



MOORE COUNTY BOARD OF COMMISSIONERS

TUESDAY, NOVEMBER 17, 2015

REGULAR MEETING

The Moore County Board of Commissioners met for a Regular Meeting at 4:30 p.m., Tuesday, November 17, 2015 in the Commissioners' Meeting Room, Second Floor, Historic Courthouse in Carthage, North Carolina.

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

Commissioners Absent: None

Chairman Picerno called the meeting to order at 4:30 p.m.

CLOSED SESSION

Upon motion made by Commissioner Saunders, seconded by Commissioner Graham, the Board voted 5-0 to enter into closed session pursuant to N.C.G.S. 143-318.11(a)(3) and (a)(6).

The Board reported no action upon returning from closed session.

REGULAR MEETING

At 5:30 p.m., Reverend Matt Templeton of Grace Church provided the invocation and Social Services Director John Benton led the Pledge of Allegiance.

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

PUBLIC COMMENT PERIOD

Ms. O'Linda Watkins, representing the Moore County NAACP, spoke in opposition to a proposed ¼ cent sales tax increase, citing its negative impact on low-income persons. She suggested that if the Board chose to move forward with a referendum on the sales tax, that an increase in the property tax rate also be included as an alternative option.

Mr. Charles Mirman discouraged the sale of a fire truck to be surplus by the Moore County Airport Authority.

Mr. Fenton Wilkinson implored the Board to take the sales tax increase option off the table and funds the Schools' project needs through an increased property tax rate.

Ms. Ellie Collins stated her opposition to the proposed increase in sales tax, citing it as a regressive tax.

Ms. Mary Jo Morris shared that the newest Dog Tags class was in its third week and that the Sheriff had provided lights so the dogs could be worked with in the evenings. Ms. Morris shared also that she had just completed a CPR seminar with Public Safety Deputy Director Scot Brooks and she said that it was very beneficial.

ADDITIONAL AGENDA

Upon motion made by Chairman Picerno, seconded by Commissioner Graham, the Board voted 5-0 to pull the following items from the agenda: call to public hearing regarding text amendments to the Unified Development Ordinance; facilities security update; water purchase contract with the Town of Carthage.

RECOGNITIONS

Adoption Awareness Month Proclamation

Social Services Director John Benton and staff presented information regarding adoptions in Moore County. Upon motion made by Commissioner Graham, seconded by Vice Chairman Ritter, the Board voted 5-0 to proclaim November 2015 as Adoption Awareness Month in Moore County and to urge citizens to recognize and support this observance. The proclamation is hereby incorporated as a part of these minutes by attachment as Appendix A.

PRESENTATIONS

Quarterly Fiscal Report for Sandhills Center for Mental Health/Developmental Disabilities/Substance Abuse Services

Chief Financial Officer Caroline Xiong presented the quarterly fiscal report for Sandhills Center for Mental Health/Developmental Disabilities/Substance Abuse Services. Upon motion made by Commissioner Saunders, seconded by Commissioner Daeke, the Board voted 5-0 to accept the report.

CONSENT AGENDA

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

Minutes: October 20, 2015 Regular Meeting and Closed Session

Minutes: October 20, 2015 Special Meeting

Minutes: October 20, 2015 Special Meeting with Board of Education

Budget Amendments

Tax Releases/Refunds – October 2015

Register of Deeds Fee Schedule Amendment

Moore County Transportation Fee Schedule Amendment

Moore County Schools Digital Learning Invoices

Project Budget Ordinance and Resolution for Airport Project 36237.67.6.1 and Authorization for County Manager to Sign Grant Agreement Paperwork for RW 23 Approach Clearing Phase 2

The budget amendments, tax releases and refunds resolutions, and Airport project budget ordinance and resolution are hereby incorporated as a part of these minutes by attachment as Appendices B, C, and D, respectively.

PUBLIC HEARINGS

Public Hearing/Planning – Conditional Use Permit Request: Veterinary Clinic

he following italicized portion of these minutes is verbatim:

Chairman Nick Picerno: *The next item on the agenda is a request by David Garza, for a Conditional Use Permit for the use of veterinary clinic. The hearing on this matter is judicial in nature and will be conducted in accordance with special due process safeguards. Members of the Board may cross examine witnesses after the witnesses testify when questions are called for by the Chairman. The testimony that witnesses give today shall be taken under oath. If a witness wants the Board to see written evidence such as reports, maps, pictures, or other exhibits, he or she should be familiar with the evidence and should explain the document and ask that it be introduced during or at the end of his or her testimony. Any attorneys who speak should not give factual testimony but may summarize their clients' case. Anyone who wants to testify in this matter should have signed up on the sign-up sheet. If you wish to speak and haven't signed up, then please sign up now. And I assume you have the sheet? Ok, is anybody needing to sign up that has not signed up? All of you who wish to speak and have signed up, please go to the front to be sworn in or give your affirmation.*

Clerk administers oath.

Chairman: *I would also like to ask any Board members who have any information or special knowledge about this case to describe that information for the record so that interested persons will know and can respond. Before opening the hearing, I'd like to give Board members a chance to reveal any possible conflicts and withdraw from these proceedings if necessary. Conflicts include but are not limited to a member having a fixed opinion prior to hearing the matter not susceptible to change, an undisclosed ex parte communications, a close family, business, or other associational relationship with the affected person, or a financial interest in the outcome of the matter. If the objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection. In this hearing, we will first hear from the Planning staff, then from the applicant and their witnesses, and then from the opponents to the request. Parties may cross-examine witnesses after the witness testifies when questions are called for. If you want the Board to see written evidence such as reports, maps, or exhibits, the witness who is familiar with the evidence should ask that it be introduced during or at the end of his or her testimony. We cannot accept reports from persons who are not here to testify. Attorneys who speak should not give factual testimony, but may summarize their client's case. The County Attorney will correct you if you do not follow the proper procedure. Before you begin your testimony, please clearly identify yourself for the record. At the end of all testimony, the staff will present their recommendations to the Board. I now open the public hearing and ask the Planning staff to make the presentation on this request.*

Planning Director Debra Ensminger: *Thank you Mr. Chairman and good evening, members of the Board. My name is Debra Ensminger and I'm the Planning Director for the County of Moore. I'd like to first enter my staff report and this presentation into the record. As stated, David Garza is seeking a two year vested right Conditional Use Permit to operate a veterinarian clinic in an existing building located at 125 West Plaza Drive in West End in Seven Lakes West on parcel number 97000323 owned by Phillip and Pamela Harrell, Harrell, excuse me, as identified in the Moore County tax records. The parcel is approximately 1.2 acres in size. This case was properly advertised and all adjacent property owners have been notified. The property is zoned Village Business which requires a Conditional Use Permit for a veterinarian clinic. All adjacent properties are currently and also zoned Village Business. The current use of the property is a real estate office and the adjacent land uses include a shopping center comprising of a church, retail, medical office, and a restaurant. The existing building on site was built in 1999. The building will not be expanded and the veterinarian clinic will not include outdoor kennels. The applicant intends to lease a portion of the building as indicated in the attachment Phase I for one year. After one year, the applicant intends to purchase the property and occupy the*

entire building as indicated in the attachment Phase II. Therefore, the applicant is requesting a two year vested right approval to occupy the entire building. The existing septic system will be enlarged to serve the entire site. The submitted application and site plan meets all required standards and conditions set forth in the Moore County Unified Development Ordinance. The Moore County Planning Board reviewed this request during their October 1, 2015 meeting and voted unanimously to endorse the Moore County Board of Commissioners to approve a two year vesting of the Conditional Use Permit for the use of a veterinarian clinic on the parcel known as ParID number 97000323. There are required findings of fact that the Board must consider when approving a conditional use permit. Number one, that the use will not materially endanger the public health or safety if located where proposed and developed according to plan; that the use meets all required conditions and specifications; that the use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity; the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the approved Moore County Land Use Plan adopted in November 2013. Goal number 1.7 clearly states support and promote local businesses. Additional conditions we will request of the applicant: Should the Zoning Administrator, Building Inspector, Environmental Health, Public Utilities, or the Fire Marshal identify minor changes, staff will be authorized to accept such minor modifications to site plan as necessary; the veterinary clinic shall not include outdoor kennels; and the applicant shall have a two year, shall have two years, excuse me, to occupy the entire building through vested right approval. And, that's all I have, Chairman.

Chairman: Does any member of the Board have any questions for Planning staff regarding this request?

Commissioner Jerry Daeke: The location is where Mr. Harrell had his real estate office, is that correct?

Director Ensminger: Yes.

Chairman: What happens after the two years?

Director Ensminger: The conditional, if he doesn't do it, the conditional use permit's void.

Chairman: Ok, so he's got two years to occupy it?

Director Ensminger: Yes.

Chairman: Ok. Any other questions? We will now hear from the applicant and other proponents of the request. If there are attorneys or other representatives who will give a general summary of the client's position, then you go first. Do we have anybody signed up? No? Are you the, do you have anything you would like to state at this time?

David Garza: I just wanted to say thank you for considering this and I'm here basically to answer any questions that you might have about the proposed business or anything thereof.

Chairman: Ok, are there any questions from the Board for this gentleman? Thank you sir. We will now hear from people opposing the request. Anyone here, again, signed up to oppose? Does the Board or any other parties have any other questions for any other witnesses? You have any further comments?

Director Ensminger: No, sir.

Chairman: Does the Board or any other parties have any further questions? Does the staff have a recommendation?

Director Ensminger: *Yes, sir, make a motion to approve the conditional use permit with the approved, with the provided conditions.*

Commissioner Randy Saunders: *So moved.*

Commissioner Daeke: *Second.*

Chairman: *I have a motion and a second. Any discussion further? All in favor say aye. (Unanimous ayes). Opposed say no. Motion carries 5-0, and I now close the public hearing. Thank you so much.*

Documents for the record pertaining to this conditional use permit request are hereby incorporated as a part of these minutes by attachment as Appendix E.

Call to Public Hearing/Planning – 2012 Scattered Site CDBG Closeout

Planning Director Debra Ensminger requested the Board call a public hearing regarding closeout of the County's 2012 Scattered Site Housing Community Development Block Grant. Upon motion made by Commissioner Graham, seconded by Commissioner Saunders, the Board voted 5-0 to call a public hearing on December 8, 2015 at 5:30 p.m. to solicit public participation relative to the intention of the County to close out its 2012 Scattered Site Housing CDBG.

NEW BUSINESS

Public Safety:

Approval of Contract Amendment # 1 with Village of Pinehurst for Fire Protection, Rescue, and Medical Response

Public Safety Director Bryan Phillips requested the Board's approval of an amendment to the contract with the Village of Pinehurst for Fire Protection, Rescue, and Medical Response. Mr. Phillips said the County and Village desired to amend the original agreement dated June 12, 2007 for fire protection to include emergency response services in the scope of service by this written contract amendment number one while keeping in effect the terms and conditions of the original agreement. Discussion followed regarding the level of service and cost. Commissioner Saunders made a motion, seconded by Commissioner Graham, to approve the contract amendment with the Village of Pinehurst and authorize the Chairman to execute all necessary documents. Chairman Picerno asked if the necessary funds were available in the ALS budget and Mr. Phillips said yes. The motion carried 5-0.

Public Works:

Approval of Change Order # 4 to Contract with Terry's Plumbing and Utilities for 2013 Water Resources Project

Public Works Director Randy Gould requested the Board's approval of change order # 4 with Terry's Plumbing and Utilities for the 2013 water resources project, increasing the contract by \$29,274 to cover additional SCADA work and concrete risers and curb/gutter to Bertie Road. Upon inquiry by Chairman Picerno, Mr. Gould verified these funds would be covered by the contingency budget. Upon motion made by Commissioner Saunders, seconded by Vice Chairman Ritter, the Board voted 5-0 to approve change order # 4 with Terry's Plumbing for the 2013 water resources project and authorize the Chairman to sign.

Approval of Agreement between the County of Moore and East Moore Water District

Mr. Gould requested adoption of resolutions approving an agreement between the County and the East Moore Water District. Upon motion made by Commissioner Saunders, seconded by Commissioner Daeke, the Board voted 5-0 to adopt the resolution approving the agreement between the County of Moore and the East Moore Water District and authorize the Chairman to sign on behalf of the County. Upon motion made by Commissioner Saunders, seconded by Commissioner Graham, the Board voted 5-0 to adjourn as the Moore County Board of Commissioners and convene as the East Moore Water District. Upon motion made by Commissioner Saunders, seconded by Vice Chairman Ritter, the Board voted 5-0 to adopt the resolution approving a water purchase contract between the East Moore Water District and the County of Moore and authorize the Vice Chairman to sign on behalf of the East Moore Water District. Upon motion made by Commissioner Saunders, seconded by Vice Chairman Ritter, the Board voted 5-0 to adjourn as the East Moore Water District and reconvene as the Moore County Board of Commissioners. The resolutions are hereby incorporated as a part of these minutes by attachment as Appendix F.

Legal:

Approval of Amendment # 1 to Nonprofit Grant Agreement with Sandhills Center

County Attorney Misty Leland presented an amendment to the grant agreement with Sandhills Center for Mental Health/Developmental Disabilities/Substance Abuse Services, reducing the total amount in order to provide matching funds for a Governor's Crime Commission grant for the Sheriff's Office. Vice Chairman Ritter made a motion, seconded by Commissioner Graham, to approve amendment no. 1 to the nonprofit grant agreement with the Sandhills Center and authorize the Chairman to sign the same. Chairman Picerno thanked Sandhills Center CEO Victoria Whitt for allowing the County to use these funds toward the grant. The motion to approve the amendment carried 5-0.

Adoption of Resolution Calling a Special Advisory Referendum Concerning the Levy of a ¼ Cent County Sales and Use Tax

Ms. Leland reviewed that a resolution was required to be adopted by the commissioners and delivered to the Board of Elections in order to move forward with an advisory referendum concerning the levy of a ¼ cent sales and use tax. Commissioner Saunders made a motion, seconded by Vice Chairman Ritter, to approve the Resolution Calling a Special Advisory Referendum Concerning the Levy of a One-Quarter Cent County Sales and Use Tax and authorize the Chairman to sign the same. Commissioner Saunders discussed the needs of the schools and said those suggesting Moore County should do what other places were doing (in terms of funding) did not have a pulse on what was going on. He said schools were the number one economic driver and the sales tax would be only .25 cents on a \$100 purchase (excluding grocery and gas purchases). Commissioner Saunders said every cent of the proposed sales tax should go to the Schools, and he discussed how the County's tourism industry would boost the amount. Commissioner Daeke explained to citizens the difference in the tax bases between Moore County and surrounding counties. The motion to adopt the resolution carried 5-0. The resolution is hereby incorporated as a part of these minutes by attachment as Appendix G.

Commissioner Saunders asked the Board to excuse him from the remainder of the meeting so he could attend his son's sports banquet at Union Pines High School. Upon motion made by Chairman Picerno, seconded by Commissioner Daeke, the Board voted 5-0 to excuse Commissioner Saunders from the remainder of the meeting.

Adoption of Resolution Specifying the Proceeds for the ¼ Cent County Sales and Use Tax if Approved in the Special Advisory Referendum on March 15, 2016

Ms. Leland reviewed a resolution specifying the proceeds from the ¼ cent sales and use tax, if approved, to be used for the Schools. Commissioner Graham made a motion, seconded by Vice Chairman Ritter, to approve the Resolution Specifying the Proceeds from the One-Quarter Cent County Sales and Use Tax Under Article 46 of Chapter 105 of NCGS, which designates revenues from the Article 46 tax, if passed on March 15, 2016, to Moore County Public Schools' major capital building projects as set forth in the Resolution and authorize the Chairman to sign the same on condition that the Sandhills Community College Board approves the same. Chairman Picerno discussed that a capital school construction fund would be set up so everything would be very transparent to the public. The Chairman discussed the raising of the property tax rate seven years prior. The motion to adopt the resolution carried 4-0. The resolution is hereby incorporated as a part of these minutes by attachment as Appendix H.

Adoption of Resolution Supporting Senate Bill 605

Ms. Leland reviewed a resolution supporting Senate Bill 605, which contains revisions to Article 46 of Chapter 105 of the North Carolina General Statutes authorizing an increase in the maximum rate of local sales and use tax that may be levied under this Article from one-quarter percent to one-half percent. Upon motion made by Chairman Picerno, seconded by Vice Chairman Ritter, the Board voted 4-0 to approve the resolution supporting the revisions to Article 46 of Chapter 105 of the North Carolina General Statutes as stipulated in Senate Bill 605 (2015-2016) and request the Bill as it pertains to Article 46 to be ratified into law. The resolution is hereby incorporated as a part of these minutes by attachment as Appendix I.

Adoption of Resolution Requesting Restoration of Lottery Funds Designated to Moore County for School Capital Needs

Ms. Leland reviewed a resolution requesting the General Assembly to give Moore County its statutory share of lottery funds. Commissioner Graham made a motion, seconded by Chairman Picerno, to approve the resolution requesting the North Carolina General Assembly to allocate to Moore County its statutory share of lottery funds of 40% to be used for Moore County Schools capital needs and that copies of the resolution be forwarded to the local legislation delegation to the North Carolina General Assembly and the North Carolina Association of County Commissioners. Chairman Picerno discussed that lottery funds began being moved under the Governor Easley administration, continued under the Perdue administration, and had become even worse under the McCrory administration. He said the County was facing huge capital needs for the Schools and its 40% statutory share of lottery funds was down to 18%. He implored citizens to assist in telling legislators to restore these funds. The motion to adopt the resolution carried 4-0. The resolution is hereby incorporated as a part of these minutes by attachment as Appendix J.

APPOINTMENTS

Library Board of Trustees

Upon motion made by Commissioner Graham, seconded by Commissioner Ritter, the Board voted 4-0 to appoint Dr. Patty Buelt to the Library Board of Trustees to fill the unexpired term of Dr. John Stacy through March 31, 2016.

Sandhills Regional Library System Board

Upon motion made by Commissioner Daeke, seconded by Commissioner Graham, the Board voted 4-0 to appoint Rev. Richard Rodda to the Sandhills Regional Library System Board to fill the unexpired term of Dr. John Stacy through June 30, 2018.

Local Emergency Planning Committee

Upon motion made by Vice Chairman Ritter, seconded by Commissioner Graham, the Board voted 4-0 to appoint Cynthia Bradley to the Red Cross representative position on the Local Emergency Planning Committee to fill the unexpired term of the former member through March 31, 2016.

Fire Commission

Upon motion made by Vice Chairman Ritter, seconded by Commissioner Daeke, the Board voted 4-0 to appoint Mike Cameron, David Kennedy, Brian Tyner, Mark Steward, and Colin Webster to the Fire Commission for two-year terms expiring November 30, 2017.

Juvenile Crime Prevention Council

Upon motion made by Commissioner Daeke, seconded by Vice Chairman Ritter, the Board voted 4-0 to appoint the following to the Juvenile Crime Prevention Council for two-year terms commencing December 1, 2015 and expiring November 30, 2017: Bart Davis (Chief of Police), Gene McCrae (Substance Abuse Professional), Michael Campbell (Person Under Age 18), Matthew Rothbeind (Juvenile Defense Attorney), Skipper Creed (Chief District Judge Appointee), Renee Brooks (Commissioner Appointee), and Buddy Howell (Commissioner Appointee).

Aging Advisory Council

Upon motion made by Commissioner Daeke, seconded by Commissioner Graham, the Board voted 4-0 to appoint Karen Koenig, Mimi Deardorff, and Jane Francks to the Aging Advisory Council for three-year terms expiring November 30, 2018.

RSVP Advisory Council

Upon motion made by Commissioner Graham, seconded by Commissioner Daeke, the Board voted 4-0 to appoint Ruth Craig to the RSVP Advisory Council for a three-year term expiring November 30, 2018.

MANAGER'S REPORT

County Manager Wayne Vest reported the following:

- The commissioners' annual retreat, aka the "Winter Summit," was scheduled for January 7 and 8, 2016. A draft agenda was distributed and recommendations from the Board welcomed.
- An informational brochure on the Article 46 sales tax was drafted and under review in the County Attorney's office.
- A State bond referendum, Connect NC, if approved, would provide some funds in Moore County.
- Draft letters to property owners regarding the condition of the Stanley furniture plant property in West End were distributed for the Board's review.

- A shredding and hazardous waste disposal event was held the previous Saturday. It was spearheaded by Solid Waste Division Manager/Keep Moore County Beautiful Executive Director Chad Beane and was well-organized and well-attended.

COMMISSIONERS' COMMENTS

Commissioner Graham thanked citizens who spoke during the public comment period for being present at the meeting and for feeling free to come and speak to the Board.

Vice Chairman Ritter also thanked these citizens for attending, and he thanked Mr. Vest for following up on the West End property issue.

Commissioner Daeke thanked the public commenters and said their information was well-presented.

Chairman Picerno wished all employees a happy Thanksgiving. He asked everyone to remember Greg Hankins with the Seven Lakes Times in their prayers as he was dealing with a health issue. He offered special thanks to veterans and discussed his father's experience as a POW in the Korean War.

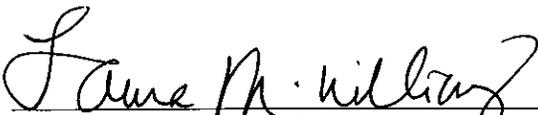
ADJOURNMENT

Upon motion made by Commissioner Graham, seconded by Vice Chairman Ritter, the Board voted 4-0 to come out of closed session and seal the minutes.

With no further business, upon motion made by Commissioner Graham, seconded by Vice Chairman Ritter, the Board voted 4-0 to adjourn the November 17, 2015 regular meeting of the Moore County Board of Commissioners at 6:56 p.m.



Nick J. Picerno, Chairman



Laura M. Williams, Clerk to the Board



Appendix A
11-17-2015

**ADOPTION AWARENESS MONTH
2015
A PROCLAMATION**

WHEREAS, November is celebrated as **Adoption Awareness Month** to proclaim that every child has a right to grow in a permanent, secure, and loving family and that this experience lays the foundation for a happy, productive adulthood; and,

WHEREAS, Moore County Department of Social Services serves nearly **35** children in substitute care who live away from their birth families; and,

WHEREAS, adoption is the permanent plan for **8** of these children; and,

WHEREAS, Moore County has finalized **2** adoptions since October 1, 2014; and

WHEREAS, many of these children have special needs—children with physical, mental or emotional disabilities, siblings that need to be placed together, or older children; and,

WHEREAS, Moore County Department of Social Services actively promotes the timely adoption of these children so that they might have permanent families who can provide them with security, guidance, and love, and,

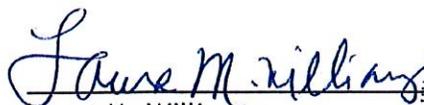
WHEREAS, children waiting for adoptive parents, and families who have adopted these children, require and deserve community support; and,

NOW, THEREFORE, LET IT BE RESOLVED that the Moore County Board of Commissioners hereby proclaims November, 2015, as **ADOPTION AWARENESS MONTH** in Moore County, and we urge our citizens to recognize and support this observance.

Adopted this 17th day of November, 2015.



Nick Picerno
Moore County Board of Commissioners



Laura M. Williams
Clerk to the Board



Appendix B
11/17-2015

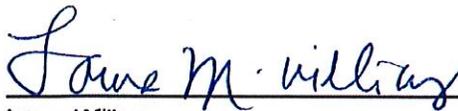
Fiscal Year 2015/2016

Budget Line Item Number	Budgeted Amount	Increase/ (Decrease)	Revised Budget
Sheriff - North Carolina Amateur Sports, Inc. (Pinecrest and North Moore High Schools) Lloyd Grading and Utilities, Inc.			
Revenue 10024005 30520 Special Assignment	3,300	1,560	4,860
Expense 10019505 51205 Special Assignment	3,300	1,560	4,860

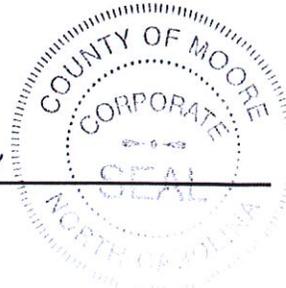
Approved this 17 day of November, 2015



Nicholas J. Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



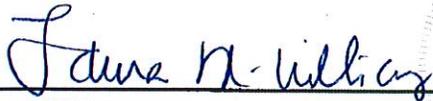
Fiscal Year 2015/2016

Budget Line Item Number	Budgeted Amount	Increase/ (Decrease)	Revised Budget
Sheriff - Backroads Tour DaVita (Bike Tour)			
Revenue 10024005 30520 Special Assignment	3,300	495	3,795
Expense 10019505 51205 Special Assignment	3,300	495	3,795

Approved this 17 day of November, 2015



Nicholas J. Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



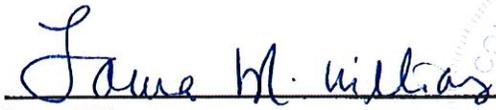
Fiscal Year 2015/2016

	Budget Line Item Number		Budgeted Amount	Increase/ (Decrease)	Revised Budget
<hr/>					
Sheriff - NC Department of Revenue-Drug Tax Forfeiture					
Revenue	24033005 36075	Drug Seizure Funds	775,569	4,337	779,906
Expense	24019505 53828	Drug Seizure Funds	862,719	4,337	867,056

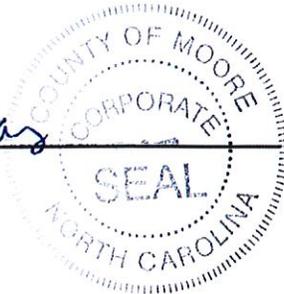
Approved this 17 day of November, 2015



Nicholas J. Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



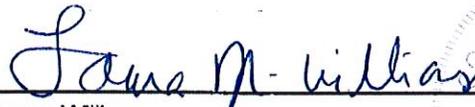
Fiscal Year 2015/2016

Budget Line Item Number	Budgeted Amount	Increase/ (Decrease)	Revised Budget
Aging - HPDP State of North Carolina, SHIP State of North Carolina Department of Insurance and Multi Year Aging Donations			
Expense 10030026 52301 Health Promotion Program	8,764	(1,182)	7,582
Revenue 10032024 32602 Health Promotion	8,223	(1,182)	7,041
Expense 10030025 53925 SHIP Grant	3,278	845	4,123
Revenue 10032024 32608 Aging SHIP Grant	3,194	929	4,123
Revenue 10024024 32610 Aging Newsletter Subscript	225	(84)	141
Revenue 24018024 32502 Donations	103,030	9,855	112,885
Expense 24030024 53922 Donations	102,657	9,855	112,512

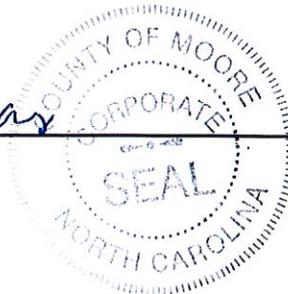
Approved this 17 day of November, 2015



Nicholas J. Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



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Fiscal Year 2015/2016

Budget Line Item Number	Budgeted Amount	Increase/ (Decrease)	Revised Budget
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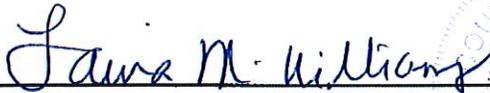
Public Works - Transfers to satisfy the Settlement Agreement Between Moore County and Harnett County for the 2013 Water Source Capital Project.

Revenue 61019000 36002 Appropriated Retained Earnings	0	1,630,000	1,630,000
Expense 61041056 59960 Transfer to 2013 Water Source Project	0	1,630,000	1,630,000
Revenue 25219056 32967 Transfer from WPCP	3,140,819	14,407	3,155,226
Revenue 25219056 32998 Transfer in from Public Utilities	382,636	265,433	648,069
Revenue 25219056 32999 Transfer from EMWD	0	10,074	10,074
Expense 25252256 59960 Transfer to Water Source Project	2,147,501	289,914	2,437,415

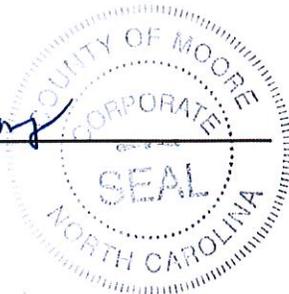
Approved this 17 day of November, 2015



Nicholas J. Picerno
Moore County Board of Commissioners



Laura Williams
Clerk to the Board



Appendix C
11-17-2015

**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.

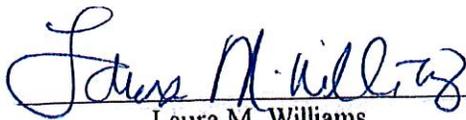
BE IT RESOLVED by the Board of Commissioners of Moore County that the taxpayers shown on said list of releases and refunds submitted by Gary E. Briggs, Tax Administrator, are hereby granted such tax release or refund of the county taxes shown and the County Finance Director is directed to make said refunds.

Adopted this the 17 day of November, 2015.



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.

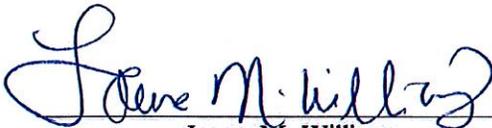
BE IT RESOLVED by the Board of Commissioners of Moore County that the taxpayers shown on said list of releases and refunds submitted by Gary E. Briggs, Tax Administrator, are hereby granted such tax release or refund of the county taxes shown and the County Finance Director is directed to make said refunds.

Adopted this the 17 day of November, 2015.



Nicholas J. Picerno, Chairman

ATTEST:



Laura M. Williams
Clerk to the Board



REAL ESTATE / PERSONAL PROPERTY / MOTOR VEHICLE

RELEASES

OVER - \$100

October-15

<u>YEAR</u>	<u>BILL NUMBER</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
2015	4393	BIDDLE, WILLIAM K & JAMIE S	ORDER OF PROPERTY TAX COMMISSION	\$148.05
2012	42332	BROWN, JUSTIN	MILITARY	\$111.04
2008	2005218	ISGRIG, TERRY WAYNE	MILITARY	\$107.41
2015	55770	SCHULZ, ERICH R	ORDER OF PROPERTY TAX COMMISSION	\$184.21
TOTAL				\$550.71

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

<u>Bill Year</u>	<u>Bill Number</u>	<u>Name</u>	<u>Reason</u>	<u>Refund Amount</u>
2014	VTS - 0024813600	BOWMAN, TRAVIS	SUBMITTED TAG TO DMV	\$110.68
2014	VTS - 0018658208	BREWER, FRANK	SUBMITTED TAG TO DMV	\$137.75
2015	9210	CALDWELL, JAMEY M & STACEY M	ORDER OF BOARD OF E & R	\$254.25
2015	9667	CAMPBELL, TERESA M	ORDER OF BOARD OF E & R	\$254.25
2015	VTS - 0027161713	CANAL WOOD LLC	SUBMITTED TAG TO DMV	\$223.71
2014	VTS - 0024784105	CHAMBERLAIN, KAREN	SUBMITTED TAG TO DMV	\$182.16
2015	15361	DAVIS, VERNON & VIRGINIA	ORDER OF BOARD OF E & R	\$254.25
2014	VTS - 0019447033	DUNN, DAVID	SUBMITTED TAG TO DMV	\$189.52
2015	VTS - 0027591663	ELDER, JENANNE	MILITARY	\$173.47
2015	VTS - 0027720751	ESKIE, EVE ANNE	SUBMITTED TAG TO DMV	\$150.41
2015	19752	FITZGERALD, CHARLES G	ORDER OF BOARD OF E & R	\$254.25
2015	22897	GIEDZINSKI, HENRY B JR &	ORDER OF BOARD OF E & R	\$384.75
2014	VTS - 0025131292	HAGEN, SUSAN	SUBMITTED TAG TO DMV	\$130.72
2014	VTS - 0018647179	HALL, CHRISTINE	SUBMITTED TAG TO DMV	\$106.48
2014	VTS - 0018663974	HALLECK, MICHAEL	SUBMITTED TAG TO DMV	\$229.63
2015	25579	HANLON, KEITH M & TANA C	SUBMITTED TAG TO DMV	\$254.25
2015	27668	HILLIARD, CAROLYN G	ORDER OF BOARD OF E & R	\$627.91
2015	27702	HILTNER, KEITH & JANICE M	ORDER OF BOARD OF E & R	\$254.25
2015	27911	HOBSON, STEFFI	ORDER OF BOARD OF E & R	\$389.25
2015	31739	KAHAUNAELE, GINO P	ORDER OF BOARD OF E & R	\$384.75
2014	VTS - 0015914350	KERSEY, CHARLES	SUBMITTED TAG TO DMV	\$170.61
2015	33585	KOMOROWSKI, FRANCIS J &	ORDER OF BOARD OF E & R	\$254.25
2015	33691	KRAFT, JONATHAN P	ORDER OF BOARD OF E & R	\$143.24
2014	VTS - 0005245708	LAROSE, CATHERINE	ORDER OF PROPERTY TAX COMMISSION	\$123.07
2015	VTS - 0028693297	LEE ELECTRICAL CONSTRUCTION INC	SUBMITTED TAG TO DMV	\$177.97
2015	VTS - 0028693286	LEE ELECTRICAL CONSTRUCTION, INC	SITUS	\$106.40
			SITUS	

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

<u>Bill Year</u>	<u>Bill Number</u>	<u>Name</u>	<u>Reason</u>	<u>Refund Amount</u>
2014	VTS - 0026088681	LEHNER, ERIC	SUBMITTED TAG TO DMV	\$174.16
2014	VTS - 0020985636	MCADOO, JOYCE	SUBMITTED TAG TO DMV	\$136.88
2014	VTS - 0026691556	METHENY, JON	SUBMITTED TAG TO DMV	\$109.19
2013	39063	MILLER, JONATHAN ROBERT	MILITARY	299.19
2015	43699	MOODY INVESTMENT ADVISORS, INC	ORDER OF PROPERTY TAX COMMISSION	\$1,152.18
2015	44648	MORRELL, EDWARD J III &	ORDER OF BOARD OF E & R	\$254.25
2015	45999	NELSON, MICHAEL R	ORDER OF BOARD OF E & R	\$254.25
2014	VTS - 0015932434	PIERCE, STEPHEN	SUBMITTED TAG TO DMV	\$112.69
2015	54403	RUDDER, JOSEPH M	ORDER OF BOARD OF E & R	\$141.25
2015	56897	SHELLS, TRACY P JR & DARLENE M	ORDER OF BOARD OF E & R	\$384.75
2015	57683	SINGER, TERRY & NICOLE	ORDER OF BOARD OF E & R	\$411.75
2015	59014	SPEER, JIMMY D	ORDER OF BOARD OF E & R	\$254.25
2014	VTS - 0025328271	SULLIVAN, JOSHUA	MILITARY	\$136.34
2015	61798	THAYER, JEFFREY A & CHRISTEN L	ORDER OF BOARD OF E & R	\$384.75
2014	VTS - 0023934155	THE PLUMBING KNIGHT INC	SUBMITTED TAG TO DMV	\$103.83
2014	VTS - 0015931632	WADE, VINCENT	SUBMITTED TAG TO DMV	\$137.95
2015	65896	WATSON, ROGER L JR & CLAUDIA A	ORDER OF BOARD OF E & R	\$348.75
			TOTAL	10,718.64

Appendix D
11-17-2015

**REVISION NO. 4 RESOLUTION AUTHORIZING THE
ACCEPTANCE OF VISION 100 GRANT FUNDS FOR FY13
PROJECT #36237.67.6.1 – RW 23 APPROACH CLEARING (PHASE 2)**

WHEREAS, the Moore County Airport Authority is eligible for VISION 100 funds (Non-Primary Entitlement funds) 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 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) under Project#36237.67.6.1.

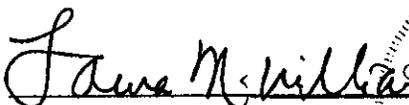
WHEREAS, such allocation of funds will be approved in consideration of local funding available for the County of Moore's local share of \$16,667 for each year's grant, which was appropriated by the Moore County Board of Commissioners at their April 15, 2014 meeting for FY13 local match. A portion of 2013 Vision funds in the amount of \$10,709 (\$9,638 federal; \$1,071 local) were used for the waterline project and \$28,887 (\$25,996 federal; \$2,891 local) were combined with a portion of 2012 funds under Project #36237.67.5.2 for the RW 23 Approach Clearing (Phase 1). The RW Approach Clearing (Phase 2) will use \$109,497 (\$98,547 federal; \$10,950 local). This will leave a balance in the FY13 funds of \$17,574 (\$15,819 federal; \$1,755 local) which will be moved to a different account called 2013 Vision Remaining.

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 the following amounts, which will consist of the following work elements: RW 23 tree clearing at the Moore County Airport in an amount not to exceed \$109,497.

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 15th day of April 2014 with Revision No. 1 adopted the 5th day of May 2014, Revision No. 2 adopted the 7th day of October 2014, Revision No. 3 adopted the 16th day of June 2015 and Revision No. 4 adopted the 17 day of November 2015.


Laura M. Williams, Clerk to the Board




Nick Picerno, Chairman
Moore County Board of Commissioners

REVISION NO. 4 PROJECT BUDGET ORDINANCE
Project #36237.67.6.1 (RW 23 Approach Clearing Phase 2)

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

Section 1: The grant application was approved by the Board of Commissioners on September 15, 2015. The grant agreement has been received from the State of North Carolina Department of Transportation and has been given project #36237.67.6.1. Funding for this project will come from FY13 Non Primary Entitlement Funds.

The RW 23 Approach Clearing (Phase 2) will be using \$109,497 (\$98,547 federal; \$10,950 local) of the FY13 NPE funds. There currently is \$127,071 (\$114,366 federal; \$12,705 local) of FY13 NPE funds remaining. The difference in funds needed (\$109,497) and funds available (\$127,071) will be moved to a separate account called 2013 Vision Remaining to be used on a future project. The amount that will reside in the 2013 Vision Remaining account will be \$17,574 (\$15,819 federal; \$1,755 local).

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

Section 3: The following revenues are anticipated to be available to complete the RW 23 Approach Clearing (Phase 2):

<u>Funding Source</u>	<u>Current</u>	<u>Decrease</u>	<u>Revised Totals</u>
Federal	\$114,366	\$15,819	\$ 98,547
Local (County)	<u>\$ 12,705</u>	<u>\$ 1,755</u>	<u>\$10,950</u>
Total	\$127,071	\$17,574	\$109,497

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

	<u>Current</u>	<u>Decrease</u>	<u>Revised Totals</u>
Total	\$127,071	\$17,574	\$109,497

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.

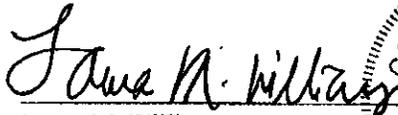
Section 6: The Finance Officer is directed to report the financial status of the project as requested by the Board.

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.

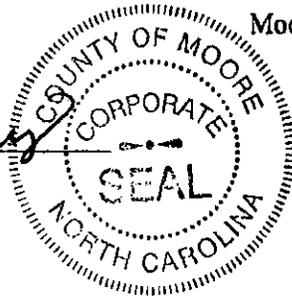
First adopted on the 15th day of April 2014, with Revision no. 1 adopted the 5th day of May 2014, Revision No. 2 adopted the 7th day of October 2014, Revision No. 3 adopted the 16th day of June 2015 and Revision No. 4 adopted this the 19 day of November.



Nick Picerno, Chairman
Moore County Board of Commissioners



Laura M. Williams
Clerk to the Board



Appendix E

11-17-2015

STATE OF NORTH CAROLINA

BEFORE THE MOORE COUNTY
BOARD OF COMMISSIONERS

COUNTY OF MOORE

FILE NO.: _____

Applicant: David Garza

) ORDER OF FINDINGS OF FACT AND
) CONCLUSIONS IN SUPPORT OF
) GRANTING A CONDITIONAL USE
) PERMIT

ParID # 97000323

THIS CAUSE, being heard by the Moore County Board of Commissioners on November 17, 2015 at 5:30 p.m. in the Historic Courthouse, 2nd Floor Meeting Room, Carthage, NC for a hearing on David Garza's application for a Conditional Use Permit. It appearing that the Moore County Board of Commissioners has proper jurisdiction over the parties and subject matter and that the parties are properly before the Moore County Board of Commissioners. After reviewing the documents of record and hearing from all parties and witnesses, the Board of Commissioners by sufficient evidence, based on the standards and *Unified Development Ordinance of Moore County, NC* enters the following order.

FINDINGS OF FACT

1. That all parties were notified of the hearing.
2. That all witnesses were sworn and testified.
3. That the applicant requests to open a veterinary clinic on the property.
4. That the property is zoned Village Business (VB) and allows the proposed use upon issuance of a Conditional Use Permit.
5. That the proposed site details are as follows:

Zoning	Village Business (VB)
Acreage	1.2 acres
Watershed	WS-II-BW Drowning Creek
Highway Corridor Overlay	N/A
Floodplain	N/A
Historical Use	Real Estate Office

6. That applicant agreed to the conditions below at public hearing of even date herewith:

- Should the Zoning Administrator, Building Inspector, Environmental Health, Public Utilities, or the Fire Marshal identify minor changes staff shall be authorized to accept such minor modifications to site plan as necessary.
- The veterinary clinic shall not include outdoor kennels.
- The applicant shall have two (2) years to occupy the entire building through vested rights approval.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact the Moore County Board of Commissioners makes the following Conclusions with respect to the requested conditional use:

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan;
2. The use meets all required conditions and specifications;
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity;
4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the approved Moore County Land Use Plan. In this instance, the proposed use is reflected in the goals of the Moore County Land Use Plan adopted in November 2013. Specifically, Goal 1.7: Support and promote local business.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

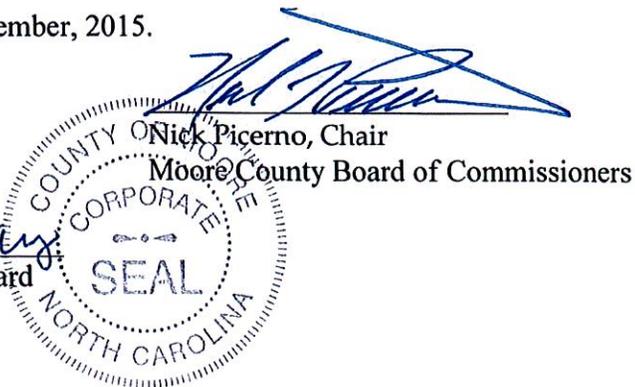
The Conditional Use Permit request of David Garza is hereby GRANTED for the reasons stated above. The Conditional Use Permit shall expire two (2) years from the date of issuance unless the proposed development is pursued as set forth in the Moore County Unified Development Ordinance. Continued compliance with the original site plan and this permit issued by the Board shall entitle applicants to the continued use of the property.

A copy of these FINDINGS AND CONCLUSIONS shall be filed with the Clerk of the County of Moore, and a copy of such order shall be served by certified mail, return receipt to the applicant David Garza, and shall be served by means of certified mail, return receipt requested upon any person specifically requesting service of the same.

So ORDERED this the 17th day of November, 2015.

Attest:

Laura Williams
 Laura Williams, Clerk to the Board



MEMORANDUM TO THE BOARD OF COMMISSIONERS

FROM: Debra Ensminger
Planning & Transportation Director

DATE: October 21, 2015

SUBJECT: Conditional Use Permit Request: Veterinary Clinic

PRESENTER: Debra Ensminger

REQUEST

The applicant, David Garza, is seeking a two year vested Conditional Use Permit approval to operate a veterinary clinic in an existing building located at 125 West Plaza Drive, West End in Seven Lakes West on a parcel (ParID 97000323) owned by Phillip and Pamela Harrell as identified in the Moore County tax records. The parcel is approximately 1.2 acres. This case was properly advertised and all adjacent property owners were notified.

BACKGROUND

- The property is zoned Village Business District (VB) which requires a Conditional Use Permit for the use, Veterinary Clinic. All adjacent properties are zoned Village Business (VB).
- The current use of the property is a real estate office. The adjacent land uses include a shopping center comprising of a church, retail, medical office, and a restaurant.
- The existing building on site was built in 1999. Per the applicant, the building will not be expanding and the veterinary clinic will not include outdoor kennels. The applicant intends to lease a portion of the building as indicated on the attachment "Phase I" for one year. After one year the applicant intends to purchase the property and occupy the entire building as indicated in the attachment "Phase II." Therefore, the applicant is requesting a two year vested rights approval to occupy the entire building.
- The property will be tapped onto County Water.
- The existing septic system will be enlarged to adequately service the site.
- Per the Fire Marshal, installation of a fire hydrant is not required.
- Watershed – The property is located in WS-II-BW Drowning Creek Watershed. The building is existing. No additional impervious surface is being requested.
- Per NCDOT, a driveway permit is not required.
- The submitted application and site plan meets all required standards and conditions set forth in the Moore County Unified Development Ordinance.

IMPLEMENTATION PLAN:

Hold the public hearing and approve/deny the conditional use permit request.

ACTION BY THE PLANNING BOARD:

The Moore County Planning Board reviewed this request at their October 1, 2015 meeting and voted unanimously to endorse the Moore County Board of Commissioners to approve a two (2) year vesting of the Conditional Use Permit for the use of a Veterinary Clinic on the parcel known as ParID# 97000323.

REQUIRED FINDINGS OF FACT FOR CONDITIONAL USE PERMIT:

A Conditional Use Permit shall be approved with the following Conditional Use Permit Findings of Fact (Section 3.9.8):

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan;
2. The use meets all required conditions and specifications;
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity;
4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the approved Moore County Land Use Plan. In this instance, the proposed use is reflected in the goals of the Moore County Land Use Plan adopted in November 2013. Specifically, Goal 1.7: Support and promote local business.

ADDITIONAL CONDITIONS

The applicant has agreed to the following conditions for approval:

1. Should the Zoning Administrator, Building Inspector, Environmental Health, Public Utilities, or the Fire Marshal identify minor changes staff shall be authorized to accept such minor modifications to site plan as necessary.
2. The veterinary clinic shall not include outdoor kennels.
3. The applicant shall have two (2) years to occupy the entire building through vested rights approval.

FINANCIAL IMPACT STATEMENT:

No financial impact to the County.

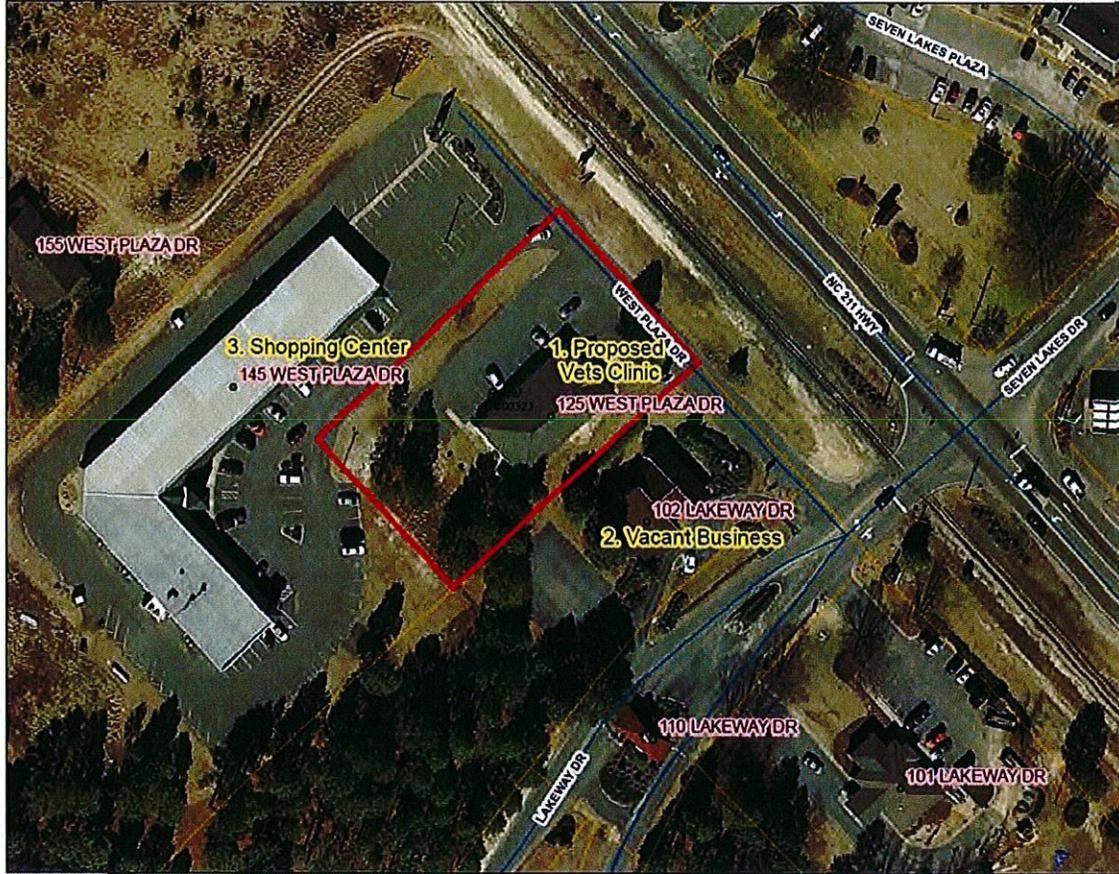
RECOMMENDATION SUMMARY:

Make a motion to approve / deny the Conditional Use Permit with provided conditions.

ATTACHMENTS

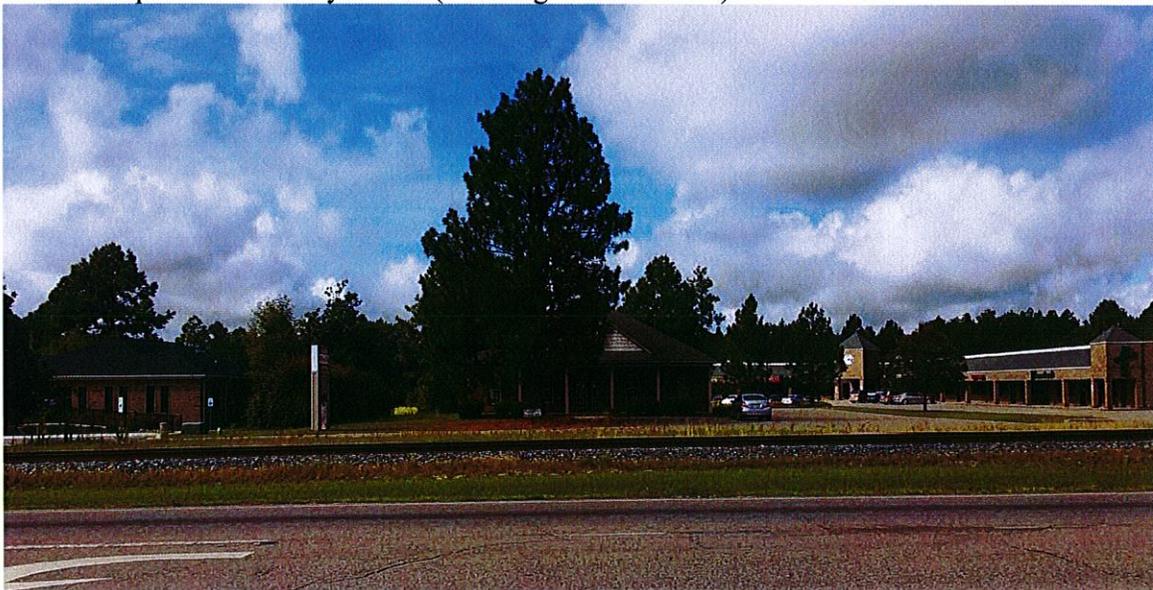
Land Use Map and Adjacent Pictures
Vicinity Map
Conditional Use Permit Application
Submitted Site Plan
Phase I Floor Plan
Phase II Floor Plan

LAND USE MAP



PICTURES OF SITE AND ADJACENT PROPERTIES

1. Proposed Veterinary Clinic (Building in the Middle)





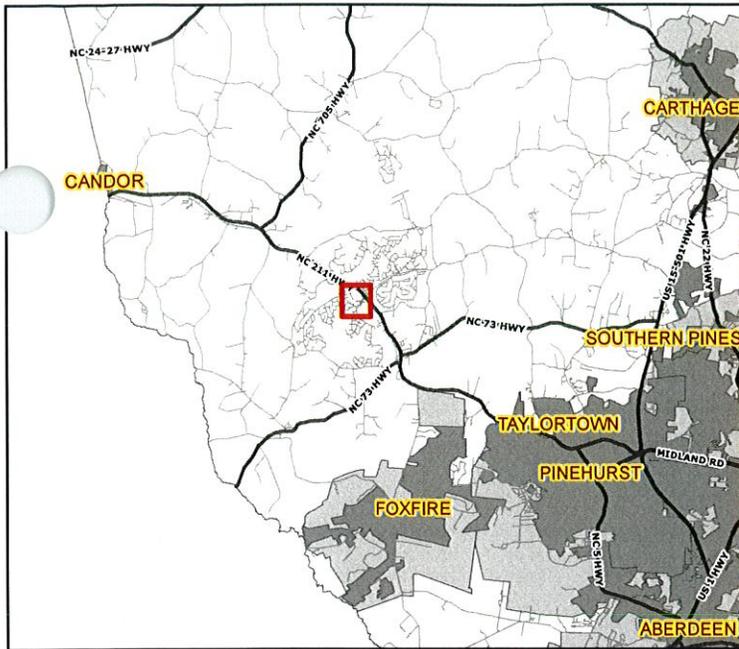
2. 102 Lakeway Drive (Vacant Business)



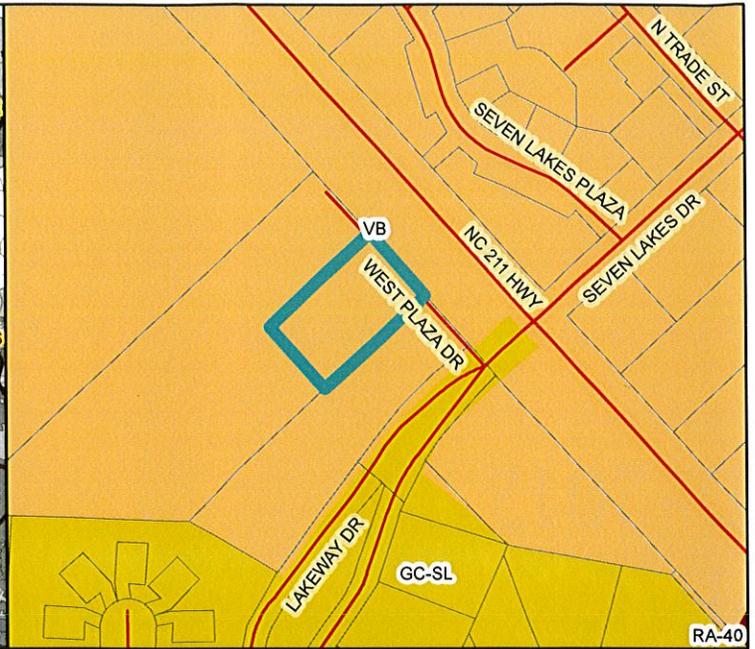
Staff Report – Conditional Use Permit – Veterinary Clinic – West Plaza Drive

3. 145 West Plaza Drive (Shopping Center)





County Location Map
1 in = 5 miles



Current Zoning
1 inch = 327 feet



Aerial Photography 2010
1 in = 90 ft



Moore County GIS Disclaimer
All the information contained on this media is prepared for the inventory of real property found within Moore County. All data is compiled from recorded deeds, plans, and other public records and data. Users of the data are hereby notified that the above-referenced public primary information sources should be consulted for verification of the information. No information contained herein was created by the County Information Systems. MOORE COUNTY, ITS OFFICIALS, AGENTS AND EMPLOYEES MAKE NO WARRANTY AS TO THE CORRECTNESS OR ACCURACY OF THE INFORMATION SET FORTH ON THIS MEDIA WHETHER EXPRESSED OR IMPLIED, BY FACT OR BY LAW INCLUDING WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR USE. Any resale of this data is strictly prohibited in accordance with North Carolina General Statutes 150-15.



Vicinity Map
Owner: Phillip & Pamela Harrell
Applicant: David Garza
Conditional Use Permit Request

ParID 97000323

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



PLANNING & COMMUNITY DEVELOPMENT



P.O. Box 905
 1049 Carriage Oaks Drive
 Carthage, NC 28327
 Planning: 910.947.5010
 Central Permitting: 910.947.2221
 Fax: 910.947.1303
 www.moorecountync.gov

Conditional Use Permit Application

Application Date: <u>8/17/15</u>			
Location/Address of Property: <u>125 West Plaza Drive - West End, NC 27376</u>			
Applicant: <u>A. David Garza, DVM</u>		Phone: <u>910-975-9485</u>	
Applicant Address: <u>360 Pleasantville Ln</u>	City: <u>West End</u>	St: <u>NC</u>	Zip: <u>27376</u>
Owner: <u>Phillip Harrell</u>		Phone: <u>910-1073-1724</u>	
Owner Address: <u>3257 Seven Lakes West</u>	City: <u>West End</u>	St: <u>NC</u>	Zip: <u>27376</u>
Current Zoning District: <u>71KS Commercial Lot 2, V B</u>	Proposed Use: <u>Veterinary Hospital</u>		
Comments: <u>No boarding</u>			

Application Submittal

Applicant must submit a complete application packet on or before the submittal deadline. This includes:

- Completed Moore County Conditional Use Permit Application. 3 adj.
- Application Fee (\$175).
- 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).
- A detailed site plan. (See page two of this packet for list of items to include.)

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.

[Signature] 8/25/15
 Applicant/Owner Signature Date

[Signature] 8/25/15
 Applicant/Owner Signature Date

Office Use Only:
 PAR ID: 97000323
[Signature] 8/31/15
 Received By Date

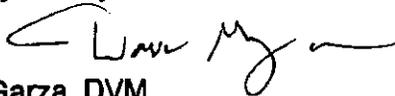
8/25/15

Planning and Community Development
1048 Carriage Oaks Dr.
Carthage, NC 28327

Planning and Zoning Board,

In regards to the Conditional Use Permit Application, we would like to include some background information and our future plans for this location. We will be using this location 125 West Plaza Drive in West End as a veterinary hospital. I have been a veterinarian for almost 30 years (graduated from vet school in 1986). I owned a very busy, progressive practice in Austin, TX for many years. My wife (who is the practice manager) and I sold our practice in 2009. We traveled for a few years with our two children and settled in the Seven Lakes/West End area in April of 2013. We began a mobile veterinary practice in the area and I have also done some relief work in the area. With that being said, I have built a good practice with exceptional clientele. While we have been providing mobile services to our clients, we have found that there is a need and desire for a full service veterinary hospital in the area. Our goal and mission will be to provide the highest level of care with the latest technology available in a friendly, caring and compassionate environment. We believe that this location will allow us to achieve our goals and we look forward to being a staple in the Seven Lakes, West End and surrounding communities.

Thank you for your time and consideration,

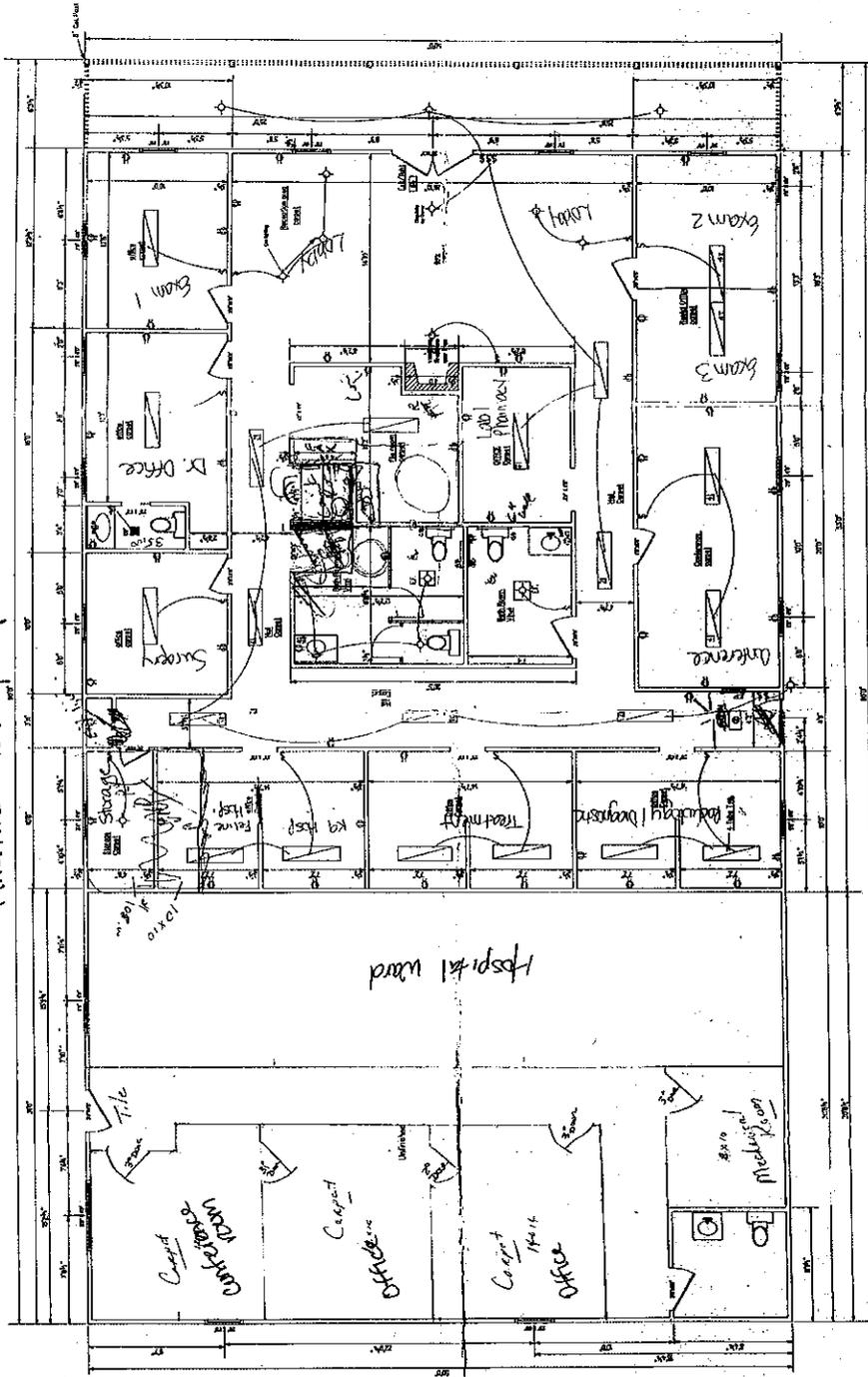


Dave Garza, DVM
PineHills Veterinary Services
910-975-2405

Phase II

* purchase building; occupy 100%

Pine Hills Veterinary Hospital



<p>ARNOLD BURNS CONSTRUCTION CO., INC. Residential Design & Drafting</p>	<p>NOTE: The Design and Drafting Service has prepared these plans to ensure that these drawings meet or exceed all state and local codes. The Owner/Contractor shall verify all dimensions and size of structural components. The Design and Drafting Service is not liable for errors once construction begins.</p>	<p>NUC K. 300.000 DATE: 01-28-88 SCALE: 1/4" = 1'-0"</p>	<p>FLOOR PLAN</p>	<p>SQUARE FOOTAGES: FIRST FLOOR: 4500 TOTAL FOOTAGE: 4500 FRONT PORCH: 375</p>	<p>Scale: 1/4" = 1'-0"</p>	<p>PLAN ROOM</p>
					<p>Drawn By: DAB/RUC</p>	<p>Date: 01-28-88</p>

Appendix F

11-17-2015

RESOLUTION APPROVING THE AGREEMENT BETWEEN
THE COUNTY OF MOORE AND THE EAST MOORE WATER DISTRICT

WHEREAS, the County of Moore is a political subdivision of the State of North Carolina; and

WHEREAS, the East Moore Water District is a county water district organized and existing under the laws of the State of North Carolina; and

WHEREAS, pursuant to N.C.G.S. §160A-461, the County of Moore and the East Moore Water District are authorized to enter into contracts in order to execute any undertaking.

NOW, THEREFORE, BE IT RESOLVED, the East Moore Water District does hereby approve the attached agreement between the County of Moore and the East Moore Water District.

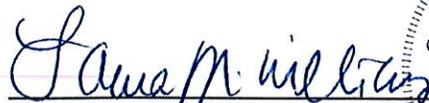
Adopted this the 17th day of November, 2015.

EAST MOORE WATER DISTRICT



Nick J. Picerno, Chairman
Board of Commissioners

Attest:



Laura M. Williams
Clerk to the Board



RESOLUTION APPROVING THE AGREEMENT BETWEEN
THE COUNTY OF MOORE AND THE EAST MOORE WATER DISTRICT

WHEREAS, the County of Moore is a political subdivision of the State of North Carolina; and

WHEREAS, the East Moore Water District is a county water district organized and existing under the laws of the State of North Carolina; and

WHEREAS, pursuant to N.C.G.S. §160A-461, the County of Moore and the East Moore Water District are authorized to enter into contracts in order to execute any undertaking.

NOW, THEREFORE, BE IT RESOLVED, the County of Moore does hereby approve the attached agreement between the County of Moore and the East Moore Water District.

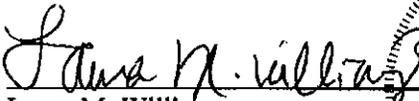
Adopted this the 17th day of November, 2015.

COUNTY OF MOORE

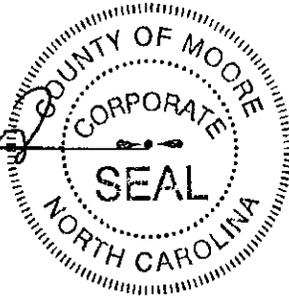


Otis Ritter, Vice-Chairman
Board of Commissioners

Attest:



Laura M. Williams
Clerk to the Board



Appendix B
1/17/2015

**RESOLUTION CALLING A SPECIAL ADVISORY REFERENDUM
CONCERNING THE LEVY OF A ONE-QUARTER CENT (1/4¢) COUNTY
SALES AND USE TAX**

WHEREAS, the General Assembly has enacted the "One-Quarter Cent (1/4¢) County Sales and Use Tax Act," Article 46 of Chapter 105 of the North Carolina General Statutes, which authorizes counties to levy a local sales and use tax; and

WHEREAS, in order to levy the local sales and use tax, the County of Moore must conduct an advisory referendum in accordance with the provisions of North Carolina General Statutes Section 163-287.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners for the County of Moore:

Section 1. In accordance with the North Carolina General Statutes, a special advisory referendum is hereby called to be held between the normal time the polls are open, on Tuesday, March 15, 2016, at which there shall be submitted to the qualified voters of the County of Moore the question set forth in Section 3 of this Resolution.

Section 2. The Moore County Board of Elections shall conduct said Referendum.

Section 3: The ballot question shall be in the following form:

FOR AGAINST

Local sales and use tax at the rate of one-quarter percent (0.25%) in addition to all other State and local sales and use taxes.'

Section 4: The Clerk to the Board of Commissioners is authorized and directed to transmit a certified copy of this Resolution to the Moore County Board of Elections within three (3) days after the passage hereof.

Section 5: The Board of Elections shall publish legal notice of the special advisory referendum in accordance with the North Carolina General Statutes Section 163-287.

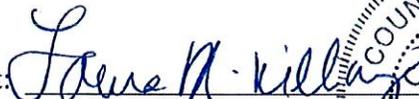
Section 6: This Resolution shall take effect upon its passage.

This the 17th day of November 2015.



Nick J. Picerno, Chairman
Board of Commissioners

Attest:


Laura M. Williams, Clerk to Board

Appendix H
11-17-2015

RESOLUTION SPECIFYING THE PROCEEDS FROM THE ONE-QUARTER CENT (1/4¢) COUNTY SALES AND USE TAX IF PASSED IN THE SPECIAL ADVISORY REFERENDUM TO BE VOTED ON MARCH 15, 2016

WHEREAS, the General Assembly has enacted the "One-Quarter Cent (1/4¢) County Sales and Use Tax Act," Article 46 of Chapter 105 of the North Carolina General Statutes, which authorizes counties to levy a one-quarter cent (1/4¢) sales and use tax; and

WHEREAS, in order to levy the local sales and use tax, the County of Moore must conduct an advisory referendum in accordance with the provisions of North Carolina General Statutes Section 163-287; and

WHEREAS, on November 17, 2015, the Board of Commissioners, by Resolution, called a special advisory referendum to be held, between the normal time the polls are open, on Tuesday, March 15, 2016; and

WHEREAS, the revenue from the potential Sales and Use Tax will generate an estimated \$2,200,000 per year.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners for the County of Moore that the proceeds from the local Sales and Use Tax, if supported by the Advisory Referendum on March 15, 2016, will be collected according to Article 46 of Chapter 105 of the North Carolina General Statutes.

FURTHER, BE IT RESOLVED that if the Advisory Referendum is supported on March 15, 2016, the net proceeds from the additional one-quarter percent (1/4%) Article 46 of Chapter 105 Sales and Use Tax collected shall be deposited in the County of Moore's General Fund to pay for the Moore County Public School System's (hereinafter "Schools") major capital building projects. This potential additional allocation to the Schools excludes the funding that Sandhills Community College (hereinafter "SCC") currently receives from the County and will

not impact the "funding formula Resolution" adopted by the Moore County Board of Commissioners on June 17, 2014, entitled Resolution For Funding For Dempsey Hall Student Center Expansion and Deferred Maintenance Cost for Sandhills Community College.

Accordingly, SCC will not receive any additional allocation of funds if the Advisory Referendum for the additional one-quarter percent (1/4%) Article 46 of Chapter 105 Sales and Use Tax collected is supported by the voters on March 15, 2016.

This the 17th day of November, 2015

Attest:


Laura M. Williams, Clerk to Board



Nick J. Picerno, Chairman
Board of Commissioners

Appendix I
11-17-2015

**MOORE COUNTY RESOLUTION
SUPPORTING THE REVISIONS OF ARTICLE 46 OF CHAPTER 105 OF THE NORTH CAROLINA
GENERAL STATUTES CONTAINED IN SENATE BILL 605 (2015-2016) ENTITLED
AN ACT TO MAKE VARIOUS CHANGES TO THE REVENUE LAWS**

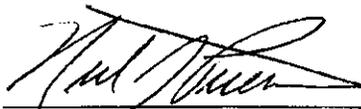
WHEREAS, Senate Bill 605 (2015-2016) contains revisions to Article 46 of Chapter 105 of the North Carolina General Statutes which authorizes an increase in the maximum rate of local sales and use tax that may be levied under this Article from one-quarter percent (1/4%) to one-half percent (1/2%). Among other conditions stipulated in this Bill, the tax must be in an increment of one-quarter percent (1/4%); and

WHEREAS, Moore County supports the revisions to Article 46 of Chapter 105 of the North Carolina General Statutes as stipulated in Senate Bill 605.

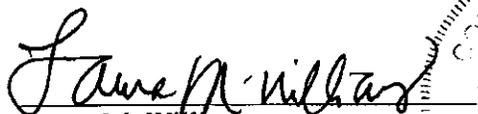
THEREFORE BE IT RESOLVED that the Moore County Board of Commissioners supports the revisions to Article 46 of Chapter 105 of the North Carolina General Statutes as stipulated in Senate Bill 605 (2015-2016) and requests that this Bill be ratified into law; and

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

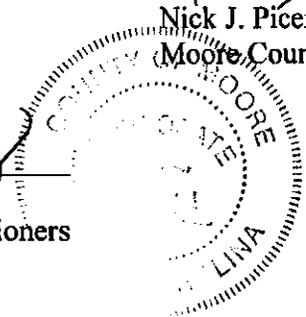
Adopted, this 17th day of November, 2015.



Nick J. Picerno, Chairman
Moore County Board of Commissioners



Laura M. Williams
Clerk to the Board of Commissioners



Appendix J
11-17-2015

**RESOLUTION REQUESTING RESTORATION OF LOTTERY FUNDS
DESIGNATED TO MOORE COUNTY FOR SCHOOL CAPITAL NEEDS**

WHEREAS, counties in North Carolina are statutorily responsible for providing public school facilities in North Carolina; and

WHEREAS, counties spend more than \$1 billion annually to support public school capital needs; and

WHEREAS, counties also spend nearly \$2.5 billion annually to support public school operating expenses traditionally borne by the State, such as supplemental pay for teachers and administrators and additional classroom instructional personnel; and

WHEREAS, when the General Assembly established the North Carolina Education Lottery in 2005, it pledged to devote 40 percent of the net revenue from the lottery to counties each year to help meet school capital needs; and

WHEREAS, in reliance on that pledge, Moore County has incurred outstanding debt principal as of December 2014 in the amount of \$49,951,305, and interest in the amount of \$16,894,698, with a total debt of \$66,846,003 for school capital outlay projects for Moore County Schools; and

WHEREAS, the debt service principal and interest payments per year on this incurred debt is approximately \$3,379,554 in principal and approximately \$1,883,509 in interest, with a total debt service of \$52,630,063; and

WHEREAS, since 2010, the State of North Carolina has reduced the amount of lottery funds received by or expected to be received by Moore County to support the capital needs of the Moore County Schools by as much as \$3,000,000; and

WHEREAS, as a result of the State's actions, Moore County now faces critical budgetary constraints as it attempts to balance the payment of school debt service with funding school capital needs; and

WHEREAS, in order to avoid the need for a potential property tax increase to make up for the lost lottery revenues, Moore County needs the lottery funds now designated to Moore County to pay the debt service due, to pay for the construction of new schools, and to pay for the renovations and expansions of existing schools; and

WHEREAS, the decisions of the State to withhold the funds from Moore County will have a negative impact on Moore County youth, Moore County Schools, and all the citizens of Moore County.

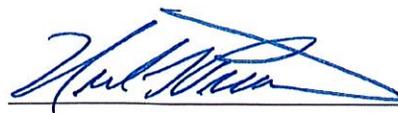
NOW, THEREFORE, BE IT RESOLVED that the Moore County Board of Commissioners adopt this resolution asking the North Carolina General Assembly to restore the statutory requirement that 40 percent of the net lottery revenue be allocated to counties for school capital needs and to increase the annual appropriation of lottery funds accordingly.

FURTHER BE IT RESOLVED that copies of this resolution be transmitted to the members of the General Assembly representing Moore County to let them know of our support for restoring the 40 percent allocation and appropriation of lottery revenues to counties for school capital needs.

Adopted this the 17th day of November, 2015


Laura M. Williams
Clerk to the Board




Nick J. Picerno, Chairman
Moore County Board of Commissioners