



MOORE COUNTY BOARD OF COMMISSIONERS

TUESDAY, FEBRUARY 16, 2016

REGULAR MEETING

CALL TO ORDER

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

5:30 P.M. – INVOCATION – *Reverend Robert Kidd*

PLEDGE OF ALLEGIANCE – *Debra Ensminger, Planning 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. Moore County Library Annual Report (*Alice Thomas/Bonita Collins*)
- B. Report from Courthouse Facilities Advisory Committee (*Howard Warren*)
- C. Court Facility Report from Supreme Court Appointed Superior Court Judge (*Judge Michael Beale*)

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 19, 2016 Regular Meeting
- B. Minutes: February 2, 2016 Regular Meeting
- C. Budget Amendment
- D. Tax Releases/Refunds – January 2016
- E. Sandhills Community College Request for Capital Project Loan Disbursement of \$40,804.84

VI. PUBLIC HEARINGS

- A. Public Hearing/Planning – Rezoning Request – Pinesage Solar Farm: Residential and Agricultural-5 (RA-5) and Highway Commercial (B-2) to Rural Agricultural (RA) (*Debra Ensminger*)

VII. OLD BUSINESS

- A. Planning – Rezoning Request from Bob Koontz for Camp Easter Management, LLC: Residential and Agricultural 40 (RA-40) to Rural Agricultural 20 (RA-20) (*Debra Ensminger*)

VIII. NEW BUSINESS

- A. Airport – Approval of Stormdrain Pipe Inspection and Rehabilitation Phase I Paperwork (*Steve Borden*)
- B. Cooperative Extension – Approval of Modification to Memorandum of Understanding (*Stephen Greer*)
- C. Public Safety – Approval of Fire Prevention Code Enforcement Agreement with the Town of Pinebluff (*Bryan Phillips*)
- D. Moore County Schools – Certification of Report to NC Department of Public Instruction for 2015-2016 Facilities Needs Survey (*John Birath*)
- E. Public Works – Approval of Town of Hoffman Sewer Agreement (*Randy Gould*)
- F. Public Works – Approval of Water and Wastewater Capital Project Ordinance Revision 2 (*Randy Gould*)
- G. Public Works – Approval of Contract for SCADA System for Water Distribution System (*Randy Gould*)
- H. Legal – Adoption of Resolution Requesting the Moore County Board of Education to Submit to the Board of Commissioners an Annual Report of Prior Year Expenditures (*Misty Leland*)

IX. APPOINTMENTS

- A. Tax Board of Equalization and Review

X. ADDITIONAL AGENDA

XI. MANAGER’S REPORT

XII. COMMISSIONERS’ COMMENTS

ADJOURNMENT

COMMISSIONERS' UPCOMING MEETINGS/EVENTS:

- **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 (Ritter & Picerno)
- **Animal Operations**, Thursday, February 25, 6:00pm (Picerno)
- **Nursing/Adult Care CAC**, Tuesday, March 1, 10:00am (Ritter)
- **RSVP Advisory Council**, Thursday, March 3, 3:00pm (Daeke)
- **Recreation Advisory Board**, Monday, March 7, 12:00pm (Saunders)
- **JCPC**, Tuesday, March 8, 8:30am (Graham)
- **Airport Authority**, Tuesday, March 8, 10:00am (Saunders)
- **Board of Health**, Tuesday, March 8, 6:00pm (Picerno)
- **Sandhills Center Board**, Tuesday, March 8, 7:00pm (Ritter)
- **Drug Free Moore County**, Thursday, March 10, 8:30am (Ritter)
- **Fire Commission**, Thursday, March 10, 6:00pm (Ritter)
- **DSS Board**, Wednesday, March 16, 3:00pm (Graham)
- **Aging Advisory Council**, Tuesday, March 22, 8:30am (Saunders)
- **CVB Board**, Thursday, March 24, 4:00pm (Saunders)
- **Animal Operations**, Thursday, March 24, 6:00pm (Picerno)
- **Good Friday Holiday**, County Offices Closed, Friday, March 25th

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.

Agenda Item: IV. A.
Meeting Date: 2/16/16

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Alice Thomas, Director, Moore County Library

DATE: 1/29/16

SUBJECT: Moore County Library annual report for 2014-15 (Investments & Returns).
Statement of value of the library's membership in the Sandhill Regional
Library System.

PRESENTER: Alice Thomas, Director, Moore County Library
Jesse Gibson, Director of Libraries, Sandhill Regional Library System

REQUEST: Receive an information report on behalf of the county and regional libraries.

FINANCIAL IMPACT STATEMENT: Included as part of the report.

SUPPORTING ATTACHMENTS: Copy of the handout *Examine Our Books 2014-15*

Courthouse Facilities Advisory Committee

2:00 p.m., January 27, 2016

Moore County Court Facility, Carthage, NC

Meeting Minutes

The Moore County Courthouse Facilities Advisory Committee convened for a special meeting on Wednesday, January 27, 2016 at 2:00 p.m. in Courtroom 202 of the Moore County Court Facility, Carthage, NC.

Members Present: Commissioner Catherine Graham (CFAC Chair), Commissioner Jerry Daeke, District Court Judge Don “Skipper” Creed, Clerk of Superior Court Susan Hicks, Attorney Kent Smith, Attorney Art Blue, John Cashion, Howard Warren

Ex-officio Members: Sheriff Neil Godfrey, County Manager Wayne Vest, Property Management Director Bobby Lake, Clerk to the Board of Commissioners Laura Williams

Members Absent: Senior Superior Court Judge James Webb, District Attorney Maureen Krueger, Gerald Galloway, Public Safety Director Bryan Phillips

Others Present: David Sinclair (The Pilot), Judge Michael Beale, Louis Gregory (Commissioner District 2 candidate), Bob Zschoche (Commissioner District 4 candidate), James Furr (Sheriff’s Office), Paul Brady (Sheriff’s Office), Attorney Richard Costanza (for Judge Webb)

Commissioner Catherine Graham, Committee Chair, called the meeting to order.

Commissioner Graham stated that the first order of business was the approval of the minutes from the Committee’s last meeting on March 19, 2015. Upon motion made by attorney Art Blue, seconded by attorney Kent Smith, the Committee voted unanimously to approve the minutes.

Commissioner Graham called upon attorney Richard Costanza, present for Judge James Webb, to provide information regarding a December 2015 Moore County Courthouse Review completed by the Moore County Grand Jury. Mr. Costanza was present on the tour of the facility with the Grand Jury, but was not prepared to report on the review as a result of a miscommunication. Clerk of Court Susan Hicks offered to discuss the review and reported that the jurors were very engaging throughout the facility tour, asking questions of her staff, Sheriff’s deputies, etc. Commissioner Graham asked if Ms. Hicks felt, in fact, that it was the jurors’ own report, based on their own findings and Ms. Hicks said yes. Ms. Hicks said she did not see the

report until it was completed and distributed via email. Mr. Costanza concurred that several jurors made notes and observed movement throughout the building. Ms. Hicks said at the conclusion of the tour, some members of the jury gathered to discuss their findings, and employees were not even aware of when they left.

Commissioner Graham asked Committee members for comments regarding the report. Mr. Blue referenced the top ten observations made in the report and noted that there had to be some degree of reconciliation to determine the top ten issues out of more issues that were apparently present. Regarding security, Sheriff Neil Godfrey said that the only incident of a potential assault in the current facility occurred during a trial in 1988 which resulted from a defendant being unrestrained by order of the judge against the recommendations of the Sheriff. Sheriff Godfrey said he was not aware of any other incident and the Sheriff's deputies did a very good job. He indicated concern that the report could give the perception to citizens that the court facility was not safe, when in fact, it was, and he said security was being strengthened to make it even safer. Commissioner Graham reminded Mr. Godfrey that during her tenure as Clerk of Court, she was once threatened to be killed. Mr. Godfrey said he did not mean that someone could not get in, but that he felt it was very safe. Commissioner Jerry Daeke stated that this issue of safety had nothing to do with the physical facility. Mr. Godfrey discussed how inmates were secured in their movement through the facility and said there were some additional measures that could be taken to improve security, such as cameras in the holding cells. Commissioner Graham shared that the threat on her life was made by a person standing directly in front of her and Commissioner Daeke said he did not dispute this. Judge Creed agreed with the Sheriff's statements regarding the security of the building but said newer courthouses were designed with more barriers in place in contrast to the current court facility which was too open. Mr. Warren agreed that a new facility would provide better circulation and barriers not possible in the current facility, thereby enhancing security and safety.

Ms. Graham asked County Manager Wayne Vest to discuss court facility recommendations provided in a space needs study completed for the County by Chinn Planning in 2012. Mr. Vest reviewed several sections of the study (4-12, 4-13, 4-14, 4-15, 5-24, 6-3, 6-4, 6-5, 6-7) and discussion transpired. Among other items, the discussion included:

- Elevator – The addition of the elevator is very positive. However, unauthorized citizens still have the ability to reach Level 2 on the original elevator. The Sheriff noted that he believes deputies do have the ability to take complete control of the elevator when moving inmates.
- Space need includes consideration of projected population increase in the future, and also includes area for District Attorney offices, which are currently in the recently renovated Currie Building.
- Courtroom 105 – Judge Creed noted an issue with the witness box. One party cannot see the witness, and the judge cannot see someone of shorter stature.

Commissioner Graham discussed renovations to the County's Currie Building, also recently undertaken and completed. She said the Currie Building was safe and secure and well done. She said there were also a lot of good things done to the Court Facility, including the addition of the elevator, which she considered a good decision by the Board of Commissioners. Commissioner Graham said, however, there were still a lot of deficiencies much like you would expect when

remodeling an old house. She said the Committee did not need to continue asking the Board of Commissioners to spend money on this facility.

Ms. Hicks said in renovation discussions, she was never given the meaning of “short term,” but it was made clear to her that she should address the most needed improvements for the Clerk’s office. She said all were aware that only the very top needs were met, and this did not even touch all of the deficiencies. Commissioner Graham said the Committee’s April 2014 meeting minutes (when the renovations were approved) indicated the Committee would reconvene in the fall of 2014 to discuss a new facility. Mr. Warren said the definition of short term was just long enough to get through until a new building could be built. Commissioner Graham asked him if the building was started the next day how long that would be, and he said four to five years. Mr. Warren said he wished the new building could be expedited, but that was not possible with a public building.

Mr. Vest commented on the use of the \$1.3 million spent on the Court Facility renovations, including for the elevator and HVAC system, and said it was well spent extending the building life. Commissioner Graham concurred and said these were things that needed to be done regardless. She said Property Management Director Bobby Lake had done a great job with the renovation project and all Committee members resoundingly and enthusiastically agreed and complimented Mr. Lake and his staff.

Sheriff Godfrey asked Mr. Warren if his four to five year building completion estimate included time to look at other courthouses and Mr. Warren said yes. Commissioner Graham said there would only be one chance to get it right.

Ms. Hicks shared that there had recently been a plumbing leak in one of the renovated areas of the facility. The leak was in a filing area and she said the files were thankfully not destroyed due to Mr. Lake helping her office obtain a filing system that was being disposed of by Social Services. This filing system was of better quality than the one provided by the State and had a top on it, so it protected the contents. She said, however, that the building’s pipes were 35 years old, and this could happen again.

Mr. Warren said the Chinn study was now four years old, and there were two others prior to it. He said there was additionally now the Grand Jury report, and they all came to the same conclusion – that a new courthouse was necessary. He said some interim steps had been taken, but that did not replace the need for a new facility.

Mr. Blue said the can had to stop being kicked down the road. Commissioner Graham said the original committee charged with looking at this issue was now at least 12 to 13 years old and as Mr. Warren said, there had been three reports.

Mr. Smith said the courthouse serves the public in a lot of noncriminal ways (i.e. estates, mediation issues, special proceedings, civil actions), and space was needed to address those matters in a dignified manner. Sheriff Godfrey noted that space was available for some of these needs in the Rick Rhyne Public Safety Center.

Commissioner Graham said there were so many other uses for the court facility that were not uses when it was built. She cited the example of an increase in domestic violence cases as discussed by the Sheriff's Office during a recent event. She said there were over 300 of those cases. Ms. Hicks said there was also a very high number of estate filings because of the older population of the County. She said those people were grieving and should be treated with dignity. Ms. Hicks said there was space but it was not large enough, and that renovation priorities were met, but they did the least that they could do. Commissioner Graham referenced the estate filings again and said those could require someone to come into the courthouse twenty different times. Judge Creed said there was also family court, child custody and divorce issues to consider, which affected a lot of people.

County commissioner District 2 candidate Louis Gregory of West End, present at the meeting, said he had read the Grand Jury report and questioned whether it was necessary to address the jurors' security concerns by building a new facility. Commissioner Graham said, in her opinion, it was necessary and she referenced earlier comments by Judge Creed regarding security features that would be included in a new building. Mr. Gregory said the Sheriff was assuring the Committee that he could take care of security concerns, and questioned whether additional deputies may be needed. Sheriff Godfrey said he was addressing concerns and this had nothing to do with the facility. Mr. Gregory indicated he wanted the public to feel safe and if there was a problem, he did not want to have a tragedy tomorrow that could have been prevented today. Commissioner Graham said this (potential need for more deputies, etc.) was an issue for the Sheriff and the Board of Commissioners, not the Committee.

Judge Michael Beale was present at the meeting. Judge Beale said the courtroom was the least likely place an incident would occur as there was security downstairs, the presence of bailiffs, officers, etc. He said the security issues were outside the courtroom, such as in the Clerk's office, and that a new facility would not completely eliminate these issues, but could curtail them. He said he agreed with the Sheriff that the courtrooms were secure. He discussed the 1988 security incident mentioned earlier by the Sheriff and said that was an extreme case, but that times currently were extreme with groups such as ISIS. He also discussed potential threats from criminal defendants.

Sheriff Godfrey noted that domestic violence related threats were most likely to occur away from the facility, such as in the parking lot.

Judge Creed said security-wise, if he needed something he knew the Sheriff would address it. He said it was not about security but the structure itself because in newer buildings there is not an opportunity for personal contact with staff as there currently was in the Clerk's office. He said new courthouses had windows (between the public and staff) and no option to cross over counters.

Mr. Blue said the building had also left them behind with technology. He discussed the difficulty in adding a printer to the courtroom and pointed out a white board in the room. He said the Bar Association had to purchase a television to show videos to jurors. Sheriff Godfrey said there were newer TVs now being used. Mr. Blue commented on the inability to access the internet.

Commissioner Graham said it had been established that the County needed to pursue a new building and she said this should be done with haste, as Mr. Warren had alluded to earlier. Mr. Warren said the point was clear that there were still needs. Commissioner Graham said the Committee agreed that the renovations were good, but there were still needs.

Regarding a proposed report to this effect to the Board of Commissioners, Commissioner Graham said it was important to have Committee members present to provide the report. She said she would like to have a member of the Bar present as well as a judge and also Mr. Warren. Mr. Warren said he would oblige as long as his health was good. Judge Creed said he would defer to Judge Webb. Judge Beale shared that he had been working on an address to the Board to deliver according to the Committee's timing. He said he was prepared to go to a Board meeting and would like it to be when most if not all of the Committee members could be present. Judge Beale shared that he had been working on his draft and called Judge Webb and told him another Grand Jury report was needed since the renovations were now completed. He suggested a quick tour of the facility may be helpful for Committee members. Commissioner Graham agreed to a tour. She said it was important to have as many Committee members as possible present at the Board meeting as Judge Beale had said.

Sheriff Godfrey commented on evidence storage issues mentioned during discussion of the Chinn report and said if those issues existed, they needed to be addressed now, not in three to four years. Commissioner Graham said the evidence had to be in a climate controlled environment, which the facility did not have. Ms. Hicks said the Sheriff had sent an email and offered to help with this storage, but said, again, she was thinking short term. Sheriff Godfrey said if she was talking five years out, the evidence could deteriorate and be lost, and that was a big expense. Ms. Hicks said she could ask a judge to order the evidence be stored in a climate controlled place if it was going to be stored there for a short term like five years, but not 25 years. Commissioner Graham noted that it was not all criminal evidence and Ms. Hicks discussed that there was also estate, special proceedings, etc. Judge Beale recalled a case where a DNA match on a defendant was 6 billion to one, but because of evidence mishandling, the defendant was acquitted.

Commissioner Graham said Judge Beale was appointed by Chief Justice Sarah Parker because of the conditions of the Court Facility. Judge Beale said he could have forced this issue earlier, but was working through the political process. He said it may take five years and that had been his experience in Richmond County, but if it was ordered by a judge, the new courthouse would be a piece of junk. He said if everyone could work with the Board of Commissioners and architect, a lot of problems could be solved. Judge Beale said if he had to, he would use the power granted to him by the Supreme Court, but recommended not solving the issue that way if not necessary. Commissioner Graham said she hoped that did not have to be done in Moore County.

Judge Beale shared that he was an assistant district attorney when the current court facility was built. He said at that time, no one realized the influx of retirees and military that would occur. Commissioner Graham said there also was not a District Attorney office to house in the facility at that time. Judge Beale said probation/parole being located in the courthouse probably put more stress on the Sheriff's Office than anything. Sheriff Godfrey agreed that it was an issue

because of bringing people in on nights and weekends. Commissioner Graham asked the Sheriff if he was depending only on probation officers to secure the building after hours and he said yes and that this was a serious problem, a nightmare, for the Sheriff's Office.

Mr. Warren asked when the Committee would present to the Board of Commissioners and Commissioner Graham said on the third Tuesday in February at 5:30 p.m. She said the Clerk to the Board would send notice to all the Committee members.

There being no further business, upon motion made by Judge Creed, seconded by Commissioner Daeke, the Committee voted unanimously to adjourn the meeting following a tour of the facility. (This portion of the meeting concluded at approximately 3:30 p.m. and the tour concluded at approximately 5:00 p.m.).

Respectfully submitted by Laura M. Williams, Clerk to the Board of Commissioners



MOORE COUNTY BOARD OF COMMISSIONERS

TUESDAY, JANUARY 19, 2016

REGULAR MEETING

The Moore County Board of Commissioners met for a Regular Meeting at 5:30 p.m., Tuesday, January 19, 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

Chairman Picerno called the meeting to order. Reverend Randy Thornton of Grace Church provided the invocation and Property Management Director Bobby Lake led the Pledge of Allegiance.

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

PUBLIC COMMENT PERIOD

There were no speakers.

CONSENT AGENDA

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

Minutes: January 5, 2016 Regular Meeting
Minutes: January 7, 2016 Special Meeting
Tax Releases/Refunds – December 2015

The tax releases/refunds resolutions are hereby incorporated as a part of these minutes by attachment as Appendix A.

PUBLIC HEARINGS

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

Planning Director Debra Ensminger reviewed a request by Pine Valley Solar Farm, LLC for a general use rezoning of a portion of ParID 00022606, owned by McDonald Family Farms as identified in Moore County tax records. Ms. Ensminger's staff report, PowerPoint presentation, and other documents associated with this request and public hearing are hereby incorporated as a part of these minutes by attachment as Appendix B. Chairman Picerno opened the duly advertised public hearing regarding this request.

Mr. Kyle Campbell of ESA Renewables stated he was present to assist with any questions the Board may have and thanked the commissioners for their consideration of the request.

Mr. Brian Quinlan, speaking on behalf of the applicant, reviewed the request via a brief presentation.

Mr. Nick Tosco, attorney representing the applicant, stated that he was present to assist with any questions.

Chairman Picerno referenced a map shown and asked where solar panels would be located on the property and Mr. Quinlan showed the location. Chairman Picerno inquired about reasoning for not rezoning part of the property and Mr. Quinlan said to avoid spot zoning. Vice Chairman Saunders inquired about the location of a wetland portion of the property and those representing the applicant showed him this on a map. Commissioner Daeke inquired about a nearby solar farm and Ms. Ensminger said it was a separate use.

Chairman Picerno closed the public hearing.

Vice Chairman Saunders discussed the difficulty in acting on items the same night as they were discussed in a public hearing. He said, speaking of public hearings in general, that he liked to have time to understand more about an issue, perhaps by deferring action by one meeting. He said he was not for more regulation and slowing down processes, but delaying could sometimes help with the decision. Commissioner Daeke said he agreed with this 100% as often the Board needed time to consider what they heard from the public. Commissioner Ritter said he also agreed totally. Upon motion made by Vice Chairman Saunders, seconded by Commissioner Graham, the Board voted 5-0 to table this item until the next regular meeting.

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

Planning Director Debra Ensminger reviewed a request by Bob Koontz for a general use rezoning of ParID 00031790, owned by Camp Easter Management, LLC as identified in Moore County tax records from Residential and Agricultural 40 (RA-40) to Residential and Agricultural 20 (RA-20). Ms. Ensminger's staff report, PowerPoint presentation, and other documents

associated with this request and public hearing are hereby incorporated as a part of these minutes by attachment as Appendix C. Ms. Ensminger noted that the Planning Board had recommended denial of this request by a 3-2 vote on December 3, 2015. Chairman Picerno opened the duly advertised public hearing regarding this request.

Mr. David Prest, a member of the Board of Directors of the Moore County Wildlife Club, stated his opposition to the rezoning. He shared information about the Wildlife Club and its activities and said he believed the rezoning would threaten the Club's existence. Mr. Prest discussed the area's classification as a high quality water district and the cost to taxpayers for infrastructure if a school was located on the property. Board members clarified that infrastructure would be paid for by the rate payers, not all taxpayers. Mr. Prest said he wanted the Board to decide against the rezoning as the area was a wildlife sanctuary. Chairman Picerno asked if the Wildlife Club abutted the subject property on either side and Mr. Prest said no; it was about $\frac{3}{4}$ mile down the road. Chairman Picerno asked Ms. Ensminger for confirmation that development could already occur under current zoning on the property and Ms. Ensminger said it could, noting the density would differ.

Mr. Bob Koontz, the applicant, discussed the rezoning request and the status of the property with regard to forestry, water, etc. He discussed the distance from the Wildlife Club and said he felt comfortable that the rezoning would not have an impact on the Club. Chairman Picerno asked if the rezoning was for economic reasons and Mr. Koontz said yes; the utility infrastructure was extensive and the additional density would help offset the cost. Chairman Picerno asked if there was willingness to pay for sewer extension and Mr. Koontz said there had been discussions of this.

Ms. Mariann Benway stated her opposition to the rezoning as a member of the Moore County Wildlife Club.

Ms. Pam Ring, owner of poultry houses adjacent to the subject property, asked the Board to deny the rezoning request. She discussed the nuisance of her operation with regard to noise, dust, smell, etc. She said her farm supplied fertilizer to other farms and that hurting her operation could in turn hurt those. She reviewed that the current zoning of the property discouraged subdivisions and that low density residential was consistent with the neighborhood. Ms. Ring said there were multiple generations living in the area, the people who had made the community, and they were asking the Board to hear their voices. She discussed a lottery funds application coming up later on the agenda for Moore County Schools and she suggested tabling the rezoning until more consideration could be given as to whether this would even be a suitable site for a school.

Mr. Marsh Smith with the Wildlife Club discussed the priority of the Moore County Land Use Plan Steering Committee in previous years to preserve the County's rural agricultural heritage, and said the subject property was a prime agricultural heritage area. He discussed that a proposed school was a part of this site, and suggested it was a vehicle to get a sewage line down to the property. He said once there, anyone could tap into the sewer line and the County would want as many subscribers as possible. Mr. Smith shared that he had done some research and he distributed to the Board several documents regarding ownership of the subject property, the

purchase price, sale price, government grants for sewer lines, etc. He encouraged Board to table its decision to allow for due diligence and to hold the hearing open.

Chairman Picerno closed the public hearing.

Vice Chairman Saunders stated appreciation for the comments made by everyone. He shared that he did his own research, too, because he wanted to do his job well. He expressed offense to remarks made by Mr. Smith seemingly implying the current commissioners had knowledge of past decisions with regard to grants for infrastructure, etc., as he was not on the Board when those decisions were made. Vice Chairman Saunders said the Wildlife Club was a mile away from the subject property, which had been shown to be a great area for a school. He noted that it would have been nice if the full Planning Board had been present when the vote was taken regarding this rezoning request, and that it would be nice to know the reasoning behind their votes. He said there were a lot of moving parts, and that also a development agreement was something that should be discussed and there were multiple parties involved. Vice Chairman Saunders expressed his preference to table the matter until the Board could consult with legal counsel and obtain further information from the Planning Director also. Commissioner Ritter made a motion, seconded by Commissioner Graham, to table the rezoning request.

Chairman Picerno said he appreciated all of the speakers, though he did not care for comments (made by Mr. Smith) vilifying someone who was trying to make money. He said the point made regarding the rural character of the area was good, but noted there was also likely opposition to the poultry houses located in the area. Chairman Picerno said the focus should be on the facts of the issue and not on profit motives. The motion to table carried 5-0.

Chairman Picerno called for a five minute recess prior to the start of New Business.

NEW BUSINESS

Planning – Approval of Request to Submit Application to the NC Housing Finance Agency through the FY16 Urgent Repair Program

Planning Director Debra Ensminger requested authorization to submit an application to the North Carolina Housing Finance Agency for \$100,000 through the fiscal year 2016 Urgent Repair Program. Ms. Ensminger reviewed the need for housing rehabilitation assistance in Moore County. Commissioner Graham made a motion, seconded by Commissioner Ritter, to direct staff to submit an application to the North Carolina Housing Finance Agency for \$100,000 through the FY 2016 Urgent Repair Program and to allow the County Manager to execute all documentation related to this application; further, the County agrees to contribute \$5,000 for FY 2017 to serve as a match for the grant if the application is successful. Vice Chairman Saunders asked how recipients were selected and Ms. Ensminger said they were chosen through a committee process on a first come, first served basis. Chairman Picerno asked if these were federal funds and Ms. Ensminger said yes. The motion made by Commissioner Graham carried 4-1 (*Graham, Ritter, Daeke, Saunders – for; Picerno – opposed*). Chairman Picerno said his nay vote was because the federal government could not afford this grant.

Moore County Schools – Approval of Public School Building Capital Fund NC Education Lottery Applications: Area 1 Elementary School, Southern Pines Elementary School, and Advanced Career Center

Mr. John Birath, Executive Director for Operations for Moore County Schools, requested the Board's approval of applications for North Carolina Education Lottery funds for three projects.

Upon motion made by Vice Chairman Saunders, seconded by Commissioner Daeke, the Board voted 5-0 to approve the NC Education Lottery application for the Area I elementary school.

Upon motion made by Commissioner Graham, seconded by Vice Chairman Saunders, the Board voted 5-0 to approve the NC Education Lottery application for Southern Pines Elementary School.

Upon motion made by Commissioner Ritter, seconded by Commissioner Graham, the Board voted 5-0 to approve the NC Education Lottery application for the Advanced Career Center.

Copies of these approved applications are hereby incorporated as a part of these minutes by attachment as Appendix D.

Legal – Approval of Resolution Concerning the New Sales Tax Redistribution Plan and Senate Bill 605

As requested by Chairman Picerno, County Attorney Misty Leland provided a resolution for the Board's consideration regarding the State's new sales tax redistribution plan as well as Senate Bill 605 (which would revise Article 46 of Chapter 105 of the NC General Statutes to authorize an increase in the maximum rate of the local sales and use tax from ¼ to ½ percent). Chairman Picerno said that the County had communicated well that it was expected that the legislature would provide funding as it stated it would. He said this resolution was in response to the most recent State budget passed which created a hole for Moore County, and that the resolution requested a written explanation as to why. Ms. Leland reviewed the resolution saying it had two basic parts, one asking for answers and one requesting support for Senate Bill 605. Upon motion made by Vice Chairman Saunders, seconded by Commissioner Daeke, the Board voted 5-0 to adopt the resolution, which is hereby incorporated as a part of these minutes by attachment as Appendix E.

Public Safety – Approval of Public Safety Ordinance

Public Safety Director Bryan Phillips requested the Board's approval of a revised Public Safety Ordinance, which had been previously presented for the commissioners' consideration. Upon motion made by Vice Chairman Saunders, seconded by Commissioner Daeke, the Board voted 5-0 to approve the Public Safety Ordinance and incorporate it into the Code of Ordinances for Moore County. The revised ordinance is hereby incorporated as a part of these minutes by attachment as Appendix F.

APPOINTMENTS

Whispering Pines Firefighters' Relief Fund

Upon motion made by Vice Chairman Saunders, seconded by Commissioner Ritter, the Board voted 5-0 to reappoint Ashvin Patel to a two-year term as a trustee for the Firefighters Relief Fund for a term expiring January 2018.

Planning Board

Upon motion made by Commissioner Graham, seconded by Vice Chairman Ritter, the Board voted 5-0 to table one pending appointment to the Planning Board (Schilling vacancy). Upon motion made by Commissioner Daeke, seconded by Vice Chairman Saunders, the Board voted 5-0 to reappoint Buck Mims to the Planning Board for a three-year term expiring January 31, 2019.

Board of Health

Upon motion made by Chairman Picerno, seconded by Vice Chairman Saunders, the Board voted 5-0 to table a pending appointment to the Board of Health.

Animal Operations Advisory Board

Upon motion made by Chairman Picerno, seconded by Vice Chairman Saunders, the Board voted 5-0 to appoint Angela Zumwalt and Barbara Ross to the Animal Operations Advisory Board as interim members through February 29, 2016.

ADDITIONAL AGENDA

Upon motion made by Chairman Picerno, seconded by Vice Chairman Saunders, the Board voted 5-0 to add a discussion of information from Sandhills Community Action Program (SCAP). (Representatives from SCAP were not present at the beginning of the meeting when discussion regarding their Community Services Block Grant application was scheduled). Chairman Picerno asked Board members to review the information and make comment, if desired. Chairman Picerno noted the amount of debt owed by the federal government, which indicated it could not afford to fund these programs.

MANAGER'S REPORT

County Manager Wayne Vest reminded commissioners of upcoming task force meetings scheduled.

COMMISSIONERS' COMMENTS

Vice Chairman Saunders said he was thrilled to attend a Moore County Schools summit on the proposed new Advanced Career Center, saying the school would be a game changer for Moore

County kids. He commended Superintendent Dr. Grimesey and his staff, and also commended the Board of Education regarding difficult decisions recently made on year round scheduling and changes in staff at the administrative level.

Commissioner Graham thanked everyone for their attendance at the meeting.

Commissioner Daeke said Mr. Marsh Smith had made good comments during the public hearing and caused him to think about things he had not previously considered.

Chairman Picerno said that at a recent district board meeting for the NC Association of County Commissioners, the Association was asked to support the upcoming Connect NC bond issue. He said he asked if any commissioner had been approached regarding the most pressing needs for their respective counties and no one had been asked how the proposed \$2 billion would be best spent in their counties. Chairman Picerno said there were some good things in the bond, but that in Moore County, the Schools' needs were much higher priority for the commissioners than Samarcand, for instance, though he had nothing against Samarcand. He discussed the need for legislators to prioritize the restoration of lottery funds according to statute, and to fund teacher positions as stated.

ADJOURNMENT

There being no further business, upon motion made by Commissioner Ritter, seconded by Vice Chairman Saunders, the Board voted 5-0 to adjourn the January 19, 2016 regular meeting of the Moore County Board of Commissioners at 7:53 p.m.

Nick J. Picerno, Chairman

Laura M. Williams, Clerk to the Board



MOORE COUNTY BOARD OF COMMISSIONERS

TUESDAY, FEBRUARY 2, 2016

REGULAR MEETING

The Moore County Board of Commissioners met for a Regular Meeting at 5:30 p.m., Tuesday, February 2, 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

Chairman Picerno called the meeting to order. Reverend Joe Washburn of Culdee Presbyterian Church led the invocation and Jonathan Russell with the Soil and Water Department led the Pledge of Allegiance.

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

PUBLIC COMMENT PERIOD

Ms. Mary Jo Morris discussed her volunteer experience at the Moore County Animal Center and said families she spoke with who had recently adopted pets were all very complimentary of the Animal Center.

PRESENTATIONS

Public Safety Update

Public Safety Director Bryan Phillips provided a presentation updating the Board on Public Safety Department activities. The presentation is hereby incorporated as a part of these minutes by attachment as Appendix A. Chairman Picerno thanked Mr. Phillips and his staff for their handling of a recent winter storm and said he was glad no one needed the emergency shelters provided. Commissioner Ritter expressed his belief that the northern area shelter should have been opened earlier and discussed the need to advertise its availability well to the public. Commissioner Graham inquired regarding media outlets receiving notice of the shelter openings and Mr. Phillips said he would send a list to the Board. Upon motion made by Vice Chairman Saunders, seconded by Commissioner Ritter, the Board voted 5-0 to receive the report provided by Mr. Phillips.

Sandhills Center Quarterly Report

Finance Officer Caroline Xiong presented the quarterly fiscal report for Sandhills Center for Mental Health/Developmental Disabilities/Substance Abuse Services.

CONSENT AGENDA

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

Advertisement of Tax Liens on Real Property
Budget Amendments
Soil and Water Conservation Agreement Amendment

The budget amendments are hereby incorporated as a part of these minutes by attachment as Appendix B.

PUBLIC HEARINGS

Call to Public Hearing/Planning – Rezoning Request – Pinesage Solar Farm: Residential and Agricultural-5 (RA-5) and Highway Commercial (B-2) to Rural Agricultural (RA)

Planning Director Debra Ensminger reviewed information regarding a request for a rezoning and asked the Board to call a public hearing on this matter. Upon motion made by Vice Chairman Saunders, seconded by Commissioner Ritter, the Board voted 5-0 to call a public hearing on February 16, 2016 at 5:30 p.m. to solicit public participation relative to a general use rezoning of ParID 00018479.

OLD BUSINESS

Planning – Rezoning Request from Pine Valley Solar: Residential and Agricultural 40 (RA-40) to Rural Agricultural (RA)

Planning Director Debra Ensminger reviewed a request made by Pine Valley Solar Farm, LLC for a general use rezoning of a portion of ParID 00022606, owned by McDonald Family Farms. This item was tabled from the Board's January 19, 2016 regular meeting. Upon motion made by Chairman Picerno, seconded by Vice Chairman Saunders, the Board voted 5-0 to adopt the Moore County Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. Upon motion made by Chairman Picerno, seconded by Commissioner Graham, the Board voted 5-0 to approve 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. The Land Use Plan Consistency Statement is hereby incorporated as a part of these minutes by attachment as Appendix C.

NEW BUSINESS

Social Services – Approval of Amendment #1 to Contract with Right Foundation, Inc.

Social Services Director John Benton requested the Board's approval of a contract amendment with Right Foundation, Inc., the County's secondary provider of non-emergency Medicaid transportation services. Upon motion made by Commissioner Graham, seconded by Vice Chairman Saunders, the Board voted 5-0 to approve amendment 1 to the contract with Right Foundation, Inc., and authorize the Chairman to sign the same.

Administration – Approval of Amended Animal Operations Advisory Board Bylaws

County Manager Wayne Vest reviewed proposed revisions to the Animal Operations Advisory Board bylaws. He recognized advisory board members present at the meeting. Upon motion made by Vice Chairman Saunders, seconded by Commissioner Ritter, the Board voted 5-0 to approve the Animal Operations bylaws as amended and presented. The amended bylaws are hereby incorporated as a part of these minutes by attachment as Appendix D.

APPOINTMENTS

Juvenile Crime Prevention Council

Upon motion made by Vice Chairman Saunders, seconded by Commissioner Graham, the Board voted 5-0 to appoint Shirlyn Smith to the Juvenile Crime Prevention Council for a two-year term expiring February 28, 2018.

Planning Board

Upon motion made by Commissioner Graham, seconded by Commissioner Ritter, the Board voted 5-0 to appoint Bobby Hyman to the Planning Board to fill the unexpired term of Eli Schilling through August 31, 2017.

Board of Health

Upon motion made by Chairman Picerno, seconded by Commissioner Graham, the Board voted 5-0 to appoint Sharon Odom as an at-large member to the Board of Health to fill the unexpired term of Phyllis Magnuson through April 30, 2017.

MANAGER'S REPORT

County Manager Wayne Vest reported the following:

- Thank you cards were available for commissioners to sign for animal adoption partners. Since the creation of the Animal Operations Advisory Board, the County's animal intake had decreased and placement had increased.
- An inquiry was made regarding possible acquisition of County-owned property on Highway 22 next to the Sandhills Children's Center. An appraisal is recommended and this will be further discussed with the Facilities Task Force.
- The Attorney General's office reported that Moore County gas prices were still under investigation and the amount of information that could currently be shared was limited.

- The employee service award recognition luncheon was scheduled for the coming Thursday.

COMMISSIONERS' COMMENTS

Vice Chairman Saunders said he had an update on a visit he recently made to Fort Bragg, but he would share it at the next meeting as he needed to hurry to another meeting for the Schools on this evening.

Upon motion made by Chairman Picerno, seconded by Commissioner Graham, the Board voted 5-0 to dismiss Vice Chairman Saunders from the remainder of the meeting.

Chairman Picerno said he appreciated the Board voting to approve the Animal Operations Advisory Board bylaws amendments. He said the advisory board had done a very good job. Chairman Picerno thanked Mr. Vest for the update on gas prices. He also shared that he had received a response from Senator Jerry Tillman regarding the Board's most recent resolution sent to him, but said the response still did not answer a lot of the Board's questions. Chairman Picerno asked the commissioners to start looking at their calendars for a possible facilities work session to be held in April.

ADJOURNMENT

There being no further business, upon motion made by Commissioner Graham, seconded by Commissioner Ritter, the Board voted 4-0 to adjourn the February 2, 2016 regular meeting of the Moore County Board of Commissioners at 6:10 p.m.

Nick J. Picerno, Chairman

Laura M. Williams, Clerk to the Board

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Caroline L. Xiong, Chief Finance Officer

DATE: 02/08/2016

SUBJECT: Budget Amendments

PRESENTER: Caroline L. Xiong

REQUEST:

Approve the attached budget amendments

BACKGROUND:

The NC General Statutes provide for the County to make amendments to the budget during the fiscal year. The budget should be amended to reflect the changing financial opportunities and adjustments that occur after the budget is adopted. Attached are detailed explanations of each amendment and the appropriate Department Directors are here to answer any questions you may have. The amendments are:

	Department	Amount	Sources of Revenue	Justification
1.	Library	\$763 increase	Donations/Memorials	Anticipated Amount for Fiscal Year Donations/Memorials

IMPLEMENTATION PLAN:

N/A

FINANCIAL IMPACT STATEMENT:

The overall effect is to increase/decrease the revenue and expenditures in the General Fund for \$763, to authorize the County Manager to proceed with the amendments and any actions required as a result.

RECOMMENDATION SUMMARY:

Recommend a motion to approve the following budget amendments as stated.

SUPPORTING ATTACHMENTS:

The following budget amendments and supporting information are attached:

Fiscal Year 2015/2016

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
Library - Donations/Memorials					
Revenue	10018007 31603	Donations/Memorials	-	763	763
Expense	10031000 52612	Books	35,000	763	35,763

Approved this _____ day of _____, 2016

 Nicholas J. Picerno
 Moore County Board of Commissioners

 Laura Williams
 Clerk to the Board

Budget Amendment Staff Report

Department: Library

Increase or Decrease of Amount of Funding:

- 1) Donations/Memorials - \$763 increase

Source(s) of Funding:

- 1) Above anticipated amount for fiscal year donations/memorials

Justification (please be specific):

- 1) Books - \$763

Agenda Item: V.D.
Meeting Date: 2/16/2016

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Gary E. Briggs, Tax Administrator (13)
DATE: February 8, 2016
SUBJECT: Tax Releases/Refunds – Month of January 2016
PRESENTER: Gary Briggs

AGENDA PLACEMENT: Consent Agenda

REQUEST:

12 real/personal/motor vehicle releases totaling \$3,552.05
28 real/personal/motor vehicle relief-refunds totaling \$6,146.23

107 releases/refunds of less than \$100 each totaling \$3,279.06 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 - \$9,698.28 (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
(CURRENT) RELEASES AND REFUNDS BY THE
TAX ADMINISTRATOR**

WHEREAS, Gary E. Briggs, Moore County Tax Administrator, has certified a list comprised of various county taxes illegally levied and assessed, the amount certified as being in excess of the amount legally due by the taxpayer and therefore should be released or refunded in accordance with General Statute 105-381.

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

Adopted this the _____ day of _____, 2016.

Nicholas J. Picerno, Chairman

ATTEST:

Laura M. Williams
Clerk to the Board

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

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

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

Adopted this the _____ day of _____, 2016.

Nicholas J. Picerno, Chairman

ATTEST:

Laura M. Williams
Clerk to the Board

**REAL ESTATE / PERSONAL PROPERTY / MOTOR VEHICLE
RELEASES
OVER - \$100
January-16**

<u>YEAR</u>	<u>BILL NUMBER</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
2011	9005258	KAIALAU, DEAN KAMEALOHA JR	MILITARY	214.12
2012	50499	DEPOULI, DAWN MARIE	MILITARY	134.72
2015	1628	CORY E JONES	INCORRECT VALUE	1261.43
2015	3440	BCMB, LLC	PARCEL IS TAX EXEMPT	427.5
2015	11179	CHERRY, LAURA HRS	DOUBLE-BILLED	415.11
2015	593	BLACK, KENNETH	INCORRECT VALUE	379.11
2015	3422	JEWELS OF PINEHURST	ASSETS WERE NOT REMOVED ACCORDING TO LISTING	185.71
2015	70286	ZYWOCINSKI, C GREGORY	ORDER OF PROPERTY TAX COMMISSION	110.28
2015	70285	ZYWOCINSKI, C GREGORY	ORDER OF PROPERTY TAX COMMISSION	108.42
2015	70291	ZYWOCINSKI, C GREGORY	ORDER OF PROPERTY TAX COMMISSION	106.1
2015	70287	ZYWOCINSKI, C GREGORY	ORDER OF PROPERTY TAX COMMISSION	105.62
2015	70288	ZYWOCINSKI, C GREGORY	ORDER OF PROPERTY TAX COMMISSION	103.93
TOTAL				3,552.05

**VTS/MUNIS MOTOR VEHICLES
RELIEF - REFUNDS
OVER - \$100
January-16**

<u>Bill Year</u>	<u>Bill Number</u>	<u>Name</u>	<u>Reason</u>	<u>Refund Amount</u>
2015	VTS - 0005228019	BIENVENU, ST CLAIR JR & JANET	SUBMITTED TAG TO DMV	103.73
2014	6644	COREY E JONES	INCORRECT VALUE	1,380.52
2011	2006414	DAVIS, JESSE ADAM	MILITARY	147.80
2013	VTS - 0015926387	DAVIS, JESSE ADAM	MILITARY	124.50
2014	VTS - 0015926387	DAVIS, JESSE ADAM	MILITARY	124.83
2015	VTS - 0028953793	DAVIS, JESSE ADAM	MILITARY	361.87
2015	VTS - 0015926387	DAVIS, JESSE ADAM	MILITARY	123.18
2015	VTS - 0028434026	EVANS, KOLBY THOMAS	MILITARY	161.09
2015	VTS - 0027556943	HAAS, MICHAEL T & SCHABER, CLAYTON	SUBMITTED TAG TO DMV	417.74
2015	VTS - 0023301591	HARRIS, WILLIAM LAWRENCE	SUBMITTED TAG TO DMV	178.17
2014	VTS - 0015935367	HASS ENTERPRISES INC	SUBMITTED TAG TO DMV	164.47
2015	VTS - 0010344811	LEBLANC, JEAN CLAUDE	MILITARY	104.59
2015	VTS - 0022362324	LOCKLAIR, TRUDY LEE	SUBMITTED TAG TO DMV	150.47
2014	VTS - 0026473926	LOESER, CAROLYN & WILLIAM	SUBMITTED TAG TO DMV	139.87
2014	VTS - 0018658636	MCCARTHY, MICHAEL EDWARD	SUBMITTED TAG TO DMV	224.17
2015	VTS - 0005217468	MILBREDT, MARCIE RUTH	SUBMITTED TAG TO DMV	131.69
2013	VTS - 0009038127	MILLER, JEFFREY	MILITARY	179.06
2014	VTS - 0021882597	MILLER, JEFFREY	MILITARY	175.31
2015	VTS - 0022862764	O'RAHILLY, ROISIN BEATRICE	SUBMITTED TAG TO DMV	146.91
2015	VTS - 0028292383	PARK, JOOSHIN B	MILITARY	212.03
2015	VTS - 0029529678	PONTO, ANDREW	MILITARY	408.78
2014	VTS - 0026289205	PONTO, SPENCER & ANDREW	MILITARY	159.67
2015	VTS - 0021483153	VESS, HENRY BLAINE III	SUBMITTED TAG TO DMV	137.81
2015	VTS - 0021504836	WASHINGTON, RAYMOND GROSS	SUBMITTED TAG TO DMV	156.02
2013	VTS - 0021725673	WEISS, HOLLY & JASON	MILITARY	121.90

**VTS/MUNIS MOTOR VEHICLES
RELIEF - REFUNDS
OVER - \$100
January-16**

<u>Bill Year</u>	<u>Bill Number</u>	<u>Name</u>	<u>Reason</u>	<u>Refund Amount</u>
2014	VTS - 0023350773	WEISS, HOLLY & JASON	MILITARY	100.83
2013	VTS - 0023250491	WEISS, JASON	MILITARY	119.95
2015	VTS - 0029640518	WEISS, JASON	MILITARY	189.27
			TOTAL	6,146.23

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Caroline L. Xiong, Chief Finance Officer

DATE: February 8, 2016

SUBJECT: Sandhills Community College Request for the Capital Project Loan Disbursement of \$40,804.84 from the \$1,800,000 loan to SCC.

PRESENTER: Caroline L. Xiong

REQUEST:

Request the Board of Commissioners to approve the capital project loan disbursement of \$40,804.84 for the college's expansion and renovation of the Dempsey Student Center from the \$1,800,000 loan approved by the Board of Commissioners, effective July 1, 2014.

BACKGROUND:

The Board of Commissioners approved on June 17th, 2014 a Resolution for Funding for Dempsey Hall Student Center Expansion and Deferred Maintenance Cost for Sandhills Community College, Effective July 1, 2014. The County and SCC have determined the amount of the County funds needed for the expansion project is \$1,800,000. The County provided this amount in the form of a one-time loan to SCC from the County's General Fund Balance. The current remaining balance is \$40,804.84.

IMPLEMENTATION PLAN:

Staff will proceed with processing the invoice.

FINANCIAL IMPACT STATEMENT:

Funds are already budgeted in the General Fund.

RECOMMENDATION SUMMARY:

Request the Board of Commissioners to approve the capital project loan disbursement of \$40,804.84 for the college's expansion and renovation of the Dempsey Student Center from the \$1,800,000 loan approved by the Board of Commissioners, effective July 1, 2014.

SUPPORTING ATTACHMENTS:

Request for Capital Project Loan Disbursement
Resolution for Funding for Dempsey Hall Student Center Expansion and Deferred Maintenance Cost for Sandhills Community College, Effective July 1, 2014

GL# 10033597-56300

Request for Capital Project Reimbursement

NCCCS 2-16

College Name: Sandhills Community College

Request #

Project Name: Dempsey Hall Gym Expansion

Project Number:

Date:

Project Cost - Expenditures/Unpaid Balances							
Cost Item	Account Name	Column (1) Total Project Cost as Per Contract	Column (2) Expenditures Paid Current Month/Qtr.	Column (3) Previous Project Expenditures	Column (4) Expenditures To Date	Column (5) Unpaid Balance of Total Project Cost	
1	Land/Site Grading & Improv.	0.00	0.00	0.00	0.00	0.00	
2	General Contract	1,861,814.00	168,398.90	1,585,394.55	1,753,793.45	108,020.55	
3	Architect Contract	205,620.00	5,140.50	116,698.50	121,839.00	83,781.00	
4	Architect Reimbursables	0.00	0.00	0.00	0.00	0.00	
5	Designer Contract	0.00	0.00	0.00	0.00	0.00	
6	Terracon Consultants, Inc.	27,603.00	0.00	27,603.00	27,603.00	0.00	
7	CDW Government, LLC	8,672.37	0.00	8,672.37	8,672.37	0.00	
8	The Shed Depot of NC	6,378.31	0.00	6,378.31	6,378.31	0.00	
9	Other Contracts	13,439.83	0.00	13,439.83	13,439.83	0.00	
10	Other Fees	1,008.60	0.00	1,008.60	1,008.60	0.00	
52	Worked Performed by Owner	0.00	0.00	0.00	0.00	0.00	
53	Equipment (Major)	0.00	0.00	0.00	0.00	0.00	
54	Contingency Fund	175,463.89		0.00	0.00	175,463.89	
Project Cost TOTAL:		2,300,000.00	173,539.40	1,759,195.16	1,932,734.56	367,265.44	
Sources of Funds TOTAL:		2,300,000.00	173,539.40		1,932,734.56	734,530.88	
		Percent of Total Project					
(A)	LOCAL FUNDS	78.26%	1,800,000.00	40,804.84	1,759,195.16	1,800,000.00	0.00
(B)	STATE EQUIPMENT	19.75%	454,173.84	86,908.40	0.00	86,908.40	367,265.44
(C)	STATE GRANTS	1.99%	45,826.16	45,826.16	0.00	45,826.16	367,265.44

STATUS OF STATE BD. OF COMM. COLLEGES' GRANT		STATE VOUCHER ISSUED	LOCAL FUNDING STATE
1(Col.1C) TOTAL STATE GRANT	45,826.16		1(Col.4A) LOCAL EXPENDED-TO-DATE
2(Col.4C) EXPENDED TO DATE	45,826.16		2(Col.6A) AMT. DUE & UNPAID
3) BALANCE OF GRANT	(0.00)	DATE:	TOTAL:
College Name	<u>Sandhills Community College</u>		3) LESS: AMT. REC'D-TO-DATE
Project Name	<u>Dempsey Hall Gym Expansion</u>		4) THIS REQUEST FOR FUNDS
Project #	<u>1963</u>		STATE BOARD OF COMM. COLLEGES
Request #	<u>6</u>		1(Col.4C) STATE EXPENDED-TO-DATE
			2(Col.6C) AMT. DUE & UNPAID
			TOTAL:
			3) LESS: AMT. REC'D-TO-DATE
			4) THIS REQUEST FOR FUNDS

Capital Improvement Request Signature Page

College Name: Sandhills Community College Budget Code: 0

Project Name: Dempsey Hall Gym Expansion Project Number: 1983

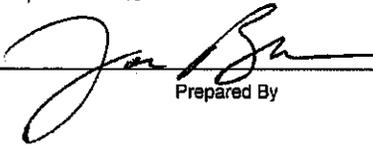
We hereby certify that, to the best of our knowledge and belief, this statement of balances and expenditures for this capital improvement request is correct, that expenditures have been made in accordance with the statutes of North Carolina and the rules and regulations of the State Board of Community College and that payment of this pro rata share of capital improvement costs has not been received by this college.

Request # 6

Amount Requested

To: BOARD OF COMMUNITY COLLEGES: Please draw a voucher in the amount of \$ 45,826.18 for your pro rata share of state and/or federal funds.

Amount Due from Local County for your pro rata share \$ 40,804.84


Prepared By

2/4/16
Date

Prepared By

Date


Community College President/CFO

2/4/16
Date

Total Project Cost 1,932,734.56

STATE LEVEL USE

Approved for Payment Vice-President	Batch # <input type="text"/>
	Date: <input type="text"/>
	Budget Code <input type="text"/>

Comments

Back-Up Documentation

(Check all that apply)

Attached

Mailed

N/A

CAPITAL PROJECT MEMO

TO: CAROLINE XIONG
FROM: JOE BROWN
SUBJECT: DEMPSEY STUDENT CENTER EXPANSION PROJECT - REIMBURSEMENT
DATE: FEBRUARY 1, 2016

Caroline,

When Moore County approved \$1,800,000.00 for our college's expansion and renovation of our Dempsey Student Center it was suggested by Mr. Vest that we use these funds using the same reimbursement process that we've used in the past for our other construction projects.

Attached is a Request for Capital Project Reimbursement form for this project requesting **\$40,804.84** of these funds for recent expenditures. Please let me know if you should have any questions or issues processing this request.

Regards,



Joe Brown

Director of Finance

Sandhills Community College

910-246-4957

SUPPLEMENT TO AGREEMENT FOR SERVICES

CHANGE TO SCOPE OF SERVICES AND FEES

This **SUPPLEMENT to AGREEMENT FOR SERVICES** to the original Agreement for Services (original Agreement dated 11/20/2014, Agreement reference number P75140072) is between Sandhills Community College ("Client") and Terracon Consultants, Inc. ("Consultant") for additional or changed Services to be provided by Consultant for client on the Project, as described in the Agreement for Services. This Supplement is incorporated into and part of the Agreement for Services.

- 1. Scope of Services.** The scope of the additional or changed Services are described in the Scope of Services section of the Consultant's Supplemental Proposal, unless Services are otherwise described below or in Exhibit B to this Supplement (which section or exhibit are incorporated into the Supplement).

Increased scope, additional testing and re-inspections

- 2. Compensation.** Client shall pay compensation for the additional or changed Services performed at the fees stated in the Supplemental Proposal unless fees are otherwise stated below or in Exhibit C to this Supplement (which section or exhibit are incorporated into the Supplement).

The additional costs that were incurred totaled \$7,930.00 which increased the total project cost to \$27,873.00

All terms and conditions of the **Agreement for Services** shall continue in full force and effect. This Supplement is accepted and Consultant is authorized to proceed.

Consultant: **Terracon Consultants, Inc.**
By: *Adrian L Gaylord* Date: 1/27/2016
Name/Title: **Adrian L Gaylord / Project Manager II-
Professional**
Address: **7327-G West Friendly Ave.
Greensboro, NC 27410**
Phone: **(336) 854-8135** Fax: _____
Email: **Adrian.Gaylord@terracon.com**

Client: **Sandhills Community College**
By: *Joe Brown* Date: 1/27/16
Name/Title: **Joe Brown**
Address: **3395 Airport Road
Pinhurst, NC 28374**
Phone: _____ Fax: _____
Email: **brownjo@sandhills.edu**

**RESOLUTION FOR FUNDING FOR DEMPSEY HALL STUDENT CENTER
EXPANSION AND DEFERRED MAINTENANCE COST
FOR SANDHILLS COMMUNITY COLLEGE**

Effective July 1, 2014

WHEREAS, Sandhills Community College (SCC) plans to expand Dempsey Hall Student Center; and

WHEREAS, the County desires to assist SCC with this expansion by developing a pay-as-you-go plan that maintains the integrity of the County's and taxpayer's relationship by not increasing County debt nor taxes and, at the same time, meeting the needs of SCC; and

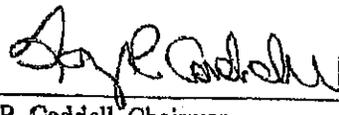
WHEREAS, the County and SCC have determined the amount of County funds needed for the expansion project is \$1,800,000 and the County desires to provide this amount in the form of a one-time loan to SCC from the County's General Fund Balance; and

WHEREAS, the repayment of the \$1,800,000 loan, plus interest in an amount equal to 25 basis points above the highest interest rate set by the North Carolina Cash Management Trust Fund within a 12 month period on a calendar year basis beginning with calendar year 2014, to the County's General Fund Balance will originate from the projected savings from the yearly reduction in debt service for SCC as well as an amount that equates to 6% above the 15% unassigned General Fund Balance that the Board of Commissioners allocates to the County's Capital Reserve Fund. Pursuant to the spreadsheet attached hereto as Exhibit A and herein incorporated by reference as if fully set forth, the County is estimated to have received repayment plus interest, calculated annually on the outstanding balance, in an amount that is in excess of the borrowed amount of \$1,800,000, plus interest as stated above, by June 30, 2020. (Please also see Exhibit A.) Alternatively, SCC may at its discretion, choose to utilize the amount equal to 6% above the 15% unassigned General Fund Balance for its current needs, ongoing maintenance (i.e. deferred maintenance), and/or may elect to pay off its debt early and save interest; and

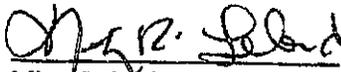
WHEREAS, the County will also provide SCC \$986,633 for deferred maintenance cost, which is 6% of the current balance of the County's Capital Reserve Fund that currently totals \$16,443,868. The \$986,633 requested is a part of SCC's annual budget request that the County will provide funding for FY2014-2015 only; and

NOW THEREFORE BE IT RESOLVED, that the Moore County Board of Commissioners approves the funding and repayment plans as set forth above for SCC's Dempsey Hall Student Center Expansion and deferred maintenance cost and authorizes its Chairman to execute this Resolution.

Adopted this 17th day of June, 2014.



Larry R. Caddell, Chairman
Moore County Board of Commissioners



Misty Leland
County Attorney

EXHIBIT A

Debt Service Amounts by Fiscal Year (P&L)

	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
College Annual Debt Service	\$1,781,368	\$1,733,408	\$1,685,448	\$1,637,488	\$1,589,528	\$1,541,568	\$1,493,608	\$1,445,648	\$1,417,131	\$1,370,636	\$1,323,708	\$1,276,636	\$1,230,204	\$1,183,486	\$1,136,786	\$652,786
College Base Year (FY14) Debt Service	\$1,781,368	\$1,781,368	\$1,781,368	\$1,781,368	\$1,781,368	\$1,781,368	\$1,781,368	\$1,781,368	\$1,781,368	\$1,781,368	\$1,781,368	\$1,781,368	\$1,781,368	\$1,781,368	\$1,781,368	\$1,781,368
College Annual Debt Service Reduction		\$47,965	\$92,254	\$89,832	\$93,906	\$94,488	\$95,722	\$97,445	\$118,445	\$394,237	\$410,232	\$457,660	\$504,732	\$551,164	\$608,280	\$1,328,582
College Cumulative Debt Reduction		\$47,965	\$140,219	\$228,751	\$322,657	\$422,822	\$529,604	\$641,489	\$769,884	\$1,134,171	\$1,794,909	\$2,452,563	\$3,097,298	\$3,748,432	\$4,405,739	\$6,975,321
C.A.F.R Allocation Estimate		\$233,015	\$233,015	\$233,015	\$233,015	\$233,015	\$233,015	\$233,015	\$233,015	\$233,015	\$233,015	\$233,015	\$233,015	\$233,015	\$233,015	\$233,015
TOTAL Estimated For GF Repayment		\$280,980	\$566,249	\$828,736	\$1,170,717	\$1,587,897	\$2,067,894	\$2,672,594	\$3,424,654	\$4,421,306	\$5,665,059	\$7,156,728	\$8,981,178	\$11,277,654	\$14,109,948	\$18,670,546

EXAMPLE USING ONLY DEBT SERVICE REDUCTION DOLLARS FOR REPAYMENT

Allocation/Balance From Prior Year	\$1,800,000	\$1,770,035	\$1,713,182	\$1,657,913	\$1,092,166	\$509,844
Annual Interest (estimated at 2.00%)	\$38,000	\$35,401	\$34,264	\$33,258	\$21,843	\$10,197
Balance Due	\$1,818,000	\$1,815,436	\$1,747,445	\$1,691,072	\$1,114,009	\$520,041
Payment Allocation (January each year)	\$47,965	\$92,254	\$89,832	\$94,906	\$94,488	\$97,782
Balance Remaining After Payment	\$1,770,035	\$1,713,182	\$1,657,913	\$1,092,166	\$928,844	-\$116,741

Note: FY15 Interest is calculated at 6 months

EXAMPLE USING BOTH DEBT SERVICE REDUCTION DOLLARS AND C.A.F.R ALLOCATION DOLLARS FOR REPAYMENT

Allocation/Balance From Prior Year	\$1,800,000	\$1,537,020	\$1,242,491	\$944,794	\$131,769
Annual Interest (estimated at 2.00%)	\$38,000	\$30,740	\$24,850	\$18,896	\$7,635
Balance Due	\$1,818,000	\$1,567,760	\$1,267,341	\$963,690	\$139,404
Payment Allocation (January each year)	\$280,980	\$325,269	\$322,547	\$331,921	\$337,180
Balance Remaining After Payment	\$1,537,020	\$1,242,491	\$944,794	\$131,769	-\$702,776

Note: FY15 Interest is calculated at 6 months

08 Bond, Matures FY2028	
Schools	80%
College	20%
2009A Bond, Matures FY2029	
Schools	74.5763%
College	25.4237%
2009B Bond, Matures FY2018	
Schools	76%
College	24%
2012 Bond, Matures FY2017	
Schools	52.1739%
College	47.8261%

MEMORANDUM TO THE BOARD OF COMMISSIONERS

FROM: Debra Ensminger
Planning & Transportation Director

DATE: February 1, 2016

SUBJECT: General Use Rezoning Request: Residential & Agricultural-5 (RA-5)
and Highway Commercial (B-2) to Rural Agricultural (RA)

PRESENTER: Debra Ensminger

REQUEST

Pinesage Solar Farm, LLC is requesting a General Use Rezoning of ParID 00018479, owned by McDonald Family Farms as identified in Moore County tax records; the overall parcel is approximately 53.06 acres. A recombination plat was recorded on December 3, 2015 to combine an approximate 26 acres located to the south of the parcel. The request is to rezone the entire 53.06 parcel from Residential & Agricultural-5 (RA-5) and Highway Commercial (B-2) to Rural Agricultural (RA). The parcel is located north of NC Highway 211. This case was properly advertised, a public hearing sign was posted on the property, and all adjacent property owners were notified.

BACKGROUND

- The proposed rezoning area is currently undeveloped. The property was formerly utilized by NCDOT as a temporary construction site and borrow pit for the NC Hwy 211 widening project. The applicant is in the process of securing a 50' access easement to NC Hwy 211 as illustrated on the attached recombination plat.
- There are twenty-one (21) adjacent properties. Adjacent properties comprise of a mixture of zoning districts including RA-5, B-2, and PUD-Hamlet. Adjacent land uses include single family homes, family cemetery, undeveloped property, a church, and the Pine Forest Planned Unit Development.
- HCOD – The property is located approximately 900 feet north of the Urban Transition Highway Corridor Overlay District.
- The property is located near the town limits of Taylortown (approximately 1,400 feet) and Pinehurst (approximately 1,900 feet).
- County Water is located on NC Hwy 211.
- The nearest gravity sewer is located at Westgate Drive approximately 4 miles from the site so an extension would be required to serve the lots with sewer.
- Watershed – The property is located in WS-III-BW Nick's Creek Watershed.
- Wetlands – Per the applicant's wetland delineation report there are wetlands located on the property.

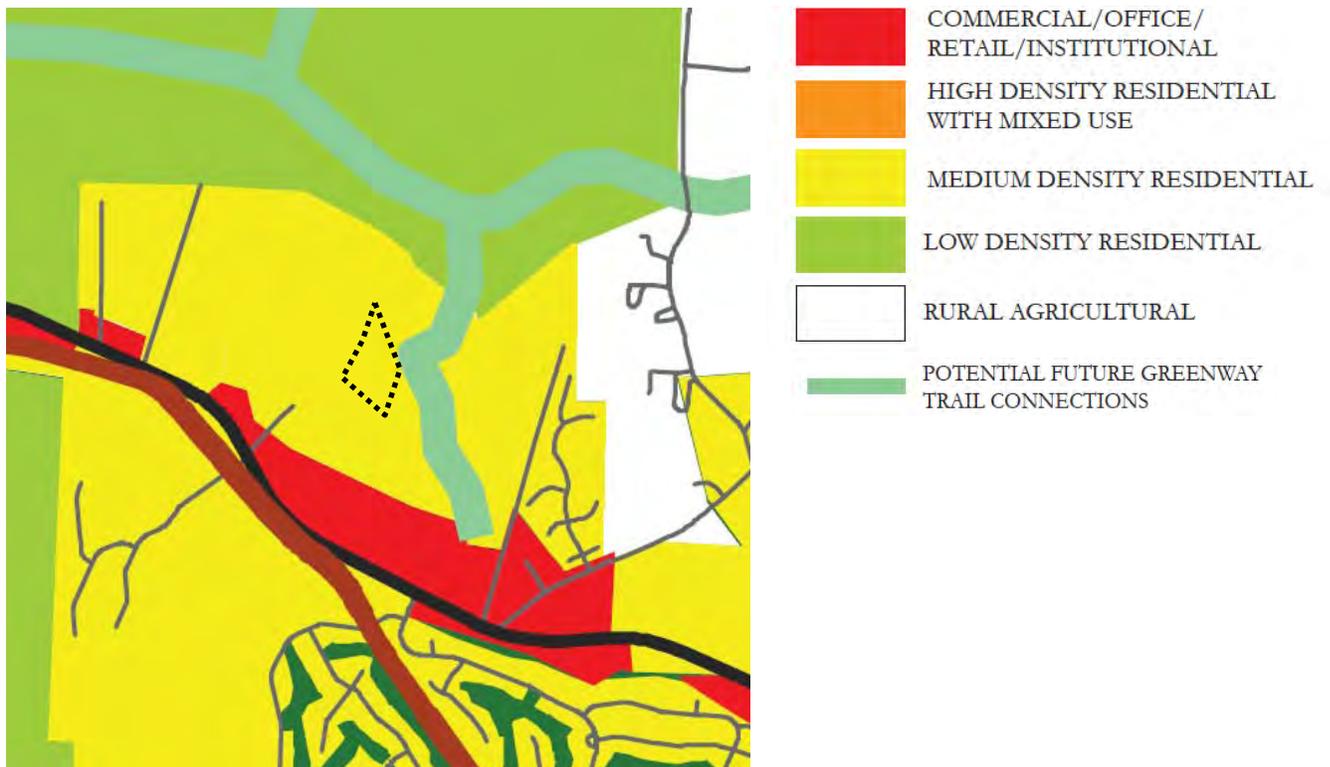
ZONING DISTRICT COMPATIBILITY

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.

GENERAL USE CATEGORIES	<u>EXISTING</u> RA-5	<u>EXISTING</u> B-2	<u>REQUESTED</u> RA
Agricultural	X	X	X
Recreational	X	X	X
Single Family	X		X
Multi-Family			
Retail		X	
Commercial Services		X	
Institutional	X	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 January 7, 2016 and unanimously recommended denial on a 7-0 vote of the rezoning request. Discussion included the following statements "one thing we must think about is the proximity to the Pinehurst area and what direction can they grow. There are few directions to grow in and as commercial growth grows out do we want to keep it in that type of zoning or change it." "We have a very robust area with a lot of growth and right now it is 1500 feet off the road but that may not be case in the future." Another board member stated "that it was zoned the way it was for a reason based on the fact that is a main growth corridor and I would encourage all Board members before we vote to consider this fact." Another board member stated that he is concerned about the single family homes, the churches and the wetlands as well.

Public Input: George Ingram, representing Sonlight Independent Church (located at 7027 NC-211 West End) 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 Board of Commissioners Rezoning Worksheet (Approval or Denial) 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 00018479 as identified in Moore County tax records from Residential & Agricultural-5 (RA-5) and Highway Commercial (B-2) to Rural Agricultural (RA) as proposed.

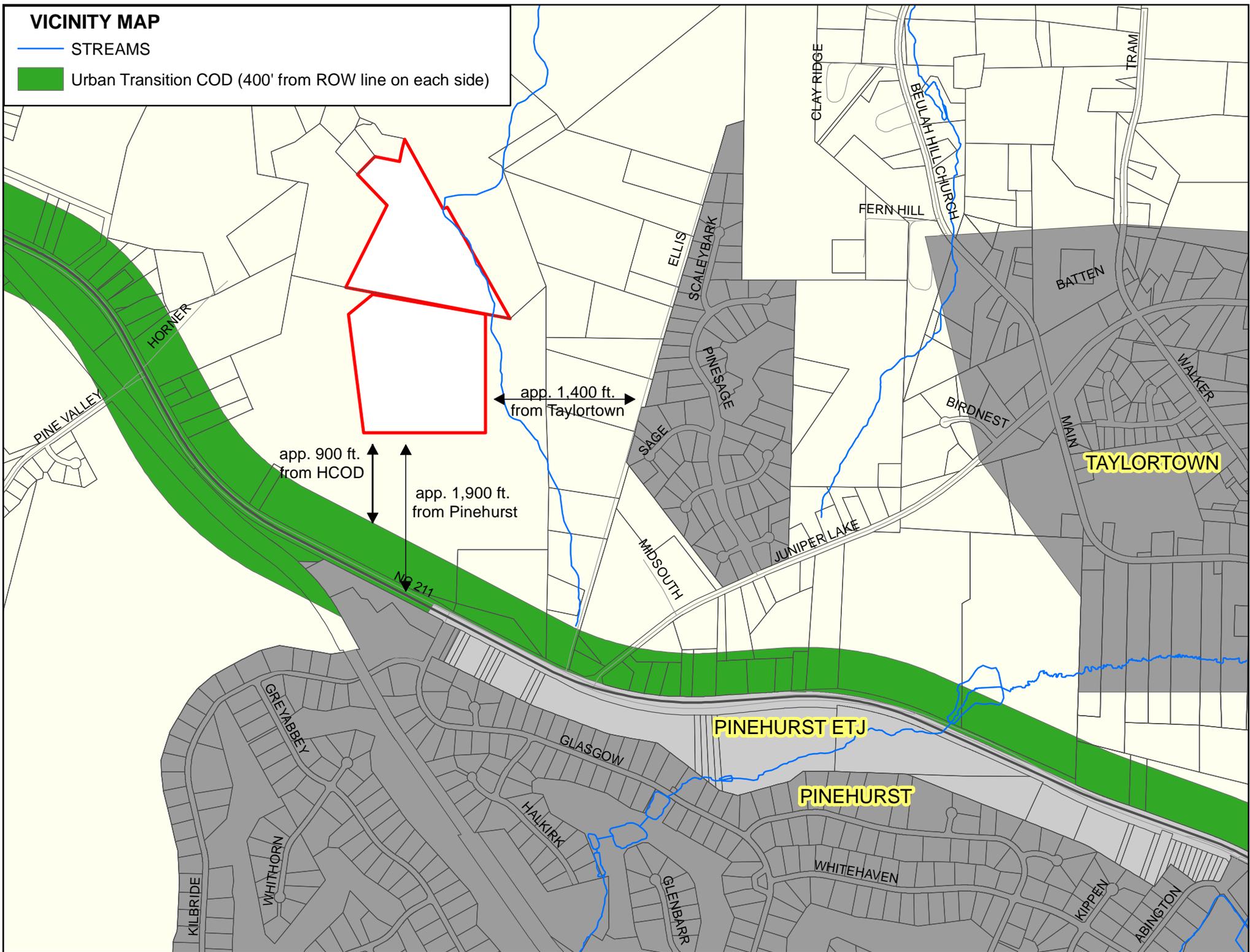
ATTACHMENTS

- Vicinity Map
- Land Use Map
- Picture of Property
- Rezoning Application
- Submitted Boundary Map
- Rezoning Map
- UDO Article 7. Table of Uses
- Board of Commissioners Rezoning Worksheet – Approval
- Board of Commissioners Rezoning Worksheet – Denial

VICINITY MAP

— STREAMS

■ Urban Transition COD (400' from ROW line on each side)



app. 1,400 ft.
from Taylortown

app. 900 ft.
from HCOD

app. 1,900 ft.
from Pinehurst

TAYLORTOWN

PINEHURST ETJ

PINEHURST

Land Use Map



**West Pines
Middle School**

Pineforest PUD

**Single family
homes**

**Single family
homes**

Church

**Undeveloped
(former NCDOT
construction site)**

**Single family
homes**

TAYLORTOWN

NC 211 HWY

Church

PINEHURST

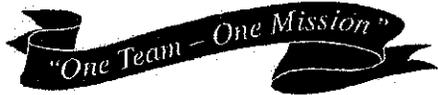
View of property from NC Hwy 211



app # 12694

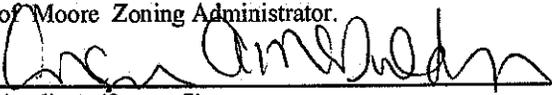
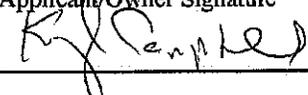
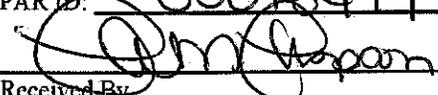


PLANNING & COMMUNITY DEVELOPMENT



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: 11/05/2015			
Location/Address of Property: 7353 NC Highway 211, West End, NC 27376			
Applicant: Pinesage Solar Farm, LLC		Phone: 407.915.5436	
Applicant Address: 4150 St. Johns Parkway Suite 1000		City: Sanford	St: FL Zip: 32771
Owner: McDonald Family Farms, LLC		Phone: 910.695.6652	
Owner Address: 3286 NC 73 Hwy PO Box 349		City: West End	St: NC Zip: 27376-0349
Current Zoning District: RA-5/B-2		Proposed Zoning District: RA	
Comments: Pinesage Solar Farm, LLC is requesting to recombine parcel 0018479 and a portion of parcel 00022595. We are proposing the zoning to be changed from the current zoning identification to RA which allows 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. Please see attached map.			
Application Submittal The applicant must submit a complete application packet on or before the submittal deadline. This includes: <input 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		11-5-15 Date	
 Applicant/Owner Signature		11-5-15 Date	
Office Use Only:			
PAR ID: 00018479			
 Received By		12/2/15 Date	

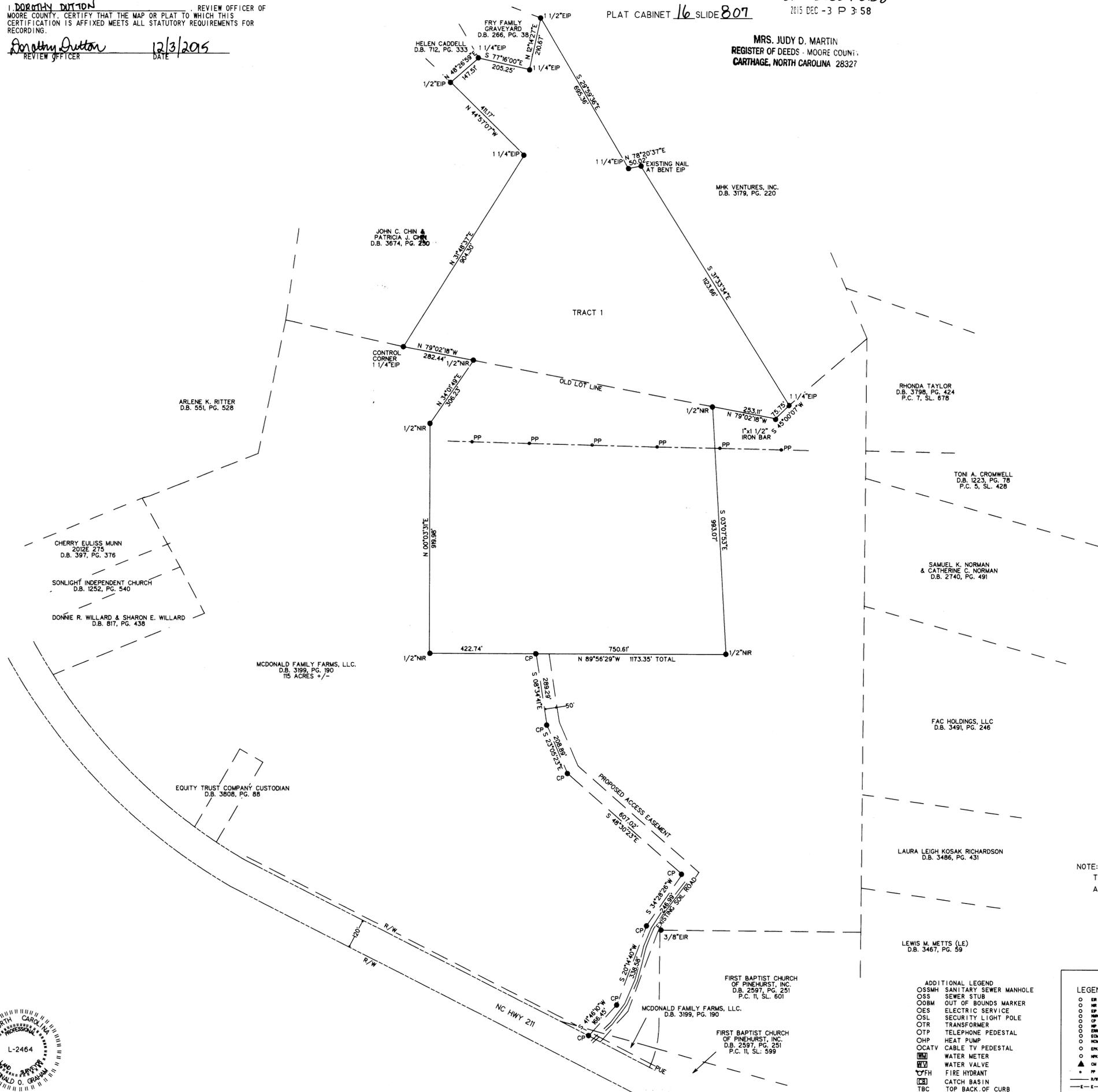
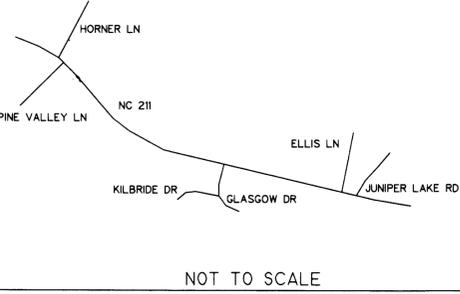
STATE OF NORTH CAROLINA
 COUNTY OF MOORE
 I, DOROTHY DUTTON, REVIEW OFFICER OF
 MOORE COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS
 CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR
 RECORDING.
Dorothy Dutton 12/3/2015
 REVIEW OFFICER DATE

2015 DEC 3 P 3:58
 2015 DEC -3 P 3:58

PLAT CABINET 16 SLIDE 807

MRS. JUDY D. MARTIN
 REGISTER OF DEEDS - MOORE COUNTY
 CARTHAGE, NORTH CAROLINA 28327

RECOMBINATION SURVEY OF
MCDONALD FAMILY FARMS, LLC
 MINERAL SPRINGS TWP., MOORE CO., N.C.
 OWNER: MCDONALD FAMILY FARMS, LLC
 DEED REFERENCE: D.B. 3199, PG. 190
 TAX PIN NUMBER: 00018479
 PARCEL ID NUMBER: 8543-01-46-9914
 OWNER: MCDONALD FAMILY FARMS, LLC
 DEED REFERENCE: D.B. 3199, PG. 190
 MAP REFERENCE: PLAT CABINET 5, SLIDE 221
 TAX PIN NUMBER: 00022595
 PARCEL ID NUMBER: 8543-00-44-9830
 TAX PIN NUMBER: 8543-00-53-3258
 PARCEL ID NUMBER: 20040303



PUBLIC WATER SUPPLY WATERSHED PROTECTION CERTIFICATE
 I CERTIFY THAT THE PLAT SHOWN HEREON COMPLIES WITH THE MOORE COUNTY WATERSHED PROTECTION ORDINANCE AND IS APPROVED BY MYSELF AS AGENT FOR THE WATERSHED REVIEW BOARD FOR RECORDING IN THE MOORE COUNTY REGISTER OF DEEDS OFFICE.
 12/3/2015 Dorothy Dutton
 DATE SUBDIVISION ADMINISTRATOR
 NOTICE: THIS PROPERTY IS LOCATED WITHIN A PUBLIC WATER SUPPLY WATERSHED - DEVELOPMENT RESTRICTIONS MAY APPLY.
 CERTIFICATE OF EXEMPTION
 I HEREBY CERTIFY THAT THE DIVISION OF PROPERTY SHOWN AND DESCRIBED HEREON IS EXEMPT FROM THE MOORE COUNTY SUBDIVISION ORDINANCE BY DEFINITION AND/OR ORDINANCE.
Dorothy Dutton 12/3/2015
 SUBDIVISION ADMINISTRATOR DATE
 APPROVAL OF THIS EXEMPT SUBDIVISION PLAT CONSTITUTES COMPLIANCE WITH NORTH CAROLINA GENERAL STATUTE 153A-335 ONLY. FURTHER DEVELOPMENT OF THE PARCELS SHOWN SUBSEQUENT TO THE DATE OF THIS PLAT SHALL BE SUBJECT TO ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, STATUTES, ORDINANCES AND/OR CODES.

I HEREBY CERTIFY THAT THIS PLAT IS OF THE FOLLOWING TYPE:
 THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.
Ronald O. Graham
 PROFESSIONAL LAND SURVEYOR
 CERTIFICATE OF SURVEY AND ACCURACY
 I, RONALD O. GRAHAM, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. DEED DESCRIPTIONS RECORDED AS SHOWN ON MAP. THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED. THAT THE RATIO OF PRECISION AS CALCULATED IS 1:30,000. THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE REGISTRATION NUMBER AND SEAL THIS 29th DAY OF DECEMBER, 2015.
Ronald O. Graham
 SURVEYOR
 REGISTRATION NUMBER L-2464



NOTE:
 TRACT 1 CONTAINS 53.06 ACRES
 AREA BY COORDINATE METHOD

- ADDITIONAL LEGEND
- OSSM SANITARY SEWER MANHOLE
 - OSS SEWER STUB
 - OOBM OUT OF BOUNDS MARKER
 - OES ELECTRIC SERVICE
 - OSL SECURITY LIGHT POLE
 - OTR TRANSFORMER
 - OTP TELEPHONE PEDESTAL
 - OHP HEAT PUMP
 - OCAV CABLE TV PEDESTAL
 - WM WATER METER
 - WV WATER VALVE
 - FH FIRE HYDRANT
 - CB CATCH BASIN
 - TBC TOP BACK OF CURB
 - TOC TOE OF CURB
 - FOM FIBER OPTICS MARKER

LEGEND		DATE	
○	EXISTING IRON NAIL	11/16/15-11/23/15	
○	NEW IRON NAIL	FILE NO.	9315
○	EXISTING IRON PIPE	SCALE	1" = 200'
○	NEW IRON PIPE	PROJECT NO.	9315
○	CALCULATED POINT		
○	EXISTING RAILROAD SPIKE		
○	EXISTING CONCRETE MARKMENT		
○	NEW CONCRETE MARKMENT		
○	EXISTING PA. NAIL		
○	NEW PA. NAIL		
▲	CONTROL MARKMENT		
+	POWER POLE		
—	RIGHT-OF-WAY		
—	ELECTRIC LINE		
—	PRIORITY LINE		
—	CENTERLINE		
—	MINERAL BUILDING SETBACKS		

SURVEY FOR:
PINESAGE SOLAR FARM, LLC
 4150 ST. JOHNS PKWY. STE 1000
 SANFORD, FL 32771

LICENSE# C-0359
CENTRAL CAROLINA SURVEYORS, P.A.
 5916 HIGHWAY 211
 P.O. Box 481
 West End, North Carolina 27376
 Phone# 910-673-0151
 © 2015 CENTRAL CAROLINA SURVEYORS, P.A. ALL RIGHTS RESERVED

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																
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

Rezoning Worksheet

General Use Rezoning from Residential & Agricultural-5 (RA-5) and Highway Commercial (B-2) to Rural Agricultural (RA)

ParID: 00018479

The Moore County Board of Commissioners finds that:

1. 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 1.2.1: Continue current support of operating environments for agriculture.
- Action 1.3: Preserve large tracts of prime agricultural land to ensure that farming remains a viable part of the local economy.
- 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.

2. The rezoning request is reasonable and in the public interest because it would not have an unreasonable impact on the surrounding community and will maintain the public health, safety, and general welfare due to the rezoning placing property in the area in appropriate complementary categories.

Therefore, the Moore County Board of Commissioners **APPROVES** the request by Pinesage Solar Farm, LLC for a General Use Rezoning of +/-53.06 acres of the parcel known as ParID 00018479 as identified in Moore County tax records from Residential & Agricultural-5 (RA-5) and Highway Commercial (B-2) to Rural Agricultural (RA).

Nick Picerno, Chair
Moore County Board of Commissioners

Date

Moore County Board of Commissioners
Rezoning Worksheet

**General Use Rezoning from Residential & Agricultural-5 (RA-5) and Highway
Commercial (B-2) to Rural Agricultural (RA)**
ParID: 00018479

The Moore County Board of Commissioners finds that:

1. 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 1.2.1: Continue current support of operating environments for agriculture.
- Action 1.3: Preserve large tracts of prime agricultural land to ensure that farming remains a viable part of the local economy.
- 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.

2. The rezoning request is not reasonable and not in the public interest because the Rural Agricultural (RA) zoning district allows uses in addition to the RA-5 zoning district that would have a negative visual and land use impact to the adjacent single family dwelling units and the Pineforest Planned Unit Development. Also, the proposed property is visible from NC Hwy 211 which is a designated Highway Corridor Overlay District. This portion of NC Hwy 211 is located within the Urban Transition Highway Corridor Overlay District which seeks to, in part, provide attractive highway corridors and gateways to our communities, including Pinehurst and Taylortown.

Therefore, the Moore County Board of Commissioners **DENIES** the request by Pinesage Solar Farm, LLC for a General Use Rezoning of +/-53.06 acres of the parcel known as ParID 00018479 as identified in Moore County tax records from Residential & Agricultural-5 (RA-5) and Highway Commercial (B-2) to Rural Agricultural (RA).

Nick Picerno, Chair
Moore County Board of Commissioners

Date

MEMORANDUM TO THE BOARD OF COMMISSIONERS

FROM: Debra Ensminger
Planning & Transportation Director

DATE: February 5, 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

- The Board of Commissioners tabled this request on January 19, 2016 for the Board to receive additional information and to provide additional notification time for the public.
- 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	EXISTING RA-40	REQUESTED 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 Board of Commissioners Rezoning Worksheet (Approval or Denial) 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

- Pictures of Property
- Vicinity Map
- Land Use Map
- Rezoning Application
- Recombination Plat (Cabinet 16, Slide 427)
- Rezoning Map
- UDO Article 7. Table of Uses
- Regional Land Use Advisory Commission (RLUAC) Review Letter
- Board of Commissioners Rezoning Worksheet – Approval
- Board of Commissioners Rezoning Worksheet – Denial

Forward Facing view of Property from Airport Road



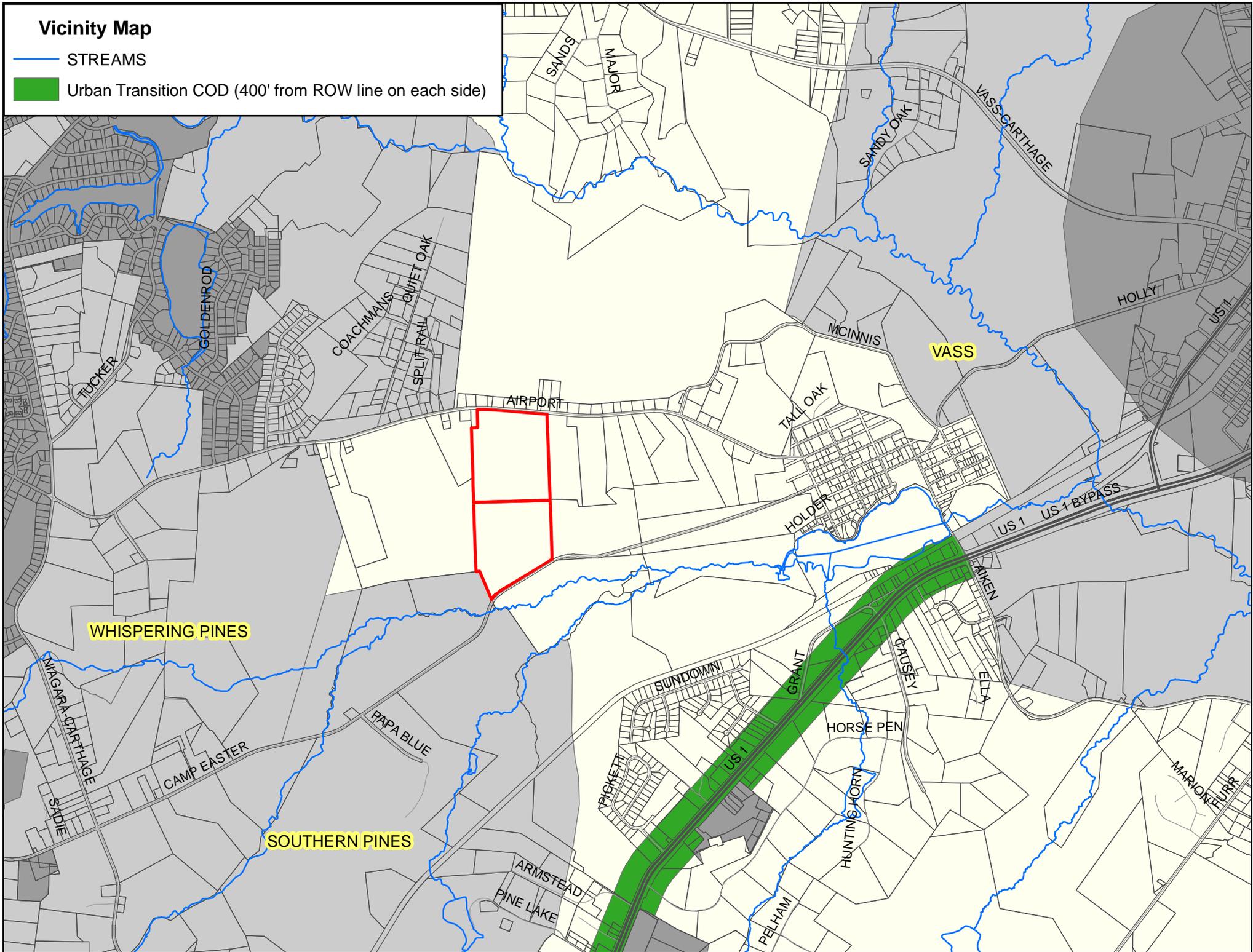
View of Property from Airport Road (Site on the right side of road)



Vicinity Map

— STREAMS

Urban Transition COD (400' from ROW line on each side)



Land Use Map

WHISPERING PINES
ETJ

Single family homes

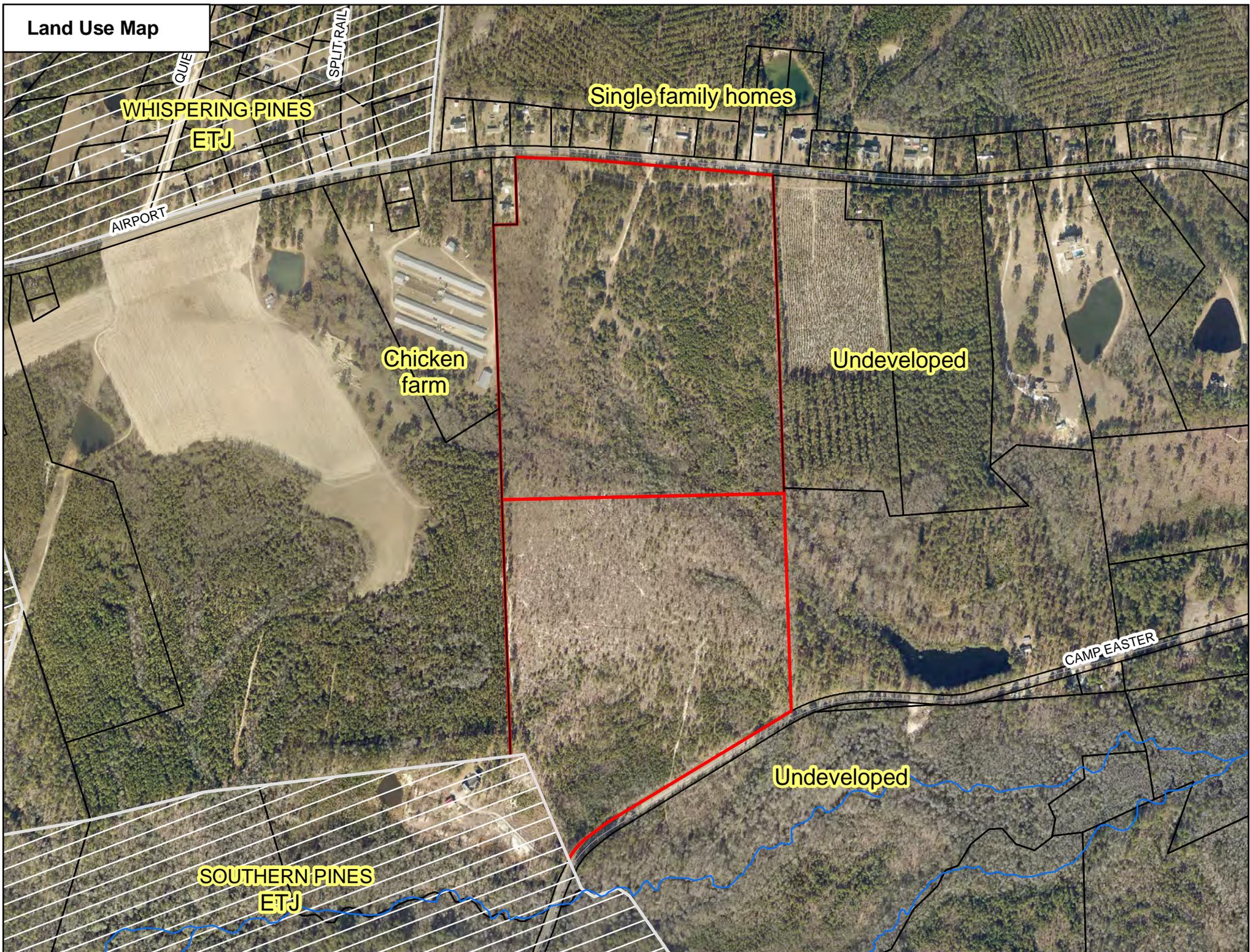
Chicken
farm

Undeveloped

SOUTHERN PINES
ETJ

Undeveloped

CAMP EASTER



12518

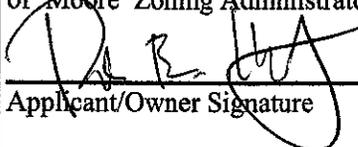
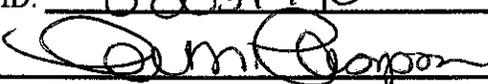


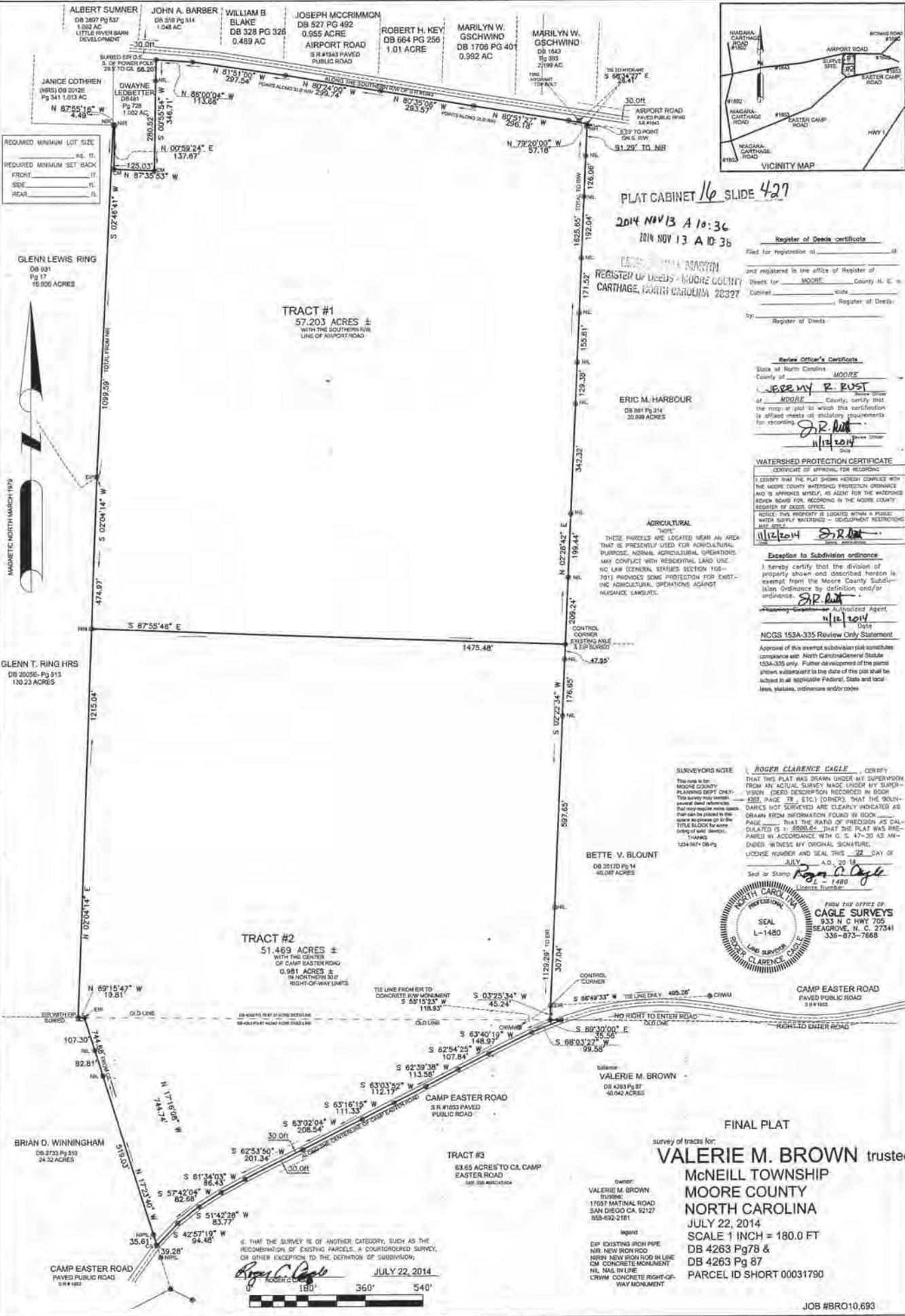
PLANNING & COMMUNITY DEVELOPMENT



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

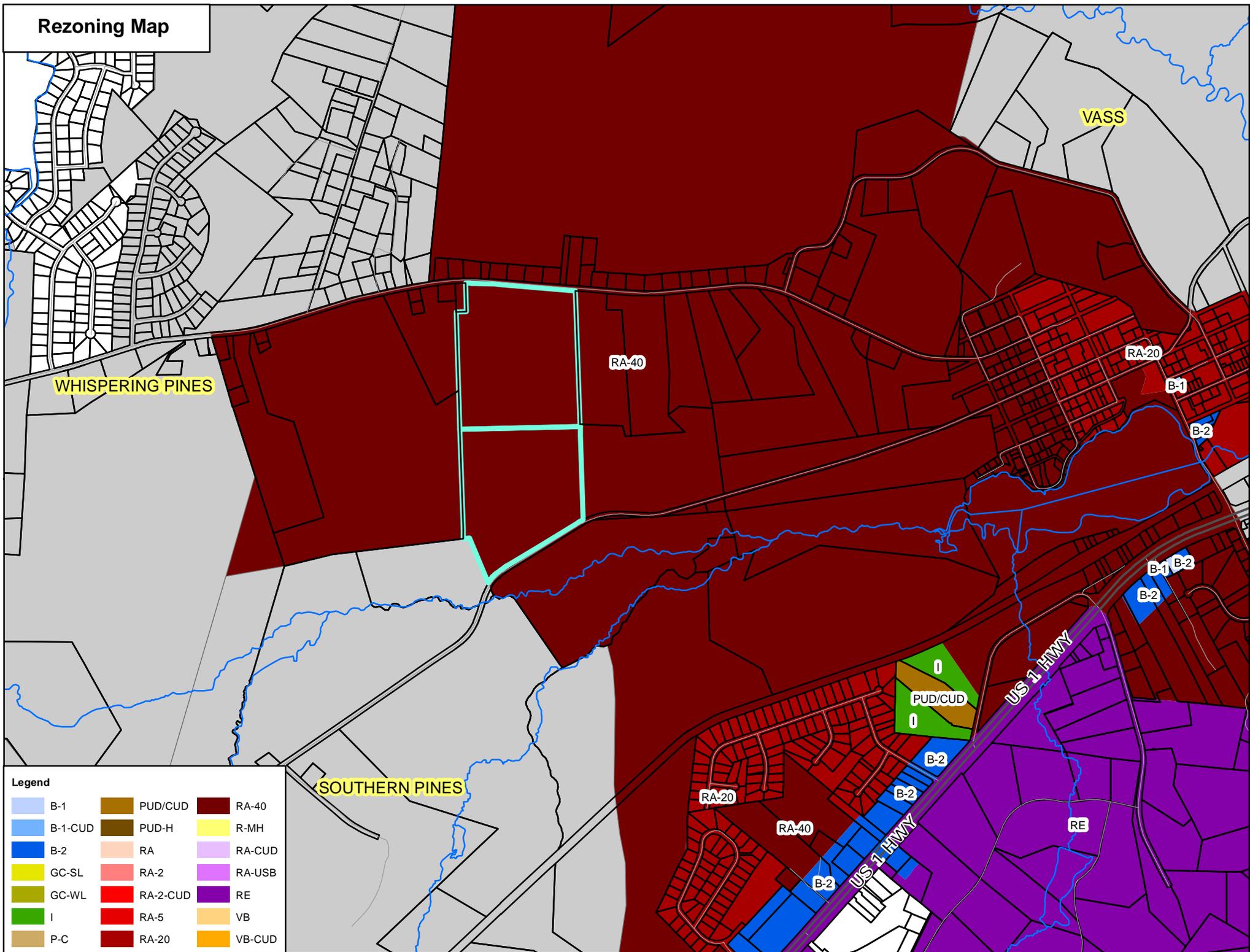
General Use Rezoning Application

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	



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Rezoning Map



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

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	
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		
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
Rezoning Worksheet
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 finds that:

1. 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.

2. The rezoning 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.

Therefore, 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).

Nick Picerno, Chair
Moore County Board of Commissioners

Date

Moore County Board of Commissioners
Rezoning Worksheet
**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 finds that:

1. 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.

2. The rezoning request is not reasonable and not in the public interest because the property is located adjacent to an existing chicken farm, which presents quality of life concerns for a residential subdivision, including odors. The proposed rezoning from RA-40 to RA-20 will allow for an increased residential density and the potential for additional tree clearing which may intensify odor levels.

Therefore, the Moore County Board of Commissioners **DENIES** 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).

Nick Picerno, Chair
Moore County Board of Commissioners

Date

MEMORANDUM TO MOORE COUNTY BOARD OF COMMISSIONERS

FROM: Moore County Airport Authority
DATE: 2/02/16
SUBJECT: Stormdrain Pipe Inspection & Rehabilitation Phase 1 Paperwork

REQUEST:

1. Approve Revision No. 1 Project Budget Ordinance & Revision No. 1 – Resolution for Project #36237.67.5.2 Final Estimate
2. Approve Project Budget Ordinance & Resolution for the Stormdrain Pipe Inspection & Rehabilitation Phase 1.
3. Approve Budget Transfer of \$1,775 from County to Airport for remaining 2013 NPE local match

BACKGROUND:

The RW 23 Approach Clearing (Phase 1) project is completed. There are remaining 2013 NPE Funds of \$201 (\$181 Federal; \$20 Local) that were not utilized. The Project Ordinance and Resolution are being modified to reflect this decrease. The remaining \$20 (local match) will be transferred to the Airport. There are also remaining 2013 NPE Funds that were not allocated to a project in the amount of \$1,755 (local match) that will be transferred to the Airport. The transfer back to the Airport for the local match will total \$1,775 (\$20 from 36237.67.5.2 and \$1,755 remaining 2013 NPE). These 2013 NPE Funds were originally matched by the Airport as a transfer to the County.

The new project known as the Stormdrain Pipe Inspection & Rehabilitation Phase 1 currently does not have a project number. The current budget for this project is \$158,905 (\$143,015 Federal and \$15,890 Local). This project will utilize the remaining 2013 NPE and a portion of 2014 NPE funds. The \$1,775 that will be transferred back to the Airport will be combined with the 2014 NPE. The remaining amount of 2013 NPE funds being used are \$17,776 (\$16,001 federal; \$1,775 local.) The amount of the 2014 NPE funds that will be needed are \$141,129 (\$127,014 federal; \$14,115 local). This will leave a balance of \$2,552 of local funds available for the Airport to use towards a match on a future project.

IMPLEMENTATION PLAN:

County Finance Staff will set up the appropriate budget accounts for the project. Once the budget is set up, the Airport will submit documents to the State certifying local funds are available.

FINANCIAL IMPACT:

There is no financial impact to the County. The Airport has made the match for both the 2013 NPE and the 2014 NPE funds. The cost of this project for the Airport will be \$15,890 for the local match.

RECOMMENDATION SUMMARY:

- *Approve Revision No. 1- Project Budget Ordinance & Revision No. 1 Resolution for Project #36237.67.5.2*
- *Approve Project Budget Ordinance & Resolution for Stormdrain Pipe Inspection & Rehabilitation Phase 1*
- *Approve Budget Transfer of \$1,775 for remaining 2013 NPE local match*

SUPPORTING ATTACHMENTS:

- *Revision No. 1 Project Budget Ordinance 36237.67.5.2*
- *Revision No. 1 Resolution 36237.67.5.2*
- *Project Budget Ordinance for Stormdrain Pipe Inspection & Rehabilitation Phase 1*
- *Project Resolution for Stormdrain Pipe Inspection & Rehabilitation Phase 1*
- *Budget Transfer for remaining 2013 NPE local match*

**REVISION #1: PROJECT BUDGET ORDINANCE
AIRFIELD IMPROVEMENTS
Project #36237.67.5.2
RW 23 Approach Clearing (Phase 1)**

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

Section 1: The project was authorized on 6/16/15 with the approval by the Board of Commissioners on the original Project Ordinance for a total of \$55,499. This project use FY12 and FY13 NPE funds. The FY13NPE funds were originally matched by the Airport Authority. The project is now completed and used a total of \$55,298 of the original budget. The decrease in Section 4 will be the final revision to close the project and move the remaining local match back to the Airport.

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

Section 3: The following revised revenues are anticipated to be available to complete this project:

<u>Funding Source</u>	Current	Decrease	Revised Amounts
Federal	\$49,949	\$181	\$49,768
Local (County)	<u>\$ 5,550</u>	<u>\$ 20</u>	<u>\$ 5,530</u>
Total	\$55,499	\$201	\$55,298

Section 4: The following amount is an estimate of appropriation for Airfield Improvements at the Moore County Airport:

	Current	Decrease	Revised Amounts
R/W23 Approach Clearing Phase 1 (Design/Bid)	\$55,499	\$201	\$55,298

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

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

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

First adopted the 16th day of June 2015 and revision No. 1 adopted the _____ day of February 2016.

Nick Picerno, Chairman
Moore County Board of Commissioners

Laura M. Williams
Clerk to the Board

**REVISION#1: RESOLUTION AUTHORIZING THE
ACCEPTANCE OF GRANT FOR
RW 23 APPROACH CLEARING (PHASE 1) AT THE MOORE COUNTY AIRPORT
UTILIZING REMAINING FUNDS FOR FY12 FUNDS AND A PORTION OF FY13 FUNDS
PROJECT #36237.67.5.2**

WHEREAS, the Moore County Airport Authority is eligible for funds under the State Aid to Airports Block Grant Program for various Airfield Improvements; and

WHEREAS, the North Carolina Department of Transportation-Division of Aviation has notified the Moore County Airport Authority that 2013 Vision Funds (Non-Primary Entitlement funds) are awarded for airfield improvements in the amount of \$150,000/Federal and requiring a local match of \$16,667 (total grant \$166,667).

WHEREAS, such allocation of funds were approved in consideration of local funding available for the County of Moore's local share of \$16,667. Appropriations were made for FY13 local match during the April 15, 2014 Moore County Board of Commissioner's meeting. A portion of FY2013 Vision funds in the amount of \$29,679 (\$26,709 federal; \$2,970 local) are being combined with a portion of FY2012 remaining funds in the amount of \$25,820 (\$23,240 federal; \$2,580 local) under project #36237.67.5.2. Phase 1 of this project is estimated to total \$55,499 (\$49,949 federal; \$5,550 local).

This project is at the closeout phase and utilized a total of \$55,298 (\$49,768 federal; \$5,530 local) of Non Primary Entitlement (NPE) Funds. This is \$201 less than the original budget. The remaining funds of \$201 (\$181 federal; \$20 local) will be utilized in the Stormdrain Pipe Inspection & Rehabilitation Phase 1. The local match of \$20 will be transferred back to the Airport Authority to be combined with FY14 NPE funds for the project.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED THAT the County Manager, Representative of the Moore County Board of Commissioners, is hereby authorized and empowered to enter into a Grant Agreement and all associated documents and amendments for these grant funds for the following amounts, which will consist of the following work elements: RWY 23 Approach Clearing (Phase 1).

FURTHER, the County Finance Officer is authorized to request payment under said Federal and/or State Grant using the Letter of Credit Method, by executing the Request for Funds, Treasury Form 5805, or other forms required as approved by FAA; and

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

First adopted the 16th day of June 2015 with revision No. 1 adopted the _____ day of February 2016.

Nick Picerno, Chairman
Moore County Board of Commissioners

Laura M. Williams, Clerk to the Board

PROJECT BUDGET ORDINANCE
Project Stormdrain Pipe Inspection & Rehabilitation Phase 1
Project # To Be Determined

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

Section 1: The project authorized is the Stormdrain Pipe Inspection & Rehabilitation Phase 1. This project will utilize the remaining portion of our 2013 NPE as well as a portion of our 2014 NPE. The local match for the 2014 NPE money was matched by the Airport Authority on December 8, 2015. The total amount of federal funding will amount to \$143,015. The local match of \$15,890 will be certified by the Moore County Airport Authority. The amount of funds coming from 2013 NPE is a total of \$17,776 (\$16,001 federal; \$1,775 local). The local portion of the 2013 NPE funds of \$1,775 were matched by the Airport and transferred to the County. The \$1,775 will be transferred back to the Airport to be combined with the 2014 NPE. The amount of the 2014 NPE funds that will be needed are \$141,129 (\$127,014 federal; \$14,115 local). This will leave a balance of \$2,552 of local funds available to use towards a match on a future project.

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

Section 3: The following revenues are anticipated to be available to complete the Stormdrain Pipe Inspection & Rehabilitation Phase 1 project:

<u>Funding Source</u>	<u>Current</u>
Federal	\$143,015
Local	<u>\$ 15,890</u>
Total	\$158,905

Section 4: The following amount is an estimate of appropriation for the Stormdrain Pipe Inspection & Rehabilitation Phase 1:

	<u>Current</u>
Total	\$158,905

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

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

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

First adopted on the _____ day of February 2016.

Nick Picerno, Chairman
Moore County Airport Authority

Laura M. Williams
Clerk to the Board

**RESOLUTION AUTHORIZING THE
ACCEPTANCE OF FUNDS FOR
STORMDRAIN PIPE INSPECTION & REHABILITATION PHASE 1
PROJECT # TO BE DETERMINED**

WHEREAS, the Moore County Airport Authority is eligible for Non-Primary Entitlement funds (NPE) under the State Aid to Airports Block Grant Program on an annual basis in the amount of \$150,000 in federal funds requiring a local match of \$16,667 for airfield improvements; and

WHEREAS, the North Carolina Department of Transportation-Division of Aviation has notified the Moore County Airport Authority that 2014 Non-Primary Entitlement funds are awarded for airfield improvements in the amount of \$150,000/Federal and requiring a local match of \$16,667 (total grant \$166,667)

WHEREAS, such allocation of funds will be approved in consideration of local funding available for the portion of Moore County Airport's local share of \$16,667 for each year's grant, which was appropriated by the Moore County Airport Authority at their December 8, 2015 meeting for FY14 local match. A portion of 2013 NPE funds in the amount of \$17,776 (\$16,001 federal; \$1,775 local) will be used on this project along with a portion of 2014 NPE funds in the amount of \$141,129 (\$127,014 federal; \$14,115 local). The local share of \$1,775 for the 2013 NPE match was originally matched by the Airport Authority and transferred to the County. This will be transferred back to the Airport to be used on this project. The balance of local share for the 2014 NPE to be used on future projects will be \$2,552 (\$16,667 less \$14,115).

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED THAT the Airport Authority Chairman, Representative of the Moore County Airport Authority, is hereby authorized and empowered to enter into a Grant Agreement and all associated documents and amendments for the following amounts, which will consist of the following work elements: Stormdrain Pipe Inspection & Rehabilitation Phase 1 in the amount of \$158,905.

FURTHER, the County Finance Officer is authorized to request payment under said Federal and/or State Grant, using the Letter of Credit Method, by executing the Request for Funds, Treasury Form 5805, or other forms required as approved by FAA; and

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

Adopted this the _____ day of February 2016.

Nick Picerno, Chairman
Moore County Board of Commissioners

Laura M. Williams, Clerk to the Board

Fiscal Year 2015/2016

Budget Line Item			Budgeted	Increase/	Revised
Number			Amount	(Decrease)	Budget
Remaining Airport local match transfers to Airport Enterprise Capital for the Stormdrain Pipe Inspection Rehabilitation Project					
Expense	45059555 55985	Project #36237.67.5.2	24,321	(20)	24,301
Expense	45059556 59964	Transfer to Capital Enterprise Capital	-	20	20
Expense	45059555 55986	2013 Vision	17,574	(1,755)	15,819
Expense	45059556 59964	Transfer to Capital Enterprise Capital	20	1,755	1,775

Approved this _____ day of _____, 2016

 Nicholas J. Picerno
 Moore County Board of Commissioners

 Laura Williams
 Clerk to the Board

Agenda Item: VIII. B.
Meeting Date: 2-16-2016

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

FROM: Stephen Greer (NC Cooperative Extension Service)

DATE: February 1, 2016

SUBJECT: Modification to Existing Memorandum of Understanding with Cooperative Extension

PRESENTER: Stephen Greer,
NC Cooperative Extension: County Extension Director-Moore County

REQUEST: Change to payroll percentage agreement for Moore County and NC State University.

BACKGROUND: Historically NCSU and Moore County have maintained a Memorandum of Understanding for the NC Cooperative Extension Service – Moore County Center.

FINANCIAL IMPACT: Savings to county budget.

IMPLEMENTATION PLAN: Addition of addendum to Moore County Memorandum of Understanding with NC State University to implement change in percentage of salary structure between the State of NC and Moore County.

RECOMMENDATION SUMMARY: Make a motion to approve the attached addendum to the Moore County Memorandum of Understanding with NC State University.

ATTACHMENTS:

Addendum

MOU



**Modification of Existing Memorandum of Understanding
Change to Payroll Agreement for Moore County**

The above named county wishes to change its payroll agreement with North Carolina Cooperative Extension, as initially approved on _____, to Lock-In by Percentage Provision (Option A.)

Option A. – Lock in by Percentage Provision

All EPA Employees _____% County _____% NCSU/NC A&T SU

All COSS Employees _____% County _____% NCSU/NC A&T SU

Any position added to this county's staff of Extension Personnel subsequent to the effective date of this modification will adhere to the above percentages.

OR

XX Change from Lock-In by Percentage Provision (Option A.) to Lock-In by Position Provision (Option B.)

The above named county wishes to change its payroll agreement with North Carolina Cooperative Extension, as initially approved on November 1, 2006, to Option B. as outlined below.

Option B. – Lock-In by Position Provision (List each position title and its associated salary percentages.)

Position Title	Salary Percentage County	Salary Percentage NCSU/NC A&T SU
County Extension Director	50%	50%
COSS Administrative Assistant	50%	50%
4-H Agent	50%	50%
Family & Consumer Science Agent	33%	34%
Ag. Add-On Agent	50%	50%

Any position added to this county's staff of Extension Personnel through mutual agreement between the County and NCSU/NC A&T SU subsequent to the effective date of this modification will have its funding splits documented in correspondence between this County and NCSU/NC A&T SU, and will become part of this Agreement.

Signatures of the persons below authorize execution of this document, effective _____ (date), and continuing year-to-year, unless otherwise terminated in writing by either party under notification to the other party no less than one-hundred twenty (120) days prior to the desired termination date.

Chairperson or Designee – Board of County Commissioners

Signature: _____

Date: _____

Director, North Carolina Cooperative Extension Service, NC State University or Designee

Signature: _____

Date: _____

Moore

County Center Extension's
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MEMORANDUM OF UNDERSTANDING

Between
The Board of County Commissioners
and
The North Carolina Cooperative Extension Service
North Carolina State University
and
The North Carolina Cooperative Extension Program
North Carolina A&T State University

NC STATE UNIVERSITY



TREAT AS ORIGINAL

PREAMBLE

The North Carolina Cooperative Extension Service (NCCES) was established as a part of the College of Agriculture and Life Sciences of North Carolina State University (NCSU) by federal and state legislation for the specific purpose of "extending" the educational services of the University to the people of the state on subjects related to agriculture and natural resources, family and consumer sciences, 4-H and youth development, and community and rural development. The laws creating the Cooperative Extension Service were specifically designed to assure that the findings of research in these areas are communicated to the people of the state.

Under the Federal Appropriations Act of 1972, funds were provided to the 1862 land-grant universities (NCSU) to enhance the extension outreach of the 1890 universities, which included North Carolina A&T State University (NCA&T). The Food and Agriculture Act of 1977 further stipulated that these funds be appropriated directly to the 1890 institutions, and formalized the North Carolina Cooperative Extension Program (NCCEP) as an official part of the School of Agriculture and Environmental Sciences at NCA&T.

While representing two separate Universities, the North Carolina Cooperative Extension Service (NCSU) and the North Carolina Cooperative Extension Program (NCA&T) work together to better serve the people of the State through the delivery of locally relevant programs, education and expertise.

Legislation further provided for a cooperative relationship among three levels of government—federal, state, and county—to ensure that the needs of all three levels are addressed.

The primary purpose of North Carolina Cooperative Extension is to provide the people of North Carolina with the most current and relevant unbiased research-based information—particularly that which is related to strengthening the economy through profitable, sustainable and safe food, forest and green industry systems; to protecting the environment and natural resources; and to empowering youth and families to lead healthier lives and become community leaders. This is accomplished by Cooperative Extension employees who are charged with carrying out the extension education programs of the university and the U.S. Department of Agriculture.

Cooperative Extension has sufficient flexibility to permit attention to the special problems, needs and interests of the citizens and leadership in each county. Therefore, the programmatic, personnel and funding complement reflects the unique needs of each county. County Advisory Councils are consulted on a regular basis to assist in prioritizing the county educational program content. Program clientele or recipients of services include individuals, families, communities, municipalities, agricultural and seafood processing and marketing firms, other businesses and certain organizations. This includes work with adults and youth in both urban and rural settings.

To assure that educational programs offered by Cooperative Extension meet the needs of local clientele, it is important that both elected and appointed decision makers at each level of government understand their respective responsibilities and relationships in the conduct and funding of this work. To this end, the following portions of this Memorandum of Understanding will detail the individual relationships and mutually agreed upon responsibilities of NCSU, NCA&T and each county that signs this agreement.

Part I.
**The North Carolina Cooperative Extension Service and
the North Carolina Cooperative Extension Program will:**

1. Establish minimum requirements and qualifications for employment in Extension work.
2. Receive and examine applications for employment.
3. Interview and screen applicants to determine their qualifications and availability.
4. Consult with the Board of County Commissioners, or the County Manager as designee, regarding qualified applicants for appointment to vacant or new Extension positions.
5. Consult with the Board of County Commissioners, or the County Manager as designee, regarding the salaries of all Extension employees, including County Extension Directors, Extension Agents, Extension Paraprofessionals, Extension Secretaries, and any other Cooperative Extension-based positions.
6. Determine jointly with the County Board of Commissioners, or the County Manager as designee, the share of salaries to be paid by each and provide the University share of these salaries.
7. Prepare and submit an annual budget to the Board of County Commissioners, or the County Manager as designee, for securing the county's share of funds for salaries and operating expenses each fiscal year.
8. Provide funds for official travel necessary to conduct Extension work to the extent that funds are available and for purposes authorized by state and federal policies.
9. Provide Extension employees with funds for postage, bulletins, leaflets and other publications for delivering Extension programming and conducting regular business.
10. Accept responsibility and provide the leadership for administration and supervision for Extension programs and personnel, including compliance with affirmative action and equal employment opportunity requirements.
11. Develop and administer a personnel management plan that will provide the annual review of each worker's performance, counseling for job improvement where needed, and periodic county program reviews.
12. Provide a staff of specialists to train agents in current technology and other changes affecting agriculture and natural resources, family and consumer sciences, 4-H and youth, and community and rural development and to assist them in conducting work in these areas.
13. Provide Extension workers with training programs as needed to maintain effective program delivery.
14. Seek regular input from the County and maintain a County Advisory Leadership System to ensure that county Extension programs are based on the particular needs of people in their respective county.

15. Prepare and submit a "Report to the People" to the Board of Commissioners, or the County Manager as designee, at least annually, informing the Board or Manager of Extension programs and work accomplished.

Part II.
The Board of County Commissioners will:

1. Provide the County's share of salaries and benefits for Extension personnel.
2. Comply with the State of North Carolina's Worker's Compensation Act, N.C. General Statute § 97-2(2).
3. Provide offices, equipment, utilities, telephones, office supplies, instructional materials and other items needed for efficient operation of the County Extension Center and program; and comply with the accessibility provisions of the Americans with Disabilities Act.
4. Review and consider the annual budget request from NCCES/NCCEP, and take appropriate action by July 1 of each fiscal year.
5. Provide regular input to the District and County Extension Directors on the particular needs of people in their respective county to help ensure that county Extension programs are based on specific needs and meet county programming plans.

Part III.
The North Carolina Cooperative Extension Service, the North Carolina Cooperative Extension Program, and the Board of County Commissioners mutually agree:

1. That all county Extension employment appointments and separations will be made in consultation between NCCES, NCCEP, or both (based on funding of the position), and the Board of County Commissioners, or the County Manager as designee, and that no official action related to such appointments or separations will be taken by either party regarding appointment or separation prior to discussion of the matter with the other party.
2. That the Board of County Commissioners and NCCES/NCCEP shall each be responsible for compliance with applicable laws and regulations relating to their respective operations.
3. To cooperate in applying affirmative action and equal employment opportunity plans of NCCES/NCCEP.
4. That the policies established by the State of North Carolina under N.C. General Statute §126 and followed by the UNC System be used in granting and administration of leave related to the earning rates, transfer policies, payout computation and timing, and administration of vacation, sick, civil, community involvement, military, Family and Medical Leave, Family Illness Leave, leaves of absence, and other approved leave programs for Cooperative Extension personnel. Educational leaves of absence for EPA employees provided under University policy will be reviewed in consultation with the County.

5. That Extension employees will follow county policies relative to office hours, office closings for inclement weather and holidays, and for the management and use of county property.
6. That Extension employees will not be classified under a county classification system.

7. Send-in Provisions of the Cooperative Arrangement

7.1. Transitioning to Send-In

- 7.1.1. All new hires to Cooperative Extension beginning January 1, 2007, and thereafter, will be covered under the "send-in" payroll arrangement provisions as outlined below.
- 7.1.2. All current Extension employees in non-send-in payroll arrangements as of October 1, 2006, will have two open-window options in which to convert from "non-send-in" (also known as "regular") to "send-in" per their respective individual choices. There will be two annual conversion windows in which the employees will make their choice. These two annual windows will coincide with the annual NC Flex open-enrollment dates for 2006 and 2007 as published by NC Flex. Employees must communicate their desire to change to "send-in" by submitting an official request form available from the College of Life Sciences Personnel Office at NCSU or NCCEP Administrative office. The change will be effective January 1 of the year following the communication of their choice, either 2007 or 2008. The employee must utilize the NC Flex open-enrollment period to change any applicable benefits except for retirement contributions and health insurance. Outside of these two specific open-enrollment periods, current employees will (1) remain in their respective county's payroll arrangement for the remainder of their employment in their respective county, or (2) change to "send-in" under the provisions outlined in 7.1.3. or 7.1.4. below.
- 7.1.3. Effective January 1, 2007, and thereafter, all current Extension employees transferring between counties into other Extension positions will be converted to "send-in" upon transfer to the new County.
- 7.1.4. NCCES/NCCEP will review the total population of non-send-in employees across the state annually each March 1. At such time that the total number of Extension employees across the State falls to or below 50, irrespective of the individual count in any one county, all remaining non-send-in employees will be converted to "send-in" effective January 1 of the next year. NCCES/NCCEP will notify in writing the respective Boards and County Managers by May 1, so that arrangements can be considered in time for the changing fiscal years beginning July 1.

7.2. Establishing Accounts to Operationalize the Send-In Process

To operationalize the "send-in" payroll arrangement, NCCES/NCCEP will establish a Trust Fund Account for the County at NCSU/NCA&T that will serve as the vehicle for the transfer of funds from the County to NCSU/NCA&T for use in paying the county's agreed-upon share of salary and benefits for Extension personnel.

7.2.1. Procedure for Providing Funds to the Account

A State Treasurer's Electronic Payment System (STEPS) form will be completed and the original submitted to the Associate Director of Cooperative Extension via the appropriate District Extension Director. The County Finance Officer,

or the designated County representative, will receive notification from the NCSU College of Agriculture and Life Sciences Personnel Office or the NCA&T Personnel Office prior to the University's payroll date, generally the last working day of each month, advising the amount due for the current payroll. Within 5 business days following the payday, the respective University will draft against the County's established trust account in the amount communicated.

7.2.2. Administration of the Account

The trust account will be maintained in accordance with the respective NCSU or NCA&T accounting policies and procedures. The trust account will be audited and reconciled by the NCSU College of Agriculture and Life Sciences Business Office or the NCA&T College of Agriculture and Environmental Sciences Business Office, respectively, to ensure the month-end account balance remains zero.

7.3. Employee Benefits

7.3.1. Retirement Benefits

All "send-in" Extension Personnel will participate solely in either the North Carolina Teachers and State Employees Retirement System and accompanying North Carolina Disability Income Plan, or the Optional Retirement Plan, based on eligibility criteria established by the State. They will be eligible solely for respective NCSU or NCA&T employee benefits for which they qualify based on their appointment and FTE, and former federal appointees will maintain federal benefits, the employer-paid parts of which will be paid for solely by NCSU or NCA&T.

7.3.2. Taxes and Fringe Benefits

The County will be responsible for providing their proportional share of fringe benefits for all send-in Extension personnel, including but not limited to the following:

7.3.2(a) Employer contributions to all applicable Federal and State taxes.

7.3.2(b) Employer contribution to the State Retirement System per N.C. General Statute §135, or to the Optional Retirement Plan per N.C. General Statute §135-5.1.

7.3.2(c) Employer contribution to the Health Insurance matching charges per N.C. General Statute §135.

7.3.3. Workers' Compensation will be administered pursuant to N.C. General Statute §97-2(2).

7.3.3(a) The County will provide full and direct coverage for those employees subject to the County workers' compensation insurance within the county insurance program. Employees for whom the County will maintain workers' compensation coverage are the following:

7.3.3(a)(1) All secretarial and any other positions designated as SPA (subject to the State Personnel Act); and

7.3.3(a)(2) All Program Assistants/Associates who are not funded

by directly allocated federal funds such as EFNEP, or Program Assistants/Associates who are paid in part by EFNEP funds but which account for less than 50% funding.

7.3.3(b) NCSU/NCA&T will provide full and direct coverage for their respective Extension employees subject to the respective University's workers' compensation insurance within the respective University's insurance program. Extension employees for whom the respective University will maintain workers' compensation coverage are the following:

7.3.3(b)(1) All County Extension Directors and Extension Agents.

7.3.3(b)(2) All Program Assistants or Associates who are funded by directly allocated federal funds such as EFNEP, or Programs Assistants or Associates who are paid in part by EFNEP funds at equal to or more than 50% funding.

7.3.4. NCSU/NCA&T will process severance pay under reductions-in-force (RIFs) as approved under Office of State Personnel guidelines for County-based employees subject to the State Personnel Act (SPA) and unemployment compensation as mandated by the State.

7.3.5. The County will pay its proportional share of annual/vacation leave, up to a maximum of 240 hours per the OSP and/or UNC System guidelines, and any bonus leave balance as explicitly approved per each county per year granted, upon an employee's separation.

7.3.6. The County will pay its proportional share of state longevity for SPA employees upon an employee's service anniversary date.

7.3.7. The County will pay its proportional share of any accrued "extra" time (hour-for-hour) or overtime (1.5 hour-for-hour) to Extension employees that are subject to Fair Labor Standards Act or North Carolina Wage and Hour Act upon an employee's earning anniversary date or as due to the employee at the time of separation.

7.4 Optional County-paid Salary Increases or Bonuses to Extension Personnel

At their discretion, Counties may award additional permanent salary increases or one-time pay awards to Extension Personnel. If this is so desired by the County under the "send-in" payroll arrangement, this action must be communicated to the appropriate District Extension Director's office no later than the first of any month in which the desired increase or bonus is to be applied.

8. Optional Lock-in Provision

This section, if enacted by separate signature of the County, effects an optional “lock-in” agreement between the County and NCSU/NCA&T for Extension personnel. The “lock-in” provision establishes constants to be maintained over the course of the agreement for cost-share percentages.

8.1 Salary Adjustments for SPA Employees under the Lock-in Provision

County and NCSU/NCA&T will fund salary adjustments and increases so that the funding percentages agreed upon in the lock-in section below are maintained. The full compensation plan for state employees as approved by the General Assembly will serve as the basis for compensation adjustments and both the County and NCSU/NCA&T will adhere to the lock-in plan’s effective dates and implementation instructions. Extension personnel receiving salary from grant funds will be governed by the terms and conditions of the applicable grant within the scope and applicability of NCSU/NCA&T personnel policies governing grants. These compensation components include, but are not limited to:

- 8.1.1. Across-the-board adjustments,
- 8.1.2. Cost-of-living adjustments (COLA),
- 8.1.3. Merit adjustments,
- 8.1.4. Bonuses (in any form conveyed), and
- 8.1.5. Promotion, classification, market, or equity adjustments.

8.2. Salary Adjustments for EPA Employees under the Lock-In Provision

County and NCSU/NCA&T will fund salary adjustments and increases so that the funding percentages agreed upon in the lock-in section below are maintained. The full compensation plan for University employees as approved by the General Assembly and implemented by the Office of the President, University of North Carolina System, will serve as the basis for all compensation adjustments and both the County and NCSU/NCA&T will adhere to the plan’s effective dates and implementation instructions. Extension personnel receiving salary from grant funds will be governed by the terms and conditions of the applicable grant within the scope and applicability of NCSU/NCA&T personnel policies governing grants. These compensation components include, but are not limited to:

- 8.2.1. Across-the-board adjustments,
- 8.2.2. Cost-of-living adjustments (COLA),
- 8.2.3. Merit adjustments,
- 8.2.4. Bonuses (in any form conveyed), and
- 8.2.5. Promotion, classification, market, or equity adjustments.

8.3. Enacting the Lock-in Provision

By signing at this section separately, the County and NCSU/NCA&T shall adhere to the following provisions, guidelines, and procedures.

Salary and Benefits

Salaries and benefits, as delineated above in 7.3, may be split on the basis of either (Option A) type of employee (EPA and/or SPA), or (Option B) individual position.

The County and NCSU/NCA&T agree on the following proportional salary and benefits funding percentages, applicable throughout the duration of this Memorandum of Understanding:

8.3. Option A.

All EPA employees 48 % County 52 % NCSU/NCA&T

All SPA employees 57.67 % County 42.33 % NCSU/NCA&T

* any position added to this county's staff of Extension Personnel subsequent to the effective date of this Agreement will adhere to the above percentages.

	<u>David J. Cummings</u>	<u>Chairman</u>	<u>10/16/06</u>
Board Chair or County Manager Signature	Printed Name	Title	Date

Signature for Option A Lock-in Provision ONLY

OR

8.3. Option B. Each position shared per the list of detailed percentages below:

_____	_____ % County	_____ % NCSU/NCA&T
_____	_____ % County	_____ % NCSU/NCA&T
_____	_____ % County	_____ % NCSU/NCA&T
_____	_____ % County	_____ % NCSU/NCA&T
_____	_____ % County	_____ % NCSU/NCA&T
_____	_____ % County	_____ % NCSU/NCA&T
_____	_____ % County	_____ % NCSU/NCA&T
_____	_____ % County	_____ % NCSU/NCA&T
_____	_____ % County	_____ % NCSU/NCA&T
_____	_____ % County	_____ % NCSU/NCA&T
_____	_____ % County	_____ % NCSU/NCA&T
_____	_____ % County	_____ % NCSU/NCA&T
_____	_____ % County	_____ % NCSU/NCA&T
_____	_____ % County	_____ % NCSU/NCA&T
_____	_____ % County	_____ % NCSU/NCA&T

* any position added to this county's staff of Extension Personnel through mutual agreement between the County and NCSU/NCA&T subsequent to the effective date of this Agreement will document the funding splits in correspondence between this County and NCSU/NCA&T, and will become a part of this Agreement.

Board Chair or County Manager Signature	Printed Name	Title	Date
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Signature for Option B Lock-in Provision ONLY

9. A semi-annual meeting will be convened to maintain communication of ideas, developments, concerns and changes within the scope of the Counties and Cooperative Extension relationship. Members of the committee will include representatives of the North Carolina Association of County Commissioners (NCAAC), representatives from County Governments as recommended by the NCAAC, and administrators and designees of Cooperative Extension.

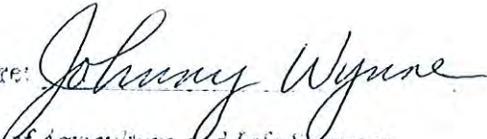
We are in agreement with the above description of the responsibilities and relationships, and that this Memorandum of Understanding may be reviewed at any time. Each party is responsible for all actions for which they have sole responsibility or for which they take unilateral action.

Signatures of the persons below authorize execution of this document, commencing on 1-1-07 (date), and continuing year-to-year, unless otherwise terminated in writing by either party under notification to the other party no less than one-hundred twenty (120) days prior to the desired termination date. Termination of this agreement shall have the effect of withdrawal of Cooperative Extension activities and programs in the County.

Signature:  _____ Date: October 16, 2006
Chairperson or Designee
Board of County Commissioners
Moore County

Signature:  _____ Date: 11-01-06
Director
North Carolina Cooperative Extension Service
North Carolina State University

Signature: _____ Date: _____
Administrator
North Carolina Cooperative Extension Program
North Carolina A&T State University

Signature:  _____ Date: 11-1-08
Dean
College of Agriculture and Life Sciences
North Carolina State University

Distributed in furtherance of the Acts of Congress of May 8 and June 30, 1914. North Carolina State University and North Carolina A&T State University commit themselves to positive action to secure equal opportunity regardless of race, color, creed, national origin, religion, sex, age, or disability. In addition, the two Universities welcome all persons without regard to sexual orientation. North Carolina State University, North Carolina A&T State University, U.S. Department of Agriculture, and local governments cooperating.

TREAT AS ORIGINAL

Agenda Item: VIII. C.
Meeting Date: 16 Feb 2016

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: D. Bryan Phillips
DATE: 4 Feb 2016
SUBJECT: Fire Prevention Code Enforcement Agreement
PRESENTER: D. Bryan Phillips

REQUEST:

Approve the Fire Prevention Code Enforcement Agreement between the Town of Pinebluff and County of Moore County Government.

BACKGROUND:

The Town of Pinebluff is required to provide Fire Prevention Code Enforcement pursuant to NCGS 160A-411 and Section 106 of the North Carolina Fire Prevention Code. The county currently provides this service for the following municipalities: Robbins, Carthage, Cameron, Vass, Taylortown, Village of Whispering Pines, and Village of Foxfire.

IMPLEMENTATION PLAN:

Execute the Fire Prevention Code Enforcement Agreement
Meet with Pinebluff Fire Chief to discuss code enforcement schedule and list of business

FINANCIAL IMPACT STATEMENT:

None

RECOMMENDATION SUMMARY:

Make a motion to...approve the Fire Prevention Code Enforcement Agreement between the Town of Pinebluff and County of Moore and authorize the Chairman to execute all necessary documents.

SUPPORTING ATTACHMENTS:

Signed Fire Prevention Code Enforcement Agreement

STATE OF NORTH CAROLINA

COUNTY OF MOORE

FIRE PREVENTION CODE ENFORCEMENT AGREEMENT

THIS FIRE PREVENTION CODE ENFORCEMENT AGREEMENT (this "Agreement") is made and entered into the 5th day of January, 2016, by and between the County of Moore, a political subdivision of the State of North Carolina (the "County"), and the Town of Pinebluff, a municipal corporation in the State of North Carolina (the "Town").

WITNESSETH:

WHEREAS, the Town is required to provide Fire Prevention Code enforcement pursuant to NCGS 160A-411 and Section 106 of the North Carolina Fire Prevention Code; and

WHEREAS, the County agrees to provide the Town with the required Fire Prevention Code inspection services.

NOW, THEREFORE, in consideration of the mutual benefits to the parties hereto, and the consideration stated therein, the parties do hereby covenant and agree as follows:

1. The County agrees to provide the Town with Fire Prevention Code enforcement inspections and services on all property required to have inspections by the North Carolina Fire Prevention Code within the Town's limits and extra-territorial jurisdiction.
2. The Town agrees that the County, by and through the Moore County Fire Marshal's Office, shall have the exclusive right to perform Fire Prevention Code enforcement services. The Town further agrees to cooperate with the Moore County Fire Marshal's office in providing these services.
3. The Town agrees that the County will have the authority and may exercise the same inspection and enforcement powers within the Town's regulatory and extraterritorial jurisdiction as are applicable within the County's jurisdiction.
4. The Town agrees that the County shall charge an inspection fee to private businesses for fire inspections conducted on the business's premises. The County agrees that the same inspection fee will be charged for businesses within the Town's jurisdiction as is charged for businesses within the County's jurisdiction. Additionally, fees will be charged for the installation and removal of flammable liquid and combustible liquid storage tanks, fireworks permits, and plan review for new construction. Other types of inspection fees may be added as they are determined and are mutually agreed upon in writing by both parties.

5. All fees assessed by the County under this Agreement shall be in accordance with the then current Fee Schedule as established and amended by the Moore County Board of Commissioners.
6. All Fire Code procedures, policies and fees applicable within the County's jurisdiction, including County Fire Prevention Code inspection, re-inspection, permits, and penalty fees will apply within the municipality's jurisdiction.
7. To the fullest extent permitted by law, the Town will indemnify and hold harmless the County, its officials, agents, and employees from and against all claims, damages, losses, and expenses, direct, indirect, or consequential (including but not limited to fees and charges of engineers or architects, attorneys, and other professionals and costs related to court action or arbitration) arising out of or resulting from the Town's enforcement inspections and services related to the North Carolina Fire Prevention Code prior to entering into this Agreement. This indemnification will survive the termination of this Contract.
8. This Agreement may be terminated by either party upon written notice to the other party no less than 120 days prior to the end of the then current term.
9. The term of this Agreement shall be from January 5, 2016, through June 30, 2016. This Agreement will be automatically renewed for additional one year periods, based on the County's fiscal year (July 1 - June 30), starting July 1, 2016, not to exceed a total of five renewals.

IN WITNESS WHEREOF, the County has caused this Agreement to be signed by the Chairman of its Board of Commissioners, attested to by its Clerk, and sealed with its common corporate seal, and the Town has caused this Agreement to be signed by its Mayor, attested to by its Clerk, and sealed with its corporate seal, as of the day and year first written above.

[Signatures on the following page.]

COUNTY OF MOORE

(SEAL)

_____, Chairman
Moore County Board of Commissioners

ATTEST:

Laura M. Williams
Clerk to the Board

TOWN OF PINEBLUFF

(SEAL)

By: Earlene L McLamb
Title: Mayor

ATTEST:

By: Betty O. McDuffie
Title: Town Clerk

Agenda Item: VIII. D.
Meeting Date: 2/16/2016

MEMORANDUM TO THE MOORE COUNTY BOARD OF COMMISSIONERS:

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

DATE: February 16, 2016

SUBJECT: North Carolina Department of Public Instruction 2015-2016 Facilities Needs Survey

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

REQUEST:

Approve the North Carolina Department of Public Instruction 2015-2016 Facilities Needs Survey for submission to the State.

BACKGROUND:

At the February 8, 2016 Board of Education Business Session, Moore County Schools (MCS) staff presented to the BOE a report on the facility needs for all school structures. North Carolina General Statute 115C-521 Erection of School Buildings requires that local boards of education submit their long-range plans for meeting school facility needs to the State Board of Education by January 1, 1988, and every five years thereafter. The 1995 General Assembly of North Carolina authorized the development of the School Capital Construction Study Commission and charged the Commission to conduct a comprehensive study of public school facility needs in North Carolina. Needs documented in that study helped justify the \$1.8 billion state bond issue that was passed in 1996. It also changed the five-year cycle of the study to be on years ending with a '0' and '5'.

The Department of Public Instruction's School Support Division, through its School Planning Section, facilitates the statewide study and tabulates the results for the survey. Consultative services and technical support are provided in assisting all 115 school systems to identify current and projected facility needs. ADM numbers and enrollment projects are provided by The Information Analysis and Support Section, and Financial Business Services Division of DPI.

A computer program for evaluating and reporting needs is provided to each LEA. The program contains a current list of schools, final ADM for each school and DPI's membership projections. Typical construction unit costs and building area standards from N.C. Public Schools Facility Guidelines are built into the program. In addition, the program does most of the math as data is entered. A certification of the study is to be presented to both the Board of Education and the County Commissioners, then it is submitted to DPI.

In compliance with the NC General Statute, staff is presenting the report to the Board of Commissioners for signature then submission to NCDPI. The Board is not committing to the funding of any of the facility needs identified in the report. The report is to provide the General Assembly with information on the condition of school facilities in the state.

FINANCIAL IMPACT:

No impact to local funds, this is a report to NCDPI to comply with the noted NC General Statute.

IMPLEMENTATION PLAN:

N/A

RECOMMENDATION SUMMARY:

Absent any questions or concerns from members of the Board of Commissioners, it is recommended that the Board certify the report for submission to NCDPI.

ATTACHMENTS:

2015-16 DPI Facility Needs Survey Certification

Cost Summary (5 Year)

Cost Summary (10 Year)

Capacity Summary (5 Year)

Capacity Summary (10 Year)



Administrative Unit: Moore County Schools (Unit 630)

I. Certification of Board of Education

The Moore County Schools Board of Education hereby submits its Facility Needs Survey dated 01/19/2016 listing all improvements and additional facilities needed to accommodate projected enrollments through the 2020-21 school year and improvements to existing facilities to provide safe, comfortable environments that support the educational programs.

We do hereby certify that the needs identified herein are a true representation of our situation. Alternatives were considered and this plan provides the best balance between cost and benefit to our students. We understand that costs have been standardized to statewide averages to provide uniform comparisons.

Signed:

_____, Chairman _____ Date

_____, Secretary, Ex-officio _____ Date

2. Certification of Board of County Commissioners

The Moore County Board of Commissioners has received and reviewed a copy of this survey prior to submission to the State Board of Education. This does not necessarily constitute endorsement of or commitment to fund the Facility Needs Survey.

_____, Chairman _____ Date

_____, County Manager or Clerk _____ Date



Moore County Schools Cost Summary (0 to 5 years)

Unit: 630		Priority	New School	Additions	Renovations	Furn/Eqpt	Land	Total
101	Advanced Career Center	1	28,347,349	0	0	4,145,433	520,590	\$33,013,372
102	New Area I Elementary Sc	2	26,429,595	0	0	2,346,197	430,590	\$29,206,382
103	New Aberdeen Elementar	2	25,539,287	0	0	2,145,612	246,000	\$27,930,899
104	New Southern Pines Elem	2	26,053,783	0	0	2,165,345	1,070,600	\$29,289,728
105	New Pinehurst Elementar	2	24,263,231	0	0	2,145,299	53,004	\$26,461,534
304	Aberdeen Primary	1	0	0	201,780	0	0	\$201,780
308	Aberdeen Elementary	1	0	0	218,951	0	0	\$218,951
312	Cameron Elementary	2	0	0	92,354	0	0	\$92,354
316	Carthage Elementary	1	0	0	467,405	0	0	\$467,405
317	Crain's Creek Middle	1	0	0	34,201	0	0	\$34,201
320	Elise Middle	2	0	0	416,150	0	0	\$416,150
324	Sandhills Farm Life Eleme	2	0	0	101,688	0	0	\$101,688
328	Highfalls Elementary	2	0	0	841,320	0	0	\$841,320
330	The Community Learning	1	0	0	640,264	0	0	\$640,264
331	New Century Middle	2	0	0	176,702	0	0	\$176,702
332	North Moore High	2	0	0	663,567	0	0	\$663,567
336	Pinecrest High	2	0	0	440,042	0	0	\$440,042
342	Pinehurst Elementary	1	0	0	91,200	0	0	\$91,200
348	Robbins Elementary	2	0	0	91,259	0	0	\$91,259
350	Southern Middle	2	0	0	102,600	0	0	\$102,600
352	Southern Pines Primary	1	0	0	241,675	0	0	\$241,675
356	Southern Pines Elementar	2	0	0	108,300	0	0	\$108,300
360	Union Pines High	2	0	0	593,958	0	0	\$593,958
364	Vass-Lakeview Elementar	2	0	0	28,500	0	0	\$28,500
368	West End Elementary	1	0	0	76,380	0	0	\$76,380
373	West Pine Elementary	1	0	0	31,920	0	0	\$31,920
374	West Pine Middle	2	0	0	75,240	0	0	\$75,240
376	Westmoore Elementary	1	0	0	693,120	0	0	\$693,120
Totals:			130,633,245	0	6,428,576	12,947,886	2,320,784	\$152,330,491



Moore County Schools Cost Summary (6 - 10 years)

Unit: 630		Priority	New School	Additions	Renovations	Furn/Eqpt	Land	Total
106	New Area III Middle Scho	3	34,560,887	0	0	2,536,431	1,270,620	\$38,367,938
316	Carthage Elementary	4	0	0	91,200	0	0	\$91,200
317	Crain's Creek Middle	3	0	0	85,500	0	0	\$85,500
324	Sandhills Farm Life Eleme	3	0	0	17,100	0	0	\$17,100
330	The Community Learning	3	0	0	136,800	0	0	\$136,800
332	North Moore High	3	0	8,987,570	2,130,090	1,098,000	0	\$12,215,660
336	Pinecrest High	3	0	29,439,713	4,473,930	3,429,000	0	\$37,342,643
360	Union Pines High	4	0	6,948,285	5,482,260	1,633,500	0	\$14,064,045
368	West End Elementary	3	0	0	75,240	0	0	\$75,240
373	West Pine Elementary	3	0	1,086,400	0	133,142	0	\$1,219,542
Totals:			34,560,887	46,461,968	12,492,120	8,830,073	1,270,620	\$103,615,668



Moore County Schools Capacity Summary & Plan (0 to 5 years)

UNIT: 630			ADM 2014/15	Current Capacity					Mobile	Teach Station	Needs	Planned Capacity (future)				
				Pre-K	K-5	Middle	High	K-12				Pre-K	K-5	Middle	High	K-12
630	101	Advanced Career Cent		0	0	0	0	0	0	0	New School	0	0	0	800	800
630	102	New Area I Elementary		0	800	0	0	800	0	0	New School	0	800	0	0	800
630	103	New Aberdeen Element		0	800	0	0	800	0	0	New School	0	800	0	0	800
630	104	New Southern Pines El		0	800	0	0	800	0	0	New School	0	800	0	0	800
630	105	New Pinehurst Element		0	0	0	0	0	0	0	New School (Replace	0	800	0	0	800
630	106	New Area III Middle Sch		0	0	0	0	0	0	0		0	0	0	0	0
630	304	Aberdeen Primary	345	0	404	0	0	404	2	0	Renovations	0	404	0	0	404
630	308	Aberdeen Elementary	320	0	440	0	0	440	0	0	Renovations	0	440	0	0	440
630	312	Cameron Elementary	264	0	306	0	0	306	0	0	Renovations	0	306	0	0	306
630	316	Carthage Elementary	386	0	474	0	0	474	0	0	Renovations	0	474	0	0	474
630	317	Crain's Creek Middle	411	0	0	478	0	478	0	0	Renovations	0	0	478	0	478
630	320	Elise Middle	217	0	0	322	0	322	1	0	Renovations	0	0	322	0	322
630	324	Sandhills Farm Life Ele	663	0	624	0	0	624	5	0	Renovations	0	624	0	0	624
630	328	Highfalls Elementary	296	0	588	0	0	588	3	0	Renovations	0	588	0	0	588
630	330	The Community Learnin	57	0	0	0	57	57	0	0	Renovations	0	0	0	57	57
630	331	New Century Middle	598	0	0	722	0	722	0	0	Renovations	0	0	722	0	722
630	332	North Moore High	598	0	0	0	696	696	10	0	Renovations	0	0	0	696	696
630	336	Pinecrest High	2,067	0	0	0	1,681	1,681	17	0	Renovations	0	0	0	1,681	1,681
630	342	Pinehurst Elementary	529	0	452	0	0	452	9	0	Renovations	0	452	0	0	452
630	348	Robbins Elementary	429	0	656	0	0	656	0	0	Renovations	0	656	0	0	656
630	350	Southern Middle	666	0	0	722	0	722	0	0	Renovations	0	0	722	0	722
630	352	Southern Pines Primary	437	0	606	0	0	606	2	0	Renovations	0	606	0	0	606
630	356	Southern Pines Elemen	402	0	592	0	0	592	9	0	Renovations	0	592	0	0	592
630	360	Union Pines High	1,259	0	0	0	1,070	1,070	18	0	Renovations	0	0	0	1,070	1,070
630	364	Vass-Lakeview Element	629	0	680	0	0	680	3	0	Renovations	0	680	0	0	680
630	368	West End Elementary	429	0	560	0	0	560	3	0	Renovations	0	560	0	0	560
630	373	West Pine Elementary	565	0	680	0	0	680	6	0	Renovations	0	680	0	0	680
630	374	West Pine Middle	825	0	0	722	0	722	6	0	Renovations	0	0	722	0	722
630	376	Westmoore Elementary	363	0	486	0	0	486	0	0	Renovations	0	486	0	0	486



2015-16 DPI Facility Needs Survey

Capacity Summary 0 to 5 Years

Totals:	12,755	0	9,948	2,966	3,504	16,418	94	0
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0	10,748	2,966	4,304	18,018
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	<u>K-5</u>	<u>Middle</u>	<u>High</u>	<u>K-12</u>
Current Capacity:	9,948	2,966	3,504	16,418
ADM 2014/15:	5,844	2,942	3,969	12,755
Difference:	4,104	24	(465)	3,663

	<u>K-5</u>	<u>Middle</u>	<u>High</u>	<u>K-12</u>
Total Capacity:	10,748	2,966	4,304	18,018
Proj Enrollment 2020/21:	5,985	2,960	4,070	13,015
Difference:	4,763	6	234	5,003



Moore County Schools Capacity Summary & Plan (6 to 10 years)

UNIT: 630			ADM 2014/15	Current Capacity					Mobile	Teach Station	Needs	Planned Capacity (future)				
				Pre-K	K-5	Middle	High	K-12				Pre-K	K-5	Middle	High	K-12
630	101	Advanced Career Cent		0	0	0	0	0	0	0		0	0	0	0	0
630	102	New Area I Elementary		0	800	0	0	800	0	0	None Needed	0	800	0	0	800
630	103	New Aberdeen Element		0	800	0	0	800	0	0	None Needed	0	800	0	0	800
630	104	New Southern Pines EI		0	800	0	0	800	0	0	None Needed	0	800	0	0	800
630	105	New Pinehurst Element		0	0	0	0	0	0	0		0	0	0	0	0
630	106	New Area III Middle Sch		0	0	0	0	0	0	0	New School	0	0	800	0	800
630	304	Aberdeen Primary	345	0	404	0	0	404	2	0	Close Facility	0	0	0	0	0
630	308	Aberdeen Elementary	320	0	440	0	0	440	0	0	Close Facility	0	0	0	0	0
630	312	Cameron Elementary	264	0	306	0	0	306	0	0	None Needed	0	306	0	0	306
630	316	Carthage Elementary	386	0	474	0	0	474	0	0	Renovations	0	474	0	0	474
630	317	Crain's Creek Middle	411	0	0	478	0	478	0	0	Renovations	0	0	478	0	478
630	320	Elise Middle	217	0	0	322	0	322	1	0	None Needed	0	0	322	0	322
630	324	Sandhills Farm Life Ele	663	0	624	0	0	624	5	0	Renovations	0	624	0	0	624
630	328	Highfalls Elementary	296	0	588	0	0	588	3	0	None Needed	0	588	0	0	588
630	330	The Community Learnin	57	0	0	0	57	57	0	0	Renovations	0	0	0	57	57
630	331	New Century Middle	598	0	0	722	0	722	0	0	None Needed	0	0	722	0	722
630	332	North Moore High	598	0	0	0	696	696	10	0	Addition/Renovation	0	0	0	696	696
630	336	Pinecrest High	2,067	0	0	0	1,681	1,681	17	0	Addition/Renovation	0	0	0	2,000	2,000
630	342	Pinehurst Elementary	529	0	452	0	0	452	9	0	Close Facility	0	0	0	0	0
630	348	Robbins Elementary	429	0	656	0	0	656	0	0	None Needed	0	656	0	0	656
630	350	Southern Middle	666	0	0	722	0	722	0	0	None Needed	0	0	722	0	722
630	352	Southern Pines Primary	437	0	606	0	0	606	2	0	Close Facility	0	0	0	0	0
630	356	Southern Pines Elemen	402	0	592	0	0	592	9	0	Close Facility	0	0	0	0	0
630	360	Union Pines High	1,259	0	0	0	1,070	1,070	18	0	Addition/Renovation	0	0	0	1,250	1,250
630	364	Vass-Lakeview Element	629	0	680	0	0	680	3	0	None Needed	0	680	0	0	680
630	368	West End Elementary	429	0	560	0	0	560	3	0	Renovations	0	560	0	0	560
630	373	West Pine Elementary	565	0	680	0	0	680	6	0	Addition	0	680	0	0	680
630	374	West Pine Middle	825	0	0	722	0	722	6	0	None Needed	0	0	800	0	800
630	376	Westmoore Elementary	363	0	486	0	0	486	0	0	None Needed	0	486	0	0	486



Totals:	12,755	0	9,948	2,966	3,504	16,418	94	0
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0	7,454	3,844	4,003	15,301
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	<u>K-5</u>	<u>Middle</u>	<u>High</u>	<u>K-12</u>
Current Capacity:	9,948	2,966	3,504	16,418
ADM 2014/15:	5,844	2,942	3,969	12,755
Difference:	4,104	24	(465)	3,663

	<u>K-5</u>	<u>Middle</u>	<u>High</u>	<u>K-12</u>
Total Capacity:	7,454	3,844	4,003	15,301
Proj Enrollment 2025/26:	5,642	3,042	4,194	12,878
Difference:	1,812	802	(191)	2,423

Agenda Item: VIII. E.
Meeting Date: 2/16/16

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Randy G. Gould, Public Works Director
DATE: February 4, 2016
SUBJECT: Town of Hoffman Sewer Agreement
PRESENTER: Randy Gould, PE

REQUEST:

1. Approve the agreement with the Town of Hoffman to provide wastewater treatment service and authorize the Chairman to sign.
2. Approve modifications to the fee schedule to allow for the billing of this service and authorize the Chairman to sign.

BACKGROUND:

The Town of Hoffman received funding for a Town wastewater collection system. Sewer service was offered to the Town of Hoffman by the Moore County Board of Commissioners in January 7, 2010 at double the current rate. The Moore County Attorney's Office has prepared an agreement between the two parties to provide this service. It is recommended by staff to honor the earlier commitment for the agreed terms. This will require the modification to the County's current Water Pollution Control Plant Fee Schedule as follows:

- ADD "Flow Rates for Hoffman- \$5.68 per 1,000 gal."
- DELETE "Septic Tank Haulers (Camp Mackall) - \$85/1000 gal \$0.850/gal over 1000"
- SUBSTITUTE "Septic Tank Haulers (Camp Mackall and Hoffman) - \$85/1000 gal \$0.850/gal over 1000"

The proposed fees are consistent with the Camp Mackall rate, the other Out-of-County customer; although the Camp Mackall rate adds a monthly fee since Moore County owns, operates and maintains that station. There is currently sufficient capacity in the Water Pollution Control Plant to provide this service, but since this Out-of-County location was not included in the Plant's service area, the proposed double rate is justified.

IMPLEMENTATION PLAN:

Approve agreement to offer wastewater treatment service to the Town of Hoffman.

FINANCIAL IMPACT STATEMENT:

Moore County wastewater treatment costs are impacted. Small amount of existing collection system is impacted.

RECOMMENDATION SUMMARY:

1. Make a motion to approve agreement with the Town of Hoffman and authorize the Chairman to sign.
2. Make a motion to approve the recommended modification to the fee schedule.

SUPPORTING ATTACHMENTS:

November 17, 2015 Letter to Randy Gould from Hoffman Mayor Tommy Hart

March 4, 2010 to Dennis Brobst from Hoffman Mayor Joann Thomas

June 7, 2010 Board Meeting Minutes

Proposed Fee Schedule

I:PublicWorks/Wastewater/Hoffman/AgendaItem020216

STATE OF NORTH CAROLINA

COUNTY OF MOORE

SEWAGE TREATMENT AND DISPOSAL SERVICE CONTRACT

This Contract for the treatment and disposal of sewage is entered into as of the ____ day of February, 2016, between the County of Moore, a political subdivision of the State of North Carolina (hereinafter referred to as the “County”), and the Town of Hoffman, a municipal corporation of the State of North Carolina, located in Richmond County (hereinafter referred to as the “Town”).

WITNESSETH:

WHEREAS, the Town will own and operate facilities for the collection of sewage within its corporate boundaries and adjacent thereto (the “Town’s System”), and requires additional facilities or access to additional facilities for the treatment and disposal of the collected sewage; and

WHEREAS, the County owns and operates facilities for the treatment and disposal of sewage (the “County’s System”); and

WHEREAS, the County’s System has sufficient capacity to accommodate, treat and handle sanitary sewage to be collected by the Town’s System; and

WHEREAS, the Town desires to enter into a contract with the County for the purposes of treating and disposing of the Town’s sanitary sewage.

NOW THEREFORE, BE IT RESOLVED that in consideration of the foregoing and the mutual agreement hereinafter set forth:

A. The Town of Hoffman agrees as follows:

1. The Town will pay for the design and installation of all sewage lines and equipment necessary to connect the Town’s System with the County’s System. The design and installation of the Town’s System must conform to the County’s standards and specifications. Further, the Town’s design and installation will incorporate the following:
 - a. The location identified by the County where Town’s System will connect to the County’s System; and
 - b. The location identified by the County for any sewage lines and equipment to be installed whose ownership must be transferred to the County after

installation, specifically, the sewage flow meter and the sewage lines between the sewage flow meter and the County's System; and

- c. Sewage received from the Town of Hoffman shall meet all the requirements of the Moore County Sewer Use Ordinance.
2. To pay to the County, not later than the 20th day of each month as long as the County furnishes the itemized statement of charges as stated in paragraph B.3 below, for the actual sewage treated and disposed of at the then-current applicable rate established by the Moore County Board of Commissioners. If the County furnishes an itemized statement later than the 10th day of the month, then the Town shall pay the County not later than ten (10) days after the Town receives the itemized statement from the County. As of the date of this Contract, the applicable Moore County Water Pollution Control Plant Flow Rate is \$5.68 per 1,000 gallons.
3. Further, septic haulers may deliver sewage from within the Town of Hoffman System to the County at the Water Pollution Control Plant. The rate for sewage brought to the County by septic tank haulers for treatment and disposal is established by the Moore County Board of Commissioners. As of the date of this Contract, the applicable Moore County Water Pollution Control Plant Septic Tank Haulers Rate is \$85.00 per 1,000 gallons. Septic Tank Haulers shall have valid State and Moore County permits and will be responsible for payment of the wastewater delivered to the County.

B. The County of Moore agrees as follows:

1. To treat and dispose of all sewage furnished by the Town and to conform to all applicable State and Federal laws and regulations; and
2. To furnish, install, operate, and maintain the necessary equipment and required devices of standard type for properly treating and disposing of collected sewage; and
3. To furnish the Town, not later than the 10th day of each month, an itemized statement of the services rendered during the preceding month and costs allocable thereto.

C. It is further mutually agreed between the Town and the County as follows:

1. This Contract shall begin on the date shown and will continue for twenty years thereafter and may be renewed or extended for such term or terms consistent with applicable laws and as may be agreed upon by the County and the Town; and
2. The Town shall be obligated to pay only for treatment and disposal services actually received, except as noted below in Section C(4); and

3. The Town's payments for services rendered pursuant hereto shall be made from revenues generated from the Town's sewage collection and treatment facilities and available for such purpose in the budget for the then current fiscal year; and
4. The County will, at all times, operate and maintain its facilities in an efficient manner and will take such action as may be necessary to ensure the Town continued treatment and disposal services. Temporary or partial failures of the County's facilities shall be remedied as soon as reasonably possible. In the event of an extended inability to furnish sewage treatment and disposal services, the services to the Town shall be reduced or diminished in the same proportion as the County's services to other consumers may be reduced or diminished; and
5. The provisions of this Contract pertaining to the schedule of rates to be paid by the Town for sewage treatment and disposal services are subject to modification at the end of every fiscal year at double the flow rates for in-County municipalities; and
6. This Contract is subject to such rules, regulations, or laws as may be applicable to similar agreements in the State of North Carolina, and the County and the Town will cooperate in obtaining such permits, certificates, or the like, as may be required to comply therewith; and
7. This Contract may be terminated by either party, without cause, upon twelve (12) months' prior written notice to the other party.

This Contract may be terminated for cause by the non-breaching party notifying the breaching party of a substantial failure to perform in accordance with the provisions of this Contract and the breaching party failing to correct the substantial failure within ninety (90) days of receipt of the notification.

8. All notices which may be required by this Contract or any rule of law will be effective when received by certified mail sent to the following addresses:

COUNTY OF MOORE: MOORE COUNTY PUBLIC WORKS
 ATTN: DIRECTOR
 P.O. BOX 1927
 CARTHAGE, NC 28327

TOWN OF HOFFMAN: MAYOR OF HOFFMAN
 P.O. BOX 145
 HOFFMAN, NC 28347

9. The validity of this Contract and any of its terms or provisions, as well as the rights and duties of the parties to this Contract, are governed by the laws of the State of North Carolina. All actions relating to this Contract in any way will be brought in the General Courts of Justice in the County of Moore and the State of North Carolina.

10. This Contract constitutes the entire understanding between the parties and supersedes all prior understandings and agreements, whether oral or written, relating to the subject matter hereof.

11. This Contract may only be amended by the written mutual agreement of the parties.

IN WITNESS WHEREOF, the County and the Town acting under authority of their respective governing bodies have caused this Contract to be duly executed.

COUNTY OF MOORE

Nick J. Picerno, Chairman
Moore County Board of Commissioners

ATTEST:

Laura M. Williams
Clerk to the Board

TOWN OF HOFFMAN

Tommy Hart, Mayor
Town of Hoffman

ATTEST:

Maggie Bethea
Town Clerk

PREAUDIT CERTIFICATE:

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Town of Hoffman Finance Officer

November 17, 2015

Mr. Randy Gould, P.E.
Public Works Director
5227 U.S. Highway 15/501
Carthage, North Carolina 28327-1927

RE: Proposed Wastewater Collection System
Town of Hoffman, North Carolina

Dear Mr. Gould:

First and foremost, I would like to thank you and Leonard McBryde for meeting with Mayor Pro-Tem Daniel Kelly and myself to continue discussions between the Town of Hoffman and Moore County regarding a new wastewater collection system in our Town. As we discussed, Hoffman's residents currently utilize privately-owned septic systems for wastewater disposal, many of which have experienced failures in recent years. Some of our residents have resorted to using portable toilet facilities (porta-johns) for wastewater service due to these failures.

Hoffman was recently fortunate to receive a \$3,000,000 Community Development Block Grant to begin the development of a public wastewater collection system in our Town. The first phase of our project will provide much-needed sewer service to the eastern extents of Town, and will allow numerous failing septic systems to be removed from operation. Hoffman faces many challenges that are common to other small Towns, in that we have very limited funds to contribute to this project. However, our Town Board has agreed to make a capital contribution of \$75,000 towards the project due to its importance to our citizens.

Our engineering consultant, McGill Associates is currently working with CDBG staff to obtain approval of an Engineering Report and an Environmental Report for the project. Once these items are approved, we will obtain a "Release of Funds" and can begin engineering design work. McGill's Engineering Report recommends that we pump the wastewater generated in our Phase 1 project area to Moore County's existing system in the Addor community.

Back in 2010, Hoffman Town leaders met with Moore County Public Works Director Dennis Brobst, and we provided a letter asking Moore County to accept and treat wastewater generated in our Town. On June 7, 2010, Mr. Brobst presented our request to Moore County's Board of Commissioners, who unanimously agreed to offer our Town service at the current double rate being charged to municipalities in Moore County. At this time, our estimated flows are anticipated to be less than 100,000 gallons per day.

Hoffman remains extremely grateful to Moore County for agreeing to accept and treat wastewater generated within our Town. Our Town leaders are also interested in providing the most affordable service to our residents in an effort to maximize the quantity of failing septic systems removed from operation. The Phase 1 project area contains a high percentage of Low to Moderate Income residents, and quite honestly, we are concerned that many of our residents will not be able to afford the double-rate previously noted by the County.

The Town of Hoffman is hereby respectfully requesting that Moore County consider offering the Town wastewater treatment service at a rate less than double the current municipal rate in Moore County. This decision is extremely important to our Town leaders and citizens, and we greatly appreciate your time and consideration of this matter.

If you should have any questions, related to this request, please do not hesitate to give me a call at 910-690-1602.

Sincerely,

Tommy Hart
Town of Hoffman Mayor

Cc: Daniel Kelly, Commissioner, Town of Hoffman
Maggie Bethea, Clerk, Town of Hoffman
Mike Apke, P.E., McGill Associates



TOWN OF HOFFMAN

PO BOX 40
HOFFMAN, NC 28347

Phone: (910) 281-3606
Fax: (910) 281-3362

March 4, 2010

Mr. Dennis Brobst, Director
Moore County Public Works
Post Office Box 1927
Carthage, North Carolina 28327

RE: Wastewater Collection System
Town of Hoffman, North Carolina

Dear Mr. Brobst:

The Town of Hoffman is in the process of seeking funding to develop a wastewater collection system to serve the residents and businesses located within our Town. Recently, our consulting engineer completed a Wastewater System Feasibility Analysis, which evaluated several alternatives to treat and dispose of the wastewater after it is collected.

Based on our Town's proximity to Moore County's existing wastewater treatment plant (WWTP) in Addor, the study recommended that the Town pursue an agreement with Moore County, and pump the wastewater along U.S. Highway 1 to the Addor community. The study also projected our 20-year wastewater flow rate to be approximately 108,000 gallons per day.

The schedule for implementing these improvements will depend on the funds that become available, but the Town is fully committed to developing a system as soon as it is economically feasible. The Town is hereby requesting confirmation that Moore County will accept wastewater generated from Hoffman at the Addor WWTP, and an anticipated rate to be charged to the Town for this treatment.

As always, if you have any questions, please do not hesitate to contact me or Commissioner Daniel Kelly. We appreciate your consideration of this request and look forward to speaking with you soon.

Sincerely,

Town of Hoffman

Joann Thomas, Mayor

with First Bank. Ms. Xiong thanked County Attorney Misty Leland for her thorough review of the documents. Commissioner Picerno commented regarding the 1.5% APR on \$1M or more, and asked how much of that money would be FDIC insured. Ms. Xiong stated that she believed it was \$250K and agreed to confirm that for the Board. Upon motion made by Commissioner Picerno, seconded by Commissioner Melton, the Board voted 5-0 to execute the First Bank and Bank of America agreements as presented.

Contract/Ritchie Construction

Dennis Brobst, Public Works Director, requested the Board's approval of a contract with Ritchie Construction in the amount of \$68,399.83 for the replacement of 35 fire hydrants in old town Pinehurst.

Commissioner Caddell briefly left the room and discussion with County Attorney Misty Leland followed regarding whether to recess until his return. The Board chose to move forward.

Mr. Brobst stated that the hydrants for replacement had been chosen in cooperation with the Village Assistant Fire Marshal. Upon motion made by Commissioner Melton, seconded by Commissioner Caddell, the Board voted 5-0 to approve the contract as presented.

Consideration of Town of Hoffman Request to Connect to County's WWTP

Dennis Brobst, Public Works Director, asked for the Board's direction on a response to the Town of Hoffman's inquiry regarding whether and under what terms they would be allowed to connect to the County's wastewater treatment plant. Mr. Brobst stated that those connecting from out of county were typically charged twice the rate, and that in-county municipalities feel they have a vested interest because of their contributions toward the payment for the infrastructure. Mr. McSwain stated that their connection would be impact the County system. Discussion followed regarding precedent and a recent contract with Camp McCall charging them the double rate.

Upon motion made by Commissioner Picerno, seconded by Commissioner Melton, the Board voted 5-0 to offer service to the Town of Hoffman at the current double rate.

Contract Amendment/McGill Associates

Dennis Brobst, Public Works Director, presented the Board with an amendment to an engineering services contract with McGill Associates for the Town of Vass sewer improvements. The schedule calls for the June 15 receipt of construction bids and the June 30 award of a construction contract. However, there are currently no funds to award and the County likely will not receive response from USDA regarding their funding application until August or September. This amendment would simply extend the contract until receipt of the letter of conditions from USDA.

Commissioner Morgan made a motion, seconded by Commissioner Picerno, to approve an amendment to the engineering services contract with McGill Associates for the Vass sewer improvements to delay receiving the construction bids and awarding a construction contract until receiving the Letter of Conditions from the funding agency. Commissioner Caddell confirmed that the extension requested from the Rural Center had been granted, and Mr. Brobst stated that it had verbally been confirmed and their Board would be meeting June 30. The motion carried 5-0.

Fee Schedule

Public Works (Water Pollution Control Plant)

Mission: The mission of the Water Pollution Control Plant division of Public Works is to protect the environment and Moore County citizens

Fee Schedule - Item	FY16/17 Fee Amount
Flow Rates for Municipalities	\$2.89/1000 gallons
Flow Rates for Camp Mackall	\$5.68 per 1000 gal plus a monthly fee of \$2,632.20
Flow Rates for Hoffman	\$5.68/1000 gallons
Septic Tank Haulers (Domestic)	\$42.50 per 1000 gal \$.0425/gal over 1000
Septic Tank Haulers (Camp Mackall and Hoffman)	\$85.00 per 1000 gal \$.0850/gal over 1000
Septic Tank Haulers (Industrial)	\$112.50 per 1000 gallons
Utility Right of Way Cleaning	\$60 per man hour
Clean Up Fee, Septic Hauler	\$50 per occurrence
Fats, Oil and Grease	
Annual inspection fee	\$50.00
Reporting or paperwork violation/failure to report or to correct incomplete or improper paperwork	\$25.00 per each 30-day period after the end of the month in which maintenance was to occur
Reporting or paperwork violation/failure to report within 210 days after the end of the month in which maintenance was to occur	\$1,000.00 per occurrence, which is in addition to the above item. 1) Failure to report or to correct incomplete or improper paperwork
Lab Sample Analyses	
Aluminum	\$25.00
Ammonia	\$22.00
Antimony	\$21.00
Arsenic	\$21.00
Barium	\$21.00
BOD	\$25.00
Cadmium	\$25.00
Chloride	\$24.00
Chromium	\$25.00
Cobalt	\$21.00
COD	\$30.00
Copper	\$25.00
Cyanide	\$46.00
Fecal Coliform	\$25.00
Iron	\$25.00
Lead	\$25.00
MBA's	\$45.00
Missed Sampling Event	\$30.00
Mercury (245.1)	\$30.00
Mercury 1631	\$325.00
Molybdenum	\$25.00
Nickel	\$25.00
Nitrate/Nitrite	\$30.00
Nitrogen	\$55.00
Oil & Grease	\$50.00
pH	\$8.00
Phosphorous	\$25.00
Selenium	\$21.00
Silver	\$25.00
Tin	\$21.00
TKN	\$25.00
TSS	\$15.00
Zinc	\$25.00
OCPSF	\$300.00

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Randy Gould, Public Works Director
DATE: February 16, 2016
SUBJECT: Water & Wastewater Capital Project Ordinance Revision 2
PRESENTER: Randy Gould, PE

REQUEST:

Approve revision 2 for the project ordinance for the County of Moore Public Works Department Capital Projects and authorize the Chairman to sign.

BACKGROUND:

The County had \$1,462,425 in a revenue account from the Lake Pinehurst lift stations ARRA funded project that was completed in 2012. The remaining funds were transferred to the Public Works Department budget in 2014. Public Works identified five projects to be completed using \$688,634 of the ARRA reimbursement. Projects and revised budget amounts are as follows:

	Current Budget	Increase (Decrease)	Revised Budget
Pump Station 3-3 Replacement	\$ 50,000	(\$41,744)	\$ 8,256
Pump Station MR-1 Elimination	\$227,000	(\$14,263)	\$212,737
Pump Station 3-1 Replacement	\$161,634	-	\$161,634
SCADA Improvements	\$ 50,000	\$56,007	\$106,007
Water and Sewer Line Extensions	\$200,000	-	\$200,000
TOTAL	\$688,634	-	\$688,634

Pump Station 3-3 (Gun Club) is a pneumatic station and has been successfully rehabilitated for less than the originally budgeted amount.

MR-1 (Midland Road) elimination project is complete for the amount shown.

Pump Station 3-1 (Gun Club) was built in the 1970s and is a pneumatic station that is at capacity and needs to be replaced. In house design is currently underway.

SCADA (Supervisory Controls and Data Acquisition) improvements are needed to provide a complete and workable system for our wells and water distribution systems.

Water and sewer line extensions will be used to fund various projects, as approved by the Board of Commissioners.

IMPLEMENTATION PLAN:

If approved, we will proceed with the above named projects.

FINANCIAL IMPACT STATEMENT:

Total project ordinance cost is \$688,634, funded by a portion of the ARRA reimbursement, which totaled \$1,462,425.

RECOMMENDATION SUMMARY:

Make a motion to approve revision 2 for the project ordinance for the County of Moore Public Works Department Capital Projects and authorize the Chairman to sign.

SUPPORTING ATTACHMENTS:

Project Ordinance Revision 2

**County of Moore
Public Works
Capital Project Ordinance
Revision 2**

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

Section 1. The projects authorized are the pump station 3-3 replacement, pump station MR-1 elimination, pump station 3-1 replacement, SCADA improvements and water and sewer line extensions.

Section 2. The officers of this unit are hereby directed to proceed with the project within the term of the budget contained herein.

Section 3. The following amounts are appropriated for the County of Moore Public Works Department Capital Projects:

	Current Budget	Increase (Decrease)	Revised Budget
Pump Station 3-3 Replacement	\$ 50,000	(\$41,744)	\$ 8,256
Pump Station MR-1 Elimination	\$227,000	(\$14,263)	\$212,737
Pump Station 3-1 Replacement	\$161,634	-	\$161,634
SCADA Improvements	\$ 50,000	\$56,007	\$106,007
Water and Sewer Line Extensions	\$200,000	-	\$200,000
TOTAL	\$688,634	-	\$688,634

Section 4. The following revenues are anticipated to be available to complete the County of Moore Public Works Department Capital Projects:

<i>Agency</i>	<i>Budget</i>
Moore County	\$688,634
Total	\$688,634

Section 5. The Finance Officer is hereby directed to maintain within the Project Fund sufficient specific detailed accounting records to satisfy the requirements of the funding agency, North Carolina General Statutes and federal regulations.

Section 6. The Finance Officer is directed to report the financial status of the project, as requested by the Board of Commissioners.

Section 7. Funds may be advanced from the General Fund for the purpose of making payments as due.

County of Moore
Public Works
Capital Project Ordinance
Revision 2

Section 8. This Capital Project Ordinance shall be entered in the minutes by the Clerk to the Board of Commissioners and within five days after adoption of this Ordinance, copies shall be filed with the finance officer, and Clerk to the Board of Commissioners.

Adopted this 16th day of February 2016.

Nick J. Picerno, Chairman
Moore County Board of Commissioners

Laura M. Williams
Clerk to the Board

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Randy Gould, Public Works Director

DATE: February 16, 2016

SUBJECT: CCU Contract for SCADA System for Water Distribution System

PRESENTER: Randy Gould, PE

REQUEST:

Approve the attached contract in the amount of \$60,825 with Custom Controls Unlimited, Inc. (CCU) for the Supervisory Controls and Data Acquisition (SCADA) system for the County's water distribution system and authorize the Chairman to sign.

BACKGROUND:

SCADA (Supervisory Controls and Data Acquisition) improvements are needed to provide a complete and workable system for our water distribution system. The existing radio system serves the East Moore Water District and the water which is transmitted to Seven Lakes from Harnett County and Pinehurst. The system includes control equipment at the elevated tank and booster pump station sites involved. This contract will add SCADA equipment at Pinehurst sites, i.e., Ground Storage and Cannon Park. Also flow and pressure monitoring will be added at the 211 Booster Pump Station. It will also add software which will allow the system to be controlled and monitored remotely from a computer. The software will be compatible with our future plans to add SCADA at the individual well sites, which currently use leased telephone lines for controls.

IMPLEMENTATION PLAN:

If approved, we will proceed with the above project to provide a complete water distribution control system.

FINANCIAL IMPACT STATEMENT:

Funds are appropriated from 61019056 55934. The Project Ordinance Revision as a separate agenda item.

RECOMMENDATION SUMMARY:

Make a motion to approve the attached Contract with Custom Controls, Unlimited, Inc. as a sole source and authorize the Chairman to sign.

SUPPORTING ATTACHMENTS:

Contract for Services with Custom Controls Unlimited, Inc.
Sole Source Form

COUNTY OF MOORE

This Contract is entered into the 19th day of February, 2016, between the County of Moore, a political subdivision of the State of North Carolina (the "County"), and Custom Controls Unlimited, Inc., an incorporation formed under the laws of the State of North Carolina (the "Contractor").

1. Services to be Provided and Agreed Charges

The Contractor agrees to provide services and materials (collectively referred to as "Services") contained in this Contract pursuant to the provisions and specifications identified in Attachment 1, which is incorporated by reference in this Contract. Pursuant to Section 3 of this Contract, the County agrees to pay for Services contained in Attachment 1.

2. Term of Contract

The term of this Contract is from February 19, 2016, through June 30, 2016.

This Contract is subject to the availability of funds to purchase the specified Services and may be terminated at any time during the term upon thirty (30) days notice if such funds become unavailable.

3. Payment to Contractor

During the term of this Contract the Contractor will receive from the County a sum not to exceed \$60,825.00 as full compensation for the provision of Services, as provided herein. The County agrees to pay at the rates specified for Services, satisfactorily performed or provided, in accordance with this Contract. Unless otherwise specified, the Contractor will submit an itemized invoice to the County by the end of the month during which Services are performed or provided. Payment will be processed promptly upon receipt and approval of the invoice by the County.

4. Independent Contractor

The County and Contractor agree that the Contractor is an independent contractor and will not represent itself as an agent or employee of the County for any purpose in the performance of the Contractor's duties under this Contract. Accordingly, the Contractor will be responsible for payment of all federal, state and local taxes as well as business license fees arising out of the Contractor's activities in accordance with this Contract. For purposes of this Contract taxes will include, but not be limited to, Federal and State Income, Social Security and Unemployment Insurance taxes.

The Contractor, as an independent contractor, will perform all services in a professional manner and in accordance with the standards of applicable professional organizations and licensing agencies.

5. Insurance

The Contractor will maintain Workers' Compensation Insurance for all of the Contractor's employees. The Workers' Compensation Insurance will be in the amounts prescribed by the laws of the State of North Carolina.

The Contractor will maintain, at its expense, the following minimum insurance coverage:

Bodily Injury	\$1,000,000.00 per occurrence
Property Damage	\$100,000.00 per occurrence
Bodily Injury/Property Damage	\$1,000,000.00 combined single limit per occurrence

Professional liability insurance will be required whenever the Contractor is required to be certified, licensed, or registered by a regulatory entity or where the Contractor's error in judgment, planning, design, or etc. could result in economic loss to the County. If professional liability insurance is required, the coverage must provide for no less than \$1,000,000.00 combined single limit per occurrence.

The Contractor agrees to furnish the County proof of compliance with the insurance coverage requirements of this Contract upon request. The Contractor, upon request by the County, will furnish a certificate of insurance from an insurance company, licensed to do business in the State of North Carolina and acceptable to the County, verifying the existence of the insurance coverage required by the County. The certificate will provide for sixty (60) days advance notice in the event of termination or cancellation of coverage.

6. Indemnification

To the fullest extent permitted by law, the Contractor will indemnify and hold harmless the County, its officials, agents, and employees from and against all claims, damages, losses, and expenses, direct, indirect, or consequential (including but not limited to fees and charges of engineers or architects, attorneys, and other professionals and costs related to court action or arbitration) arising out of or resulting from the performance of this Contract or the actions of the Contractor, its officials, employees, or contractors under this Contract or under the contracts entered into by the Contractor in connection with this Contract. This indemnification will survive the termination of this Contract.

7. Health and Safety

The Contractor will be responsible for initiating, maintaining and supervising all safety precautions and programs required by OSHA and all other regulatory agencies while providing Services under this Contract.

8. E-Verify

Pursuant to North Carolina General Statute § 143-133.3, E-verify Compliance, the County may not enter into a contract unless the contractor, and the contractor's subcontractors under the contract, comply with the requirements of Article 2 of Chapter 64 of the General Statutes. The Contractor represents and warrants that it is in compliance with the requirements of Article 2 of Chapter 64 of the General Statutes. Further, the Contractor warrants that any subcontractors used by the Contractor will be in compliance with the requirements of Article 2 of Chapter 64 of the General Statutes.

9. Non-Discrimination in Employment

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

10. Governing Law

The validity of this Contract and any of its terms or provisions, as well as the rights and duties of the parties to this Contract, are governed by the laws of the State of North Carolina. All actions relating to this Contract in any way will be brought in the General Courts of Justice in the County of Moore and the State of North Carolina.

11. Termination of Agreement

This Contract may be terminated, without cause, by either party upon thirty (30) days written notice to the other party. This termination notice period will begin upon receipt of the notice of termination. Such a termination does not bar either party from pursuing a claim for damages for breach of the Contract.

This Contract may be terminated, for cause, by the non-breaching party notifying the breaching party of a substantial failure to perform in accordance with the provisions of this Contract and if the failure is not corrected within ten (10) days of the receipt of the notification. Upon such termination, the parties will be entitled to such additional rights and remedies as permitted by law.

Termination of this Contract, either with or without cause, will not form the basis of any claim for loss of anticipated profits by either party.

12. Successors and Assigns

The Contractor will not assign its interest in this Contract without the written consent of the County. The Contractor has no authority to enter into contracts on behalf of the County.

13. Compliance with Laws

The Contractor represents that it is in compliance with all Federal, State, and local laws, regulations or orders, as amended or supplemented. The implementation of this Contract will be carried out in strict compliance with all Federal, State, or local laws regarding discrimination in employment.

14. Notices

All notices which may be required by this Contract or any rule of law will be effective when received by certified mail sent to the following addresses:

COUNTY OF MOORE: MOORE COUNTY PUBLIC WORKS
ATTN: RANDY GOULD, DIRECTOR
P.O. BOX 1927
CARTHAGE, NC 28327

CONTRACTOR: CUSTOM CONTROLS UNLIMITED, INC.
2600 GARNER STATION BLVD.
RALEIGH, NC 27603

15. Audit Rights

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

16. County Not Responsible for Expenses

The County will not be liable to the Contractor for any expenses paid or incurred by the Contractor unless otherwise agreed in writing.

17. Equipment

The Contractor will supply, at its sole expense, all equipment, tools, materials, and supplies required to provide contracted Services unless otherwise agreed in writing.

18. Priority of Documents

In the event of any inconsistency between the Contract and any attachment to the Contract, the Contract will have priority.

19. Non-Waiver

The failure by one party to require performance of any provision of this Contract will not affect that party's right to require performance at any time thereafter or to enforce other remedies available to it by law or under this Contract. In addition, no waiver of any breach or default of this Contract will constitute a waiver of any subsequent breach or default or a waiver of the provision itself.

20. Entire Agreement

This Contract and Attachment 1 constitute the entire understanding between the parties and supersedes all prior understandings and agreements, whether oral or written, relating to the subject matter hereof.

21. Amendment

This Contract may only be amended by the written mutual agreement of the parties.

22. Drafted by Both Parties

This Contract is deemed to have been drafted by both parties and no interpretation will be made to the contrary.

23. Headings

Subject headings are for convenience only and will not affect the construction or interpretation of any provision.

The parties have expressed their agreement to these terms by causing this Contract to be executed by their duly authorized officers or agents. This Contract is effective as of the date first written above.

COUNTY OF MOORE

Nick J. Picerno, Chairman
Moore County Board of Commissioners

CONTRACTOR



By: Authorized Signer: J. Devin Carroll
Title: V.P.

PREAUDIT CERTIFICATE

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

Finance Officer

SCOPE OF SERVICES

A. The Contractor will provide the labor, materials, and equipment and perform the following Services at the rates provided:

1. SCADA System for Tanks and Pump Stations \$14,717.00
 Installation of the SCADA System for portions of the County's distribution system that have yet to have the SCADA System installed. Additionally, installation and configuration of the Trihedral software that will allow the incorporation of the controls onto a website, which can be accessed remotely via computer.
 - a. Hardware/Software Provided by Contractor:
 - 1) One (1) License of Trihedral VTScada Version 11.1 Single Server Complete;
 - 2) One (1) Industrial SCADA Computer; and
 - 3) Firewall Security Appliance.
 - b. Services Provided by Contractor:
 - 1) SCADA Programming to include: Ground Storage, Cannon Park, Seven Lakes Tank, Hwy 73 BPS, McKaskill BPS, Hwy 211 BPS, EM Tank, Thurlough BPS;
 - 2) Computer install, networking, and start-up services for complete functionality;
 - 3) Firewall Appliance Configuration;
 - 4) Engineering Discovery for connecting new system to the Well System; and
 - 5) Programming and Integration.
 - c. Services NOT Provided by Contractor:
 - 1) Link to existing Schneider Well SCADA System; and
 - 2) Hardware/Instrumentation not stated above.

2. Redundant SCADA Server \$5,878.00
 Installation of a backup server in the event the main server fails.
 - a. Hardware/Software Provided by Contractor:
 - 1) One (1) License of Trihedral VTScada Version 11.1 Dual Server Redundant; and
 - 2) One (1) Industrial SCADA Computer.
 - b. 2. Services Provided by Contractor:
 - 1) Computer install, networking and start-up services for complete functionality; and
 - 2) Firewall Appliance Configuration.

3. Cannon Park and Ground Storage Tank RTUs (CAL Amp Viper) \$36,100.00
 Installation of Remote Terminal Units (RTUs) to relay data to the SCADA System.
 - a. Hardware/Software Provided by Contractor:
 - 1) Cannon Park Tank RTU and Repeater
 - a) NEMA 4X Enclosure;
 - b) Rockwell (AB) PLC to Match Existing;
 - c) Industrial Data Radio;
 - d) Ethernet Switch;
 - e) Uninterruptible power supply;
 - f) Pressure Transducer; and
 - g) Contractor will test, connect, and commission existing Omni Antenna and coaxial cable already in place and owned by the County.
 - 2) Ground Storage
 - a) NEMA 4X Enclosure;
 - b) Rockwell (AB) PLC to Match Existing;
 - c) Industrial Data Radio;
 - d) Ethernet Switch;

- e) Uninterruptible power supply; and
- f) Existing Building Mount Antenna to be re-used.
- 3) The Cannon Park RTU will provide remote monitoring of the ground storage tank level and remote control of two (2) booster pumps located inside the control building. Additional outputs are available for valve control if required. This RTU will NOT control the existing wells currently managed by the Andover system.
- b. Services Provided by Contractor:
 - 1) Drawings and Design (provided electronically to Owner);
 - 2) Manufacture of Panel – U.L. 508A;
 - 3) Programming and Integration;
 - 4) Installation – turnkey;
 - 5) Startup, Training; and
 - 6) Functional Description:
 - a) Link to Seven Lakes Tank Network;
 - b) Repeater: Cannon Park;
 - c) Inputs: Tank Levels, Power Fail Sensing, Flow, Valve Status, and Ground Storage Pumps;
 - d) Outputs: Ground Storage Building Pumps; and
 - e) Automation:
 - 1. Remote manual and remote auto controls for Ground Storage pumps; and
 - 2. Valve Control (available for future).
- 4. Add Suction, Discharge Pressure, and Two Flow Registers to HWY 211 BPS \$4,130.00
 Installation of pressure and flow devices at the Highway 211 Booster Pump Station for monitoring capability via the SCADA System.
 - a. Hardware Provided by Contractor:
 - 1) Suction Pressure Transducer;
 - 2) Discharge Pressure Transducer; and
 - 3) Two (2) Badger Flow Registers with output for SCADA.
 - b. Services Provided by Contractor:
 - 1) Programming and Integration; and
 - 2) Installation – turnkey.
- 5. The Contractor will review and verify that all FCC licensing is valid for all radio sites. No additional charge for this service.
- 6. The Contractor will conduct a physical radio path study to validate communications. No additional charge for this service.

SOLE SOURCE JUSTIFICATION FORM

(for items costing \$1000.00 or more)

Vendor: Custom Controls Unlimited Inc.

Item: Materials, labor and equipment for installation of the SCADA System in portions of the Moore County Public Works / Utilities Distribution System

Estimated expenditure for the Above Item: \$60,825.00 Contract

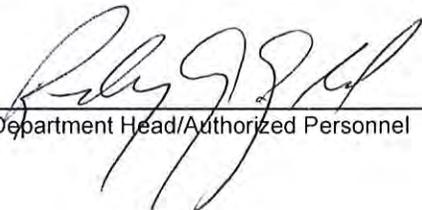
INITIAL ALL ENTRIES BELOW THAT APPLY TO THE PROPOSED PURCHASE. ATTACH A MEMO CONTAINING JUSTIFICATION AND SUPPORT DOCUMENTATION.

1. _____ Sole source is for the original manufacturer or provider, there are no area distributors.
2. _____ The parts/equipment are not interchangeable with similar parts of another manufacturer.
3. _____ This is the only known item or service that will meet the specialized needs of this department or perform the intended function.
4. X The parts/equipment are required from this source to permit standardization.
5. _____ None of the above apply. A detailed explanation and justification for this sole source is contained in the below memo.

Explanation:

* Custom Controls Unlimited, Inc. (also known as CCU) is the sole provider of the SCADA System for Moore County Public Works / Utilities' Water Distribution System. CCU furnished, installed and programmed the SCADA equipment for our existing system, including the Booster Pump Stations, the Seven Lakes Tanks and EMWD Tank. This project will add the Pinehurst Elevated Tanks and the Pinehurst Ground Storage Tanks to the distribution system. The project also provides access to system data from a new computer at the Ground Storage Tank Site in Pinehurst, which is our local Water Quality Headquarters. The new system will be expandable in the future to accommodate the Well SCADA System.

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



Department Head/Authorized Personnel

2/10/16

Date

Public Works / Utilities Division

Department

Chairman, Moore County Board of Commissioners

Agenda Item: VIII. H.
Meeting Date: 2/16/16

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Misty Randall Leland, County Attorney

DATE: February 11, 2016

SUBJECT: Resolution Requesting the Moore County Board of Education to Submit to the Board of Commissioners an Annual Report of Prior Year Expenditures Broken Down by Federal, State and Local Expenditures and further Broken Down by Purpose, Function and Program Report Code

PRESENTER: Misty Randall Leland, County Attorney

REQUEST:

Approve the attached Resolution requesting the Board of Education to submit to the Board of Commissioners an annual report of prior year expenditures broken down by federal, state and local expenditures and further broken down by purpose, function and program report code on or before the second regular meeting of the Board of Commissioners in February each year and authorize the Chairman to sign the same.

BACKGROUND:

N.C.G.S. § 115C-429(c) maintains “The board of county commissioners shall have full authority to call for, and the board of education shall have the duty to make available to the board of county commissioners, upon request, all books, records, audit reports, and other information bearing on the financial operation of the local school administrative unit.”

IMPLEMENTATION PLAN:

Approve the Resolution

FINANCIAL IMPACT STATEMENT:

None

RECOMMENDATION SUMMARY:

Make a motion to approve the attached Resolution requesting the Board of Education to submit to the Board of Commissioners an annual report of prior year expenditures broken down by federal, state and local expenditures and further broken down by purpose, function and program report code on or before the second regular meeting of the Board of Commissioners in February each year and authorize the Chairman to sign the same.

SUPPORTING ATTACHMENTS:

Resolution

N.C.G.S. § 115C-429

RESOLUTION BY THE MOORE COUNTY BOARD OF COMMISSIONERS REQUESTING
THE MOORE COUNTY BOARD OF EDUCATION TO SUBMIT TO THE BOARD OF
COMMISSIONERS AN ANNUAL REPORT OF PRIOR YEAR EXPENDITURES BROKEN
DOWN BY FEDERAL, STATE AND LOCAL EXPENDITURES AND FURTHER BROKEN
DOWN BY PURPOSE, FUNCTION AND PROGRAM REPORT CODE

WHEREAS, North Carolina General Statute § 115C-429 requires the board of education to submit the entire budget as approved by the board of education not later than May 15, or a later date as may be fixed by the board of county commissioners; and

WHEREAS, the county board of commissioners determines the amount of county revenues to be appropriated to the local school administrative unit for the budget year. “The board of county commissioners may, in its discretion, allocate part or all of its appropriation by purpose, function, or project as defined in the uniform budget format (G.S. § 115C-429 (b));” and

WHEREAS, § 115C-429(c) maintains, “The board of county commissioners shall have full authority to call for, and the board of education shall have the duty to make available to the board of county commissioners, upon request, all books, records, audit reports, and other information bearing on the financial operation of the local school administrative unit;” and

WHEREAS, to better understand the financial operations and needs of Moore County public schools, the Moore County Board of Commissioners requests the Board of Education to submit to the Board of Commissioners an annual report of prior year expenditures broken down by federal, state and local expenditures and further broken down by purpose, function and program report code on or before the second regular meeting of the Board of Commissioners in February each year.

NOW THEREFORE, BE IT RESOLVED, that the Moore County Board of County Commissioners respectfully requests the Board of Education to submit to the Board of Commissioners an annual report of prior year expenditures broken down by federal, state and local expenditures and further broken down by purpose, function and program report code on or before the second regular meeting of the Board of Commissioners in February each year.

This the 16th day of February 2016.

Nick J. Picerno, Chairman
Board of Commissioners

Attest:

Laura M. Williams
Clerk to the Board

§ 115C-429. Approval of budget; submission to county commissioners; commissioners' action on budget.

(a) Upon receiving the budget from the superintendent and following the public hearing authorized by G.S. 115C-428(b), if one is held, the board of education shall consider the budget, make such changes therein as it deems advisable, and submit the entire budget as approved by the board of education to the board of county commissioners not later than May 15, or such later date as may be fixed by the board of county commissioners.

(b) The board of county commissioners shall complete its action on the school budget on or before July 1, or such later date as may be agreeable to the board of education. The commissioners shall determine the amount of county revenues to be appropriated in the county budget ordinance to the local school administrative unit for the budget year. The board of county commissioners may, in its discretion, allocate part or all of its appropriation by purpose, function, or project as defined in the uniform budget format.

(c) The board of county commissioners shall have full authority to call for, and the board of education shall have the duty to make available to the board of county commissioners, upon request, all books, records, audit reports, and other information bearing on the financial operation of the local school administrative unit.

(d) Nothing in this Article shall be construed to place a duty on the board of commissioners to fund a deficit incurred by a local school administrative unit through failure of the unit to comply with the provisions of this Article or rules and regulations issued pursuant hereto, or to provide moneys lost through misapplication of moneys by a bonded officer, employee or agent of the local school administrative unit when the amount of the fidelity bond required by the board of education was manifestly insufficient. (1975, c. 437, s. 1; 1981, c. 423, s. 1.)

MEMORANDUM TO BOARD OF COMMISSIONERS:

FROM: Gary E. Briggs, Tax Administrator
DATE: February 5, 2016
SUBJECT: 2016 Moore County Board of Equalization and Review
PRESENTER: Gary Briggs



AGENDA PLACEMENT: Board Appointments

REQUEST:

The Tax Administrator would like to make the following recommendations of appointment to the Moore County Board of Equalization and Review:

Appoint Bobby Brooks for a three-year term to expire in March 2019 (currently serving as an Alternate Member)

The Tax Administrator would like to recommend that Jerry Daeke be appointed as Chairman for the 2016-2017 session.

BACKGROUND:

Jim McNiff's term expired in March 2016.

IMPLEMENTATION PLAN:

N/A

FINANCIAL IMPACT STATEMENT:

N/A

RECOMMENDATION SUMMARY:

Appoint Bobby Brooks to replace Jim McNiff for a three-year term to expire in March 2019 and appoint Jerry Daeke as Chairman for the 2016-2017 session.

SUPPORTING ATTACHMENTS:

N/A