during this most recent 2015 session, approved a revised sales tax distribution plan under the State budget. This plan expands the sales tax base to include the repair, maintenance and installation services of motor vehicles and tangible personal property. This plan also combines these additional revenues from Articles 39, 40 and 42 (which is an estimated 67.2 million for FY 2017) with 17.6 million from state sales taxes. 79 of the 100 counties benefit from this revised sales tax plan. The 79 benefited counties can use the additional sales tax revenue, estimated to be 84.8 million in revenues, on economic development, public schools and community colleges. The effective date the public will begin seeing this new tax is March 1, 2016. The redistribution of the sales tax revenues begins July 1, 2016; and

WHEREAS, Moore County was not included with the 79 counties which will benefit greatly from the new sales tax redistribution plan. Therefore, Moore County loses substantial tax dollars now as well as growth of those revenues in the future; and

WHEREAS, Moore County requests an answer as to why Moore County's sales tax revenue resulting from this plan, is being distributed to 79 other counties, while Moore County receives 0 dollars; and

WHEREAS, Moore County is currently facing \$119,321,417 in immediate school capital construction needs and could have greatly benefited from being included in this redistribution of sales tax plan; and

WHEREAS, recently the Moore County Board of Commissioners voted to put a sales tax referendum on the primary ballot on March 15, 2016, giving citizens an option to increase the County's sales taxes by (1/4%) one-quarter percent to help with funding school construction needs for Moore County public schools; and

WHEREAS, to further assist with public school construction needs, Moore County previously requested the General Assembly to pass Senate Bill 605 (2015-2016) which contains revisions to Article 46 of Chapter 105 of the North Carolina General Statutes authorizing an increase in the maximum rate of local sales and use tax that may be levied under this Article from one-quarter percent (1/4%) to one-half percent (1/2%). Among other conditions stipulated in this Bill, the tax must be in an increment of one-quarter percent (1/4%); and

WHEREAS, SB 605 is still pending before the General Assembly and may be voted on in the 2016 Short Session. Moore County, once again, expresses its support of the revisions to Article 46 of Chapter 105 of the North Carolina General Statutes as stipulated in Senate Bill 605.

THEREFORE BE IT RESOLVED that the Moore County Board of Commissioners supports the revisions to Article 46 of Chapter 105 of the North Carolina General Statutes as stipulated in Senate Bill 605 (2015-2016) and requests that this Bill be ratified into law; and

FURTHER, BE IT RESOLVED that the Moore County Board of Commissioners respectfully requests the leaders of the General Assembly as well as the Moore County delegation to answer the question as to why Moore County was left out of the new sales tax redistribution plan; and

FURTHER, BE IT RESOLVED that the Board of Commissioners authorizes its Chairman to execute this Resolution and directs the Clerk to send copies to NC Senate Leader Phil Berger, NC Speaker of the House Tim Moore, Moore County Legislation Delegation at the North Carolina General Assembly, all the Moore County municipalities and the North Carolina Association of County Commissioners.

Adopted this 19th day of January 2016.

Nick J. Picerno, Chairman
Moore County Board of Commissioners

Laura M. Williams
Clerk to the Board of Commissioners

Agenda Item: VIII. F.
Meeting Date: 1/19/2016

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: D. Bryan Phillips
DATE: 06 January 2016
SUBJECT: Public Safety Ordinance
PRESENTER: D. Bryan Phillips

REQUEST:

Request approval to the Code of Ordinances for Moore County by establishing an Public Safety Ordinance.

BACKGROUND:

Emergency Management

The purposes of this Article are to establish an emergency management agency to ensure the complete and efficient utilization of all resources of the county and its municipalities in the event of an emergency or disaster; set forth the authority and responsibility of the local governments in prevention of, preparation for, response to, and recovery from natural or man-made emergencies or hostile military or paramilitary action and to do the following:

- (1) Reduce vulnerability of people and property of this County to damage, injury, and loss of life and property.
- (2) Prepare for prompt and efficient rescue, care, and treatment of threatened or affected persons.
- (3) Coordinate with state and federal agencies for the orderly rehabilitation of persons and restoration of property.
- (4) Provide for cooperation and coordination of activities relating to emergency mitigation, preparedness, response, and recovery among agencies and officials of this County and with similar agencies and officials of other counties, with state and federal governments, with interstate organizations, and with other private and quasi-official organizations.

Hazardous Materials

The intent and purpose of this article is to establish the duties of the county emergency management agency as it relates to hazardous materials emergencies. Such incidents include but are not limited to, spills, accidents, illegal dumping and other releases or threatened releases of hazardous materials requiring control. The emergency management agency shall have the authority to summarily remove, abate, or remedy hazardous material emergencies within the jurisdiction of the county that are, or potentially are, a threat to public safety.

Emergency Telephone Service (911)

The purpose of this article is to establish a public safety telephone service in Moore County and to provide the financial resources needed to purchase, install, operate, and maintain it.

Fire Prevention Code

For the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the Moore County Board of Commissioners adopted a certain code known as the North Carolina Fire Code, as approved by the North Carolina Building Code Council and shall include subsequent amendments that are adopted pursuant to state law. An official copy of the code shall be filed in the office of the fire marshal. The code is adopted and incorporated as if fully set forth at length in this ordinance, and the provisions thereof shall be controlling in all areas of the county not governed by a city or town, and as otherwise provided for through agreements with participating municipalities within the county.

Emergency Medical Services

Ambulance, Emergency Medical Services, First Responder, Rescue Services and Granting of Franchise and Contract to the Operations in Moore County

IMPLEMENTATION PLAN:

Approved by Legal
Receive approval from BOC
Coordinate with Clerk to Board to update Code of Ordinances

FINANCIAL IMPACT STATEMENT:

None

RECOMMENDATION SUMMARY:

[Make a motion to...](#) approve the Public Safety Ordinance and incorporate it into the Code of Ordinances for Moore County.

SUPPORTING ATTACHMENTS:

Public Safety Ordinance

BE IT ORDAINED that the Moore County Code of Ordinances, Chapter 6.5, Public Safety, is hereby amended in its entirety to read as follows:

Chapter 6.5 - PUBLIC SAFETY

[leave space to put in table of contents if desired]

ARTICLE I. IN GENERAL

Sec. 6.5.1 Title

This Chapter shall be known and may be cited and referred to as the "Moore County Public Safety Ordinance," including its municipalities.

Sec. 6.5.2 Intent and Purpose Statement

The purposes of this Article are to establish an emergency management agency to ensure the complete and efficient utilization of all resources of the county and its municipalities in the event of an emergency or disaster; set forth the authority and responsibility of the local governments in prevention of, preparation for, response to, and recovery from natural or man-made emergencies or hostile military or paramilitary action and to do the following:

- (1) Reduce vulnerability of people and property of this County to damage, injury, and loss of life and property.
- (2) Prepare for prompt and efficient rescue, care, and treatment of threatened or affected persons.
- (3) Coordinate with state and federal agencies for the orderly rehabilitation of persons and restoration of property.
- (4) Provide for cooperation and coordination of activities relating to emergency mitigation, preparedness, response, and recovery among agencies and officials of this County and with similar agencies and officials of other counties, with state and federal governments, with interstate organizations, and with other private and quasi-official organizations.

The emergency management agency shall be the coordinating entity for all activity in connection with emergency management within the county. It will be the agency through which the board of commissioners and city/town councils will exercise the authority and discharge the responsibilities vested in them during states of disaster or local emergency.

This chapter does not relieve any county department or agency of the responsibilities or authority given to it by state law or by local chapter, nor will it adversely affect the work of any volunteer agency organized for relief in disaster situations. It shall not abridge or modify the authority of

the governor or his or her delegates to implement emergency measures during declared states of disaster.

The emergency management agency shall be the central coordinating agency for activities and programs relating to emergency and disaster mitigation, preparedness, response and recovery among agencies and officials for the county and with similar agencies and officials of other counties, the state and federal agencies, and with other private and quasi-official organizations.

Sec. 6.5.3 Definitions

The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Chair of the Board of County Commissioners - The chair of the board of county commissioners or, in case of the chair's absence or disability, the person authorized to act in the chair's stead. Unless the governing body of the county has specified who is to act in lieu of the chair with respect to a particular power or duty set out in this Chapter, this term shall mean the person generally authorized to act in lieu of the chair.

County-authorized emergency management personnel -Any person duly registered, identified and appointed by the coordinator of the county emergency management agency and assigned to participate in the emergency management activity.

County-authorized first responder – any person duly registered, identified and appointed by the coordinator of the county emergency management division and assigned to participate in the emergency management activity.

Disaster – An occasion or an instance caused by any natural means (including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm or drought), and, regardless of cause, any fire, flood or explosion, where local efforts and capabilities are maximized to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophic situation in any part of the county including alleviating the damage, loss, hardship or suffering caused by the event.

Emergency - An incident or occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made accidental, military, paramilitary, weather-related, or riot-related cause, which requires responsive action to protect life or property.

Emergency area -The geographical area covered by a state of emergency.

Emergency management – (1) The basic government functions of maintaining the public peace, health and safety during an emergency. This term includes plans and preparation for protection, relief and recovery from the effects of an emergency, disaster or hostile action as defined in this section. It shall not, however, include any activity that is the primary responsibility of the military forces of the United States. (2) The employees, equipment and facilities of all county departments, boards, councils, institutions and commissions; and in addition it includes all

volunteer personnel, equipment and facilities contributed by or obtained from, volunteer persons or agencies.

Emergency management agency - The local governmental agency charged with coordination of all emergency management activities for its jurisdiction.

Hazardous materials emergency response team or hazmat team - An organized group of persons specially trained and equipped to respond to and control actual or potential leaks or spills of hazardous materials.

Hazardous materials - Any material defined as a hazardous substance under 29 Code of Federal Regulations, 1910.120(a)(3).

Hazardous materials incident or hazardous materials emergency - An uncontrolled release or threatened release of a hazardous substance requiring outside assistance by a local fire department or hazmat team to contain and control.

Local Emergency Manager (LEM) - The coordinator of the county emergency management division, appointed as prescribed in this article.

Political subdivision - Incorporated cities, towns and villages.

Regulations – The plan, programs and other emergency procedures deemed essential to emergency management.

Responsible party - A person or entity who causes directly or indirectly the release of a hazardous material creating a hazardous materials incident shall be liable for all reasonable costs incurred in responding to and mitigating the incident pursuant to the Moore County Fee Schedule. In the event that the responsible party cannot be determined or is unable to pay, the owner of or person in possession of hazardous materials at the time of the incident is liable for the costs.

State of emergency - A finding and declaration by the governing body of a county or the chair of the board of commissioners of a county, acting under the authority of G.S. 166A-19.22, that an emergency exists.

Sec. 6.5.4 Violations

It shall be a misdemeanor for any person to violate any of the provisions of this chapter or of the regulations or plans promulgated pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the emergency management forces, as herein defined, in the enforcement of the provisions of this chapter or any regulations or plan issued hereunder.

ARTICLE II. EMERGENCY MANAGEMENT AGENCY

Sec. 6.5.5 Authority

Pursuant to N.C.G.S. 166A, the North Carolina Emergency Management Act, a county emergency management agency is hereby established.

Sec. 6.5.6 Establishment; coordinator

(a) The county director of public safety serves as the coordinator of the emergency management agency.

(b) The coordinator shall designate and appoint deputy coordinators to assume the duties of the coordinator in his absence or inability to act.

Sec. 6.5.7 Government immunity and exemption

This article is an exercise by the county/municipalities of its governmental functions for the protection of the public peace, health and safety as required by N.C.G.S. 166A-19.60 which provides the following immunities and exemptions:

(a) Neither the state nor any political subdivision thereof, nor, except in cases of willful misconduct, gross negligence, or bad faith, any emergency management worker, firm, partnership, association or corporation complying with or reasonably attempting to comply with this Article or any order, rule or regulation promulgated pursuant to the provisions of this Article or pursuant to any ordinance relating to any emergency management measures enacted by any political subdivision of the state, shall be liable for the death or injury to persons, or for damage to property as a result of any such activity. N.C.G.S. 166A-19.60(a).

(b) The rights of any person to receive benefits to which the person would otherwise be entitled under this Article or under the Workers' Compensation Law or under any pension law and the right of any such person to receive any benefits or compensation under any act of Congress shall not be affected by performance of emergency management functions. N.C.G.S. 166A-19.60(c).

(c) Any requirement for a license to practice any professional, mechanical or other skill shall not apply to any authorized emergency management worker who shall, in the course of performing the worker's duties as such, practice such professional, mechanical or other skill during a state of emergency. N.C.G.S. 166A-19.60(d).

Sec. 6.5.8 No private liability

Any person, firm or corporation, together with any successors in interest, if any, owning or controlling real or personal property who, voluntarily or involuntarily, knowingly or unknowingly, with or without compensation, grants a license or privilege or otherwise permits or allows the designation or use of the whole or any part or parts of such real or personal property for the purpose of activities or functions relating to emergency management as provided for in this chapter shall not be civilly liable for the death of or injury to any person or the loss of or damage to the property of any persons where such death, injury, loss or damage resulted from, through, or because of the use of the said real or personal property for any of the above purposes,

(8) The assignment of duties, when of a supervisory nature, shall also include the granting of authority for the persons to carry out duties prior to, during, and after the occurrence of an emergency.

(9) The invoicing of persons liable for hazardous materials release, and, in the event of non-payment, the discretion to proceed with legal action to recover costs.

Sec. 6.5.10 Emergency operations plans

(a) Comprehensive emergency operations plans shall be adopted by resolution of the board of commissioners. In the preparation of these plans as they pertain to county organization, it is intended that the services, equipment, facilities, and personnel of all existing departments and agencies shall be utilized to the fullest extent. All departments and agencies have the responsibility to perform the functions assigned by these plans and to be in a current state of readiness at all times. The emergency operations plan shall have the full effect of law whenever an emergency, as defined in this article, has been declared or when a disaster occurs.

(b) The coordinator shall prescribe those positions within the emergency organizational structure for which lines of succession are necessary. In each instance, the responsible person will designate and keep on file with the coordinator a current list of three persons as successors to his position. The list will be in order of succession and will designate persons best capable of carrying out all assigned duties and functions.

(c) Any individual assigned responsibility in the plans shall be responsible for carrying out all assigned duties and functions. Duties include the organization and training of assigned employees and, where needed, volunteers. Each individual shall formulate the standing operating procedure to implement the plans.

(d) Supporting plans shall be maintained by the emergency management agency to ensure coordinated activities in the mitigation, preparedness, response, and recovery phases of emergency management. In the preparation of these plans, the services, equipment, facilities and personnel of all existing departments and agencies shall be utilized to the fullest extent. When the plans are published, each department or agency shall perform those functions assigned to it by the plan.

(e) The agency shall describe in emergency plans those positions within the disaster organization, in addition to the agency head, for which lines of succession are necessary. In each instance, the responsible person shall designate and file with the emergency management agency a current list of three persons to be successors to each key position. The list shall be in order of succession and shall designate persons most capable of carrying out all duties and functions assigned to the position.

(f) Each department designated in emergency plans shall be responsible for carrying out all duties and functions designated by the plan. Duties will include organization and training of assigned employees and volunteers. Each department shall formulate procedures to implement the plan for the organization.

(g) When a skill required for a disaster relief function is not available within local government, the coordinator shall be authorized to seek assistance beyond local government resources.

(h) The coordinator may submit recommended changes to the board of commissioners.

Sec. 6.5.11 Planning related to special needs facilities

(a) Special facilities are those institutions or organizations whose populations are dependent upon the institution for transportation or care.

(b) Special needs facilities are required to have a plan in place to be self-sufficient in an emergency that would require shelter in place or evacuation of their facility due to a natural or other disaster.

(1) Self-sufficient status would include generator power, food, water and essential supplies and equipment.

(c) These institutions include, but are not limited to, assisted living facilities, hospitals, schools (public and private), day care centers, elderly centers or other organizations.

(d) The institutions shall submit copies of their disaster plan to the emergency management agency for review on an annual basis as defined by the emergency management agency.

(e) Any facility required to submit special facility disaster plans shall pay to the county the fees set forth in a schedule approved by the board of commissioners.

(f) The emergency management agency shall review the fee schedule every year and make recommendations to the board of commissioners as to any suggested alterations.

(g) Any fees collected pursuant to this article shall be applied to support staffing, operations, equipment, supplies and programming efforts emergency management purposes.

Sec. 6.5.12 Hazardous facility planning

(a) Any person required by law to annually submit a chemical inventory on forms approved by the North Carolina Environmental Protection Agency shall pay to the county the fees set forth in a schedule approved by the board of commissioners.

(b) The emergency management agency shall review the fee schedule every year and make recommendations to the board of commissioners as to any suggested alterations.

(c) Any fees collected pursuant to this article shall be applied to support staffing, operations, equipment, supplies and programming efforts emergency management purposes.

Sec. 6.5.13 Liability

(a) All functions and other activities relating to emergency management as provided for in this Chapter or elsewhere in the Moore County Code of Ordinances are hereby declared to be governmental functions. Except in cases of willful misconduct, gross negligence, or bad faith, any emergency management worker, firm, partnership, association, corporation, or agent

complying with or reasonably attempting to comply with this Article or any order, rule, or regulation promulgated pursuant to the provisions of this Article or pursuant to any ordinance relating to any emergency management measures enacted by the County, shall not be liable for the death of or injury to persons, or for damage to real or personal property as a result of any such activity.

(b) Any person, firm, or corporation, together with any successors in interest, if any, owning or controlling real or personal property who, voluntarily or involuntarily, knowingly or unknowingly, with or without compensation, grants a license or privilege or otherwise permits or allows the designation or use of the whole or any part or parts of such real or personal property for the purpose of activities or functions relating to emergency management as provided for in this Chapter or elsewhere in the Moore County Code of Ordinances shall not be civilly liable for the death of or injury to any person or the loss of or damage to the property of any persons where such death, injury, loss, or damage resulted from, through, or because of the use of the real or personal property for any of the above purposes, provided that the use of the property is subject to the order or control of or pursuant to a request of the county government.

Sec 6.5.14 County departmental continuity plans

To facilitate emergency preparedness planning for Moore County, all Moore County departments, authorities, independent agencies, and constitutional officers shall prepare and periodically revise continuity of operations plans pursuant to directions and guidelines from the emergency management agency. These continuity plans must establish a comprehensive and effective program that maintains the continuity of essential departmental functions during any emergency or other situation that disrupts normal operations. Moore County shall ensure that such contingency plans are consistent with other emergency and disaster plans within Moore County.

(a) These continuity of operations plans shall be submitted to the emergency management agency by the last day of December each year in an emergency management approved format and shall address at a minimum the following areas:

- (1) Assignment of personnel as the continuity of operations program manager
- (2) Direction and control including authorities and responsibilities of key personnel, the succession of key departmental leadership, and delegations of authority
- (3) Identification of essential and non-essential departmental functions and staffing capabilities required to continue providing essential functions
- (4) Activation, mobilization, relocation, alert, notification and implementation plans for activating the continuity of operations plan
- (5) Alternate facility operations
- (6) Communications (primary and back-up) systems that will be used to keep employees, on-duty and off-duty, informed of departmental response activities, to coordinate employees in order to carry out departmental missions, to keep in contact with customers and suppliers, and to coordinate with the Moore County Emergency Operations Center
- (7) Protection of facilities, equipment, supplies, and vital records
- (8) Recovery and restoration of services including employee support, critical asset repair/replacement, and the continuity of operations
- (9) Administration and logistics

(10) Departments will update the Employee Emergency Notification System list quarterly at a minimum

Sec. 6.5.15 Territorial applicability

The emergency management agency shall perform emergency management, mitigation, preparedness, disaster response, and recovery functions within the territorial limits of Moore County including incorporated municipalities, and shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of North Carolina General Statutes, mutual aid agreements, and in accordance with state and Moore County comprehensive emergency management planning.

Sec. 6.5.16 Severability

Should any provisions of this subchapter be declared invalid for any reason, by any court of competent jurisdiction, such declaration of invalidity shall not affect the validity of the provisions or of this subchapter as a whole.

ARTICLE III. STATE OF EMERGENCY

Sec. 6.5.17 Authority

(a) A state of emergency shall be deemed to exist whenever, during times of public crisis, disaster or catastrophic emergency when, for any reason, public safety authorities are unable to maintain public order or afford adequate protection for lives, safety or property, or whenever the occurrence of any such condition is imminent.

(b) A state of emergency may be declared by the chairperson of the board of commissioners when he or she finds that an emergency exists. The proclamation shall be in writing. The chairperson shall take reasonable steps to give notice to the public of the terms of the proclamation. The chairperson shall send reports of the substance of the proclamation to the mass communications media which serve the affected area. The chairperson shall retain a text of the proclamation and provide copies upon request.

(c) The proclamation declaring a state of emergency shall include a definition of the area constituting the emergency area. The emergency area of a state of emergency declared by a county shall not include any area within the corporate limits of any municipality, or within any area of the county over which a municipality has jurisdiction to enact general police-power ordinances, unless the municipality's governing body or mayor consents to or requests the state of emergency's application.

Sec. 6.5.18 Prohibitions and restrictions authorized

(a) The proclamation declaring a state of emergency may, or may not include any or all of the following prohibitions and restrictions:

(1) Movements of people in public places, including imposing a curfew; directing and compelling the voluntary or mandatory evacuation of all or part of the population from any stricken or threatened area within the governing body's jurisdiction; prescribing routes, modes of transportation, and destinations in connection with evacuation; and

controlling ingress and egress of an emergency area, and the movement of persons within the area.

(2) The operation of offices, business establishments, and other places to or from which people may travel or at which they may congregate.

(3) The possession, transportation, sale, purchase, and consumption of alcoholic beverages.

(4) Upon the possession, transportation, sale, purchase, storage, and use of gasoline, and dangerous weapons and substances, except that this subdivision does not authorize prohibitions or restrictions on lawfully possessed firearms or ammunition. As used in this subdivision, the term "dangerous weapons and substances" has the same meaning as it does under N.C.G.S. 14-288.1. As used in this subdivision, the term "firearm" has the same meaning as it does under N.C.G.S. 14-409.39(2).

(5) Other activities or conditions the control of which may be reasonably necessary to maintain order and protect lives or property during the state of emergency.

(b) The proclamation declaring state of emergency may, or may not, exempt from all or any part of prohibitions and restrictions the following persons or groups of persons while acting in the line of and within the scope of their respective duties:

(1) Law enforcement officers, firefighters and other public employees, rescue squad members, doctors, nurses, employees of hospitals and other medical facilities;

(2) On-duty military personnel, whether state or federal;

(3) On-duty employees of public utilities, public transportation companies, and newspaper, magazine, radio broadcasting, and television broadcasting corporations operated for profit; and

(4) Such other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health, and welfare needs of people within the county.

(c) Prohibitions and restrictions imposed pursuant to this section shall expire upon the earliest occurrence of any of the following:

(1) The prohibition or restriction is terminated by the official that imposed the prohibition or restriction.

(2) The state of emergency is terminated.

(d) This section is intended to supplement and confirm the powers conferred by N.C.G.S. 153A-121(a), N.C.G.S. 160A-174(a), and all other general and local laws authorizing counties to

enact ordinances for the protection of the public health and safety in times of riot or other grave civil disturbance or emergency.

(e) Any person who violates any provision of an ordinance or a declaration enacted or declared pursuant to this section shall be guilty of a Class 2 misdemeanor in accordance with N.C.G.S. 14-288.20A.

Sec. 6.5.19 Superseding and amendatory proclamations

The chairperson may invoke the restrictions authorized by this article in separate proclamations and may amend any proclamation by means of a superseding proclamation in accordance with the procedures set forth in section 6.5.13 and 6.5.14 pertaining to the prohibitions and restrictions authorized.

Sec. 6.5.20 Termination of proclamation

A state of emergency declared under this article shall expire when terminated by the authority who issued it following the same procedures set forth in section 6.5.14.

Sec. 6.5.21 Absence or disability of chairperson

In the absence or disability of the chairperson, the vice-chairperson of the board of commissioners or such other commissioner as may be designated by the board of commissioners shall have and exercise all of the powers given the chairperson in this article.

ARTICLE IV. HAZARDOUS MATERIALS

Sec. 6.5.22 Authority

The public safety director may designate a hazardous materials coordinator(s) to coordinate operations of the county hazardous materials team.

Sec. 6.5.23 Intent and purpose

The intent and purpose of this article is to establish the duties of the county emergency management agency as it relates to hazardous materials emergencies. Such incidents include but are not limited to, spills, accidents, illegal dumping and other releases or threatened releases of hazardous materials requiring control. The emergency management agency shall have the authority to summarily remove, abate, or remedy hazardous material emergencies within the jurisdiction of the county that are, or potentially are, a threat to public safety.

Sec. 6.5.24 Right of entry

When responding to a release or threatened release of hazardous materials the county emergency management agency, along with any agencies it calls in to provide assistance, may enter onto any private or public property or any adjacent or surrounding property where the release or threatened release occurred.

Sec. 6.5.25 Liability, cost, clean-up and disposal

Liability for a hazardous material incident lies with the responsible party who shall be responsible for all reasonable costs and fees incurred in responding to and mitigating the incident, including clean-up and disposal in a manner approved by the jurisdictional authority,

i.e. county, municipality, North Carolina Department of Environment and Natural Resources, United States Environmental Protection Agency.

ARTICLE V. EMERGENCY TELEPHONE SERVICE (911)

Section 6.5.26 Purpose

The purpose of this article is to establish a public safety telephone service in Moore County and to provide the financial resources needed to purchase, install, operate, and maintain it. This program is hereby undertaken in order to reduce the response time of important public safety agencies, thereby providing improved emergency medical services, law enforcement and fire protection services. It is the intent of Moore County government to cooperate fully with the municipalities of Aberdeen, Cameron, Carthage, Foxfire, Pinebluff, Pinehurst, Robbins, Southern Pines, Taylortown, Vass and Whispering Pines, North Carolina.

The Moore County Board of Commissioners will adopt Article 3, G.S. Chapter 62A-40, Emergency Telephone Service as the Code of Ordinance for the Moore County Public Safety Telephone Service (911).

ARTICLE VI. FIRE PREVENTION CODE

Section 6.5.27 Adopted

For the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the Moore County Board of Commissioners adopted a certain code known as the North Carolina Fire Code, as approved by the North Carolina Building Code Council and shall include subsequent amendments that are adopted pursuant to state law. An official copy of the code shall be filed in the office of the fire marshal. The code is adopted and incorporated as if fully set forth at length in this ordinance, and the provisions thereof shall be controlling in all areas of the county not governed by a city or town, and as otherwise provided for through agreements with participating municipalities within the county.

Section 6.5.28 Enforcement of fire prevention code

The Moore County fire prevention code shall be enforced by the Moore County Fire Marshal's Office, which is established and which shall be operated under the supervision of the Moore County Fire Marshal.

Duties

The fire marshal's duties include but are not limited to the following:

- (1) Keeping the Moore County Board of Commissioners informed of the purpose and development of rural fire departments
- (2) Acting as liaison between fire departments and the Moore County Board of Commissioners
- (3) Aiding in the organization and development of new fire departments, including providing assistance with records retention

- (4) Acting as advisor to the Moore County Board of Commissioners concerning the requirements of the state department of insurance.
- (5) Providing assistance with training programs for fire departments, upon request
- (6) Advising fire departments of the availability of surplus equipment of a special nature
- (7) Making periodic inspections of all fire departments within the county to see that they conform to the minimum standards of the North Carolina Department of Insurance.
- (8) Making fire inspections in schools as required by N.C.G.S. 115C-525(b) and day care facilities as required by N.C.G.S. 110-91(5)
- (9) Making inspections of public occupancies relative to fire protection and fire prevention codes that may be enforced
- (10) Investigating, along with other fire and law enforcement officials, fires of an unknown nature to determine their origin and cause
- (11) Assisting fire departments in developing and delivering fire prevention and fire education programs throughout the county
- (12) Coordinating all fire departments in a mutual aid program within the county
- (13) Administering the North Carolina Fire Code as adopted by the county and any other safety ordinances that may apply. It shall be the duty of the fire marshal's office to inspect or to cause to be inspected, as often as deemed necessary or appropriate, all buildings, structures, and premises within its jurisdiction for the purpose of ascertaining and causing to be corrected any condition which may cause fire or explosion, endanger life from fire or explosion, or be in violation of the provisions of the code, and
- (14) Determining the most appropriate fire department to be the primary responder when a property line lies within more than one fire district

Section 6.5.29 Annual report

A report of the fire marshal's office shall be made annually and submitted to the director of public safety, who in turn shall submit the report to the county manager. The report shall contain all proceedings under the fire prevention code, with such statistics as are necessary to provide relevant information. The fire marshal shall also recommend any amendments to the fire prevention code which, in his/her judgment, shall be desirable.

Section 6.5.30 Appeals

Whenever the fire marshal and/or his/her authorized representative shall disapprove an application or refuse to grant a permit or when his/her claim that the provisions of the fire prevention code do not apply or that the true intent and meaning of the fire prevention code has been misconstrued or wrongly interpreted, the applicant is permitted to appeal the decision of the fire marshal in writing and/or his/her authorized representative to the Moore County Fire Marshal, P.O. Box 905, Carthage, NC 28327 or the North Carolina Commissioner of Insurance, North Carolina Department of Insurance, Raleigh, NC 27611 within ten (10) days from the date of the decision appealed.

Section 6.5.31 Permits

(a) This code shall require permits from the fire marshal as set forth in the North Carolina Fire Code.

(b) It shall be the duty of the fire marshal and/or his/her authorized representative to evaluate applications and, if approved, issue all permits for those conditions as prescribed in the North Carolina Fire Code.

(c) No person shall maintain, store, handle materials, and conduct processes which produce conditions hazardous to life or property, or install equipment used in conjunction with such activities, without a permit as required by the fire marshal and prescribed in the North Carolina Fire Code as adopted by the state. Before a permit may be issued, the fire marshal and/or his/her authorized representative, shall inspect and approve the receptacles, vehicles, buildings, structures, storage areas, devices, processes and conditions related to the permit.

Section 6.5.32 Special Fees

The fee for fire inspections and permits shall be set forth by the Moore County Board of Commissioners in the county's annual budget ordinance.

Violations

(a) Any person shall be subject to all penalties allowed by law if the person:

- (1) Violates or fails to comply with the provisions of the fire prevention code;
- (2) Violates or fails to comply with any order made under the fire prevention code;
- (3) Builds in violation of any detailed statement of specifications or plans submitted and approved under the fire prevention code or any certificate or permit issued hereunder; or
- (4) Fails to comply with such an order as affirmed or modified by the fire marshal and/or his/her authorized representative, or by a court of competent jurisdiction, within the time affixed.

(b) In addition to any civil penalties that may apply, violators are subject to criminal penalties pursuant to N.C.G.S. 153A-123 and any other criminal laws that may be applicable.

Section 6.5.33 Service of orders or notices

(a) The service of orders or notices for the correction of violations of this chapter shall be made upon the owner, occupant, or other person responsible for the conditions, either by personally delivering a copy of same to such person or by delivering the same to, and leaving it with, any person in charge of the premises, or by sending a copy of the order or notice by certified mail with return receipt requested to the owner's last known address.

Section 6.5.34 Penalties

(a) The minimum penalty for a violation of this article shall be a civil penalty of \$50.00 and the maximum civil penalty shall be \$500.00. Each violation, as well as each day a violation exists, shall constitute a separate and distinct offense.

(b) If a person has not been cited within the previous 12 months and the violations are corrected within 72 hours, the fine shall be waived, with the exception of type 3 violations. The citation and penalties shall be in writing, signed by the fire marshal or his/her authorized representative, and shall be delivered in person or by certified mail with return receipt requested to the offender

at the place where the violation occurred. The failure of the offender to make payment of all civil penalties within 15 days from the date of the citation will result in further legal action and fines.

(c) The types of violations and the related civil penalties are as follows:

(1) *Type 1 violations (\$50.00)*. These violations generally increase the likelihood of a fire or injury. They include, but are not limited to, failure to:

- a. Obtain proper permits for required uses as listed under the permit fees
- b. Maintain properly operating exit or emergency lights
- c. Maintain a clear, unobstructed access to fire protection equipment
- d. Properly cover or close electrical junction boxes
- e. Restrict use of electrical extension cords improperly used

(2) *Type 2 violations (\$100.00)*. These violations represent a general threat to property. They include, but are not limited to, failure to:

- a. Safely maintain proper storage of combustibles outside of a business
- b. Maintain a clear, unobstructed access to electric panels
- c. Properly maintain automatic closing fire and smoke doors
- d. Properly maintain and inspect portable fire extinguishers
- e. Properly maintain unobstructed accesses to hydrants, risers and fire department connections

(3) *Type 3 violations (\$250.00)*. These violations directly affect the safety of persons within an occupancy or the probability of heavy property loss if a fire occurs. Therefore fines shall be issued upon discovering violations of this type that are not immediately rectified. They include, but are not limited to, failure to:

- a. Maintain a clear, unobstructed access to and from exit doors, both inside and outside
- b. Install, test or properly maintain smoke and fire alarm systems
- c. Install or properly maintain or test automatic sprinkler systems and extinguishing systems
- d. Properly store or use flammable, combustible, or hazardous materials
- e. Limit the number of persons in a place of assembly to the maximum posted number allowed
- f. Failure to evacuate upon activation of a manual or automatic fire alarm system

(4) *Type 4 violations (\$500.00)*. These violations occur when, despite prior notice, corrections have not been made and/or previous fines have not been paid.

(d) The application of the penalties in Subsection (c) of this section shall not be held to prevent the enforcement of, or removal of, the prohibited conditions.

Section 6.5.35 Removal of obstructions; prohibited parking

The fire marshal and/or his/her authorized representative may issue a citation which subjects the offender to a civil penalty of \$50.00 for obstructing any fire hydrant, designated fire protection equipment, designated fire lanes, and/or fire station. Any obstruction may be removed or towed away by, or under the direction of, the fire marshal and/or his/her authorized representative to a storage area or garage. The owner of any such vehicle shall be deemed to have appointed the fire marshal and/or his/her authorized representative as his/her agent for the purpose of arranging for the transportation and storage of the vehicle. The owner of any such vehicle, before obtaining possession thereof, shall pay all reasonable costs incidental to the removal and storage of the vehicle due for the violation of prohibited parking.

Section 6.5.36 Severability clause

Should any section or provision of the fire prevention and protection ordinance be decided by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or a part thereof other than the part so declared to be unconstitutional or invalid.

ARTICLE VII. AMBULANCE, EMERGENCY MEDICAL SERVICES, FIRST RESPONDER, RESCUE SERVICES AND GRANTING OF FRANCHISE AND CONTRACT TO THE OPERATIONS IN MOORE COUNTY

Section 6.5.37. Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ambulance means any privately or publicly owned motor vehicle, aircraft, or vessel that is specially designed, constructed, or modified and equipped and is intended to be used for, and is maintained or operated for, the transportation on the streets or highways, waterways or airways of this state for persons who are sick, injured, wounded or otherwise incapacitated or helpless.

Ambulance provider means an individual, firm, corporation or association which engages or professes to engage in the business or service of transporting patients in an ambulance.

Approved means approved by the North Carolina Medical Care Commission pursuant to its rules and regulations promulgated under N.C.G.S. 143B-165.

Committee means the county emergency services advisory committee.

County shall mean Moore County and its board of commissioners or their designated representative(s).

Emergency medical dispatcher or telecommunicator shall mean an emergency telecommunicator who has completed educational requirements and been credentialed by the North Carolina Department of Health and Human Services as an emergency medical dispatcher and who is available to receive requests for emergency services, to dispatch emergency services, and to advise local law enforcement agencies, fire departments, rescue squads, first or medical

responder units and emergency medical services and facilities of any existing or threatened emergency.

Emergency medical services means services rendered by emergency medical services personnel in responding to improve the health and wellness of the community and to address the individual's need for emergency medical care within the scope of practice as defined by the North Carolina Medical Board, in accordance with N.C.G.S. 143-514, and the Moore County Medical Director in order to prevent loss of life or further aggravation of physiological or psychological illness or injury.

Emergency medical services instructor means an individual who has completed educational requirements approved by the Department of Health and Human Services and has been credentialed by that department as an emergency medical services instructor.

Emergency medical services peer review committee (quality assurance committee) means a panel composed of EMS program representatives responsible for analyzing patient care data and outcome measures to evaluate the ongoing quality of patient care, system performance, and medical direction within the EMS system. The committee may include physicians, nurses, EMS personnel, medical facility personnel and county government staff as determined by the public safety director in consultation with the county medical director.

Emergency medical technician (EMT) means an individual who has completed a training program in emergency medical care that has been approved for legal recognition by the North Carolina Department of Health and Human Services, in accordance with rules promulgated by the North Carolina Medical Care Commission, has been certified as an EMT by the State of North Carolina Office of Emergency Medical Services, and approved by the county medical director to perform services as an EMT in the Moore County EMS system.

Emergency medical technician—Intermediate means an individual who has completed a training program in emergency medical care at the intermediate level that has been approved for legal recognition by the North Carolina Department of Health and Human Services, in accordance with rules promulgated by the North Carolina Medical Care Commission, has been certified as an EMT - Intermediate by the State of North Carolina Office of Emergency Medical Services, and approved by the county medical director to perform services at the EMT-Intermediate level in the Moore County EMS system.

Emergency medical technician—Paramedic means an individual who has completed a training program in emergency medical care at the paramedic level that has been approved for legal recognition by the North Carolina Department of Health and Human Services, in accordance with rules promulgated by the North Carolina Medical Care Commission, has been certified as an EMT-Paramedic by the State of North Carolina Office of Emergency Medical Services, and approved by the county medical director to perform services as an EMT-Paramedic in the Moore County EMS system.

Public safety director shall mean the person designated by the Moore County Board of Commissioners to manage the overall public safety division in Moore County.

First responder shall mean an organization with personnel trained in emergency medical care that is dispatched to the scene of a medical emergency for the primary purpose of providing emergency medical assistance to a patient until the ambulance and additional medical aid arrives.

Franchise shall mean a permit issued by the county to a person or entity for the operation of an ambulance service, rescue squad or first responder unit.

Franchisee means any person or entity having been issued a franchise by the county for the operation of an ambulance service.

License means any valid driver's license or permit to operate a motor vehicle issued under or granted by the laws of the state.

Medical director shall mean the physician appointed, either directly or by written delegation, by the county and have the responsibilities as provided by 10A North Carolina Administrative Code 13P .0403 and 10A North Carolina Administrative Code 13P .0404. The county may, in addition, appoint an assistant medical director. The medical director and the assistant medical director shall meet the criteria defined in the *North Carolina College of Emergency Physicians: Standards of Medical Oversight and Data Collection*, which is incorporated by reference in accordance with N.C.G.S. 150B-21.6, including subsequent amendments and editions.

Medical responder means an individual who has completed a training program in emergency medical care and first aid approved by the North Carolina Department of Health and Human Services, Office of Emergency Medical Services.

Nonemergency transportation services means the operation of an ambulance for any purpose other than transporting emergency patients.

Operation protocols shall mean the administrative policies and procedures of EMS that provides guidance for the day-to-day operations of the system.

Operator means a person in actual physical control of an ambulance which is in motion or which has the engine running.

Owner means any person or entity who owns an ambulance.

Patient means an individual who is sick, injured, wounded, or otherwise incapacitated or helpless such that the need for some medical assistance might be anticipated while being transported to or from a medical facility.

Practical examination means a test where an applicant for credentialing as an emergency medical technician, or medical responder, emergency medical technician - intermediate, or

emergency medical technician - paramedic demonstrates the ability to perform specified emergency medical care skills.

Person means any individual, firm, partnership, association, corporation, company, group of individuals acting together for a common purpose, or organization of any kind, including any governmental agency of the United States.

Rescue means a situation where the victim cannot escape an area through the normal exit or under his/her own ability.

Secondary ambulance provider means the system of personnel and equipment meeting the same criteria as a primary ambulance provider, but not normally dispatched on first call response.

Service shall mean the same as owner.

Treatment protocols shall mean a document approved by the medical director and the North Carolina Office of Emergency Medical Services specifying the diagnostic procedures, treatment procedures, medication administration, and patient-care-related policies that shall be completed by emergency service personnel based upon the assessment of the patient.

Victim shall mean any patient or potential patient that is entrapped, entangled, pinned, fallen, suspended, or otherwise in need of rescue services.

Section 6.5.38 Standards for personnel

(a) Ambulance drivers and attendants shall comply with the standards for ambulance drivers and attendants as developed by the North Carolina Medical Care Commission as requirements for certification of emergency medical technicians pursuant to N.C.G.S. Article 7, Chapter 131E-158, and N.C.G.S. Article 56, Chapter 143, and rules and regulations promulgated by the North Carolina Medical Care Commission and North Carolina Medical Board which are incorporated herein by reference.

(b) All personnel of emergency medical service providers shall be approved by the Moore County Emergency Medical Services Medical Director prior to providing medical care in Moore County. Each submission for approval shall be accompanied by the submission of a driver's license, criminal records history and letter outlining the applicant's credentials and training. The Moore County Department of Public Safety may designate a form to be used by applicants.

(c) All emergency service personnel shall adhere to the standards set by state law, regulations and the Moore County Medical Services, Emergency Medical Practice Protocols and any amendments thereto. A practical examination may be given on the Moore County Practice Protocols before permission is granted by the medical director to practice in Moore County.

(d) Emergency medical practice standards of care shall be reviewed by the emergency service peer review committee.

Section 6.5.39 Standards for vehicles and equipment

Vehicle and equipment standards shall be as developed by the North Carolina Medical Care Commission pursuant to N.C.G.S. Article 7, Chapter 131E-157, and N.C.G.S. Article 56, Chapter 143, and shall be applied and the same are incorporated herein by reference.

Section 6.5.40 Communications

(a) Each ambulance vehicle shall be equipped with an operational two-way radio as provided by 10A North Carolina Administrative Code 13P .0207 through 10A North Carolina Administrative Code 13P .0213. This section shall not apply to privately owned vehicles of the members.

(b) Each provider shall maintain current authorizations or Federal Communication Commission licenses for all frequencies and radio transmitters operated by that provider. Copies of all authorizations and licenses shall be provided to the Public Safety Department and on display and available for inspection per Federal Communication Commission's Rules and Regulations.

(c) Each base of operations must have at least one open telephone line. Telephone numbers must be registered with each law enforcement agency and the Public Safety Communications Center in Moore County.

(d) Each franchise shall be dispatched from the Public Safety Communication Center or an acceptable and approved alternative as long as they are in compliance with the terms of this Ordinance and their franchise agreement as determined by the Public Safety Director.

Section 6.5.41 Insurance requirements

No ambulance franchise shall be issued under this article, nor shall such franchise be valid after issuance, nor shall any ambulance be operated in the county unless the franchisee has at all times in force and in effect insurance coverage issued by an insurance company licensed to do business in the state, for each and every ambulance owned and/or operated by or for the ambulance service providing for the payment of damages:

- (1) In the sum of \$1,000,000.00 for injury to or death of individuals in accidents resulting from any cause for which the owner of said vehicle would be liable on account of liability imposed on him by law, regardless of whether the ambulance was being driven by the owner/operator of his agency; and, provided that greater insurance sums may be required by the state or the county
- (2) In the sum of \$500,000.00 for the loss of or damage to the property of another, including personal property, under the circumstances, or such greater sums as may be required by the state or the county
- (3) In the sum of \$100,000.00 for uninsured motorist
- (4) In the sum of not less than \$1,000,000.00 for professional liability

Section 6.5.42 Records

(a) Each franchise shall maintain the following records:

- (1) Records of dispatch shall show the time the call was received, time dispatched, time arrived on scene, time arrived at destination, time in service, and time returned to base

- (2) Trip record shall state all information required in Section (a) in addition to information on a form approved by the county. The trip record shall be so designed as to provide the patient with a copy thereof containing all required information
- (3) Personnel checklist and inspection report shall list contents and description of operation for each vehicle, signed by the individual verifying vehicle operations and equipment
- (4) Any other records required by state law, rules or regulations or deemed by the department of public safety as relevant to the effective and efficient operations of the emergency management system
- (5) All of the records identified in (1) through (4) above shall be maintained for a minimum three-year period unless a longer retention period is otherwise required
- (6) Confidentiality of patient records. Each franchise shall maintain confidentiality of patient records as provided by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191, N.C.G.S. 143-518 and all other state and federal law
- (7) Each franchise shall submit a monthly report to the public safety director, or his/her designee, providing the number of calls and runs during the month. The report shall contain the number of emergency calls, the number of convalescent calls, the total number of calls and the total number of patients transported. This information shall be submitted in an approved electronic format.

Section 6.5.43 Rates and charges

- (a) Each franchisee who charges for services shall submit a schedule of rates to the county for approval and shall not charge more or less than the approved rates without specific approval by the board of commissioners.
- (b) An ambulance service which charges for services shall not attempt to collect on emergency calls until the patient has reached the point of destination, has received medical attention, and is in a condition deemed by the physician fit to consult with the ambulance service, but such service may attempt to collect charges from family or guardian of the patient once the patient is in the process of receiving medical attention.
- (c) On convalescent calls or calls where a person requires transportation to a non-emergency facility, attempts to collect payment may be made before the ambulance begins its trip.

Section 6.5.44 Enforcement

- (a) The office of the county manager shall be the enforcing agency for the regulations contained in this article. Such office will:
 - (1) Receive all franchise proposals from potential providers
 - (2) Study each proposal for conformance to this article
 - (3) Recommend to the board of commissioners the award of the franchises to the applicants submitting the most appropriate proposals
 - (4) Recommend to the board of commissioners the temporary or permanent suspension of a franchise in the event of noncompliance with the franchise terms of this article; recommend the imposition of misdemeanor or civil penalties for noncompliance

- (5) Ensure by cooperative agreement with other ambulance services the continued service in a district where an ambulance service franchise has been suspended
- (6) Develop monthly reports from ambulance service records and consolidate the same into a quarterly summary for review by a county emergency services advisory committee
- (7) Receive complaints from the public, other enforcing agencies, and ambulance services regarding franchise infractions; review the complaints with the captain of the rescue squad or director of the ambulance service; follow-up to ensure that the appropriate action has been taken. If the infraction still persists, obtain corrective action
- (8) Recommend to the county improvements which will ensure better medical transportation
- (9) Maintain all records required by this article and other applicable county regulations
- (10) Perform the above functions as may be requested by any municipality within the county
- (11) Serve as staff to the county emergency services advisory committee on all matters that pertain to the committee

(b) The North Carolina Office of Emergency Medical Services will inspect the premises, vehicles, equipment, and personnel of franchises to ensure compliance with state regulations.

Section 6.5.45 Emergency services peer review committee (quality assurance/improvement)

(a) In accordance with N.C.G.S. 131E-155(6b), the public safety director shall provide an emergency medical service peer review committee composed of emergency medical service program representatives responsible for analyzing patient care data and outcome measures to evaluate the ongoing quality of patient care, system performance, and medical direction within the EMS system.

(b) The committee shall include physicians, nurses, EMS personnel, medical facility personnel and county government staff as determined by the public safety director in consultation with the county medical director.

(c) Review of medical records by the emergency service peer review committee is confidential and protected under N.C.G.S. 143-518. An emergency service peer review committee, its members, proceedings, records and materials produced, and materials considered shall be afforded the same protection afforded the medical review committees, their members, proceedings, records, and materials under N.C.G.S. 131E-95.

Section 6.5.46 Franchise required(a) No person either as owner, agent, or otherwise, shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business or service of emergency and/or nonemergency transportation of patients within the county unless the person holds a valid permit for each ambulance used in such business or service issued by the North Carolina Department of Health and Human Services, Division of Human Resources, and the North Carolina Office of Emergency Medical Services, and has been granted a franchise for the operation of such business or service by the county.

(b) Every ambulance, except those specifically excluded from the operation of this section, when operated on an emergency mission in this state shall be occupied by at least one certified emergency medical technician who shall be responsible for the medical aspects of the mission prior to arrival at the hospital and assuming no other person of higher certification or license is available for the operation of the vehicle and rendering assistance to the emergency medical technician during the emergency mission.

(c) No franchise shall be required for:

- (1) Any entity rendering assistance to a franchised ambulance service in the case of a major catastrophe, mutual aid or emergency with which the service franchised by the county, are insufficient or unable to cope
- (2) Any entity operated from a location or headquarters outside of the county in order to transport patients who are picked up beyond the limits of the county, to facilities located within the county, or to pick up patients within the county for transporting to locations outside the county
- (3) Ambulance owned and operated by an agency of the United States government
- (4) Vehicles owned and operated by rescue squads chartered by the state as nonprofit corporations or associations or by rescue squads authorized by N.C.G.S.160A-487 which are not regularly used to transport sick, injured, wounded, or otherwise incapacitated or helpless persons except as a part of rescue operations are excluded

(d) If a person is providing ambulance services in the county or any portion thereof, on the effective date of the adoption of the ordinance of [REDACTED], 2015 the person is also entitled to a franchise to continue to service that part of the county in which the service is being provided. The board of commissioners shall determine whether the person so entitled for consideration for a franchise is in compliance with N.C.G.S. Article 7, Chapter 131E, and if that is the case, the board shall grant the franchise, if the firm has provided evidence of insurance.

Section 6.5.47 Application

The county will receive application for ambulance services only when the need for services has been identified and procurement is made in accordance with Moore County's Purchasing Policy and Procedures which is governed by North Carolina General Statutes.

Application for a franchise to operate an ambulance in the county shall be made by the ambulance provider upon such forms as may be prepared or prescribed by the county and shall contain:

- (1) The name and address of the ambulance provider and of the owner of ambulances
- (2) The trade or other fictitious names, if any, under which the applicant does business, along with a certified copy of an assumed name certificate stating such names or articles of incorporation stating such names
- (3) A résumé of the training and experience of the applicant in the transportation and care of patients
- (4) A full description of the type and level of service to be provided including the location of the place or places from which it intends to operate, the manner in which the public will be able to obtain assistance and how the vehicles will be dispatched; an audited financial statement of the applicant as the same pertains to the operations in the

county with said financial statement to be provided in such form and detail as the county may require

(5) A description of the applicant's capability to provide twenty-four hour coverage, seven days a week, for the districts covered by the franchise applied for, and an accurate estimate of the minimum and maximum times for a response to calls within such districts

(6) Any such information the county shall deem reasonably necessary for a fair determination of the capability of the applicant to provide ambulance services in the county in accordance with requirements of state laws and the provision of this article

Section 6.5.48 Granting of franchise

(a) Prior to accepting applications for the operation of an ambulance service, the board of commissioners may designate specific service areas as franchise districts. Such districts will be established using criteria that include geographic size, road access, location of existing medical transportation services, population, and response time. The county shall have the authority to redistrict or rearrange existing districts at any time at its discretion.

(b) An applicant may apply for a franchise to operate either emergency transportation service or nonemergency transportation service or both. If both types of service are to be provided, separate applications must be filed.

(c) Upon receipt of an application for a franchise, the county shall schedule a time and place for hearing the applicant prior to an investigation. Within 30 days after such hearing, the county shall cause such investigation to be made of the applicant and his/her proposed operations, as the county may deem necessary.

(d) A franchise may be granted if the county finds that:

(1) The applicant meets state standards and standards outlined in this division;

(2) A need exists for the proposed service in order to improve the level of ambulance services available to residents of the county and that this is a reasonable and cost effective manner of meeting the need. Where a franchise is to be issued to an existing service, the county must find that there will be a need to maintain the existing level of service.

(e) Each franchised ambulance service, its equipment, the premises designated in the application, and all records relating to its maintenance and operation shall be open to inspection by the state.

Section 6.5.49 Term

(a) The county may issue a franchise under this division to an ambulance provider. Either party, at its option, may terminate the franchise upon 120 days' prior written notice to the other party. After a notice of service termination is given, the ambulance provider may reapply for a franchise if continued service is desired.

b) Upon suspension, revocation, or termination of a franchise granted hereby, such franchised ambulance service immediately shall cease operations. Upon suspension, revocation, or termination of a driver's license or attendant's certificate or emergency medical technician certificate, such persons shall cease to drive an ambulance or provide medical care in

conjunction with an ambulance service, or attend an ambulance or provide medical care in conjunction with the ambulance service.

(c) Each franchised ambulance service shall comply at all times with all standards and regulations and the requirements of this article, the franchise granted hereby, and all applicable state and local laws relating to health, sanitation, safety, equipment, and ambulance design and all other laws and ordinances.

(d) Prior approval of the county shall be required where ownership or control of more than ten percent of the right of control of franchisee is acquired by a person or group of persons acting in concert, none of whom own or control ten percent or more of such right of control, singularly or collectively, at the date of the franchise. By its acceptance of the franchise, the franchisee specifically agrees that any such acquisition occurring without prior approval of the county shall constitute a violation of the franchise by the franchisee and shall be cause for termination at the option of the county.

(e) Upon any changes of ownership of a franchised ambulance service without prior approval of the county, the county has the option to terminate the franchise. No franchise may be sold, assigned, mortgaged, or otherwise transferred without the prior approval of the county. The county shall have the option to terminate the franchise, in either case, requiring a new application to be submitted, and a finding of conformance with all requirements of this article as upon original franchising.

This the day of , 2015.

Nick J. Picerno, Chairman
Moore County Board of Commissioners

Laura M. Williams
Clerk to the Board

Agenda Item: IX. A.
Meeting Date: 1/19/2016

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: D. Bryan Phillips
DATE: 1/6/2016
SUBJECT: Whispering Pines Fire- BOC Firefighters Relief Fund Appointments
PRESENTER: D. Bryan Phillips

REQUEST:

Approve the recommendation that Ashvin Patel be re-appointed to a two (2) year term as a Trustee for the Whispering Pines Fire and Rescue - Firefighters Relief Fund with term expiring January 2018.

BACKGROUND:

The Firefighters Relief Fund Benefit was established to financially assist firefighters that have been injured or killed while performing their fire department duties. The fund also allows for financial assistance to a destitute firefighter and supplemental retirement and other benefits such as insurance. This benefit is funded by a percentage of the tax paid on property coverage pursuant to General Statute §105-228.5. Over the last several years, our Relief Fund has been used to fund the purchase of supplemental wellness and sickness insurance for our personnel.

In accordance with General Statute §58-84-30, to manage the Firefighters Relief Fund, there shall be appointed a local board of trustees, known as the trustees of the Firefighters' Relief Fund, to be composed of five (5) members, two (2) of whom shall be appointed by the local governing body (County Commissioners).

IMPLEMENTATION PLAN:

The General Statute further stipulates that these appointments will occur in January and be for two (2) year terms that will be staggered, thus requiring an appointment or re-appointment each January of one (1) of the Trustees. The term for Mr. Ashvin Patel has concluded; therefore, the Whispering Pines Fire Rescue Department membership and I recommend *Ashvin Patel be re-appointed to a two (2) year term as a Trustee for the Firefighters Relief Fund.* Mr. Patel satisfies the requirement of living within the fire district and is willing to serve in this capacity

FINANCIAL IMPACT STATEMENT:

None

RECOMMENDATION SUMMARY:

Make a motion that... Ashvin Patel be re-appointed to a two (2) year term as a Trustee for the Firefighters Relief Fund with term expiring January 2018.

SUPPORTING ATTACHMENTS:

Letter requesting Re-appointment
Whispering Fire and Rescue Firefighter Relief Fund Trustees Membership



VILLAGE OF WHISPERING PINES

FIRE RESCUE DEPARTMENT

16 HARDEE LANE

WHISPERING PINES, NORTH CAROLINA 28327



Richard M. Lambdin

Fire Rescue Chief

rmlambdin@wpfirerescue.com

Office: 910-949-2400

Fax: 910-949-3512

www.whisperingpinesnc.net

January 6, 2016

Moore County Board of Commissioners
PO Box 905
Carthage, NC 28327

RE: Firefighters Relief Fund Appointment

Commissioners:

The Firefighters Relief Fund Benefit was established to financially assist firefighters that have been injured or killed while performing their fire department duties. The fund also allows for financial assistance to a destitute firefighter and supplemental retirement and other benefits such as insurance. This benefit is funded by a percentage of the tax paid on property coverage pursuant to General Statute §105-228.5. Over the last several years, our Relief Fund has been used to fund the purchase of supplemental wellness and sickness insurance for our personnel.

In accordance with General Statute §58-84-30, to manage the Firefighters Relief Fund, there shall be appointed a local board of trustees, known as the trustees of the Firefighters' Relief Fund, to be composed of five (5) members, two (2) of whom shall be appointed by the local governing body (County Commissioners).

The General Statute further stipulates that these appointments will occur in January and be for two (2) year terms that will be staggered, thus requiring an appointment or re-appointment each January of one (1) of the Trustees. The term for Mr. Ashvin Patel has concluded; therefore, the Whispering Pines Fire Rescue Department membership and I recommend **Ashvin Patel be re-appointed to a two (2) year term as a Trustee for the Firefighters Relief Fund.** Mr. Patel satisfies the requirement of living within the fire district and is willing to serve in this capacity.

Thank you in advance for your consideration of this recommendation.

Respectfully,

Richard M. Lambdin
Fire Rescue Chief



Whispering Pines Fire Rescue Department



Firefighter Relief Fund Trustees

In accordance with North Carolina General Statute §58-84-30, the following individuals are the Trustees for the Firefighter Relief Fund for the Whispering Pines Fire Rescue Department (WPFRD).

Name	Elect/ Appoint in	Elect/ Appoint by	Requirements	Re-Elect/ Re- Appoint in
Lawrence Marks	6/29/13	State Insurance Commissioner	<ul style="list-style-type: none">• Resident of Fire District, or• Active or Retired with/from WPFRD	At- pleasure
Bryan McBryde	1/6/15	WPFRD		Jan 2017
Nelson Scott	1/5/16	WPFRD		Jan 2018
Ronald Corrado	1/20/15	County Commissioners	<ul style="list-style-type: none">• Resident of Fire District	Jan 2017
Ashvin Patel	1/xx/16	County Commissioners		Jan 2018
Rich Lambdin	Ex officio	Chief	<ul style="list-style-type: none">• No voting privilege	Indefinite

Agenda Item: IX. B.
Meeting Date: 01/19/2016

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Laura M. Williams, Clerk
DATE: 01/12/2016
SUBJECT: Appointments / Planning Board

REQUEST:

Appoint two members to the Moore County Planning Board.

BACKGROUND:

Planning Board member Eli Schilling was serving a term through August 2017 and has resigned. Additionally, the term of service for member Buck Mims expires this month. Mr. Mims has served one term.

IMPLEMENTATION PLAN:

Clerk will make notification of appointments and update records.

RECOMMENDATION SUMMARY:

Make a motion to appoint a member to the Planning Board to serve the unexpired term of Eli Schilling through August 31, 2017.

Make a motion to appoint a member to the Planning Board for a three-year term expiring January 31, 2019.

Agenda Item: IX. C.
Meeting Date: 01/19/2016

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Laura M. Williams, Clerk
DATE: 01/12/2016
SUBJECT: Appointments / Board of Health

REQUEST:

Appoint at-large member to the Moore County Board of Health.

BACKGROUND:

Board of Health member Phyllis Magnuson (at-large) resigned effective December 31, 2015. She was serving a term through April 2017.

IMPLEMENTATION PLAN:

Clerk will make notification of appointment and update record.

RECOMMENDATION SUMMARY:

Make a motion to appoint an at-large member to the Board of Health to fill the unexpired term of Phyllis Magnuson through April 30, 2017.

Agenda Item: IX. D.
Meeting Date: 01/19/2016

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Laura M. Williams, Clerk
DATE: 01/13/2016
SUBJECT: Appointments / Animal Operations Advisory Board

REQUEST:

Appoint two interim members to the Animal Operations Advisory Board.

BACKGROUND:

The terms of service for Animal Operations Advisory Board members Angela Zumwalt and Barbara Ross expire this month. Ms. Zumwalt and Ms. Ross are unavailable to serve another term. However, each is willing to serve on an interim basis to facilitate the adoption of amendments to the bylaws and to assist in the transition in membership.

IMPLEMENTATION PLAN:

Clerk will make notification of appointments and update record.

RECOMMENDATION SUMMARY:

Make a motion to appoint Angela Zumwalt and Barbara Ross to the Animal Operations Advisory Board as interim members through February 29, 2016.